**KENDALL COUNTY**

**EMPLOYEE HANDBOOK**



**Acknowledgement of Receipt**

**Of**

**Kendall County Employee Handbook**

**Notice of Receipt:**

I hereby acknowledge that I will read and abide by the Kendall County

Employee Handbook.

Signature of Employee Date

This acknowledgment form is to be signed and returned to be held in the employee’s Personnel file.

**Introductory Statement**

This Employee Handbook has been prepared as a reference guide. It is designed to give employees of the County an understanding of the basic policies and rules that are applicable to them, as well as the benefits available to them as County employees. Please note, however, that neither the handbook nor any of is individual terms constitute or represent binding contractual commitments between the County and its employees, or modify the prevailing at-will employment relationship.

The personnel policies, as prescribed herein, contain all official rules and regulations regarding the employment of individuals with the County and are compiled in accordance with the policies adopted from time to time by the County Board. These policies do not supercede Federal regulations, state laws, local Merit Commission rules and regulations, or collective bargaining agreements. In instances where there is conflict, the Employee Handbook is subordinate to union contracts and when union contracts are silent on issues, the County’s Employee Handbook is to be implemented. These benefits, privileges and obligations are extended by the County in good faith and each employee is expected to fulfill his/her obligation in good faith. It is the employee’s responsibility for reading and understanding this Employee Handbook.

The County Board reserves the right to unilaterally revise, supplement or discontinue any of the policies, rules or benefits described in this Employee Handbook. All employees will be duly informed of any such revisions, supplements or other changes.

In the interpretation of this handbook, the use of the masculine gender is understood to be used for clerical convenience only, and it is further understood that the use of the masculine gender shall include the feminine gender as well.

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**CHAPTER 1**

**GENERAL REGULATIONS**

Section 1.1 DESIGNATION

This handbook shall be known as the “KENDALL COUNTY EMPLOYEE HANDBOOK” and the same may be so cited and referred to for purpose of identification.

Section 1.2 SCOPE

These policies do not supersede Federal regulations, state laws, local Merit Commission rules and regulations, or collective bargaining agreements.

It is the express purpose of this Employee Handbook to bring to the attention of all concerned those benefits, privileges and obligations that are desirable on the part of both the employer and the employee.

This instrument is also designed to bring to the attention of all concerned, practices approved by the County Board together with benefits available to each employee.

The personnel policies, as prescribed herein, contain official rules and regulations regarding the employment of individuals with the County and are compiled in accordance with the policies adopted from time to time by the County Board. Once adopted, the personnel policies prescribed herein supersede and cancel any prior inconsistent written or oral policies, practices and agreements.

These benefits, privileges and obligations are extended by Kendall County in good faith and each employee is expected to fulfill his/her obligation in good faith.

Section 1.3 CONSTRUCTION

In the interpretation of this policy Employee Handbook, its provisions shall be construed as follows: where the context permits words in the masculine gender shall imply the feminine and neuter genders and words in the singular number shall imply the plural number. The descriptive headings of the various sections or parts of this policy Employee Handbook are for convenience only and shall not affect the meaning or construction nor be used in the interpretation of any of the provisions of this policy Employee Handbook.

Section 1.4 ADOPTION

These rules and regulations are adopted only by official action of the County Board. A new policy may be introduced at any regular meeting of the Human Resources and Administration Committee of the County Board and referred to the County Board for action.

Section 1.5 REVISION

The County Board may at any time abolish, alter, change, make additions to or otherwise amend these regulations by action at a regular or special meeting.

Section 1.6 INTERPRETATION

Should any questions arise as to the proper interpretation of these regulations, the decision of the County Board shall be final. Department heads may adopt and enforce departmental regulations which clarify and add to these policies and which are not inconsistent with the policies of the County.

Section 1.7 SAVINGS CLAUSE

If any provision of this Employee Handbook or any application thereof should be rendered or declared unlawful, invalid or unenforceable by virtue of judicial action, or by an existing or subsequently enacted Federal or State legislation, or by Executive Order or other competent authority, the remaining provisions shall remain in full force and effect. In such event, the County shall maintain the right to incorporate substitute provisions for those provisions rendered or declared unlawful, invalid or unenforceable.

Section 1.8 DISTRIBUTION

A copy of these policies will be issued by the County and made available to all employees upon employment. Employees will be required to sign an Employee Acknowledgment form of Receipt, **which will then be kept in the employee’s personnel file.** Any additions or significant changes to this Employee Handbook will be forwarded to each employee when adopted by the County Board. **It is the employee’s responsibility to maintain that his/her Employee Handbook is kept current.**

Section 1.9 VIOLATIONS OF POLICIES

An employee is expected to abide by the policies in this Employee Handbook. Failure to do so will lead to appropriate disciplinary action. Documentation of policy violations is maintained in each individual’s personnel file. A partial list of causes for possible disciplinary action is presented under Chapter VII, Section 7.2 of this Employee Handbook. This list is not to be considered all-inclusive.

Section 1.10 EQUAL EMPLOYMENT STATEMENT

Kendall County provides equal employment opportunities for all employees or prospective employees. It does not discriminate in its employment policies and practices against any person for any reason, including sex, color, race, religion, national origin, ancestry, age, marital status, military, veteran status (except for those dishonorably discharged), physical or mental disability or any other protected group status.

**CHAPTER II.**

 **EMPLOYMENT POLICIES**

Section 2.1 DEFINITIONS OF EMPLOYMENT STATUS

A. FULL-TIME EMPLOYEES: A full-time employee shall be one who is employed full time on a minimum of thirty-four (34) hours per week basis for continuous service and who has completed a minimum of six (6) months of continuous work or service, interrupted only by absence with official permission. For employees hired prior to December 21, 1993, thirty (30) hours per week shall be utilized to determine full-time status.

B. PROBATIONARY EMPLOYEES: Employees who have been employed on a full-time or part-time year-round basis for a period of less than six (6) months and who will become full-time employees at the successful conclusion of six (6) consecutive months employment. Successful completion of the probationary period will not alter the employee’s at-will employment status.

C. PART-TIME EMPLOYEES: Any employee who is employed on a less than thirty-four (34) hours per week basis for continuous service and who has completed a minimum of six (6) months of continuous work or service, interrupted only by absence with official permission. For employees hired prior to December 21, 1993, less than thirty (30) hours per week shall be utilized to determine part-time status. Part-time employees are not eligible for employee health and dental coverage. Sick/personal days are earned proportionate to the anticipated number of hours worked per month.

D. TEMPORARY EMPLOYEES: Temporary continuous appointment (i.e., a position which is clearly understood to be six (6) months in duration at the maximum) may be made for specified positions.

Section 2.2 EMPLOYMENT PROCEDURES

A. RECRUITMENT AND BACKGROUND REFERENCE CHECKS AND PREEMPLOYMENT INVESTIGATIONS: Department heads should post an open position on the County website to start recruitment efforts and promptly remove the posting at the time of application deadline. Elected Officials are encouraged to utilize the County website to post open positions in their offices.

All new employees of the County will be employed strictly on merit. When possible, references from the most recent employers must be received prior to hiring an individual.

 Employment history and references should be verified prior to hiring new full time or part time employees including interns. Other pre-employment investigation may include criminal history and other matter when pertinent to performance of the position. If the department head determines questionable history during the pre-employment investigation of the preferred candidate, the department head shall seek advice of their respective Board Committee prior to hiring the candidate. Convictions, if disclosed by the applicant, will not absolutely prohibit employment, but will be considered in relation to the specific job requirements. Consideration will be given to factors such as the age and time of the offense, the seriousness and nature of the violation, the relationship between the conviction and the job, the nature and number of convictions and rehabilitation. Hiring decision will follow applicable state and federal laws including American With Disabilities Act and Employee Polygraph Protection Act.

Regardless of the nature and extent of the investigation into the applicant’s background, investigations should be uniformly applied to all applicants.

All advancement will be made on the basis of ability and will include consideration of aptitude and attitude. Whenever possible, qualified employees will be upgraded to more responsible positions. If employment qualifications are equal, employees with longer service to the County will be given preference for advancement.

B. SELECTION: The selection of all employees, other than department heads, shall be handled in the following manner: All applicants shall make application through the appropriate supervisor or department head. The supervisor or department head shall recommend personnel to be employed to the next level of authority, department head, or County Board. This same policy of once removed authority shall also hold true for dismissal. The selection of and/or dismissal of a department head shall be made by a majority of the full County Board where applicable.

C. DISTRIBUTION OF KENDALL COUNTY EMPLOYEE HANDBOOK: At the time of employment, this Employee Handbook will be made available to all employees.

D. EXAMINATION: The County may conduct or arrange for examinations for such positions as may be deemed necessary and at such times and places as the needs of the County require. These tests will examine bona fide occupational qualifications of the position in question.

E. PHYSICAL EXAMINATION: Employees may be required to submit to a physical

examination. Such examination shall be conducted by a physician approved by the County. All such employees must be certified by the physician as being able to meet the physical requirements of their positions. The costs of the examination shall be incurred by the County or by the department requiring the examination.

F. DRUG TESTING: The County reserves the right to require a drug test prior to

 employment or following a workplace accident. Those employees covered under

 collective bargaining agreements should refer to their contract requirements.

G. PERSONNEL FILE: A personnel file will be established for all County employees. The County tries to balance the need to obtain, use and retain employment information with a concern for each individual’s privacy. To this end, it attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state or local law. This information will be kept confidential and in the Office of Administrative Services or the employing department.

Reasonable access of an employee’s personnel file for inspection by an employee or an authorized representative may be obtained upon written request by the employee. All requests for file inspection shall be governed by the Illinois Employee Access to Personnel Records Act, as amended, as well as the Illinois Freedom of Information Act, as amended.

The County shall provide the employee with the inspection opportunity within seven (7) working days after the employee makes the request, or if the County can reasonably show that such a deadline cannot be met, the County shall have an additional seven (7) work days to comply. Such access shall be limited to non-confidential personnel documents which are, have been, or are intended to be used in determining that employee’s qualification for employment, promotion, transfer, additional compensation, discharge or other disciplinary action.

After the review time provided, an employee may obtain a copy of the information or part of the information contained in his personnel record. The County may charge a fee for providing a copy of such information

H. EMPLOYMENT ACKNOWLEDGEMENT: A letter will be issued to successful candidates for all regular full-time positions. Included in this letter will be such information as job title, salary, expected starting date and other details pertinent to a newly hired employee. A copy of this letter, signed by the employee’s immediate supervisor and the employee, will be maintained in the employee’s personnel file.

I. CHANGE OF PERSONAL DATA: It is to each employee’s advantage to see that all personnel records are up to date. If there is a change in your name, address, telephone number, marital status, etc. at any time during your employment, notify your department head, the Treasurer’s office, and the Office of Administrative Services immediately. For any change in the number of tax exemptions claimed or change to an IMRF benefit, notify the Treasurer’s office. For any changes affecting health and dental insurance coverage, notify the Office of Administrative Services. Having current and correct information is extremely important in cases of emergencies on the employee’s part as well as the County’s.

J. NEPOTISM POLICY: The employment of a relative of any full-time Kendall County employee, in a full or part-time position, is prohibited if such employment shall cause the new employee to come under direct supervision of or provide direct supervision to the related full-time employee. For this purpose a relative is defined as: husband, wife, sister, sister-in-law, brother, brother-in-law, grandson, granddaughter, mother, father, aunt or uncle, mother-in-law or father-in-law, son, daughter, half children, stepchildren, daughter-in-law or son-in-law.

Full-time County employees will not be considered for promotion or transfer if such change shall cause the employee to come under, or to provide, direct supervision to a related County employee.

K. PROBATION:

1. Purpose: The probationary period shall be utilized for the most effective

adjustment of a probationary full-time or part-time employee and for the release of any probationary employee whose performance does not meet the required standards of work. It is the final determination of whether the person should be given regular status. Successful completion of the probationary period will not alter the employee’s at-will employment status.

2. Period of Time: All full-time and part-time employee appointments are made for a probationary period of six (6) months, during which time the employee’s performance is subject to review as to his competency to carry out the assignments of the position for which he was employed.

Department heads may extend this probationary period to a maximum of an additional three (3) months if, in his opinion, it is necessary.

3. Regular Appointment: Appointment to full-time or part-time employee classification will be given to any probationary employee upon satisfactory completion of six (6) month probationary period in the position to which he was appointed.

4. Release: An employee serving his probationary period may be released at any time without the right of appeal or hearing.

5. Promotion and Reassignment: A full-time employee who is reassigned to any other position may be required to serve a probationary period not to exceed six (6) months in the new position. Part-time employees who have served six (6) months or over may, if appointed to a full-time position in the same class or position, acquire full-time status on the effective date of the transfer.

L. SUPERVISION: The organization of the County shall be such that all employees have a clear understanding of their duties and/or to whom they are responsible or accountable.

Line of responsibility shall be direct. Supervisory responsibility descends from the top organization “through channels” to the employee who performs the units of work for which the respective department is organized. The employee who performs any unit of work reports to and is responsible to his immediate supervisor. No employee shall be required to be accountable to or direct the work of another employee of equal rank unless directed by the supervisor.

Section 2.3 SEPARATION PROCEDURES

A. SENIORITY/WORK FORCE REDUCTIONS: Kendall County has historically offered its employees steady long-term employment. However, should general economic conditions or some phase of the County’s operations change significantly, a reduction in work force may be necessary. This will only be done after careful analysis of the staffing required to provide essential services. Department heads, subject to approval by the County Board or other appropriate boards, will determine which job classification will be affected by lay-offs.

Every effort will be made to transfer employees to another department rather than lay them off. When this is impractical, the department head will consider seniority where skill, qualifications, ability and performance factors are substantially the same in determining who to lay off.

Seniority is the continuous length of time an individual has been a regular full-time employee of the County. A person whose continuous regular employment with the County has been broken by a period of more than ninety (90) calendar days where he was not employed by the County and where he was not on sick leave or other approved leave of absence shall not have his service with the County prior to his resumption of regular employment counted as part of his seniority.

A regular full-time employee who is laid off only as a result of the necessity to reduce the number of County employees (reduction in force) will be given preference in filling positions which subsequently open and for which the employee is qualified.

B. RESIGNATION: A regular full-time or regular part-time employee resigning from a position should give sufficient notice of his intention to enable the County to make proper adjustments to procedure and staffing. Sufficient notice is two (2) weeks at a minimum. All regular full-time or regular part-time employee resignations shall be in writing and may contain the reasons for leaving. A resignation will be placed in the employee’s personnel file. The department head or the appropriate County committee chairperson is authorized to accept all resignations. Appropriate written notification should be initiated by the immediate supervisor and forwarded to the Treasurer’s office and the Office of Administrative Services for resignations/terminations so all pertinent records and files can be updated.

C. EXIT INTERVIEW: Any time an employee permanently terminates employment with the County an exit interview may be scheduled with either his department head and/or the County Administrator.

The employee is encouraged to provide input into matters directly associated with their employment with the County, such as discussing job satisfaction, training both in-house and outside, employee’s impression of supervision, compensation and employee benefits, and general suggestions for improvement of the delivery of services to residents.

D. RETURN OF COUNTY PROPERTY: An employee leaving County employment, whether through resignation, lay-off or dismissal, shall return any property including keys, equipment and identification cards in his possession to the appropriate location. Failure to return all County property may result in prosecution.

E. REINSTATEMENT: Employees who have resigned while in good standing may be rehired. The conditions of rehire will be as a new employee and there shall be no carry forward of accrued service time, unless the rehire date occurs within ninety (90) calendar days (Section 2.3A)

Employees who resign while awaiting disciplinary action or who are discharged shall not be eligible for re-employment.

F. EMPLOYEE REFERENCES:

All requests for reference information about a current or former County employee should be referred to the appropriate department head. It shall be the policy of the County that subjective or interpretive information about an employee’s job performance will not be offered to those making reference inquiries. The County will only authorize the release of the following information:

* Job title
* General description of job responsibilities
* Length of employment (starting date, termination date)
* Final salary

Any other information provided by a department head will be considered a personal reference and the County will accept no responsibility for the information relayed.

Section 2.4 ILLINOIS CHILD LABOR LAW: EMPLOYMENT OF MINORS

The Illinois Child Labor Law regulates the employment of minors under the age of 16 and requires 14 and 15 year olds to have Employment Certificates. The Employment Certificates are issued by the County of local superintendent(s) of schools. While school is in session, children 14 and 15 years of age may work up to three hours per day; the combined hours in school and work may not exceed eight hours a day. When school is not in session (including summer vacation, holidays and weekends), children under the age of 16 may not work more than 8 hours a day; more than 6 days a week; more than 48 hours a week; between the hours of 7:00 PM and 7:00 AM (except between June 1 and Labor Day when working hours may be extended to 9:00 PM). A meal period of at least 30 minutes must be provided no later than the 5th hour of consecutive work. In addition, minors under the age of 18 will not be allowed to operate any mechanically powered equipment.

**CHAPTER III.**

 **ADMINISTRATIVE POLICIES**

Section 3.1 RULES OF CONDUCT

Kendall County expects its employees to exercise mature judgment and common sense in their employment, to give conscientious attention to their duties, to maintain a high level of efficiency and to conduct themselves in a manner that reflects well upon themselves, as well as on the County.

A. DRESS AND APPEARANCE: The personal appearance of employees

conveys to the public a general impression of the organization. The attire of the employee on the job should be in good taste, neat, clean, and appropriate for the duties performed. Each department head is responsible for establishing a reasonable dress code appropriate to the job the employee performs. Safety equipment and attire will be required for certain jobs. If required, uniforms and tools for specialized jobs will be provided.

B. EMPLOYEE COOPERATION: As a part of a team providing services for the benefit of the public, each employee must cooperate with fellow workers and the public in order to set a high standard of work performance. Unwillingness or failure to cooperate shall be cause for disciplinary action.

The total staff of the county must function as a team, and each employee is required to make a positive contribution in the interest of reflective and efficient public service.

Section 3.2 HOURS OF WORK

A. WORK WEEK: The standard work hours for County employees will be thirty-seven and one half (37 ½) hours per week. Most County offices are open from 8:00 a.m. to 4:30 p.m. Monday through Friday. The actual hours that an employee will work will be determined by the department head or elected official in accordance with the office hours approved by the County Board or authorized by statute. An employee may have one (1) hour for lunch and two (2) rest periods (one in the morning and one in the afternoon) of fifteen (15) minutes each. All offices will be open during lunch and coffee breaks, unless designated otherwise by the departmental committee.

B. OVERTIME: Each position authorized by the County Board shall be designated as exempt or non-exempt in accordance with the provisions of the Fair Labor Standards Act.

Exempt positions are not eligible for overtime compensation either in the form of additional pay or time off.

Non-exempt positions are eligible for straight time overtime compensation for hours worked beyond the normal work week up to and including 40 hours per week. At the employee’s option, non-exempt positions may accumulate additional time off for hours worked beyond the normal work week up to and including 40 hours per week. All hours worked beyond 40 in a work week shall be compensated at the discretion of the department head at either premium pay overtime rates (1.5 times the regular hourly rate) or with compensatory time at 1.5 times the regular hourly rate. For the purposes of this computation, non-exempt salaried employees will have their hourly salaries calculated. The employee shall be permitted to use such compensatory time within a reasonable period after making a request for usage provided such usage does not unduly disrupt the operations of the department. The employee may not accrue more than five (5) days of compensatory time within each County fiscal year. All additional time beyond five (5) days shall be at the premium pay rate. All compensatory time must be taken within the year that it is earned.

Working in excess of the normal work hours within a work week requires prior approval by the employee’s supervisor. The supervisor and the employee must agree, prior to working beyond the normal work hours, how time is to be compensated (i.e. compensatory time or cash payment). All department heads are required to submit a report at the end of the fiscal year with a notation on their budget of the amount of overtime and compensatory time given to each employee.

C. ATTENDANCE: It is the responsibility of the department head/elected official or designee to prepare and maintain attendance records.

When a reporting employee is absent from a normally scheduled work day or absent from accepted overtime assignment, that employee is required to report that absence. When an employee knows he or she will be absent, that absence should be reported as far in advance as practical. All absences must be reported to the employee’s supervisor or department head. A physician’s statement may be required for absences in excess of three consecutive work days. Excessive

absenteeism may result in disciplinary action up to and including termination.

D. EMERGENCY CLOSURES: County facilities shall be open at all times during regular business hours. If an employee is unable to come in to work, the employee will make up the lost time. The buildings will be open in all instances except for a disaster. The County Board Chairman or his designee will determine to close buildings whenever necessary.

E. SUGGESTIONS: Employees are urged to make any suggestions they feel will be of benefit to the County and which would save time, reduce waste, promote safety and increase efficiency. Suggestions should be made to department heads, supervisors, the Employee Relations/Safety Committee, or the Office of Administrative Services.

Section 3.3 SAFETY

Kendall County policy is to provide safe and pleasant working conditions for all employees. Department heads are required to follow insurance company recommendations for safety and utilize good judgment regarding health and safety for all employees. Should an employee incur a job-related injury or illness, the County provides insurance coverage for medical care and lost time from work. Upon occurrence of an accident or emergency, the employee’s immediate supervisor should be notified immediately. Delay in filing official notice may result in loss or delay in receiving benefits.

The County of Kendall develops, implements, and administers an all-encompassing safety program. The County maintains that its residents and employees are its most important asset. Therefore, their safety is the County’s greatest responsibility. In all of the County’s assignments, the health and safety of all should be the utmost consideration.

Department heads and supervisory personnel at all levels of the County work force are directed to make safety a matter of continuing concern, equal in importance with all other operational considerations.

This program is part of management procedures designed to efficiently utilize County capital and personnel.

Every department head or director is responsible for developing positive safety attitudes among all the personnel under his or her supervision, and emulating a safety program in conjunction with the County program that will reduce conditions that can cause unnecessary injuries and accidents. It will also be the department head’s or director’s responsibility to advise the Board Chairman of any federal, state and local standards with which compliance is felt to be lacking. Within the operational activities of any endeavor, there may be exposure to personal injury or property damage. A review of operations should include consideration of hazards which could be present. The possibility of unsafe job procedures and/or improper equipment can also contribute to the occurrence of an accident. Accidents are unplanned events which through proper planning can be minimized. Continual emphasis on safe working has been shown to significantly reduce injuries, property damage and work interruption. Every employee is charged with the responsibility of supporting and cooperating with the County Safety Program. All employees are expected, as a condition of employment, to adopt the concept that the safe way to perform a task is the most efficient and the only acceptable way to perform it. Safety adherence and performance will be considered as an important measure of supervisory and employee performance evaluation.

Kendall County Government facilities are currently subject to the 2000 International Fire Code which prohibits open flames in any area where combustible material is utilized or stored. Open flames can cause unpredicted fire and water damage. The County Board of Kendall County has resolved candles and other open burning are expressly prohibited in all buildings owned, leased or maintained by Kendall County Government. (Resolution No. 03-10 dated 8/19/03)

Section 3.4 REPORTS OF INJURY

A. SAFE WORK HABITS: Each employee is required, as a condition of employment, to develop and exercise safe work habits in the course of their employment, to prevent injuries to themselves, their fellow employees and to conserve County property and equipment.

B. REPORTING: Employees who are injured or become ill while performing their duties for the County shall make an immediate report of the injury to their immediate supervisor. The failure of an employee to report an on-the-job injury or illness shall be deemed to be grounds for disciplinary action up to and including discharge. Every injury, including those not requiring medical attention, shall be reported in writing to the Office of Administrative Services by the injured employee’s supervisor within twenty-four (24) hours of the injury. Department Heads shall be responsible for notifying the Office of Administrative Services of all injuries reported by employees under their jurisdiction and shall insure that proper written reports are prepared and forwarded to the Office of Administrative Services for insurance purposes in a timely manner.

C. IMMEDIATE MEDICAL CARE: If an employee is injured to such an extent that the employee requires immediate medical care, the employee shall go immediately to a physician after notifying his/her supervisor.

D. RETURN TO WORK: After medical attention, if the employee is released for regular or light duty, if available, the employee shall obtain from the attending physician a certification that the employee can return to work. Employees shall be required to release all medical information relative to the injury to the County’s authorized agents. In addition, the employee shall be responsible for securing the necessary documentation to justify worker’s compensation payments. In the case of an employee who has been released for light duty, said employee may be placed on light duty, if available.

Section 3.5 OTHER ADMINISTRATIVE POLICIES

A. CONFERENCES AND PROFESSIONAL ORGANIZATIONS: In order for staff employees to keep abreast of new concepts and new methods of doing business, employees are encouraged to affiliate with professional organizations. County sponsored memberships and attendance at conferences and workshops must have prior approval by the Budget and Finance Committee during budget deliberations.

* Employees are not prevented from obtaining travel tickets and monies in advance for approved trips.
* Reimbursement of lodging expenses shall be for a normally single room rate. Reimbursement of travel expenses shall be for the means of travel that is the least expensive and/or the most practical.

When attending a training seminar/conference which requires the use of the employee’s personal vehicle, the employee shall be reimbursed at the mileage rate in accordance with the Internal Revenue Service’s established rate.

The County does not discourage the attendance of spouses; however, cost for their attendance, lodging and other related expenses will not be incurred by the County.

B. BULLETIN BOARDS: Bulletins and bulletin boards are the County’s “official” way of keeping everyone informed about new policies, changes in procedures and special events. Information of general interest is posted regularly on the bulletin boards. Please form the habit of reading the bulletin boards regularly so that you will be familiar with the information posted on it. The County Board shall have the option of directing the removal of inappropriate material from all bulletin boards.

C. POLITICAL ACTIVITIES AND CONTRIBUTIONS: Kendall County employees have a constitutional right to engage in political activity through voluntary political contributions or voluntary political work. Nothing should be done to abridge the constitutional right of an employee to participate in the political process. An individual’s employment with the County will not require him to participate in any political activity.

While in a duty status during regular working hours, Kendall County employees shall not participate in political activities.

No employee shall use or threaten to use the influence of his position of employment to coerce or to inhibit.

D. FLOWERS, DONATION AND GIFTS: any flowers, plants, donations or other gifts given voluntarily by a department’s employees as an expression of sympathy or illness or in celebration of a marriage, birthday, retirement or other occasion shall be made by employee donation.

An expression of sympathy or long-term illness will be sent to any full-time employee or his/her immediate family member (father, mother, child or spouse) by the Office of Administrative Services on behalf of the County Board members and the County’s employees.

E. GIFTS AND GRATUITIES: The County has a policy in place modeled after the State of Illinois Act which states that employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or other thing of monetary value, except those of nominal value from any person, corporation or other organization, as outlined in the State Ban Gift Act.

F. AUTO INSURANCE: Employees required to use their own vehicle on County business must have auto insurance with at least the following coverage:

* $20,000 for injury or death of one person in an accident;
* $40,000 for injury or death of more than one person in an accident;
* $15,000 for damage to property of another person

The defense and indemnity by the County will be, in all cases, secondary to the policy coverage mentioned above. It is the responsibility of each employee to maintain coverage as specified and by driving a vehicle while on the job, it is assumed that coverage is in force.

G. USE OF COUNTY EQUIPMENT AND VEHICLES: Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.

The employee should not use or allow the use of County property for any activity other than official, approved duties.

Notify the supervisor if any equipment, machines, tools or vehicles appear to be damaged, defective or in need of repair. Prompt reporting could prevent the deterioration of equipment and possible injury to employees or others. Failure to report damage caused by accidents with County equipment and vehicles shall be considered grounds for disciplinary action up to and including discharge. The supervisor can answer any questions about an employee’s responsibility for maintenance and care of the equipment or vehicles used on the job.

The improper, careless, negligent, destructive or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

H. USE OF COUNTY OFFICE EQUIPMENT: Office equipment such as computers, printers and copiers must also be used with care by County employees. If any office machinery becomes inoperable or requires service, employees are to notify their supervisor and arrange for the necessary repair.

I. NO SOLICITATION: Solicitation will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working. Distribution or circulation of printed material by employees will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working nor will distribution be permitted at any time, including working and non-working time, in working areas. “Working time” refers to that portion of any work day during which an employee is supposed to be performing any actual job duties; it does not include other duty free periods of time. Solicitation and distribution by non-employees on County property is strictly prohibited. The sole exception to the rule’s restrictions is the allowance of an annual campaign for the United Way.

Section 3.6 WORKPLACE VIOLENCE

The County’s policy is to strive to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behavior; physical abuse; vandalism; arson; sabotage; use of weapons; carrying unauthorized weapons of any kind while on duty, in county vehicles or on County property; or any other act, which, in your supervisor’s opinion, is inappropriate to the workplace. In addition, jokes or offensive comments regarding violent events will not be tolerated and may result in disciplinary measures.

If an employee feels he has been subjected to any of the behaviors listed above or has witnessed such behavior, he is requested to immediately report the incident to his immediate supervisor, department head or to the County Administrator. Complaints will be investigated. Based upon the results, disciplinary action up to and including termination will be taken against the offender, if appropriate.

The employee is also empowered to contact the proper law enforcement authorities without first informing the employee’s supervisor if he reasonably believes a threat to his safety or that of others exists.

**CHAPTER IV.**

 **COMPENSATION AND PERFORMANCE**

Section 4.1 PAY AND CLASSIFICATION PLAN: The pay plan includes the minimum and maximum rate of pay for each position. It represents an orderly method of determining the salary of the position for the work performed.

 Salary ranges shall be determined with regard to objective criteria:

 A. Ranges of pay for other County positions

 B. Relative difficulty and responsibility of positions

 C. Availability of employees in particular occupational categories

 D. Rates of pay in other jurisdictions

 E. The financial policies of the Counties

 And such other considerations which may be appropriate.

Section 4.2 PAY PERIODS: The frequency of pay periods has been established for the maximum convenience of both the County and its employees

PROCEDURE: Employees are paid once every two weeks on Fridays (26 pay periods per year). When a payday falls on a holiday, the paycheck is distributed on the preceding workday.

Section 4.3 PERFORMANCE APPRAISAL

A. PURPOSE:

The County has developed a uniform performance appraisal

system for all full-time employees. Pursuant to this system, an employee’s performance is evaluated for the purpose of effective personnel control in matters including but not limited to the following: promotions, transfers, demotions, discipline, terminations and salary adjustments.

B. RESPONSIBILITY:

Performance appraisals are done by the immediate supervisor who is responsible for the work of the employee being evaluated. The immediate supervisor will discuss the performance appraisal with the employee. Performance appraisals become part of the employee’s personnel records and a copy of each shall be contained in the employee’s personnel file. Department heads’ performance appraisals will be done by the committee chairman to which they report.

C. FREQUENCY:

Immediate supervisors shall appraise regular full-time employees on the basis of performance, efficiency, dependability, adaptability and other relevant job-related criteria at the end of the sixth (6th) month of their probationary period and in the month of July of each subsequent year of employment.

D. FORM:

The County approved personnel appraisal form will be utilized for this review process.

E. UNSATISFACTORY EVALUATION:

Any employee receiving an unsatisfactory evaluation is ineligible for a pay increase. They will be subject to appropriate disciplinary action up to, and including, dismissal.

F. APPEAL:

If an employee is not in agreement with his performance appraisal, he may request another interview with his reviewing supervisor. If an agreement is not reached, the employee may appeal in writing within five (5) work days to the next level reporting authority, i.e. department head or committee to which the department head reports for an impartial review of his service appraisal. A written decision shall then be rendered sustaining or modifying the rating to the employee within five (5) work days.

G. PERFORMANCE APPRAISAL:

Non-bargaining unit employees short of completing their six months probationary period by the start of the new fiscal year (December 1) may be eligible for a salary increase after satisfactory completion of six months probation. The department head is required to plan such an increase and receive approval during the County’s regular budget process. The department head has the discretion to give the increase, however, is not required to do so.

**CHAPTER V.**

 **BENEFITS**

Section 5.1 INSURANCE – EMPLOYEES AND DEPENDENTS:

The County provides life insurance, accidental death and dismemberment insurance, medical and hospitalization insurance and dental insurance to the employee. Plan documents for specific benefits are available in the Office of Administrative Services. Dependent coverage at group rates is available. To be eligible, an employee must consistently work a minimum of thirty-four (34) hours per week. (Thirty (30) hours per week if hired prior to December 21, 1993).

At the employee’s option, he may elect coverage through any one of the applicable health and life insurance plans made available by the County. Temporary or regular part-time employees are not eligible for this insurance, except those grandfathered under previous policy of the County.

Health and life insurance coverage shall commence thirty (30) calendar days following date of employment and shall cease on the employee’s final day of employment or when regularly scheduled hours are reduced below 34 hours per week. Dental insurance coverage shall commence on the first of the month following the waiting period of thirty (30) calendar days of continuous active employment and shall cease on the last day of the month in which the employee left the County’s employ. Information packets describing the provisions of each insurance plan will be furnished to each employee upon his employment.

A pre-tax deduction Section 125 Plan is available at the time of enrollment which allows employees to pay their share of the medical insurance premium with pre-tax dollars. The premium is taken out of the paycheck before taxes are calculated so Federal, State, Social Security or IMRF is not deducted from the premium.

All retired employees entitled to immediate retirement benefits from IMRF are eligible to participate until age 65 in the employer’s health plans providing they assume payment of insurance premiums. At age 65, the retired employee will become eligible for Medicare and can obtain Medicare supplemental insurance either through the employer’s health provider or a plan of their choosing at the employee’s expense.

Eligible dependents under the age of sixty-five (65) years of retired employees sixty-five (65) years of age and over may participate until age 65 in the employer’s health plans providing they assume payment of premiums.

Dental insurance may be continued for all retired employees and their dependents providing they assume payment of the insurance premium for as long as they wish coverage.

Summary plan descriptions (SPDs) which explain coverage of your health, dental and life insurance benefits in greater detail are available in the Office of Administrative Services. The actual plan documents, which are available by making a written request to the County Administrator, are the final authority in all matters relating to benefits described in this Employee Handbook or in the summary plan descriptions and will govern in the event of any conflict. Additionally, the county reserves the right to change insurance carriers, change

health maintenance organizations, self-insure, and/or change or eliminate any benefits at any time in accordance with applicable law.

Upon retirement, the employee may be eligible to elect to continue certain coverage under the County’s plans. If the employee is eligible, and he elects such coverage, he must pay the entire premium. Please review the insurance summary plan description for more details.

Any employee on IMRF disability is entitled to continue his coverage in the employer’s health and dental plans providing they assume payment of insurance premiums.

Medical and dental rates are the same as those for dependents of active employees. Insurance company representatives not currently affiliated are prohibited from approaching any County employee during working hours with the exception of the biennial benefits fair held by the County for its employees.

 Continuation of Medical Coverage (COBRA)

If an employee would otherwise lose his group coverage because of a reduction in his working hours or the termination of his employment for reasons other than gross misconduct on his part, he is eligible to continue under the County’s plan for such period of time as prescribed by law. The County will notify the employee of the time period for which continuation coverage may be provided, depending upon his individual situation.

If an employee elects to continue coverage, he is responsible for payment of the full premium, which amount may change from time to time.

Section 5.2 WORKERS’ COMPENSATION: The Workers’ Compensation law provides protection for employees experiencing occupational disabilities through accidents or illness arising out of and in the course of employment.

A. When an employee suffers an on-the-job injury, a “Report of Injury” form must be completed in every instance. If medical attention was required as a result of the injury or illness, a claim will then be filed with the Office of Administrative Services by the hospital and/or attending physician as directed by the employee receiving treatment.

B. All expenses involved with the treatment of the illness or injury are covered by the State of Illinois Workers’ Compensation Act.

Section 5.3 EDUCATIONAL REIMBURSEMENT: Full-time County employees, County Board Members and Elected Officials with at least one year of continual service with the County are eligible for fifty percent (50%) reimbursement of tuition and books on educational or training course work.

To qualify the employee must seek approval in writing in advance from his supervisor/department head and his committee chairman. When approved, an educational reimbursement agreement must be signed by the employee and submitted to the Office of Administrative Services.

The course work must be directly related to the employee’s job function (or proposed functions); be accomplished outside of working hours; be from an accredited institution of learning; and the employee must receive a passing grade of “C” or higher and not exceed one class per semester (or quarter).

Correspondence course work and vocational schools will be considered if they are accredited or of a “good reputation”.

If the educational or training course work is to meet the specific and current job description and is required by the supervisor/department head and their committee chairman, then tuition and books will be reimbursed at one hundred percent (100%) from the employee’s department budget.

To receive a tuition reimbursement, the employee must maintain continuous employment with Kendall County and must agree that if he leaves the employment of Kendall County within one year of the completion of a course(s) taken, he will reimburse the County and/or have the reimbursement withheld from his final paycheck.

Reimbursements will be distributed to employees by the office of Administrative Services upon receipt of all paperwork showing the institution of learning, name of course with completion date, grade and copies of receipts for books and/or software.

The total number of employees receiving benefits will be subject to any budget limitations.

Written or verbal agreements regarding educational reimbursement that were approved by department head/supervisor or other prior to this policy will be handled on an individual basis.

Section 5.4 CREDIT UNION: All regular full-time and part-time employees and their immediate families, as well as retired employees, are welcome to join the Aurora Earthmovers Credit Union. Employees can join any time beginning with the first day of employment. Please call the Credit Union for further details.

 Main Office Location: 2195 Baseline Road

 Oswego, Illinois 60543

 Telephone: 630.844.4950

 Satellite Office: Washington Street & Route 71

 Oswego Plaza

 Oswego, Illinois 60543

 Telephone: 630.554.4040

 Satellite Office closed on Wednesday

Section 5.5 EMPLOYEE ASSISTANCE PROGRAM

The successful operation of the County depends on the physical and psychological health of all its employees. To attain that goal, the County has available to all employees, an Employee Assistance Program (EAP) which is designed to provide a confidential service for our employees whose personal problems are affecting their abilities to function at top efficiency in their work. This service is available to all employees and their immediate families. Professionals are specially trained in specific problem areas, including:

* Alcoholism
* Domestic violence
* Drug dependency
* Eating disorders
* Emotional illness
* Family problems
* Financial problems
* Legal problems
* Marital conflict

Confidentiality and EAP Procedure

Confidentiality is one of the most important aspects of the program. If an employee contacts the Employee Assistance Program directly, no one in the County will know about it unless they tell them. No information concerning the nature of their problem will be released without their written consent. Participation in the Employee Assistance Program will not affect future promotional opportunities. The County assumes the costs for the Employee Assistance Program assessment and referral. Other costs, like treatment, may be covered in part or in full by the group insurance plan. Asking for assistance does not mean that an employee will be obligated to accept or continue it.

The Employee Assistance Program can be reached at 1.800.272.7255

Section 5.6 DEFERRED COMPENSATION:

Kendall County has adopted deferred compensation plans that make it possible for employees to defer income and the payment of taxes on these deferred amounts until a later date. The County places this money in a tax deferred investment of the employee’s choice to earn tax deferred interest until he is ready to receive distributions, usually at retirement.

Deferred compensation is a convenient method of accumulating money to help meet future financial objectives. It is not intended for savings or for investments of a short-term nature since monies deferred are generally not available unless an employee terminated employment or retires.

 The treasurer’s office can provide further information on this program.

Section 5.7 RETIREMENT: The Illinois Municipal Retirement Fund provides employees of local governments and school districts in Illinois with a sound and efficient system for the payment of retirement, disability and death benefits. These benefits, payable to qualifying members are in addition to those provided by Social Security.

 Employees Covered

Participation is compulsory at the time of employment if the employee occupies an IMRF qualified position; that is, one normally expected to require performance of duty for 600 or more hours in the next 12 months. It is the expected annual hourly requirements that determine participation. Actual hours worked may be more or less than the hours expected.

IMRF Funding

Benefits are funded by employee and employer contributions. Employees pay 4 ½% of their earnings through payroll deductions. Sheriff’s law enforcement personnel pay 6 ½% of annual earnings. Member contributions are not subject to either Federal or Illinois income tax when paid to IMRF. Contributions made after July 1, 1984 are subject to Federal income tax, but no Illinois income tax, when paid by IMRF as a refund, pension or death benefit.

A comprehensive brochure is available in the Treasurer’s office which outlines death, disability and retirement benefits under IMRF. The County Treasurer is the authorized IMRF agent for the County. Also, an IMRF representative is available to answer any questions.

Section 5.8 IMRF DISABILITY BENEFIT: Participating employees (IMRF) are eligible for IMRF disability benefits if they have a non-work related illness or injury which prevents the performance of job duties. The employee must have at least twelve (12) months continuous IMRF participating service immediately before being disabled, is under age 70, and not receiving any earnings from the County (salary, vacation pay, sick pay). In addition, the disability for which benefits are claimed cannot be the result of a condition which existed prior to the first date of the member’s participation.

It is the employee’s responsibility to apply for I.M.R.F. disability benefits when it is determined by the employee’s physician that the employee will be disabled for more than 30 days in a row.

After the employee has applied to I.M.R.F. and certified to receive disability benefits,the employee must use ten (10) consecutive work days of sick/personal leave (whether paid or unpaid) for this specific illness or injury. After the employee has taken ten (10) consecutive work days of sick/personal leave, the County will provide full payfor scheduled work days and paid holidays until the date I.M.R.F. disability benefits commence. Employees should consult current IMRF publications for details on benefit amounts. (Revision dates 12-16-03 & 8/19/2008)

In lieu of utilizing unpaid sick/personal leave, the employee may elect to use vacation days to satisfy the ten (10) day requirement. The employee may also use accrued sick leave or vacation days to forestall the 50% disability pay.

If an employee is disabled but wants to re-enter the work force, the County offers a trial work period. The employee may be able to return to work part time without losing all of their IMRF disability benefits.

Under the IMRF’s trial work period, a disabled employee may return to work part time as a way of easing back into the work force. IMRF disability benefits would be reduced dollar-for-dollar by the amount of trial work earnings. IMRF will do this for up to twelve (12) months. One trial work period is allowed for each disability. IMRF disability benefits will stop if the employee returns to work full time or for as many hours as was normal before the disability occurred.

**CHAPTER VI.**

 **PAID AND UNPAID LEAVES**

Section 6.1 VACATIONS:

All regular full-time employees are eligible for paid vacation benefits. The length of eligible service is calculated on the employee’s date of hire. Eligible employees shall earn vacation time in accordance with the following schedule:

 0-6 Years of Service 10 paid vacation days

 7-14 Years of Service 15 paid vacation days (the first day of the month

 following the employee’s completion of their 6th

 anniversary).

 15 or More Years of Service 20 paid vacation days (the first day of the month

 following the employee’s completion of their 14th

 anniversary).

Vacation accrual is earned and credited at the conclusion of each month, as outlined in the following table:

|  |  |  |
| --- | --- | --- |
| YEARS OF SERVICE | DISTRIBUTION AT BEGINNING FIRST OF MONTH | ANNUAL TOTAL |
| 0-6 years | 6.25 hours or .83 days | 10 days (75 hours) |
| 7-14 years | 9.375 hours or 1.25 days | 15 days (112.5 hours) |
| 15 or more years | 12.5 hours or 1.67 days | 20 days (150 hours) |

A. VACATION AVAILABILITY: This vacation will be available to all employees as earned with distribution at the end of each month. Part-time employees working a minimum of one thousand forty (1,040) hours annually, twenty (20) hours per week, shall be entitled to vacation time on a pro rata basis.

B. VACATION SCHEDULES: Vacations will be scheduled with prime consideration given to the efficient operation of each department. While employee’s requests will be honored whenever possible, final approval must be given by the department head, or appropriate County committee chairperson to provide continuity of operations.

C. MAXIMUM ACCUMULATION: Employees shall be allowed to carry over from month to month no more than one-and-one half (1 ½) times an employee’s annual accrual rate. For example, a second (2nd) year employee can carry over no more than fifteen (15) days of vacation leave from one month to the next.

D. VACATION/COMPENSATORY TIME PAYMENT UPON TERMINATION OF EMPLOYMENT:

Any employee leaving the County in good standing shall be compensated for vacation leave and compensatory time earned and unused at the date of termination of employment, at the employee’s current pay rate.

E. HOLIDAYS DURING VACATION LEAVE: Whenever a paid holiday falls during an authorized vacation leave, the employee’s leave on the date of the paid holiday shall be considered a holiday for payroll purposes, and shall not be charged to the employee’s accumulated vacation leave.

For active employees, no salary payment shall be made in lieu of vacation not taken on a yearly basis.

Section 6.2 SICK/PERSONAL DAYS: The personnel policy regarding sick leave and personal leave for Kendall County employees stipulate that:

A. Sick leave and personal leave are one and the same during the year they are earned. Unused sick/personal leave is carried over each year as accrued sick leave (not personal leave) and may be accumulated to a sum not to exceed two hundred forty (240) days. Upon termination with the County, the employee is not entitled to additional compensation for any unused sick/personal days in the current year or any accrued sick days from prior years.

Retiring IMRF members, 55 years and older, qualify for a maximum of one year of additional pension service credit for unpaid, unused sick leave accumulated at the rate of one month for every 20 days of unpaid, unused sick leave or fraction thereof.

B. All full-time County employees are granted twelve days of sick/personal leave on the first day of the fiscal year (December 1). Permanent part-time County employees earn sick/personal leave proportionate to their average number of hours worked per month.

Beginning December 1, 1999 new full-time employees will be granted sick/personal days as follows:

 Commencing Work Days

 Dec., Jan., Feb. 12

 March, April, May 9

 June, July, August 6

 Sept., Oct., Nov. 3

C. Each County employee has the option of trading up to twelve days of their current annual unused sick/personal leave benefit for one fourth (1/4) of their daily pay rate of the year of accrual. Application for this trade must be made in writing no later than October 31 of each fiscal year. Employees wishing to trade their unused sick/personal leave days must request this in writing from their immediate supervisor who will then submit this request to the department head/elected official/County committee chairperson. That individual will certify the number of days which they are entitled to trade and submit this information in writing to the County Treasurer’s office. If sick/personal days are taken after this trade and prior to the first day of the next fiscal year, they will be deducted from the next fiscal year’s twelve days for sick/personal. Employees are not eligible to receive the sick/personal day payback before their six (6) month probationary period has been successfully completed.

D. Banked sick leave may only be used for an employee’s illness. Sick leave is a privilege, not a right, extended to regularly scheduled employees and qualified part-time employees. Sick leave shall be allowed only when the employee is actually sick or disabled, or when there is an illness in the employee’s family (i.e., spouse, child (birth, adopted step) or parent. A maximum of twelve (12) sick days may be used when there is an illness in the employee’s family per year. *Banked sick leave may only be used after all sick/personal days granted in the active fiscal year have been exhausted.* (Revision date: 9/17/02)

E. Approval of Sick/Personal Days

1. Use of sick/personal is subject to approval by the employee’s supervisor. When an employee is incapacitated; it is his/her responsibility to notify the supervisor at the earliest possible moment. Such notification should include the employee’s best estimate of the duration of the absence, if possible.

2. Requests for sick day use for medical, optical and dental examinations or treatments must be made prior to the beginning of the absence and should be made so as to create minimal disruption of work schedules.

3. All absences charged to sick/personal days must be reported by the employee’s certification on the County Leave Request Form. Sick leave requests should be submitted weekly in cases where an employee is absent for an extended period of time. Disapproved sick/personal day requests will be returned to the employee with full explanation for denial.

4. When a supervisor has reason to believe that the sick day privilege is being abused, proof may be required of individual employees for every absence, regardless of the period of time. Prior to use of this control, the employee in question must be counseled and notified of the constraint being placed upon the use of sick days. For periods of absence of more than three consecutive work days, the employee may be required to provide a physician’s statement.

Section 6.3 BEREAVEMENT: Up to three (3) paid days per occurrence may be allowed for a

death in the immediate family. Immediate family is defined for the purposes of this section to be spouse, mother, father, child, brother, sister, grandmother, grandfather, spouse’s relatives of the same degree of blood relationship and any blood relative who resides in the employee’s home. These paid days are considered as bereavement days and not sick/personal days. If any additional time is needed, the time off may be taken from paid vacation/sick/personal days, with approval of the department head. This is applicable only to full-time employees.

Section 6.4 HOLIDAYS: Annually, the County Board specifies the paid holidays for not-court

related and the Chief Judge specifies the paid holidays for court-related offices for the coming year.

Regular part-time employees shall receive pay proportionate to the average number of hours normally worked (i.e., normally work four (4) hours a day – shall receive four (4) hours pay).

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus wages at one and one-half times their straight-time rate for the hours worked on the holiday.

Regular part-time employees working a minimum of twenty (20) hours per week shall be entitled to holiday pay if the holiday falls on the employee’s regularly scheduled work day.

Section 6.5 JURY DUTY: Court leave shall be granted to employees who are called to jury duty or are required to be absent from work because of subpoena from any legislative, judicial or administrative tribunal. Time away from work with pay and regular benefits shall be granted for such purposes. Per Diem court reimbursement must be written over to the County so jury duty pay will be written over to the County for the portion of the day normally worked by a part-time employee. Mileage will not be paid for those employees working at the Government Center unless called by a court outside Kendall County. Employees are expected to return to work whenever possible during jury time and carry out as many of their job responsibilities as time permits during regularly scheduled working hours.

Section 6.6 FAMILY MEDICAL LEAVE (FMLA) POLICY: The Family and Medical Leave Act (FMLA, 1993) mandates a maximum of twelve (12) weeks of unpaid leave to eligible employees under certain circumstances.

 A. FMLA EFFECTIVE CONDITIONS

 1. The arrival of a new child by birth, adoption or foster care placement

for the purpose of bonding. If the biological, adoptive, or foster parent(s), the step parent, legal guardian(s) or parent(s) in loco parentis are both employees, the total combined leave is twelve (12) weeks, not twenty-four (24) weeks. This right to a “bonding” leave expires twelve (12) months from birth or placement for adoption or foster care.

 2. The care of a child, parent or spouse who has a serious health

condition if it is medically determined that the care given by an employee is necessary. The term “parent” does not include in-laws for the purpose of this policy. For purpose of these care-giving leaves, the child, parent or spouse must be either: (a) an overnight in-hospital patient; (b) in a hospice; (c) in a nursing home; (d) absent from work or school for more than three (3) days; (e) require active assistance with daily life activities; (f) be under continuing treatment by, or supervision of a health care provider; or (g) have either an incurable condition or one that if not cared for, would cause incapacity for more than three (3) days. The care-giving twelve (12) week leave is available to each of the employee parents of the child or the employee child of the parent.

 3. An employee’s serious health condition, including (a) work related

and non-work related illnesses or accidents, involving overnight in-hospital care, or (b) an absence from work for more than three (3) work days due to the need for continuing treatment by a health care provider and supported by a medical certification that states the employee cannot perform the essential function(s) of the position.

 B. ELIGIBILITY: To qualify for a FMLA leave, an employee must have

accumulated twelve (12) months of employment by the date the requested leave is to start and must have worked one thousand two hundred and fifty (1,250) hours during the prior twelve (12) months**.** If an employee meets these qualifications, an employee will receive 12 weeks of leave in the 12-month period measured forward from the date an employee’s first FMLA leave begins.

 C. NOTIFICATION REQUIREMENTS

 1. The request for FMLA leave should be submitted in writing to the

department head of the department in which the employee works. If a department head is requesting FMLA leave, then the appropriate committee chairman shall be the deciding authority.

 2. When requesting leave for the birth, adoption or foster care

placement of a child, an employee must give thirty (30) days notice or, if not possible due to unforeseen circumstances, the maximum notice practicable. An employee will be required to take all twelve (12) weeks consecutively.

 3. For care of a seriously ill child, spouse or parent, or for an employee’s

 own serious health condition, the employee must give thirty (30) days

notice, or if not possible due to unforeseen circumstances, as much notice as is practicable. In any event, the employee must provide

medical certification of the need for the employee to provide care or of the employee’s disability within fifteen (15) days of the commencement of the leave.

 If the employee requests and the request is medically certified as

 necessary, the County will arrange an intermittent or reduced

 leave schedule for taking the twelve (12) weeks leave (450 hours for

administrative personnel, 480 hours for sworn police and other not-administrative personnel). An intermittent or reduced leave for regular part-time employees will translate to the number of hours in their regular work week times twelve (12). The alternative schedule must be the least disruptive to County operations and may include transfer to another position that has equivalent pay and benefits.

 D. PAID TIME SUBSTITUTIONS FOR UNPAID FMLA

 1. For a personal non-job-related illness or accident, the employee is

 required to use all paid sick leave, personal days and vacation days

 toward the FMLA leave, unless otherwise receiving compensation

 through the County’s disability benefit. If the employee applies for and is granted disability benefits under the provisions of the Illinois Municipal

 Retirement Fund (IMRF) or Sheriff’s Law Enforcement Police (SLEP),

 the requirement to utilize paid leaves as stated above is not in effect

 during the time of disability.

 2. For the adoption or foster care placement of a child, the employee is required to use all vacation days toward the FMLA leave.

3. For care of a spouse, child or parent with a serious health condition, the employee is required to use all vacation days toward the FMLA leave.

4. For an employee’s job related illness or accident, paid benefits during this time will be according to Worker’s Compensation requirements; however, leave time shall be designated as an FMLA leave including any time off for required therapy or doctor visits.

 E. HEALTH CARE AND OTHER BENEFITS

 1. An employee granted FMLA leave under this policy will continue to be

 covered under the County’s group health insurance plan under the same

conditions as coverage would have been provided if the employee had been continuously employed during the leave period.

Employee contributions will be required either through payroll deduction or by direct payment to the County.

 a. If paid leave is substituted for unpaid FMLA leave, the County

 will deduct the employee’s portion of the health plan premium as

 a regular payroll deduction.

 b. If FMLA leave is unpaid, the employee will be required to pay

 his or her share of health insurance premiums on the same time

schedule as he or she would under COBRA. Employee contribution amounts are subject to any change in rate that occurs while the employee is on leave. If an employee’s

contribution is more than 30 days late and 12 weeks of FMLA leave have been utilized, the County will terminate the employee’s insurance coverage. The employee will be notified at least 15 days before the coverage lapses.

 Pursuant to this policy, the County has the right to seek

reimbursement from the employee for costs incurred for health insurance premiums on behalf of the employee during the leave of absence. Prior to leave and again upon returning to work, the payroll office will provide Salary Withholding Authorization forms to be completed by the employee.

 2. Other elective payroll deductions including by not limited to AFLAC,

 prepaid legal services, and I-Bonds, are the responsibility of the

employee. Costs advanced by the County are subject to the same Salary Withholding Authorization as health insurance benefits.

 3. Holiday pay will not be paid during the FMLA leave, except in those

 instances where the employee is on an intermittent or reduced schedule

 which makes the employee eligible for holiday pay or where employee is

 utilizing paid leave during the FMLA leave when the holiday occurs.

4. If while on an FMLA designated leave, the employee is required to

 serve on a jury or in the military, no make-up pay will be granted, nor will

 paid funeral leave (emergency leave) benefits be paid.

5. During the period of all FMLA leaves, the employee should verify with

the representatives of IMRF to whether or not they will continue to be

credited with service time without loss, for the purpose of calculating

benefits.

6. If the employee is on an intermittent or reduced schedule, the

effective hourly rate of pay will be continued for hours worked as if leave

had not been taken. This is true of hourly and salaried employees. For

the hours lost, paid leave time may be substituted as discussed under

the “Paid Time Substitutions for Unpaid FMLA” section of this policy.

F. RETURNING TO WORK

1. Upon return from an FMLA leave for the employee’s own serious

health condition, the employee will be required to furnish from the

attending physician a certification that the employee is fit for duty and

can perform the essential function(s) of the regular job (or to the job to which restored, if different) together with any restrictions and the reasons for the restrictions.

2. Upon the expiration of the designated FMLA leave, the employee will

be restored to the regular position or to an equivalent position in pay,

benefits and other terms and conditions of employment, if the employee

would not have been terminated during the period while the employee

was on leave because of general economic conditions of employment or

due to a restructuring of the department, division or the County. That is,

the designated FMLA leave does not guarantee a restoration of

employment. The employee will be treated the same as any other

employee similarly positioned and actively at work on the date of the

reduction in force and/or restructuring.

3. All benefits, increases, general wage increases or other terms and

conditions of employment generally applicable to the position will be

restored to the employee as if the employee had not been on leave.

4. If the employee fails to return to work upon expiration of the designed

FMLA leave, the employee may lose the right to restoration to the job. If

the reasons for not returning from the FMLA leave are reasons within the

employee’s control, the County will recoup from the employee the

County’s cost of health care premium costs, paid on the employee’s

behalf during the FMLA leave.

G. DEFINITIONS

1. CHILD. A child is a biological, adopted or foster child; step child;

legal ward or a child for which an employee has daily responsibility for

care and financial support of the child, i.e., in loco parentis.

Additionally, a child, as above defined, includes one who is over

eighteen (18) and is either so mentally or physically impaired, that he or

she requires active assistance with activities of daily living due to

substantially limited major life activities.

2. PARENT. A parent is the biological parent or who to whom the

employee was the child of a parent in loco parentis. This does not

include grandparents of in-laws.

3. SPOUSE. The legal spouse.

4. SERIOUS HEALTH CONDITION. This term means an illness,

injury, impairment, or physical or mental condition that involves in-patient

care in a hospital, hospice, or residential medical care facility, or

continuing treatment by a health care provider. It is not intended to cover

short-term conditions for which treatment and recovery are very brief.

Conditions or medical procedures that would not normally be covered

include minor illnesses which last only a few days and surgical

procedures which typically do not involve hospitalization and require only

a brief recovery period.

5. CONTINUING TREATMENT.

 a. The employee or family member is treated two (2) or more

 times for the injury or illness by a health care provider. Normally this

 would require visits to the health care provider or to a nurse or

 physician’s assistant under the direct supervision of the health care

 provider.

 b. The employee or family member is treated for the injury or

 illness two (2) or more times by a provider of a health care service (e.g.

 physical therapist) under orders of, or on referral by a health care

 provider, or is treated for the injury or illness 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 – for example, a course

 of medication or therapy to resolve the health care condition.

 c. The employee or family member is under the continuing

 supervision of, but not necessarily being actively treated by a health care

 provider, due to a serious long-term or chronic condition of disability

 which cannot be cured. Examples include: persons with Alzheimer’s

 disease, persons who have suffered a severe stroke, or persons in the

 terminal stages of a disease who may not be receiving active medical

 treatment.

 6. INTERRELATION OF LEAVES. Any leave taken pursuant to this

 policy, other County policies, a collective bargaining agreement, or law

 which qualifies as leave under the FMLA or any applicable state, family

 or medical leave act, will be counted against the employee’s available

 leave under the applicable County policy(ies), collective bargaining,

 and/or law, as well as the available leave under the FMLA or applicable

 state law, to the extent permitted by such applicable law.

Section 6.7 IMRF DISABILITY LEAVE: IMRF may provide temporary or total disability benefits for those employees unable to continue the performance of their job responsibilities. If the employee applies for and is granted temporary disability benefits under the provisions of the Illinois Municipal Retirement Fund (IMRF) or Sheriff’s Law Enforcement Police (SLEP), this leave time shall be designated as FMLA leave, assuming that all FMLA qualifications are satisfied.

1. An employee still employed by the County, who is granted temporary IMRF or SLEP disability benefits, will continue to be covered under the County’s group health insurance plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period.

Employee premium contributions will be required through direct payment to the County. The employee will be required to pay his or her share of health insurance premiums on the same schedule as he or she would under COBRA. Employee contribution amounts are subject to any change in rate that occurs while the employee is on leave.

If an employee’s contribution is more than 30 days late and 12 weeks of FMLA leave have been utilized, the County will terminate the employee’s insurance coverage. The employee will be notified at least 15 days before the coverage lapses.

2. Pursuant to this policy, the County has the right to seek reimbursement from the employee for costs incurred for health insurance premiums on behalf of the employee during the leave of absence. Prior to leave and again upon returning to work the payroll office will provide Salary Withholding Authorization forms to be completed by the employee.

3. Other elective payroll deductions, including but not limited to AFLAC, pre-paid legal services, and I-Bonds, are the responsibility of the employee. Costs advanced by the County are subject to the same Salary Withholding Authorization as health insurance benefits.

4. If the County receives IMRF’s determination that the employee is permanently disabled and unable to return and perform his or her job responsibilities, the County may send proper notice of employment separation and notification of COBRA benefits to the employee.

Section 6.8 MILITARY LEAVE**:** Military leave shall be granted as prescribed by state and federal law. Unless otherwise specified by law or an applicable collective bargaining agreement, military leaves of absence will be unpaid. Employees on military leave will continue to accrue seniority and to be entitled to certain other employee benefits to the extent required by law.

Section 6.9 GENERAL LEAVE OF ABSENCE: Employees may request a general unpaid leave of absence for personal matters. Leaves are granted on the assumption that the employee will be available to return to regular employment when the conditions necessitating the leave permit. The decision to grant such leave shall be at the sole discretion of the County Board Chairman. Such leave may be requested for:

A. The continuation of or completion of a pursuit of a degree for the purpose of training in subjects related to the work of the employee and which will benefit the County.

B. To recover their own health or attend to family illness beyond the 12 weeks allowed under FMLA. (See Family Leave Section 6.1)

C. Personal business which will require an employee’s attention for an extended period, such as a settlement of an estate, liquidating a business, attending court as a witness on non-County related cases, and for the purposes other than the above that are deemed appropriate by the County Board chairman.

D. A leave of absence will not be granted to enable an employee to try for or accept employment elsewhere or for self-employment. Employees who engage in employment elsewhere during such leave may immediately be terminated by the County.

 E. GENERAL LEAVES OF ABSENCE – PROCEDURE

1. Employees may submit a written request to their Department Head asking for a leave of absence without pay. The request shall be in writing, stating the reasons for the request, the date desired for the start of the leave and probable date of return. The request along with the written recommendation of the Department Head shall be forwarded to the County Board Chairman for authorization.
2. Authorization for such leave shall be within the sole discretion of the County Board Chairman whose decision will be based upon the operational needs of the department, the work record of the individual and the reason for the request.
3. An employee is required to exhaust available paid vacation and sick/personal leave before unpaid general leave of absence is commenced.

F. GENERAL LEAVES OF ABSENCE – BENEFITS

1. For the remainder of the month during which a general leave begins, thereafter the County will continue to provide group health insurance coverage under the same conditions as it did before the leave began. Subsequently, such insurance coverage, if desired by the employee and otherwise available through the County, shall be fully paid by the employee through the duration of the leave.
2. With the exception of group health coverage, an employee is not entitled to accrue any other employment benefit while on a general leave.

Unless otherwise stated or otherwise required by law, length of service shall not accrue for an employee who is on an approved non-paid leave status. Accumulated length of service shall remain in place during that leave and shall begin to accrue again when the employee returns to work on a pay status. Unless otherwise stated, an employee returning from leave will have his seniority continued after the period of the leave. Upon return, the County will place the employee in his or her previous assignment, if vacant; if not vacant, the employee will be placed in the first available assignment according to the employee’s seniority, where skill and ability to perform the work without additional training is equal.

If, upon the expiration of a leave of absence, there is no work available for the employee or if the employee could have been laid off according to his seniority except for his leave, he shall go directly on layoff.

During an approved unpaid leave of absence or layoff, an employee shall be entitled to coverage under applicable health and life insurance plans to the extent provided in such plan(s), provided the employee makes arrangements for the change and arrangements to pay the entire insurance premium involved, including the amount of premium previously paid by the County.

G. GENERAL LEAVE OF ABSENCE – DURATION

A general leave of absence may be granted for up to twelve (12) work weeks. Extensions may be granted for an additional period at the discretion of the County Board Chairman.

H. GENERAL LEAVE OF ABSENCE – RETURN TO DUTY

1. A return date shall be agreed to by the employee and the department head at the time the general leave is granted. Generally, this will be the probable return date specified in the employee’s application.

2. An employee may request an extension of the general leave by making application to the County in the same manner as on original application, provided such extension may not be granted in excess of the limits set forth above.

3. Prior to reinstatement after a general leave of absence for an illness, an employee must present to the Department Head a physician’s written statement certifying that the employee is capable of returning to work and performing, either with or without reasonable accommodations, the essential functions of the employment position involved.

I. GENERAL LEAVE OF ABSENCE – RESIGNATION

An employee, who fails to return from a general leave on the designated return date, either as originally agreed or as extended, shall be considered as having abandoned and resigned their employment position with the County.

Section 6.10 WORKERS’ COMPENSATION LEAVE:

 An employee experiencing occupational disability due to an accident or illness

 arising out of and in the course of their employment, may be placed on Workers’

Compensation Leave; such workers’ compensation leave, including any time off for required therapy or doctor visits, shall be designated as FMLA, assuming that all FMLA qualifications are satisfied. Participating employees should apply for IMRF Disability Benefits if eligible.

1. An employee still employed by the County, who is receiving workers compensation benefits, will continue to be covered under the County’s group health insurance plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period.
2. Employee premium contributions will be required through direct

payment to the County. The employee will be required to pay his or her share of health insurance premiums on the same schedule as he or she would under COBRA. Employee contribution amounts are subject to any change in rate that occurs while the employee is on leave.

1. If an employee’s contribution is more than 30 days late and 12 weeks of FMLA leave have been utilized, the County will terminate the employee’s insurance coverage. The employee will be notified at least 15 days before the coverage lapses.
2. Pursuant to this policy, the County has the right to seek reimbursement from the employee for costs incurred for health insurance premiums on behalf of the employee during the leave of absence. Prior to leave and again upon returning to work, the payroll office will provide Salary Withholding Authorizations forms to be completed by the employee.
3. Other elective payroll deductions, including but not limited to AFLCA, pre-paid legal services, and I-Bonds, are the responsibility of the employee. Costs advanced by the County are subject to the same Salary Withholding Authorization as health insurance benefits.

Section 6.11 INABILITY TO CONTACT: If after reasonable efforts, the employee cannot be contacted as to his return to work after six (6) months leave, twelve (12) weeks, twenty-four (24) weeks or twelve (12) months with approval as mentioned, the employee shall be deemed to have resigned their position with the County.

Section 6.12 PAID AND UNPAID LEAVE

 VICTIMS’ ECOMONIC SECURITY AND SAFETY ACT POLICY

 The Leave Policy. Illinois employees may take unpaid leave under the

 Victims; Economic Security and Safety Act (“VESSA”) to seek assistance in

 response to an act or threat of domestic violence, sexual assault, or stalking.

 You may take this leave to seek services for a victim of domestic or sexual

 violence if the victim is: 1) yourself, 2) a covered family member (spouse, child or

 parent) or 3) a household member (who is currently residing with you). VESSA

leave is not allowed, however, if the employee’s interests regarding the violent act are adverse to the victim’s interests. The employee may take leave for a child who is a victim if that child is under age 18 or, if 18 years or older, the child is mentally or physically disabled and incapable of self-care. You are eligible to take up to 12 weeks of unpaid VESSA leave within any 12-month period and be restored to the same or an equivalent position upon your return from leave.

 Reasons for Leave. You may take VESSA leave to obtain assistance

or services for a victim for the following purposes: (1) to seek medical attention for, or recover from, physical or psychological injuries caused by the domestic or sexual violence, (2) to obtain services from a victim services organization, (3) to obtain psychological or other counseling, (4) to participate in safety planning, seek temporary or permanent relocation, or take other actions to increase the safety of the victim from future domestic or sexual violence or ensure economic, security, or (5) to seek legal assistance or remedies to ensure the health and safety of the victim, including preparing for or participating in any legal proceeding related to or resulting from domestic or sexual violence. If you misrepresent facts in order to be granted a VESSA leave, you will be subject to immediate termination.

 Notice of Leave. You must give the County at least 48 hours prior

notice, unless providing advance notice is not practicable under the particular circumstances. If you are unable to provide advance notice, you must provide notice when you are able to do so, within a reasonable period of time after the absence. Failure to provide the required notice may result in treatment of the absences as unexcused.

 Certification. Employees requesting VESSA leave must provide proper

certification for all absences. The certification must show that: (1) the victim for whom the leave is requested is the employee, a covered family member, or a covered household member, (2) the victim was subjected to an act or threat of domestic or sexual violence, and (3) the leave is to seek assistance for a purpose covered by the Act. The employee must provide two types of written documentation as certification: (1) a sworn statement by the employee showing that the leave qualifies for a purpose covered by VESSA and (2) written documentation from the source from whom assistance was sought or who could otherwise verify the nature of the leave, such as documentation from: (a) a representative of a victim services organization, an attorney, member of the clergy, or a medical or other professional, from whom the employee has sought services on behalf of a covered victim to address domestic or sexual violence or the effects of the violence, (b) a police or court record, or (c) other corroborating evidence.

 It is the employee’s responsibility to ensure that the County receives the

proper certification. If the County does not receive adequate certification within a reasonable time period after it is requested, or if the certification does not confirm a VESSA-qualifying purpose, the employee’s absences will be treated according to the County’s attendance standards.

Reporting While On Leave. You may be required to contact your

supervisor on a regular basis regarding the status of your leave and your intention to return to work.

 Leave is Unpaid. VESSA leave is unpaid leave. You may choose,

however, to use any accrued paid time off which would otherwise apply to the circumstances of the leave. For instance, if the leave was for you, because you are temporarily disabled due to domestic or sexual violence, you may use any accrued sick time for the portion of the leave. You may use accrued vacation or other personal time for any of the purposes allowed under the Act. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period.

Medical and Other Benefits. During an approved VESSA leave, the County will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid leave, the County will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if you fail to make timely payments of your share of the premiums. If you do not return to work at the end of the leave period, you may be required to reimburse the County for the cost of the premiums paid by the County for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuance, onset or recurrence of domestic or sexual violence, or other circumstances beyond your control. If that is the case, you will be required to produce written certification to confirm the circumstances beyond your control.

Vacation, sick time, or other benefits will not accrue while on unpaid VESSA leave. You will remain entitled to all of your benefits which accrued prior to your leave, however.

Intermittent and Reduced Schedule Leave. VESSA leave may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or weekday). If leave is unpaid, the County will reduce your salary based on the amount of time actually worked.

Other Applicable Leaves. VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA which also qualifies under the Family and Medical Leave Act (“FMLA”) will be simultaneously designated as both VESSA and FMLA leave. Likewise, absences for which an employee receives sick time or short-term disability benefits for a purpose covered under VESSA will be designated as VESSA leave.

Returning from Leave. If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment, subject to any applicable exceptions. However, you have no greater right to reinstatement or other benefits and conditions of employment than if you had not taken leave. You must return to work immediately after the expiration of your approved VESSA leave in order to be reinstated to your position or an equivalent position.

If you take leave because of your own medical or psychological condition, you are required to provide medical certification that you are fit to resume work, according to the County’s usual policies.

Reasonable Accommodation in the Workplace. The County will consider making reasonable accommodations to an employee or job applicant for a known limitation resulting from domestic or sexual violence, unless the accommodation would cause the County an undue hardship. If you are an otherwise qualified individual who can perform the essential functions of your job, but need such an accommodation, the County may provide an adjustment to the job structure, workplace facility, work requirements, or your telephone number, seating assignment, or physical security of your work area in response to a need covered by VESSA. The County will also consider a request for transfer, reassignment, or modified schedule if needed due to a known limitation caused by an act or threat of domestic or sexual violence. Other safety measures may also be appropriate. Any employee covered by VESSA may make a request for leave or for a reasonable accommodation to the appropriate department head or Office of Administrative Services.

Confidentiality. The County will maintain your written certifications and other documentation regarding any requests for VESSA leave in a confidential file. The County will not disclose the nature of your leave other than to those specific persons who need to know in order to ensure you receive your VESSA rights.

No Retaliation. The County strictly forbids any of its employees, managers of other representatives from discriminating, retaliating, or otherwise treating an employee unfavorably for requesting or taking VESSA leave or exercising any other rights under VESSA. If you feel you have been denied your VESSA rights or if you feel you have been treated unfavorably for having exercised any VESSA rights, you should immediately report such action to the Office of Administrative Services. The County will investigate your concerns and take corrective action if it determines that someone has violated the County’s VESSA policy.

**CHAPTER VII.**

**DISCIPLINARY AND SEPARATION ACTION**

Section 7.1 STANDARD OF CONDUCT: Whenever people gather together to achieve goals,

some rules of conduct are needed to help everyone work together efficiently, effectively and harmoniously. By accepting employment with the County, the employee has a responsibility to the County and to his fellow employees to adhere to certain rules of behavior and conduct. When each person is aware that he or she can fully depend upon fellow workers to follow the rules of conduct, then the organization will be a better place to work for everyone.

Section 7.2 DISCIPLINE POLICY: While on County premises or engaged in County

business, every employee is expected to observe all County rules and to conduct themselves in a professional and respectful manner. Failure to do so shall subject the employee to discipline appropriate under the circumstances, inclusive of discharge.

It shall be the duty of the immediate supervisor to initiate disciplinary action on his own or to recommend to the department head such disciplinary action as the circumstances may warrant maintaining the efficiency of the department. Disciplinary action may be imposed upon an employee for any cause deemed appropriate under the circumstances.

An employee may be reprimanded, suspended or discharged whenever it is determined to be in the best interest of the County. Such determination may be made for any such lawful reason, including, without limitation, any one or more of the following:

1. Possessing firearms or other weapons on County property;
2. Fighting or assaulting another individual
3. Threatening or intimidating others;
4. Engaging in any form of sexual or other harassment;
5. Reporting to work under the influence of alcohol or illegal drugs or narcotics or using, selling, dispensing, or possessing alcohol or illegal drugs or narcotics on County premises;
6. Disclosing confidential County information;
7. Falsifying or altering any County record or report;
8. Stealing, destroying, defacing, or misusing County property or another employee’s or customer’s property;
9. Refusing to follow management’s instructions concerning a job-related matter or insubordination;
10. Failing to wear assigned safety equipment or failing to abide by safety rules and policies;
11. Smoking where prohibited by local ordinance or County rules;
12. Using profanity or abusive language;
13. Sleeping on the job without authorization;
14. Gambling on County property;
15. Playing pranks, practical jokes, or engaging in horseplay;
16. Wearing improper attire or having an inappropriate personal appearance;
17. Incompetence, negligence, inefficiency, or failure or inability to perform your assigned duties;
18. Abusiveness in employee’s attitude or language, or in his conduct resulting in physical harm, injury, or harassment to County employees or the public;
19. Conviction of a felony or any criminal misdemeanor set forth in Section 10-1-7 of the Illinois Compiled Statutes;
20. Causing damage to public property or waste of County supplies through negligence or willful misconduct, or failure to take reasonable care of County property;
21. Absence from scheduled work without prior authorization;
22. Claiming sick leave under false pretenses;
23. Absence without leave for a period of three (3) days (an involuntary resignation), or a failure to report after leave of absence has expired or has been disapproved, revoked, or canceled by the employee’s superior;
24. Work history shows excessive or chronic absenteeism. Excessive or chronic absenteeism shall be defined as any absence from work that is not otherwise accounted for with the use of approved vacation, sick/person leave, bereavement leave, jury duty. Family Medical Leave, IMRF Disability Leave, military leave or a general leave of absence;
25. Any other reason as determined by the employee’s supervisor, department head or County Board member.

These grounds for discipline DO NOT constitute an exhaustive list of all the acts which will subject an employee to disciplinary action. No set of rules can cover all situations. The County reserves the right to discipline and discharge employees for unacceptable conduct other than those prescribed herein.

With respect to all employees, it is the policy of the County to apply progressive discipline in the forms prescribed below where appropriate. The County may forego lesser forms of discipline and proceed immediately to dismissal depending upon the nature of the employee’s conduct.

In general, any action or attitude which adversely affects job performance or the reputation of Kendall County government may be cause of disciplinary action.

The following is a recommended procedure for employee discipline consistent with legal guidelines and good personnel management, and which may be utilized unless otherwise provided by Statute. While a system of progressive discipline may be followed, it is not always appropriate that each step be completed before moving to the next level or that any step be taken prior to discharge.

1. Documented Verbal Reprimand: The immediate supervisor may give a verbal reprimand and explanation to the employee of which he did wrong and why it is important that the episode not be repeated. The immediate supervisor will then make a short written record of their conversation. The supervisor and employee will both initial the written record, and both will retain a copy of it. This record will become part of the employee’s departmental and County personnel file only if the conduct or performance did not become satisfactory after 90 days have elapsed.

2. Written Reprimand: If the employee continues to have difficulties in the same areas, or if the violation or infraction warrants, the immediate supervisor may prepare a written warning which contains a statement as to the date and nature of the infraction, and any other pertinent data including corrective measures to be taken. This record will be retained in the employee’s personnel file.

3. Disciplinary Probations: Repetition of conduct otherwise meriting a lesser form of discipline, or commission of more serious misconduct, may result in an employee being placed on probation for a period of from one to three months. This may be done simultaneously with or following a written reprimand.

4. Suspension: The department head may use suspension as a

disciplinary action. The department head may order an employee

absent from duties with or without pay for a period not to exceed 30

calendar days, only if there is evidence or reasonable suspicion that

serious offense has been committed against the County or another

employee. Prior to suspension, the department head must inform the

employee in writing of the charges against him and the basis thereof

allowing the employee to give his side of the story. However, if the

presence of the employee poses a continuing threat or disruption

to the department, the department head may order the suspension

without notice. The department head shall, within 24 hours of such

action, prepare a memorandum stating the grounds for such action, and

submit it to the suspended employee, and the departmental committee

chairperson. Such memorandum shall be held confidential.

Dismissal: Since all employees are at-will, the County retains the right to dismissal and that remains the right of the department head or elected official.

5. Removal of Department Heads: Department heads serve at the pleasure of the County Board. A department head may be removed by a majority vote of the members present at any regular or special meeting of the County Board. In situations where the County Board Chairman deems it necessary, the County Board Chairman shall have the power to order the immediate suspension of the department head with pay until acted upon by the Board. In such cases, the Board shall act on the suspension within ten days voting either to remove permanently or reinstate the department head. In cases of urgency, the County Board Chairman or in his/her absence, the County Board Vice Chairman and the State’s Attorney will have the authority to terminate a department head.

Section 7.3 GRIEVANCE PROCEDURE

 A. General

A grievance is a non-probationary employee complaint arising from a situation that is contrary to regular and ordinary employment practices and falls in the following categories:

1. Safety

2. Working Conditions

3. Wages and Hours

4. Involuntary Termination

Employees have the right to a fair hearing on any request or complaint arising in the course of employment. Each supervisor/department head has an obligation to make every effort to resolve employee relation problems informally as they arise.

B. Definitions and Rules for Grievance Procedure

Work days are considered to be Monday through Friday, exclusive of County observed holidays.

A grievance filed by an employee of the County, except those subject to collective bargaining agreements which contain grievance procedure language, or employees of elected officials, shall be filed in accordance with provisions of this policy. An employee representative may be involved with and/or represent the employee at any step in the procedure.

If at any step in the grievance procedure the representative of the employer fails to respond within the time limits set forth, the employee may appeal the grievance to the next step within the time limits set forth. Time limits may be extended by mutual consent of both parties involved provided their decision has been communicated to the County Administrator.

The grievance committee shall consist of the County Board Chairman, the chairman of the committee to which the employee reports and the County Administrator. If there is a conflict of interest or a member of the committee declines to sit on the committee, the County Board Chairman shall appoint a County board member replacement.

C. Grievance Filing Procedure

These procedures are intended to encourage open communications between employees and their supervisors, and swift resolution.

 Step 1

The goal of swift resolution can best be achieved if employees will present their grievance verbally to their immediate supervisor. This should be done as soon as the cause for the grievance is known, but not later than five (5) workdays from the occurrence or circumstance. The immediate supervisor should respond verbally as soon as possible, but again no longer than five (5) workdays from receipt of the grievance.

Many, if not most grievances, can be resolved swiftly in this informal manner.

Step 2

If the grievance is not settled at Step 1, the employee may file a written grievance with the department head, within five (5) workdays after the immediate supervisor’s response in Step 1. The department head and the supervisor shall discuss the grievance with the employee at a time mutually agreeable to the parties (within five (5) workdays). The department head shall provide a written answer to the grievance with five (5) workdays following the meeting with the employee. If the department head is the immediate supervisor referred to in Step 1, then the employee will proceed to Step 3 immediately.

Step 3

If the grievance is not settled in Step 2 and the employee wishes to appeal the grievance further, the employee shall assume the responsibility of referring the written grievance within five (5) workdays to the committee chairman of the County Board to which the employee’s department reports. The committee chairman shall notify the County Board Chairman to call a Grievance Committee meeting. A meeting will be held between the Grievance Committee and the employee, the employee’s representative (if applicable) and the immediate supervisor agreeable to the parties not to exceed twenty-one (21) workdays after the grievance is presented to the committee. The Grievance Committee shall provide the employee with a written answer to the grievance within five (5) workdays following the meeting.

D. Decision

The decision of the Grievance Committee of the County Board shall be final.

E. Accelerated Grievance Procedure of Suspension without Pay

In grievance cases involving suspension without pay, the employee may elect to follow the following “fast track” grievance procedure: Omit Step 1 and go immediately to Step 2 unless this department head was the one who took the action to suspend the employee without pay or terminate the employee involuntarily then the employee shall proceed immediately to Step 3 and file the written grievance with the appropriate committee chairman.

Section 7.4 ILLINOIS CLEAN INDOOR AIR/SMOKE FREE WORKPLACE: The Illinois Clean Indoor Air Law (Public Act 86-1018), July 1, 1990 established that non-smoking is the policy for the State of Illinois and prohibits smoking in all public places and places of work, regardless of size, except where specifically excluded from coverage. Kendall County considers vehicles owned or leased by the County to be places of work and thus, smoking in County vehicles is prohibited.

Section 7.5 HARASSMENT POLICY:

It is the policy of the County to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another’s work performance or that creates an intimidating, offensive, or hostile environment. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status or sex. Special attention should be paid to the prohibition of sexual harassment. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment and, in particular, sexual harassment. No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee’s refusal or willingness to submit to sexual advances will affect the employee’s terms or conditions of employment. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, non-supervisory employees, or non-employees, is also prohibited. This conduct includes: unwanted physical contact or conduct of any kind, including sexual flirtations, touching advances, or propositions, verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references, demeaning, insulting, intimidating, or sexually suggestive comments about an individual’s personal appearance, the display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs, demeaning, insulting, intimidating or sexually suggestive written, recorded, or electronically transmitted messages. Any of the above conduct, or other offensive conduct, directed at individuals because of their race, national origin, religion, disability, pregnancy, age or military status is also prohibited.

Any employee who believes that a supervisor’s, other employee’s, or non-employee’s actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. The report or complaints should be made to the employee’s supervisor; or to the department head if the complaint involves the supervisor. Complaints of harassment will be handled and investigated under the County’s grievance policy; unless special procedures are considered appropriate. All complaints of harassment will be investigated promptly and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to the parties involved.

Any employee or supervisor who is found to have violated the harassment policy will be subject to appropriate disciplinary action, up to and including termination. The County prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if any investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

An employee who believes that he or she has been the subject of harassment or

retaliation for complaining about harassment also has a right to file a charge of civil rights violations with the Illinois Department of Human Rights within 180 days of the harassment, to have that charge investigated by the Department and, if substantial evidence to support the charge is found to exist, to have such an opportunity as is provided by law and applicable regulations to engage in conciliation with the employer and/or to have the charge heard in a public hearing before an Administrative Law Judge of the Illinois Human Rights Commission.

For further information, any such employee may call or write to

Illinois Department of Human Rights

100 West Randolph Street, Room 10-100m

Chicago, Illinois 60601

Telephone 312.814.6200

or Illinois Human Rights Commission

100 West Randolph Street, Room 5-100

Chicago, Illinois 60601

Telephone 312.814.6269

Section 7.6 DRUGS AND ALCOHOL POLICY

The County desires to implement certain procedures to improve the quality of life for employees and provide a safe and productive work environment. Kendall County recognizes the problems of alcohol and other substance abuse in our society. Furthermore, the County considers substance abuse as a serious threat to the quality of life in our community. This policy addresses this problem by requiring that Kendall County Government remain a drug free workplace in compliance with the Drug-Free Workplace Act (30 ILCS 580/1 et seq.). This Drug and Alcohol Policy is incorporated into the Kendall County Employee Handbook, as amended, as Section 7.6 and replaces the previous drug and alcohol policy entirely.

Definitions

“Legal Drug” – includes prescribed drugs and over-the counter drugs which have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.

“Controlled Substance” – a controlled substance as defined in the Illinois Controlled Substances Act (720 ILCS 570/100 et seq.) or cannabis as defined in the Cannabis Control Act (720 ILCS 550/1 et seq.).

“County property” – All land, buildings, structures, parking lots and means of transportation owned by or leased to Kendall County, Illinois.

“Under the Influence” – an employee shall be determined to be under the influence of alcohol or other drug, if, in the course of employment for the County:

* the employee’s normal faculties are impaired due to consumption of alcohol or other drugs, and /or
* the employee has a blood alcohol concentration of .08 or higher, and/or
* the employee consumes alcohol four (4) or fewer hours before performing job functions that may involve safety-sensitive duties; and/or
* the employee uses alcohol during eight (8) hours following an accident, or until undergoing a post-accident test, whichever occurs first; and/or
* the employee is affected by an illegal drug, alcohol or both in any detectable manner..

Policy and Work Rule

The County’s desire is to employ a work force free from the effects of drug and alcohol abuse. An employee determined to be in violation of any provision of the drug and alcohol policy may be subject to disciplinary action, which may include termination even for the first offense. Any other discipline previously used by the County shall not apply to violations of this drug and alcohol policy.

The manufacture, distribution, dispensation, possession, or use of alcohol and controlled substances, including cannabis by an employee while on County property or while performing County business is strictly prohibited. Furthermore, employees are prohibited from bringing drug paraphernalia onto County property at any time.

If an employee is found in possession of a controlled substance while on County property or while performing County business, the appropriate law enforcement agencies will be notified and the controlled substance may be taken into custody.

The purchase of alcohol or controlled substances, including cannabis, with county funds by a county employee or official is not considered a legal use of public funds. County employees and officials shall not purchase alcohol or controlled substances, including cannabis, using public funds or county credit cards, nor shall public dollars be used to reimburse employees and officials making such purchases with private credit cards or private funds.

The County shall conduct a reasonable investigation if there is reasonable cause to believe that there has been a violation of this policy.

Employees who take over-the-counter or prescribed medication are responsible for being aware of any effect the medication may have on the performance of their duties and must promptly report to their supervisors the use of medication likely to impair the employee’s ability to do his or her job. An employee who fails to do so shall be subject to disciplinary action, up to and including termination of employment. Moreover, employees who take over-the-counter or prescribed medication contrary to doctor’s instructions may be subject to disciplinary action, up to and including termination of employment.

Any employee convicted of a criminal drug statute violation occurring in the workplace shall notify the employee’s supervisor no later than five (5) days after such conviction, unless the conviction has been sealed, expunged or impounded under Section 5.2 of the Criminal Identification Act.

Procedures

To provide a safe drug and alcohol free working environment, the County will:

1. Provide increased awareness through training, education and communication of the subject of drug and alcohol abuse.

2. Recognize that there may be employees who have an alcohol and/or drug problem and stand willing to assist in the resolution of that problem by encouraging employees to seek help through the Employee Assistance Program.

3. Cooperate with law enforcement agencies.

4. Conduct alcohol and drug testing in accordance with the County’s Testing Policy as set forth below.

5. Take any other actions deemed necessary and appropriate including, but not limited to disciplinary action up to and including termination of employment.

The County maintains a drug and alcohol free workplace. Because the public has the absolute right to expect the County to work toward reducing the probability of accidents or incidents related to the misuse of alcohol or controlled substances and because County employees are involved in the investigation and prosecution of drug and alcohol-related offenses in the course of their employment, the County requires the testing of covered employees and mandates an anti-drug and alcohol misuse prevention program.

1. When Testing May Occur: County employees may be required to submit to drug and alcohol testing, by breathalyzer test, urinalysis test and/or other appropriate drug and/or alcohol testing, in any one or more of the following situations:

* Pre-employment;
* Post accident;
* Reasonable suspicion; and
* Return to duty, when an employee has violated the prohibited drug and alcohol standards.

2. What Will Be Tested:

a. Controlled Substances: Controlled substances testing shall include, but is not limited to, testing of the following panel of drugs:

* Marijuana THC (metabolite)
* Cocaine, any form or derivative thereof
* Amphetamines (including methamphetamines)
* Opiates (including heroin, opium, etc.)
* Phencyclidine (PCP)

b. Alcohol: For purposes of this Policy, “under the influence of alcohol” shall be defined as breath alcohol test results with an alcohol concentration of 0.08% or above and shall be considered to be a positive test result. Also, an employee found to have an alcohol concentration of greater than 0.04% and less than 0.08% shall not perform, nor be permitted to perform any job functions for at least 24 hours following the test result and may be subject to the same procedures as a positive test result which may include disciplinary action, not to exclude termination of employment.

3. Refusal To Test: Refusal to submit to a required alcohol or drug test is prohibited. Refusal to submit to a test may result in the same procedures as a positive test result which may include disciplinary action, up to and including termination of employment. Refusal to submit to a test shall be defined as:

* Failing to provide adequate samples for testing without medical reason;
* Failing to show up at the testing site when instructed;
* Engaging in conduct that obstructs the testing process; and/or
* Failing to comply with any of the procedures set forth in this policy.

4. Confidentiality: Alcohol and drug testing records will remain confidential to the extent permitted by applicable state and federal laws.

5. Procedures for Testing:

a. An applicant shall not be required to submit to alcohol and/or drug testing until after an offer of employment has been made to the applicant. The applicant’s offer of employment shall be contingent upon the applicant testing negative for drugs and/or alcohol.

b. An applicant or employee shall be required to submit to alcohol and/or drug testing at a time and place designated by the individual’s supervisor whenever in the sole opinion of the supervisor or the supervisor’s designee, there is reasonable suspicion for such testing.

c. In the event of testing for reasonable suspicion, the employee’s supervisor shall provide the employee with notice of the basis for sufficient cause. In addition, the employee’s supervisor may require an employee to submit to alcohol or drug testing when an employee is involved in an on duty incident involving significant damage to property or personal injury to anyone. In the event of testing for reasonable suspicion, the employee may be placed on administrative leave pending the results of the alcohol and drug testing. The County shall use only licensed clinical laboratories for such testing.

d. All drug and alcohol tests will be conducted, reviewed and interpreted by professionally trained and certified technicians and/or medical review officers who will follow a chain of custody, and other procedures prescribed by applicable state and federal laws, in order to ensure and confirm the accuracy of the test results.

e. In cases where an applicant or employee receives a negative-dilute test result, the applicant or employee may be required to re-take the test. If there is a second negative-dilute test result, it will be accepted as a negative test result.

f. At the time of any urinalysis test, the employee may request that a blood sample be taken at the same time so that a blood test can be performed if the employee tests positive in the urinalysis test. If an employee tests positive in any such test, the test results shall be submitted to the County for appropriate action. A portion of the tested sample shall be retained by the laboratory so that the employee may arrange for a confirmatory test to be conducted by a licensed clinical laboratory of the employee’s choosing and at the employee’s expense.

g. In cases where an employee is notified of a positive drug or alcohol test, the employee shall be removed from duty for up to 72 hours. The employee may request that the second sample of the split sample be tested, at their own expense. If the results of the second sample come back as negative, the County will reimburse the employee for the cost of the negative test.

h. The employee shall have the right to dispute the administration of the test and/or the significance and accuracy of the test. Any such dispute shall be submitted in writing to the elected official and/or County Administrator.

6. Positive Test Results:

a. If an applicant tests positive for drugs or alcohol in a test administered under this Policy, the department head or elected official, in his or her sole discretion, may rescind any offer of employment made to the applicant.

b. If an employee tests positive for drugs or alcohol in a test administered under this Policy, the employee’s supervisor, in his or her sole discretion, shall have the right to discipline the employee, up to and including termination.

c. If an employee who has tested positive is not terminated, the employee’s supervisor, in his or her sole discretion, reserves the right to offer the employee participation in approved alcohol rehabilitation or drug abuse assistance programs, at the employee’s cost, as an alternative to, or in conjunction with disciplinary action. If such a program is offered and accepted by the employee, then the employee must satisfactorily complete the program as a condition of continued employment. Upon the employee’s return to work, the employee’s supervisor, in his or her sole discretion, may require such employee to submit to a random urinalysis or other appropriate alcohol and/or drug tests during the twelve (12) month period following the date any employee tests positive in any test and returns to work. Any such random tests shall occur at times and places designated by the employee’s supervisor or the supervisor’s designee. In the event such an employee tests positive again, the employee may be immediately terminated.

Employee Assistance Program

The County maintains an Employee Assistance Program (EAP) which provides help to employees and their families who suffer from personal problems, including but not limited to alcohol or drug abuse. However, it is the responsibility of each employee to seek assistance from the County’s employee assistance program or some other source before alcohol and drug problems lead to disciplinary actions. Once a violation of his policy occurs, subsequent use of the EAP on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

The employee’s decision to seek prior assistance from the EAP will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. However, using the EAP will not be a defense to imposition of disciplinary action where facts providing a violation of this policy are obtained outside of the EAP. Accordingly, the purposes and practices of this policy and the EAP are not in conflict but are distinctly separate in their applications.

Through the EAP, the County will provide appropriate assessment, referral to treatment, and treatment of drug and alcohol abuse (subject to the provision of the County’s health insurance plan). Such employees may be granted leave with a conditional return to work depending on successful completion of the agreed upon appropriate treatment regimen which may include random testing.

The County will provide for an EAP as long as a majority of the Board determines that it is financially prudent and in the interest of good government to do so. This Statement and Policy do not create a legal obligation for the County to provide an employee assistance program (EAP).

**CHAPTER VIII.**

 **TECHNOLOGY POLICY**

This policy applies to Kendall County employees, Kendall County Board Members, Elected Officials and their employees. Logging onto the County Network or using any other Technology device constitutes agreement with this policy.

Section 8.1 ORDER: Information technology (IT) resources are assets of Kendall County and must be used for authorized business. IT resources include, but are not limited to, electronic computer equipment, software, internet access, email accounts, and the information which is stored, processed, or transmitted from, to or through that equipment. County (IT) resources must be protected from accidental or unauthorized access, use, disclosure, modification, or destruction by employees, contractors, or any individual whether on County or non-County provided equipment.

Section 8.2 OVERVIEW: The County reserves the right to, among other actions, access, audit, block, delete, disclose, intercept, monitor, publish, recover, restrict, restore, review, screen, or trace any information at any time without notice.

Section 8.3 SECURITY: Each user is authorized to access only information which is required to do his/her job. Unauthorized access to information is strictly prohibited. All users must safeguard County information and treat electronic documents/communications with the same level of care, both in production and storage, as is accorded documents and communications that are in print form. Access to (IT) resources will be immediately deactivated when a County employee terminates employment or rights are withdrawn for any other reason.

Section 8.4 ENFORCEMENT: Use of any County (IT) resource will be audited and monitored. It is each user’s responsibility to understand and comply with the set forth Policy. Noncompliance with this Policy may be cause for disciplinary action as well as monetary charges being assessed where appropriate. If it is determined that an employee has misused (IT) resources, the employee will be subject to appropriate disciplinary action for misuse of County property, up to and including discharge.

Section 8.5 DEFINITIONS

Users – The term *users* refers to all employees, independent contractors, consultants, temporary workers and other persons or entities who use County Information Technology resources.

Information Technology Resources – The term *information technology resources* refers to the County’s entire computer network. Specifically, *information technology resources* includes, but is not limited to: individual workstations, file servers, communication servers, application servers, mail servers, fax servers, Web servers, laptops, software, data files and network cables, whether connected to the network or not.

Section 8.6 GUIDELINES

 A. No Expectation of Privacy

1. *No expectation of privacy*. The computers and computer accounts are given to users to assist them in performance of their jobs. Users do not have an expectation of privacy in anything they create, store, send, or receive on any technology resource. The computer system belongs to the County and may be used only for job-related purposes.

2. *Waiver of privacy rights*. Users expressly waive any right of privacy or expectation of privacy in anything they create, store, send, or receive on the computer or through the Internet or any other computer network. Users consent to allowing personnel selected at the sole discretion of the County to access and review materials users create, store, send, or receive on the computer or through the Internet or any other computer network. Users understand that the County may use human or automated means to monitor use of its computer resource.

B. Prohibited Activities

1. *Inappropriate or unlawful material*. Material that is fraudulent, sexually explicit, profane, obscene, defamatory; that is intended to harass, embarrass or intimidate; or that is unlawful or otherwise determined by the County to be inappropriate shall not be sent by e-mail or other form of electronic communication (such as bulletin board systems, news groups, chat groups) or displayed on or stored in County computers. Users encountering or receiving this kind of material should immediately report the incident to their department head/elected official.

2. *Misuse of software*. All software must be approved by the Technology Director prior to installation on any County workstations or servers. Users may not do any of the following: (A) Copy software for use on their home computers; (B) provide copies of software to any independent contractors of the County or to any firm or individual, unless specifically authorized through an official County contract or agreement; (c) install software on any of the County workstations or servers; (d) download any software from the Internet or other online service to any of the County workstations or servers; (e) modify, revise, transform, recast, or adapt any software; or (f) reverse-engineer, disassemble, or decompile any software. Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to their Department Head/Elected Official.

3. *Prohibited uses*. Without prior written permission from the Technology Director, County computer resources may not be used for dissemination or storage of personal advertisements, solicitations, promotions, destructive programs (i.e., viruses or self-replicating code), or any other unauthorized use.

4. *Communication of confidential information*. Sending, transmitting or otherwise disseminating without authorization proprietary County data or other information identified as confidential is strictly prohibited.

C. Passwords

1. *Responsibility for passwords*. Users are responsible for safeguarding their passwords for access to the computer system. Individual passwords should not be printed, stored online, or given to others. Users are responsible for all transactions made using their passwords.

2. *Passwords do not imply privacy*. Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users have an expectation of privacy in the material they create or receive on the computer system.

3. *Password management*. Passwords should have a minimum length of six (6) characters. These measures will require that all system users use unique and confidential passwords before using workstations on the network. Passwords shall be changed on a regularly scheduled basis, changes scheduled for every 90 days.

D. Security

1. *Accessing other computers and networks*. A user’s ability to connect to other computer systems through the network does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems.

2. *Computer Security*. Each user is responsible for ensuring that use of outside computers and networks, such as the Internet, does not compromise the security of County computer resources. This duty includes taking reasonable precautions to prevent intruders from accessing the County’s network without authorization and preventing introduction and spread of viruses.

3. *Exception process*. The County has a set standard, for network security, that disallows individual connections to the County network. It is understood that individual departments and agencies use proprietary software that require access to the County network. In those instances, the department/agency will be required to obtain authorization from the Director of Technology and appropriate network security permissions to allow access will be approved. The same process will apply for any department/agency requesting a waiver from any part of the Kendall County network security policy.

E. Viruses

1. *Virus detection*. Viruses can cause substantial damage to

computer systems. Each user is responsible for taking reasonable precautions to ensure he/she does not introduce viruses into the County’s network. To that end, all material received magnetic or optical medium and all material downloaded from the Internet or from computers or networks that do not belong to the County must be scanned for viruses and other destructive programs before being placed onto the computer system. Users should understand that home computers and laptops might contain viruses. All data transferred from these computers to the County’s network must be scanned for viruses.

2. *Accessing the Internet*. To ensure security and avoid the spread of viruses, users accessing the Internet through a computer attached to the County’s network must do so through an approved firewall.

 F. Miscellaneous

1. *Confidential Information*. When sending confidential information to shared devices (e.g., printers, facsimile machines, etc.) users must exercise reasonable judgment to maintain confidentiality at the destination.

2. *Compliance with Applicable Laws and Licenses*. In their use of computer resources, users must comply with all software licenses; copyrights; and all other state, federal and international laws governing intellectual property and online activities.

3. *Other Policies Applicable*. In their use of computer resources, users must observe and comply with all other county policies and guidelines.

Section 8.7 RESPONSIBILITIES

 A. Administrative Responsibilities

The County Administrator and Technology Director are responsible for the implementation of this policy. Department Heads and Elected Officials are responsible for compliance by their employees.

1. *Department Head/Elected Official Responsibilities*. Department Heads/Elected Officials are responsible for:

Ensuring that all users have access only to data needed to perform their job responsibilities

Ensuring that all users understand their obligation to protect technology resources

Implementing required security practices

Reporting noncompliance; and Initiating corrective action

2. *Technology Services responsibilities*. The Technology Director and support staff must be zealous in their efforts to maintain user confidence in privacy, availability, reliability, and productivity. Computer files may be accessed to verify compliance with County policies.

On suspicion that a security breach has occurred, the findings are to be reported to the Technology Director to determine if the breach is significant enough to warrant further investigation.

Technology Services staff is responsible to the users for the integrity of the information environment they support. Although Technology Services staff must have, at times, access to a users private domain to provide support, they must not use that privilege for any other purpose. Any support person who uses his/her privileges for purposes other than support, divulges confidential information gained from such support, or fails to comply with the principles set forth in this security policy is subject to disciplinary action, up to and including discharge.

Compliance with this policy will be monitored by Technology Services and violations will be reported in a discreet and professional manner when it appears the user has intentionally violated this policy or any other related policy. The incidents will be fully documented and reported to the County Administrator.

A back-up of users and shared directories will be performed on a regular basis with all directories located on shared file servers, not individual drives, backed up on an appropriate schedule.

Controls must be in place to confirm that obligations under software license agreements are being met for all software on workstations and network servers.

B. User Responsibilities

 All employees are responsible for compliance with this order.

1. *Restricted access to (IT) resources*. Access to (IT) resources must be protected by unique user accounts restricted by password or other controls. Passwords shall be confidential and protected by individual users to prevent unauthorized use and release of information.

2. *Dissemination of Data*. Dissemination of confidential data acquired when performing job responsibilities, in any form (printed, electronically, verbal, etc.) is strictly forbidden unless prior written permission has been granted, and such dissemination is not in conflict with any other County policy.

3. *Computer Software.* All software and data files developed on County Owned or controlled (IT) resources are for official business. Employees must adhere to all terms and conditions for licensing agreements governing distribution and use of software. Violation of software license agreements and copyright laws may subject the offender to criminal prosecution and civil damages.

No software will be run on County computers that has not been reviewed and approved by Technology Services. This review process ensures that the software is compatible (if required) with other existing software and is free from any computer viruses. This includes software available commercially or circulated public domain software.

4. *Backup Responsibilities*. Any user who uses county systems not on the County network or proprietary computer systems is responsible for backing up data and software of those systems. Users who store files on the Local Area Network (LAN) drives are protected due to a nightly LAN backup. If, however, an employee stores user files on the hard drive (C) or on the desktop, the employee is responsible for the file backup.

5. *Responsible Care*. All users shall maintain a clean work area and guard against potential damage to hardware or destruction of data through spillage, carelessness, etc. All equipment relocation shall be coordinated in advance through Technology Services and performed by Technology Services. A user must return any County hardware or software which is in his/her possession prior to leaving County employment.

6. *Use of the Internet*. The Internet is a tool to be used in helping

employees meet the requirements of their job (i.e., those who need information from a reliable Internet source to perform research duties or interface with organizations that use the Internet for conducting business with the County). Users must refrain from requesting information which is inappropriate in the workplace. Examples of inappropriate use of resources include, but are not limited to, any traffic that violates state and/or federal laws, the distribution of non-business related advertising, and propagation of computer worms and/or viruses, distribution of chain letters, attempts to make unauthorized entry into another network. Technology Services provides level of internet access that is assigned to employees by the responsible authority of the office/department. Internet use is monitored and reported to supervisors if requested.

7. *Electronic Mail.*  County employees are to use the County’s e-mail system primarily for County business communications and are responsible to guard against e-mail abuse. Examples of abuse are chain letters, selling or purchasing of personal items.

8. *Accountability*. Anyone observing what appears to be a breach of security where County information could be compromised, modified, stolen, lost or destroyed must report the incident to the Technology Director or County Administrator.

9. *Computer Hardware:* No hardware will be added to the County computers or network that has not been reviewed and approved by Technology Services. This review process ensures that the hardware is compatible with existing hardware standards. The purchaser will assume ongoing maintenance and support responsibility for peripheral devices (printers, scanners, phones with email functions, etc.) purchased without Technology Services approval. The purchaser will also be responsible for purchasing any consumables that this equipment requires.

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| **APPROVAL AND REVISION DATES OF POLICIES** |
|  |  |  |  |  |
| **POLICY** | **CHAPTER** | **SECTION No.** | **APPROVAL DATE** | **REVISION DATES** |
|  |  |  |  |  |
|  |  |  |  |  |
| Worker's Compensation | V | 5.2 | 6/8/1992 |  |
| Credit Union  | V | 5.4 | 6/9/1992 |  |
| Conferences and Professional Organizations | III | 3.5A | 7/22/1992 |  |
| Performances Appraisal | IV | 4.3 | 9/15/1992 |  |
| Retired Employees Insurance | V | 5.1 | 1/14/1992 |  |
| Equal Employment | I | 1.1 | 10/19/1999 |  |
| Employee References | II | 2.3F | 6/20/1905 |  |
| Gifts and Gratuities | III | 3.5E | 10/19/1999 |  |
| Auto Insurance | III | 3.5F | 10/19/1999 |  |
| Workplace Violence | III | 3.6 | 10/19/1999 |  |
| Employee Assistance Program | V | 5.5 | 10/19/1999 |  |
| Family Medical Leave (FMLA) Policy | VI | 6.6 | 6/1/1994 | 1998 |
| Flowers, Donation and Gifts | III | 3.5D | 11/27/1998 |  |
| Distribution | I | 1.8 | 6/13/1991 | 9/18/2001 |
| Network Policy | VIII | 8 | 9/18/2001 |  |
| Banked Sick Leave | VI | 6.2 | 1991 | 9/17/2002 |
| Paid and Unpaid Leaves | VI | 6.1 | 1991 | 2/28/2003 |
| Holidays | VI | 6.4 | 1991 | 7/15/2003 |
| Compensations and Performance | IV | 4.3 | 1991 | 7/15/2003 |
| Administrative Policies | III | 3.3 | 8/19/2003 |  |
| IMRF Disability Benefit | V | 5.8 | 3/20/2001 | 12/16/2003 |
| Paid and Unpaid Leaves | VI | 6.1 | 2/28/2003 | 1/20/2004 |
| VESSA (Victim's Economic Security & Safety Act Policy) | VI | 6.12 | 4/1/2004 |  |
| Paid and Unpaid Leaves | VI | 6.6 | 3/20/2001 | 5/18/2004 |
| Employment Policies | II | 2.2 | 3/20/2001 | 5/17/2005 |
| Paid and Unpaid Leaves | VI | 6.6 | 5/18/2004 | 5/17/2005 |
| Military Leave | VI | 6.8 | 8/1/1984 |  6/21/2005 |
| Educational Reimbursement V 5  | V | 5.3 | 8/1/1984 | 9/19/2006 |
| Illinois Clean Indoor Air/Smoke Free Workplace | VII | 7.4 | 5/1/2007 | 5/1/2007 |
| IMRF Disability Benefit | V | 5.8 | 8/19/2008 | 8/19/2008 |
| Technology Policy  | VIII | 8.1 | 9/18/2001 | 6/16/2009 |
| Employment Procedures  | II | 2.2 |  | 7/19/2011 |
| Drug and Alcohol Policy | VII | 7.6 | Previous Section Replaced | 11/1/2011 |