



ORDINANCE NO. 960
AN ORDINANCE ESTABLISHING THE
CHAMPAIGN COUNTY PERSONNEL POLICY

Adopted March 19, 2015

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Statement of Applicability

This policy shall not apply to employees covered by a collective bargaining agreement between the Champaign County Board or a Champaign County Elected Official and a labor union. Nor shall this Policy apply if doing so would violate a collective bargaining agreement.

This Policy shall not apply to employees of the Champaign County Regional Planning Commission, Champaign County Mental Health Board, or Champaign County Nursing Home, or to any employee subject to the Administrative Procedures and Rules and Regulations of the Champaign County Sheriff's Merit Commission.

This Policy shall not apply to the appointed Members of the Board of Review.

This policy shall not apply to the office of any Champaign County Elected Official absent a written notice from the same indicating he or she is adopting the policy, and specifying any portions of the policy he or she is not adopting. Elected Officials are requested to serve written notice upon the Chair of the Champaign County Board if this policy or any portion(s) thereof shall not apply to employees of the Official's department. Such notice is requested to be served within the first three months of the Elected Official's first term of office. Current copies of Elected Officials' written notices shall be maintained on file with the County Administrator's Office. A Champaign County Elected Official who adopts this policy shall be treated as a Department Head for purposes of this policy, except as otherwise stated.

Pursuant to 730 ILCS 110/0.01et seq., the following Sections of the Policy shall not apply to the positions of Court Services Officer, Senior Court Services Officer, Chief Administrative Officer, Intake Officer, Court Services Supervisor, Assistant Director of Probation and Court Services, and Director of Probation and Court Services, within the Champaign County Court Services Department.

- a. Section 2-2.1 – Recruitment Procedure
- b. Section 2-2.3 – Application Process
- c. Section 2-2.4 – Interviewing & Hiring Procedure
- d. Section 2-2.5 – Employee Promotion
- e. Section 2-2.6 – Department Head Hiring Procedure
- f. Section 2-2.7 – Orientation & Terms of Employment
- g. Section 2-4 – Probationary Period
- h. Section 4-2 – Appointed Department Head Appraisals
- i. Section 5-2.4 – Involuntary Termination Appeal
- j. Section 5-3 – Name Clearing Hearing
- k. Section 6-1 – Grievances
- l. Section 6-3 – Disciplinary Action
- m. Section 6-4 – Involuntary Termination
- n. Section 7-5 – Compensatory Time/Overtime

DISCLAIMER

This Policy provides a guide for employees, the County Board, Administrative Staff, and Department Heads, including those Champaign County Elected Officials who elect to adopt it. It is also intended to acquaint new employees with County procedures. However, the employer reserves the right to take whatever action it deems appropriate given the circumstances. Failure to follow the Policy shall not invalidate any action taken. Employees should not read this Policy as creating an employment contract, express or implied, or a promise that it will be followed in all cases. Except as otherwise stated in its collective bargaining and employment agreements, employees of Champaign County are employed at-will. Nothing in this Policy is intended to alter this employment-at-will relationship. The County Board, its designated representative, and, as applicable, Champaign County Elected Officials, may unilaterally revise, revoke, suspend, or amend this Policy at any time. Interpretation of this Policy is vested solely in the County Board, or its designated representative, or, in the case of Champaign County Elected Officials, in those Officials. However, the employer may not unilaterally revise, revoke, suspend, or amend Chapter 7-4 or 7-5, and said compensatory time shall be consideration for this disclaimer and all other changes in this Policy as of March 19, 2015.

CHAPTER 1 - DEFINITIONS

1-1 FULL-TIME EMPLOYEE - An employee who works in a position which is approved by the County Board, and which is generally budgeted based on a 37.5 or 40.0 hour work week, but must be budgeted for at least 30 hours per week. Full-time employees are eligible for County paid-time-off benefits, health/life insurance benefits, and retirement benefits. Full-time appointed and elected department heads are also eligible for these benefits.

1-2 PART-TIME EMPLOYEE - An employee who works in an approved position, which is budgeted at less than 6.0 hours per day or 30 hours per week. Part-time employees are not eligible for health/life insurance benefits, but generally receive proportionate paid-time-off benefits, and do participate in the retirement plan.

1-3 TEMPORARY EMPLOYEE - A person who is hired for a specific period of time or to complete a specific task. Temporary employees fill no specific position. Hours worked and hourly rate are set by the department head within the constraints of a temporary salary budget approved by the County Board. Temporary employees are not eligible for health/life insurance benefits or for paid-time-off benefits. Temporary employees participate in the retirement plan if they work, or are expected to work, 1,000 hours annually.

1-4 PER DIEM EMPLOYEE - An individual, including Department Heads, who receives a standard sum of remuneration for each day worked is considered a per diem employee and is not eligible for County benefits, unless otherwise stated.

1-5 BOARD - The County Board of the County of Champaign, Illinois.

1-6 POLICY, PERSONNEL, & APPOINTMENTS COMMITTEE - The Policy, Personnel, & Appointments Committee of the Champaign County Board.

1-7 COUNTY ADMINISTRATOR - The County Administrator is responsible for human resource management. Employees in the Administrative Services Department who report to the County Administrator are responsible for county-wide human resource functions including, but not limited to, payroll services and administration of employee benefits.

1-8 UNDERUTILIZATION OF MINORITIES - The employment of fewer minority workers in a particular job classification than would reasonably be expected by the minority workers' availability in the workforce.

1-9 JOB SHARING - The sharing of one full-time Champaign County non-supervisory position by two individuals.

1-10 DAYS - All references to number of days in this policy shall be understood to be working days, and shall not include weekends or legal state/federal holidays or when the County Offices are closed by order of the Sheriff of Champaign County.

1-11 DOMESTIC PARTNER - Domestic Partners are persons who:

- a. Are at least 18 years of age.
- b. Are competent to contract at the time the domestic partnership statement is completed.
- c. Are not legally married to any person and not related in any way that would prohibit marriage in our state of operation.
- d. Are each other's sole domestic partner.
- e. Share permanent residence.

Domestic partners must have at least three of the following:

- a. Joint lease, mortgage, or deed on which both the employee and his/her partner are identified as owners or tenants.
- b. Joint ownership of vehicle.
- c. Joint ownership of a checking account or credit account.
- d. Designation of the domestic partner as beneficiary for the employee's life insurance or retirement benefits.
- e. Shared household expenses.

CHAPTER 2 - EMPLOYMENT, HIRING, ADA AND PROBATION

Amended 5/21/15, Ordinance 964

2-1 EQUAL EMPLOYMENT OPPORTUNITY and AFFIRMATIVE ACTION PROGRAM

2-1.1 **Equal Employment Opportunity (EEO) Statement** – Employees and applicants for employment at Champaign County can be assured fair and equitable treatment with the provisions of EEO. Under the laws enforced by EEOC, it is illegal to discriminate against someone (applicant or employee) because of that person's race, color, religion, sex (including pregnancy), national origin, age, disability or genetic information. It is also illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Additionally, in accordance with the Illinois Human Rights Act, it is illegal to discriminate against someone because of sexual orientation, ancestry, citizenship status, marital status, military service, unfavorable military discharge, order of protection status, or arrest record.

These laws apply to all aspects of employment including benefits, discharge, discipline, firing, harassment, hiring, promotion, recruitment, renewal of employment, selection for training or apprenticeship, tenure, terms and conditions of employment, training, transfer, and wages.

2-1.2 **Affirmative Action Program (AAP)**

- a. Administration and Scope - The Champaign County Affirmative Action Program shall be administered by the County Administrator, under the direction of the Policy, Personnel, & Appointments Committee. The Department of Labor's regulations prohibit discrimination in such employment practices as recruitment, rates of pay, upgrading, layoff, promotion, and selection for training. Employers may not make distinctions based on race, color, religion, sex, or national origin in recruitment or advertising efforts, employment opportunities, wages, hours, job classifications, seniority, retirement ages, or job fringe benefits such as employer contributions to company pension or insurance plans. The Affirmative Action Program shall be implemented in all cases, including, but not limited to employment, promotion, demotion, discipline, grievances, transfers, testing, advertising, lay off, termination, rates of pay or other forms of compensation, and selection for training.
- b. Program Development - In order to develop and carry out the Affirmative Action Program, the County Administrator through the Administrative Services Department shall be responsible for the following functions:
 - (i) Preparing a brief analysis of sex and race of current personnel by job classification;

- (ii) Preparing a brief statement for internal or external dissemination of the Personnel Policy and commitment to affirmative action;
- (iii) Identifying problems, e.g., the underutilization of minorities by job classification and by salary range;
- (iv) Suggesting the execution of programs or procedures designed to address underutilization of minorities;
- (v) Reviewing promotion practices within each department or agency to determine whether employees are being promoted in accordance with established, reasonable goals and timetables;
- (vi) Comparing job duties and rates of compensation to ensure that the rates of compensation for jobs which require equal skill, effort, and responsibility, and which are performed under similar working conditions, are equal;
- (vii) Disseminating this Policy and reminding all Department Heads of the purpose of this Policy;
- (viii) Suggesting the execution of policy and procedures designed to eliminate discrimination against the protected classes specified in the Equal Employment Opportunities Statement (2-1.1); and
- (ix) Other procedures deemed necessary by the Policy, Personnel, & Appointments Committee.

The Affirmative Action Program shall comply with all applicable state and federal laws and be developed in consultation with legal counsel.

c. Reporting and Enforcement

- (i) All county departments and agencies shall provide the affirmative action information requested by the County Administrator in order to enable the County Administrator to carry out the functions listed in Section 2-1.2(b).
- (ii) All applicants for employment will be encouraged to complete a voluntary EEO/AAP self identification form upon applying for employment with the County. The race, gender, age and disability information gathered as pre-employment information will be treated as confidential and secured in the EEO files of the County Administrator's Office. The EEO/AAP self identification form will be used to track applicant flow and utilized as a reference with the County's Affirmative Action Plan initiative. The EEO/AAP self-identification form will include a statement of the County's EEO/AAP policy.

2-2 RECRUITMENT and HIRING

2-2.1 **Recruitment Procedure** - Recruitment efforts for position vacancies shall be conducted in the following manner:

- a. Recruitment efforts and publicity for available positions will be directed to all appropriate sources of applicants in a geographic area wide enough to attract qualified candidates and to assure equal opportunity for the public to apply. Professional positions should be listed in appropriate professional journals. Referral agencies, such as the University of Illinois, Parkland Community College, City of Champaign Community Relations Department, City of Urbana Human Relations Commission staff, Illinois Department of Employment Security, Office of Equal Opportunity and Access, PACE, Champaign Schools, News-Gazette, etc., should be utilized where appropriate. The County Administrator's Office shall be notified of position openings.

- b. All position openings shall be listed with the Illinois State Employment Service and shall be advertised in local newspapers, except:
 - (i) Openings filled by the promotion of a County employee;
 - (ii) Temporary vacancies of fewer than twenty (20) working days; or
 - (iii) Positions filled by a Department Head who has advertised for a vacancy in the same job description within the previous four (4) months.
- c. A position shall not be considered vacant if an employee appointed for a specified term is reappointed to continue to fulfill those job responsibilities for a new term.

2-2.2 **Advertisement**

- a. All solicitations or advertisements for employment will state that the County adheres to Equal Employment Opportunity and Affirmative Action and no advertisement for employment shall make reference to gender, except when gender is a bona fide occupational qualification.
- b. Position advertisement shall include the following:
 - (i) Position title and classification;
 - (ii) A brief description of the job duties;
 - (iii) A brief summary of training, experience, knowledge and skills required for the position; and
 - (iv) Statement that the County is an EEO/AA/ADA Employer.
- c. Advertisements about new or vacant positions shall be posted for the benefit of current employees who wish to apply for the position.
- d. Each advertisement will include a date after which no applications or resumes will be accepted. If there are usually continual openings for that job classification, a deadline date does not need to be included in the advertisement.
- e. Each advertisement announcing a vacant position shall be filed with the Office of the County Administrator.

2-2.3 **Application Process** - Each applicant shall complete an application which shall be signed to certify the truth of all statements contained therein. Deliberately false or misleading statements shall be grounds for rejection of an application or immediate termination if discovered after employment begins. References shall be checked.

2-2.4 **Interviewing and Hiring Procedure** - Qualified applicants shall be notified of the time and place of the interview. Interviews shall be conducted by the Department Head. The Department Head may request the assistance of the County Administrator's Office in conducting the interview. Job applicants shall not be asked about the existence, nature, or severity of a disability. However, job applicants may be asked about their ability to perform specific job functions. Medical examinations or inquiries may be made but only after a conditional offer of employment has been made and only if required of all applicants for the position. In making employment decisions, the Department Head shall individually assess whether a qualified person with a disability meets the selection criteria. The selection criteria used to disqualify any individual must be job-related and consistent with business necessity.

All applicants who have either submitted an application or undergone an interview shall be notified when they are no longer being considered for a position. The Office of the County Administrator shall be notified as to the person hired, job title and salary, and the effective date of employment.

- 2-2.5 **Employee Promotion** - Department Heads may, without open advertising, promote an employee from one position to another position in County government, as defined in Section 9-1.5 Transfer.
- 2-2.6 **Department Head Hiring Procedure** - Unless otherwise provided by statute, when a Department Head position becomes vacant, the County Administrator may recommend to the County Board the promotion of another County employee to the vacant position. The need for recruitment and advertisement would thereby be eliminated. Alternatively, the County Administrator may recommend the establishment of a selection committee to include: the County Administrator, the County Board Chair; one Republican Board member and one Democratic Board member appointed by the Board Chair; and three other members to be appointed by the County Administrator. The selection committee shall be responsible for recruitment, and interviewing qualified applicants and recommending to the County Administrator a person to fill the vacant position. The County Administrator shall make a recommendation to the Board for final approval.
- 2-2.7 **Orientation and Terms of Employment** - Following the final selection of a candidate, the Department head or designee shall meet with the new employee to discuss the compensation for the position and criteria for job performance during the probation period. Upon hire of a new employee, the Department head or designee shall schedule the new employee for an orientation meeting at the Office of the County Administrator during which the new employee shall register for payroll, IMRF, parking and County-issued identification badge. During orientation, the employee shall receive an overview of County benefits and programs and a copy of the Personnel Policy, or the Policy will be made available by computer access.

The new employee will be asked to sign a receipt for the material presented during orientation. The employee will also be asked to sign an acknowledgement of receipt of an agreement to abide by the Champaign County Drug and Alcohol Policy.

Approximately 30 days prior to the employee's effective date for health and life insurance coverage, the employee will receive information outlining available benefits. A mandatory benefit orientation meeting for the employee will be scheduled by the Office of the County Administrator, with notice of the meeting date and time provided to both the employee and Department Head.

- 2-2.8 **Anti-Nepotism Policy** - A Department Head, or person with authority to hire or promote or effectively recommend hiring or promoting employees within a department, shall not hire or reclassify or effectively recommend hiring or reclassifying within the department the following persons, whether related by blood, adoption or marriage: parent, grandparent, child, grandchild, sibling, spouse, or domestic partner. Persons hired in violation of this Policy shall be terminated, and persons reclassified in violation of this Policy shall be returned to their previous position, if vacant, otherwise they shall be terminated.

2-3 ADA REASONABLE ACCOMMODATION POLICY

- 2-3.1 Champaign County is committed to the fair and equal employment of individuals with disabilities under the Americans with Disabilities Act (ADA). It is Champaign County's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the

organization. Champaign County prohibits any harassment of, or discriminatory treatment of, employees on the basis of a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA as amended, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment and all employees.

2-3.2 **Disability.** "Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. A "qualified person with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job.

2-3.3 **Reasonable Accommodation.** Champaign County will seek to provide reasonable accommodation for a known disability or at the request of an individual with a disability. Many individuals with disabilities can apply for jobs and perform the essential functions of their jobs without any reasonable accommodations. However, there are situations in which a workplace barrier may interfere. A "reasonable accommodation" is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job.

There are three types of reasonable accommodation that may be considered:

- Changes to the job application process so that a qualified applicant with a disability will receive equal consideration for the job opportunity;
- Modifications to the work environment so that the qualified individual with a disability can perform the essential functions of the job; *or*
- Adjustments that will allow a qualified individual with a disability to enjoy the same benefits and privileges of employment as other similarly situated employees without disabilities.

2-3.4 **Essential Job Functions.** For each position, the job description typically will identify essential job functions. The Champaign County Job Content Evaluation Committee will review job descriptions on a periodic basis to evaluate job functions designated as essential. An employee's questions about a job's requirements should be directed to the employee's supervisor or Administrative Services.

2-3.5 **Requesting a Reasonable Accommodation.** An employee with a disability is responsible for requesting an accommodation from his or her supervisor or Administrative Services using the "Request for Reasonable Accommodation Form" and engaging in an informal process to clarify what the employee needs and to identify possible accommodations. If requested, the employee is responsible for providing medical documentation regarding the disability.

The employee should describe the problem created by a workplace barrier so that an appropriate accommodation may be considered. Typically, the supervisor and/or Administrative Services will work with the employee to identify possible reasonable accommodations and to assess the effectiveness of each in allowing the employee to perform the essential functions of the job.

Based on this interactive process, a reasonable accommodation will be selected that is appropriate for both the responsible department and the individual employee. While an individual's preference will be considered, the responsible department is

free to choose between equally effective accommodations with consideration toward expense and impact on the rest of the organization.

A request for reasonable accommodation may be denied if it would create an undue hardship for the responsible department. Factors to be considered when determining whether an undue hardship exists include the cost of the accommodation, the organization's overall financial resources, the financial resources of the particular facility at which the accommodation is to be made, the number of employees at the facility, the total number of employees of the County, and the type of operation.

- 2-3.6 **Safety.** All employees are expected to comply with all safety procedures. Champaign County will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. A "direct threat" means a significant risk to the health or safety of one's self or others that cannot be eliminated by reasonable accommodation. The determination that an individual with a disability poses a direct threat typically will be made by the responsible department and/or Administrative Services and will be based on factual, objective evidence. A written copy of the determination will be given to the employee so that he or she may submit additional information and/or challenge the determination that he or she poses a direct threat.
- 2-3.7 **Confidentiality.** All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.
- 2-3.8 **Complaint Procedure.** It is the policy of Champaign County to prohibit any harassment of, or discriminatory treatment of, employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subject to such treatment or has witnessed such treatment, the situation should be reported using the harassment complaint procedure. Champaign County's policy prohibits retaliation against an employee for exercising his or her rights under the ADA or applicable state civil rights laws. Any employee found to have engaged in retaliation against an employee for exercising his or her rights or for making a request for reasonable accommodation under this policy will be subject to immediate disciplinary action up to and including discharge. If an employee feels he or she has been retaliated against, the situation should be reported to their unit ADA Coordinator.

2-4 PROBATIONARY PERIOD

2-4.1 Duration

- a. **New Hire** - Each employee hired to fill an authorized full or regular part-time position must successfully complete a probationary period of six (6) months. Immediate supervisors shall conduct several informal meetings to orient the new employee to the position. At the close of the probationary period, the employee's employment will be changed to non-probationary status if the work is satisfactory as determined by the Department Head; however, employment may be terminated at this time, or earlier, if the employee's performance has not been satisfactory. A Department Head or, in the case of employment of an Appointed Department Head, the County Administrator, may extend the probation period up to an additional six months, if the employee's performance is not satisfactory at the end of the initial probationary period.
- b. **Promotions** - Each employee who has been promoted to fill an authorized full or regular part-time position must successfully complete a probationary

period in the position to which they have been promoted of three (3) months. At the close of the probationary period, the employee's status in the promotional position will change to non-probationary if the work is satisfactory, as determined by the Department Head. However if the employee's work is not deemed satisfactory, every effort will be made to return the promoted employee to the position previously held, or a position of similar classification within the department. In addition, the Department Head may also consider termination of employment at the unsuccessful completion of the probationary period. A Department Head or, in the case of an employee promoted to an Appointed Department Head position - the County Administrator, may extend the probation period up to an additional three months, if the employee's performance is not satisfactory at the end of the initial probationary period.

- 2-4.2 **Evaluation** - Employees serving a probationary period shall receive a written evaluation once during the six-month (6-month) period. The evaluation should be completed no later than the end of the fifth month. The supervisor shall discuss the evaluation and progress toward satisfactory performance with the employee.

CHAPTER 3 – PERSONNEL RECORDS

3-1 MAINTENANCE

Employee personnel records shall be maintained for all employees at the Office of the County Administrator and/or at the department. The County Administrator or designee, Department Head or designee, and employee shall have the right to examine the employee's record. Personnel records shall be retained for a period of five (5) years after termination of employment.

3-2 CONTENTS OF EMPLOYEE RECORDS

- 3-2.1 Personnel records should contain the following information:
- a. A receipt for information received during orientation;
 - b. All evaluations;
 - c. Letters of reference, commendation or complaint;
 - d. Applications;
 - e. Memos of oral warnings and written employee warning records;
 - f. Training records;
 - g. Requests for leaves of absence;
 - h. Attendance, sick leave, vacation leave, compensatory time, and overtime (if applicable) records;
 - i. A record of persons seeking to examine documents in the employee's file and dates these documents were examined;
 - j. Resignation letters; and
 - k. All other job-related information used to determine the employee's qualification for employment, promotion, transfer, additional compensation, discharge, or other disciplinary action.
- 3-2.2 Any information obtained relating to an individual's physical or mental condition, medical history or medical treatment shall be collected and maintained on a separate form, in a separate medical file and will be treated as a confidential medical record, except that:
- a. Supervisor and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
 - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and

- c. Government officials investigating compliance with federal or state regulations may review an employee's confidential medical record.

3-2.3 The Department Head shall not gather or keep a record of an employee's associations, political activities, publications, communications or non-employment activities, unless the employee submits the information in writing or authorizes the Department Head to keep or gather the information. This prohibition shall not apply to the activities that occur on County premises or during the employee's working hours with the County which interfere with the performance of the employee's duties or the duties of other employees or activities, regardless of when and where occurring, which constitute criminal conduct or may reasonably be expected to harm the County's property, operations or business, or could by the employee's action cause the County financial liability. A record which is kept by the Department Head as permitted under this Subsection shall be part of the personnel record.

3-3 RECORDS OF UNSUCCESSFUL APPLICANTS

A record of each unsuccessful applicant will be retained by the County Administrator and/or the Department Head in accordance with the requirements of the Local Records Act. The record shall contain the following information:

- a. Sources of recruitment;
- b. Advertisements for the position;
- c. Letters of non-acceptance sent to candidates; and,
- d. Copies of any rating sheets used in selection and rejection of candidates.

3-4 EMPLOYEE ACCESS TO RECORDS

3-4.1 Employee Access - All current employees, and all employees who have left the employ of Champaign County within one year of the date of their request, shall have access to their personnel file, as required by the Personnel Records Review Act. The request to inspect records shall be in writing and the inspection shall be during regular business hours. The employee may request access to records a reasonable number of times per year but in any case shall have access, if requested, at least twice per year. The employer shall grant access within seven (7) business days of receiving the written request. The employee may designate in writing a representative to inspect the personnel record. The employee may obtain copies of any open documents in the file upon payment of the County's cost of duplication.

If the employee disagrees with any information in the file, and the employer does not remove or amend it, the employee may submit a written statement explaining his/her position which shall be attached to the disputed portion of the record.

3-4.2 Designated Representative Access – Notwithstanding Section 3-4.1, the right of the employee's designated representative to inspect his or her personnel records does not apply to the following, except as otherwise required by law:

- a. Letters of reference for that employee;
- b. Any portion of a test document, except that the employee may see a cumulative total test score for either a section of or the entire test document;
- c. Materials relating to the County or Department Head's staff planning, where the materials relate to or affect more than one employee, provided, however, that this exception does not apply if such materials are, have been, or are intended to be used by the employer in determining an individual employee's qualifications for employment, promotion, transfer, or additional compensation, or in determining an individual employee's discharge or discipline;

- d. Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy;
- e. Records relevant to any other pending claim between the County or Department Head and the employee which may be discovered in a judicial proceeding;
- f. Investigatory or security records maintained by the County to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the County's property, operations, or business or could by the employee's activity cause the County financial liability, unless and until the County takes adverse personnel action based on information in such records.

3-4.3 Disclosure of Disciplinary Information – Except when disclosure is ordered to a party in a legal action or arbitration, or is otherwise required by law, the County shall not disclose any disciplinary information which is more than four years old to a third party. The County shall not disclose any disciplinary information without written notice except if disclosure is ordered to a party in a legal action or arbitration; information is requested by a government agency as a result of a criminal investigation by such agency; or disclosure is otherwise required by law. Notice shall be delivered by first class mail to the employee's last known address and shall be postmarked on or before the day the information is disclosed. Disciplinary information less than four years old may be disclosed without written notice if the employee has specifically waived written notice as part of a signed employment application with another employer.

CHAPTER 4 - PERFORMANCE APPRAISAL

4-1 EMPLOYEE APPRAISALS

Department Heads will be responsible for the completion of one appraisal during the probation period and an annual evaluation thereafter for each employee. Annual evaluation forms and instructions on their use will be provided by the Office of the County Administrator. Each completed appraisal will be maintained in the employee's departmental personnel file. Appraisals will be based upon performance of job duties and other criteria. It is the responsibility of each department head to maintain a file of individual employee appraisals.

4-2 APPOINTED DEPARTMENT HEAD APPRAISALS

The County Administrator will be responsible for the completion of the annual performance appraisal for each of the appointed department heads serving under appointment by the County Board. The results of each department head appraisal will be reported by the County Administrator to the County Board in closed session.

CHAPTER 5 - RESIGNATION, REDUCTION IN FORCE AND TERMINATION BENEFITS

5-1 RESIGNATION

5-1.1 A letter of resignation shall be given to the Department Head at least two (2) weeks before the employee's last working day. The letter should state the reason for resignation and the last working day.

- 5-1.2 The Department Head shall notify the County Administrator's Office of all resignations.
- 5-1.3 Prior to the last working day, the employee may schedule an exit interview with the Human Resources Generalist, may complete an IMRF separation form or application for retirement at the County Administrator's Office and may contact the Insurance Specialist to continue health insurance through Federal COBRA provisions.

5-2 REDUCTION IN FORCE

- 5-2.1 **Partial Reduction** - Whenever it becomes necessary to reduce the number of employees in a department, the Department Head shall terminate employees in accordance with guidelines adopted by the County Board.
- 5-2.2 **Full Reduction** - Total elimination of a department would take place upon the recommendations of the Parent Committee and Finance Committee, with approval of the County Board.
- 5-2.3 **Re-employment** - Efforts will be made to transfer employees to vacancies in another department rather than terminate the employees due to a reduction in force. Employees should complete an application if they wish to be employed in another County position.
- 5-2.4 **Involuntary Termination Appeal** - An employee may appeal the termination pursuant to the provisions of Section 6-4.

5-3 NAME-CLEARING HEARING

- 5-3.1 **Purpose** - The purpose of the name-clearing hearing is to enable an employee to publicly rebut any public charges made against him or her in the course of that employee's termination or resignation. A name-clearing hearing is available to any such terminated or resigned County employee, whether or not the Department is subject to these policies. It is not intended that any adjudication will be made as to the truth or falsity of the charges.
- 5-3.2 **Appeal** - A name-clearing hearing must be requested in writing directed to the County Administrator within ten (10) days of termination or after the employee learns of the public statement. The letter must contain the statement or statements at issue, who made them, and where and when they were publicly made.
- 5-3.3 **Scheduling/Composition of Committee** - A hearing shall be scheduled within fifteen (15) days of the request unless it is continued with the consent of the interested persons or by the Hearing Committee for good cause. The Hearing Committee shall consist of the County Board Chair, three (3) members of the Policy, Personnel & Appointments Committee, Committee members shall be appointed by the County Board Chair.

CHAPTER 6 - GRIEVANCES, DISMISSAL AND DISCIPLINE

6-1 GRIEVANCES

- 6-1.1 **Definition** - Any claim by a non-probationary employee, unless the probationary employee has been employed by the department for a period of at least twelve months and is in probationary status only because of a recent promotion, that there has been a violation, misinterpretation, or misapplication of the terms of these

policies shall be termed a grievance. Grievances may involve issues of wages, hours, or working conditions and are initiated by an employee following an administrative action with which the employee disagrees.

6-1.2 **Purpose** - The purpose of the grievance procedure shall be to settle employee grievances on as low an administrative level as possible so as to ensure efficiency and employee morale. No employee making good-faith use of this procedure shall be subjected to any reprisals.

6-1.3 **Procedure** - Grievances will be processed in the following manner and within the stated time limits. Time extensions beyond those outlined below may be arranged by written mutual agreement of the parties concerned. Grievances involving termination shall be processed as described in Section 6-4 (Involuntary Termination).

Step 1 - The aggrieved employee or group of employees will present the grievance in writing to the immediate supervisor. The grievance must be so presented within ten (10) working days of occurrence, not including the date of occurrence. The grievance shall be prepared in detail, including identification by section number of the policy alleged to have been violated, a brief statement of the conduct or act which is alleged to have violated the policy, and the remedy the grievant is seeking and dated. The supervisor will give a written answer within three (3) working days of the date of presentation of the grievance, not including the date of presentation. If the supervisor is a Department Head, appeal from Step 1 would be directly to Step 3.

Step 2 - If the grievance is not settled in Step 1, it shall be signed by the aggrieved employee or group of employees, and the immediate supervisor, and be presented to the Department Head within five (5) working days after the supervisor's written answer is given, or should have been given, not including the day the answer is given. The Department Head will reply to the grievance in writing within five (5) working days of the presentation of the written grievance, not including the day of presentation.

Step 3 - If the grievance is not settled in Step 2, it shall be signed by the aggrieved employee or group of employees, and the Department Head, and be presented to the County Administrator within five (5) working days after the Department Head's answer is given, or should have been given, not including the day the answer is given. The grievance shall be presented along with the pertinent correspondence to date. The County Administrator shall reply within five (5) working days of the date of presentation of the written grievance, not including the day of presentation.

Step 4 - If the grievance is not settled in Step 3, it shall be signed by the aggrieved employee or group of employees, and the County Administrator and be submitted to the Policy, Personnel & Appointments Committee within five (5) working days after the County Administrator's written answer is given, or should have been given, not including the day the answer is given. The grievance shall be heard by the Policy, Personnel, & Appointments Committee at the next regularly scheduled meeting. The Policy, Personnel, & Appointments Committee shall make such recommendations as it may deem advisable.

6-2 DISMISSAL OF AN APPOINTED DEPARTMENT HEAD

- 6-2.1 An appointed Department Head may be given oral or written warnings by the County Administrator. Such warnings are a preferred, but not required, step prior to action under Section 6-2.2.
- 6-2.2 Unless otherwise provided by statute, contract or the Reduction in Force Policy (Section 5-2), the following procedure will be used to dismiss an appointed Department Head:
- a. One or more Board members shall present a written request to the County Administrator recommending to the Board whether or not the Department Head should be dismissed. The request shall specify reasons for dismissal of the Department Head. A copy of the request shall be forwarded to the Department Head.
 - b. After consultation with the Department Head, the County Administrator shall report his/her recommendation to the Board.
 - c. The Board may take such action as they deem appropriate on the County Administrator's recommendation.

6-3 DISCIPLINARY ACTION

- 6-3.1 **Policy** - No employee shall be disciplined wholly or partially based on, or the perception of, an individual's sexual orientation; age; sex; race; color; religious belief or practice; national origin; ancestry; marital status; citizenship status; a physical or mental disability unrelated to an individual's ability to perform the essential functions of his or her job with or without reasonable accommodation; or an unfavorable discharge from the military as defined in the Illinois Human Rights Act. The County Board Chair shall take necessary action against a County Department or Agency Head, or staff member who is found not following the intent of this policy.
- 6-3.2 **Recommended Disciplinary Procedures** - Sections 6-3.2(a) through 6-3.2(d) are a recommended procedure for employee discipline consistent with legal guidelines and good personnel management. These may be utilized in the absence of a procedure provided by statute (e.g., Court Services Department).
- a. **Oral Warning** - The immediate supervisor will give an oral reprimand and point out the area(s) in which an employee is having difficulties and assist in making the necessary corrections. A short memo will be made of the conversation. The supervisor and the employee will initial the record. The employee's initial shall document receipt of the warning, and shall not constitute agreement with the oral warning. An employee's refusal to initial an oral warning shall not preclude it from having effect. The original copy will be maintained in the employee's personnel file and a copy will be furnished to the employee.
 - b. **Written Warning** - If the employee continues to have difficulties in the same area(s), or if the violation or infraction is more serious, the immediate supervisor will prepare an Employee Warning Record which contains the 1) employee's name, 2) statement as to the date and the nature of the infraction, 3) employee's statements as to the alleged violations, 4) disciplinary action to be taken, and 5) signature of the employee and immediate supervisor or signature of the employee and immediate supervisor or Department Head. The original copy shall be placed in the employee's

personnel file and a copy will be furnished to the immediate supervisor and employee.

- c. **Suspension** - The Department Head or designee may use suspension as an optional disciplinary action. Upon evidence or reasonable suspicion of a serious offense against the County or another employee and after consultation with the employee, the Department Head or designee may order an employee absent from duties without pay for a period not to exceed five (5) working days. The Department Head or designee shall, within twenty-four (24) hours of such action, prepare a written memorandum stating the grounds for such action and submit it to the County Administrator and to the suspended employee. Such a memorandum shall be held confidential.
- d. **Dismissal** - For severe violation or repeated violations, the Department Head or designee may dismiss the employee. Before a Department Head concludes discharge is appropriate, the employee must be given adequate notice of the reasons for dismissal and a fair opportunity to present his or her version of events. The employee and County Administrator will be given a written report stating the reasons for dismissal.

6-3.3 Department Heads may consider the following factors in deciding whether discipline is appropriate in any particular case, and, if so, what level of discipline is appropriate. Regardless of whether an employee is covered by contract, bargaining agreement, or statute, or is an at-will employee, the following are offered as guidance to decision-makers who may apply them with fair consideration of the specifics of the particular case:

- a. **Notice:** Did the employer give to the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee's conduct?
- b. **Reasonable Rule:** Was the employer's rule or managerial order reasonably related to the orderly, efficient, and safe operation of the business?
- c. **Investigation:** Did the employer make an effort to discover, fairly and objectively, whether the employee did in fact violate a rule or order?
- d. **Fairness:** Was the investigation conducted fairly and objectively?
- e. **Proof:** Did the investigator obtain substantial evidence or proof that the employee was guilty of violating the rule or order?
- f. **Equal Treatment:** Has the employer applied its rules, orders and penalties even-handedly and without discrimination to all similarly-situated employees?
- g. **Penalty:** Was the degree of discipline administered by the employer reasonably related to the seriousness of the offense and the employee's record of service?

6-3.4 **Appointed Department Heads** – Recommended disciplinary procedures as outlined in Chapter 6-3.2 of this Policy shall apply to appointed department heads, with recommendation for said discipline to be determined by the County Administrator.

6-4 INVOLUNTARY TERMINATION

6-4.1 **Purpose** - A non-probationary individual who believes their employment was terminated (including dismissal or reduction in force) in violation of these policies has

ten (10) days from the date of the written notice of termination to request a termination hearing. A dismissal or termination in violation of these policies by a department of the County whose Department Head is governed by the Champaign County Personnel Policy as an appointed official of the Champaign County Board or as an elected official who has agreed in writing to this section of the Champaign County Personnel Policy, is improper.

- 6-4.2 **Department Head Action** - Prior to every involuntary termination by a department of the County whose Department Head is governed by the Champaign County Personnel Policy as an appointed official of the Champaign County Board or as an elected official who has agreed in writing to this section of the Champaign County Personnel Policy, there shall be an investigation by the Department Head or person assigned by the Department Head. Prior to the conclusion of the investigation, the employee shall be informed, orally or in writing, of the reason for termination. The employee shall have an explanation of the evidence supporting the charges and the employee shall be allowed to respond orally or, upon consent of the Department Head, in writing.

An employee may be suspended with pay until a final decision is made by the Department Head. The investigation shall be concluded within a reasonable length of time after the basis for the charges comes to the attention of the Department Head.

6-4.3 **Hearing Procedures**

- a. All Termination Hearings shall be heard and decided by a Hearing Officer. The Policy, Personnel, & Appointments Committee shall designate three (3) individuals biannually, in January after County Board district representation elections, as potential Hearing Officers. When a hearing is requested, the County Administrator shall choose one of that group to hear the evidence and decide the issues relating to each case in which a hearing is requested.
- b. All requests for hearings shall be in writing and directed to the County Administrator. All requests must be received by the County Administrator within ten (10) days from the date of written notice of termination in accordance with Sections 6-4.1 and 6-4.4 of this Policy. The request shall specify the specific violation as stated in 6-4.1, the remedy sought, and give an address where correspondence regarding the hearing may be mailed. A Termination Hearing must be held within fifteen (15) days of the request, unless the same is continued by agreement of the employee and Department Head or by the Hearing Officer for good cause shown. Availability of the Hearing Officer may be considered good cause.

Should such continuance be granted by the Hearing Officer, the aggrieved employee shall make himself, or herself, available for a Termination Hearing within an additional fifteen (15) days' time period by offering three (3) times that he or she can be available for said hearing. If this is not done, the right to a termination hearing is waived by the aggrieved employee.

- c. The County Administrator shall inform the employee and the concerned Department Head of the date, time and place of the Termination Hearing by mailing notice to the parties at least seven (7) days before the hearing is scheduled. The personal attendance of the Department Head or immediate supervisor, and the employee is required.
- d. The employee may be accompanied by counsel or other personal representative, but the County will not pay for, or provide, counsel. The Department Head shall be accompanied by counsel provided by the County

(usually the State's Attorney as legal counsel of the County). If the State's Attorney is unavailable, counsel may be employed by the Department Head with the approval of the County Administrator and the State's Attorney.

- e. All Termination Hearings shall be informal and rules of evidence shall NOT apply. Both the employee and the Department Head may present relevant testimony, documentary and physical evidence. All testimony shall be given under oath. Both the employee and the Department Head, personally or through their representative, shall have the right to cross-examine the other party and all witnesses who testify on behalf of the other party.
- f. A tape recording, or other verbatim record, of hearing shall be made. A transcript shall be prepared upon request and provided to any party requesting the same and paying the costs of producing a transcript to the County Administrator.
- g. The employee has the burden of proving, by a preponderance of evidence, that his/her termination was in violation of these policies.
- h. All appeal proceedings and evidence taken therein shall be confidential, and the public shall not be permitted to attend hearings, unless both the employee and Department Head shall otherwise agree.
- i. The Hearing Officer must decide an appeal within ten (10) days of the hearing. If, after hearing the facts of the termination, the Hearing Officer believes the individual has not been improperly terminated, the Department Head action will be upheld. If, however, the Hearing Officer determines the employment of the individual has been improperly terminated, according to the guidelines in Section 6-4.1, the employee will be reinstated and compensated any back pay resulting from the termination. The Hearing Officer shall not have the authority to reduce the discipline imposed, but may recommend to the Department Head appropriate discipline to be imposed, short of termination. A written decision containing findings of fact shall be made by the Hearing Officer and mailed to the employee, Department Head, County Administrator, and Chair of the Policy, Personnel, & Appointments Committee within ten (10) days of the hearing.
- j. If an employee does not request a termination hearing within ten (10) days of the written notice of the termination, the termination will be deemed proper.

CHAPTER 7 – WORKING HOURS AND COMPENSATION

7-1 WORKING HOURS

- 7-1.1 Official Champaign County office hours shall be from 8:00 A.M. to 4:30 P.M., Monday through Friday, except for those departments which require twenty-four (24) hour staffing. Work hours which deviate from official County office hours may be arranged within individual departments.
- 7-1.2 Employees who work for at least 7.5 consecutive hours will be permitted at least 20 minutes for a meal period no longer than 5 hours after the start of the work period.
- 7-1.3 Work breaks may be scheduled by the Department Head or Supervisor.

7-2 HAZARDOUS WEATHER DAYS

- 7-2.1 If a hazardous weather situation arises before the start of an employee's working hours the following procedures will be used:
- a. An employee will not be required to forfeit a day's pay during times of natural disaster when, by order of the Sheriff or the County Board Chair, the County office building in which he/she works is closed.
 - b. If the County Office Building in which an employee works is not declared to be closed and the employee is unable to arrive at work, the employee may utilize personal, vacation or compensatory time, or make arrangement with his/her Department Head to work additional hours, to compensate for those hours missed.
- 7-2.2 If a hazardous weather situation arises after the start of an employee's working hours, the employee's Department Head may allow the employee to leave work early if consistent with office staffing requirements, and the employee may utilize personal, vacation or compensatory time, or make arrangement with his/her Department Head to work additional hours, to compensate for those hours missed.
- 7-2.3 The provisions of Section 7-2 should be considered to be advisory only as to elected Department Heads.

7-3 PAYCHECKS, PAYCHECK ERRORS AND DEDUCTIONS

- 7-3.1 Paychecks - Payroll periods end every other Saturday night at 12:00 P.M. and pay periods begin at 12:01 A.M. on Sunday morning. Payroll checks are issued the first Friday following the end of a pay period. Departments are notified when paychecks are available to be distributed by the Department Head. Paychecks which have not been picked up by the employee will be mailed four days after distribution. All deductions from an employee's gross pay are printed on the stub of each paycheck.
- 7-3.2 Paycheck Errors - Any paycheck errors should be referred to the employee within the department who regularly prepares the payroll. Corrections will be made no later than the following pay period with the approval of the Department Head.
- 7-3.3 Deductions - The following deductions may be made from an employee's pay in accordance with established benefits, legal requirements and/or employee option:
- a. Federal and State Income Tax;
 - b. FICA (Social Security);
 - c. IMRF (Illinois Municipal Retirement Fund);
 - d. Benefit deductions as requested, including but not limited to health insurance, life insurance, and dental insurance;
 - e. Deferred Compensation;
 - f. Voluntary Charitable Contribution;
 - g. Credit Union;
 - h. Others as requested and/or approved.

7-4 COMPENSATORY TIME (EXEMPT EMPLOYEES)

- 7-4.1 Compensatory time ("hour for hour") is available to employees who are exempt under the provisions of the Fair Labor Standards Act as time off for work performed in the regular line of duty beyond normal working hours. Compensatory time may not be accrued beyond seventy-five (75) hours. Each Department Head shall

establish the rate at which compensatory time is accrued and shall determine the staff positions subject to the compensatory time policy.

- 7-4.2 Exempt employees shall keep a record of all compensatory time earned and expended to submit to the Department Head for verification.
- 7-4.3 Compensatory time may be taken at any time with prior approval of the Department Head or employee's supervisor. A maximum of one workweek of compensatory time may be taken off consecutively.
- 7-4.4 The provisions of Section 7-4 should be considered to be advisory only as to elected Department Heads.

7-5 COMPENSATORY TIME/OVERTIME (NON-EXEMPT EMPLOYEES)

- 7-5.1 Statement of Intent - It is the intent of this provision to compensate each Champaign County employee who is not exempt from the provisions of the Fair Labor Standards Act on an hour for hour basis for all hours worked up to forty (40) hours per week and at the rate of 1-1/2 times the hours worked over forty (40) hours per week. This compensation will be in the form of regular pay, compensatory time or overtime pay.
- 7-5.2 Non-exempt employees normally scheduled to work 37.5 hours per week shall earn compensatory time on an hour for hour basis up to forty (40) hours worked per week. All non-exempt employees shall earn compensatory time at the rate of 1-1/2 times the extra hours worked over forty (40) hours per week.
- 7-5.3 At the end of each pay period, the number of hours worked beyond the normal scheduled hours will be converted to compensatory time/overtime hours according to the formula shown above. These hours will be added to the compensatory time hours previously earned less any compensatory time hours used during that pay period.

Compensatory time hours may be accrued up to a maximum of seventy-five (75) hours as determined at the end of each pay period. Hours of compensatory time earned over seventy-five (75) hours will be paid with that paycheck as overtime on an hour for hour basis.
- 7-5.4 Compensatory time earned and expended by non-exempt employees shall be documented in the County's timekeeping system as submitted and approved by the Supervisor/Department Head.
- 7-5.5 Compensatory time off shall be allowed to be taken with prior approval of the Department Head, if the use of such time does not unduly disrupt the department's operations. A maximum of one work week of compensatory time may be taken off consecutively.

7-6 FINAL PAYCHECK

Terminating employees will receive payment for accrued vacation and personal leave, and in the case of non-exempt employees for any unused compensatory time, in a lump sum with the regular biweekly paycheck for the final pay period worked. The rate of payment for unused compensatory time shall be based upon the average regular rate received by the employee during the last three years of the employee's employment, or the final regular rate received by the employee, whichever is higher.

CHAPTER 8 - BENEFITS

8-1 HOLIDAYS

8-1.1 Official Holidays - Except as otherwise provided by statute, the annual holiday schedule for Champaign County will be as follows:

New Year's Day	January 1st
Martin Luther King's Birthday	Third Monday in January
President's Day	Third Monday in February
Spring Holiday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11th
Thanksgiving	Fourth Thursday of November and the Friday after
Christmas Eve Day	December 24th
Christmas Day	December 25th

When a holiday falls on a Saturday, the previous Friday shall be given as a holiday. When a holiday falls on Sunday, the following Monday shall be given as a holiday.

- 8-1.2 Holiday Observance - Where an employee is scheduled and required to work on a holiday, equivalent time off will be granted within a reasonable period at a time convenient to the employee and consistent with the department's operating needs.
- 8-1.3 Holiday During Vacation - A holiday falling during an employee's regularly scheduled vacation period shall be counted as a holiday and not as a vacation day.
- 8-1.4 Eligibility for Holiday Pay - To be eligible for a paid holiday, the employee shall work the last scheduled work day before the holiday and the first scheduled work day after the holiday, unless absence on either or both of these work days is for good cause and approved by the Department Head. Part-time employees are eligible for holiday pay on a pro-rated basis equitable to the number of hours of regular service.

8-2 VACATION LEAVE

- 8-2.1 Employees with less than five years of continuous employment shall earn ten (10) working days vacation annually with full pay at a proportionate rate per pay period, and shall be limited to a maximum accrual of twenty (20) working days.
- 8-2.2 Employees with more than five years and less than ten years of continuous employment shall earn fifteen (15) working days vacation annually with full pay at a proportionate rate per pay period; and shall be limited to a maximum accrual of thirty (30) working days.
- 8-2.3 Employees with more than ten years and less than 15 years of continuous employment shall earn twenty (20) working days vacation annually with full pay at a proportionate rate per pay period; and shall be limited to a maximum accrual of forty (40) working days.
- 8-2.4 Employees with more than 15 years and less than 20 years of continuous employment shall earn twenty-one (21) working days of vacation annually with full

pay at a proportionate rate per pay period; and shall be limited to a maximum accrual of forty-two (42) working days.

8-2.5 Employees with more than 20 years and less than 25 years of continuous service shall earn twenty-two (22) working days of vacation annually with full pay at a proportionate rate per pay period; and shall be limited to a maximum accrual of forty-four (44) working days.

8-2.6 Employees with more than 25 years of continuous employment shall earn twenty-five (25) working days of vacation annually with full pay at a proportionate rate per pay period; and shall be limited to a maximum accrual of fifty (50) working days.

No employee shall accumulate more than the maximum accrual as stated above. Hours gained above the maximum will not be credited to the employee's vacation balance, but will be forfeited. This Section shall apply to all current and future employees effective on December 1, 2003. For all current employees, any unused vacation time accrued prior to December 1, 2003 shall be frozen for future use or to be paid upon termination of employment with Champaign County, and shall not be counted toward the maximum accrual rates as stated above.

8-2.7 Vacation leave with full pay shall be taken on a scheduled basis and, subject to exigent circumstances, may be taken at any time with the approval of the Department Head, except that no vacation shall be taken prior to the successful completion of six (6) months continuous employment with the County.

8-2.8 Part-time employees shall earn vacation leave in proportion to the number of hours worked, i.e., employees working twenty (20) hours a week, based on a forty-hour-a-week schedule, will be entitled to fifty percent (50%) of the vacation benefits.

8-3 SICK LEAVE

8-3.1 Employees with less than ten (10) years continuous employment shall be granted ten (10) working days sick leave annually, and employees with more than ten (10) years continuous employment shall be granted twelve (12) working days sick leave annually, with full pay at a proportionate rate per pay period, which may be accrued not to exceed one hundred thirty-five (135) working days except that a part-time employee shall be granted sick leave proportionately. An employee with less than six (6) months service shall be entitled to two (2) days sick leave.

8-3.2 Sick leave is defined as the absence of an employee due to illness, disability, or injury of the employee; or illness, disability, or injury of an employee's spouse, mother, father, children, domestic partner, or sibling if the sibling resides in the employee's household.

8-3.3 Payment for unused sick leave shall not be made at termination.

8-3.4 Employees shall notify their supervisor of their illness as soon as practicable and the approximate length of absence required. The employee's supervisor, within his or her discretion, may require a certificate by the appropriate physician.

8-3.5 Sick leave is a privilege granted by the County for the benefit of all County employees. Any abuse by an employee could result in this privilege being denied that individual.

8-4 PERSONAL LEAVE

- 8-4.1 Employees with not more than twelve (12) months continuous employment shall earn one (1) day personal leave annually, except that no personal leave shall be taken prior to the successful completion of six (6) months probation period.
- 8-4.2 Employees with less than six (6) years but more than twelve (12) months of continuous employment shall earn two (2) days personal leave annually.
- 8-4.3 Employees with more than six (6) years and less than fifteen (15) years of continuous employment shall earn three (3) days of personal leave annually.
- 8-4.4 Employees with more than fifteen (15) years of continuous employment shall earn four (4) days of personal leave annually.
- 8-4.5 A part-time employee shall be granted personal leave proportionately.
- 8-4.6 Personal Leave is granted to every employee in the amounts specified above at the beginning of each year of employment. Effective upon each employee's anniversary date after December 1, 2003, unused personal days shall not be carried over from one year of employment to the next. This Section shall apply to all current and future employees effective on December 1, 2003. For all current employees, any unused personal time granted prior to December 1, 2003 shall be carried until the employee's next anniversary date, and on the anniversary date between December 1, 2003 and November 30, 2004, any unused personal leave shall be placed in the vacation reserve and frozen for future use or to be paid upon termination of employment with Champaign County.
- 8-4.7 Subject to prior approval by the Department Head or supervisor and exigent circumstances, this leave may be taken at any time.

8-5 BEREAVEMENT

Full-time and part-time employees shall be granted paid bereavement leave for the scheduled working hours on five (5) consecutive workdays following the death of a spouse, child, parent, or domestic partner; and for the scheduled working hours on three (3) consecutive workdays following the death of a brother, sister, grandparent, mother-in-law, father-in-law, daughter-in-law, son-in-law or grandchild.

8-6 JURY/WITNESS DUTY

- 8-6.1 Any employee who is called for jury duty shall be excused from work for the days served. The employee shall receive his/her normal rate of pay for each day of jury duty for which he or she would have worked. The employee shall give the supervisor reasonable notice of the needed leave for jury service, which requires the employee to deliver to the supervisor a copy of the summons within ten (10) days of the date of issuance of the summons to the employee. During this time, if the employee is not actually performing jury duty, the employee shall return to work for the remainder of the work day. The payment received for jury duty shall be returned to the County; however, the mileage reimbursement shall be retained by the employee.
- 8-6.2 If an employee is served a subpoena to appear for witness duty in a job-related capacity, or if requested to testify at a termination hearing, the individual will be paid his/her normal salary during the time the employee is required to be away from his/her place of work. If the testifying employee is not scheduled for a work shift during the time of a termination hearing, the employee will still be paid his/her normal wage for the time the employee has been requested to attend the hearing.

8-6.3 If an employee is served a subpoena to appear in court for a matter that is not related to his/her employment, the employee shall be granted unpaid time off in order to comply with the subpoena. The employee may choose to utilize accrued paid leave time instead.

8-6.4 Department Heads shall maintain records of the days on which jury and witness duty is served by employee.

8-7 FAMILY AND MEDICAL LEAVE OF ABSENCE

In accordance with The Family and Medical Leave Act of 1993, as amended, (FMLA, 29 CFR Part 825) eligible employees are allowed to take unpaid leaves of absence for certain specified purposes.

8-7.1 **Eligible Employees** – An employee is eligible for FMLA leave if the employee has worked for Champaign County at least twelve-months and has performed 1,250 hours of service for the County during the twelve-month period immediately preceding the commencement of the leave.

8-7.2 **Leave Requirements** - The County will extend up to twelve (12) weeks of FMLA leave during any twelve-month period to eligible employees (the twelve-month period shall be a "rolling" 12-month period measured backward from the date an Employee uses any FMLA leave):

- a. For the birth of a son or daughter and to care for the newborn child during the first twelve months after birth;
- b. For the placement with the employee of a child for adoption or foster care within twelve months after the placement;
- c. To care for the employee's spouse, son, daughter, or parent (or certain other persons in a "parent" capacity) with a serious health condition;
- d. To attend to the employee's own serious health condition that makes the employee unable to perform the functions of his/her job;
- e. For any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty status).

The County will extend up to twenty-six workweeks of FMLA leave during any twelve-month period to eligible employees (the twelve-month period shall be a "rolling" 12-month period measured backward from the date an Employee uses any FMLA leave) to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

8-7.3 **Substitution of Paid Leave** - Paid leave will run concurrent with FMLA leave under certain circumstances:

- a. The County will require an employee to substitute any accrued paid vacation and personal leave for unpaid FMLA leave taken because of the birth or adoption of a son or daughter of the employee in order to care for the son or daughter, because of the placement of a son or daughter with the employee for adoption or foster care, or in order to care for the spouse, son, daughter, or parent of the employee if the spouse, son, daughter or parent has a serious health condition.
- b. The County will require an employee to substitute any accrued paid vacation, personal and sick leave for unpaid FMLA leave taken in order to care for the

spouse, son, daughter, or parent of the employee if the spouse, son, daughter or parent has a serious health condition or because of the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position.

- c. The County will require an employee to substitute any accrued paid vacation and personal leave for unpaid FMLA leave taken for any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty status).
- d. The County will require an employee to substitute any accrued paid vacation, personal and sick leave for unpaid FMLA leave taken in order to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered servicemember.
- e. Employees may choose to use compensatory time for FMLA leave but are not required to do so.

- 8-7.4 **Length of Leave** - If medically necessary, a leave relating to a serious health condition may be taken intermittently or by reducing the usual number of hours worked per week or per day. However, an eligible employee may use intermittent or reduced schedule leave after the birth to be with a healthy newborn child only if approved by the County Administrator.

An eligible employee is entitled to no more than a total of twelve workweeks of FMLA leave, during any twelve month period except that an eligible employee is entitled to 26 workweeks of leave to care for a covered servicemember with a serious injury or illness during a single 12-month period. The eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period described in Leave Requirements (a-e) above, provided that the employee is entitled to no more than 12 workweeks of leave for one or more of the following: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter, or parent with a serious health condition; because of the employee's own serious health condition; or because of a qualifying exigency. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered servicemember during this single 12-month period, the remaining part of his or her 26 workweeks of leave entitlement to care for the covered servicemember is forfeited.

When both spouses are employed by the County, the total number of workweeks of leave utilized by both spouses will be limited to twelve workweeks if the leave is taken because of the birth of a son or daughter and in order to care for the son or daughter, the placement of a son or daughter with the employee for adoption or foster care, or to care for a sick parent of one of the employees if the parent has a serious health condition.

- 8-7.5 **Notice and Certification** - When leave is reasonably foreseeable, the employee must provide 30 days' advance notice of the leave to his/her department head.

When substituting paid sick, vacation, or personal leave for unpaid FMLA leave, the Employer may require a certificate from the appropriate physician. For unpaid leave, a medical certification of illness and its seriousness, both as to the employee and/or a family member, will be required. It must also state the expected duration of the leave. Forms for such certification are available from the County Administrator.

If there is reason to doubt the validity of the certification, the County may, at its own expense, require the employee or family member to obtain a second opinion from a

doctor of the County's choice. If a conflict arises, the County may require a third opinion. The third opinion shall be final and binding.

The County may also require that an employee obtain subsequent re-certifications on a monthly basis.

8-7.6 **Compensation/Benefits During Unpaid Leave** – During unpaid leave time, employees' wages and other benefits are not paid or accrued except for health and County paid life insurance, which will be continued on the same basis as if the employee continued in active status. The employee's portion of health insurance must be paid either through payroll deduction, or by direct payment by the employee to the County. The employee will receive a bill from the County for payment of health, life and/or dental premiums. If the premium is not paid by the stated due date, coverage will be canceled.

8-7.7 **Return to Work** - At the conclusion of leave, an employee will be restored to the position he/she held at the time the leave began or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment, unless the employee's position would have been otherwise eliminated during the leave. Fringe benefits accrued prior to the leave will not be lost as a result of the leave. However, employees do not accrue additional seniority or employee benefits during the period of leave.

The County may deny reinstatement after leave to a salaried employee who is among the highest paid ten percent of its employees when denial is necessary to prevent substantial and grievous economic injury to the County. The County will provide prompt notification to the employee that reinstatement will be denied for that reason.

An employee who fails to return to work after the leave expires (other than due to the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control) will be liable to the County for its share of health plan premiums paid by the County during the period of leave. The County will recover the initial sums through deductions from any sums due to the employee (e.g. unpaid wages, vacation pay, etc.) Any balance will be recovered through legal action.

8-8 EXTENDED LEAVE OF ABSENCE WITHOUT PAY (LOA)

- 8-8.1 A Leave of Absence Without Pay (LOA) may be granted for short term disability, or reasons other than those covered by Family Medical Leave of Absence, Section 8-7 as approved by the Department Head or the Policy, Personnel, & Appointments Committee.
- 8-8.2 A non-probationary employee must use all of his/her accrued benefit time, including sick time if it's available under the circumstances, before beginning a leave of absence without pay. The employee may choose to reserve the equivalent of three days of sick time. Benefit time is exhausted when less than one (1) hour is available to be taken.
- 8-8.3 A LOA of less than one (1) calendar month may be arranged between an employee and the Department Head without approval of the Policy, Personnel, & Appointments Committee. If possible an employee requesting a LOA for a period of one month or less shall notify his/her Department Head of the request, in writing, at least three (3) days prior to the exhaustion of all applicable accrued benefit time.

- 8-8.4 If the employee will be absent from work longer than the accrued benefit time available to be taken plus one month, if granted under Section 8-8.3, a request for a LOA not to exceed four (4) months shall be submitted to the County Administrator. The employee shall notify his/her Department Head in writing of this request as soon as he/she becomes aware of the need for an extended LOA and at least three (3) days prior to the end of benefit time or leave time already granted if possible. The written request shall contain the reason and expected length of the absence.. If approved by the Department Head, the written request will be forwarded to the County Administrator. The County Administrator shall approve or deny the LOA Request and will provide written documentation of that decision to the requesting Department Head and affected employee within five (5) working days of the date he/she receives the request for leave.
- 8-8.5 All LOAs under Section 8-8.3 and 8-8.4 shall be without payment of salary from Champaign County. Employees on an approved Leave of Absence will not earn or accrue benefit time (vacation, sick, holiday or personal leave). The County will continue to pay the employer's contribution for health and life insurance coverage. Time spent on an approved Leave of Absence will count toward determination of length of service with the County in computing benefits when the employee returns to work. The employee remains responsible for payment of any additional individual or dependent health, life and/or dental insurance coverage premiums while on an approved Leave of Absence. The employee will receive a bill from the County for payment of outstanding premiums. If the premium payment is not received by the due date stated, coverage will be canceled.
- 8-8.6 The Department Head shall provide copies of an approved LOA which include the various terms and conditions of the leave to the following:
- a. Employee
 - b. County Administrator's Office
- 8-8.7 Before an employee may return to work from a Leave of Absence granted due to a short term disability (either Department Head approved one month leave or additional four months approved by the County Administrator), the employee must have a doctor's statement approving the return to work in the employee's position.
- 8-8.8 An employee who is granted a LOA under Section 8-8.3 or Section 8-8.4 will be returned to his/her prior position at the end of such leave, unless the position has been abolished, in which case the Reduction in Force Policy (Section 5-2) shall be applied. On return from a LOA, an employee's salary shall be as determined in Chapter 9, Salary Administration.
- 8-8.9 An employee who does not report for work at the end of an approved Leave of Absence shall be deemed to have resigned as of the date of the employee's next scheduled work day after the expiration of the LOA. If final action on a request for leave cannot be taken until accrued benefit time has been exhausted or approved leave has expired, an employee who has not returned to work within seven (7) days after notification by the Department Head of negative County Administrator action shall be deemed to have resigned.
- 8-8.10 Department Heads may fill a position that is vacant due to an employee being on an approved Leave of Absence, with a temporary employee and without Policy, Personnel, & Appointments Committee or Board approval if sufficient funds are budgeted in the appropriate temporary line item.
- 8-8.11 Although the Leave of Absence policy is designed to be flexible enough to accommodate most specific situations, there will be occasions that require

techniques or solutions outside the established guidelines. Requests beyond the Leave of Absence benefits granted by this policy may be referred by the Department Head to the Policy, Personnel, & Appointments Committee for recommendation to the County Board for final approval. The approval of an extended Leave of Absence maintains length of service credits. However, employer paid health insurance benefits will not be provided, if a Leave of Absence is approved or extended to an employee for a period longer than the four months stipulated by this policy. The Department Head may permanently fill a vacancy created by approval of an extended leave. The employee will be placed in his/her previous position only if it is vacant on the date the extended leave expires. If the position has been abolished, the Reduction in Force Policy (Section 5-2) shall be applied.

8-8.12 A leave of absence necessitated by a work-related injury will be granted as of right under Sections 8-8.3 and 8-8.4. The employee shall not be required to exhaust benefit time under Section 8-8.2. When the request for leave is due to a work-related injury, accrued benefit time may be used to supplement Worker's Compensation benefits, not to exceed his or her normal compensation at the option of the employee.

8-9 MILITARY LEAVE

Employees performing military duties are entitled to numerous protections under federal and Illinois law. When addressing issues of military leave and its impact on County employment, supervisors are advised to consult with the Civil Division of the State's Attorney's Office or the County Administrator's Office.

8-9.1 **Leave** will be granted from County employment for any period actively spent in military service, whether voluntary or involuntary, including –

- a. A period for which the employee is absent from employment for the purpose of an examination to determine the fitness of the employee to perform military duty;
- b. Active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty;
- c. Basic training, special or advanced training, and annual training;
- d. Training or education under the supervision of the United States preliminary to induction or enlistment into military service;
- e. Active military duty as a result of an order of the President of the United States or the Governor of Illinois;
- f. The performance of funeral honors duty pursuant to military orders in preparation for or to perform funeral honors functions at the funeral of a veteran.

8-9.2 **Pay**

- a. For periods of annual training, the employee shall continue to receive his or her regular compensation as a County employee.
- b. For periods of basic training, up to sixty (60) days of special or advanced training, or mobilization as a result of an order of the President of the United States, the employee shall receive his or her regular compensation as a

County employee minus the amount of his or her base pay for military service.

8-9.3 **Insurance** – Insurance coverage and its automatic continuation upon the employee’s return to County employment shall be made available to the employee.

8-9.4 **Other Benefits**

- a. Seniority shall continue to accrue during periods of military leave.
- b. Pay raises, promotions or other benefits dependent on the passage of time accrue to the employee’s benefit as if the employee were present for work during the entire period of military duty.
- c. Pay raises, promotions or other benefits based on merit or otherwise related to demonstrated skill or efficiency shall not accrue during the employee’s absence due to military duty.
- d. Pension rights and benefits shall be protected and preserved for the duration of the employee’s military service as if the employee were a County employee for the entire period of military duty.

8-9.5 **Reinstatement**

- a. **Notice** – Any County employee seeking to return to County employment following the completion of military duty must notify the County within ninety (90) days of completion of that military duty, or from any hospitalization continuing after discharge for a period of not more than one (1) year in order to be eligible for reinstatement under this Section. If the employee does not notify the County of his or her request for reinstatement within that time frame, the employee shall be considered absent from work and subject to discipline or discharge.
- b. **Reinstatement**
 - (i) If the employee seeking reinstatement is still qualified to perform the duties of the position which he or she left, the employee shall be promptly restored to the position which he or she left for military duty, with the same increase in status, seniority and wages that were earned during the period of military service by employees who were in similar positions during the employee’s military duty, or to a position of similar seniority, status and pay, unless the County’s circumstances have so changed as to make it impossible or unreasonable to do so.
 - (ii) If the employee seeking reinstatement is not qualified to perform the duties of the position which he or she left due to reasons other than disability, such as a lapse in necessary licensure or similar documentary or training requirement, the County shall make reasonable efforts to qualify the employee in an attempt to restore the employee to the position which he or she left for military duty, with the same increases in status, seniority and wages that were earned during the period of military service by employees who were in similar positions during the employee’s military duty, or to a position of similar seniority, status or pay, unless the County’s circumstances have so changed as to make it impossible or unreasonable to do so. If the employee cannot become qualified with reasonable efforts by the County, the employee shall be reemployed in a position which is the

from the County. Included are temporary and permanent disability payments, pension and death benefits. See the most recent edition of the pamphlet distributed by IMRF or visit www.imrf.org for a detailed description of your benefits.

8-15 WORKER'S COMPENSATION AND RETURN TO WORK FOLLOWING INJURY POLICY

It is the policy of Champaign County to promote a safe work place for its employees. When an employee is off work due to a work-related illness or injury, the County will monitor the status of such an employee, and when available will assist the employee in obtaining rehabilitation services in order for the employee to return to work. An employee who is off work due to a work-related illness or injury is expected to cooperate with any county programs or policies designed to help the employee return to work and to assume their full job responsibilities. The County shall oversee the management of its workers compensation program, and shall investigate all workers compensation claims as necessary to ensure uniform reporting procedures. It is the policy of the County to make every reasonable effort to accommodate an injured employee, unless such accommodation poses undue hardship on the County.

8-15.1 Procedure – Any employee injured on the job or who acquired a job-related illness is required to report the incident to their supervisor as soon as practicable after it is known that such injury or illness is job-related. The report shall contain the approximate date and place of the accident, if known, and may be given to the supervisor either orally or in writing.

- a. When an employee sustains what he/she believes to be a work-related injury or illness, and has reported the said work-related injury or illness to his/her supervisor, the employee shall then report to his/her immediate supervisor for the coordination of his/her initial care and treatment. The employee is encouraged to seek treatment from Carle Clinic Occupational Medicine. The employee also has the option of seeking treatment through the medical care provider from whom they have insurance coverage. If the employee needs urgent medical attention, the employee's immediate supervisor shall call 9-1-1 to have the employee transported to the closest hospital for treatment.
- b. After coordinating the employee's initial care and treatment as described in 8-16.1(a), the employee's immediate supervisor shall complete the State of Illinois Employer's First Report of Injury or Illness (known as Form 45) within twenty-four hours of the employee's report, and obtain the signature of the Department Head or Department Head's designee on the said report. If the Department Head or designee is not available to sign the report within the twenty-four hour period, the immediate supervisor shall e-mail the said report to the Insurance Specialist in Administrative Services. The Supervisor's Incident Investigation Report should also be prepared within twenty-four hours of the incident, unless the said forms cannot be completed during the immediate supervisor's regular working hours, in which case the immediate supervisor shall advise the Department Head or Department Head's designee which forms are incomplete, and what further information is necessary to complete the said forms.
- c. The immediate supervisor is responsible for the initial investigation of the employee's reported work-related injury or illness. Supplemental and/or conflicting information, including any written statements by the injured employee, should be noted by the immediate supervisor on the appropriate form, or in a separate memo to the Department Head or the Department Head's designee. The immediate supervisor shall also include within the initial investigation report a list of any witnesses to the injury or illness claimed by the employee.

- (ii) Sharing all information pertinent to the employee's work-related injury or illness with all physicians, therapists, and surgeons;
 - (iii) Signing any and all releases of information necessary for the employer to monitor the employee's progress in returning to work;
 - (iv) Abiding by all recommended medical restrictions while at work, or off work;
 - (v) Requesting assistance for medical or vocational services designed to return the employee to work;
 - (vi) Scheduling and attending medical appointments which will cause the least work disruption, and communicate information about medical appointments to the immediate supervisor as soon as such medical appointments are scheduled;
 - (vii) Maintaining regular contact with the immediate supervisor;
 - (viii) Contacting the immediate supervisor about any accommodations the employee feels are necessary to assist the employee to return to work;
 - (ix) Participating in a functional capacity evaluation as directed by the employer;
 - (x) Complying with all safety rules and regulations of the employer.
- b. The immediate supervisor shall work with the employee in developing and implementing the employee's return to work after a job-related illness or injury. The immediate supervisor shall:
- (i) Contact the Insurance Specialist and the Department Head about any accommodations requested by the employee in the return of the employee to work.
 - (ii) Contact the Insurance Specialist and the Department Head about any changes in the employee's medical condition.
 - (iii) Contact the Insurance Specialist and the Department Head if the employee does not cooperate with the requirements of 8-16.2.
- c. The TPA, together with the employee's immediate supervisor and the Insurance Specialist, will investigate all workers compensation claims and make compensability determinations in accordance with the Illinois Workers Compensation Act. The TPA will determine what benefits are due to the employee and pay such benefits as are required by statute. The Insurance Specialist or the TPA may contact employees to obtain information necessary to process the employee's claim. The TPA shall answer any employee questions concerning the claims process.
- d. If after a comprehensive investigation of a workers compensation claim, it is determined by the TPA, Insurance Specialist, and Department Head that an employee has knowingly submitted a fraudulent claim, said employee will be subject to discipline, up to and including discharge.
- e. The Insurance Specialist shall serve as the Administrator of the County's Workers Compensation program. The Insurance Specialist shall provide advice and information to all immediate supervisors and Department Heads concerning the program, and shall assist immediate supervisors and Department Heads in meeting their responsibilities pursuant to the program.
- f. The Department Head or the Department Head's designee shall identify and select a management representative to serve as the coordinator of any and all claims pursuant to the County's Workers Compensation program within that Department.

8-15.3 **County Work Transition Policy** – The County shall, when appropriate and available, provide the opportunity for transitional work to any employees suffering from a job-related injury or illness in order to allow the employee to return to work safely by accommodating the employee’s inability to meet all of the demands of the employee’s regular work position. Work transition may include the following:

- a. Modification of the current job prioritized as follows:
 - (i) Current job—same work location
 - (ii) Modified job—same work location; modifications of work tasks or job demands which meet the employee’s functional capacity; modification of work tasks to be completed by the employee which meets the employee’s functional capacity
 - (iii) Current job—different work location
 - (iv) Modified job—different work location; modifications of work tasks or job demands which meet the employee’s functional capacity; modifications of work tasks to be completed by the employee which meet the employee’s functional capacity
 - (v) Limited special assignments
 - (vi) Participate in rehabilitation programs to allow the employee to work and also participate in services to reduce the impairment, facilitate the employee’s medical progress, and prevent long term disability.

- b. The length of the work transition period should not exceed thirty work days unless an extension is approved by the employee’s Department Head. An extension may be granted based on the employee’s medical needs or inability of the employee to fully perform former job demands, but if extended shall not exceed ninety work days in length. Any extension of the work transition period beyond ninety work days must be approved in advance by the County Administrator.

8-16 TRAINING LEAVE

8-16.1 The Department Head may approve a leave for employee training on subject matter directly related to the employee's job. The training may consist of a training seminar or conference of two (2) weeks duration or less or a course for college credit of up to three (3) semester hours. The employee attending the training will receive his/her normal salary and reimbursement for expenses incurred and the County will pay the registration fee.

8-16.2 Upon Department Head recommendation, an absence to attend any training seminar or conference lasting more than two (2) weeks or a course for college credit of more than three (3) semester hours, or the equivalent, may be approved by the Policy, Personnel, & Appointments Committee. The Policy, Personnel, & Appointments Committee shall specify remuneration and terms of reimbursement, if any.

8-17 JOB SHARING

8-17.1 **Time Period and Approval** - Job-sharing will be allowed for a specific period of time, and will be established and renewed annually upon written request by a department head for approval by the County Administrator. All requests shall be made in writing to the department head by the employee requesting his/her position be shared and shall include the amount of time the employee proposes to share the position and the time period requested. After department head approval of the requests, the department head shall forward the request to the County Administrator.

- 8-17.2 **Compensation** - The shared position will be budgeted as one position in the Champaign County staffing plan, and both employees sharing the position will be paid at the same hourly rate of pay, based on the number of hours worked within the pay period. Combined hours worked and paid for job-sharing positions will not exceed hours for full-time positions.
- 8-17.3 **Health Insurance** - Eligibility for health insurance benefits will be determined by the number of hours worked; therefore, if neither of the employees work thirty (30) hours per week, health insurance benefits will not be provided to either employee.
- 8-17.4 **Accrual of Seniority during Job-Sharing** - A former full-time employee who is approved for job-sharing will accrue seniority with Champaign County during the period of time for job-sharing approved by the County Administrator.
- 8-17.5 **Accrual of Leave during Job-Sharing** - Both employees in a job-sharing position will accrue vacation, sick and personal leave at rates proportionate to hours worked.
- 8-17.6 **Employment at Conclusion of Job-Sharing** - The position which has been shared will be returned to full-time employment at the end of the time period granted for job-sharing and the position will be filled by the employee who originally held the position. If that employee does not want the full-time position, then the other employee will be offered the position. If neither employee wants to hold the full-time position, then the position will be filled according to "Champaign County Personnel Policies."

8-18 VESSA (VICTIM'S ECONOMIC SECURITY AND SAFETY ACT, P.A. 93-0591)

- 8-18.1 In order to ensure the economic security and safety of Champaign County employees, an eligible employee will be granted unpaid leave for situations when the employee has been subject to domestic or sexual violence, or in order to help a family or household member who is a victim of domestic or sexual violence, not caused by the employee. In addition, victims of domestic or sexual violence will be eligible for insurance and protection from employment and insurance discrimination. Eligibility for such protections is dependent upon the employee's ability to perform the essential functions of their position but for being a victim of domestic or sexual violence, and any requested accommodation must not pose an undue hardship on the County's operations.
- 8-18.2 Eligible employees will be granted job-protected unpaid leave to conduct the following activities related to the domestic or sexual violence during work hours:
- a. To seek medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence;
 - b. To obtain services from a victim services organization;
 - c. To obtain psychological or other counseling;
 - d. To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase the safety of the employee from future domestic or sexual violence or to ensure economic security;
 - e. To seek legal assistance or remedies to ensure the health and safety of the employee, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

8-18.3 Employees are entitled to 12 workweeks of VESSA leave during any 12-month period and are entitled to take leave upon at least 48 hours notice (where practicable). VESSA does not create a right for an employee to take unpaid leave that exceeds the unpaid leave allowed under, or in addition to, the Family and Medical Leave Act. Sick, vacation, personal, FMLA leave or compensatory time may be substituted for the unpaid leave provided under this Act.

8-18.4 The Department Head shall require certification from the employee that VESSA leave is for a qualifying reason. Certification consists of:

- a. A sworn statement of the employee, and
- b. One of the following:
 - (i) Documentation from an employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy, or other professional form whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of violence;
 - (ii) A police or court record; or
 - (iii) Other corroborating evidence. The Department Head shall keep such documentation in the strictest of confidence.

8-18.5 An employee who takes such leave is entitled to be restored to the same or an equivalent position with equivalent benefits, pay and other terms and conditions of employment. The employee shall retain all benefits accrued prior to the date leave commences (including life and health insurance, sick and vacation leave, educational benefits and pensions) but the employee is not entitled to accrue seniority or additional employment benefits during the leave. The employee is also entitled to continued health insurance during any period of leave on the same terms and conditions as if the employee remained continuously employed. If an employee fails to return from leave, the County can recover the premium the employer paid for health insurance, provided the reasons the employee has not returned do not include the continuation, recurrence, or onset of domestic or sexual violence of other circumstances beyond the employee's control. The County may also require certification of such reasons.

8-18.6 It is unlawful to interfere with an employee's exercise of right under the Act or to discriminate in employment against an individual because:

- a. The individual:
 - (i) Is, or is perceived to be, a victim of domestic or sexual violence;
 - (ii) Has attended, participated in, prepared for, or requested leave to attend, participated in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the individual or a family or household member was a victim; or
 - (iii) Requested an adjustment to a job, structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic or sexual violence; or
- b. The workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic or sexual violence against the individual or the individual's family or household member.

CHAPTER 9 – SALARY ADMINISTRATION GUIDELINES

9-1 DEFINITIONS

- 9-1.1 **Position Description** - A written set of criteria regarding the essential duties and responsibilities performed in a position and the minimum knowledge, skills, abilities, education, training and experience required to perform the job. Position descriptions will be written and maintained by the Salary Administrator, in consultation with the appropriate Department Heads.
- 9-1.2 **Authorized Position** - A single job slot allocated to a County department authorized by the Board as full time or part time. Part-time positions are stated as a percentage of full-time, or average hours worked. All authorized positions shall be identified by a specified County position description.
- 9-1.3 **New Position Description** - Creation of a new job and, therefore, a new position description.
- 9-1.4 **New Position** - Creation of a new authorized position in a County department or increase in an existing position based upon an existing or a new position description, which has been documented by a position questionnaire and has been evaluated by the Job Evaluation Committee.
- 9-1.5 **Transfer** - The process of hiring or moving a current County employee from one authorized position and position description to a new authorized position and/or position description within the County personnel system.
- 9-1.6 **Reclassification/Position Re-Evaluation** - The process of deleting an existing authorized position in a County department and creating a new authorized position based upon an existing or new position description.
- 9-1.7 **Midpoint** - The midpoint as a control point, represents the dollar value that the County is willing to pay an experienced employee for performing consistently competent work that fully meets all position requirements in a job of a given level of difficulty and responsibility. It also reflects favorable competitive rates paid in the employment market for experienced employees in similar jobs.
- 9-1.8 **Maximum** - The maximum salary is the highest salary paid for a particular position. The maximum is expressed as 120% of the midpoint.
- 9-1.9 **Minimum** - The minimum salary is beginning salary for a particular position. The minimum is expressed as 80% of the midpoint.
- 9-1.10 **Salary Administrator** - A Department Head or employee who has been appointed by the Champaign County Board and whose responsibilities include the implementation of and compliance with the Salary Administration Guidelines.
- 9-1.11 **Salary Range** - A salary range is established based on the midpoint, which represents the dollar value the County is willing to pay an experienced employee for performing consistently competent work that fully meets all position requirements. The salary range represents the normally expected variation in individual performance. The salary minimum is 80% of the midpoint, and the maximum is 120% of the midpoint. The range, from minimum to maximum is 150%. The established salary range for the Attorney grade varies in that the range from minimum to maximum is 172%, with the minimum established at 77.3% of the midpoint; and the maximum established at 133% of the mid-point for this grade.

- 9-1.12 **Experienced** - A candidate whose Knowledge, Skills, Abilities; and Education and Experience substantially exceed the minimum requirements as stated in the appropriate position description.
- 9-1.13 **Inexperienced** - A candidate whose Knowledge, Skills, Abilities; and Education and Experience meet the minimum requirements as stated in the appropriate position description.
- 9-1.14 **Exempt/Non-Exempt Pay Practice Status** - Determination made by the State's Attorney's Office, according to Fair Labor Standards Act (FLSA) Guidelines, of the salary grid applicable to a position.
- 9-1.15 **Job Content Evaluation Committee** - A selected group of County employees who have been trained in the Champaign County Salary Administration System. The Committee, as convened by the Salary Administrator, meets to review existing or proposed County position documentation and establish a job point evaluation to the position. The Job Content Evaluation Committee will be comprised of the following positions with Champaign County government:
- a. County Administrator
 - b. Deputy County Administrator
 - c. Director of Probation/Court Services
 - d. Chief Deputy Sheriff
 - e. Chief Deputy Treasurer
 - f. Assistant County Engineer
 - g. Supervisor of Grounds Maintenance
 - h. Senior Assistant State's Attorney Labor & Personnel
- 9-1.16 **Job Content Evaluation Points** - The expression of a position's relative importance to the County as it compares to the contribution made by all other positions. Job points are established by utilizing the Employers' Association of Illinois Plan. The four areas of basic criteria used to determine the "total point value" are: Working Conditions, Effort, Knowledge/Skill and Responsibility.

9-2 SCHEDULE OF AUTHORIZED POSITIONS & SALARY GRID

- 9-2.1 The Schedule of Authorized Positions reflects the quantity and position title of all permanent positions in every County Department as approved by the Champaign County Board. Temporary positions are controlled solely by a Department's line item in their appropriated budget. The County Board's appropriations for salaries to Department's budgets will only be made to positions approved for the Schedule of Authorized Positions. No full-time, part-time, or per diem employee may be paid except through service in a position which is authorized to the Schedule of Authorized Positions. Recommendation for additions or deletions to the Schedule of Authorized Positions will be made by committee approval initiated by the Finance Committee for recommendation to the County Board. The Salary Administrator will be responsible for maintaining the Schedule of Authorized Positions.
- 9-2.2 The Salary Grids reflect every position title in the County personnel system, with the exception of positions represented by bargaining units, with a minimum, midpoint, and maximum salary for each position. Per Diem employees are reflected in the salary grids with a single daily per diem figure.

An employee's salary may be between the minimum and maximum, but may not exceed the maximum.

9-3 HIRING

- 9-3.1 **Beginning Salary** - Unless otherwise authorized under these guidelines or recommended by the Policy, Personnel, & Appointments Committee, a new or promoted employee's beginning salary shall be paid at the minimum salary for an approved authorized position.
- 9-3.2 **Salary Administration** - In order to assure consistent and uniform salary administration program application and maintenance, the hiring Department Head shall advise the Salary Administrator of all planned salary actions for new hires, promotions, transfers, etc. At the time of hire, an employee should be informed of the salary range of the position.
- 9-3.3 **Prior to Offer of Employment at Salary Above Minimum** - Prior to offering a salary above the minimum to a candidate the Department Head shall verify that the proposed starting salary meets the Salary Administration Guidelines and that adequate appropriations exist in the Department's appropriate current or proposed budget line item. The hiring Department Head may confer with the Salary Administrator regarding these issues.
- 9-3.4 **Beginning Salary Above Minimum For Inexperienced Candidate** - Normally, an inexperienced candidate (a candidate who meets the minimum Knowledge, Skills, Abilities; and Education and Experience requirements as stated in the position description) should be hired at the minimum salary for the position.

However, in order to meet market conditions or to offer a competitive salary appropriately exceeding the current salary of a qualified candidate, the hiring Department Head may offer a salary up to 90% of the position's salary range midpoint, after following the provisions of 9-3.3.

- 9-3.5 **Beginning Salary Above Minimum For Experienced Candidates** - A candidate with previous directly applicable work experience should be carefully evaluated. Candidates with previous experience acquired elsewhere should not normally be considered of any greater value than comparable experience at Champaign County. Starting salaries should reflect experience as it relates to the specific job and staffing requirements for which the candidate is being considered.
- a. In the case of an experienced candidate (a candidate who substantially exceeds the minimum Knowledge, Skills, Abilities; and Education and Experience requirements as stated in the position description) a hiring Department Head may offer a starting salary up to the position's salary range midpoint, after following the provisions of 9-3.3.
 - b. Any request by a Department Head to hire an experienced candidate at a salary exceeding the position's midpoint will be referred by the Salary Administrator to the Finance Committee for approval.
 - d. The Attorney grade positions are not subject to the requirements of 9-3.5 (a) and (b), but shall be managed as follows: a candidate who has been licensed to practice law for less than ten years may be hired at a salary between the minimum and mid-point based on the affected department head's determination and current fiscal year budget limitations; and a candidate who has been licensed to practice law for more than ten years may be hired at a salary above the mid-point based on the affected department head's determination and current fiscal year budget limitations.

- 9-3.6 **Promotion** - A promotion exists when an employee is proposed to be hired to an open position or a re-evaluation of a current position has been accepted by the Finance Committee where the job content has increased, resulting in placement at a higher grade range in the salary grade scale.
- a. The hiring Department Head shall confirm compliance with the Salary Administration Guidelines, and budget requirements before promoting an employee to a new position. Promotions include movement between positions in all County departments.
 - b. An employee receiving a promotion shall receive up to a 10% increase in salary at the Department Head discretion or increase to the new salary range minimum, whichever is greater and which normally shall not exceed the new position's salary range midpoint. If such adjustment places the employee's salary above the midpoint, the Salary Administrator will refer the request to the Finance Committee for approval.
- 9-3.7 **Transfer To a Lower Salary Range** - Transfer to a lower salary range is defined as a permanent change from a position in one salary range to a position where the job is placed in a lower salary range, as expressed by job content evaluation points. An employee will also be considered to have been reassigned when, as a result of reevaluation, total job size results in placement in a lower salary range.
- a. In such instances, the Department Head must follow the provisions of 9-3.3 and 9-3.4 or 9-3.5, as applicable; however, the current salary may not be exceeded.
- 9-3.8 **Lateral Transfer** - A lateral transfer occurs when an employee moves to a new position, which is assigned to the same grade range as the employee's previous position.
- a. An employee who makes a lateral transfer to a position in the same grade range will not receive a salary increase or decrease, and shall be credited with years of experience in that grade/range.
- 9-3.9 **Exceptional Situations** - Although the Salary Administration Program is designed to be flexible enough to accommodate most specific situations, there will be occasions that require techniques or solutions outside the established guidelines. In order to ensure internal consistency, however, some control must be maintained over exceptional situations. Therefore, proposed salary administration actions deviating from established guidelines will be referred by the Salary Administrator to the Policy, Personnel, and Appointments Committee for recommendation to the Finance Committee and County Board for final approval.
- 9-3.10 **New Employee Training Period** - For purposes of training and subject to budgetary restraints, an authorized position may be filled by two County employees for a period of no longer than two weeks prior to the last day worked by the employee who is terminating employment or taking a Leave of Absence Without Pay (LOA).

9-4 PROCEDURE

The effective planning and control of salary costs requires a systematic procedure which includes:

- a. Review and adjustment of the midpoint salary policy consistent with competitive and economic conditions;

- b. Determination of funds required for policy implementation;
- c. Distribution of allocated funds among departments;
- d. Efficient control of fund utilization throughout the budget period.

No change or addition to the Schedule of Authorized Positions of a department or Salary Grid will be made except in accordance with the following procedures or the Reduction in Force procedure (Section 5-2).

9-4.1 **Market Adjustments** – Each year in March-April, Salary Administration will conduct a salary survey to review the mid-point valuation of jobs in Champaign County. In May, Salary Administration will provide a recommendation to the Finance Committee of any recommended mid-point changes pursuant to market to be implemented on the following January 1st for the ensuing fiscal year.

9-4.2 **Movement Through Salary Ranges** – In June of each year, Salary Administration will present to the Finance Committee the anticipated cost of implementation of the following compa-ratio schedule for non-bargaining employees (with the exception of the Attorney Grade) to be implemented the following January 1st.

<u>Years Completed as of December 1st</u>	<u>Compa-Ratio</u>
0	80%
1	83%
2	86%
3	89%
4	92%
5	95%
6	98%
7	100%

The compa-ratio schedule insures that each employee moves toward compensation at the full market value of their position upon completion of seven years worked in that position or grade.

The Compa-ratio schedule for the Attorney Grade is established as follows:

<u>Years Completed as of January 1st</u>	<u>Compa-Ratio</u>
1	77.31%
2	79.56%
3	81.86%
4	84.24%
5	86.68%
6	89.19%
7	91.78%
8	94.44%
9	97.18%
10	100%

9-4.3 **Merit Adjustments** - In June of each year, Salary Administration will present to the Finance Committee a recommendation for a percentage allowance for merit increases to be awarded non-bargaining employees the following January 1st. Determination of individual merit increases will be made by Department Heads based on employee performance.

9-4.4 New Positions, Position Descriptions and Salary Ranges will be proposed by a Department Head in most instances.

- a. The Department Head, after presenting the new proposed concept to the Policy, Personnel, and Appointments Committee and receiving a recommendation to proceed, should consult the Salary Administrator and complete a Position Description Questionnaire for the proposed new position.
- b. After receipt of the completed questionnaire, the Salary Administrator will convene the Job Content Evaluation Committee and a job point evaluation will be made to determine the job size.
- c. The Salary Administrator will consult the State's Attorney's Office in order to receive a determination of the exempt/non-exempt status of the proposed position.
- d. If necessary, the Salary Administrator will prepare a new position description.
- e. The Salary Administrator will forward the Job Content Evaluation Committee Report documenting the job point evaluation, proposed salary range and position description to the Policy, Personnel & Appointments Committee and to the Department Head.
- f. The Salary Administrator is responsible for presenting the report of the Job Content Evaluation Committee to the Policy, Personnel, and Appointments Committee, which shall determine whether the new position, position classification and recommended salary range should be approved and make a recommendation to the Finance Committee.
- g. The Finance Committee shall review the new position, position classification, and recommended salary range and recommend to the County Board final approval of any New Position to be added to the Schedule of Authorized Positions.
- h. Unless otherwise specified, the new position, will take effect immediately upon approval by the Board.

9-4.5 **Reclassifications/Job Re-Evaluations** - Reclassifications/Job Re-Evaluations may be requested of the Policy, Personnel, & Appointments Committee by a Department Head.

- a. The Department Head, after presenting the justification for position re-evaluation review to the Policy, Personnel, & Appointments Committee and receiving a recommendation to proceed, should contact the Salary Administrator and receive a Position Description Questionnaire.
- b. The questionnaire should be completed by the employee working in the position to be reclassified/re-evaluated.
- c. After the receipt of completed questionnaires for all positions to be re-evaluated for reclassification purposes, the Salary Administrator will convene the Job Content Evaluation Committee. The Job Evaluation Committee will evaluate all positions for which documentation has been received.
- d. The results will be presented to the Policy, Personnel, & Appointments Committee for approval.
- e. After approval, the re-evaluations will be forwarded to the Finance Committee for approval of the resulting change to the Schedule of Authorized Positions, and then to the County Board for final approval.

- f. Unless otherwise specified, a Reclassification or Job Re-Evaluation shall take effect on the first day of the fiscal year immediately following approval by the Board.

9-4.6 **Department Head Salary Adjustments** - Except as provided by statute or contract, are made as per the guidelines and rules of implementation in compliance with the annual salary administration recommendation for non-bargaining employees adopted pursuant to Sections 9-4.1, 9-4.2 and 9-4.3 of this policy.

CHAPTER 10 – DRUG- AND ALCOHOL-FREE WORKPLACE

10-1 DRUG- AND ALCOHOL-FREE WORKPLACE

Champaign County is committed to programs that promote safety in the workplace, employee health and well-being and citizens' confidence. Employee involvement with drugs and alcohol can adversely affect job performance and employee morale, jeopardize employee safety, and undermine citizens' confidence. The County's goal, therefore, and the purpose of this policy, is to establish and maintain a healthy and efficient workforce free from the effects of drug and alcohol abuse. Consistent with this goal and commitment, and in response to the requirements of the Drug-Free Workplace Act (30 ILCS 580/1-11), the Champaign County Board has developed this policy statement regarding the use, sale, possession, and distribution of controlled substances, including cannabis and alcohol, by its employees, or on its premises.

- 10-1.1 **Use, Possession, Transportation, Sale, Distribution** – The use, possession, sale, transportation, or distribution of controlled substances, including cannabis or alcohol by anyone while on County property or on County business may be cause for discharge. Controlled substances or alcohol shall be taken into custody, and the appropriate law enforcement agencies will be notified.
- 10-1.2 **Over-The-Counter or Prescribed Medications** – Employees who take over-the-counter or prescribed medications 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 their ability to do their jobs. An employee who fails to do so shall be subject to disciplinary action, up to and including discharge. 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 discharge.
- 10-1.3 **County Property Defined** – For purpose of this policy, the term "County property" shall include all land, buildings, structures, parking lots, and means of transportation owned by or leased to the County.
- 10-1.4 **Employee Assistance Program** – The County encourages any employee who feels they may have a drug or alcohol problem to contact his or her immediate supervisor or the Insurance Specialist for assistance. The County will, at the employee's request, refer him or her to the employee's designated healthcare provider for information or professional assistance, which will be at the employee's expense over and above any covered benefit amount. All communications will be strictly confidential. Employees will not be subject to discipline for seeking such assistance prior to detection. However, this will not thereafter excuse violations of this drug and alcohol policy for which the employee is subject to discipline.

- 10-1.5 **Discipline** – Any employee who violates this policy will be required to enroll in a drug or alcohol counseling rehabilitation or assistance program at the employee’s expense. Any employee who violates this policy for a second time will be discharged.
- 10-1.6 **Progressive Discipline Not Applicable** – Any other disciplinary methods previously used by the County do not apply to violations of this drug and alcohol policy. Discipline for violations of this drug and alcohol policy shall be governed solely by the policy itself.
- 10-1.7 **Satisfactory Completion of Program** – Any employee who is required by this policy to satisfactorily participate in a drug or alcohol assistance or rehabilitation program shall furnish his or her Department Head written proof of the satisfactory completion of the program.
- 10-1.8 **Condition of Employment** – As a condition of employment,
- a. The County requires that all employees acknowledge that they will:
 - (i) Abide by the terms of this policy;
 - (ii) Notify the Department Head of his/her department of any conviction for a violation of a criminal drug statute no later than five days after conviction; and
 - (iii) If convicted of a violation of a criminal drug statute, satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program.
 - b. If Champaign County receives notice from an employee of a conviction of a violation of a criminal drug statute, Champaign County will:
 - (i) Take appropriate action against such employee up to and including termination of employment; and/or
 - (ii) Provide employee assistance as stated in subsection 10-1.5 above.

CHAPTER 11 – WORKPLACE VIOLENCE POLICY

11-1 WORKPLACE VIOLENCE POLICY

The County of Champaign values its employees and citizens and the County Board affirms its commitment to providing workplaces and facilities that minimize the potential for violence. It is the intent of this policy to ensure that everyone associated with Champaign County, including employees and the public, never feel threatened by any form of violence. Champaign County has a zero tolerance policy for violence, whether by or toward employees. “Violence” shall include physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It shall also include acts, threats, intentions of harm, destruction towards self, others or property, and may be psychological as well as physical, and the perception thereof.

- 11-1.1 **Disciplinary Action** – If it has been determined that an employee is engaging in any form of violence in the workplace or threatening violence in the workplace, the employee shall be terminated immediately. No talk of or joking about violence will be tolerated. In cases of acts or threats of violence by employees, the County endorses immediate and definitive use of the disciplinary process outlined in this

document, resulting in termination of said employees. Criminal prosecution will be pursued as appropriate, as well.

11-1.2 **Responsibility**

- a. The County Administrator's Office has overall responsibility for maintaining this policy, administering workplace violence prevention measures, and coordinating post-incident activities. The County Administrator's Office will also identify resources that departments may use in developing their training plans and workplace violence measures.
- b. If elected Department Heads or departments operated under the authority of separate governing boards choose to adopt a different policy, they are expected to provide a copy of it to the County Administrator's Office.
- c. Managers and supervisors shall make safety one of their highest concerns. When made aware of a real or perceived threat of violence, management shall conduct a thorough investigation, provide support for employees, and take specific actions to help prevent all acts of violence. Management is also responsible for documenting and reporting such incidences to the respective Department Heads.
- d. Employees shall report all acts and/or threats of violence to their supervisors or Department Heads. Employees should learn to recognize and respond to behaviors by potential perpetrators that may indicate a risk of violence.

11-1.3 **Continual Review** – The County Administrator's Office shall develop a method for receiving and reviewing reports of violence and threats of violence. Information and data from such reports shall be utilized to establish a continual improvement process for reducing the potential for adverse outcomes associated with acts or threats of workplace violence.

CHAPTER 12 – ANTI-HARASSMENT POLICY

12-1 ANTI- HARASSMENT

12-1.1 It is the policy of Champaign County Government to provide to all officials and employees a work environment free of harassment based upon gender, ethnicity, race, sexual orientation, religious affiliation, age, physical and mental disability, and marital status, as well as sexual harassment. It is the right of all employees to work in an environment free from harassment and the responsibility of all employees to refrain from harassment. Champaign County prohibits sexual harassment and harassment based upon gender, ethnicity, race, sexual orientation, religious affiliation, age, and physical and mental disability of and by its employees. Harassment is inappropriate, offensive, and, in specific cases, may be illegal and will not be tolerated by Champaign County.

Harassment refers to physical or verbal actions that have the purpose or effect of unreasonably interfering with a person's work performance, which create a hostile, intimidating, or offensive environment and which is based on the sexual orientation, race, color, religious belief or practice, national origin, ancestry, gender, age, citizenship status, marital status, or disability of the person that feels harassed or discriminated against. Such actions, intentional or not, can annoy or disturb

members of one sex, ethnicity, race, sexual orientation, religion, age, marital status and disability. Examples include but are not limited to:

- a. Unwelcome sexual advances, requests for sexual favors, or physical conduct of a sexual nature;
- b. Any sexual, ethnic, racial, gender or religious-related jokes, comments, insults, cartoons, innuendoes, or personal conduct or mannerisms that could be construed as offensive, intimidating, or hostile as measured from the point of view of a reasonable person of the same protected group;
- c. Demeaning comments or ridicule of an employee based on the employee's status as a member of a protected group;
- d. Repeated unwanted, unwarranted, or unsolicited off-duty telephone calls, contact, or conduct that violates this policy;
- e. Submission to or rejection of such conduct is used as the basis for employment decisions;
- f. Displaying or permitting the display of pictures, drawings, or graffiti that could be considered a violation of this policy.

Champaign County directs all employees and supervisory personnel within Champaign County to ensure that their workplaces are free of harassment. Department Heads and supervisory personnel shall be responsible for supporting training on sexual, ethnic, racial, sexual orientation, religious, age, and disability-related harassment prevention and this harassment policy. Department Heads and supervisory personnel shall post and distribute this policy, encourage employees to report harassment incidents, and assure employees they do not have to endure a hostile or negative work environment. Behavior or acts that employees find offensive or harassing, if not based on protected class as set forth in this Policy, while rude or offensive, are not a violation of this Policy. Employees are advised to present their complaints to their supervisors or personnel identified in the "Complaint Procedure" as set forth in this Chapter.

Any person who knowingly and intentionally makes a false report of harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. If a report of harassment or discrimination is made in good faith, but is unable to be substantiated, it shall not be deemed a false report.

12-2 COMPLAINT PROCEDURE

12-2.1 Employees who wish to register a complaint of sexual harassment (or any form of harassment based on their race, national origin, gender, age, sexual orientation, marital status, religion or disability) may do so through their Department Head or the County Administrator.

12-2.2 All allegations of harassment will be investigated thoroughly. The facts will determine the response of the County to each allegation. Substantiated acts of harassment will be met with appropriate disciplinary action by the County up to and including termination. All information regarding any specific incident will be kept confidential within the necessary boundaries of the fact-finding process. No reprisal or retaliation against the employee reporting the allegation of harassment will be tolerated.

12-2.3 Employees are also informed that complaints of harassment or discrimination may also be reported to the Civil Rights Division of the Department Of Justice, the Equal Employment Opportunity Commission (EEOC)/Illinois Department of Human Rights (IDHR), or the Office of General Counsel, Illinois Criminal Justice Information Authority.

12-3 RETALIATION AND INTERFERENCE PROHIBITED

12-3.1 The County is committed to maintaining a culture that promotes the prevention, detection and elimination of any and all forms of harassment. No individual making a report in good faith under this policy shall be subject to any negative employment consequences based upon that report, even if that report not able to be substantiated. In addition, any witness will be protected from retaliation in accordance with the State Officials and Employees Ethics Act (5 ILCS 430/15-10), the Whistleblower Act (740 ILCS 174/15), and the Illinois Human Rights Act (775 ILCS 5/6-101).

12-3.2 For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or adverse change in the terms or conditions of employment of any municipal employee that is taken in response to a municipal employee's involvement in protected activity pursuant to this policy.

CHAPTER 13 – PROHIBITED POLITICAL ACTIVITIES AND GIFT BAN

13-1 PROHIBITED POLITICAL ACTIVITIES

13-1.1 No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the employer in connection with any prohibited political activity.

13-1.2 At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity:

- a. As part of that officer or employee's duties;
- b. As a condition of employment; or
- c. During any compensated time off (such as holidays, vacation or personal time off.)

13-1.3 No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

13-1.4 Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this policy.

13-1.5 No person either:

- a. In a position that is subject to recognized merit principles of public employment; or
- b. In a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs,

shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

13-2 GIFT BAN

13-2.1 Except as permitted by this policy, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this policy.

13-2.2 **Exceptions** - Section 13-2.1 is not applicable to the following:

- a. Opportunities, benefits, and services that are available on the same conditions as for the general public;
- b. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value;
- c. Any:
 - (i) Contribution that is lawfully made under the Election Code; or
 - (ii) Activities associated with a fundraising event in support of a political organization or candidate;
- d. Educational materials and missions;
- e. Travel expenses for a meeting to discuss business;
- f. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée;
- g. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as:
 - (i) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;
 - (ii) Whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
 - (iii) Whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to

other Department Heads or employees, or their spouses or immediate family members.

- h. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- i. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- j. Intra-governmental and inter-governmental gifts. For the purpose of this policy, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer, or employee of another governmental entity.
- k. Bequests, inheritances, and other transfers at death.
- l. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
- m. Each of the exceptions listed in this section is mutually exclusive and independent of every other.

13-2.3 **Disposition of gifts** - An officer or employee, his or her spouse, or an immediate family member living with the officer or employee, does not violate this Policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

13-3 DEFINITIONS

For purposes of this Section, the following terms shall be given these definitions:

13-3.1 **"Campaign for elective office"** means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-presidential electors, but does not include activities:

- a. Relating to the support or opposition of any executive, legislative, or administrative action;
- b. Relating to collective bargaining; or
- c. That are otherwise in furtherance of the person's official duties.

13-3.2 **"Candidate"** means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election.

- 13-3.3 **"Collective bargaining"** has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 31513).
- 13-3.4 **"Compensated time"** means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence.
- 13-3.5 **"Compensatory time off"** means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.
- 13-3.6 **"Contribution"** has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).
- 13-3.7 **"Employee"** means a person employed by the Employer, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.
- 13-3.8 **"Employer"** means the following elected officials of Champaign County: the Auditor, Coroner, County Clerk, Recorder, Sheriff, and Treasurer, with respect to the officers and employees of their respective offices. Employer also means the Champaign County Board with respect to the officers and employees not under the authority of any elected official. This Policy does not apply to the following elected officials or their officers and employees: Judges of the Sixth Judicial Circuit, the Clerk of the Circuit Court, and the State's Attorney.
- 13-3.9 **"Gift"** means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.
- 13-3.10 **"Leave of absence"** means any period during which an employee does not receive:
- a. Compensation for employment,
 - b. Service credit towards pension benefits, and
 - c. Health insurance benefits paid for by the employer.
- 13-3.11 **"Officer"** means a person who holds, by election or appointment, an office created by the Illinois Constitution, Illinois statute or County ordinance, regardless of whether the officer is compensated for service in his or her official capacity.
- 13-3.12 **"Political activity"** means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities:
- a. Relating to the support or opposition of any executive, legislative, or administrative action;
 - b. Relating to collective bargaining; or
 - c. That are otherwise in furtherance of the person's official duties.

13-3.13 **“Political organization”** means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

13-3.14 **“Prohibited political activity”** means:

- a. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event;
- b. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event;
- c. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution;
- d. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question;
- e. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question;
- f. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question;
- g. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls;
- h. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question;
- i. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office;
- j. Preparing or reviewing responses to candidate questionnaires;
- k. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question;
- l. Campaigning for any elective office or for or against any referendum question.
- m. Managing or working on a campaign for elective office or for against any referendum question;
- n. Serving as a delegate, alternate, or proxy to a political party convention.
- o. Participating in any recount or challenge to the outcome of any election; or
- p. All other political activity on behalf of a candidate for public office, a referendum question, a political campaign, or a political organization.

13-3.15 **“Prohibited source”** means any person or entity who:

- a. Is seeking official action:
 - (i) By an officer or
 - (ii) By an employee, or by the officer or another employee directing that employee;
- b. Does business or seeks to do business:
 - (i) With the officer or
 - (ii) With an employee, or with the officer or another employee directing that employee;

- c. Conducts activities regulated:
 - (i) By the officer or
 - (ii) By an employee, or by the officer or another employee directing that employee; or
- d. Has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

13-4 ENFORCEMENT

No County employee may use his or her official position of employment to coerce or inhibit others (whether County employees or members of the public) in the free exercise of their political rights, including, without limitation, the right to petition, make public speeches, campaign for or against political candidates, speak out on questions of public policy, distribute political literature, make contributions, or seek public office.

13-4.1 Except as specifically stated herein, no Department Head may make or enforce any rule that in any way inhibits or prohibits any of its employees from exercising any political rights, including, but not limited to, those described in Section 13-5.1.

13-4.2 Nothing in this Section 13-5 shall apply to:

- a. Efforts to enforce Chapter 13 of this Policy, the Champaign County Ethics Ordinance, State law, or any comparable provision of a Collective Bargaining Agreement.
- b. Efforts to limit non-work-related activity on County time, even if such efforts have the incidental effect of limiting political activity on the same basis as other non-work-related activity.

CHAPTER 14 – GENERAL RULES AND PROCEDURES

14-1 LEAVE BENEFITS FOR PERSONS RETURNING TO THE EMPLOY OF THE COUNTY

Persons returning to the employ of the County shall be credited continuous employment for the purposes of determining eligibility for leave benefits as follows:

- a. Persons returning as County employees within one (1) year of termination shall be credited with eighty percent (80%) of their prior service.
- b. Persons returning as County employees within fifty (50) months after termination shall be credited with fifty percent (50%) of their prior service.
- c. Persons returning as County employees more than fifty (50) months after termination shall receive no credit for prior service.

14-2 REPORTING UNSAFE WORKING CONDITIONS

Employees who become aware of unsafe working conditions must report those conditions to the Department Head, County Administrator or the Director of the Physical Plant.

14-3 REGISTRATION OF A DOMESTIC PARTNERSHIP

Registration of a domestic partnership will be required for coverage under the group health, dental, vision and dependent life insurance.

- 14-3.1 An employee who wishes to register a domestic partnership needs to contact the Insurance Specialist for information and the registration form. Upon receipt of a properly completed form, the county will consider the Partnership registered as of the date of the signature on the form.
- 14-3.2 Children of domestic partners are eligible for benefits under the same conditions as are the children of employees' legal spouses.
- 14-3.3 Enrollment of domestic partners and eligible dependent children is subject to the same rules as enrollment of other dependents.
- 14-3.4 Domestic partners and their enrolled dependents receive the same or equivalent benefits as spouses and their enrolled dependents receive for group continuation health coverage through COBRA and/or individual conversion.
- 14-3.5 An employee may terminate a domestic partnership by notifying the Insurance Specialist in writing of the termination of the domestic partnership within thirty days of its termination. (The same guideline exists for married couples that divorce.) The employee must then wait six months from the date of the notice before registering another domestic partnership, except in either of the following cases:
 - a. The employee is registering the same domestic partnership within thirty days notification of the termination of that domestic partnership, or
 - b. The employee's former domestic partnership was dissolved through the death of the employee's domestic partner.
- 14-3.6 The tax consequences of a domestic partnership are the responsibility of the employee, not the County. Under the Internal Revenue Code, an employee is not taxed on the value of benefits provided by an employer to an employee's spouse or dependent. However, the IRS has ruled that a domestic partner does not qualify as a spouse.

The value of benefits provided to an employee's domestic partner (and the domestic partner's eligible children, if any) is considered part of the employee's taxable income, unless the employee's domestic partner qualifies as a dependent under Section 152 of the Internal Revenue Code. This company (the County) will treat the value of the benefits provided to the employee's domestic partner (and the domestic partner's eligible children, if any) as part of the employee's income and will withhold the taxes on the value of those benefits from employee's paychecks. If the employee's domestic partner qualifies as a dependent under Section 125 of the Internal Revenue Code, the employee may file the proper documentation with the IRS and seek a refund for taxes withheld.

Some courts have recognized non-marriage relationships as the equivalent of marriage for the purpose of establishing and dividing community property. A declaration of common welfare, such as the registration of a domestic partnership, may therefore have legal implications.

Questions regarding this policy should be directed to the Insurance Specialist.

14-4 SUGGESTIONS

Employees who have suggestions for the improvement of County services, reduction of costs, improvement of safety, training, or other related plans or programs are encouraged

to submit new and original ideas to their Department Head. In all cases, the Department Head should notify the employee in writing of the disposition of the suggestions; and a copy shall be sent to the County Administrator.

CHAPTER 15 – ADMINISTRATION

15-1 ADMINISTRATION

- 15-1.1 The County Administrator, the Policy, Personnel, & Appointments Committee, and the Department Heads shall be responsible for the enforcement of the Personnel Policies.
- 15-1.2 When the County Administrator is the Department Head involved, all actions required of the County Administrator by this policy shall be taken by the Chair of the Policy, Personnel, & Appointments Committee.
- 15-1.3 The Policy, Personnel, & Appointments Committee may issue opinions construing the provisions of these Policies. A written opinion shall be prepared detailing the facts and circumstances surrounding the question, the issue presented to the Committee, the decision of the Committee and the reasoning upon which the decision is based. These opinions shall be numbered and/or dated and a copy of each opinion shall be maintained by the County Administrator for future reference.

15-2 THIS POLICY MAY BE REVISED AT ANY TIME WITH THE APPROVAL OF THE COUNTY BOARD