

**OFFICE OF THE COOK COUNTY  
RECORDER OF DEEDS**

**STATEMENT OF PURPOSE**

The Office of the Cook County Recorder of Deeds records, stores and maintains land records and other official documents in perpetuity for public and private use, facilitating home ownership and mortgage lending. Our staff works to provide access to this information in an efficient and courteous manner, both in our physical offices and online.

The Cook County Recorder's Office also maintains a Property Fraud Unit to help homeowners investigate fraudulent filings against their property and coordinate law enforcement efforts. We also safeguard vital military discharge records and operate a Veterans Service Office to provide veterans and their families.

**POLICY MANUAL AND PROCEDURES ACKNOWLEDGMENT**

This Manual governs the personnel policies and procedures of the Cook County Recorder of Deeds Office. I understand that these policies may change and that the Recorder Administration will provide me with written notification if and when they do. I understand that I will be responsible for updating my Manual with the written notification provided by the Recorder Administration. I agree also to abide by such changes. I further understand that any violation of these policies and procedures may result in Disciplinary Action up to and including discharge.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**THIS PAGE IS TO BE EXECUTED BY THE EMPLOYEE AND PLACED IN THE  
EMPLOYEE'S PERSONNEL FILE.**

**COOK COUNTY RECORDER OF DEEDS**  
**PERSONNEL POLICY AND PROCEDURES MANUAL**

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## APPENDIX

### Appendix No. 1: Cook County Recorder’s Employment Plan

## I. INTRODUCTION

This Personnel Policy and Procedures Manual (“Manual”) serves as a guide for Employees of the Cook County Recorder of Deeds Office (“CCRD”) providing information regarding office policies and procedures. Its purpose is two-fold: (1) to serve as a referential source of information; and (2) to aid in establishing and maintaining uniformity of policies and procedures. The Manual applies to all Employees of the CCRD that are not *Shakman*-exempt and is intended to define and communicate the CCRD’s policies and procedures. In the event that provisions of this Manual vary from the terms of effective collective bargaining agreement (“CBA”), the terms of those agreements shall govern members of the collective bargaining unit.

Each Employee is responsible for maintaining and updating the Manual as necessary with any amendments or revisions. All union Employees should also consult their applicable CBA.

This Manual reflects procedures developed for operational needs and for the purposes of complying with the Recorder’s Employment Plan, applicable federal, state and local laws, and the judgments, Consent Decree and Supplemental Relief Order (“SRO”) entered in *Michael L. Shakman, et al. v. The Democratic Organization of Cook County, et. al.*, 69 C 2145, while in effect. The Court-appointed Recorder Compliance Administrator (“RCA”), while acting, has the right to monitor any and all aspects of any Employment Actions in this Manual, in order to assess the Recorder’s progress toward substantial compliance with the SRO. Accordingly, Recorder Employees are required to provide the RCA with all documentation related to all Employment Actions covered in this Manual and with 48-hours’ notice of any Employment Action to allow the RCA the opportunity to monitor the same.

Employees are expected to familiarize themselves with the policies and procedures contained in this Manual as well as the Cook County Recorder of Deed’s Employment Plan as approved by the Court. Moreover, Employees are responsible for acknowledging and ensuring that they adhere to these policies and procedures and the Employment Plan. **The information contained by this Manual preempts all prior communications on subjects covered within this Manual. Any and all violations of this Manual shall be subject to Counseling or Discipline as provided in the Discipline Policy of this Manual.**

**Please be advised that this Manual does not constitute a contract and the language used in this Manual is not intended to create or to be construed as a contract or promise of continued employment. It is further understood that the Manual may be revised from time to time at the discretion of the CCRD.** Any such revisions must be made consistent with Section IV.A of the Employment Plan. The Manual sets forth general information and guidelines and does not purport to address every situation or contingency. Employees should direct all questions about policies, programs or other applications of this Manual to CCRD Human Resources and the DOC.

## II. INTERPRETATION OF RULES

All questions concerning the specific application of the provisions of these Rules shall be interpreted and resolved by the HRD in conjunction with the Director of Compliance. Nothing in this section shall be construed as a limitation on HRD's ability to seek advice from Legal Counsel in furtherance of carrying out the duties set forth in this section.

## III. DEFINITIONS

Anniversary Date: The date utilized for purposes of determining an Employee's step progression within his/her current classification in accordance with the applicable Salary Schedule. The anniversary date is established by the original date of employment as modified by Promotion, leaves of absence, demotion, Reclassification and/or upgrade.

Applicant: A person who has submitted an online application to the division of Human Resources for a Position and whose name appears on the Preliminary Eligibility List. *See* definition of Applicant in the Employment Plan.

Applicant Tracking and Application System ("ATAS"): The electronic employment application system used in the hiring of CCRD Employees. The CCRD currently uses TALEO as its Applicant Tracking and Application System.

Automated External Defibrillator ("AED"): A portable electronic device that automatically diagnoses potentially life-threatening cardiac emergencies and is able to treat the patient through defibrillation.

Candidate: An Applicant whose name is included on the Validated Eligibility List pursuant to Section V of the Employment Plan.

CCRD: Cook County Recorder of Deeds.

Chain of Command: The reporting structure to be followed for concerns and complaints not otherwise directed within this Manual (i.e. an employee's (1) Supervisor, (2) Director, where applicable, and (3) Deputy Recorder, where applicable).

Collective Bargaining Agreement ("CBA"): Any current collective bargaining agreement between the CCRD and any legally recognized collective bargaining representative of Employees of the CCRD. Any reference to "the applicable CBA" means pursuant and subject to the then current collective bargaining agreement.

Compensatory Time: Time off earned by a CCRD Employee pursuant to law and the CCRD's Personnel Policy and Procedures Manual. Only employees eligible to earn overtime under the Fair Labor Standards Act, or Illinois counterpart, may earn compensatory time.

Conflict of Interest: A situation in which impartiality and judgment may be compromised or may appear to be compromised because of an actual or potential conflict between a person's self-interest and his or her professional or public-interest.

Consent Decree: The “Judgment Entered Upon Consent of Cook County Recorder of Deeds” in 1992 between plaintiffs and the Recorder in *Shakman, et al. v. the Democratic Organization of Cook County, et al.*, Case No. 69 C 2145.

Contiguous State: A state that is contiguous to Illinois. These states are Wisconsin, Iowa, Michigan, Missouri, Indiana, and Kentucky.

Cross-Training: Teaching an Employee assigned to perform the functions of one Position the skills required to perform a different Position.

Day or day: A calendar day unless the stated timeframe is ten (10) days or less.

Designee: See definition of Designee in the Employment Plan for purposes of all Employment Actions. For all other purposes, Designee is a person who has been designated by a Supervisor to perform the duties on their behalf.

Desk Audit: The procedure used to determine whether a particular Position’s duties and responsibilities match its job classification and salary grade.

Division: A unit of the Recorder’s Office.

Division Head: The individual assigned to head or direct a Division. Also referred to as Director.

Division of Human Resources (“HRD”): The Division of Human Resources of the Recorder.

Director of Compliance: The CCRD Employee in charge of compliance who shall perform all tasks and responsibilities as described in the Employment Plan and as may be assigned from time to time.

Disciplinary Action: A process for dealing with behavior that does not meet expected and communicated performance standards.

Discipline: An action taken by management in response to an Employee’s conduct or performance, including verbal and written reprimands, suspensions and terminations, but not including Supervisory counseling.

Emergency: See definition of Emergency in the Employment Plan for purposes of all Employment Actions. For all other purposes an Emergency is a situation which involves a threat to an Employees health, safety or security.

Emergency Contact: Individual(s) identified by the Employee to receive notification of Emergencies on behalf of the Employee.

Emergency Suspension: A temporary, but immediate, separation from employment due to a situation involving a threat to an Employees health, safety or security, occurring prior to a Pre-Disciplinary Hearing.



Employment Action: Any action (positive or negative) related to any aspect of employment, including, but not limited to, hiring, training, change in job assignment, Cross-Training, Promotion, Transfer, assignment of Overtime and Compensatory Time and other benefits of employment, Discipline, and/or Termination.

Employee: An Employee of the CCRD either part-time or full-time.

Employment Plan: The Employment Plan filed on August 14, 2013 pursuant to the SRO entered in *Michael L. Shakman, et al. v. The Democratic Organization of Cook County, et. al.*, 69 C 2145 and as amended from time to time.

Exempt List: The list of all Exempt Positions.

Exempt Position: A CCRD employment Position that is included on the Exempt List because it is a job that involves policy making to an extent or is confidential in such a way that political party affiliation is an appropriate requirement for the effective performance of the job.

Exit Interview: An Interview conducted by HRD of an employee separating from employment with the CCRD.

Extern/Externship: A person who participates in a training program that is part of a course of study of an educational institution.

External Applicant: An Applicant who applies for a Position and is not an Employee of the Recorder at the time of application.

Fiscal Year: December 1 through November 30 of the following year.

Flextime: A work schedule with variable assigned working hours.

General Hiring Process: The hiring process described in detail in Section V of the Employment Plan.

Harassment: Unwelcome verbal or physical conduct based on a protected classification such as: a race, color, religion, sex, national origin, age, disability, sexual orientation, or retaliation.

Hiring Division: The Division in which an Applicant who is hired will be assigned to work.

HRD Headquarters: The headquarters of the Division of Human Resources located at Cook County Recorder of Deeds 118 N. Clark Street, Room 230, Chicago, IL 60602.

Immediate Family: Immediate family includes spouse, civil union partner, mother, father, children (including step children), siblings, grandparents, grandchildren, and spouse's parents.

Intern/Internship: A person who participates in a training program for the purpose of gaining supervised practical experience that is for his or her benefit and whose activities do not displace the work of regular CCRD Employees.

Internal Applicant: An Applicant who applies for a Position and who is actively employed by the CCRD at the time of application.

Internal Posting Application Process: The application process utilized for assessment of Internal Applicants for available Positions, Promotional Opportunities and Transfers incident to the applicable CBA.

Internal Candidate Eligibility List: List created for an available Position that identifies the Internal Candidates that meet all Minimum Qualifications.

Job Code: A code assigned to each job title.

Job Description: A written document that describes the Minimum Qualifications and current responsibilities of a Position and the skills, education and abilities needed to perform those responsibilities. The Job Description may also include any Preferred Qualifications.

Layoff: The temporary or permanent removal of a CCRD Employee from his or her job.

Minimum Qualifications: See definition of Minimum Qualification in the Employment Plan. Minimum Qualifications refers to the primary skill set, experience and/or education that an Applicant or Candidate must possess to be considered for employment in a specific Position.

No Political Consideration Certification (“NPCC”): The certification that, to the signer’s knowledge and agreement, no Political Reasons or Factors have been or will be taken into consideration or have or will influence the Employment Action involved.

Notice of Job Opportunity: The public notice of the recruitment for an available Position.

Overtime: Hours worked by an Employee in excess of forty (40) hours in a work week, or as otherwise provided in an applicable CBA. Only employees eligible to earn overtime pursuant to the Fair Labor Standards Act, and Illinois counterpart, may earn overtime.

Parental Leave: Paid time off as a result of the birth or adoption of a child.

Performance Evaluation: A formal written review of an Employee’s job-related performance.

Personnel Policy and Procedures Manual (“Manual”): See definition of Personnel Policy and Procedures Manual in the Employment Plan. References herein are to this Manual of CCRD’s employment policies and procedures, maintained by HRD, including any and all amendments and addendums thereto.

Political Reasons and Factors: Any reasons or factors relating to political matters in connection with any Employment Action, including, but not limited to: (1) any recommendation for or against the hiring, Promotion, Transfer or the taking of any other Employment Action with respect to any Applicant, potential Applicant or CCRD Employee from any Politically-Related Person or Organization that is not based on that Politically-Related Person’s or Organization’s personal knowledge of the Applicant’s, potential Applicant’s or CCRD Employee’s skills, work

experience or other job-related characteristics; (2) the fact that an Applicant, potential Applicant or CCRD Employee works or worked for a Politically-Related Person or Organization, or works or worked on a political campaign, unless related to a recommendation based on an Applicant's, potential Applicant's, or CCRD Employee's skills, work experience or other job related characteristics, (3) the fact that an Applicant, potential Applicant or CCRD Employee is or was, or is not or was not, a member of any political party or a Politically-Related Organization; (4) the fact that an Applicant, potential Applicant or CCRD Employee contributed or raised money, or provided anything of monetary value, to a Politically-Related Person or Organization, or refrained from doing so; (5) the fact that an Applicant is a Democrat or a Republican or a member of any other political party or group, or the fact that the Applicant, potential Applicant, or CCRD Employee is not such a member; or (6) the fact that an Applicant, potential Applicant or CCRD Employee may express any views or beliefs on political matters.

Politically-Related Person or Organization: Any elected or appointed public official or any person employed by, acting as an agent of or representing any elected or appointed public official or any political organization or politically-affiliated group.

Position Identification Number: The unique number assigned to a Position by Cook County Human Resources.

Position: Any probationary, temporary, part-time, full-time, permanent, temporary or any other post of employment with the CCRD.

Preferred Qualifications: See definition of Preferred Qualification in the Employment Plan. Minimum Qualifications refers to the additional skill set, above and beyond the Minimum Qualifications for a Position.

Reassignment Candidate: An individual who is subject to Layoff, who may transfer under an applicable CBA to other CCRD employment because of such layoff and who is actively employed in a Position at the time he or she is subject to layoff.

Recall Candidate: An individual who has been laid off from a Position and is eligible to return to work in accordance with an applicable CBA.

Reclassification: The process by which a Position is reclassified to another lower or higher classification pursuant to the Manual or an applicable CBA.

Recorder: The Cook County Recorder of Deeds.

Recorder Compliance Administrator: ("RCA"): The Recorder's Shakman Compliance Administrator appointed pursuant to Section I of the SRO.

Relative: A person who is related to an official or employee as spouse or any of the following, whether by blood, marriage or adoption: domestic partner, civil union partner, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother –in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.

Salary Schedule: A CCRD Employee's grade, step and compensation as provided by the Cook County Bureau of Human Resources and/or the applicable CBA.

Section: A sub-unit of a Division within the CCRD.

Separation: Discontinuance of employment with the CCRD including by Termination/Discharge, Resignation, Retirement, or by other means.

Shakman Case: *Shakman et al. v. Democratic Organization of Cook County, et al.*, United States District Court for the Northern District of Illinois Eastern Division Case Number 69 C 2145.

Sick Leave: Paid time off granted for the purposes of illness (as defined in the Time & Attendance policy) in accordance with the bi-weekly payroll system.

SRO: Supplemental Relief Order ("SRO").

Supervisor: Any employee of the CCRD who, among other managerial duties, has the authority to authorize, execute or recommend any Employment Action.

Supervisor Counseling: A discussion between the employee and their Supervisor(s) on how to correct the Employee's action or to provide direction to the Employee on how to meet the expectations of the office. A Supervisor Counseling is not a Disciplinary Action.

Temporary Assignment: Temporary Assignment refers to the assignment of a Position's duties to an Employee for execution on a short-term basis.

Vacation Leave: Paid time off issued in accordance with the bi-weekly payroll system.

Written or in writing: See definition of Written or in writing in the Employment Plan. Written or in writing refers to the provision of documentation as specified herein.

**Additional or related definitions can be found in the CCRD's Employment Plan. See Appendix No. 1.**

## **IV. CODE OF CONDUCT**

### **A. Customer Service**

1. Statement on Customer Services: Employees are expected to provide courteous, responsive, respectful, and knowledgeable service to our customers. We will provide the fullest possible service at all times by publicizing our range of services, and keeping our customers informed of any changes to our services.

2. Policy on Authorized Practice of Law: CCRD Employees are prohibited from suggesting and/or recommending to the public which legal form or legal instrument to use and how to prepare and utilize legal forms and documents.

### **B. Dress Code**

All Employees of the CCRD must be dressed neatly and in proper business attire, portraying to our customers the dignified and professional atmosphere of the business establishment. Business attire must be worn at all times.

### **C. Eating in Office**

Employees may not eat at their workstations. Employees may eat in one of the designated lunch rooms during their scheduled break or lunch time. All beverages must be in a container with a closed lid. Any spills that damage CCRD property will be the responsibility of the Employee and may result in disciplinary action.

### **D. Media Commentary During Work Hours**

Employees are prohibited from speaking to the media regarding any matters pertaining to CCRD and/or Cook County Government during the CCRD work day unless required by the Employee's job duties. All CCRD related media inquiries must be forwarded to the Chief Deputy Recorder or Designee.

### **E. Equal Employment Opportunity**

1. Overview: The CCRD is an Equal Employment Opportunity ("EEO") employer. As an EEO employer, the CCRD prohibits illegal discrimination and harassment and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, age, disability, national origin, ancestry, sexual orientation, marital status, parental status, military service or discharge status, source of income, housing, or any other protected category established by law, statute, or ordinance. The CCRD is committed to keeping its workplace free from discrimination and harassment and to maintaining an environment in which every person is treated with dignity and respect.

2. Reporting: The CCRD is also committed to creating a workplace that is free from discrimination against, or harassment of, any employee or customer. The CCRD wants to ensure that all Employees have the freedom and ability to reach his/her own potential in an atmosphere of mutual respect, value and opportunity. If at any time an Employee experiences

possible discrimination or harassment, he/she should advise: his/her manager or supervisor, director and/or deputy, HRD, DOC, or any other appropriate County, State, or federal agency. Employees may remain anonymous to the extent permitted by law.

3. Retaliation: The CCRD prohibits retaliation for reporting any instance of discrimination or harassment in accordance with applicable laws, statutes, or ordinances including any and all whistleblower protections under applicable law.

## **F. Violence**

The CCRD is committed to providing a safe and healthy workplace for its employees and the public. Violence in the workplace is prohibited and will not be tolerated. Workplace violence includes, but is not limited to, a deliberate, aggressive and/or hostile act or communication by an individual or group of individuals that is intended to intimidate, harass, threaten and/or force into or deter another individual or group of individuals from some action by inducing fear or causing physical injury to person or property. Violations of this policy shall be subject to Discipline up to and including termination.

## **G. Sexual Harassment**

1. Overview and Reporting Complaints: The CCRD has a zero-tolerance policy and sexual harassment, in any form, is strictly prohibited. The CCRD is committed to maintaining a work environment in which every employee is treated with respect and free from all forms of sexual harassment, including conduct that creates a hostile, intimidating or offensive work environment. Sexual harassment includes, but is not limited to, interaction between individuals of the opposite or same sex that is characterized by unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, 2) submission to or rejection of such conduct by an individual is used as the basis for an employment action affecting such individual, or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. This policy applies to all employees, applicants for employment, contractors, vendors, and business visitors.

Any person who believes that he or she has been subjected to words or conduct that violate this policy should report the incident as soon as possible to one of the following:

- Director of Compliance
- His or her immediate Supervisor
- Human Resources Department
- Deputy Recorder with authority over employee's department
- Any other Deputy Recorder
- Member of Legal Department
- Chief Deputy Recorder

If the individual believes that any of these persons is responsible for the words or conduct that violates this policy, that person is not the appropriate person to whom to report the incident. All complaints under this policy are considered to be confidential and all employees involved in the complaint or investigation are expected to take reasonable steps to protect the privacy of the individuals involved.

Managers (Exempt and Non-Exempt) and supervisors must report any incidents that they are made aware of or observe that may constitute a violation of this policy to the DOC. All complaints of violations of this policy will be promptly investigated. Corrective action will be taken as determined by the Recorder or his or her designees to be appropriate under the circumstances. Discipline resulting from a complaint of sexual harassment will be issued pursuant to the Discipline Policy.

An individual may also report any incidents to the Cook County Board of Ethics, Office of the Independent Inspector General, the Equal Employment Opportunity Office, the Cook County Commission on Human Rights, or any other appropriate County, State, or federal agency.

2. False and Frivolous Complaints: False and frivolous complaints refer to cases where the accuser is using a Harassment complaint to accomplish some end other than stopping Harassment. It does not refer to complaints made in good faith, which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous complaint is a Major Disciplinary Infraction that shall result in Disciplinary Action.

3. Retaliation: No person shall retaliate against any person because that person in good faith has opposed that which the person reasonably believed to be unlawful discrimination, Harassment, or has made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this policy. Any violation is subject to Discipline pursuant to the Disciplinary Policy up to and including termination.

## **H. Drug Abuse & Alcohol Testing**

1. Overview: CCRD shall be a work place free of drugs and alcohol. Employees who demonstrate a problem with either alcohol or drugs shall be referred by his or her Supervisor to the Employee Assistance Program (“EAP”). An Employee seeking help may also contact the EAP directly.

2. Drug Abuse Testing Procedures: The Drug Abuse Policy and Testing Procedures provides for drug and/or alcohol testing of current CCRD Employees and of prospective Employees, under the following circumstances:

- a. Pre-employment
- b. Reasonable suspicion
- c. Return to work

d. Post-accident

If an employee's supervisor has a reasonable suspicion that an employee is under the influence of drugs or alcohol, the employee may be asked to submit to testing and will be swiped out. The supervisor shall contact HRD upon reasonable suspicion that an employee is under the influence of drugs or alcohol to arrange the appropriate testing. Bargaining unit Employees are entitled to union representation at the time the Employee is referred for testing. Notification that an Employee has been referred for testing shall be provided to the DOC and RCA, while acting. Employees referred for a drug and/or alcohol test will not be permitted to remain at work. Such Employees shall be placed on administrative leave with pay until the test results are available. Noncooperation with the collection process, failure to adequately complete, or falsification of questions on custody control forms, or any attempt to adulterate or substitute a specimen, shall be cause for disciplinary proceedings up to and including discharge.

A positive test result presumptively indicates that the Employee is under the influence of drugs or alcohol and is unfit for duty. Disciplinary Action up to and including discharge is mandated.

Any non-Probationary full-time Employee testing positive for drugs or alcohol may be granted a one-time opportunity to "successfully" complete a drug or alcohol rehabilitation program, as provided under the Cook County Medical Insurance Plan and when applicable in compliance with the terms and conditions of the applicable CBA.

**I. Cook County Ethics Ordinance**

Employees are required to follow, and are bound by, the provisions set forth in the Cook County Ethics Ordinance. A copy of the Cook County Ethics Ordinance can be found at <https://www.cookcountyl.gov/agency/board-ethics-1>.

**V. AMERICANS WITH DISABILITIES ACT POLICY**

CCRD is committed to providing equal access to employment opportunities for individuals with disabilities. CCRD recognizes that individuals with disabilities may need reasonable accommodations to participate in or benefit from employment opportunities. It is the policy of CCRD to provide reasonable accommodations to qualified applicants and employees with disabilities. This Policy ensures that CCRD complies with the provisions and requirements of the Americans with Disabilities Act, as amended, and is consistent with Section 504 of the Rehabilitation Act of 1973, as amended. Nothing in the policy or procedures outlined below is intended to nor shall be construed to provide a private right of action against CCRD or any of its employees or to create contractual or other rights or expectations.

Applicant requests for reasonable accommodation during the hiring process should be made to HRD. Departments receiving a request for reasonable accommodation should refer the request to HRD. Qualified Employees with disabilities who need a reasonable accommodation are responsible for making their needs known to HRD. Requests for accommodation may be submitted by a family member, friend, health professional, or other representative on behalf of an employee or applicant with a disability. Where a request for accommodation is made by a



third party, HRD shall confirm with the Employee with a disability, that s/he, in fact, wants a reasonable accommodation before proceeding. To request an accommodation, an Employee should complete a Request for Reasonable Accommodation form and where necessary, have his/her medical provider complete the Medical Questionnaire for Reasonable Accommodation Request form. Any supervisor who receives a verbal or written request for accommodation shall direct the employee to HRD. Any supervisor who suspects that an employee is having performance issues because of a known or suspected disability, but the employee has not requested an accommodation, is encouraged to contact HRD to discuss the matter.

Once HRD receives the completed Request for Accommodation form and the Medical Questionnaire form, HRD shall engage in the interactive process with the employee to clarify the employee's needs and to gather information related to the employee's condition in order to make a determination to grant or deny the accommodation request. During the interactive process, HRD shall determine:

- Whether the employee has a qualified disability;
- Whether medical documentation is needed to substantiate the disability or the link between the disability and the accommodation requested;
- The job-related functional limitations(s) created by the individual's disability;
- The essential job functions of the particular job involved;
- If needed, whether the proposed accommodation would be effective; and
- If effective, whether providing the accommodation would create an undue financial burden.

Once a determination is made, HRD shall immediately notify the Employee in writing of the decision. Copies of the written decision shall be distributed to the Employee making the request and his/her immediate supervisor. If the request is granted, the accommodation shall be provided as soon as reasonably possible. Although CCRD will consider each individual's requested accommodation preference, if CCRD determines that there are other equally effective alternative accommodations, CCRD has the right to select an alternative accommodation. HRD shall follow up with the requesting Employee to determine the effectiveness of the selected accommodation. If the request is denied, HRD shall include the specific reasons for the denial in writing to the Employee. If the request is granted in part and denied in part, HRD shall explain both the reasons for the partial denial and for the partial granting of the request. Where HRD has denied a specific requested accommodation but offered to make a different one in its place which was not agreed to during the interactive process, the HRD shall explain both the reason(s) for the denial of the requested accommodation and the reasons that HRD believes that the chosen accommodation will be effective.

Confidentiality applies to all aspects of the reasonable accommodation process and all documentation obtained shall be kept confidential. Medical information obtained by HRD shall be kept in files separate from the individual's personnel file or application file. Any HRD employee who obtains or receives such information is strictly bound by these confidentiality requirements.

## VI. TIME AND ATTENDANCE

### A. Attendance and Tracking Time

Regular attendance is an essential condition of employment. Every Employee is expected to be at his or her workstation or, if applicable, working in the field according to their assigned duties and productively engaged in Recorder's Office business at his or her scheduled start time. Employees are required to report for work on time each day and maintain regular attendance. All Employees must work 40 hours each week. A 40-hour work week consists of any combination of time actually worked and approved absences (sick leave, personal days, vacation leave, or other approved time off). As described further below, violations of this policy will result in Counseling or Discipline consistent with the CCRD's Discipline Policy.

1. Standard Work Schedules and Tardiness: All Non-Shakman Exempt Employees will be assigned a Standard Work Schedule and will be expected to be at their work areas during their Standard Work Schedule unless they are on their lunch period or breaks, as discussed in the section "Lunch Periods and Breaks" below, or if they are utilizing benefit time or other approved time off. At the beginning and end of their work day, all Employees are required to swipe in and out by swiping at one of the designated time clocks located throughout the office. Employees are required to swipe in and out at the time clock that is located closest to their work area.

**Supervisors must email HRD as soon as possible if an Employee has any problems with their ID cards (i.e., lost/misplaced/forgotten ID; swiping problems or timeclock issues).**

#### a. FLSA Non-Exempt Employees

FLSA Non-Exempt Employees are employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, as determined by the Recorder of Deeds Office. All FLSA Non-Exempt Employees are required to work a standard work week that begins on Monday and ends on Friday. FLSA Non-Exempt Employees assigned to work at the Recorder of Deeds' main location (118 N. Clark) will work a standard work day from 9:00am to 5:00pm or 9:30am to 5:30pm. FLSA Non-Exempt Employees that are assigned to work at one of the Recorder of Deeds' satellite locations will work a standard work day from 8:30am to 4:30pm.

In the event that it is necessary to alter the standard work day of an FLSA Non-Exempt Employee in order to address an operational or business need of the Recorder's Office, the Employee's Deputy Recorder will submit a memorandum to HRD that explains: (1) what the altered standard work day will be, including start and end of shift times; (2) the expected duration of the altered shift times; and (3) the operational or business need that justifies the alternate standard work day for this Employee. Copies of this memorandum shall be provided to the Employee's Supervisor, the DOC, and RCA, while acting.

FLSA Non-Exempt Employees are required to swipe in within (before or after) five (5) minutes of the start of the Employee's scheduled shift. FLSA Non-Exempt Employees are not permitted to swipe in more than five (5) minutes before the start of designated starting time.

Supervisors shall ensure compliance with these swiping in requirements on a daily basis by monitoring their Employees' swipe in and out times via Cook County Time ("CCT"). Failure to follow these policies will result in Counseling or Discipline consistent with the CCRD's Discipline Policy.

FLSA Non-Exempt Employees must also swipe out at the Employee's scheduled departure time. An FLSA Non-Exempt Employee is not permitted to work past the Employee's scheduled departure time without written permission from the Employee's Supervisor in accordance with the section on Overtime and Compensatory Time below or as provided for in an applicable CBA. See Section VI.A.4 below. Written permission may be supplied after the work has been completed provided the Employee received verbal permission prior to the overtime being performed. Supervisors shall ensure compliance with these swiping in and out requirements on a daily basis. Failure to follow these policies will result in Counseling or Discipline consistent with the CCRD's Discipline Policy.

An FLSA Non-Exempt Employee is considered tardy if the Employee swipes in more than five (5) minutes after the Employee's designated starting time. Bargaining unit Employees are also considered tardy if they swipe in any amount of time late when returning from lunch. Employees swiping in more than 30 minutes after the Employee's designated start time but less than one (1) hour after the Employee's designated start time will receive two occurrences of tardiness. An Employee who swipes in more than one (1) hour after the Employee's designated start time will be considered to have an unexcused absence.

In instances where tardiness is caused by a significant delay of a mode of public transportation (e.g. CTA trains or buses) or other excusable and unforeseen reason, the Chief of HRD or Designee may excuse the tardiness if the delay is verifiable. The decision to excuse a tardy shall be documented by sending an email to employee and supervisor, with a copy to the DOC, and RCA, while acting.

FLSA Non-Exempt Employees will not be paid for time in which they are deemed to have been tardy or on an unexcused absence. Unexcused absences and excessive tardiness subject employees to Counseling or Discipline pursuant to the CCRD Discipline Policy.

b. Non Shakman Exempt FLSA Exempt Employees

As a general matter, Non Shakman Exempt FLSA Exempt employees often work more than 40 hours a week and they will not receive additional pay based on working more than the usual 8-hour work day and/or 40-hour work week. As such, Non Shakman Exempt FLSA Exempt Employees are expected to work, as necessary, within and outside of the standard work schedule to perform their job duties, which includes being available to respond to work related calls and requests.

Unless an alternate schedule is approved in advance, Non Shakman Exempt FLSA Exempt Employees are required to be at their designated work area during their established standard work schedule, as necessary to perform their duties.

The immediate supervisor of a Non Shakman Exempt FLSA Exempt Employee will set the standard work schedule for the FLSA Exempt Employee based on the operational and

business needs of the office. When setting the standard work schedule of a Non Shakman Exempt FLSA Exempt Employee, immediate supervisors will notify the employee in writing of the hours included in their standard work schedule and include the operational basis for setting those hours. Copies of this correspondence shall be sent to HRD, the DOC and RCA, while acting. In the event that the direct supervisor fails to set the standard work schedule of a Non Shakman Exempt FLSA Exempt Employee, the standard work schedule shall be set to a default of Monday-Friday from 9:00am to 5:00pm.

In general, the standard work schedule for Non Shakman Exempt FLSA Exempt Employees coincides with the standard business hours with the Recorder of Deeds office. As a result, Non Shakman Exempt FLSA Exempt Employees are required to be present at work during their established standard work schedule unless the Non Shakman Exempt FLSA Exempt Employee is utilizing benefit time or other approved time off. As a result, a Non Shakman Exempt FLSA Exempt Employee is considered tardy if the Employee swipes in more than five (5) minutes after the Employee's designated starting time. Employees swiping in more than 30 minutes after the Employee's designated start time but less than one (1) hour after the Employee's designated start time will receive two occurrences of tardiness. An Employee who swipes in more than one (1) hour after the Employee's designated start time will be considered to have an unexcused absence.

In instances where tardiness is caused by a significant delay of a mode of public transportation (e.g. CTA trains or buses) or other excusable and unforeseen reason, the Chief of HRD or designee may excuse the tardiness if the delay is verifiable. The decision to excuse a tardy shall be documented by sending an email to employee and supervisor, with a copy to the DOC and RCA, while acting.

Although Non Shakman Exempt FLSA Exempt Employees will not be docked for time in which they are deemed to have been tardy or on an unexcused absence, excessive tardiness and unexcused absences will subject Non Shakman Exempt FLSA Exempt Employees to Counseling or Discipline pursuant to the CCRD Discipline Policy.

Non Shakman Exempt FLSA Exempt Employees are required to swipe in at the beginning of their work day and at the end of their work day, unless they are beginning or ending their work day at a location outside of their normal work location (e.g. a court hearing or at an off-site meeting). In instances in which a Non Shakman Exempt FLSA Exempt Employee is required to begin or end their day at a location other than their normal work location, they shall swipe in when they arrive and leave the office and complete a paper time sheet reflecting the time worked outside of the office for that day. Paper timesheets shall be in a form approved by HRD. When a Non Shakman Exempt FLSA Exempt Employee is required to complete a paper time sheet because he or she worked outside of the office on a particular day, the timesheet shall be submitted to the Employee's immediate Supervisor for approval within three work days of the day that was worked outside of the office. It is the responsibility of the Employee's immediate Supervisor to review the timesheet and, if necessary, verify the information contained in the paper timesheet. Timesheets shall be submitted to HRD for processing within three work days of receiving the paper timesheet from their employee. If a supervisor has a reasonable belief that the submitted timesheet is not accurate, the supervisor shall discuss the concern with the employee in an effort to resolve the concern. If after discussing the concern with the employee, the

supervisor maintains that the timesheet is inaccurate, the supervisor shall note on the timesheet what entry is not approved and the employee will not be compensated for that time entry. Nothing in this section prohibits HRD from verifying information contained in a paper timesheet independent of any review performed by the Employee's immediate supervisor.

## 2. Lunch Periods and Breaks

### a. Bargaining Unit Members

Employees who are members of a collective bargaining unit are entitled to a lunch period that is consistent with the terms of their respective collective bargaining agreements. Bargaining unit members must swipe out at the beginning of the lunch period and swipe in upon return from the lunch period. Employees are not permitted to work through a lunch period. In the event that an Employee cannot begin their lunch period at his or her regularly scheduled time due to an operational need (e.g. Employee is servicing a customer), the Employee's supervisor shall alter the Employee's lunch period so that the Employee will begin his or her lunch period after the immediate operational need has been addressed (e.g. after the customer transaction has been completed). Supervisors will ensure Employees' compliance with lunch period swiping requirements via CCT. Any Bargaining unit Employee returning late from lunch will be considered tardy and will be subject to Counseling or Discipline consistent with the CCRD's Discipline Policy. There is no grace period related to returning from lunch.

Employees who are members of a collective bargaining unit are entitled to breaks that are consistent with the terms of the applicable collective bargaining agreement. Bargaining unit members are not required to swipe out or in for breaks, but may not return late from a break. Excessively returning late from break will subject the Employee to Counseling or Discipline consistent with this Manual and the collective bargaining agreement.

### b. Non Shakman Exempt Non-Bargaining Unit Employees

Non Shakman Exempt Employees, including any FLSA Non-Exempt or FLSA Exempt Employees, that are not a member of a collective bargaining unit will receive a lunch period of 1 hour but are not required to swipe out at the beginning of their lunch period and are not required to swipe in at the end of their lunch period. Unlike lunch periods for bargaining unit members, lunch periods for non-bargaining unit Employees are not scheduled in advance. In the event that a non-bargaining unit Employee arrives at work more than two hours after the start of their standard work schedule, they are not eligible for a lunch period on that day. Any Non Shakman Exempt Non-bargaining unit Employee that takes a lunch period of greater than 1 hour will be considered to be tardy and will be subject to Counseling or Discipline consistent with the CCRD's Discipline Policy.

3. Reporting Absences: Employees shall notify their supervisors of any absences consistent with the policies set forth below. Absent unforeseen circumstances, Supervisors must email the HRD each weekday no later than 30 minutes after the supervisor's start time with any changes in their team's attendance.

4. Compensatory Time and Overtime: Compensatory Time and Overtime will be earned in accordance with any applicable CBA, the Manual and applicable law, including

the Fair Labor Standards Act. Compensatory Time and Overtime for Employees will not be awarded or withheld based on Political Reasons or Factors.

FLSA Non-Exempt Employees will earn either Compensatory Time off or Overtime pay, at a rate of one and one-half (1.5) times the regular rate of pay for time worked in excess of eight (8) hours in a workday or for time worked in excess of 40 hours in a workweek (paid time off is not included in the 40-hour or eight (8) hour calculation). A “workday” is defined as the eight (8) hour period that makes up the Employee’s standard work schedule. CCRD’s workweek begins at 12:00am on Sunday and runs through 11:59pm on Saturday. When an Employee utilizes personal time or vacation time for a portion of the work day, the personal time or vacation time will be considered when determining whether an Employee is entitled to overtime or compensatory time.

Occasionally, Employees may be called upon to work more than 40 hours in a workweek and more than eight (8) hours in a workday. This will only occur in situations of operational need. If an Employee reasonably believes that there is a circumstance (e.g. servicing a customer or dealing with a work related matter) that will cause them to work Overtime, the Employee shall complete the servicing of the customer or dealing with the work-related matter and then immediately notify their Supervisor that he/she was required to Overtime because of servicing a customer or dealing with a work related matter. In the event that the Employee’s Supervisor is not available, the Employee shall notify their Director, or in the event that their Director is also not available, their Deputy Recorder of the circumstances which may require the Employee to work Overtime. Upon being notified by an Employee that Overtime work was warranted, the Supervisor or Director that received the notification shall document the Overtime worked, including the reason for the Overtime. An FLSA Non-Exempt Employee must be authorized in writing by their respective Deputy Recorder prior to working Overtime, whenever possible.

In the event that a Deputy Recorder knows that he or she will not be available to approve Overtime, he or she shall designate another Deputy Recorder or the Chief Deputy Recorder to review and authorize requests for excess work on their behalf. When designating another Deputy Recorder or the Chief Deputy Recorder to authorize Overtime or on their behalf, the Deputy Recorder must notify their direct reports, the DOC and RCA while acting of this designation.

Upon authorizing an Employee to work Overtime in advance, or authorizing Overtime without advance notice due to servicing a customer or dealing with a work-related matter, Supervisors shall provide a completed Authorization of Overtime Form to the Employee assigned to work the Overtime, with a copy to HRD, the DOC and RCA, while acting. The Authorization of Overtime Form will include (1) the name(s) of the Employee(s) selected for the Overtime; (2) the date of the Overtime; (3) a description of the selection criteria; (4) the operational need for the Overtime; (5) the reason advance notice was not feasible (if applicable); and (6) an NPCC signed by the Employee authorizing the Overtime. Supervisors shall provide the Authorization of Overtime Form either 48 hours in advance of Overtime worked (in cases where advance notice is provided) or within five (5) days after the Overtime is performed (in all other cases). Employees who work unauthorized Overtime or who work Overtime without prior

written authorization when prior written authorization was possible, will be subject to Counseling or Discipline consistent with the CCRD's Discipline Policy.

Employees will be expected to perform any reasonable amounts of Overtime work assigned to them. Failure to do so will result in Counseling or Discipline consistent with the CCRD's Discipline Policy. It is the intention that Overtime and Compensatory Time opportunities be equitably distributed among the Employees consistent with any applicable CBA in the same job classification within a Division. Supervisors will maintain a spreadsheet of Mandatory Overtime to ensure equitable distribution. The spreadsheet will include an NPCC and will be made available to the DOC and RCA, while acting, upon request. However, a supervisor may assign unexpected overtime to the best suited Employee to perform the work. In any event, pre-authorized Compensatory Time or Overtime work will not be assigned to Employees that had an unexcused absence during the prior workweek.

5. Use of Compensatory Time: Requests for the use of accrued Compensatory Time must be made to an Employee's immediate Supervisor and submitted one (1) day prior to the start of the requested use, whenever possible. Approval of a request to use Compensatory Time will be based on operational need. Compensatory time must be used in four (4) hour increments, unless being used concurrently with a leave covered by the Family Medical Leave Act, Americans With Disabilities Act or Illinois Human Rights Act.

Employees who are assigned Overtime or Compensatory Time work will be compensated with Compensatory Time instead of premium pay to the extent permitted under any applicable CBA and applicable law.

Employees separating from employment with the CCRD shall be paid for any earned but unused Compensatory Time.

## **B. Benefit Time**

1. Vacation Leave: Employees will earn paid Vacation Leave as set forth below:

Anniversary of Employment	Annual Days of Accrued Vacation	Maximum Accumulation
0 thru 6 Years	10 days	20 days
7 thru 14 Years	15 days	30 days
15 or more Years	20 days	40 days

All requests for use of Vacation Leave should be submitted to an Employee's Immediate Supervisor at least four (4) days prior to the start of the requested use. An Employee may request to utilize Vacation Leave that has been earned and accrued as of the date the Vacation Leave is to be utilized. If at the time the Vacation Leave is to be utilized the Employee does not have sufficient accrued time, the Vacation Request will be denied and the Employee will be expected to work his/her normal work schedule. Vacation Leave requests submitted 4 days prior to the start of the requested use shall be approved so long as there is sufficient

coverage to ensure that the operational needs of the Employee's section are met. Failure to submit requests for Vacation Leave at least 4 days prior to the start of the requested use may cause the request to be denied. Vacation Leave must be used in increments of one-half (1/2) day or four (4) hours, unless being used concurrently with a leave covered by the FMLA, ADA, or IHRA. When an Employee's Vacation Leave overlaps with an observed Holiday, the Holiday will not count as a vacation day.

Employees earn Vacation Leave every two (2) week pay period. To be eligible to earn Vacation Leave, an Employee must be at work or on paid leave for five (5) days of the two (2) week pay period during which Vacation Leave is earned.

An Employee who has previously worked for the State of Illinois, Cook County, the City of Chicago, the Chicago Park District, the Forest Preserve District, the Metropolitan Water Reclamation District of Greater Chicago and/or the Chicago Board of Education may be able to have the prior work experience count for purposes of increasing the amount of Vacation Leave the Employee is eligible to earn. Employees wishing to have their prior work experience count for the purpose of increasing the amount of Vacation Leave the Employee is eligible to earn must provide documentation of their prior service with the applicable entities. Employees should contact HRD for specifics. An Employee will be credited for anytime spent on Duty Related Disability or on military service for purposes of calculating the amount of Vacation Leave an Employee is eligible to earn.

Employees separating from employment with the CCRD shall be paid for any earned but unused Vacation Leave, at the Employee's current wage rate.

2. Personal Days: Employees receive four (4) paid Personal Days each fiscal year. Employees may use a Personal Day for any reason. Personal Days may be used in one (1) hour increments, but only if the request is in accordance with this policy relating to Personal Days.

New Employees will accrue Personal Days at the rate of 1.24 hours per pay period. Employees may be advanced up to (2) personal days to be used for the observance of religious holidays. If an Employee is advanced a Personal Day, the Employee will not receive another Personal Day until the employee has earned enough Personal Days to offset the advance.

Personal Days must be scheduled in advance. A request for use of a Personal Day, or any increment of a Personal Day, must be made to an Employee's immediate Supervisor no later than one hour before an Employee's scheduled start time, except in extraordinary circumstances. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or on the General Call-In Line (312-603-6200) providing name, Section, immediate Supervisor's name, and notice that the Employee is requesting to use a Personal Day or any increment of a Personal Day. Requests for a Personal Day less than one hour before an Employee's schedule start time and once an Employee has begun his or her workday must be reported to their Supervisor as soon as practicable. Failure to give proper notice of the need to use a Personal Day when the need was reasonably foreseeable will result in Counseling or Discipline consistent with the CCRD's Discipline Policy.



Employees are permitted to carryover 11.9 hours of Personal Time into the next Fiscal Year. Any additional unused Personal Time will be lost.

3. Holidays: The following dates are observed holidays:

New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Casimir Pulaski's Birthday	First Monday in March
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

Employees will be given a day off with pay for each holiday observed.

Should a holiday fall on Saturday, the preceding Friday shall be observed as the holiday. Should a holiday fall on a Sunday, the following Monday shall be observed as the holiday.

To be eligible for holiday pay, an Employee must have worked the regularly scheduled hours on the last scheduled day before and the first scheduled day after the holiday, unless the Employee was on approved paid leave; and the Employee must have worked 40 hours during the pay period in which the holiday occurs, unless the Employee was on approved paid leave.

4. Floating Holidays: All Employees will receive one (1) Floating Holiday off with pay each Fiscal Year. The Floating Holiday must be taken in an eight (8) hour increment. An Employee must be employed at the beginning of the Fiscal Year (December 1) to be entitled to receive the Floating Holiday.

Where advance notice is not practicable, the request must be made to an Employee's immediate Supervisor no later than one (1) hour before the Employee's scheduled start time. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or on the General Call-In Line (312-603-6200) providing name, Section, immediate Supervisor's name, and notice that the Employee is requesting to use their floating holiday.

A Floating Holiday must be used before November 30 of each Fiscal Year. If a Floating Holiday is not utilized by this date, it will be lost. An unused Floating Holiday will not be paid out in the event an Employee's employment ends.

5. Sick Leave: Employees accrue 3.70 hours of paid Sick Leave every two (2) week pay period. Employees must work or be on paid leave for five (5) days in a pay period

to accrue Sick Leave in that pay period.

Sick Leave may be used for illness, injury, or disability incidental to pregnancy, doctor appointments, dentist appointments, or appointments with other recognized practitioners. Employees may also use Sick Leave for injury, illness, or disability of an Immediate Family member of the Employee. Sick Leave may not be used as additional Vacation or Personal Leave.

Sick Leave may be used in one (1) hour increments but only if the request is in accordance with this CCRD Sick Leave policy.

An Employee may accumulate up to 175 working days (1400 hours) of Sick Leave. An Employee will not accrue any additional Sick Leave until the Employee draws down the Employee's Sick Leave balance below 1400 hours.

Requests for Sick Leave must be made to the Employee's immediate Supervisor no later than one hour before the Employee's scheduled starting time. Requests for Sick Leave made after the Employee has begun his or her workday must be made to the Employee's immediate Supervisor as soon as practicable. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or on the General Call-In Line (312-603-6200) providing name, Section, immediate Supervisor's name, the expected length of their absence and whether the request is related to an already approved FMLA leave. Failure to give proper notice of the need to use Sick Leave when the need was reasonably foreseeable will result in Counseling or Discipline consistent with the CCRD's Discipline Policy. Failure to follow this call-in procedure will result in Counseling or Discipline consistent with the CCRD's Discipline Policy.

For health-related absences of three (3) or more days, a doctor's statement or proof of illness will be required.

### **C. Other Types of Leave**

1. Jury Duty: Employees will be granted leave with pay for jury duty. However, any compensation, exclusive of travel allowance received, must be turned over to the CCRD by an Employee. An Employee is required to notify the Employee's Supervisor and HRD as soon as an Employee receives a jury summons.

2. Bereavement Leave: Excused leave with pay will be granted, up to three (3) days, to an Employee for the funeral of a member of the Employee's Immediate Family or household within Illinois or a Contiguous State. Up to five (5) days will be granted to an Employee for the funeral of a member of the Employee's Immediate Family or household outside of Illinois or any Contiguous State. For the purposes of this section, members of an Employee's Immediate Family or household include mother, father, spouse, child (including step children and foster children), brothers/sisters, grandchildren, grandparents, spouse's parents, or persons who have reared the employee.

All bereavement requests must be made directly to HRD and supporting documentation may be required.

In the unfortunate event an Employee experiences the loss of a child, the Employee may be entitled to additional unpaid time off. An Employee should contact HRD for further details.

3. Veterans' Convention Leave: Any Employee who is a delegate or alternate delegate to a national or state convention of a recognized veterans' organization may request paid leave for the purpose of attending one convention per year. Employees should consult with HRD for specific requirements.

4. Military Leave

a. Employees on Limited Service

Any Employee who is a member of the Illinois National Guard or any of the Reserve components of the Armed Forces of the United States will be entitled to a Leave of Absence with full pay for limited service in field training and recurring obligations. Such leave will normally be limited to 11 working days in each year. While an Employee is on a paid military leave of absence, the Employee will continue to accrue all employment benefits.

A military leave of absence will be granted when supported by official military orders, which must be submitted to HRD as soon as obtained by an Employee.

b. Employees on Extended Service

Any Employee granted a Leave of Absence without pay to enter service in the military forces of the United States, upon return will be restored to the Position held prior to going on military leave with the same seniority date, status and pay as if the Employee had been employed continuously by CCRD. The Employee should contact HRD for more information.

5. FMLA

a. Overview

If you have been employed by the CCRD, or any other Cook County office, including offices of Cook County elected officials, for at least 12 months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, you are eligible for up to a total of 12 workweeks of unpaid leave during any calendar year for one or more of the following reasons:

- i. Because of the birth of your child and in order to care for such child (within 12 months after the birth of the child);
- ii. Because of the placement of a child with you for adoption or foster care (within 12 months of the placement of the child);
- iii. In order to care for your spouse, child, or parents if they have a "serious health condition" as defined in III.E.2 below;

- iv. Because of a “serious health condition” that makes you unable to perform the functions of your job; or
- v. Because of any “qualifying exigency” (as defined by the Secretary of Labor) arising out of the fact that your spouse, child, or parent is deployed on covered active duty in a foreign country (or has been notified of an impending call or order to covered active duty in a foreign country) in the Armed Forces, including the National Guard and Reserves.

b. Serious Health Conditions

For purposes of this policy, “serious health condition” means an illness, injury, impairment or physical or mental condition that involves one of the following:

- i. Hospital Care. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity relating to the same condition;
- ii. Absence Plus Treatment. A period of incapacity of more than three (3) full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (A) treatment two (2) or more times within 30 days of the incapacity (and provided the first visit takes place within seven (7) days of the first day of incapacity) by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or (B) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (and provided the first visit to health care provider takes place within seven (7) days of the first day of incapacity);
- iii. Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care;
- iv. Chronic Conditions Requiring Treatment. A chronic condition which: requires at least two (2) periodic visits for treatment per year by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider; continues over an extended period of time, and; may cause episodic rather than a continuing period of incapacity;
- v. Permanent/Long-Term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The

Employee or the Employee's spouse, child, or parents must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;

- vi. Multiple Treatments (non-chronic conditions). Any period of incapacity to receive multiple treatment (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) full consecutive calendar days in the absence of medical intervention or treatment.

c. Spouses Employed by the CCRD

If your spouse also works for the CCRD and you both become eligible for a leave under paragraphs 1a. or 1b. above, or for the care of a sick parent under paragraph 1c. above, the two of you together will be limited to a combined total of 12 workweeks of leave in any rolling 12-month period. In addition, if you and your spouse both become eligible for a leave to care for your parent with a serious health condition under paragraph 1c above, the two of you together generally will be limited to a combined total of 24 workweeks of leave in any single 12-month period.

d. Medical Certification

Any request for a leave under paragraphs 1c. or 1d. must be supported by certification issued by the applicable health care provider. You will be required to submit a new medical certification form for each leave year for a medical condition(s) that last longer than one (1) year.

Upon receiving a completed certification from an Employee, HRD is required to review the certification in order to determine whether the Employee is eligible for FMLA leave. Within five (5) days after receiving the certification form from an Employee, HRD must notify the Employee in writing about whether or not the FMLA leave is approved.

As a part of this process, HRD must determine whether the certification provided by the Employee is complete and sufficient to certify that a serious medical condition exists. A certification is considered incomplete if HRD receives a certification, but one or more of the applicable entries have not been completed. A certification is considered insufficient if HRD receives a complete certification, but the information provided is vague, ambiguous, or non-responsive. HRD shall advise an employee whenever the employer finds a certification incomplete or insufficient and shall state in writing what additional information is necessary to make the certification complete and sufficient. HRD must provide the employee with seven (7) days (unless not practicable under the particular circumstances despite the employee's diligent good faith efforts) to cure any such deficiency. If the deficiencies specified by the employer are not cured in the resubmitted certification, the employer may deny the taking of FMLA leave.

At its discretion, the CCRD may require a second medical opinion and periodic recertification to support the continuation of a leave or under paragraphs 1.c. and 1.d. (except as otherwise provided by the Department of Labor). If the 1st and 2nd opinions differ, a 3rd opinion can be obtained from a health care provider jointly approved by both you and the CCRD (unless you accept the second opinion as determinative).

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the CCRD asks that Employees not provide any genetic information when responding to a request for medical certification regarding their own serious health conditions under this FMLA Policy. “Genetic information” as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

There is an exemption to GINA’s limitation on the disclosure of family medical history when an Employee requests a leave of absence under the FMLA due to a family member’s serious health condition. In such situations, all information necessary to make the medical certification form complete and sufficient under the FMLA should be provided.

#### e. Intermittent Leave

If certified as medically necessary for the serious health condition of either you or your spouse, child or parent (Paragraphs 1.c. and 1.d., above), leave may be taken on an intermittent or reduced leave schedule. Intermittent leave also may be taken if you qualify for leave because of a qualifying exigency as described in Paragraph 1e, above, subject to the submission of a certification prescribed by the Secretary of Labor. If leave is requested on an intermittent basis, however, the CCRD may require that you transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.

#### f. Notification and Reporting Requirements

All requests for FMLA-related leaves of absence must be submitted to Human Resources at least 30 days in advance of the start of the leave, except when the leave is due to an emergency or is otherwise not foreseeable. If the leave is not foreseeable, you must provide notice as soon as “practicable,” which generally means either the same day or the next day that you learn of the need for leave, in the absence of any unusual circumstances. A delay in submitting an FMLA leave request may result in a loss of FMLA protections and/or a delay of the start of your leave.

You must respond to HRD’s questions relative to your leave request so that HRD can determine if the leave qualifies for FMLA protection; failure to do so may result in loss or delay of FMLA protections. If you are seeking leave due to an FMLA-qualifying reason for which the CCRD has previously granted you FMLA-protected leave, you must specifically reference the

qualifying reason or need for FMLA leave at the time of your request to be away from work. It is not sufficient to simply “call in sick” without providing additional information which would provide the CCRD with reasonable cause to believe your absence/time away from work may qualify as an FMLA qualifying event. In all cases in which you are seeking leave under this policy, you shall follow the CCRD’s established call-in procedures for sick leave (see Section VI.B.5 (“Sick Leave”) above) so long as no unusual circumstances prevent you from doing so. If an Employee is leaving a message, this Employee should reference previously certified FMLA leave or the need for extended leave. Failure to comply with the call-in procedures may result in a delay or denial of FMLA protected leave. If circumstances prevent you from abiding by the CCRD’s call-in procedures, you must notify your Supervisor of the need to utilize FMLA leave as soon as practicable and also contact HRD on the General Call-In Line (312-603-6200) to notify them of your need to utilize FMLA leave and explain the circumstances as to why you were unable to follow CCRD’s call-in procedures.

During the leave, you may be required to report periodically on your status and your intention to return to work. Any extension of time for your leave of absence must be requested in writing prior to your scheduled date of return to work, together with written documentation (i.e. doctor’s statement) to support the extension. Your failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered to be a voluntary resignation of employment effective as of the last date of the approved leave. Employees on leaves for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work. Your maximum time on a leave of absence, all types combined, and including all extensions, will generally not exceed a total of 12 weeks in a calendar year period.

#### g. Employee Benefits During Family and Medical Leave Absence

You will be permitted to maintain insurance coverage for the duration of the leave under the same conditions coverage would have been provided if you had remained actively at work. However, you must make arrangements for the continuation of and payment of insurance contributions before you go on leave status. If you do not return to work after the leave, or if you fail to pay your portion of the premiums, you will be required, under certain circumstances, to reimburse the CCRD’s for the costs and expenses associated with insuring you during the leave.

#### h. Return from Family and Medical Leave

If you return from your leave on or before being absent for 12 workweeks in a calendar year you will be restored to the same or to an equivalent Position to the one you held when the leave started. Of course, you have no greater right to reinstatement or to other benefits and conditions of employment than if you had been continuously employed during the FMLA leave period. In determining whether a Position is “equivalent” we will look at whether the Position had substantially similar terms and conditions of employment and whether the Position entails similar duties, skills, efforts, responsibilities, authority, privileges and status.

If the leave was due to your own serious health condition, you will be required to submit a fitness-for-duty certification from your health care provider in accordance with our normal policies and practices applicable to other leaves of absence, certifying that you are able to

resume work and perform the essential functions of the job (either with or without a reasonable accommodation). A list of the essential job functions will be made available to you for compliance with this requirement prior to the CCRD designating your leave as FMLA leave. If a reasonable job safety concern exists, you also may be required to provide a fitness for duty certification up to once every 30 days before returning from an intermittent or reduced schedule FMLA leave related to your own serious health condition. Generally, a returning Employee will be permitted to return to work within two (2) days of the CCRD's receipt of a valid fitness for duty release.

If you fail to return to work at the expiration of your approved Family and Medical Leave within three (3) days, it will be considered to be a voluntary resignation of your employment with CCRD. Likewise, an Employee on FMLA leave who provides notice of their intent not to return to work upon expiration of a leave will lose their entitlement to FMLA leave and related benefits.

#### i. Key Employees

Certain highly compensated key Employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the CCRD's operations. A "key" Employee is a salaried Employee who is among the highest paid 10% of Employees at that location, or any location within a 75-mile radius. Employees will be notified of their status as a key Employee, when applicable, after they request a Family and Medical Leave.

#### j. Coordination with Other Policies

You must use any accrued paid leave concurrently with any leave or benefit time taken under this Time and Attendance policy. If an Employee has no accrued paid leave, the leave will be unpaid. If you otherwise qualify for disability pay, you will collect it at the same time you are on unpaid Family and Medical Leave.

Further, if you otherwise qualify for any other type of leave of absence, you must take that leave at the same time as you are taking your Family and Medical Leave. All time missed from work that qualifies for both Family and Medical Leave, and for workers' compensation (or any other type of lawfully allowed leave), will be counted toward your Family and Medical Leave. To receive any type of paid time off benefit while on FMLA leave, you are required to meet the CCRD's conditions for taking the paid leave (although the CCRD may in its discretion waive any procedural requirement for the paid leave in appropriate circumstances).

#### k. Anti-Retaliation Provisions

Be assured that no retaliation will be taken or tolerated against any Employee who exercises his/her rights under our FMLA policy. If you feel that you have been the victim of any discrimination or retaliation under this Policy, you are encouraged to contact HRD so that the matter can be promptly investigated and remedied as appropriate.

#### l. Compliance with Other Laws

In administering this FMLA Policy, the CCRD complies with the Americans with



Disabilities Act (“ADA”), the Illinois Human Rights Act (“IHRA”), and any other relevant law. The CCRD may approve a reasonable request for an extension of a leave of absence beyond the amount of leave provided by the FMLA, approve a leave of absence for an Employee who does not qualify for FMLA leave, or otherwise modify this Policy, as a reasonable accommodation for a disability under the ADA or IHRA.

m. Notification to DOC and RCA

HRD will provide the DOC and RCA, while acting, with copies of all approved FMLA applications within 2 days of approval.

6. Personal Leave of Absence (Non-FMLA): Personal leaves of absence for reasons relating to an emergency or medical issue may be granted at the sole discretion of CCRD to Employees who have successfully completed their probationary period. The application for the leave must state the reason(s) for the leave, the date the leave should begin, and the date you will return to work. CCRD may request additional information regarding your situation, at any time during a leave. If you are granted a leave, permission to be on leave will end on the date specified by CCRD (or any approved extension date). In deciding whether to grant a personal leave of absence, CCRD will consider the reason for the leave and its impact on the CCRD’s operations. Requests for Personal Leaves of Absence should be submitted to HRD. HRD will approve or deny the request after consulting with those in the Employee’s chain of command in order to determine the impact any Personal Leave of Absence would have on the operations of the office.

The maximum length of a personal leave is 30 days for every continuous year of service with CCRD, not to exceed 12 months. You must use any accrued paid leave concurrently with any leave taken under this policy. If an Employee has no accrued paid leave, the leave will be unpaid. CCRD maintains the discretion to extend personal leave in extreme circumstances.

An Employee may elect to maintain their insurance benefits at the Employee’s own sole expense in accordance with state and federal laws.

An Employee shall not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Utilizing a Personal Leave of Absence to seek or take other employment or to operate a private business will result in Counseling or Discipline consistent with the CCRD’s Discipline Policy.

A leave of absence will not affect the continuity of your employment. Your original date of employment remains the same for seniority purposes. However, you will not accrue any benefits during the period you are on a leave.

A failure to return to work following completion of a personal leave of absence, or refusal to accept an offered position, will constitute a voluntary resignation.

HRD will provide the DOC and RCA, while acting, with copies of all approved Personal Leaves of Absence within 2 days of approval.

7. Maternity/Paternity Leave: All Employees, including those not otherwise

eligible for FMLA leave, will be granted unpaid maternity or paternity leaves of absence to cover periods of pregnancy, post-partum child care, and the adoption or fostering of a child. The length of such leave, in general will not exceed six (6) months. Employees are required to use any paid leave, including Compensatory time, Floating Holidays, Personal Days, Sick Days and vacation concurrently with any Maternity/Paternity Leave. Employees will not accrue paid leave while on Maternity/Paid Leave. Insurance coverage will only be maintained if the Employee's need for leave also qualifies as a FMLA leave and the insurance coverage will only be maintained for as long as the FMLA requires. Employees requesting Maternity/Paternity leave shall inform HRD in writing no later than 30 days before the expected date for the need for leave. Employees should contact HRD for further details.

#### **D. Personnel Records**

1. Maintenance of Records: HRD shall establish and maintain a system of personnel records and reports covering all CCRD Employees. The "official" Employee personnel record shall be maintained by HRD.

2. Statutory Requirements

a. FOIA

State and federal laws address the confidentiality and disclosure of personnel-related records. The Freedom of Information Act ("FOIA") provides for the disclosure of public records, including "the names, salaries, titles and dates of employment of all Employees and offices of public bodies." The FOIA exempts from disclosure the "personnel files and personal information maintained with respect to Employees, appointees or elected officials of any public body or applicants for those positions."

b. PRRA

The Personnel Record Review Act ("PRRA") permits former Employees, current Employees and their union representatives to inspect and copy their personnel records, with certain exceptions.

c. PLRA

The Public Labor Relations Act ("PLRA") gives labor unions the right to inspect and copy personnel records upon a showing of relevancy.

d. HIPAA

The Health Insurance Portability and Accountability Act (HIPAA) requires that medical information relating to Employees be kept confidential.

3. Policy on Confidentiality

a. Overview

To ensure that no individual's right to privacy is invaded, all personnel-related information and records shall be treated as confidential.

b. Prohibitions

Specifically, Employees shall not discuss personnel-related information related to another Employee with others, including coworkers, unless it is necessary to the performance of CCRD business, authorized by the subject Employee, or authorized by law. Employees shall not make or disseminate copies of personnel-related records related to another Employee except when it is necessary to the performance of CCRD business, authorized by the subject Employee, or authorized by law. Personnel-related records, including computer records, shall be maintained in accordance with procedures. For example, records are not to be left on desks or work areas when they are not being used. Access to computer files shall be restricted to use by authorized personnel.

c. "Personnel-related information and records"

The term "personnel-related information and records" includes, but is not limited to:

- (i) employment applications;
- (ii) Performance Evaluations;
- (iii) disciplinary records;
- (iv) grievance forms;
- (v) test documents;
- (vi) payroll records;
- (vii) medical records;
- (viii) drug test results and reports;
- (ix) worker's compensation records;
- (x) tax forms;
- (xi) insurance records;
- (xii) dual employment reports; and
- (xiii) any other documents in an Employee's personnel file not required to be disclosed by law.

## **VII. PERFORMANCE MANAGEMENT**

### **A. Scope**

This policy applies to all Shakman Non-Exempt Employees.

### **B. Purposes**

The performance of all Non-Exempt Employees shall be evaluated periodically in accordance with the procedures set forth below. The purposes of Performance Evaluations are to measure: how an Employee has successfully performed the duties and responsibilities of their Job Description, how an Employee has performed consistent with CCRD policies, and whether an Employee has met goals and objectives set in previous Performance Evaluations. Employees

will receive Performance Evaluations under the following circumstances: (a) during their new hire probationary period; (b) annually thereafter; (c) during Cross-Trainings; (d) during the probationary period following a Transfer; (e) for Employees that are placed in a different position after a reduction in force (“RIF”) pursuant to the bumping/recall rights contained in the applicable Collective Bargaining Agreement; (f) during the probationary period following a lateral move pursuant to a job posting; and (g) during the probationary period following a Promotion.

The evaluation of performance shall be an integral part of the responsibility of each Supervisor, Director, Division Head and Deputy Recorder (collectively, “Supervisors”) and all Supervisors will be trained on how to conduct a Performance Evaluation consistent with this policy. This training should be conducted by HRD within 90 days of an Employee becoming a Supervisor. Each Director and Deputy Recorder shall ensure that Performance Evaluations of Employees in their Division(s) are accurate, timely, conducted in accordance with this policy and used in an appropriate manner. Accordingly, all Deputies Recorder, Directors, and Division Heads must be ready to conduct the Performance Evaluations on behalf of their direct reports in the case that their direct reports cease employment with the ROD during an evaluation period or are otherwise unable to fulfill their Performance Evaluation responsibilities.

Performance Evaluations for Employees in union Positions shall be conducted in accordance with this policy and any applicable CBA. If there is a conflict between this policy and a CBA, the CBA will govern. Performance Evaluations shall not be based on Political Reasons or Factors.

### **C. Multiple Supervisors During Evaluation Period**

If multiple Supervisors oversee an Employee during an Employee’s evaluation review period, all such Supervisors shall be responsible for completing a Performance Evaluation covering the dates in which he or she directly supervised the Employee.

### **D. Circumstances Requiring Performance Evaluation**

Supervisors will conduct Performance Evaluations consistent with the process described below in the “Performance Evaluation Process” section and under the following circumstances and timeframes:

- For all new hires, every 30 days during their 90-day probationary period;
- For all Employees, annually;
- For all Employees subject to a Cross-Training, every 30 days for the first 90 days during the Cross-Training;
- For all Employees subject to a Transfer, every 30 days for the first 90 days following the Transfer;
- For all Employees placed in a different position after a RIF, weekly for the first 45 days following the bump/recall;
- For all Employees in a new position pursuant to a job posting, every 30 days for the first 90 days following the lateral move; and

- For all Employees who receive a Promotion, every 30 days for the first 90 days following the Promotion.

### **E. Performance Evaluation Process**

Performance Evaluations will be conducted by Supervisors according to the following process and consistent with HRD's training materials on Performance Evaluations:

1. Steps Prior to Issuing Performance Evaluation: Within two (2) days (for non-annual evaluations) or five (5) days (for annual evaluations) after an evaluation period concludes, a Supervisor must complete the Performance Evaluation Form and provide the completed form to his or her Immediate Supervisor (Director/Division Head/Deputy Recorder) and give a copy to the Chief of HRD, the DOC and RCA, while acting.

The Performance Evaluation Form will be utilized for all Performance Evaluations. The Supervisor shall assess the job performance of the Employee for each category in Section I (for non-supervisor Employees) and in all categories of Section I and relevant categories of Section II (for supervisory or professional/technical Employees). Supervisors will assign a score of 1 through 5 for each category. When scoring Employees, Supervisors may take into consideration recently issued Discipline that is in the process of being grieved; however, should that Discipline ultimately be dismissed, the Supervisor must revise the Performance Evaluation to remove consideration of the dismissed Discipline.

Within the following two (2) days (for non-annual evaluations) or five (5) days (for annual evaluations), the Supervisor and their Immediate Supervisor will meet to discuss the evaluation. The Supervisor will provide HRD, the DOC and RCA, while acting, 48 hours' notice of the meeting so they may monitor the same. The Immediate Supervisor will offer any feedback on the evaluation and ensure that it was completed accurately and thoroughly. At the conclusion of this meeting, the Supervisor will make any changes he or she deems necessary and will provide an updated Performance Evaluation to the Chief of HRD, the Immediate Supervisor the DOC and RCA, while acting.

The Supervisor will then schedule a meeting with the Employee to present the Performance Evaluation and will give 48 hours' notice of the same to Chief of HRD, the DOC and RCA, while acting.

2. Meeting to Issue Performance Evaluation: Within five (5) days of a Supervisor meeting with their Immediate Supervisor to discuss the evaluation for non-annual evaluations or 15 days of a Supervisor meeting with their Immediate Supervisor to discuss the evaluation for annual evaluations, the Supervisor will meet with the Employee to issue the Performance Evaluation and will allow HRD, the DOC and RCA, while acting, to attend. The Supervisor will provide the Employee with the completed and signed Performance Evaluation Form, explain the evaluation scores and discuss the goals and objectives for the next evaluation/review period. If the Supervisor has considered any Discipline against the Employee in his or her Performance Evaluation scoring, the Supervisor will have a copy of such Discipline available for the Employee to review during the meeting. Supervisors will also have available a copy of the Employee's Job Description. The Employee will have the opportunity to ask

questions. The Employee will also have the opportunity to provide written feedback and may do so either during the Performance Evaluation meeting or provide the Supervisor with the written feedback within 48 hours of the Performance Evaluation meeting. Employees will be asked to sign the Performance Evaluation Form to acknowledge the occurrence of the review meeting. The Employee's signature does not constitute the Employee's agreement with the content of the Performance Evaluation. The Supervisor will provide the completed Performance Evaluation Form and any written feedback from the Employee to the Chief of HRD.

3. Performance Evaluation Recordkeeping and Application: HRD will then place the completed Performance Evaluation Form and any written feedback in the Employee's personnel file and provide copies of the Performance Evaluation and any written feedback to the Deputy Recorder in the chain of command, the DOC and RCA, while acting. Performance Evaluation Forms shall be maintained by HRD as a part of the Employee's personnel record and shall be available to the Employee in accordance with the CCRD's policy on disclosure of personnel-related information and as required by law.

#### **F. Application of Performance Evaluation Results**

The results of Performance Evaluations of Employees may be used as a basis for Termination or retention of an Employee on probation, as recommendation for training, and as a factor in promotional opportunities.

### **VIII. TRAINING & DEVELOPMENT**

#### **A. Responsibility for Training**

Each Division Head in conjunction with the Deputy Recorder shall have the responsibility to identify training needs, and based on available resources and staff, to obtain assistance from HRD to prepare and conduct training programs that will effectively meet those needs, which are unique to the operations of the Division or Section concerned.

1. Subject to any applicable CBA, training that is not Division-wide or Section-wide will be offered to employees based on Seniority within Positions, provided however, that an employee may turn down any optional training that is offered.

2. The Division Head is responsible for:

- a. Ensuring Supervisors assess and report the training and development needs for their Sections;
- b. Reviewing needs for training and requesting the development of appropriate training programs within available resources;
- c. Establishing priorities for the different types of training and career development programs;
- d. Collaborating with HRD for planning and conducting training and career development programs on Division Heads' initiative or at

CCRD request;

- e. Planning and conducting management and executive development programs; and
- f. Evaluating training programs to assure effective response to training needs.

## **B. Types of Training and Career Development Programs**

Types of Training and Career Development Programs: The Division Heads in conjunction with the Deputies Recorder shall ensure that the overall training program of the CCRD provides a proper balance between the training of Employees to improve their current effectiveness and the development of Employees for career advancement.

## **C. Methods**

Appropriate methods of on-the-job and off-the-job training shall be utilized as required to effectively satisfy training needs. The career development programs shall be designed and applied to assist in preparing for advancement opportunities for Employees, with specific reference to the requirements of the respective occupational groups and for Supervisory Positions within CCRD service. Such career development programs shall be established in a manner which will provide for:

- 1. The specific elements of training through which Employees shall progress;
- 2. Review and evaluations of such programs.

## **D. Use of Outside Facilities**

With the approval of the Chief Deputy Recorder, training agreements may be executed with universities, colleges, other educational institutions or planned programs consistent with any Executive Orders.

## **E. Notice to DOC and RCA**

Division Heads will provide the DOC and RCA, while acting, with written notice of all training opportunities at least 48 hours prior to any training session

# **IX. DESK AUDIT**

## **A. Overview**

The CCRD will only conduct Desk Audits on a Section-wide or Division-wide basis, except in cases of Reclassification requests, as described below. Only trained HRD staff shall conduct Desk Audits. A Position will not be subject to a Desk Audit more than once in any twelve (12) month period

## **B. No Political Reasons or Factors**

Desk Audits will not be based on Political Reasons or Factors.

### **C. Process**

Desk Audits shall evaluate the following with respect to an Employee's Position:

1. Job responsibilities,
2. The nature and variety of work performed,
3. Authority and autonomy,
4. Position interdependence, required qualifications,
5. Originality of work performed, and
6. Guidance and supervision.

An Employee subject to a Desk Audit shall be presented with an Employee Desk Audit Questionnaire and return the completed Questionnaire as directed by HRD. The Employee's manager shall be presented with a Manager Desk Audit Questionnaire and return the completed Manager Desk Audit Questionnaire as directed by HRD. HRD will then meet with the Employee to ask any questions that remain after the responses to the Questionnaires are returned. After the meeting, HRD will determine whether the reclassification is appropriate and indicate that decision in writing. The DOC and RCA, while acting, will be copied on all correspondence between HR and Employees and Managers concerning Desk Audits and will be provided the opportunity to monitor any meetings regarding the same.

### **D. Impact of Reclassification on Anniversary Date and Salary**

An Employee whose job is reclassified to a lower classification shall continue to receive compensation at the same rate received immediately prior to Reclassification. Such action shall not change the Employee's Anniversary Date. If the salary rate received immediately prior to Reclassification is less than the last step rate of the lower classification, the Employee shall be entitled to further step advancement.

An Employee whose job is reclassified to a higher classification shall be placed in the first step of the higher grade which provides a salary at least one step above the salary received at the time of the Reclassification. Such action will change the Employee's Anniversary Date. In all cases of Reclassification, the Employee shall receive at least the first step of the grade to which the Position is reclassified.



## **X. DUAL EMPLOYMENT**

### **A. Overview**

Employees who want to pursue employment outside of the CCRD while remaining Employees of the CCRD must complete a Dual Employment Authorization Form and submit the same to HRD prior to initiating the non-CCRD employment. Those Employees with approved Dual Employment must submit a Dual Employment Authorization Form annually by December 31 to cover the following calendar year. Newly hired Employees who want to pursue Dual Employment must submit a completed Dual Employment Authorization Form to HRD no later than 30 days after beginning employment at the CCRD.

### **B. Parameters for Dual Employment**

Dual employment for an Employee is permissible only within the following considerations:

1. Does not exceed 20 hours per week;
2. The type of work is approved by the Deputy Recorder;
3. The specific hours of outside employment are not in conflict with the Employee's normal duty hours with CCRD;
4. Dual employment will also include self-employment, and practices or services rendered by professional persons; and
5. Part-time Employees shall not be subject to the time restrictions set forth above.
6. No Employee shall engage in a business, profession, trade or occupation while employed by CCRD which will:
  - a. Impair his/her efficiency;
  - b. Interfere with such Employee's ability to satisfactorily perform his/her duties;
  - c. Impair or reflect poorly upon the reputation of CCRD; or
  - d. Impair an Employee's independence of judgment and/or constitute a Conflict of Interest as defined by the Cook County Ethics Policy.

### **C. Required Form**

HRD shall approve a Dual Employment Authorization Form that meets the parameters set forth above. Dual Employment Authorization Forms shall be made available to the DOC and RCA, while acting, upon request.

## **XI. HIRING**

### **A. Overview**

The CCRD shall follow all hiring processes as provided in the Employment Plan.

### **B. Probationary Period**

Except as modified by a CBA, a period of probation for any new Employee who has been hired after the effective date of this Manual shall be 90 days of continuous service.

## **XII. RECLASSIFICATION OF POSITIONS**

### **A. Overview**

Reclassifications of Employees shall be decided based on the operational and business needs and goals of the CCRD in accordance with any applicable CBA and this Manual. A Non-Exempt Position may only be reclassified pursuant to a Desk Audit as described above and shall not be conducted more than once in any 12-month period.

### **B. No Political Reasons or Factors**

Reclassifications of Non-Exempt Employees will not be based on Political Reasons or Factors

### **C. Process**

A Division Head must submit a Reclassification Request in writing to HRD. Such request shall include the specific basis or bases for the request and a NPCC. The Division Head shall provide a copy of any Reclassification Request to the DOC and RCA, while acting.

1. If the Chief of HRD or Designee does not agree that a request for Reclassification should proceed, the Chief of HRD or Designee shall explain the basis of his or her non-agreement in writing and forward it to the Division Head the DOC, and RCA, while acting. Such Notice shall be provided no later than 30 days following a Reclassification Request and ends the Reclassification Request.

2. If the Chief of HRD or Designee agrees that the request for Reclassification should proceed to a Desk Audit, the Chief of HRD or Designee shall send written notice of such agreement to the requesting Division Head, the DOC, the Deputy Recorder overseeing the Position's Section, and RCA, while acting. The Chief of HRD or Designee will provide his or her decision on the original Request for Reclassification within 30 days of receiving the same.

3. All Desk Audits will be conducted by HRD consistent with the Desk Audit Policy in this Policy Manual and may be monitored by the DOC and RCA, while acting. Within 30 days of completing the Desk Audit process as described in this Manual, HRD will provide a written decision to approve or not approve the Reclassification to the Division Head with a copy to the Deputy Recorder, the DOC and RCA, while acting.

#### **D. Impact of Reclassification on Salary Grade**

1. An Employee whose job is reclassified to a lower classification shall continue to receive compensation at the same rate received immediately prior to Reclassification. Such action shall not change the Employee's Anniversary Date. If the salary rate received immediately prior to Reclassification is less than the last step rate of the lower classification, the Employee shall be entitled to further step advancement.

2. An Employee whose job is reclassified to a higher classification shall be placed in the first step of the higher grade which provides a salary at least one step above the salary received at the time of the Reclassification. Such action will change the Employee's Anniversary Date. In all cases of Reclassification, the Employee shall receive at least the first step of the grade to which the Position is reclassified.

#### **XIII. INTER-JURISDICTIONAL TRANSFERS INCIDENT TO SHARED SERVICES INITIATIVE**

Transfers or sharing of CCRD Employees with other governmental units shall be done in accordance with any applicable inter-governmental agreements or shared services agreement and may be done without complying with the hiring provisions provided for in Section V of the CCRD's Employment Plan provided such Transfers are not based on Political Reasons or Factors. Notice to the Employee, Employee's union representative (if applicable), the CCRD's Director of Human Resources, the DOC and RCA, while acting, must be provided immediately upon the initiation of the Inter-Jurisdictional Transfer.

#### **XIV. ASSIGNMENT OR CHANGE IN JOB DUTIES**

##### **A. No Political Reasons or Factors**

Assignments or changes in an Employee's job duties shall be based on the operational goals and business needs of the CCRD and will not be based on Political Reasons or Factors.

##### **B. Process**

1. Approval: If the Deputy Recorder, or Division Head desires to change the job duties of an Employee, he or she shall submit a request in writing to HRD and provide a copy of the request to the DOC and RCA, while acting. The Chief of HRD or Designee will review the request and shall approve of the same if the change in job duties:

- a. Is required by the operational needs of the CCRD;
- b. Is relevant to the Job Description for the Employee;
- c. Will not require the Employee to change Sections; and
- d. Is not based on Political Reasons or Factors.

2. Should the proposed additional duties require training, the written request must explain what training will be provided to the Employee. Should no Job Description exist for the new Position, a Job Description must be created by HRD prior to the review and approval by the Chief of HRD or Designee.

a. If the Chief of HRD or Designee concludes that one or more of the above criteria is not met, he or she will deny the request in writing, with a copy to the DOC and RCA, while acting. If the Chief of HRD or Designee concludes that all criteria are satisfied, he or she will then approve the request in writing, with a copy to the DOC and RCA, while acting.

3. Should training be necessary to allow the Employee to learn any new duties given to him or her, unless the Employee engages in activity of willful and wanton disregard, that Employee will not be subject to Disciplinary Action for Poor Work Performance related to his or her execution of the new duties until the Employee has received the designated training.

### **C. Notice**

At least three days prior to the implementation, notice of the approval of the Assignment or changes in job duties must be provided to the Employee, Employee's union representative, the DOC and RCA, while acting. The Notice should include a copy of the applicable Job Description.

## **XV. TEMPORARY ASSIGNMENTS**

### **A. Purpose**

The purpose of a Temporary Assignment is to permit the temporary assignment of an Employee, who has the ability to perform the duties of a different Position without extensive training, to that Position in order to address an operational and business need or goal of the Recorder's Office. Temporary Assignments must be made in accordance with this Manual and any applicable Collective Bargaining Agreement.

### **B. No Political Reasons or Factors**

Temporary Assignments will not be based on Political Reasons or Factors.

### **C. Process for Temporary Assignments**

1. Initiating a Temporary Assignment: Temporary Assignments may be initiated by a Deputy Recorder, Director or Division Head by submitting a request for a Temporary Assignment in writing to HRD. The request for a Temporary Assignment shall include the following:

- a. The operational and/or business need or goal that will be addressed by the Temporary Assignment;
- b. A list of the duties, separate and apart from a Job Description, that will be performed by the Employee that will serve in the Temporary Assignment;
- c. The expected length of the Temporary Assignment, not to exceed 120 days, per Employee; and
- d. A NPCC signed by the Employee requesting the Temporary Assignment.

Temporary Assignments may include all of the duties associated with the Position to which the Employee is temporarily assigned, or a portion of those duties. Further, Temporary Assignments may require performing the temporarily assigned duties for the entirety of the work day during the Temporary Assignment period, or for a portion of the work day for the temporary assignment period.

When submitting Temporary Assignment paperwork to HRD, the Deputy Recorder, Director or Division Head shall also send a copy of the paperwork to the DOC and RCA, while acting.

2. HR Review of Temporary Assignment Paperwork: Upon receipt of Temporary Assignment paperwork submitted by a Deputy Recorder, Director or Division Head, HRD will review the paperwork to ensure that it complies with Section XV.C.1 above.

If the paperwork complies with Section XV.C.1 above, then HRD will meet with Labor Counsel and the Deputy Recorder, Director or Division Head that submitted the Temporary Assignment paperwork to identify the appropriate Employee to serve in the Temporary Assignment. The DOC and RCA, while acting, will be given the opportunity to monitor this meeting. When determining which Employee shall serve in the Temporary Assignment, HRD shall utilize a list of all Employees who have served in the Temporary Assignment Position at any point in their CCRD careers and will include all such Employees' seniority dates (the "Temporary Assignment Eligibility List"). HRD and the Deputy Recorder, Director or Division Head who requested the Temporary Assignment will then meet with all such Employees on the Temporary Assignment Eligibility List and offer the Temporary Assignment in order of seniority based on the operational needs of the office, including whether the Temporary Assignment of an Employee would create other operational needs that would have to be addressed. If no Employee volunteers for the Temporary Assignment, HRD shall assign the Temporary Assignment to the least senior Employee on the Temporary Assignment Eligibility List consistent with the operational needs of the office, including whether the Temporary Assignment of an Employee would create other operational needs that would have to be addressed. That Employee will then be excused from the process during subsequent

Temporary Assignments until all other Employees on the applicable Temporary Assignment Eligibility List have served in the Temporary Assignment.

3. Notification to Employee: Prior to the beginning of a Temporary Assignment, Employees subject to a Temporary Assignment will receive a Notice of Temporary Assignment from HRD that includes: the start and end dates of the Temporary Assignment, the list of duties the Employee will be expected to perform in the Temporary Assignment (separate and apart from a Job Description); a detailed explanation of any training the Employee will be provided; identification of who will conduct any required training; if training is required during the Temporary Assignment, a statement that the Employee will not be subject to Discipline for poor work performance for the training-related duties until the Employee has received the requisite training; and an NPCC

HRD shall copy the DOC and RCA, while acting on its issuance of the Notice of Temporary Assignment.

4. Term of Temporary Assignment and Permitted Extensions: Generally, Temporary Assignments may not exceed 120 days in a calendar year; however, if after the 120-day period has completed and the operational and/or business needs or goals still remain, the Temporary Assignment may be extended for an additional period of 120 days, by agreement with the Employee in the Temporary Assignment. When extending a Temporary Assignment, the Deputy Recorder, Director or Division Head that initiated the Temporary Assignment must submit the request to extend the Temporary Assignment in writing to HRD consistent with the guidelines established in Section C.1 above. A copy of the extension paperwork shall be sent to the DOC and RCA, while acting.

In addition, an Employee serving in a Temporary Assignment for one position does not preclude that Employee from serving in a Temporary Assignment for another position if an operational need or goal exists and, based on the consideration of the factors noted in Section XV.C.2 above, the Temporary Assignment of the Employee would best address the operational or business need or goal that is being addressed by the Temporary Assignment.

5. Conclusion of Temporary Assignment: At the conclusion of a Temporary Assignment, HRD shall provide the Employee with written notification of the final date of the Temporary Assignment and the date upon which the Employee is to return to his or her original assignment. A copy of the same shall be provided to the DOC and RCA, while acting. Copies of the Notice of Temporary Assignment and Notice of completion shall be maintained in the Employee's personnel file.

6. Service in Temporary Assignment Not Considered for Future Postings: An Employee's service in a Temporary Assignment in any Position shall not be used as a factor in considering that Employee in a future posting for such Position.

## **XVI. CROSS-TRAINING**

### **A. Overview**

Cross-Training assignments shall be utilized for the teaching of an Employee assigned to perform the functions of one Position the skills required to perform a different Position.

#### **B. No Political Reasons or Factors**

Cross-Training assignments will not be based on Political Reasons or Factors.

#### **C. Evaluation Period**

From the effective date of the Cross-Training, the Employee will begin an evaluation period. During such time, the Employee will receive a Performance Evaluation upon reaching the 30-day, 60-day, and 90-day mark. These Evaluations shall only be utilized for the purposes of assessing whether an Employee has completed the Cross-Training and whether repeated or additional Cross-Training in the Position may be needed.

1. For union Employees: Cross-Training assignments will not exceed six months. The Cross-Training period may be extended for a period based upon the operational needs of the CCRD, upon consultation with the union. *See* the applicable CBA for additional information.

2. For non-union Employees: Cross-Training periods may be set for up to six months and extended for an additional six months based upon the operational needs of the CCRD.

#### **D. Approval Process**

If the Deputy Recorder desires to Cross-Train an Employee, he or she shall provide HRD with a Cross Training Request Form and provide a copy to the DOC and RCA, while acting. The Chief of HRD or Designee will review the request and may approve if:

1. The applicable time period does not exceed six months and is appropriate for the training provided;

2. The Cross-Training will teach an Employee assigned to perform the functions of one Position the skills required to perform a different Position; and

3. Is not based on Political Reasons or Factors.

Three (3) days prior to the start of a Cross-Training Assignment, the affected Employee will receive a written Notice of Cross-Training from HRD with an explanation of the Cross-Training, who the Employee will report to during the Cross-Training, and the beginning and end dates of the Cross-Training Assignment. HRD will provide a copy of this Notice of Cross-Training to the DOC and RCA, while acting.

Upon the conclusion of a Cross-Training Assignment, HRD will provide the Employee with written notice that the Cross-Training is ending and will include the date on

which the Employee must return to his or her original Position. A copy of the same will be provided to the DOC and RCA, while acting.

#### **E. Notice to Employee**

Cross-Training Employees will receive written notification from HRD upon start and ending dates, as well as the approval of any extension. Notice of the approval of any extension will be provided to the DOC and RCA, while acting.

#### **F. No Consideration in Future Postings**

An Employee's Cross Training Assignment in any Position shall not be used as a factor in considering that Employee in a future posting for such Position.

### **XVII. DISCIPLINE**

#### **A. Disciplinary Action**

"Disciplinary Action" is defined as a process for dealing with Employee conduct or job-related behavior that does not meet expected and communicated performance standards. The CCRD is committed to administering discipline in a fair and impartial manner and will not unlawfully discriminate in the application of Disciplinary Action. The CCRD's goal is that imposition of Disciplinary Action will assist Employees to understand that a performance problem or opportunity for improvement exists. Through Disciplinary Action, an Employee may improve his or her performance and consequently avoid future Disciplinary Action.

#### **B. Scope**

This Discipline Policy does not apply to probationary and Shakman Exempt Employees but applies to all other Employees under the jurisdiction of the CCRD. To the extent that this Discipline Policy conflicts with any provisions of an applicable CBA, the CBA will govern for those Employees subject to it.

#### **C. No Political Reasons or Factors**

No Disciplinary Action or failure to take a Disciplinary Action will be influenced by Political Reasons or Factors.

#### **D. Monitoring**

The DOC and RCA, while acting, may monitor any and all steps of the disciplinary process.

#### **E. Infraction Types**

Employee behavior contrary to this Policy shall be subject to Disciplinary Action up to and including termination, depending on the nature of the infraction. Infractions are divided



into two categories: Major Cause Infractions and Minor Cause Infractions.

1. Major Cause Infractions: A Major Cause Infraction is conduct that may warrant Termination after only one occurrence. As you review the following list of Major Cause Infractions, please keep in mind that this list it is not intended to be exhaustive. It is merely intended to provide you with examples of the types of conduct that may result in Termination after one occurrence. Examples of such conduct include:

- a. Reporting to work or being present on CCRD premises, in a CCRD vehicle, or engaged in CCRD activities while under the influence of illegal drugs, alcohol, or legal drugs which adversely affect safety or job performance.
- b. The unlawful or unauthorized manufacture, distribution, dispensation, possession or use of a controlled substance, including cannabis and unauthorized prescription drugs, drug paraphernalia or alcohol on CCRD premises, in CCRD vehicles, or while engaged in CCRD activities.
- c. Violation of the Workplace Violence Policy.
- d. Violation of the Anti-Harassment Policy.
- e. Gross poor work performance, including, but not limited to, recklessly performing any of the essential job duties as listed in the Employees' job description or other duties as assigned.
- f. Willful destruction of CCRD or County property.
- g. Gross insubordination, which means willfully, and without justification, defying or disobeying a lawful management direction.
- h. Being physically or verbally abusive to a customer, including using profanity, derogatory names, or slurs.
- i. Theft or unauthorized possession of Employee, customer, CCRD, or County property. "Unauthorized possession" means taking possession of property without the authorization or permission to do so.
- j. Falsifying time records in violation of the Time and Attendance Policy.
- k. Absence for three (3) consecutive work days without notifying the immediate Supervisor or Division Head (excluding situations where an Employee is unable to provide notification).

1. Conviction of a felony or plea of no contest to a felony charge, which relates to an Employee's job duties.
- m. Intentionally falsifying (or concealing material information related to) employment records or any other CCRD record through deliberate misstatement or omission of pertinent facts or information.
- n. Loss of professional certification or other license when such certification or license is required to meet the Minimum Qualifications of your Position.
- o. Knowingly or willfully interfering in or not cooperating in a DOC, RCA (while acting), OIIG or DOC-referred investigation or knowingly or willfully providing false information during such investigation.
- p. Conduct unbecoming of a CCRD Employee which means violations of law or policy that bring into question the integrity of the Employee and reflects negatively on CCRD. Examples include, but are not limited to, engaging in conduct that exploits an Employee's position at CCRD for personal gain, violating the provisions of the Cook County Ethics Ordinance or engaging in criminal conduct that otherwise publicly and negatively reflects poorly on CCRD.
- q. Dishonesty, including making deliberately false statements or complaints to an immediate supervisor or other higher-level staff relating to work related issues or Employee misconduct.
- r. Intimidating or coercing another Employee through physical or verbal threats.
- s. Violations of the CCRD Employment Plan involving Unlawful Political Discrimination or Unlawful Political Contacts.
- t. Willful misconduct in failing to work in accordance with written CCRD policies or procedures that have been distributed to the Employee(s).

2. Minor Cause Infractions: Violation of the following rules will result in Counseling or progressive Discipline. Minor Cause Infractions are divided into two categories: attendance-related infractions and performance-related infractions. For Minor Cause Infractions, discipline will follow Progressive Discipline.

a. Attendance-related Minor Cause Infractions

- i. Unauthorized Absence including, being absent from work without having the applicable amount of benefit time to cover the absence (“Zero time”) and leaving your assigned place or area of work during working hours without permission of the Supervisor. An Employee who swipes in more than one (1) hour after the Employee’s designated start time will be considered to have an unauthorized absence.
- ii. 4 or more instances of tardiness (at start of work day or at conclusion of lunch) in a month. An Employee is tardy when the Employee clocks in more than five (5) minutes after the Employee’s designated start time. Employees swiping in more than 30 minutes after the Employee’s designated start time but less than one (1) hour after the Employee’s designated start time will receive two instances of tardiness.
- iii. Misusing or abusing time off requests, including, but not limited to, utilizing sick time or FMLA leave for an unauthorized purpose.
- iv. Failure to swipe on two or more dates in a 30-day period.
- v. The unauthorized accrual of Compensatory Time.
- vi. Excessively returning late from break.

b. Performance-related Minor Cause Infractions

- i. Failing to follow lawful instructions of a higher-level supervisory or management Employee.
- ii. Littering, creating or contributing to inappropriate and unsanitary conditions.
- iii. Smoking in prohibited areas.
- iv. Engaging in gambling on CCRD premises.
- v. Repeated poor work performance amounting to negligently performing any of the essential job duties as listed in the Employees’ job description or other duties as assigned. Examples of such poor work performance include, but are not limited to, missing a deadline, unauthorized lapse in productivity, forced balancing of accounts, or failing to perform any of the

essential job duties as listed in the Employee's job description or other duties as assigned.

- vi. Actions that cause the CCRD to incur an expense.
- vii. Sleeping in any Recorder of Deeds location including, but not limited to, break rooms, lunchrooms, and restrooms.
- viii. Creating an unsafe condition or failing to abide by safety and/or fire prevention regulations.
- ix. Using any information technology or CCRD instrumentality, including, without limitation, e-mail, Internet services or telephone, in a non-emergency situation, for an unauthorized purpose. Employees are forbidden from installing or using unlicensed computer software on CCRD-issued computers. See the Technology Usage section of this Manual.
- x. Violation of the Personal Device Policy.
- xi. Using any CCRD office space, office supplies, or office equipment in an unauthorized manner.
- xii. Misusing confidential or proprietary information, or any CCRD files, documents or data.
- xiii. Violating any CCRD Policy listed in the Policy Manual not otherwise separately listed as a Major or Minor Cause Infraction.
- xiv. Hostility that is directed toward another Employee or customer, or offensive behavior not rising to the level of harassment. Examples of Offensive behavior include but are not limited to deliberately demeaning, belittling, or embarrassing another individual; jokes, slurs, name calling, gestures, innuendoes, or similar conduct found to be offensive to a reasonable person.

## **F. Counseling**

Prior to the imposition of formal Discipline, an Employee may be counseled for a Minor Cause infraction. Employee counseling is a cooperative endeavor to correct an Employee's minor unsatisfactory conduct in the attempt to avoid similar infractions in the future. Employee counseling is not Discipline; it is an informal method to coach the Employee before the Employee's conduct rises to the level where Discipline is warranted. When a Supervisor

provides an Employee with Counseling, the Supervisor must memorialize the Counseling and provide a copy to the Employee. The Supervisor must also provide a copy of the same to the HRD, DOC and RCA, while acting, within two (2) days of providing the Counseling.

### **G. Discipline Steps**

For all Shakman Non-Exempt Employees, Discipline for Minor Cause Infractions will be progressive in nature consistent with the disciplinary steps listed below. Major Cause Infractions, however, are so intolerable that suspensions or Termination may be imposed for the first offense. For all Non-Exempt Employees, the CCRD will apply Discipline consistently in similar situations. Discipline issued will be limited to the specific infraction committed; the CCRD will not Discipline Employees for multiple infractions arising out of a single event (“stacking”) except where the event included multiple clearly distinct infractions.

Prior Discipline that did not result in a suspension will not be considered after 18 months, if there has not been Discipline for the same infraction during that same 18-month period. Suspensions related to tardiness that are more than 12 months old will be discarded and not considered when assessing progressive Discipline. Suspensions, other than those related to tardiness, that are 18 months or more old will not be used to move to the next level of progressive Discipline and the employee will be subject to the same level of suspension as the most recent suspension for the same infraction. Suspensions, other than those related to tardiness, that are more than 48 months old will be discarded and not considered when assessing Discipline provided the Employee has not received Discipline for the same offense during that 48-month period.

For purposes of this policy: 1) the timeframe for calculating the 18-month period for Discipline below a suspension begins on the date the Incident Report is issued; and 2) the timeframe for calculating the 48-month period for suspensions begins on the date the suspension is issued.

1. Major Cause Infractions: For all Shakman Non-Exempt Employees, when Discipline for a Major Cause Infraction is necessary, an Employee may be issued a suspension or Termination depending on the severity of the infraction.

2. Minor Cause Infractions: For all Shakman Non-Exempt Employees, Progressive Discipline for the same Minor Cause Infractions will follow the following progressive steps:

- a. Verbal Reprimand
- b. Written Reprimand
- c. 1 Day Suspension
- d. 5 Day Suspension
- e. Termination

## **H. Issuing Discipline**

In issuing Discipline, the CCRD will not take into consideration Political Reasons or Factors or other reasons or factors that are illegal under the law.

### **1. Preliminary Review of Alleged Violation(s)**

#### **a. Employment Plan Violations**

A Supervisor, Director, Division Head, or Deputy Recorder who personally witnesses or becomes aware of an alleged violation of the Employment Plan shall report the alleged violation to the DOC within two (2) days of witnessing or becoming aware of the alleged violation. The DOC will maintain a log of all such reports of alleged violations and shall provide an updated log of the same to the RCA, while acting, within 48 hours of any alleged violations of the Employment Plan being reported to the DOC. The DOC will investigate the alleged violation of the Plan pursuant to Section IV.M of the Plan.

#### **b. Policy Manual Violations Witnessed by Supervisor**

A Supervisor, Director, Division Head, or Deputy Recorder who personally witnesses or has firsthand knowledge of an alleged violation of the Policy Manual, will initiate either (1) Counseling pursuant to Section XVII.F, or (2) Discipline by completing an Office Incident Report within 15 days of witnessing the alleged violation, including a detailed description of the alleged infraction as witnessed by the Supervisor or management-level Employee and as described Section XVII.H.2 below.

#### **c. Policy Manual Violations Not Witnessed by Supervisor**

If a Supervisor, Director, Division Head, or Deputy Recorder does not personally witness but becomes aware of an alleged violation of the Policy Manual, he or she shall report the alleged violation to the DOC within two (2) days of becoming aware of the alleged violation. The DOC will maintain a log of all such reports of alleged violations and shall provide an updated log of the same to the RCA, while acting, within 48 hours of any alleged Policy Manual violations reported to the DOC. Within three (3) days of being notified of the alleged violation, the DOC and Supervisor, Director, Division Head, or Deputy Recorder who reported the alleged violation will then meet to discuss the allegations. The DOC may request HRD's and Labor Counsel's participation in the discussion. The RCA, while acting, will be given an opportunity to monitor the meeting. At the conclusion of the meeting, as described below, the DOC may initiate an investigation, refer an investigation, or authorize appropriate personnel to obtain additional technical information prior to the drafting of an Incident Report. Alternatively, if consulted, Labor Counsel may recommend to an appropriate supervisory-level Employee that he or she utilize Counseling (pursuant to Section XVII.F) to address the alleged violation of the Manual.

In the event that after the meeting, the DOC decides that the alleged violation(s) requires investigation, the investigation shall proceed pursuant to Section IV.M of the Employment Plan. Consistent with the Employment Plan, the DOC may direct the investigation to be completed within a set time frame, but no longer than 90 days. If there is an investigation, the Supervisor, Director, Division Head, or Deputy Recorder, other than the individual conducting the investigation as provided by Section IV.M of the Employment Plan, shall refrain from taking any further action unless directed to do so by the individual conducting the investigation or an Investigative Report or Notice of Violation is issued.

No later than five (5) days following the timely issuance of the Recorder's Report in response to a DOC Investigative Report or Notice of Violation, the Recorder or Designee shall inform the Supervisor, Director, Division Head, or Deputy Recorder of the Recorder's acceptance of the DOC's recommended Discipline and direct the same to issue an Office Incident Report as described in Sections XVII.H.2-4 below within five (5) days.

If, after the above meeting, the DOC or individual to whom a complaint or violation is referred does not open an investigation regarding the alleged violation, but determines that additional technical information would be needed prior to the drafting of an Incident Report, the DOC may authorize a supervisory-level Employee to obtain the information needed in order to draft the Incident Report. The same Supervisor, Director, Division Head, or Deputy Recorder shall provide the DOC and RCA, while acting, prior notice of any interview or meeting with a ROD Employee to enable the DOC and RCA, while acting, the opportunity to monitor such discussions. Upon completion of the investigation and after receipt of the necessary information required to support the issuance of an Office Incident Report, the Supervisor, Director, Division Head, or Deputy Recorder will complete an Office Incident Report as described in XVII.H.2 below.

Nothing in this policy shall prohibit the Chief of HRD from taking necessary remedial or preventative measures designed to remedy the alleged conduct pending the results of an investigation and any subsequent Discipline pursuant to this Policy (*e.g.*, moving an Employee's work location, changing an Employee's shift hours, issuing an Emergency Suspension pursuant to Section XVII.I) and consistent with the law.

## 2. Drafting of Incident Report

The Supervisor, Director, Division Head, or Deputy Recorder who witnesses an infraction or discovers that an infraction has occurred as a result of an investigation, will complete an Office Incident Report that includes: 1) the name of the Employee who allegedly committed the infraction; 2) the date the infraction allegedly occurred; 3) a detailed description of the alleged infraction; and 4) the section of the Manual that was allegedly violated. The Employee who drafted the Incident Report will attach any relevant supporting documentation to the Incident Report. Employees charged with writing Incident Reports will do so within 15 days

of witnessing or becoming aware of an alleged infraction as a result of an investigation. Once completed, Incident Reports will be submitted to the DOC and Labor Counsel, with a copy to HRD, for review to ensure compliance with the relevant provisions of the Manual, prior to issuance to the Employee. A copy of the Incident Report will also be provided to the RCA, while acting, prior to issuance. Incident Reports should be submitted through email whenever possible.

### 3. Review Prior to Issuance of Incident Report

The DOC and Labor Counsel will review the draft Incident Report within 10 days of receiving the same to ensure compliance with this policy and consistency with past practice of like Discipline in the CCRD. Labor Counsel and the DOC will meet, if necessary, to discuss the Incident Report within that same 10-day period. HRD and RCA, while acting, will receive notice of any meeting between the DOC and Labor Counsel to discuss a draft Incident Report, and a representative of HRD may participate in the meeting if it is deemed necessary by the Chief of Human Resources or Director of Human Resources, or if requested by the DOC or Labor Counsel.

If the Incident Report is approved by Labor Counsel and would result in a Verbal Reprimand or Written Reprimand, Labor Counsel will note on the Incident Report the appropriate progressive step that should be issued to the Employee. Labor Counsel will return the Incident Report to the Supervisor who drafted the Incident Report within 10 days of receiving the same with a copy to the DOC, HRD and RCA, while acting.

If the Incident Report is approved by Labor Counsel and would result in a Suspension, Termination or is for a Major Cause Infraction, Labor Counsel will provide the approved Incident Report to the Chief of HRD within 10 days of receiving the same, with a copy to the Supervisor who drafted the Incident Report, the DOC and RCA, while acting.

If the Incident Report is not approved by Labor Counsel or Labor Counsel concludes that Counseling (rather than an Incident Report) would be more appropriate, Labor Counsel will provide the Supervisor with a written explanation for the rejection and recommendation for Counseling (if applicable) within 10 days of receiving the draft Incident Report, with a copy to the DOC, HRD and RCA, while acting.

### 4. Issuing of Incident Reports:

The approved Incident Report shall be issued to the Employee, with a copy to Human Resources, Labor Counsel, the Union (if the Employee receiving the Incident Report is a bargaining unit member), the DOC and RCA, while acting, within 5 days of the approval of the Incident Report by Labor Counsel. The Incident Report will be considered issued when it is sent to the Employee via email.

#### a. Verbal Reprimand and Written Reprimand



When an Incident Report results in a Verbal Reprimand or Written Reprimand, the Supervisor who drafted the Incident Report will meet with the Employee to discuss the infraction within seven (7) days of receiving the approved Incident Report from Labor Counsel. The Supervisor will provide a copy of the Incident Report and notice to the DOC and RCA, while acting, at least 48 hours before any such meeting and both may attend this meeting. The Supervisor will conduct the meeting with the Employee, Employee's union representative (if applicable), and the DOC. The Supervisor will explain the basis for the issuance of Discipline and provide specific corrective actions that will help the Employee comply with the relevant policy. During the meeting with their Supervisor, the Employee may ask questions in the event that they are unclear about the infraction and/or the specific corrective actions that were provided by the Supervisor but may not protest the Verbal Reprimand or Written Reprimand.

After issuing the Incident Report to the Employee, a copy of the Incident Report and an accompanying Disciplinary Action Form will be placed in the Employee's personnel file, with a copy to the DOC and RCA, while acting.

#### b. Suspensions and Termination

When an Incident Report is issued to an Employee and the Employee is subject to a Suspension or Termination, Labor Counsel shall schedule a Pre-Disciplinary Hearing to take place within ten days after the date the Incident Report is issued, or at another time as agreed to by Labor Counsel and the employee's union if applicable, and before any Disciplinary Action is implemented. Labor Counsel shall serve Notice of the Pre-Disciplinary Hearing to the Employee that includes the nature of the infraction and the possible Disciplinary Action that might be imposed. A Pre-Disciplinary Hearing Notice will be provided to the Employee, Employee's bargaining representative (if applicable), DOC, HRD and RCA, while acting, at least 48 hours prior to the scheduled Pre-Disciplinary Hearing. No other Employee will be permitted to attend the Pre-Disciplinary Hearing unless as a witness, approved by the Hearing Officer, and only for the portion in which the Employee is needed to provide information relevant to the Pre-Disciplinary Hearing.

The Hearing Officer will be the Chief Legal Counsel. The Hearing Officer will conduct the Pre-Disciplinary Hearing and allow the Employee or the Employee's bargaining representative (if applicable), to respond to the alleged infraction(s) listed in the Pre-Disciplinary Hearing Notice. The Hearing Officer may hear statements from or ask questions of any relevant witnesses to the underlying infraction(s). The Hearing Officer will conduct the Pre-Disciplinary Hearing in a professional and unbiased manner and will consider all available relevant evidence. If the Chief Legal Counsel issued the Incident Report, the Chief Deputy Recorder will serve as the Hearing Officer. In assessing the proper Discipline to be imposed, consideration will be given to the following factors:

- i. the Employee's disciplinary record;
- ii. any mitigating factors provided by the Employee or any witnesses; and
- iii. consistency with past practice for like discipline.

No later than three (3) days after the Pre-Disciplinary Hearing, the Hearing Officer

will complete and issue the Disciplinary Action Form to the Employee, which will include a statement of the charges, a copy and explanation of evidence supporting the charges, whether or not the charges are sustained or not sustained, and if sustained, the level of Discipline to be applied for the infraction. Copies of the Disciplinary Action Form will be distributed to HRD, the DOC and RCA, while acting.

### **I. Emergency Suspensions**

An Emergency Suspension may be given prior to any step of a Disciplinary Action when the presence of the Employee is dangerous or will result in the disruption of operations. Supervisors, Directors, Deputies Recorder and other Exempt staff are authorized to issue an Emergency Suspension, with the advice and consent of Labor Counsel, to a subordinate Employee in the event it is determined that the Employee presents a danger or otherwise disrupts the operations of the office. The Chief of Human Resources or Designee must memorialize any Emergency Suspension in a Disciplinary Action Form and include a detailed explanation why the Chief of Human Resources or Designee believes the Emergency Suspension is necessary. The Chief of Human Resources or Designee must provide a copy of that Disciplinary Action Form to the Employee, Employee's union representative (if applicable), Supervisor, the DOC and RCA, while acting, on the same day the Emergency Suspension is put into effect and must attempt to provide the DOC and RCA, while acting, the ability to monitor the meeting with the Employee.

## **XVIII. TECHNOLOGY USAGE**

### **A. Telephone Use**

Courtesy and efficiency are essential to the functioning of the CCRD. The telephone is a significant means of communicating with customers. Personal calls are prohibited. County telephones are to be used for CCRD business. Employees should:

1. Promptly answer the telephone with the following response: Good morning/afternoon/evening, Cook County Recorder's Office, this is (Employee's name), How may I help you?
2. Obtain accurate facts. If you must leave the telephone during a conversation, explain why.

### **B. Other Electronic Devices**

1. Minimal and incidental use of personal cell phones is permitted as long as such use does not interfere with an employee's work-related duties and does not disrupt other employees or the public at the CCRD. Employees may not use personal cell phones for personal use including, but not limited to, to play games, send personal emails, send text messages, video chat, use FaceTime, or engage in other forms of personal entertainment unless the employee is

on his/her scheduled break and not at his/her desk. Employees who routinely conduct personal calls while at work shall be subject to Counseling or Discipline, up to and including termination. Employees must set their cell phones to mute or vibrate during work hours and while on CCRD premises.

2. Unauthorized photographs, including those taken with personal electronic devices are strictly prohibited.

### **C. Privacy**

The CCRD maintains the right and the ability to enter into any system and to inspect and review any and all data as allowed by any applicable law(s). The CCRD reserves the right to obtain access to all voicemail and electronic mail messages left on or transmitted over these systems. Employees should not assume that such messages are private and confidential or that the CCRD or its designated representatives will not have a need to access and review this information. Individuals using County and/or CCRD equipment should have no expectation that any information accessed through or stored on their computers – whether the information is contained on a computer hard drive, computer disks, or in any other manner – will be private.

1. Audits to verify that CCRD computers are clear of malware and used in accordance with County and/or CCRD policy may be performed. The CCRD will investigate complaints about inappropriate images on computers, inappropriate e-mail or other inappropriate conduct.

2. The CCRD may monitor internet activity to see what sites are frequented, the duration of time spent, what files are downloaded and what information is exchanged.

### **D. Passwords and User Accounts**

#### **1. Password Policy:**

- a. Password expire every 30 days. Employees should be sure to change their password before it expires.
- b. Passwords shall be a minimum length of six (6) characters
- c. Passwords shall contain a combination of three of the following: uppercase or lowercase letters, numbers or symbols.
- d. When passwords are lost or forgotten the Technology Section must be notified immediately.
- e. Passwords should never be written down and kept in an area that will be visible or easily accessible.

#### **2. User Account Policy:**

- a. User Accounts are created by the Technology Section and

credentials are transferred to new users at the time of employment. Three (3) failed login attempts will enable lockout period in which the user will not be able to login to their account. Once called and the user is verified, the Technology Section will unlock the account.

- b. Users are prohibited from attempting to access another user's account. User accounts are never shared among users.

### 3. Proper Computer Use:

- a. No personal information, data, photos, music, or messages should be stored on CCRD equipment. Such data, if found, will not be treated as personal or private and may subject the Employee to Discipline.
- b. Do not alter or tamper with a CCRD computer physically. Users are prohibited from opening the computer case, removing or adding components, or accessing the inside of a computer for any reason. Please contact the Technology Section for any issue that might require physical access to the inside of a computer.
- c. User are prohibited from installing or running software. Certain areas of the County and/or CCRD network that they re not specifically authorized to access.
- d. Users are prohibited from accessing or attempting to gain access to any area of the County and/or CCRD network that they are not specifically authorized to access.

### 4. Software Duplication:

Users shall not produce unauthorized copies of any software. Software must only be utilized for intended purpose and shall not be altered. Technology Section shall be solely responsible for the download/upload of any software.

## **E. Internet and Website**

1. The systems used to provide Internet access, e-mail, and voice mail are all property of the CCRD and may be monitored. Users may access or use CCRD technology resources for CCRD work purposes, and as outlined below, for minimal and incidental personal purposes as permitted by permissions granted by the Director of Management Information.

2. To the extent allowed by system permissions granted to an employee by the Director of Management Information, minimal and incidental personal use of CCRD technology resources does not violate this policy if the use is in a minimal amount and duration does not interfere with a user's work-related duties and does not burden the CCRD network or

impose any additional cost upon the CCRD. An example of minimal and incidental personal use that does not violate this policy is the sending of occasional personal emails using a personal email account. However, minimal and incidental personal use does not allow a user to engage in prohibited uses. Employees do not have an expectation of privacy when utilizing CCRD technology or equipment for minimal and incidental personal use.

3. Accessing or utilizing CCRD technology resources for non-CCRD purposes (except as described above), including but not limited to, entertainment, personal profit, operation of a personal business, commercial or other for profit use, partisan electioneering or other political activities, any violation of local, state, federal, or international law, any manner that could discriminate against or harass any person on the basis of sex, race, ethnicity, national origin, age, disability, sexual orientation, religion, political beliefs, or any other characteristic prohibited by law, or any other prohibited use as set forth in this policy, or as set forth in the future, constitutes unauthorized use and may subject the user to disciplinary action up to and including termination of employment.

## **XIX. AUTHORIZED CCRD TRANSPORTATION DRIVER**

### **A. Overview**

For Employees with job duties requiring the utilization of a CCRD vehicle, Employees must register as an “Authorized CCRD Transportation Driver.” Employees will not be allowed to operate any CCRD vehicle without being registered as an Authorized CCRD Transportation Driver.

### **B. Registration Process and Reporting Requirements**

1. Registration Process: Where required to complete the registration process, Employees must report to HRD the following information:

- a. All vehicular accidents within the last three years;
- b. Any citation(s) for moving violation(s) within the last three years; and
- c. Whether the Employee’s driving privileges were restricted or suspended in Illinois, or any other state, within the last three years. Employees must also:
- d. Provide a copy of a current driver’s license to HR; and
- e. Submit for a screening of their driving record.

2. Following registration as a CCRD Transportation Driver, Employees will be required to report any changes to their driver's license privilege or status within two days of the occurrence. Reports must be made in writing to the Director of Human Resources.

3. Any Employee who fails to report changes to his or her driver's license privileges or status may result in Disciplinary Action up to and including discharge.

4. An Employee's approved CCRD Transportation Driver registration will be placed in the Employee's personnel file, with a copy provided to the DOC and RCA, while acting.

## **Appendix 1: CCRD Employment Plan**