



**RECEIPT - EMPLOYEE SIGN AND RETURN COPY**

**PLEASE READ THIS RECEIPT PAGE, THEN SIGN AND RETURN IT TO THE DEPARTMENT OF HUMAN RESOURCE MANAGEMENT. KEEP THE SECOND COPY IN YOUR HANDBOOK.**

This handbook is provided to employees as a guide and is not meant to create a binding contract between the employee and Kane County. The information in this handbook is subject to change as Kane County updates its policies. Any changes may modify, supersede, or eliminate the policies currently described. Every effort will be made to notify employees of any change in policy through the various communication channels used in Kane County. The Department of Human Resources Management will make every effort to issue revised policies, but it is the responsibility of the employee to maintain this document.

Due to statutory requirements, there may be exceptions to the policies, rules and regulations stated in this handbook. Employees who work in an office headed by an elected official with internal control should consult that official for guidance. Employees who work in unionized offices or departments should consult the collective bargaining agreement governing that specific office or department.

All Kane County employees are at-will employees and can be terminated at any time unless otherwise prohibited by a written employment agreement or a collective bargaining agreement. The benefits, policies, practices and procedures described herein do not create a protected or enforceable interest and are subject to change, at the discretion of Kane County without notice.

**I, THE UNDERSIGNED, HAVE RECEIVED A COPY OF THE KANE COUNTY PERSONNEL POLICY HANDBOOK. I HAVE READ THE CONTENTS OF THE BOOK AND I UNDERSTAND THAT IT CONSTITUTES A SUMMARY OF THE PERSONNEL POLICIES ADOPTED BY THE KANE COUNTY BOARD. I ALSO UNDERSTAND THIS BOOK AND ANY SUBSEQUENT WRITTEN CHANGES MADE TO IT ARE MINE TO KEEP AS LONG AS I AM EMPLOYED BY KANE COUNTY. IF MY EMPLOYMENT IS TERMINATED FOR ANY REASON, I WILL RETURN THIS BOOK AND ANY ADDITIONAL CHANGES TO THE DEPARTMENT OF HUMAN RESOURCE MANAGEMENT.**

EMPLOYEE'S NAME (PRINT) \_\_\_\_\_

EMPLOYEE'S SIGNATURE \_\_\_\_\_

DEPARTMENT / OFFICE \_\_\_\_\_

DATE \_\_\_\_\_



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EMPLOYEE'S NAME (PRINT) \_\_\_\_\_

EMPLOYEE'S SIGNATURE \_\_\_\_\_

DEPARTMENT / OFFICE \_\_\_\_\_

DATE \_\_\_\_\_



## **KANE COUNTY**

# **PERSONNEL POLICY HANDBOOK**



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**OTHER COUNTY BOARD ACTION REGARDING EMPLOYMENT NOT CONTAINED  
IN HANDBOOK**

**County of Kane Flexible Benefits Plan**

---copy of the plan may be obtained from HRMgmt or downloaded from the County intranet site, web.kane

**Kane County Ethics Ordinance**

---copy of the ordinance may be obtained from HRMgmt for downloaded from the County internet page at [www.countyofkane.org](http://www.countyofkane.org)

**Procedure to Address an Indoor Environmental Concern**

---copy of the complaint form may be downloaded from the County intranet site, web.kane



## **EQUAL EMPLOYMENT OPPORTUNITY**

The County of Kane, State of Illinois, represents that it and the employing agencies responsible to it, conform to the following:

We will not discriminate against or deny equal employment opportunities to employees and job applicants because of race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service or any other legally protected status. We will take whatever action is necessary to ensure that applicants and employees are treated appropriately regarding all terms and conditions of employment. We will post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

We will, in all solicitations or advertisements for employees placed by or on behalf of the employing agencies, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service.

We will make reasonable accommodations for any medical or common condition of a job applicant or employee related to pregnancy or childbirth unless to do so would impose an undue hardship on the ordinary operation of County business.



## **ABSENTEEISM AND TARDINESS**

It is each employee's responsibility to adhere to the standard workweek and time schedule in accordance with the rules and regulations of the department. Occasionally, an absence is unavoidable and, naturally, we don't want employees on the job if they are too ill to work. The County expects employees to return to work as soon as commensurate with good health, safety and reasonable personal considerations.

When you are unable to be on the job, you should obtain permission from your department head or supervisor in advance whenever possible. If for any reason you are unable to report for work at the regular time, it is your responsibility to call your department head or supervisor no later than one hour after your normal starting time. If any emergency or illness arises before the normal quitting time, seek immediate assistance and inform your supervisor. Unexcused absences for more than three (3) consecutive days without proper notification may be cause for discharge and sick pay benefits may be denied.

Employees who are off sick (excluding those on an approved and authorized leave) must call in each day unless unusual circumstances prevent a call.

## **CHANGE OF PERSONAL DATA**

If there is a change in your name, address, phone, marital status, etc., at any time during your employment, notify your Department Head and the Human Resources Department within seven days. Having current and correct information is important in the event of an emergency

Any time you wish to change the number of tax exemptions you claim or the beneficiary of your IMRF death benefit, please notify the Human Resource Department as soon as possible. This includes any changes that could affect your health insurance coverage.

If you are changing the number of tax exemptions, you must file a form with the Payroll Office. If you are changing your IMRF beneficiary, you must contact IMRF directly.

If you are changing your deferred comp beneficiary, you must notify both the County and your specific deferred comp provider.

The eSuite online program is available to assist employees in keeping their personal information current.

## **CLASSIFICATIONS OF EMPLOYMENT**

Kane County classifies employees by these definitions:

**Regular Full-time** - An employee in an established position working 35 hours or more per week. Employees in this classification are entitled to the benefits described in this handbook. Unless otherwise noted, benefits begin to accrue on the first day of regular employment.

**Regular Part-time** – Effective December 1, 2003, an employee in an established position is one who is scheduled to work a minimum of 21 hours per week but less than 35 total hours per week. Employees in this classification are entitled to the benefits as described in this handbook. Unless otherwise noted, benefits begin to accrue on the first day of regular employment.

**Seasonal full-time or part-time** - An employee hired to work temporarily for a short prescribed period of time. Employees in this classification are not eligible for any benefits described in this handbook.

**Non-Exempt** - an employee who is entitled to the minimum wage and/or overtime pay protections of the Fair Labor Standards Act.

**Exempt** - An employee employed in a bona fide executive, administrative or professional capacity, or a computer employee employed as a computer systems analyst, computer programmer or a software engineer and who is exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act.

**At will** - An employee not covered by the provisions of a collective bargaining agreement or an employment contract and whose employment can be terminated, either by the employee or by the County, at any time and without reason or notice.

Kane County is required to enroll all employees into IMRF if their job normally requires 600 or more hours in a 12-month period.

**Independent Contractor** – See Independent Contractor Policy.

<b>Compensation Policy</b>  <b>Effective Date:</b> December 12, 2023 <b>Last Amended Date:</b> N/A	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
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## COMPENSATION AND POSITION MANAGEMENT

### Policy

It is the policy of Kane County to establish and maintain competitive salary ranges consistent with the economic/budgetary requirements of the County which will allow the County to effectively compete for qualified personnel, retain productive employees, and ensure that salaries are transparent, equitable, and commensurate with the duties performed by each employee.

### Eligibility

This policy applies to all regular, full-time and part-time employees under the jurisdiction of the County Board not covered by a collective bargaining agreement, statute, ordinance, or employment contract.

This policy does not apply to appointed or elected officials with internal control or their employees unless the official has opted into the County’s salary and grade system and adopted this policy in writing prior to the adoption of the annual budget, and such option is effective for the duration of the budget year.

### Guidelines

- A. Position Analysis: For each position, the appropriate Position Analysis form will be completed describing all the pertinent factors relating to the position. The department head or participating elected official must sign the form and submit it to the Human Resources Department, where it will be evaluated using an assigned grade pursuant to Kane County’s job classification system. The Human Resources Director will notify the department head or participating elected official of the final rating.
- B. Job Descriptions: Job descriptions shall be maintained by the Human Resources Department for all positions (full-time, part-time, seasonal and temporary). Job descriptions will be developed by the Human Resources Department, in consultation with the department head, from the completed Position Analysis form. Participating elected officials shall forward complete job descriptions to the Human Resource Department.
  1. Job descriptions will contain a summary description of the position and essential duties performed by incumbents, as well as list the knowledge, skills, and abilities an employee should have in order to successfully complete the essential duties of the position. Relevant working conditions of the position shall also be included. Examples of duties listed in the job description are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the job if the work is similarly related or a logical assignment to the position.
  2. The job description does not constitute an employment agreement between the

County and the employee and is subject to change as the needs of the County and the requirements of the position change.

C. New Positions:

1. All new positions should be planned for and submitted to the Human Resources Director and the Finance Director during the budget process. Priority will be given to requests responding to new mandated service or presented in the context of a reorganization that enhances customer service and/or reduces the overall cost of doing business.
2. Mid-year requests for new positions will be considered on a case-by-case basis, and must have a position analysis or completed job description and grading prior to being presented to the Board or its Committees for approval. New positions must be approved by the standing committee to which the department reports, the Human Services Committee, the Finance and Budget Committee, Executive Committee, and the County Board.
3. New position and reclassification requests submitted during the budget process must be position specific to be considered for funding. If funding is approved during the budget process and the department or participating office wishes to use the funding in any manner other than the position requested and approved, a resolution authorizing the change will be required by the County Board prior to the change taking place.

D. Grade and Salary Range System: The Human Resources Department shall maintain a job grade and salary range system which contains an inventory of jobs, designated by title, within the various classifications existing at the County. The Classification System consists of a grouping of similar positions into categories of substantially similar complexity and responsibility and general qualifications. All positions will be evaluated and classified in order of their relative value. The following factors will be used in the establishment and maintenance of the County's classification system:

1. The County is committed to maintaining a salary structure, consisting of position grades and salary ranges that will allow the County to ensure that salaries/wages are equitable and commensurate with the duties performed by employees.
2. All position grades will have a salary/wage range that indicates their minimum, midpoint, and maximum monetary value. Salary ranges should be broad enough to provide salary/wage growth for competent personnel.
3. Salary Ranges will be reviewed by the Human Services Committee from a competitive standpoint based on prevailing trends (salary survey data and economic indicators) and the County's ability to pay on an annual basis. Market trends and comparisons will be provided by the Human Resources Department and appropriate changes will be recommended by the Human Services Committee and approved by the County Board.
4. All new employees will normally be paid the minimum rate in the appropriate salary range. However, the County recognizes that department heads and participating elected officials may need flexibility during the hiring process to recruit qualified candidates. The recognition of extraordinary experience or qualifications, labor market demands, or other qualifications of the candidate may justify a higher rate of pay, subject to the following conditions:

<b>Hiring Range</b>	<b>Approval Required</b>
Minimum to 3 <sup>rd</sup> Quartile	Department Head/Elected Official

Over 3 <sup>rd</sup> Quartile	Human Services Committee
-------------------------------	--------------------------

Salary increases for new hires planned upon completion of a probationary period or achievement of a certification or other required element are permitted as long as such arrangement is put in writing at hire and the total salary including planned increase is within budget and follows the starting wage guidelines as indicated in the table above.

E. Vacant Positions:

1. If a position becomes vacant, steps must be taken to fill the position as soon as practical. If a department or participating office has a bona fide reason to delay hire, such reason must be submitted to the Human Resource Department in writing within 30 days of the position being vacated and must include a description of how the duties will be maintained during the vacancy.
2. If a department or participating office has difficulties filling a vacant position due to a lack of qualified candidates after 90 days of advertisement, the department or participating office shall inform Human Resources in writing, so that Human Resources may expand the recruitment efforts and, if needed, re-evaluate the salary and/or grade for the position.
3. If any vacancy in a department or participating office exists in excess of 180 days and the aforementioned recruitment steps have not been taken by the department or participating office, the position will be subject to review in the next budget process.
4. Budget is allocated based on position, and not the employee in the position. If budget savings from a vacant position occurs and the department or participating office uses that savings in any manner other than outlined in this policy without prior County Board approval, the unfilled position may be re-evaluated in the next budget process.

F. Promotions: For purposes of this policy, promotion is considered movement into a job classification that is at least one salary grade higher than the employee's current position. At the time of promotion, an employee is normally eligible for a salary adjustment based upon the following considerations:

1. The employee's performance history. If the employee is transferring departments, a completed performance appraisal should be completed by the former department for file and submission to the new department;
2. The experience level of the employee with the duties of the new position;
3. The amount of additional responsibility, including education and training required for the new position;
4. The location of the employees' current salary in the new salary range;
5. Equal pay within the County to ensure that employees with similar positions, skill sets, and experience are paid similarly;
6. The budgetary constraints of the department;
7. A one-grade promotion normally results in a salary increase 5% of the employee's current salary. If the minimum of the new salary range is higher than the proposed increase, the employee shall be moved to at least the new minimum of the salary range and not more than the first quartile of the new salary range. In no case can the increase exceed the budgeted amount of the position the employee is being promoted into without approval of the County Board.
8. In the event the promotion is into a position that is two grades or more above the

employee's current position, salary will be determined by the department head or participating elected official in consultation with the Human Resources Department, and in no case be less than the minimum salary for the range or more than the budgeted salary for the position without approval of the County Board.

9. In accordance with County Code 2-48, all Department Head salaries must be set and approved by the County Board.
  10. In the event of internal promotion is due to receipt of licensure or certification into a professional position requiring same licensure or certification, the annual salary may be allowed over the normal increase as set forth in Section F6, but not to exceed the first (1st) quartile of the new salary grade. The salary will be determined by the department head or participating elected official in consultation with the Human Resource Department.
  11. Employees who receive a promotional increase (mid-year adjustment) during the current fiscal year will not be eligible for a merit increase for the following year unless they have completed at least 6 months in the new position as of December 1<sup>st</sup>.
- G. Transfers: A transfer is defined as a reassignment of an employee from a position in one pay range to another position in the same pay range. The employee will retain the same rate of pay regardless if the transfer entails a change of departments, unless the new position is covered by a collective bargaining agreement, in which case the collective bargaining agreement will determine the new salary. A completed performance appraisal will be required anytime an employee is transferred.
- H. Demotion: A demotion is defined as an assignment to a position in a lower salary range regardless of the reasons for the change. A completed performance appraisal will be required anytime an employee is demoted. If the demotion is not voluntary, every effort will be made to maintain the current salary of the employee, subject to the budgetary constraints of the new position. If the demotion is voluntary, the salary adjustment will never be less than the minimum of the new range assignment nor be greater than the salary before demotion. The appropriate salary will be determined by the department head or participating elected official in consultation with the Director of Human Resources.
- I. Trainee Status: If an applicant does not fully meet the minimum educational or certification requirements (but will within six (6) months of hire), the applicant may be hired at up to 10% below the minimum of the salary range. Once the applicant has met the minimum requirements, they will be brought to the minimum of the salary range. The applicant will not be eligible for a merit increase during the trainee status period.
- J. Reclassification: A position that is reevaluated (following the job evaluation protocol as established in Section A) and moves into a higher salary grade will be considered a promotion and normally results in a salary increase not to exceed 6% of the employee's current salary. If the minimum of the new salary range is higher than the proposed promotional increase, the employee shall be moved to the new minimum of the salary range. A position that is reevaluated (following the job evaluation protocol as established in Section A) and moved into a lower salary grade will not be considered a demotion, but the incumbent employee's salary will be limited by the salary range of that grade.
1. In accordance with established practice, all requests for position reclassifications (following the job evaluation protocol as established in Section A) should be planned for and submitted to the Executive Director of Human Resources

Management and the Executive Director of the Finance Department during the budget process.

2. Mid-year requests for reclassifications must follow the following the job evaluation protocol as established in Section A and any resulting reclassifications must be approved by the Human Services Committee, The Finance and Budget Committee, Executive Committee, and the County Board.
- K. Salary Adjustments, Stipends, and Lump-Sum Distributions: Salary increases must not be presented or promised to employees until they have been approved as processed in accordance with the guidelines established in this policy. For department heads and participating elected officials who wish to seek a salary adjustment, stipend, or lump sum distribution outside of the guidelines established in this policy during the fiscal year, a resolution will be required to be presented to the Human Services Committee, the Finance and Budget Committee, Executive Committee, and the County Board requesting said adjustment, stipend, or lump sum distribution. Once board approved, the department head or participating elected official should submit a payroll action form to the Human Resources Department with a copy of the approved resolution.
- L. Temporary Assignment Pay: In the event of a vacancy, employees may receive a temporary assignment pay in the form of temporary salary increase to cover increased duties of the vacant position when such coverage is documented as to the bona fide increased workload or responsibility. Total temporary assignment pay increase shall not exceed the budget savings from the vacancy, and shall terminate when the position is no longer vacant. Documentation supporting the additional workload and/or responsibility and the amount of the temporary assignment pay must accompany the Payroll Action Form and shall be retained in the employee file maintained by Human Resources.
- M. Performance appraisals: The County established performance appraisal system is a mechanism to document and measure individual job performance, to promote individual job knowledge, and skill development for career advancement and are subject to the following provisions:
1. A formal performance appraisal shall be conducted for all employees on an annual basis. However, management staff is encouraged to provide both positive and corrective feedback on an ongoing basis to the employees they supervise.
  2. A completed performance appraisal will be required in the submission of any employee promotion, transfer, demotion, or mid-year salary adjustment.
  3. The completed performance appraisal document will become a part of the employees permanent personnel file maintained in the Human Resources Department.
- N. Merit increase system: The County has adopted a merit increase system to implement a pay-for-performance policy subject to the following provisions:
1. While position evaluation determines the relative value of the position to the organization, and while performance appraisal determines the level of employee job performance, the merit system determines the level of employee reward for performance. Merit increase pools will be established annually as a part of the budgetary process.
  2. The merit pool amount will be recommended by the Executive Director of the Finance Department in consultation with the Executive Director of Human Resources Management for the approval of the County Board based first on



budget considerations and then on competitive market conditions. Merit pools will be calculated and distributed based on salaries and/or headcount eligible for a merit increase within the department or participating elected office.

3. To eliminate confusion in the calculation of merit dollars for departments or participating offices, reclassifications and associated salary adjustments will not be considered during October and November of each year.
4. Merit pool may be distributed to eligible staff pursuant to the following guidelines:
  - a. Performance appraisals for all departmental staff must be conducted and sent to the Human Resources Department along with or prior to any merit increases.
  - b. Participating elected offices must conduct and retain a performance appraisal for employees to give a merit increase, but may elect to provide the Human Resources Department with a memo indicating appraisal was completed in lieu of a copy of the appraisal. Offices electing this option must retain the appraisals in their internal files and comply with all applicable laws and regulations regarding retention and review of personnel files.
  - c. Merit increases may be effective at any time during the fiscal year, however annualized merit increases must not exceed the annual merit increase pool provided to the department or participating office.
  - d. Employees who have reached the top of their position's salary range are still eligible for merit-based performance recognition. The amount of such recognition will be established by the department head or participating elected official, taking into consideration that the expectations of an employee with a long tenure at the top of their range are greater. Any amount of merit recognition assigned will be paid to the employee in two equal lump sums at the one-month and seven-month point in the fiscal year.

O. Job Grade Review Process: Department heads or participating elected officials may request the Human Resources Department re-evaluate the grade of a position if, in their opinion, there has been a significant change in job duties, responsibilities and/or qualifications of the position. However, the same position will not be evaluated more than once in any 12-month period. The job evaluation process is as follows:

1. The department head or participating elected official will review the current job description form to ensure that the duties and responsibilities are accurately described.
2. Minor additions/revisions can be written in the margin of the existing Job Description.
3. Major revisions require a supplemental sheet or the completion of a new Position Analysis Form.
4. Department head or participating elected official shall submit the revised analysis and supporting comments and recommendations to the Human Resources Department.
5. The Human Resources Department will collaborate with department or office staff as needed to establish and communication appropriate new grade and range.

## **CONCEALED CARRY**

Kane County employees may not carry a concealed firearm in any County building or vehicle. Employees are also prohibited from carrying a concealed firearm in their private vehicle, while in the course of their employment with the County. This policy applies to those employees who are licensed under the Illinois Firearm Concealed Carry Act, 430 ILCS 66/65, which specifically prohibits carrying concealed firearms in any building designated for matters before a circuit court, any building or portion of a building under the control of a local government, or any building, real property, and parking area under the control of an adult or juvenile detention or correctional institution, prison or jail. This policy does not apply to any Kane County employee who is authorized to carry a concealed firearm by any other State statute.

## **CRIMINAL HISTORY CHECKS**

All persons applying for employment with the County of Kane (“Kane County”) shall be required to submit to a fingerprint-based criminal history check as a condition of employment. In addition, current Kane County Health Department employees whose positions require a criminal history check pursuant to applicable law, grant or other contract provision shall also be required to submit to a fingerprint-based criminal history check as a condition of continued employment with Kane County.

If a criminal history check is required, then all applicants or pertinent current employees will be requested to complete a criminal history record. Unless required by applicable law, Kane County will not inquire about arrest records.

In addition, the applicant or employee will be required to submit an appropriate fingerprint sample for analysis by law enforcement agencies and will be advised that confirmation of the individual’s criminal history will be sought from the appropriate authorities. If any consent form is required by an applicable law or a particular law enforcement agency to release the information, the applicant or employee will be required to provide such a consent form. Kane County will take reasonable steps to obtain accurate information. If the criminal history provided by the applicant or employee does not conform to the information obtained through the criminal history check, the applicant or employee will be given an opportunity to explain any differences. If a satisfactory explanation is not given, the applicant or employee will not be considered further for the position.

If any applicant declines to complete the criminal history record or to provide an appropriate fingerprint sample or a required consent, such action will be treated as if the applicant has withdrawn his or her application for the position. If an affected current employee declines to complete the criminal history record or to provide an appropriate fingerprint sample or a required consent, such action will be treated as if the employee has submitted his or her resignation from the position.

The director of the department with an open position to be filled may make a conditional offer of employment to the most qualified applicant, pending completion of a consent form and submission of an accepted fingerprint exemplar. Applicants will not be hired until the criminal history check has been completed and evaluated jointly by the Director of the Kane County Human Resources Department and the relevant director of the department in which the position exists, in consultation with the Kane County State’s Attorney’s Office, Civil Division, as necessary. The relevant director of the department has ultimate authority to hire an applicant.

Kane County’s equal employment opportunity policy will be followed with respect to any criminal history information. If an individual has a criminal history, the following factors will be considered in determining whether to hire or retain the individual, as applicable, for the position sought:

- The nature of the criminal act
- The frequency of criminal acts
- The time since the last conviction
- The time between convictions
- The nature of the job
- The qualifications of the individual for the job
- Evidence the individual has successfully rehabilitated himself or herself
- Whether the position entails interaction with minors or others unable to care for themselves

Any employee discovered to have lied or omitted information regarding his or her criminal history is subject to disciplinary action up to and including immediate discharge.

All criminal history record information shall be maintained by the Kane County Human Resources Director, in confidence, in locked files separate from the personnel records.

It shall be within the sole discretion of each elected official or appointed official with internal control to apply any or all provisions of this policy to applicants or employees of his or her office.

## **DEFERRED COMPENSATION**

Kane County has adopted a Deferred Compensation Plan that makes it possible for employees to defer income and the payment of taxes on these deferred amounts until a later date. When an employee selects one of the vendors contracted with by the County and designates a dollar amount to be deferred, the County places this money in a tax-deferred investment of your choice to earn tax-deferred interest until you are ready to receive distributions, usually at retirement.

Deferred compensation is a convenient method of accumulating money to help meet future financial objectives. It is not intended for short-term savings or for investments of a short-term nature since the money deferred is generally not available unless you terminate employment or retire. Any requests for early distribution of funds must meet the vendor's distribution qualification criteria and must be submitted to the Auditor for approval.

Contact the Human Resources Department for additional information.

<b>Disciplinary Guidelines</b>			
<b>Effective Date:</b> August 9, 2022	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> October 8, 2019			

**DISCIPLINARY GUIDELINES**

**POLICY**

Any conduct that adversely affects job performance or the integrity of Kane County government, or violates County policy, or is violative of any law or regulation may be cause for disciplinary action up to and including termination. It is the policy of Kane County to provide progressive disciplinary guidelines to promote consistent application to all employees. However, nothing in this policy is intended to modify or alter the at will nature of employment with the County.

**ELIGIBILITY**

This policy applies to all employees under County Board jurisdiction regardless of position or employment status. Employees’ subject to a collective bargaining agreement, contract, statute, or ordinance shall be governed by the applicable contract, statute, or ordinance.

**GUIDELINES**

1. Disciplinary action may be taken against an employee for a violation or infraction of County policy or for conduct that interferes with or adversely affects job performance or the integrity of Kane County government, or violates County policy, or is violative of any law or regulation. This may include, but is not limited to, any conduct observed by a supervisor, coworker, member of the public, captured on video surveillance, internet/email activity, cell phone/telephone usage, etc.
2. The disciplinary categories may or may not be used in sequential order. While progressive disciplinary steps may be followed, it is not always necessary or appropriate that a particular step be taken before moving to the next step, including termination. Certain conduct may warrant an immediate written warning, suspension, or termination. The County retains the discretion to decide which step is appropriate.
3. The following factors may be considered in determining the disciplinary action to be taken: the severity of the violation, the frequency of a repeated violation, the general work record of the employee, any prior disciplinary action, regardless of whether the circumstances leading to the discipline are related, and the employee’s position and length of service with the County.
4. All formal disciplinary action against an employee requires prior approval of the employee’s department head, after consultation with the Executive Director of Human Resources, to ensure consistency of action.
5. Should the employee facing disciplinary action be a department head, the chair of the standing committee to which the department head reports, in consultation with the Board Chair, the standing committee, and the Executive Director of Human Resources shall act as the Board’s designee in disciplinary matters and will have the authority to issue documented oral and written warnings. Suspensions and terminations of department heads require the approval of the County Board.

**PROCEDURES:**

- a. Department heads, or their supervisor designees, and designated committee chairs, as applicable, shall contact Human Resources as soon as possible when an employee is displaying unsatisfactory behavior or performance issues.
- b. Department heads, or their supervisor designees, and designated department chairs, as applicable, with the assistance of Human Resources, will collect and document all relevant facts accurately and be specific. When documenting an incident, supervisors should avoid personal interpretation or editorials of the situation.
- c. The Human Resources representative and the applicable department head or designated supervisor or committee chair shall review the circumstances, issues, and documentation of the incident.
- d. The employee will be given the opportunity to explain what may have caused their unsatisfactory behavior or performance.
- e. Depending upon the seriousness of the situation, the Human Resources representative will assist the department head or designated supervisor or committee chair in completing written documentation regarding the incident.
- f. If the policy violation or improper behavior is severe, or if employee has already been disciplined and has not demonstrated satisfactory improvement, the department head in consultation with the Executive Director of Human Resources will determine further appropriate disciplinary action, up to and including termination. In the case where a department head is subject of the disciplinary action, the committee chair will consult with the standing committee and/or the County Board in closed session at a public meeting to determine the next step. Only the County Board may suspend or terminate a department head.

**PROGRESSIVE DISCIPLINARY STEPS:**

- (A) Documented oral warning - The department head or designated supervisor or committee chair may give an oral warning and explanation to the employee concerning unsatisfactory performance or conduct that violates county policy and why it is important that his/her performance be improved and/or the conduct is not to be repeated. All oral warnings will be given in a private setting. The department head, supervisor or committee chair will then make a short, written record of their conversation. The department head, supervisor or committee chair and the employee will initial the written record, and each will retain a copy of it. The record will become part of the employee's personnel file in Human Resources.
- (B) Written warning - If the employee continues to have unsatisfactory performance and/or continues to violate county policy, or if the nature of the violation or infraction warrants, the department head, supervisor or committee chair may issue a written warning that contains the date and nature of the infraction, and any other pertinent data including corrective measures to be taken. The supervisor, the department head or committee chair will meet with the employee in a private setting to discuss and review the written warning and the applicable corrective action(s). The department head or committee chair will keep the original employee warning record for the departmental personnel file, and distribute copies as follows: one (1) copy shall be forwarded to the Human Resources Department for filing in the employee's personnel file, and one (1) copy shall be given to the employee.
- (C) Suspension – Suspension may be used as a progressive disciplinary step or as a first step depending on the nature and severity of the violation. The department head, in consultation with the Executive Director of Human Resources, may suspend an employee with or without pay for a

period not to exceed thirty (30) calendar days if there is evidence of, or a reasonable suspicion that, a serious offense has been committed. Prior to suspension, the department head will inform the employee orally, in a private setting, and in writing of the unacceptable conduct and the reason(s) a suspension is warranted, allowing the employee to give their side of the story. However, if the presence of the employee poses a continuing threat or disruption to the department, the department head may initiate an administrative leave pending review, with or without pay, without first meeting with the employee. Within twenty-four (24) hours of taking such action, the department head will consult with the Executive Director of Human Resources to document the violation or unacceptable conduct and schedule the meeting with the employee to be given the opportunity to present their side of the story. The Department Head will keep the original suspension record for the employee's departmental personnel file and distribute copies as follows: one (1) copy shall be forwarded to the Human Resources Department for filing in the employee's personnel file, and one (1) copy shall be given to the employee.

Suspensions of Department Heads require action of the County Board. However, if the presence of a department head poses a continuing threat or disruption to the department, the chair of the standing committee to which the department head reports, in consultation with the vice chair of the standing committee, the Chairman of the County Board and the Executive Director of Human Resources, may place the department head on a paid administrative leave, pending review by the County Board at its next meeting, without first meeting with the employee. The committee chair will consult with the Executive Director of Human Resources to document the violation or unacceptable conduct. Human Resources will then work with the State's Attorney's Office to perform any necessary investigation, and schedule a meeting with the employee, who will be given the opportunity to present their side of the story.

**(D)**

**(E)** Termination - Kane County retains the right to discharge an employee by action of a department head with approval from the Executive Director of Human Resources, or their designee, or through action taken by the County Board. Progressive disciplinary procedures may be bypassed and immediate termination can occur at the discretion of the department head and the Executive Director of Human Resources and/or the County Board, as applicable. Unless the presence of the employee poses a continuing threat or disruption to the department, prior to termination the department head and Human Resources representative will meet with the employee in a private setting to provide the employee an opportunity to give their side of the story. If the employee poses a continuing threat or disruption to the department, the department head in consultation with the Executive Director of Human Resources or their designee may immediately place the employee on paid or unpaid administrative leave without meeting with the employee. The employee will be given the opportunity to respond to the reasons for termination and give his or her side of the story to the department head and Executive Director of Human Resources in writing.

After consideration of the facts, Human Resources will notify the employee in writing of his or her termination, the effective date of the termination, and any other information relative to a separation of employment.

Terminations of department heads require action of the County Board. However, if the presence of a department head poses a continuing threat or disruption to the department, the chair of the standing committee to which the department head reports, in consultation with the vice chair of the standing committee, the Chairman of the County Board and the Executive Director of Human Resources, may place the department head on a<sup>24</sup> paid administrative leave, pending review by the



County Board at its next meeting, without first meeting with the employee. The committee chair will consult with the Executive Director of Human Resources to document the violation or unacceptable conduct. Human Resources will then work with the State's Attorney's Office to perform any necessary investigation and schedule a meeting with the employee, who will be given the opportunity to present their side of the story.

- (F) A copy of the written notice of termination will be distributed as follows: one (1) copy shall be filled in the employee's departmental personnel file, one (1) copy shall be forwarded to the Human Resources Department for filling the employee's personnel file, and one (1) copy shall be given to the employee.



<b>Dress Code</b>	<b>Dress Code Policy</b>		
<b>Effective Date:</b> 4/14/2020 <b>Last Amended Date:</b>	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

## DRESS CODE POLICY

Employee appearance contributes to Kane County’s culture and reputation. Employees are expected to present themselves in a professional manner that results in a favorable impression by constituents and taxpayers.

Business casual dress is the standard for Kane County Government employees. Kane County's objective in establishing a business casual dress code is to allow our employees to work comfortably but productively in the workplace, while projecting a professional image for our County, co-workers, potential employees, and community visitors.

Because not all casual clothing is suitable for the office, these guidelines will help you determine what is appropriate to wear to work. Clothing that works well for the beach, yard work, exercise sessions, yoga classes, and sports are not appropriate for a professional appearance at work.

Clothing should be neat and presentable. Torn, dirty, or frayed clothing is unacceptable. Any clothing that has words, terms, or pictures that may be offensive to other employees is unacceptable.

Reasonable accommodations will be made for employees’ religious beliefs or qualifying medical needs whenever possible, consistent with the necessity to present a professional appearance to the public.

### ELIGIBILITY

All employees under County Board Jurisdiction regardless of employment status, except those employees subject to separate uniform provisions, as described below.

### GUIDE TO BUSINESS CASUAL DRESSING AT WORK

This is a general overview of appropriate attire. Items that are not appropriate for the office are listed, too. Neither list is all-inclusive. The lists tell you what is generally acceptable what is generally not acceptable.

No dress code can cover all contingencies so employees must exert a certain amount of good judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, professional, business casual attire for work, please ask your Manager.

### BUSINESS CASUAL DRESS

*Pants, Skirts, and Dresses:*

Appropriate for work:

Dress pants, slacks, khakis, leggings (leggings are only acceptable when worn with dresses, skirts, tunics, or long sweaters that at minimum cover buttocks), jeans (if approved within the employee’s department as acceptable), capris, skirts, skirt suits, and dresses (worn at a length at which you can sit comfortably in public).



Inappropriate for work:

Torn jeans, sweatpants, exercise pants, shorts, spandex or other form-fitting pants worn for biking or sport activities, ultra mini-skirts, skorts, beach dresses, and spaghetti-strap dresses.

*Tops:*

Appropriate for Work:

Dress shirts, sweaters, blouses, polo shirts, blazers, suit jackets, turtlenecks, and other casual shirts (plain t-shirts are acceptable).

Inappropriate for Work:

T-shirts with any writing, logos, pictures, cartoons or slogans, tank tops, midriff tops, any shirts with offensive terms, logos, pictures, cartoons, or slogans, and halter-tops.

*Shoes and Footwear:*

Appropriate for Work:

Conservative athletic or walking shoes, loafers, clogs, boots, flats, dress heels, conservative dress sandals (open-toe is acceptable), and leather deck-type shoes.

Inappropriate for Work:

Flip-flops and slippers.

*Uniforms:*

Certain departments may require a uniform. To the extent that provisions of the Kane County Policy are in conflict with provisions with a Collective Bargaining Agreement and/or a department's uniform requirements, the provisions of the Collective Bargaining Agreement and/or the department's uniform requirements shall apply.

*Perfume, Cologne, and Bodily Hygiene:*

Employees should maintain proper personal cleanliness as bodily and oral hygiene is a component of the dress code policy. Some employees are allergic to the chemicals in perfumes and make-up, so wear these substances with consideration of others.

**CONCLUSION**

If clothing fails to meet these standards, the concern will be addressed by the department manager and Human Resources, if necessary.

If the problem persists, the employee may be sent home to change clothes and will receive a verbal warning for the first offense. Progressive disciplinary action will be applied if dress code violations continue.

## **DRIVING VEHICLES WHILE ON COUNTY BUSINESS**

It shall be the policy of the County to check driving records and proof of auto liability insurance of all employees hired on or after June 1, 2008. The Department of Human Resource Management shall conduct the initial check when the employee is first hired; thereafter driving records and proof of insurance shall be randomly checked one time each year by the Department of Human Resource Management from a pool comprised of employees that have submitted travel reimbursement requests and employees who have driven a County-owned vehicles within the past 12 months.

The County's insurance rates are highly affected by the employee's driving record. The County may consider an acceptable driving record to be no more than two (2) accidents and/or convictions for moving violations in the previous year and no convictions within the prior year for the offenses of reckless homicide, reckless driving, driving with a suspended or revoked license, hit and run, driving while under the influence of intoxicants or fleeing or attempting to elude a police officer.

An employee or student intern/volunteer who does not have a valid driver's license issued by the Illinois Secretary of State or the authorized official from another state will not be allowed to drive a County vehicle or an employee's personal vehicle on authorized County business. An employee's use of a vehicle for authorized County business is a privilege, not a right. The County reserves the right to prohibit an employee's use of a vehicle for authorized County business in cases of repeat violations of this policy or for an unacceptable driving record.

The County cannot list rules to cover every situation. The County requires all employees who drive a County vehicle or an employee's personal vehicle, volunteers, consultants, vendors and any other person on authorized County business to:

- (G) Abide by all traffic laws
- (H) Heed all traffic signs and signals
- (I) Practice defensive driving
- (J) Abstain from smoking in all County-owned vehicles
- (K) Abstain from operating a vehicle while impaired by or under the influence of alcohol or consuming alcoholic beverages in proximate time to the employee's reporting time for work Abstain from consuming illegal drugs or prescription medicines that can impair driving ability
- (L) Refrain from cell-phone use while driving the vehicle. Pull over to the side of the road to send or receive telephone calls
- (M) Refrain from carrying non-employee passengers in the vehicle, unless required
- (N) Lock unattended vehicles at all times to prevent theft of County and/or personal property.
- (O) Make sure that the vehicle is equipped with proof of insurance, current registration, and state inspection reports
- (P) Pay any tickets, fines or other penalties assessed against the employee
- (Q) Refrain from establishing personal I-PASS accounts using the County-owned vehicle
- (R) Refrain from carrying a concealed firearm in the County-owned or the employee's personal vehicle

### **Reporting Accidents and Injuries**

All accidents and injuries that occur while the employee is on authorized County business should be immediately reported to the employee's supervisor, to the employee's insurance company and to the Department of Human Resource Management within 48 hours of the occurrence. Workers compensation and incident report

forms are available from the Department of Human Resource Management or may be downloaded from the County's intranet site. Any damage to the vehicle or injury to the employee must be noted on the report forms.

### **Insurance Coverage and Expense Reimbursement**

The County provides workers' compensation insurance on every employee to protect the employee for loss of pay and time and for the cost of medical care for injuries sustained while on authorized County business.

An employee required to use their own vehicle on authorized County business must have an automobile liability policy issued in amounts no less than the minimum amounts set for bodily injury or death and destruction of property under the 625 ILCS 5/7-601 and 625 ILCS 5/7-203 of the Illinois Vehicle Code. It is the responsibility of each employee to maintain coverage as specified and by driving a personal vehicle while on authorized County business, it is presumed that coverage is in force.

In Illinois, insurance follows the vehicle as it is titled. Therefore, if an accident occurs when the employee is driving their personal vehicle, the employee's personal insurance coverage shall be primary. The defense and indemnity by the County will be, in all cases, secondary to the coverage mandated by Illinois law.

An employee who drives their personal vehicle on authorized County business will be reimbursed according to the County's Travel Expenses policy as set forth in Sec. 2-72 of the Kane County Code. Travel expenses between home and the workplace are not reimbursable. If an employee driving their own vehicle on authorized County business has an accident that damages the employee's vehicle, the County will reimburse the insurance deductible that is paid by the employee to repair the employee's vehicle.

### **Statements Regarding Accidents/Litigation**

In the event that any employee is involved in a motor vehicle accident while on authorized County business, the employee may furnish such information as his name, address and the registration number of the vehicle, and may exhibit his driver's license upon request to any other person involved in the accident or to law enforcement officers. Obtain all information relating to the accident in a professional manner, including the names and addresses of any witnesses. Do not negotiate the settlement of any claim, promise payment for any injury or damage, or admit liability.

Except as required by law, the County requires that employees do not give any written, verbal or signed statement about liability at any time, regarding:

1. Any accident that involves a Kane County employee of agent, or property which is owned, controlled or maintained by Kane County.
2. Any treatment of any inmate or prisoner under the care or control of any Kane County employee including a Sheriff's correctional officer or deputy Sheriff.
3. Any incident directly or indirectly associated with pending or threatened litigation, to any person except with the knowledge or consent of the State's Attorney's Office.

### **Operation of Emergency Vehicles**

Notwithstanding the preceding language, the County recognizes that some employees of the Sheriff's Department, Coroner's Office or Office of Emergency Management may drive County vehicles while in pursuit of an actual or suspected violator or while engaged in an emergency response. While engaged in these type of activities, employees are required to adhere to all statutory regulations and any policies, procedures, or general orders promulgated by the Kane County Sheriff, County Coroner or Director of Emergency Management. At all

other times, the employees are expected to adhere to this policy.

An employee's failure to adhere to this policy or violations of this policy while on authorized County business can result in the loss of driving privileges or the denial of reimbursement of vehicle insurance deductibles

Rev. 09.2008 (Res. 08-279); 08.2014 (Res.14-242)

<b>Drug and Alcohol Policy</b>	<b>DRUG AND ALCOHOL POLICY</b>		
<u>Effective Date:</u> September 2019 <u>Last Amended Date:</u> September 2019	<u>Applicable Law/Statute:</u>	<u>Source Doc/Dept.:</u>	<u>Authorizing I.C. Sec:</u>

## **DRUG AND ALCOHOL POLICY**

### **STATEMENT OF POLICY**

It is the policy of Kane County that there is zero tolerance for drug and alcohol use in the workplace, during working hours, or that in any way threatens the public welfare and the health, safety, and productivity of County employees.

### **APPLICABILITY**

This policy applies to any individual who conducts business for the County, is applying for a County position, or is conducting business on the County’s property. This policy also applies to, but is not limited to, all County employees, volunteers, elected officials, and interns.

This policy applies during all working hours, whenever conducting County business or representing the County, while on call, while on paid standby, while on or in County property, and while working at County-sponsored events. This policy also applies during meal periods or other breaks if an individual is expected to return to work after the meal period or break. Testing limits in this policy are separate and apart from the Federal Department of Transportation Motor Carrier testing program, and if both policies apply, two separate tests will be conducted.

The alcohol restrictions in this policy are not intended to apply to social gatherings and community events on County property where employees are not working or are not expected to return to work.

### **POLICY AND PROCEDURES**

#### **In General**

Kane County is committed to protecting the safety, health, and wellbeing of all employees and other individuals in our workplace. We recognize that alcohol and drug abuse pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

The County does not intend to interfere with lawful activities conducted during the private lives of its volunteers, elected officials, and County employees. However, the County expects its volunteers, elected officials, and employees to report to work in a condition to perform duties in a safe, effective, and efficient manner.

This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale.

As a condition of employment, the County requires that employees adhere to this policy regarding the use and possession of drugs and alcohol and notify the County of any criminal drug statute conviction. Kane County encourages employees to voluntarily seek help with drug and alcohol problems.

## **Notification of Convictions**

An employee must provide written notification to his or her supervisor if he or she is found guilty of, pleads guilty or no contest to, or is sentenced for a violation of a criminal drug statute that occurred in the workplace. A criminal drug statute is a federal or state law, violation of which carries the possibility of incarceration and which involves the manufacture, distribution, dispensation, use, or possession of any controlled substance. The notification must be within five (5) calendar days of the event. The supervisor will immediately notify their direct report, who will notify the HR Department. When appropriate, federal conduct acting agencies will be notified within ten (10) calendar days. In accordance with federal law, the County will take appropriate action within thirty (30) days of the notification.

## **Assistance**

Kane County recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to use the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and appropriate sources of help.
- Offers all regular employees and elected officials, as well as their family members, assistance with alcohol and drug problems through the Employee Assistance Program.
- May allow the use of applicable accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Seeking such assistance will not be a defense for violating the County's Drug and Alcohol Policy, nor will it excuse or limit the employee's obligation to meet the County's policies, rules of conduct, and standards, including but not limited to those regarding attendance, job performance, and safe and sober behavior on the job.

## **Communication**

Communicating the drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program all employees will receive a written copy of this policy and a copy of the signed certificate of receipt will be placed into their official personnel file.

## **Definitions**

The use of the term "drug" in this policy refers to both legal and illegal controlled substances unless the legal use is pursuant to the instruction of a medical professional licensed to prescribe or advise individuals on the use of drugs who has been informed of the employee's job duties and has advised that the substance does not adversely affect the employee's ability to safely perform his or her job. The term "drug" also includes, but is not limited to, cannabis, cocaine, PCP, heroin, morphine, amphetamines, and barbiturates. While the County will not penalize an employee solely for his or her status as a registered qualifying patient under the Compassionate Use of Medical Cannabis Program Act, any employee who is a registered qualifying patient is nevertheless required to comply with this Policy and is subject to discipline up to and including discharge for violations of this policy.

1. Controlled Substances - all forms of narcotics, depressants, stimulants, hallucinogens, and cannabis; the sale, purchase, transfer, use or possession of which is prohibited or restricted by law. This includes, but is not limited to, any drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act.
2. Drugs and Alcohol - the terms have their common meaning.



3. Illegal Drug/ Illegal Drug Use - any drug which is unlawful for the person to use, possess, or distribute under Illinois or federal law. Illegal drug use means the actual or attempted possession, use, manufacture, or delivery of an illegal drug, and the use of prescription or over-the-counter drugs in amounts which exceed standard dosage or that do not generally follow the prescription.
4. Reasonable Suspicion - having specific and articulable facts and inferences concerning work performance, appearance, behavior, and other circumstances that would lead a reasonable person to believe that the individual is or has been under the influence of drugs or alcohol while on duty.
5. Over-The-Counter Drugs - drugs, which are generally available without a prescription from a medical doctor and are limited to those drugs which are capable of impairing the judgment or functioning of an employee to safely perform his or her duties. It is the employee's responsibility to determine whether any particular over-the-counter drug is safe for use.
6. Substance Abuse Professional (SAP) - a licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.
7. Under the Influence - A person is under the influence if the person's mental or physical faculties are adversely affected to a noticeable or perceptible degree by the use of alcohol or illegal drugs. A person is deemed "under the influence" if the person tests positive for alcohol or illegal drugs under this policy.

### **Prohibited Conduct**

The following conduct is strictly prohibited and may subject an employee to immediate discipline, up to and including termination:

1. The use, sale, purchase, manufacture, distribution, dispensation, transfer, or possession of non-prescribed drugs, cannabis, controlled substances, or alcohol, is prohibited on County premises, and is cause for immediate discharge. County premises includes all job sites, land, property, buildings, structures, installations, parking lots, machinery, vehicles, or other means of transportation owned or managed by or leased to County or otherwise being utilized for the County business, and private vehicles while parked or operated on the County premises. Any illegal substances found on County premises will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.
2. Employees are prohibited from working while impaired due to the consumption of alcohol or drugs. Employees are also prohibited from consuming any amount of alcohol or drugs during working time, on-call periods, or during breaks. Any employee violating this prohibition will be subject to disciplinary action up to and including immediate discharge. (Consequently, employees are not allowed to consume alcohol or cannabis during meals or breaks.)
3. Employees must not perform safety-sensitive duties, such as operating a motorized vehicle or other heavy equipment, or handling weapons if they are impaired due to the consumption of alcohol or a drug (including prescribed medicine or cannabis), or if they are aware they have a medical condition, which may adversely affect their ability to perform such duties or that may affect the safety of the employee, other employees or the public. Any employee who is unable to continue safely performing his/her job duties should notify his or her supervisor of such impairment as soon as the employee becomes aware of the situation. Any employee violating this prohibition will be subject to disciplinary action up to and including immediate discharge.
4. Under no circumstances may an employee operate an automobile (private, rental, or County owned) for business purposes while intoxicated or under the influence of alcohol, any controlled substance, or cannabis, even if

outside of working hours. Any employee violating this prohibition will be subject to disciplinary action up to and including immediate discharge.

### **Reasonable Belief:**

1. The County reserves the right to inspect packages, bags, briefcases, desks, lockers, automobiles, etc., where there is a reasonable belief that illegal drugs or alcohol may be present on County property. An employee's failure to cooperate with an investigation may result in disciplinary action, including but not limited to immediate discharge.
2. An employee is responsible for taking reasonable measures to ensure that his or her lawful drug or medication use does not affect his or her abilities to safely perform work duties. Reasonable measures include, but are not limited to, reading warning labels and consulting with nurses, physicians, pharmacists, and other health care professionals. In the event that lawful drug or medication use could compromise the employee's ability to perform his or her duties safely, the employee shall notify his or her supervisor to avoid unsafe workplace practices.
3. An employee will be considered to be impaired, and in violation of County policy, when there is a good faith belief that the employee manifests specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others. If an employee is disciplined or discharged for being impaired by drugs or alcohol while performing their job duties, the employee will be provided a reasonable opportunity to contest the basis of the County's determination, but any final decision will be made in within the County's sole and exclusive discretion.
4. An employee who is reasonably suspected of being impaired due to the consumption of alcohol or a controlled substance may be required to take a medically approved test(s), to be given by authorized medical personnel, to determine whether the County's Drug and Alcohol Policy has been violated. No employee shall refuse to submit to a drug or alcohol test under this policy.

No employee shall report to duty, attempt to report for duty or remain on duty after testing positive or having an adulterated or substituted test specimen for alcohol or illegal drugs.

### **Circumstances for Testing**

Employees will be afforded a reasonable opportunity to contest a positive drug and/or alcohol test. However, an employee's refusal to submit to a drug and/or alcohol test may result in disciplinary action, up to and including immediate discharge. Refusal includes refusing to report immediately to the testing location upon request, refusal to sign a medical test authorization form as required by the County, refusal to provide specimens unless medically incapable of doing so, and/or attempts to falsify or interfere with the testing process, including failure to comply with instructions or attempting to substitute, dilute, or otherwise change specimens to be tested. Employee consent to testing under this policy will not act as a waiver of disciplinary action, up to and including discharge.

1. **Reasonable Suspicion Testing** An employee must submit to testing for alcohol and/or illegal drug use if his or her supervisor or other County representative has reasonable suspicion to believe that the employee has violated this policy. Reasonable suspicion must be based upon specific observations including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others. In the case of illegal

drug use, the observations supporting a reasonable suspicion finding may also include indications of chronic use and withdrawal effects of a drug.

2. **Post-Accident Testing** - individuals covered by this policy that are driving a motor vehicle or equipment involved in an accident while on County time, or while driving a County vehicle, shall be tested for alcohol and controlled substances if there is a determination of reasonable suspicion that the employee was under the influence; or the damage threshold consists of a fatality, serious physical injury or property damage in excess of \$ 10,000.

In these cases, the person shall report the accident to his or her supervisor as soon as practical. Any individual who is subject to post-accident testing shall remain readily available for such testing, provided that this requirement shall not be construed to require the delay of necessary medical attention for injured people following the accident, or to prohibit the individual from leaving the scene of an accident to obtain necessary emergency medical care. The results of a breath, saliva or urine test for the use of alcohol or controlled substances, conducted by federal, state or local

3. **Return-to-Duty Testing** - before returning to duty, any employee who has violated this policy must undergo a return-to-duty test and have results that indicate no detectable level of alcohol or illegal drugs.
4. **Follow-up Testing** - following a determination by a substance abuse professional that an employee is in need drug testing. The number and frequency of such follow-up testing shall be as directed by the substance abuse professional and shall consist of at least six (6) tests in the first twelve (12) months following the employee's return to duty. The substance abuse professional may terminate the requirement for follow-up testing at any time after the first six tests have been administered or require follow-up testing for up to 60 months from the employee's return to duty.

While the County awaits the results of a drug and/or alcohol test, the employee may be suspended without pay. In this situation, if the results of the test are do not support a finding of impairment, the employee will be reimbursed for regular working time lost due to the suspension and the record of the suspension will be purged from the employee's personnel file.

### **Method of Testing**

All alcohol and drug testing will be done in compliance with 50 Ill. Adm. Code 9140, Alcohol and Drug Sample Collection and testing.

Alcohol testing will be conducted by a license professional chosen by the County through a breath or saliva test. Drug testing will be conducted by a license professional chosen by the County through a urine test. Any attempt to alter the integrity of the sample shall be cause for immediate termination or withdrawal of the offer of employment. If testing reveals a positive result, the employee may request a second test at a second licensed laboratory at his or her expense. The employee must request the second test within two (2) business days after the receipt of the results from the first test. If the results of the second test refute the results of the first test, the results of the second test will be determinative.

### **Testing**

Any individual who is subject to being tested for alcohol or illegal drug use must submit for testing immediately upon notification to do so by his or her supervisor or other designated County representative.

A refusal to be tested shall be treated as a positive test result. A refusal is any conduct that is inconsistent with complete cooperation to be tested or any attempt to alter or adulterate a sample. Specific examples of a refusal include, but are not limited to the following:

1. Failing to report to or leaving the County job site or test site or failing to report to or leaving a specified

on-site location for transport to the testing site if the testing site is other than a County facility, before the required testing and/or collection is completed.

2. Failing to remain readily available for post-accident testing, provided that this requirement shall not be construed to require the delay of necessary medical attention for injured people following an accident, or to prohibit the employee from leaving the scene of an accident to obtain necessary emergency medical care.
3. Failing to provide the adequate amount of breath necessary for alcohol testing without a valid medical explanation.
4. Failing to provide the adequate amount of urine necessary for testing without a valid medical explanation.

Any probationary, extra help employee, or volunteer who violates this policy shall be terminated immediately. In the case of applicants, the bona fide offer of employment is contingent upon the successful passing of a post-job offer alcohol and drug screen. If the person tests positive for illegal drug use the offer of employment shall be withdrawn and the opportunity to reapply for any County job may be revoked.

Violation of any provision of this policy by any individual who is conducting business for the County, while under contract with the County shall be cause for the County to terminate the contract, unless the contractor elects to take appropriate actions with the individual who violated this policy.

If an employee is subject to a Collective Bargaining Agreement with terms that differ from this policy, the Collective Bargaining Agreement is controlling. If an elected official has employee policies that differ from this policy, the elected official's policies are controlling for their employees.

This policy will be construed in accordance with the Americans with Disabilities Amendments Act ("ADAA"). Any employee who is need of some form of reasonable accommodation in order to assist him/her in the performance of his/her essential job functions should notify their supervisor.

### **Confidentiality**

All information received by the County through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

### **Training**

Supervisors will be trained to identify Alcohol and Controlled Substances Reasonable Suspicion.

Rev. 12.2019 (Res. 442)

**CANNABIS IMPAIRMENT REASONABLE SUSPICION OBSERVATION FORM**

**Page 1 of 2**

*(This form must be completed every time an employee is suspected of cannabis impairment based on appearance or conduct when reporting for duty, while on duty, or at the conclusion of being on duty.)*

Name of Observed Employee: \_\_\_\_\_

Date and Time Observed: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ at: \_\_\_\_\_ a.m./p.m.

Location: \_\_\_\_\_

Observations: Please check all applicable boxes next to the appropriate observations and then provide any necessary explanations on the lines below.

SPEECH	BALANCE/WALKING	DEMEANOR	APPEARS	ODOR	BEHAVIOR
<input type="checkbox"/> Slow	<input type="checkbox"/> Rigid	<input type="checkbox"/> Sleepy	<input type="checkbox"/> Flushed	<input type="checkbox"/> Chemical	<input type="checkbox"/> Nervous
<input type="checkbox"/> Slurred	<input type="checkbox"/> Falling/unable to stand	<input type="checkbox"/> Calm	<input type="checkbox"/> Confused	<input type="checkbox"/> Excessive cologne	<input type="checkbox"/> Erratic
<input type="checkbox"/> Whispered	<input type="checkbox"/> Staggering	<input type="checkbox"/> Argumentative	<input type="checkbox"/> Tremors	<input type="checkbox"/> Marijuana	<input type="checkbox"/> Irritable
<input type="checkbox"/> Silent	<input type="checkbox"/> Swaying	<input type="checkbox"/> Paranoid	<input type="checkbox"/> Pale	<input type="checkbox"/> Sweet or fruity	<input type="checkbox"/> Inappropriate gaiety
<input type="checkbox"/> Loud	<input type="checkbox"/> Stumbling	<input type="checkbox"/> Threatening	<input type="checkbox"/> Inappropriate sunglass use	<input type="checkbox"/> Heavy breath spray	<input type="checkbox"/> Mood Swings
<input type="checkbox"/> Confused	<input type="checkbox"/> Reaching for support	<input type="checkbox"/> Drowsy	<input type="checkbox"/> Disheveled	<input type="checkbox"/> Pungent	<input type="checkbox"/> Lethargic
<input type="checkbox"/> Incoherent	<input type="checkbox"/> Arms raised for balance	<input type="checkbox"/> Hyperactive	<input type="checkbox"/> Blood shot or glassy eyes		<input type="checkbox"/> Paranoid
<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other

Miscellaneous: \_\_\_\_\_ Presence of cannabis or paraphernalia  
 \_\_\_\_\_ Employee admission to cannabis use or possession  
 \_\_\_\_\_ Violation of safety rules, carelessness, unsafe behavior  
 \_\_\_\_\_ Excessive breaks, wandering, aimlessness

Summary of Observations: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

Other witnesses to conduct: \_\_\_\_\_

\_\_\_\_\_

**CONFIDENTIAL**



## **EMAIL USAGE**

This section sets forth the County's policy with regard to access and disclosure of E/Mail messages sent or received by County employees with the use of the E/mail system. It also sets forth policies on the proper use of the E/Mail system provided by the County.

The County intends to honor these policies but must reserve the right to change them at any time, with such prior notice, if any, as may be reasonable under the circumstances.

The County provides E/Mail to employees for their use on County business.

The County recognizes that employees have a substantial interest in and reasonable expectations of privacy with regard to the E/Mail messages they send or receive.

The County reserves the right to access and disclose the contents of E/Mail messages, but will do so only when it has a legitimate business need to do so and the urgency of the need is sufficiently strong to offset the County's commitment to honor the employee's interest in privacy.

The County will not monitor E/Mail messages as a routine matter. There may be requirement, however, for a department head, elected official, or their delegated supervisor(s) to occasionally review E/Mail content in their areas of responsibility.

Nothing in this policy shall prohibit law enforcement officials from examining any E/Mail transactions in the course of an ongoing investigation of criminal activity. The County reserves the right to disclose any E/Mail messages to law enforcement officials.

In case of termination or extended absence, work-related E/Mail messages will be forwarded to the most appropriate employee.

The unauthorized viewing and/or retrieval of another's E/Mail messages and transactions and other forms of electronic snooping are prohibited.

Third parties may be given access to the County's E/Mail system only by an Intergovernmental Agreement. Said agreement shall require compliance with this policy.

The designated legal counsel to the County Board and the Director of Information Technology will review any request for access to the contents of E/Mail messages. Such requests must be approved in advance and any access undertaken without such approval is a breach of County policy.

Any conduct which violates this policy may result in disciplinary action up to and including dismissal.

No one shall receive authorized access to the E/Mail system until he has received, reviewed and agreed in writing to comply with this policy. Such documentation shall be retained in the respective departments.

## **EMPLOYEE ASSISTANCE PROGRAM**

Kane County recognizes that a wide range of problems, not directly associated with one's job function, can have an effect on employees and their job performance. In most instances, the employee will overcome such personal problems independently. In other instances, normal supervisory assistance will serve either as motivation or as guidance by which such problems can be resolved. In some cases, neither the efforts of the employee nor supervisory assistance have the desired effect of resolving the employee's problems and unsatisfactory performance persists over a period of time, either constantly or intermittently.

Kane County believes it is in the interest of the employee, the employee's family and County Government in general to provide an employee service that deals with such persistent problems. Both the employee and family member are free to call the Employee Assistance Program (EAP) for help at any time, and a supervisor who works with the employee and based on job performance may refer them. It is our policy to handle such problems within the following framework:

- Kane County recognizes that almost any human problem can be successfully treated, especially if it is identified in its early stages, and referral is made to an appropriate person or agency that provides professional counseling. This applies whether the problem is a mental or emotional concern, financial, stress, marital or family discord, alcohol or other drug abuse, or a variety of other personal concerns.
- Employees are assured that utilizing the EAP service will not jeopardize promotional opportunities. On the contrary, Kane County fully supports you and/or your family getting directly involved.
- One of the purposes of this policy is to assure employees that if such personal problems exist, they will receive careful consideration and an offer to assist in helping resolve such problems in an effective and **CONFIDENTIAL** manner.
- An employee's problems will be handled in a forthright manner within the established health plan procedures and all records will be preserved in the highest degree of confidence. A major reason why Kane County contracted with an outside agency to administer this program is the need for utmost confidentiality. All counseling sessions will be held separate from Kane County government locations.
- In instances where it is necessary, a leave of absence and/or disability may be granted for treatment or rehabilitation on the same basis as is granted for ordinary health problems.
- Employees who have a problem, even if they feel it does not affect work performance, are encouraged to voluntarily seek counseling on a confidential basis by calling the EAP provider at 888-293-6948. Assistance at this number is available 24 hours per day, 7 days per week including holidays. Free evaluations are given by professional counselors who are skilled in a broad range of problems. Treatment (if necessary) is provided; usually at a much lower cost than if employees would seek help on their own. In addition, other services and referrals are offered by the Employee Assistance Program including legal and financial consultation, eldercare and childcare guidance.
- Assistance may be indicated when an employee's job performance or attendance is unsatisfactory and the employee is unable or unwilling to correct the situation, either alone or with normal supervisory guidance. In those cases, supervisors are trained to know how to confront and refer an employee to the assistance program. Refusals to call for help, or to accept diagnosis and



treatment, will be handled as any other disciplinary problem.

- The program is available to employees, employees' spouses and dependents of all Kane County employees.

Rev. 01.2016 (Res.16-08)

## **EMPLOYEE BLOOD DONATION**

Full time employees with at least six (6) consecutive months of service are allowed 1 hour of leave with pay every 56 days to participate in blood donation. Employees must give a 15 day advance notice to the appropriate department head or elected official that they wish to take the leave. A written certification from the blood bank or hospital is required to verify the date of the blood donation.

<p><b>Employee Residency Requirement</b></p> <p><b>Effective Date:</b> June 11, 2024</p> <p><b>Last Amended Date:</b> N/A</p>	<p><b>Applicable Law/Statute:</b></p> <p>Ordinance 24-151</p>
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**EMPLOYEE RESIDENCY REQUIREMENT**

Residency requirement for all Kane County employees: The County shall only employ persons who maintain residence within the State of Illinois throughout their employment. Wages, salary, and employee benefits shall only be paid to persons residing in Illinois.

Exemption: Grandfather clause: Employees for whom out of state employment has been granted and established prior to the effective date of this ordinance are exempt from the provisions of this section.

The Executive Director of Finance and the Executive Director of Human Resources are authorized to adopt, promulgate, and enforce rules and regulations to administer and enforce this section.

<b>Employee Training</b>			
<b>Effective Date:</b> March 8, 2022 (Res. 22-90)	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> N/A			

**EMPLOYEE TRAINING**

**Policy:**

It is the policy of Kane County to provide work-related education or training to its employees where such training maintains or improves the skills needed to maximize their effectiveness in their current position with Kane County.

**Definitions:**

**Work-related Education (training):** Education expenses are considered work-related education (training) and is subject to any training provisions established by the employee’s department head if either of the below apply AND such education will not prepare the employee for a new trade or business and is not needed to meet the minimum requirements to be qualified for their current position.

1. The education is required by the employer, a regulating agency, or the law for the employee to keep their present salary, status, or job.
2. The requirement serves a bona fide business purpose of the County and maintains or improves the skills needed for the employee’s current position.

**Tuition:** If either of the below apply, the education expenses are considered ineligible “Tuition” under this Employee Training Policy, and the courses are subject to the limitations of the Employee Tuition Reimbursement Program Policy in this handbook. Training funds cannot be used for expenses that are considered “Qualifying Educational Tuition” under the Employee Tuition Reimbursement Program, including:

1. Education needed to meet the minimum requirements of the job, trade, or business.
  - a. Minimum requirement may be imposed by the law, a regulatory agency, the employer, or by the standards of the trade, profession, or job.
2. Education that will satisfy the minimum requirements for a promotion or that qualify the employee for a new trade or business.

**Eligibility:**

All Kane County employees are eligible for work-related education.

**Guidelines:**

- 1) Employee must complete an Authorization for Work-Related Education (Training) Form and submit to their Department Head. The department head will evaluate the employee’s request and document how the course will fill a job-related need of the employee, and ensure the needed training budget is available.
- 2) The form must be approved by Human Resources. Once approved, the employee may enroll in the education or training program. Payment is the responsibility of the department.
- 3) Non-exempt employees must be compensated for hours spent receiving work-related education (training).
- 4) General education courses and non-work related pre-requisites are not considered work-related for the purpose of this policy.
- 5) Proof of successful completion or attendance must be submitted to Human Resources and will be retained in the employee file.

08.2022 (Res.22-90)

<b>Employee Tuition Reimbursement</b>			
<b>Effective Date:</b> February 8, 2022	<b>Applicable Law/Statute:</b> 26 U.S.C. 127; 26 CFR 1.127-2	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> January 2017 (res. 17-12)			

**EMPLOYEE TUITION REIMBURSEMENT PROGRAM**

**Policy:**

It is the policy of Kane County to strive to provide work-related training and educational assistance to its employees. Kane County is committed to supporting its employees in the pursuit of career growth and development by enhancing their knowledge and skills through continuing education to increase employee retention and create the best possible workforce to support the needs of the County. In furtherance of this policy, Kane County has established an Employee Tuition Reimbursement Program (this policy) to provide educational assistance benefits to employees pursuant to Section 127 of the Internal Revenue Code.

**Definitions:**

Education: Education includes any form of instruction or training that improves or develops capabilities of an individual.

Qualifying Educational Tuition: If either of the below apply, the tuition costs for Education, as defined herein, are qualifying educational tuition costs under this policy.

- Education needed to meet the minimum requirements of the job, trade, or business.
  - Minimum requirement may be imposed by the law, a regulatory agency, the employer, or by the standards of the trade, profession, or job.
- Education that will satisfy the minimum requirements for a promotion or that qualify the employee for a new trade or business.

Note: Costs for tuition are the only educational expenses eligible for reimbursement under this policy. Costs associated with fees, books, tools, supplies, meals, lodging, and transportation are not eligible. Further, costs for education that involves sports, games or hobbies are not eligible.

Non-qualifying Work-related Education: If neither of the above circumstances apply to the courses, and either of the following apply, the education is considered work-related education (training) and is subject to any training provisions established by the employee’s department head and will not be subject to this policy. Please see the Employee Training Policy for further information.

1. The education is required by the employer, a regulating agency, or the law for the employee to keep their present salary, status, or job.
2. The requirement serves a bona fide business purpose of the County and maintains or improves the skills needed for the employee’s current position.

**Eligibility:**

All full-time Kane County employees with at least 12 months of continuous service are eligible to participate in the program.

## **Guidelines:**

- 6) To qualify, an employee must complete a Tuition Reimbursement Form during the posted open enrollment periods and prior to the start of the course. This form is available from the Human Resources Department or on the intranet (here).
- 7) The Tuition Reimbursement Form must contain the employee's name, department name, telephone number, name of school or provider, course to be taken, cost and description of the course and a short narrative of the employee's training plan and how the course will fit into that plan.
- 8) The Tuition Reimbursement Form must be submitted to the department head/appointed/elected official for approval.
- 9) Human Resources, in cooperation with the supervisor, department head, or elected official, will perform an analysis of the employee's training plan, how the course fits into that plan and how the course will fill a job-related need of the employee. Courses within an approved, job-related degree program will be considered County job-related for the purpose of this policy.
- 10) Human Resources will verify (a) the eligibility of the course and the tuition as Qualifying Educational Tuition under this policy, and (b) available funding, and will notify the employee in writing of the approval or denial of the request.
- 11) Any approved course must be completed within 12 months after approval. If course completion does not occur within 12 months, approval for the course will lapse, and the employee must submit a new request for approval.
- 12) Within 3 months after completing a course, the employee will resubmit the approved Tuition Reimbursement Form, an itemized statement from the school or provider showing the amount of tuition, proof of course payment, documentation of a minimum final grade of "C" and a completed and signed tuition reimbursement voucher to the Department of Human Resource Management for payment. Seminars, workshops and other short-term training shall not be subject to the minimum grade requirement of "C"; however, the employee shall present proof of course attendance and completion. In the case of Pass/Fail courses, the employee must "Pass" the course.
- 13) An employee forfeits any funds set aside to pay for the course when the employee fails to submit a payment voucher within 3 months of completing the course.
- 14) After Human Resources receives the employee's satisfactory grade and proof of payment, the tuition reimbursement form will be submitted to the department that administers the riverboat grant for payment processing.
- 15) The out-of-pocket cost of tuition for the approved course is the only expense eligible for reimbursement. No books, materials, tools, supplies, meals, lodging, transportation costs or fees, including but not limited to athletic fees, technology fees, activity fees, services fees, outreach delivery fees, are eligible for reimbursement. Further, costs for education that involves sports, games or hobbies are not eligible for reimbursement.
- 16) Requests for approvals to take a course that will be reimbursed from the Riverboat Fund will cease once the approved requests meet the total amount budgeted for tuition reimbursement for each fiscal year.

## **B. Tuition reimbursement shall be subject to the following limitations:**

- 1) Each eligible and approved course may be reimbursed up to a maximum of eighty percent (80%) of the cost of tuition for the course.
- 2a. The maximum reimbursable amount for each eligible employee under this policy shall not exceed \$2,400 in any fiscal year.

- 2b. Amounts paid under this policy are intended to be excluded from an employee's taxable gross income as qualifying educational assistance under Section 127 of the Internal Revenue Code, which currently allows for the exclusion of qualifying educational assistance up to a maximum of \$5,250.
- 3) Part-time employees, seasonal employees, County Board members, elected officials, appointed officials and employees of the Forest Preserve are not eligible to participate in the program.
- 4) The County will not pay reimbursement to any employee who resigns or is terminated for any reason (except involuntary separation). Involuntary separation occurs when the County takes action to end the employment relationship.
- 5) An employee participating in this program will be expected to remain a full-time employee of the County for a period of one (1) year from the date of completion of the course for which the County reimbursed the employee. An employee who terminates employment prior to the expiration of said one (1) year shall repay the County according to this prorated schedule:
  - 100% of any tuition reimbursed for courses completed within the one (1) year period if the employee leaves within six (6) months of receiving the last course reimbursement.
  - 75% of any tuition reimbursed for courses completed within the one (1) year period if the employee leaves six (6) months after but before twelve (12) months of receiving the last course reimbursement.
- 6) It is the employee's responsibility to arrange a class schedule that does not conflict with his/her regular work hours. It is expected that time needed to take classes will be limited to the employee's paid time off or after work hours. If a course is available only during regular work hours, the department head or elected official has discretion to permit an employee's absence from work if the operational needs of the office or department will not be negatively affected. Any work time missed for class and travel time must be made up.
- 7) Eligible employees shall not be offered a choice between tuition reimbursement under this policy and other compensation.

## **EMPLOYEES WITH ILLNESS**

Kane County recognizes that employees with life-threatening illnesses, including but not limited to, cancer, heart disease, and AIDS, may wish to continue in as many of their normal routine as their condition allows, including work. As long as these employees are able to meet performance standards and medical evidence indicates that their conditions are not a danger to themselves or others, the Department Heads should be sensitive to their conditions and treat them consistently with other employees with an illness and as may be required by law. At the same time, the County must provide a safe work place for all employees and customers.

The Employee Assistance Program offers referrals to agencies and organizations which offer supportive services for life-threatening illnesses. The Employee Assistance Program HOTLINE NUMBER is: 800-905-0994. The Human Resources Department offers benefit consultation to assist employees in effectively managing health, disability, and leave of absence benefits.

### **Guidelines**

An employee's medical condition is confidential. Reasonable precautions are to be taken to ensure information regarding an employee's health is provided only to those persons with a need to know or as required by law. The Human Resources Department should be contacted if employees need information about an illness or if there is any concern about the possible contagious nature of an employee's illness. The supervisor should contact the Human Resources Department if there is a concern whether the employee's continued presence at work will not pose a threat to the employee, co-workers, or customers. If warranted, a reasonable accommodation will be provided to an employee consistent with the business needs of Kane County. Supervisors should encourage employees to be sensitive and responsive to their co-workers' concerns. No special consideration should be given, beyond normal transfer requests, for employees who feel threatened by a co-worker's illness.



<b>Employment of Family Members</b>  <b>Effective Date:</b> August 9, 2022 <b>Last Amended Date:</b> N/A	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
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**EMPLOYMENT OF FAMILY MEMBERS**

**Policy**

It is the policy of Kane County to hire and promote individuals based on their knowledge, skills, abilities, and potential. When the individual to be hired or promoted is the family member of an existing employee or officer of Kane County, the following guidelines must be followed to eliminate the existence or perception of a conflict of interest that can occur when family members work for the County.

**Eligibility**

All employees under the jurisdiction of the County Board are subject to this policy.

**Definition of Family Member**

For the purpose of this policy, a family member is defined as spouse, children, parents, step-parents, siblings, step-siblings, step-children, aunts and uncles, grandparents, or grandchildren. In-laws (or partner's family) are also considered family for the purpose of this policy.

**Guidelines**

1. Employees shall not participate in or influence the hiring decision of a family member.
2. Employees who are members of a family shall not work under direct supervision of the same manager.
3. Employees shall not have any reporting relationship, supervise, or evaluate any of their family member.
4. Employees shall not participate in any employment, compensation, disciplinary, reward, or promotion decision of any of their family member.

**Disclosure of Family Relationships**

To the extent an employee is aware and has any knowledge of a family member’s application or employment with the County, it is the responsibility of the employee to disclose the existence of any family relationship with a current or potential employee to the Human Resources Department in writing prior to the placement of the family member. If a family relationship that violates the above guidelines is created during employment or is present on the effective date of this policy, the employee(s) must disclose the relationship to Human Resources in writing within ten (10) business days. Human Resources will work with the employees and their respective department heads to develop a solution that addresses and eliminates the potential conflicts of interest. Employees who fail to disclose their family relationship with another employee as defined under this policy may be subject to disciplinary action up to and including termination of employment.

<b>Extended Illness Leave</b>			
<b>Effective Date:</b> February 27, 2024	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> March 11, 2014			

## EXTENDED ILLNESS LEAVE

### Policy

It is the policy of Kane County to provide protection for eligible employees against loss of income because of illness when under the care of a physician. To ensure that protection, the County has made provisions for Extended Illness Leave. Extended Illness Leave pay is based on the employee's regular workweek and straight-time rate in effect when the leave is taken.

### Eligibility

All regular employees paid on an hourly or salary basis under the jurisdiction of the County Board are subject to this policy. Employees subject to a policy of an elected official with internal control over operations of their office, collective bargaining agreement, contract, statute, or ordinance shall receive paid leave according to the applicable policy of their office, collective bargaining agreement, contract, statute, or ordinance.

### Guidelines

1. Extended Illness Leave Accumulation: Eligible employees will be credited with one (1) day of Extended Illness leave per month after the completion of six (6) months of continuous County employment. Unused extended sick leave will carry over from year to year and may accumulate to a maximum of 240 days. Part-time regular employees accrue a prorated amount based on their average hours per week.

Sick and Personal Leave as defined by the Sick and Personal Leave Policy that remains unused at the end of the Sick and Personal Leave year which would otherwise be forfeited under the applicable policy will be converted to Extended Illness Leave and be added to the Extended Illness bank for eligible employees, subject to the maximum of 240 days total accumulated leave.

2. Extended Illness Leave Utilization: Extended Illness Leave is intended to provide employees with protection during periods when the employee is under a doctor's care at home or is hospitalized during periods of personal injury, illness, or maternity. Extended Illness is not intended for use during routine medical care such as office visits, dental cleanings, or other scheduled visits unless such visit results in a period of incapacity.

An employee may use Extended Illness Leave for their own illness or period of incapacity. A physician's note or medical certification is required to support the use of Extended Illness Leave. An employee may use up to three (3) days of Extended Illness Leave per fiscal year to care for a spouse, child, or parent. Physician's note or medical certificate that establishes the need for time to care for a family member must include the employee's name as the needed caregiver.

3. Extended Illness Leave at Termination of Employment: No payment for unused extended sick leave is made at termination. Employees retiring with an Illinois Municipal Retirement Fund (IMRF) pension effective within 60 days of their termination date may be eligible for up to one (1) year of additional pension service for unused extended sick leave at the rate of one month for every twenty days or fraction thereof (1:20) subject to the rules and limitations established by IMRF. Converted extended sick leave cannot be used to meet the minimum service requirements for pension eligibility.

Rev. 01.2006; Rev.03.2014(Res.14-63); Rev. 02.2024(Res.24-063)

<b>POLICY</b>  <u><b>Effective Date:</b></u> March 8, 2022 <b>Last Amended Date:</b> December 21, 2020	<b>FACIAL COVERINGS AND SOCIAL DISTANCING REQUIRED</b>		
	<b>Applicable Law/Statute:</b> None	<b>Source Doc/Dept.:</b> None	<b>Authorizing I.C. Sec:</b> None

**FACIAL COVERINGS AND SOCIAL DISTANCING REQUIRED AT COUNTY OFFICES AND BUILDINGS DURING CORONAVIRUS PANDEMIC**

Every person working, visiting, or doing business in any building or office owned or occupied by the County of Kane, shall be required to follow public health mitigation guidance issued by the Office of the Chairman of the Kane County Board, at the advice and recommendation of the Kane County Health Department, consistent with applicable law and guidance issued by the CDC and the IDPH.

Until such a time as the State of Illinois is no longer under any disaster proclamation due to the COVID-19 pandemic, this resolution shall remain in effect and is necessary to reduce community transmission of COVID-19 and protect the health of workers, residents, and visitors of the County of Kane.

## **FURLOUGHS**

A furlough is an involuntary leave without pay for a preset number of hours during one or more pay periods. No paid leave time shall be taken by an employee during a furlough.

If a County department deems it necessary to deviate from the standard workday or standard workweek due to a shortage of funds, the County department must submit a proposed furlough plan to the appropriate County Board committee.

The proposed furlough plan shall specify:

### The purpose of the furlough

- (i) The positions affected by the proposed plan
- (ii) The approximate duration of the proposed furlough
- (iii) The preset number of hours during one or more pay periods that will be reduced
- (iv) The estimated cost savings generated by the proposed furlough
- (v) Any other information requested by the County Board committee

After approval by the County Board committee of a furlough plan, the plan shall be presented by resolution to the Executive Committee and then to the County Board for approval.

An employee's accrual of vacation and sick leave will continue during furlough periods at otherwise established rates. Social Security and retirement contributions shall be reduced in proportion to the reduction of the employee's gross pay. Temporary furloughs (to be defined by number of hours or length of time) shall not affect an employee's health insurance, seniority, length of service or eligibility for authorized holiday compensation or longevity increases.

A furlough shall not be used as a disciplinary action against an employee.

# **GENERAL LEAVES OF ABSENCES**

- A.** Family and Medical Leave
- B.** Extended Leave of Absence
- C.** Non-FMLA Military Leave
- D.** Personal Leave
- E.** Family Bereavement Leave
- F.** Jury Duty/Court Service
- G.** Educational Leave
- H.** Workers' Compensation
- I.** Administrative Leave
- J.** Victim's Economic Security and Safety Act (VESSA) Leave
- K.** School Visitation Leave

<b>General LOA Policy</b>	<b>GENERAL LEAVES OF ABSENCES POLICY</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> December 1, 2023	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**General Leaves of Absence Policy**

Leaves of absence may be granted to maintain continuity of service and to protect the employer-employee relationship in instances where circumstances require an employee's absence. Leaves are granted on each individual case and at the discretion of the department head. Leaves of absence are without pay.

**Types of Leaves of Absences**

- Family and Medical Leave
- Non-FMLA Military Leave
- Personal Leave
- Family Bereavement Leave
- Jury Duty/Court Service
- Educational Leave
- Workers' Compensation
- Administrative Leave
- Victim's Economic Security and Safety Act (VESSA) Leave
- School Visitation Leave

<b>FMLA Guidelines</b>	<b>Family and Medical Leave Guidelines</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**FAMILY AND MEDICAL LEAVE POLICY**

It is the policy of the County to comply with the provisions of the Family and Medical Leave Act of 1993 (“FMLA”) and the National Defense Authorization Act (“NDAA”), which includes the Military Family Leave Amendments to the FMLA, in granting family and medical leave. This policy is meant to comply with the Family Medical Leave Act and is not intended to grant time in addition to what the Act requires.

**ELIGIBLE EMPLOYEES**

Only eligible employees are entitled to take FMLA leave. An eligible employee is one who:

- Has been employed by the County for at least twelve (12) months as of the date the FMLA leave begins; and
- Has worked for the County at least 1,250 hours during the twelve (12) month period immediately preceding the start of the leave. (Only the time actually worked is counted. Time spent on paid or unpaid leave is not counted toward the 1,250 hours of service required under the FMLA.)

**LEAVE ENTITLEMENT**

- An eligible employee may take up to a maximum of (12) workweeks of unpaid leave under this policy during a rolling twelve (12) month period for an FMLA-qualifying reason (see below). (The rolling twelve (12) month period is measured backward from the date the employee uses FMLA leave.)
- An eligible employee may take up to a combined total of twenty-six (26) workweeks of unpaid leave under this policy during a single twelve (12) month period to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or “next of kin” of the service member (see below for additional details). (The single twelve (12)-month period, for purposes of calculating the military caregiver leave entitlement, is measured from the date the FMLA leave commences and ends twelve months later.) An eligible employee is limited to a combined total of twenty-six (26) workweeks of unpaid leave for any FMLA-qualifying reasons during the single 12-month period.

**QUALIFYING REASONS**

**Qualifying reasons that would entitle an employee to FMLA leave.** The FMLA requires that the County provide up to twelve (12) workweeks of unpaid, job protected leave to eligible employees for the following reasons:

- The birth of a son or a daughter or placement of a son or daughter with the employee for adoption or foster care (to be taken within one year of birth or placement);
- To care for the employee’s spouse, son, daughter, or parent, who has a serious health condition (*see Serious Health Condition Defined Below*) ;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job (*see Serious Health Condition Defined Below*); or
- For any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered service member on covered active duty or has been notified of an impending call or order to covered active duty.

**Qualifying reasons that would entitle an employee to FMLA Military Caregiver leave.** The FMLA also requires that the County provide up to a combined total of twenty-six (26) workweeks of unpaid, job protected leave to eligible employees to:



- Provide care for a covered service member with a serious injury or illness, if the employee is the spouse, son, daughter, parent, or “next of kin” of the covered service member.

### **SERIOUS HEALTH CONDITION DEFINED**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. The FMLA does not apply to routine medical examinations or to common medical conditions unless complications develop.

### **CALCULATION OF LEAVE**

An eligible employee may take up to 12 workweeks of leave (combined total of 26 workweeks during a single 12-month period for military caregiver leave) under this policy during any 12-month period.

An eligible employee may be entitled up to 12 workweeks of unpaid leave within a 12-month period without loss of seniority or benefits. The amount of leave available to an employee at any given time will be calculated by looking backward at the amount of leave taken within the 12-month period immediately preceding the requested leave. All leave taken under this policy and leave for any other reason which would qualify under FMLA (i.e., worker’s compensation or paid time off - PTO) will run concurrently with FMLA leave and will be counted against an employee’s leave entitlement under FMLA.

The “single 12-month period” for military caregiver leave begins on the date an employee first takes leave to care for a covered service member with a serious injury or illness and ends twelve (12) months later.

Each time an employee requests Family Medical Leave, Kane County will compute the amount of available time based upon the date of the employee’s previous leave, if applicable.

Holidays occurring during a full week of FMLA leave count as FMLA leave; if an employee works any part of a work week during which a holiday falls, the holiday does not count as FMLA leave unless employee was scheduled to work on the holiday. Time spent working on “light duty” does not count toward an employee’s 12 weeks of FMLA leave.

### **KANE COUNTY ROLLING 12-MONTH PERIOD**

Kane County uses the “rolling” 12-month FMLA leave, which is measured backward from the date an employee uses any FMLA leave. Under the “rolling” 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 workweeks which has not been used during the immediately preceding 12 months.

### **EMPLOYEE STATUS AND BENEFITS DURING LEAVE**

While an eligible employee is on leave he or she will be allowed to maintain all pre-existing health benefits as follows: While on paid leave, Kane County will continue to make payroll deductions to collect the employee’s share of premiums for health coverage.

While on unpaid leave, the employee must continue to pay the employee’s share of premiums, whether in person or by mail. The payment must be received in the Human Resources Department by the 30<sup>th</sup> day of each month. If the payment is more than thirty (30) days late, the employee’s health care coverage may be dropped for the duration of the leave. The employer will provide fifteen (15) days’ notification prior to the employee’s loss of coverage. The employee must also continue to pay all deductible and co-payment amounts required under the coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition or for other circumstances beyond the employee’s control, Kane County will require the employee to reimburse Kane County the amount it paid for the employee’s health insurance premium during the leave period. Employees do not accrue such additional benefits as paid vacation and paid sick leave during an unpaid leave, unless otherwise stated within a CBA.

## **EMPLOYEE STATUS AFTER LEAVE**

An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits, and other employment terms. Kane County may choose to exempt certain highly compensated employees from this requirement and not return them to the same or similar position.

An employee who fails to return to work immediately following expiration of the authorized leave period is subject to termination. He/she also may be required to repay any insurance premiums paid by Kane County during leave.

## **USE OF PAID AND UNPAID LEAVE**

FMLA leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

If an employee has accrued paid leave available for use, an employee must use paid leave first and take the remainder of the 12 workweeks as unpaid leave, if accrued paid time is not available.

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA leave.

During a family or medical leave provided under this policy, an employee must first exhaust all accrued paid leave available for use (e.g., vacation, sick and reserve bank time(s)) before continuing such leave on an unpaid basis, unless otherwise stated within a CBA.

## **VACATION, SICK PAY, AND HOLIDAY PAY**

Sick pay credit and vacation time will not continue to accrue after the last day paid on any authorized leave of absence. Employees will be paid for holidays which fall during the period they are receiving pay from the County. The use of any leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## **COMBINED LEAVE TOTAL FOR SPOUSES**

If a husband and wife both work for the County and each wishes to take leave for the birth of a child, or for the placement of a child with the employees for adoption or foster care, or to care for a parent (but not a parent-in-law) with a serious health condition, the husband and wife may only take a combined total of twelve (12) workweeks of leave. If a husband and wife both work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of twenty-six (26) workweeks of leave.

## **INTERMITTENT LEAVE OR REDUCED SCHEDULE**

An employee may take FMLA leave consecutively, or, in certain circumstances, may use the leave intermittently (taking time off periodically when needed over the year) or to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases the leave may not exceed 12 workweeks over a 12-month period.

Kane County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

An employee is not entitled to take intermittent leave for the birth of a child and for the placement of a child with the employee for adoption or foster care, unless the employer agrees to the arrangement. An employee must take leave for birth, adoption, or foster care of a child within one year of the birth or placement of the child.

Eligible employees may take leave on an intermittent or reduced schedule basis when medically necessary because of an employee's or a family member's serious health condition. If an employee requests leave on an intermittent or reduced

schedule basis, an employee must submit medical certification, as discussed below, and additional certification from the health care provider that the intermittent or reduced schedule is medically necessary.

## **CALL-IN PROCEDURE**

Employees must notify HR of any FMLA-related absence in accordance with Kane County's call-in procedures. While on leave, employees are requested to report periodically to the County regarding the status of the relevant medical condition, and their intent to return to work.

An employee will be required to provide their supervisor with a treatment schedule or a one (1) to two (2) day notice of anticipated absences. If an employee fails to provide a one (1) to two (2) day notice or a call on the same day of an absence, it will not be counted as FMLA time. Instead, it will be treated as a regular absence and will be subject to the department's attendance policy unless it was an emergency; then an employee must have a doctor/facility note to verify the emergency.

## **PROCEDURES:**

### **Employee's Responsibilities**

**Employee notice.** Where the need for the leave is foreseeable, the eligible employee must give the Employer (Dept. Supervisor/Director) thirty (30) days prior notice advising the employer of the employee's anticipated leave (where thirty (30) days' notice is not possible, the employee must give the employer as much prior notice as is practical).

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, e.g., the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave (see *Employee's Medical Certification Responsibilities* below).

A department head may require, or an employee may elect, that accrued sick days, accrued vacation and, if applicable, personal days and compensatory time be used during the leave of absence. It is understood that if an employee on an approved FMLA leave has accrued a minimum of three (3) weeks of vacation per year, then that employee may reserve upon request up to a one (1) week block of vacation for later use.

**Employee's medical certification responsibilities.** The County requires that an employee provide it with certification from a health care provider or from the military (as appropriate) for any leave taken for any of the following reasons:

- The employee's own serious health condition;
  - To care for a covered family member with a serious health condition;
  - For an employee's request for leave because of a qualifying exigency; or
  - To care for a covered service member with a serious injury or illness.
- 
- **Employee must provide completed medical certification forms to employer, within 15 calendar days (as required)**
  - **Employee must also complete [Request for Leave of Absence \(LOA FORM – 001\)](#)**

### **The Employer's Responsibilities**

The employer (Supervisor/Manager/Director) must notify employee if *medical certification* is required *within 5-working days*. A *medical certification* is a form that is filled out by a health care provider and provided to the employer to establish

an employee's or employee's family member's medical condition that requires FMLA-protected leave. The employer provides employee with copy of Kane County's Leave of Absence policy. The employee completes FMLA Acknowledgement of Receipt of Leave of Absence policy and gives to employer. The employer is *required* to provide an employee with Notice of Eligibility and **Rights and Responsibilities, FORM WH 381**. If Medical Certification is required, employer provides Employee with form that applies to the situation. (*See below for a description and instructions of the Medical Certification FMLA forms per the DOL Wage and Hour Division.*) The employer must provide an employee with at least seven calendar days to correct any deficiency in the certification. The employer must review the received certification form to ensure that it is complete and sufficient. The employer must inform employee if the request is approved or not, *within 5-working days*. – **Designation Form, FORM WH 382**. The employer (Supervisor/Manager/Director) will return completed LOA Form – 001, completed PAF, and all supporting documents to Kane County Human Resources.

#### **Medical Certification and Other FMLA Forms per the Department of Labor (DOL) - Wage and Hour Division:**

All documents pertaining to Leaves of Absence are located on the intranet under **[Leaves of Absence Documents](http://hrm.kane/SitePages/Home.aspx)**. Click here: **<http://hrm.kane/SitePages/Home.aspx>**.

#### **FORM WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)**

**Purpose:** This form is completed to establish employee's medical condition that requires FMLA-protected leave

- **Section I** of this form is completed by the Employer (Kane County)
- **Section II** of this form is completed by an Employee
- **Section III** is completed by the Health Care Provider

#### **FORM WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)**

**Purpose:** This form is completed to establish employee's family member's medical condition that requires FMLA-protected leave

- **Section I** of this form is completed by the Employer (Kane County)
- **Section II** of this form is completed by an Employee
- **Section III** is completed by the Health Care Provider

#### **FORM WH-381 Notice of Eligibility and Rights and Responsibilities**

**Purpose:** Primary form employees use when requesting FMLA leave

- This form is completed by the Employer (Kane County)

#### **FORM WH-382 Designation Notice (Family and Medical Leave Act)**

**Purpose:** This form is used to notify an employee whether his or her FMLA request has been approved or denied. Employer (Kane County) provides back to Employee within 5-working days.

- This form is completed by the Employer (Kane County)

#### **FORM WH-384 Certification of Qualifying Exigency for Military Family Leave (Family and Medical Leave Act)**

**Purpose:** The Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for a "qualifying exigency" arising out of the foreign deployment of an employee's spouse, son, daughter, or parent. Qualifying exigencies may arise when an employee's spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty. For purposes of qualifying exigency leave, an employee's son or daughter on covered active duty refers to a child of any age.

- **Section I** of this form is completed by the Employer (Kane County)
- **Section II** of this form is completed by an Employee

#### **FORM WH-385 Certification for Serious Injury or Illness of a Current Service member – for Military Family Leave (Family and Medical Leave Act)**

**Purpose:** The Family and Medical Leave Act (FMLA) permits eligible employees to take up to 26 workweeks to care for

a covered service member during a single 12-month period. A current member of the Armed Forces including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness

- **Section I** of this form is completed by Employee and/or Current Service member
- **Section II** of this form is completed by a United States Department of Defense (“DOD”) Health Care Provider or a Health Care Provider who is either: (1) a United States Department of Veterans Affairs (“VA”) health care provider; (2) a DOD TRICARE network authorized private health care provider; (3) a DOD non-network TRICARE authorized private health care provider; or (4) a health care provider as defined in 29 CFR 825.125

**FORM WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (Family and Medical Leave Act)**

**Purpose:** The Family and Medical Leave Act (FMLA) permits eligible employees to take up to 26 weeks to care for a covered service member during a single 12-month period. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employees take FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness

- **Section I** of this form is completed by Employee and/or the Veteran for whom an employee is requesting leave
- **Section II** of this form is completed by (1) a United States Department of Defense (“DOD”) health care provider; (2) a United States Department of Veterans Affairs (“VA”) health care provider; (3) a DOD TRICARE network authorized private health care provider; (4) a DOD non-network TRICARE authorized private health care provider; or (5) a health care provider as defined in 29 CFR 825.125

**RETURN TO WORK PROCEDURE**

An employee shall provide the employer with a medical fitness-for-duty certification from his/her health care provider, certifying the employee’s ability to return to work on or before the return to work date. The employee shall be responsible for the cost of the fitness-for-duty certification.

The County may seek **fitness-for-duty certification** only with regard to the particular health condition that caused an employee's need for medical leave. The County may require that the certification specifically address an employee’s ability to perform the essential functions of an employee’s job as long as the department head provides an employee with a list of the essential functions of an employee’s job at the same time that the department head provides notice to an employee that the leave is designated as FMLA-qualifying.

Human Resources may contact an employee’s health care provider for purposes of clarifying and authenticating the fitness-for-duty certification. The employer may not delay an employee's return to work while contact with the health care provider is being made. In circumstances where a fitness-for-duty certification is required, Human Resources Director will review before an employee shall be allowed to return to work.

If State or local law or the terms of a collective bargaining agreement govern an employee's return to work, those provisions shall be applied.

It shall be unlawful for any supervisor to interfere with, restrain, or deny the exercise of any right provided under the FMLA, including discharging or discriminating against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

If an employee fails to return from leave for reasons other than the continuation, recurrence or onset of a serious health condition or other circumstances beyond the control of an employee, the County may recover the premium that was paid for maintaining group health plan coverage.

An employee who requires reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) (as amended), including any extension of leave following an FMLA leave, should make a request for reasonable

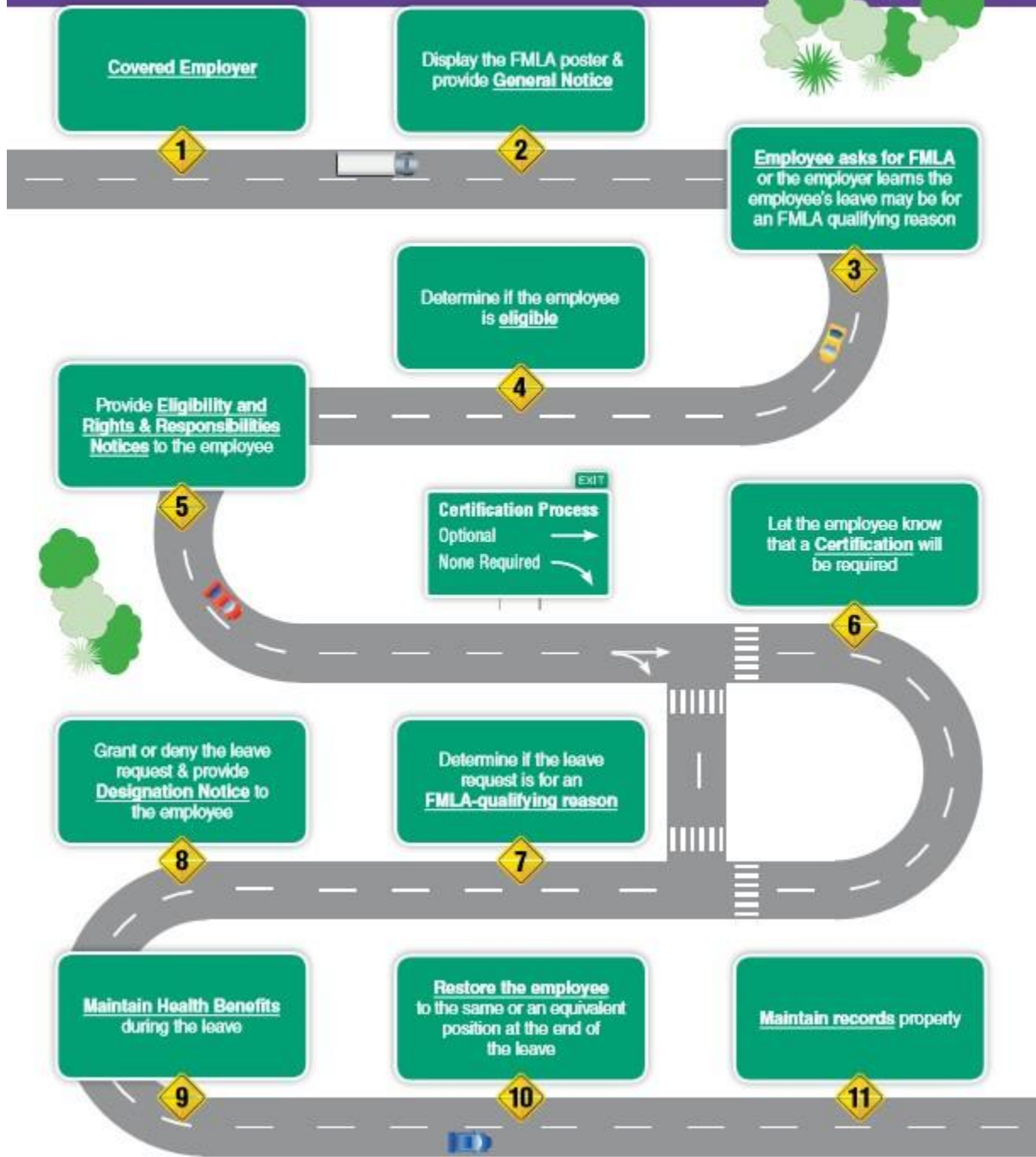
accommodation through the Human Resources Director as soon as he or she believes that such an accommodation may be required.

If additional time is medically required and the employee will not be able to return to work, the employee must notify Human Resources or his/her supervisor before the approved FMLA period expires. Human Resources will work with the appropriate unit to determine whether additional leave will be approved.

If an employee fails to return from leave, an employee's supervisor should notify the Human Resources Department immediately. The failure of an employee to return to work upon the expiration of family or medical leave is considered serious neglect of duty which may be treated as grounds for termination.



# THE EMPLOYER'S ROAD MAP TO THE FMLA



Employer's Guide to FMLA per the DOL, page 8

<b>General LOA Policy</b>  <b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Extended Leave of Absence</b>  <b>Applicable Law/Statute:    Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
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**EXTENDED LEAVE OF ABSENCE**

Any leave over 12 work weeks in duration, except leave to care for a qualified service member, is considered an extended leave of absence. An employee needing to be off work for more than 12 consecutive work weeks must petition the department head for an extended leave, which may be granted at the department head’s discretion based upon the operational needs of the department. Employees in this extended period must contact their department head at least 30 calendar days prior to their expected return to work.

**PROCEDURE FOR REQUESTING EXTENDED LEAVE**

The Director of Human Resources, or designee, will make every effort to place the employee in their former position upon return after a personal leave. Personal leave does not guarantee the ability to return to a former position. If the position is not available, the employee may be restored to a position of like status and pay, if available. If this is not possible, the employee will be separated.

A department head may require, or an employee may elect, that accrued sick days, accrued vacation and, if applicable, personal days and compensatory time be used during the leave of absence. It is understood that if an employee on an approved FMLA leave has accrued a minimum of three (3) weeks of vacation per year, then that employee may reserve upon request up to a one (1) week block of vacation for later use.

- (1) A **Request for Leave of Absence (FORM LOA - 001)** form should be completed by the employee defining the reason for the leave, its duration, and the amount of vacation, sick pay, and if applicable, compensatory time to be used during the leave (if any).
- (2) This request should be submitted to the supervisor or department head, who after recommending approval or disapproval distributes the form according to the routing indicated.



<b>General LOA Policy</b>	<b>Non-FMLA Military Leave</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**NON-FMLA MILITARY LEAVE**

**POLICY**

It is the policy of Kane County to comply with all applicable Federal and State laws in granting Military Leave to employees, including the federal Uniformed Services Employment and Reemployment Rights Act under Title 38 of the United States Code (“USERRA”) and the Illinois Service Member Employment and Reemployment Rights Act, 330 ILCS 61/1-1 *et seq.* (“ISERRA”). **ELIGIBILITY AND BENEFITS**

Any employee of the County who is in “military service”, as defined by ISERRA.

Eligible employees will be granted military leaves with or without pay, with all applicable rights and benefit protections, in accordance with all applicable federal and state laws.

County health plan benefits shall continue in accordance with state and federal law. The County’s share of the full premium and administrative costs shall continue to be paid by the County for employees on leave for active duty under ISERRA.

Seniority will be restored as required by state and federal law. The employee will be restored to his or her same or similar position by making application within 90 calendar days after discharge or hospitalization continuing after discharge.

**PROCEDURE FOR REQUESTING MILITARY LEAVE**

- 1) Employees should provide their supervisor with a copy of their written orders, including any subsequent changes, within the limits prescribed by law.
- 2) During military leaves for annual training, the employee shall continue to receive his or her regular compensation as a County employee for up to thirty (30) days per calendar year in accordance with ISERRA.
- 3) During military leaves for active service, employees shall receive differential compensation in accordance with ISERRA. Differential compensation for voluntary service under ISERRA is limited to sixty (60) work days in a calendar year. In addition, differential compensation is not paid for active service without pay. Employees may elect the use of accrued vacation, annual, or similar leave with pay in lieu of differential compensation during any period of military leave. If an employee is applying for differential pay, the employee should provide payroll with the amount of their base pay prior to the leave. If an employee desires to use benefit time during the leave, the employee should also notify payroll prior to the leave.

Upon completion of military service, a copy of the employee’s Leave and Earnings Statement verifying the duration of the employee’s military service and base pay must be provided to payroll by the employee.

<b>General LOA Policy</b>	<b>Personal Leave</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**PERSONAL LEAVE**

**POLICY**

It is the policy of Kane County to allow employees to take a Personal leave of Absence without pay for extraordinary circumstances of personal need when it is determined to be in the best interest of both the County and the requesting employee. Personal Leave may be granted or denied at the discretion of the department head based on the facts of each individual case. The reason for this type of leave must be of a nature involving a serious family problem or some similar circumstance.

**ELIGIBILITY**

Any full-time employee and part-time employee.

**PROCEDURES FOR REQUESTING PERSONAL LEAVE**

A personal leave is initiated at the employee’s request and made to their Department Head. Only extreme circumstances should be considered in granting a personal leave. All aspects of the employee’s situation should be considered, including personal circumstances, length of employment, job performance, any prior disciplinary action, overall attendance and probability of return.

The Director of Human Resources, or designee, will make every effort to place the employee in their former position upon return after a personal leave. Personal leave does not guarantee the ability to return to a former position. If the position is not available, the employee may be restored to a position of like status and pay, if available. If this is not possible, the employee will be separated.

A department head may require, or an employee may elect, that accrued sick days, accrued vacation and, if applicable, personal days and compensatory time be used during the leave of absence. It is understood that if an employee on an approved FMLA leave has accrued a minimum of three (3) weeks of vacation per year, then that employee may reserve upon request up to a one (1) week block of vacation for later use.

(1) A **Request for Leave of Absence (FORM LOA - 001)** form should be completed by the employee defining the reason for the leave, its duration, and the amount of vacation, sick pay, and if applicable, compensatory time to be used during the leave (if any).

(2) This request should be submitted to the supervisor or department head, who after recommending approval or disapproval distributes the form according to the routing indicated.

<b>General LOA Policy</b>	<b>Bereavement-Funeral Leave</b>		
<b>Effective Date:</b> December 10, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> November 13, 2019			

**BEREAVEMENT - FUNERAL LEAVE**

**POLICY**

It is the policy of Kane County to provide time off for employees to bereave the loss of an immediate family member.

**ELIGIBILITY**

Any full-time employee and part-time employee

**PROCEDURES FOR REQUESTING BEREAVEMENT-FUNERAL LEAVE**

*PAID LEAVE FOR FAMILY MEMBER*

In the event of a death in an employee's immediate family, the employee will be allowed up to three (3) days with pay for time actually lost. These days will not be deducted from sick pay.

Immediate family members are defined as including the employee's children (son or daughter, who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis) father, mother, current spouse/civil union partner, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents and grandchildren.

Bereavement leave to attend the funeral or alternative to a funeral of a child must be completed within 60 days after the date on which the employee receives notice of the death of the child.

An employee shall provide their supervisor with at least 48 hours' advance notice of the employee's intention to take bereavement leave, unless providing such notice is not reasonable and practical.

A supervisor may require reasonable documentation of the need for leave. Documentation may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency.

*ADDITIONAL LEAVE TIME*

If an employee wants paid time off beyond three days, the employee must request approval from their department head. Any additional time off beyond the three (3) days will be deducted from any accrued time the employee has available for use.

<b>General LOA Policy</b>	<b>Family Bereavement Leave and Child Extended Bereavement Leave</b>
<b>Effective Date:</b> December 1, 2023	<b>Applicable Law/Statute:</b> Family Bereavement Leave Act 820 ILCS 154/ Family and Medical Leave Act of 1993 Child Extended Bereavement Act 820 ILCS 154/35
<b>Last Amended Date:</b> December 10, 2019	

## **FAMILY BEREAVEMENT LEAVE AND CHILD EXTENDED BEREAVEMENT LEAVE**

### **POLICY**

It is the policy of Kane County to provide employees the leave needed for bereavement in compliance with the Illinois Family Bereavement Leave Act, 820 ILCS 154/1, *et seq.* This policy is not intended to provide leave in addition to what that Act requires.

### **FAMILY BEREAVEMENT LEAVE**

#### **ELIGIBILITY**

All full-time and part-time employees who have worked at least 1,250 hours during the twelve (12) months preceding the leave and who have completed twelve (12) months of service are eligible to take Family Bereavement Leave.

#### **GUIDELINES**

- A. Use: Eligible employees are entitled to a maximum of 2 weeks (10 workdays) of unpaid leave to:
  1. Grieve;
  2. Attend the funeral or alternative to a funeral of a covered family member;
  3. Make arrangements necessitated by the death of the covered family member; or
  4. Be absent from work due to:
    - i. A miscarriage;
    - ii. An unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure;
    - iii. A failed adoption match or an adoption that is not finalized because it is contested by another party;
    - iv. A failed surrogacy agreement;
    - v. A diagnosis that negatively impacts pregnancy or fertility;
    - vi. A stillbirth.
- B. A “covered family member” is defined as an employee’s child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.
- C. Family Bereavement Leave time must be completed within 60 days after the date the employee receives notice of the event specified in Paragraph A. Employees must give at least 48 hours’ notice to their supervisor or department head before taking Family Bereavement Leave, unless not reasonable or practicable. In order to be granted Family Bereavement Leave, the employee must complete a leave of absence request form and be approved by their Department Head.
- D. Employees are entitled to a maximum of 6 weeks of Family Bereavement Leave if they experience more than one event as specified in Paragraph A during a 12-month period. An employee may not take Family Bereavement Leave that exceeds the leave time allowed under, nor in excess of, the leave time permitted by the Family and Medical Leave Act.

- E. The County may require reasonable documentation to support the need for Family Bereavement Leave. Reasonable documentation may include but it not limited to:
- Death Certificate;
  - Published Obituary;
  - Written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency;
  - Family Bereavement Leave Act 10(a)(4) Leave Form
- F. Employees eligible to use accrued paid benefit time such as sick, personal, vacation, and funeral time may elect to substitute any period of such paid leave for an equal period of unpaid leave as provided for in this policy.

## **CHILD EXTENDED BEREAVEMENT LEAVE**

### **ELIGIBILITY**

All active full-time employees who have worked for the County for at least two weeks.

### **GUIDELINES**

- A. Use: Eligible employees are entitled to a maximum of 12 weeks in the event of the death by homicide or suicide of the employee's: biological, adopted, or foster child; stepchild; legal ward; or child of an employee standing in loco parentis.
- B. Leave taken under this section may be taken in a single continuous period or intermittently in increments of no less than 4 hours, but leave must be completed within one year after the employee notifies the County of the loss.
- C. The County requests reasonable notice advance notice of the employee's intention to take leave, unless providing such notice is not reasonable and practicable.
- D. The County may require reasonable documentation to support the need for Child Extended Bereavement Leave. Reasonable documentation must include cause of death and may include but it not limited to:
- Death Certificate;
  - Published Obituary;
  - Written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency;
- E. An employee who is entitled to take paid or unpaid leave (sick, vacation, personal, or similar leave) from employment, pursuant to federal, State, or local law, a collective bargaining agreement, or an employment benefits program or plan may elect to substitute any period of such paid leave for an equivalent period of leave provided under this section.

<b>General LOA Policy</b>	<b>JURY DUTY</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> June 13, 2023	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**COURT LEAVE: JURY DUTY SUMMONS AND WITNESS SUBPOENAS**

**POLICY**

It is the policy of Kane County to follow all Federal and State laws regarding Jury Duty and subpoenas, in granting leave from work to attend court.

**ELIGIBILITY**

All full-time and part-time employees are eligible to serve on a jury, or may appear before a court as a witness in response to a subpoena.

Temporary employees are eligible to serve on a jury, but their time at jury duty will be unpaid time off.

**PROCEDURES**

Court leave shall be granted to employees who are called to jury duty or are required to be absent from work because of a jury summons or a subpoena from any legislative, judicial, or administrative tribunal. Time away from work with pay shall be granted for jury duty and for subpoenas issued in connection with the employee’s job duties.

Each employee must inform their Supervisor in a timely manner of the employee’s anticipated absence. All compensation received for jury duty, or as a subpoena witness fee in connection with the employee’s job duties, shall be remitted by the employee to the County Auditor in the form of a check along with the jury duty certifications, to be forwarded to the County Treasurer and deposited into the fund from which the original payroll warrant was drawn.

The County feels that by volunteering to appear as a witness, an employee may create the impression that the County favors one litigant to the detriment of the other. Therefore, to avoid any appearance of conflict or favoritism in a case in which the County is not a party, County employees are instructed not to appear as a witness unless properly “subpoenaed”, or must do so by use of their benefit time.

<b>General LOA Policy</b>	<b>Educational Leave</b>		
<b>Effective Date:</b> December 10, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> November 13, 2019			

**EDUCATIONAL LEAVE**

**POLICY**

It is the policy of Kane County that Educational Leave may be granted at the discretion of the department head without pay to eligible employees who wish to continue their education provided the course of study is beneficial to the department.

<b>General LOA Policy</b>	<b>Workers' Compensation</b>		
<b>Effective Date:</b> December 10, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> November 13, 2019			

**WORKERS' COMPENSATION  
POLICY**

All employees experiencing an occupational disability due to an accident or illness arising out of and in the course of their employment may be placed on a workers' compensation leave. Participating employees should apply for IMRF disability benefits if eligible. Family Medical Leave time shall run concurrent with workers compensation for an employee's job-related injuries or illnesses.



<b>General LOA Policy</b>	<b>Administrative Leave</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**ADMINISTRATIVE LEAVE**

**POLICY**

A standing committee of the Kane County Board, Kane County Chairperson, Department Head may place an employee on administrative leave of absence pending a determination of the employee’s employment status for a maximum of thirty (30) days. A leave of absence under this subsection shall be with pay and shall not be considered a discharge or suspension. A leave of absence under this subsection shall not affect the employee’s fringe benefits.

<b>General LOA Policy</b>	<b>Victim’s Economic Security and Safety Act (VESSA) Leave</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**VICTIM’S ECONOMIC AND SECURITY SAFETY ACT (VESSA) LEAVE POLICY**

It is the policy of Kane County to comply with the provisions of the Victims’ Economic Security and Safety Act of 2003, as amended (VESSA). This policy is meant to comply with the VESSA Act and is not intended to grant leave in addition to what the Act requires.

**ELIGIBILITY**

All employees who have been a victim of domestic, sexual or gender violence, or whose family or household members have been a victim of domestic, sexual or gender violence (whose interests are not adverse to the employee), may take up to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period for the purposes delineated in VESSA.

**PROCEDURES**

An employee who is a victim of domestic, sexual or gender violence or who has a family or household member who is a victim of domestic, sexual or gender violence may take up to a total of 12 work weeks of leave from work during any 12-month period to address the domestic, sexual or gender violence, as detailed in VESSA. This may include seeking medical attention or counseling for injuries or psychological trauma, obtaining victim services, relocating, seeking legal assistance or participating in a related court proceeding. Neither this section nor VESSA creates additional rights for an employee to take leave that exceeds the unpaid leave time under, or is in addition to unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993.

**Notice**

The employee shall provide the County with at least 48 hours’ advance notice of the employee’s intention to take the leave, unless providing such notice is not practicable.

- When an unscheduled absence occurs, the County will not take any action against the employee if the employee, within a reasonable period after the absence (generally defined herein as 15 days) provides certification as shown under the next section.

**Certification**

The County may require the employee to provide certification to the County that:

1. The employee or the employee’s family or household member is a victim of domestic, sexual or gender violence; and
2. The leave is for one of the purposes enumerated in VESSA.

The employee shall provide such certification to the County within a reasonable period after the County requests certification.

An employee may satisfy the above certification requirement by providing to the County a signed and dated statement of the employee, and upon obtaining such documents the employee shall provide:

- Documentation from an employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee’s family or household member has sought assistance in addressing domestic, sexual or gender violence and the effects of the violence;
- A police or court record; or

- Other corroborating evidence.

### **Confidentiality**

All information provided to the County, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this policy, shall be retained in the strictest confidence by the County, except to the extent that disclosure is:

- Requested or consented to in writing by the employee; or
- Otherwise required by applicable Federal or State law.

### **Restoration to position**

In general, an employee who takes leave under this policy shall be entitled, on return from such leave:

- To be restored by the County to the position of employment held by the employee when the leave commenced; or
- To be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

### **Loss of benefits**

The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, the employee is not entitled to:

- The accrual of any seniority or employment benefits during any period of leave; or
- Any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

### **Reporting to the County**

The County may require an employee on leave under this policy to report periodically to the County on the status and intention of the employee to return to work.

### **Maintenance of health benefits**

Except as provided under “Loss of Benefits”, during any period that an employee takes leave under this policy, the County shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

### **Failure to return from leave**

The County may recover the premium that the County paid for maintaining coverage for the employee and the employee’s family or household member under such group health plan during any period of leave under this policy if:

- The employee **fails to return** from leave this policy after the period of leave to which the employee is entitled has expired; and
- The employee **fails to return** to work for a reason other than:
  - The continuation, recurrence, or onset of domestic, sexual or gender violence that entitles the employee to leave; or
  - Other circumstances beyond the control of the employee.

The County may require an employee who claims that they are unable to return to work because of a reason described above to provide, within a reasonable period after making the claim, certification to the County that they are unable to work because of that reason.

An employee may satisfy the certification requirement of this clause by providing to the County:

- A sworn statement of the employee;
- Documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;
- A police or court record; or
- Other corroborating evidence.

### **No retaliation**

The County will not fail to hire, refuse to hire, discharge, or harass any individual exercising their rights under this policy

or otherwise discriminate against any individual exercising their rights under this policy with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner for exercising their rights under this policy.

<b>General LOA Policy</b>	<b>School Visitation Leave</b>		
<b>Effective Date:</b> December 10, 2019 <b>Last Amended Date:</b> November 13, 2019	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**SCHOOL VISITATION LEAVE  
POLICY**

It is the policy of Kane County to allow eligible employees that have been employed for at least six (6) consecutive months may take up to a maximum of eight (8) hours during any school year to attend school conferences or classroom activities related to the employee’s children if the conference or classroom activities cannot be scheduled during non-work hours.

**ELIGIBILITY**

Any employee of the County who has been employed for at least six (6) consecutive months immediately preceding a request for school visitation leave and who has worked an average number of hours per week equal to at least one-half of the full-time equivalent position.

**PROCEDURES**

All school visitation leaves will be granted in accordance with the Illinois School Visitation Rights Act, 820 ILCS 147/1 *et seq.*

An employee may not take more than four (4) hours of school visitation leave in one day, and the leave may not be taken if the employee has not exhausted all accrued vacation leave, personal leave or any other type of leave, except for sick or disability leave. Otherwise, Employee can use unpaid time.

The employee must provide their supervisor with at least 7 days advance written notice.

In emergency situations, no more than 24 hours’ notice is required. The employee must consult with their supervisor to schedule the leave so as not to unduly disrupt the operations of the employer.

# REQUEST FOR LEAVE OF ABSENCE

*Employee Completes Sections 1 and 2  
Supervisor/Manager/Department HR Completes Section 3*

**Section 1: PERSONAL INFORMATION (Employee completes Sections 1 and 2 and returns completed form to Supervisor/Manager)**

Last Name:	First Name:	Employee ID:
Job Title:	Hire Date:	Department:
Signature:	Date Submitted:	Email:

**Section 2: EMPLOYEE: Check the type of leave and provide documentation as indicated**

**FAMILY AND MEDICAL LEAVES (required medical certifications must be returned within 15 days of receipt)**

<input type="checkbox"/>	<p><b>Birth and Placement for Adoption/Foster Care</b></p> <ul style="list-style-type: none"> <li>• Birth of employee’s child</li> <li>• Placement of a child with the employee for adoption or foster care (Must be taken within one year of birth or placement).</li> </ul>	<p><b>Certification/documentation of date of birth or placement of child</b></p>
<input type="checkbox"/>	<p><b>Section 6.02 Employee’s Serious Health Condition</b></p> <ul style="list-style-type: none"> <li>• Employee personal health condition that makes the employee unable to perform the essential functions of his/her job</li> </ul>	<p><b>Certificate of Health Care Provider for Employee’s Serious Health Condition (DOL Form WH-380-E)</b> This form is completed to establish employee’s medical condition that requires FMLA-protected leave</p>
<input type="checkbox"/>	<p><b>Family Member’s Serious Health Condition</b></p> <ul style="list-style-type: none"> <li>• Child’s/Parent’s/Spouse’s health condition requiring care by employee</li> </ul>	<p><b>Certificate of Health Care Provider for Family Member’s Illness/Injury (DOL FORM WH-380-F)</b> This form is completed to establish employee’s family member’s medical condition that requires FMLA-protected leave</p>
<input type="checkbox"/>	<p><b>Serious Illness or Injury of a Current Service Member or Veteran</b></p> <ul style="list-style-type: none"> <li>• Military Caregiver Leave (Serious Injury or Illness of a Covered Service Member or Veteran)</li> <li>• ☑ Spouse/Child/parent/”Next of Kin”</li> </ul>	<p><b>Certification for Serious Illness or Injury of a Current Service Member (DOL FORM WH-385) or Veteran (DOL FORM WH-385-V)</b> This form is completed to establish employee’s family member’s medical condition that requires FMLA-protected leave. The Family and Medical Leave Act (FMLA) permits eligible employees to take up to 26 workweeks to care for a covered service member (and covered veterans) during a single 12-month period, if the employee is the spouse, child, parent or “next of kin” of the covered service member. Covered veterans must have been discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employees take FMLA leave to care for the covered veteran.</p>
<input type="checkbox"/>	<p><b>Qualifying Military Exigency</b></p> <ul style="list-style-type: none"> <li>• Exigency arising out of the deployment of employee’s spouse, son, daughter or parent, who is a covered service member</li> </ul>	<p><b>Certification of Qualifying Exigency (DOL FORM WH-384)</b> This form is completed to establish the qualifying exigency that requires FMLA-protected leave. The Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for a “qualifying exigency” arising out of the fact that an employee’s spouse, son, daughter, or parent is a covered service member on covered active duty or has been notified of an impending call or order to covered active duty. For purposes of qualifying exigency leave, an employee’s son or daughter on covered active duty refers to a child of any age.</p>

If this leave is for a Family Medical Leave:

(1) Have you had absences counted towards FMLA entitlement in the past 12 months?  YES  NO

If so, provide dates/hours which have already been applied towards FMLA, along with supporting documentation (contact Payroll for hours)

Dates: From \_\_\_\_\_ to \_\_\_\_\_ Total hours of FMLA utilized during the past 12 months: \_\_\_\_\_

(2) If approved, will this leave be taken on an intermittent basis?  YES  NO

**FMLA – TYPE OF LEAVE**

<input type="checkbox"/>	<p>Continuous Leave of Absence</p>	
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<input type="checkbox"/>	Intermittent Leave of Absence	For Intermittent Absences, describe your intermittent or reduced work schedule (e.g., “up to 2-3 sick days a month per doctor”). This must be medically necessary and documented in a current medical certification form from your health care provider.
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**Section 2 (Continued): EMPLOYEE: Check the type of leave and provide documentation as indicated**

**NON-FMLA LEAVE: DURATION OF THE REQUESTED LEAVE:**

Leave Starts On: _____		Expected Return Date: _____	Is
this an extension of an existing leave? Yes		No	If yes, indicate your original leave dates: From: _____ To: _____
<input type="checkbox"/>	Administrative Leave	A standing committee of the Kane County Board, the Kane County Chairperson, and/or a Department Head may place an employee on administrative leave of absence pending a determination of the employee’s employment status for a maximum of thirty (30) days. A leave of absence under this subsection shall be with pay and shall not be considered a discharge or suspension. A leave of absence under this subsection shall not affect the employee’s fringe	
<input type="checkbox"/>	Bereavement Leave	Provide time off for employees to bereave the loss of an immediate family member. In the event of a death in an employee's immediate family, the employee will be allowed up to three (3) days with pay for time actually lost. These days will not be deducted from sick pay. Immediate family members are defined as including the employee's children (son or daughter, who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis) father, mother, current spouse/civil union partner, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents and grandchildren.	
<input type="checkbox"/>	Child Bereavement Leave	The Child Bereavement Act provides that all eligible employees, as defined by the Family and Medical Leave Act of 1993, as amended, shall be entitled to use a maximum of 2 weeks (10 workdays) of unpaid bereavement leave to: <ul style="list-style-type: none"> <li>▪ Attend the funeral or alternative to a funeral of a child;</li> <li>▪ Make arrangements necessitated by the death of the child; or</li> <li>▪ Grieve the death of the child.</li> </ul> In the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of six (6) weeks of bereavement leave during the 12-month period. Unpaid leave shall not exceed leave under, or be in addition to, time permitted by the FMLA	
<input type="checkbox"/>	Educational Leave	May be granted at the discretion of the department head without pay to eligible employees who wish to continue their education provided the course of study is beneficial to the	
<input type="checkbox"/>	Extended Leave	Any leave over 12 work weeks in duration, except leave to care for a qualified service member, is considered an extended leave of absence.	
<input type="checkbox"/>	Non-FMLA Military Leave	Any employee in “military service”, as defined by USERRA and ISERRA, shall be granted leave from his or her County employment in accordance with all applicable law. <ul style="list-style-type: none"> <li>▪ Employees should provide their supervisor with a copy of their written orders</li> <li>▪ During annual training, employees will receive his/her regular compensation for up to 30 days per calendar year</li> <li>▪ During active service, employees shall receive differential compensation in accordance with ISERRA and is limited to 60 work days in connection with voluntary service</li> <li>▪ If an employee is applying for differential pay, the employee should provide payroll with amount of military base pay prior to LOA</li> <li>▪ If an employee desires to use benefit time, the employee should notify payroll prior</li> </ul>	
<input type="checkbox"/>	Personal Leave	May be granted or denied at the discretion of the department head based on the facts of each individual case. The reason for this type of leave must be of a nature involving a serious family problem or some similar circumstance.	
<input type="checkbox"/>	School Visitation Leave	Eligible employees that have been employed for at least six (6) consecutive months and have worked an average number of hours equal to at least one-half of the full-time equivalent position, may take up to a maximum of eight (8) hours during any school year to attend school conferences or classroom activities	
<input type="checkbox"/>	Victim’s Economic Security and Safety Act (VESSA) Leave	An employee who is a victim of domestic, sexual or gender violence or who has a family or household member who is a victim of domestic, sexual or gender violence may take up to a total of 12 work weeks of leave from work during any 12-month period to address the domestic, sexual or gender violence, as detailed in VESSA.	

**Section 2 (Continued): EMPLOYEE: Check the type of leave and provide documentation as indicated**

**PAY STATUS DURING THE LEAVE (Pay status must be filled for all requested leaves. FMLA and other)**

Please identify the number of hours you are using during your leave. For example, for two weeks off you can enter 40 hours vacation and 40 hours of Comp time. *Please contact your Payroll Coordinator for assistance.*

	DESCRIPTION	HOURS			DESCRIPTION	HOURS			DESCRIPTION	HOURS	
	Sick Leave				Comp Time				Pre-89 Sick		
	Vacation				Extended Sick				Personal		
	Leave without Pay				Holiday				Sick		

**Authorization(s):**

*(I understand this leave request and have read the instructions and information on this form. I understand I am responsible for the cost of my insurance benefits when an employee is out on FMLA or other leave and not receiving any wages from the County. I am responsible to pay my portion of health insurance coverage each month, and it is my obligation to contact the Human Resources Department to make arrangements for premium payments, where applicable.*

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor/Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Division/Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Department: \_\_\_\_\_ Date: \_\_\_\_\_

FMLA Eligible :  Yes  No Department Signature/Date: \_\_\_\_\_

Notes:

**Notice of FMLA:** The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

**ELIGIBLE EMPLOYEES**

Only eligible employees are entitled to take FMLA leave. An eligible employee is one who:

- Works for a *covered employer*;
- Has worked for the employer for at least *12 months*;
- Has at least *1,250 hours* of service for the employer during the 12 month period immediately preceding the leave; and
- Works at a location where the employer has at least *50 employees within 75 miles*



**Section 3: SUPERVISOR/MANAGER/DEPARTMENT HR: Complete this section**

<b>Name (Print):</b>	<b>E-mail:</b>
<b>Signature:</b>	<b>Date:</b>
<b>Supervisor's Name</b>	<b>Supervisor's Phone:</b>
<b>Return completed LOA Form – 001, completed PAF, and all supporting documents to Kane County Human Resources Email questions to <a href="mailto:HRDLOA@co.kane.il.us">HRDLOA@co.kane.il.us</a></b>	
<b>Date HR Received documents:</b>	
<b>HR Notes:</b>	

<b>Medical Benefits Policy</b>	<b>Retiree and Disabled Continuation Coverage</b>		
<b>Effective Date:</b> TBD	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> March 10, 2021	215 ILCS 5/367h and 215 ILCS 5/367j		

**HEALTH CARE CONTINUATION COVERAGE FOR RETIREES, MEDICARE ELIGIBLE RETIREES, AND DISABLED EMPLOYEES**

**Eligibility Provisions**

A “retiree” is an employee who has terminated employment with Kane County, and who, at the time of termination, (i) meets the minimum age and service requirements to be considered immediately eligible for an IMRF retirement pension based on their plan and tier with IMRF, even if they have deferred benefits, or (ii) is eligible to receive an IMRF disability benefit, each as determined by IMRF in accordance with applicable law.

Eligible retirees may continue medical (which currently includes vision) and dental coverage into retirement on the County plan. Covered retirees can include their eligible dependents however, they cannot add a dependent at a later date if the dependent was not covered at the time that the employee retired unless there is a life event such as marriage, the birth of child, etc. Coverage for covered dependent children and spouses may continue upon the death of the retiree if the surviving spouse is entitled to receive a surviving spouse’s monthly pension provided that contributions for the type of coverage elected are paid. The eligibility for the surviving spouse ends upon the death or remarriage of that spouse. Continuation for covered dependent children ends on the date it would have otherwise ended (such as attainment of the limiting age).

An employee must have participated in the Illinois Municipal Retirement Fund (“IMRF”) – non-SLEP (Sheriff Law Employment Personnel) or SLEP – and the County’s health insurance program in order to participate in the retiree health program. Employees must meet the minimum requirements as determined by IMRF to participate, even if they have deferred benefits:

*Non-SLEP IMRF Employees*

- Regular Plan Tier 1 (First enrolled in IMRF Prior to January 1, 2011)  
At least 55 years old and at least 8 years of credited service
- Regular Plan Tier 2 (First enrolled in IMRF on or after January 1, 2011)  
At least 62 years old and at least 10 years of credited service

*SLEP IMRF Employees*

- SLEP Plan Tier 1 (First enrolled in SLEP Prior to January 1, 2011)  
20 years of credited SLEP service at any age
- Regular Plan Tier 2 (First enrolled in SLEP on or after January 1, 2011)  
10 years of credited SLEP service at any age

Please contact IMRF for additional information regarding eligibility.

**Medical, Dental and Vision benefits**

For those non-Medicare eligible retirees employed by the County for 15 or more consecutive years, the County shall pay 10% of the cost of continued medical insurance benefits under the same terms and coverage as the employee received on the day immediately preceding the day on which the IMRF-approved retirement or disability period begins. The 10% premium reduction will continue until the participant reaches Medicare eligibility, at which point the premium reduction ceases. Retirees who are not eligible for the subsidy must pay the full cost of continued medical insurance benefits.

Kane County offers a reduced benefit PPO Medicare supplement health care plan to Medicare eligible retirees, disabled employees, surviving spouses, and any covered dependents. Upon a participant retiree reaching Medicare eligibility, dental and vision coverage end. Medical coverage may continue if coverage is elected for the PPO Medicare supplement health care plan for the retiree and their Medicare eligible family members. This plan covers medical and prescription drugs costs.

Premium amounts are established annually by the County Board.

## **HOLIDAYS**

Paid holidays are established annually by the County Board Executive Committee for non-court related offices and by the Chief Judge for court-related offices. Holiday schedules are distributed to all departments for posting. Holiday pay will be granted as follows:

Regular full-time employees will be paid for the each scheduled holiday at their regular rate of pay as computed for one (1) day. If an employee is required to come in to work on a holiday for less than the full work day, the employee will receive pay equal to the actual number of hours worked on the holiday and will receive a comparable reserved amount of hours to use at a later date.

Regular part-time employees will receive pay proportionate to the average number of hours normally worked on the holiday. (i.e., normally work 4 hours a day - will receive 4 hours pay). Employees must actually be scheduled to work on the holiday to receive holiday pay.

When a holiday falls during an employee's scheduled vacation period, the employee will be paid for the holiday instead of vacation pay. The employee may then take an alternative day of vacation during that anniversary year by arrangement with the department head.

Employees must be working (on active status) to be eligible for holiday pay

## **IDENTIFICATION CARDS**

Kane County is committed to providing a safe and secure work environment for its employees and visitors. The proper issuance and display of identification cards is one way to create a safer and more secure work environment. A standardized identification card also readily identifies Kane County employees when they visit other offices and organizations. Employees should follow their respective Office or Department protocols with respect to security and visitors.

All Kane County employees, contractors, and interns will be issued a standardized Kane County Identification card which can be secured by appointment through the Human Resource Management Department. Identification cards will be color coded and issued to the following individuals:

- Regular employees (full time and part time)
- Contractors (vendors doing long term projects)
- Interns (short-term employees)

The standardized employee Identification card will contain the following information:

Employee picture and First Name Only  
Office or Department Name  
County Seal  
Expiration Date (three years from date of issue)

Each office and department will be issued several "Visitor" identification cards to be used for those occasional visitors.

All Kane County employees shall wear their identification card while at the office or place of work unless specifically directed otherwise by their respective department head. Employees of elected officials are encouraged to wear their identification card while at the office or place of work. These cards are not to be altered in any way. Employees are also encouraged to look at identification cards of those individuals with whom they come in contact. Any irregularities should be reported to the Human Resource Management Department.

Identification cards AND lanyards must be returned to the employee's supervisor upon separation or transfer from their department. Supervisors will then return these cards to the Human Resource Management Department.

Supervisors should immediately notify the Human Resource Management Department when there is a change in service of their employee.

Lost or stolen identification cards must be reported immediately to the employee's supervisor and to the Human Resource Management Department.

<b>Identity Protection Policy</b>			
<b>Effective Date:</b> July 13, 2021	<b>Applicable Law/Statute:</b> 5 ILCS 179/1, <i>et seq.</i>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> N/A			

**IDENTITY PROTECTION**

It is the policy of Kane County to maintain practices in compliance with applicable laws and regulations in order to protect the identity of employees, persons doing business with the County and persons receiving services from or through the County in accordance with the Illinois Identity Protection Act (5 ILCS 179/1, *et seq.*).

**Eligibility**

All employees of Kane County shall adhere to the guidelines of this policy. This policy may be applied by the Elected Officials to their employees.

**Guidelines**

1) Restricted Access and Use

- a. Only employees who are required by their job duties to use or handle Social Security numbers are permitted to have access to such Social Security numbers.
- b. Employees will not publicly post or publicly display in any manner an individual’s Social Security number.
- c. The County will not require an individual to submit a Social Security number over the internet unless the connection is secure or the social security number is encrypted,
- d. Except as provided in Section B. below, the County will not require an individual to use his or her social security number to access an Internet website.
- e. Except as provided in Section B. below, the County will not use the social security number for any purpose other than the purpose for which it was collected.
- f. Paper documents containing Social Security numbers will be stored in locked files or restricted areas. Social Security numbers retained in electronic format or entered into online databases will be protected through limited password access, encryption or other appropriate means for securing the data.
- g. The County will not encode, embed or print an individual’s Social Security number on any ID card or other card required for the individual to access products or services provided by the County.
- h. The County will not, unless otherwise required by State or Federal law, print an individual’s Social Security number on any materials that are mailed to the individual through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery. If a social security number is otherwise permitted by law to be mailed, any such mailing or delivery will be enclosed in an envelope.
- i. Except as provided in Section B. below, the County shall not collect, use or disclose a social security number from an individual, unless (a) required to do so under State or federal law, or the collection, use or disclosure of the social security number is necessary for the performance

- of the County's duties and responsibilities, (b) the need and purpose for the social security number is documented before collection, and (c) the social security number collected is relevant to the documented need and purpose.
- j. Where feasible, the County will use only the last four digits of a Social Security Number.
  - k. The County shall advise its employees of the existence of the policy and make a copy of the policy available to its employees, and shall also make this policy available to any member of the public upon request. If the County amends this policy, then the County shall advise its employees of the amendment and make a copy of the amended policy available to its employees.
- B. Permitted collection, use, and disclosure of Social Security Numbers: Collection, use, or disclosure of Social Security numbers is permitted in the following circumstances:
- a. To County agents, employees, contractors or subcontractors, or to another governmental entity or its agents, employees, contractors, or subcontractors, if necessary for the County to perform its duties and responsibilities; and, if disclosing a social security number to a contractor or subcontractor, prior to such disclosure, the County must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under the Illinois Identity Protection Act on the County to protect an individual's social security number will be achieved.
  - b. Pursuant to a court order, warrant, or subpoena.
  - c. Where necessary to ensure the safety of state and local government employees, visitors to County facilities, and others as provided by statute.
  - d. For internal verification or administrative purposes.
  - e. To any entity for the collection delinquent child support or any State debt.
  - f. To a governmental agency to assist with an investigation or the prevention of fraud.
  - g. To conduct background checks, to collect a debt, and to obtain a credit report from a consumer reporting agency.
  - h. Where necessary or useful to locate a missing person, lost relative, or person who is due a benefit, or where otherwise statutorily permitted.
- C. Statement of purpose: When collecting a social security number or upon request by an individual, a statement of purpose or purposes for which the County is collecting and using the individual's Social Security number must be provided.
- D. Exclusions:
- a. This Policy does not apply to the collection, use, or disclosure of a Social Security number as required by state or federal law, rule, or regulation.
  - b. This Policy does not apply to documents that are filed with the County Recorder.

## **Procedures**

- A. The Health Department will additionally comply with the provisions of the Health Insurance Portability and Accountability Act (HIPAA), as applicable, when collecting, using or disclosing social security numbers.
- B. Proper facilities and equipment will be provided to safeguard documents containing Social Security numbers.
- C. Social Security numbers, including partial Social Security numbers, will not be publicly posted or displayed in any manner.
- D. Social Security numbers, including partial Social Security numbers, contained in a public record,

including records in electronic format, will be collected and recorded in a manner to permit the Social Security number to be easily redacted for purposes of Freedom of Information Act requests or other proper dissemination of records.

- E. All employees who have access to Social Security numbers and other private identifiers, whether received in verbal, written, or electronic form, as a part of their job duties will be trained to protect the confidentiality of the Social Security number. Training will include the proper handling of information that contains Social Security numbers and other private identifiers from the point of collection through the destruction of the information.
- F. Employees who misuse personal or identity related data will be subject to appropriate disciplinary action up to and including termination, as well as potential criminal prosecution pursuant to the Identity Protection Act.

Res. 21-337

## **IMRF LEAVE OF ABSENCE AUTHORIZATION AND DISABILITY BENEFITS**

Employees who have a medical certification of a disability which may extend for 30 calendar days or more could be eligible for disability benefits under the Illinois Municipal Retirement Fund (see IMRF Disability Benefits).

Generally, you are eligible for monthly payments up to 50% of your monthly earnings if you—

- 1) Have at least 12 consecutive months of service credit,
- 2) Are disabled for more than 30 days,
- 3) Are unable to perform duties assigned by your employer because of illness or injury, and
- 4) Are not receiving any earnings from any IMRF employer

IMRF's Member Disability Checklist, available from [www.imrf.org](http://www.imrf.org), can guide you through the disability application process.

Disability benefits may be payable for any injury or illness whether work-related or not.

If your application for IMRF disability benefits is approved, while you are receiving disability benefits, you:

- Continue to earn IMRF service credit as if working (no cost to you),
- Continue to be covered by IMRF death benefit protection,
- Receive monthly disability benefit payments equal to 50% of your average monthly salary based on your salary for the 12 months prior to the month you became disabled.
- Are assured that your future pension would be based on your full salary, not your reduced disability benefit.

For a complete explanation of your disability benefits, contact IMRF at 1-800-ASK-IMRF (1-800-275-4673) and request a copy of the IMRF Disability Benefits booklet.

If you receive Social Security disability and/or workers' compensation benefits, IMRF pays the difference between those benefits and 50% of your average monthly salary. When Social Security and/or workers' compensation exceeds 50% of salary, IMRF pays a minimum monthly benefit of \$10.

Employees participating under IMRF and on a leave of absence without pay from the County or disability pay under IMRF (i.e., family illness, placement leave) will not be protected for death or disability benefits during the unpaid period. A Benefit Protection Leave of Absence Authorization should be filed with IMRF before the leave commences. Death and disability benefits are reinstated immediately upon returning to work. Employees may establish service credits for retirement (not to exceed 12 months) for this leave by paying the employee's contributions which would have been paid if actually working plus interest. The County Board must approve the acceptance of employer paid IMRF obligations. Forms are available in the Human Resources Department.



## **INDEPENDENT CONTRACTORS**

Independent contractors may be hired for a specific project, to substitute for employees on approved leave, or when the workload exceeds the ability of County staff to accomplish the work on a timely and quality basis. Any individual hired as an independent contractor must have the skills, knowledge and ability to perform the contracted work. Generally, independent contractors should perform less than 600 hours of work for the County in a single calendar year. If the work to be performed by the individual contractor is likely to last more than 600 hours, consideration should be given to hiring the individual as a regular employee.

Just because the County and an individual may agree to a label such as “independent contractor”, it does not mean that a governmental agency such as the Illinois Department of Employment Security, the Illinois Municipal Retirement Fund or the Internal Revenue Service will accept the label. Therefore, any County department or office wishing to classify an individual as an independent contractor must complete a detailed questionnaire answering a series of questions about the individual. These questions are based upon factors considered by various governmental agencies and are intended to determine if the individual is likely to be considered as a true independent contractor, in the event the individual makes a claim for benefits that will require that Kane County make payments on that individual’s behalf.

The questionnaire can be obtained from Human Resources. The completed questionnaire along with a copy of the proposed job description must be returned to Human Resources, which will make the determination, based upon a variety of factors, including the completed questionnaire and the job description, of whether the individual is likely to be deemed an independent contractor or an employee.

If the individual is determined to be an independent contractor, the hiring department or office will be referred to the Finance Department to complete any required forms to have the individual enrolled in the finance system as a vendor. Within five (5) days of hiring the individual, the hiring department or office must send a copy of the retainer agreement to Human Resources for filing, in the event the person files a claim for unemployment or other statutory benefits.

<b>Insurance Benefits Policy</b>			
<b><u>Effective Date:</u></b> March 1, 2023 <b><u>Last Amended Date:</u></b> April 13, 2021	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

**INSURANCE BENEFITS**

Kane County offers comprehensive group medical, dental, vision, life, and supplemental insurance plans (the “Plans”). Subject to statutory, regulatory, or collective bargaining constraints, the County Board reserves the right to establish the plan of insurance that will be offered to employees, retirees and COBRA participants and to establish annually the amount each member will pay for their coverage.

Eligibility

Eligibility for coverage begins on the first day of the calendar month following 30 days of continuous employment. All regular full-time and regular part-time employees who work a minimum of 21 hours per week are eligible to enroll in the County's plans. Hours per week is determined using the look-back measurement period method pursuant to the Affordable Care Act and its implementing regulations.

- **Dependent Eligibility:** From time to time, Kane County may require employees enrolled in the County’s health plans to participate in a dependent audit to verify the eligibility of his/her enrolled dependents. Employees who refuse to cooperate, and dependents who fail to meet eligibility requirements shall be removed from Kane County’s health plans for that calendar year. If it is discovered that an employee has provided false information about his/her enrolled dependents or fails to timely notify Human Resources about a change of status that could affect the eligibility of his/her enrolled dependents, the County has discretion to take additional action that may result in both the employee and the ineligible dependents losing the County’s health coverage and being required to reimburse the County for paid claims. In addition, the County reserves the right to terminate the employment of employees who provide false information regarding dependent eligibility.
- **Continuation Coverage:** Under certain circumstances where coverage under the medical (which currently includes vision) or dental plan ends, a continuation option is available whereby eligible employees may elect to purchase continued health coverage at the applicable retiree or COBRA rate for an allowable period as set by statute.
- **Enrollment Period:** Employee participation in each plan is voluntary and optional. Changes to plans may be made during the annual open enrollment period. A special enrollment period is available with respect to medical coverage following certain life events such as marriage, civil union, birth or adoption of a child, or loss of coverage under another plan. Employees are required to notify Human Resources of any life event within 31 days of such event.
- **End of Employment:** Upon termination of employment, insurance eligibility ends on the last day of the calendar month in which the employee physically worked their last day. Insurance eligibility shall not be extended with the use of paid benefit time.

Premiums

- A. Employees working 30 or more hours per week: Premium costs for health and dental coverage are shared by the County and the employee through payroll deductions.
- B. Employees working 21-29 hours per week: Full premium costs for health and dental are the responsibility of the employee and are paid through payroll deductions.
- C. A pre-tax deduction Section 125 plan is available at the time of enrollment that allows employees to pay their share of the insurance premiums with before tax dollars.

#### Flexible Spending Accounts

Flexible Spending Accounts are available to employees working more than 21 hours per week. Contribution limits are established annually by the Internal Revenue Services. Reference the Kane County [Flexible Benefits Plan Summary Document](#) for more information.

#### Medical Expense Reimbursement Plan

Kane County offers a benefit plan for employees who have health insurance elsewhere and do not wish to participate under the health plan offered by Kane County. These employees may waive their health insurance with Kane County and participate in the Medical Expense Reimbursement Plan (MERP) benefit plan. The option of discontinuing MERP and re-enrolling in the medical insurance plan is only available as set forth in Section C. “Enrollment Period” within the “Eligibility” portion of this policy. For more information, please review the [MERP document](#).

#### Optional Death Benefit

Benefit eligible full-time employees who elect to participate in none of the County’s benefits plans will be eligible to enroll in a supplemental death benefit. This option provides that should the employee die while employed by Kane County, an amount equivalent to six (6) months of salary would be paid to the named beneficiary. This is an addition to the IMRF death benefits. The option of discontinuing the Optional Death Benefit and re-enrolling in the medical insurance plan is only available as set forth in Section C. “Enrollment Period” within the “Eligibility” portion of this policy.

## **INTER-DEPARTMENTAL PROMOTIONS AND TRANSFERS**

It is the policy of Kane County to encourage promotion from within whenever possible. This policy will provide for the best opportunities for all employees to achieve their highest potential in career development. In cases of lateral transfers, the transfer is encouraged to give the employee the opportunity to broaden his or her knowledge and improve eventual promotion possibilities. Promotions and transfers will be based on acceptable performance standards as evidenced by departmental evaluations. To help achieve this goal, the following policy will provide for uniformity of treatment for transfers and promotions.

When an opening occurs, the manager responsible for the position should give consideration to all employees who appear to be qualified or who possess the potential for the position either within the department or in the organization.

The selection of an employee to fill a particular job will be based on such factors as experience, interest, ability, skill, training and other job-related criteria.

Once the promotion or transfer has occurred, the employee must understand that a return to the old position is not possible. The employee may be considered for other available openings if qualified, but if no vacancies exist, termination will occur.

When an employee has accepted an offer for transfer or promotion, the employee's present manager will be required to release the employee no later than the Monday falling at least two (2) weeks but less than three (3) weeks from the date notified of the employee's acceptance. Release prior to this time limit can be made if the affected manager agrees. The previous incumbent will be permitted to return to the former department to train the new employee, but not to exceed one (1) week. Thereafter, the department manager will be responsible to arrange for training of the new employee. The training period can be allocated in a flexible manner (i.e., half days for 2 weeks) if both managers involved agree.

Normally, a transfer should also be a promotion (a move to a higher compensation classification). However, in some cases, a transfer will not be a promotion, but a lateral transfer.

## **INTERNET USAGE**

The County provides Internet access to employees for their use on County business and usage is limited to this function.

The County will not monitor individual Internet usage as a routine matter. There may be a requirement, however, for an elected official, department head, or supervisor to occasionally review individual Internet usage in their area of responsibility.

Staff that access the Internet must be aware that the hardware and software employed for the Internet access has the ability to log all County Internet activity, including linked sites.

Nothing in this policy shall prohibit law enforcement officials from examining any Internet usage in the course of an on-going investigation of criminal activity. The County reserves the right to disclose any Internet activity to law enforcement officials.

Any conduct that violates this policy may result in disciplinary action up to and including dismissal.

No one shall receive authorized access to the Internet until he or she has received, reviewed, and agreed to comply with this policy. Such documentation shall be retained in the respective departments.

## **JOB CLASSIFICATION**

Job Classification is a pay plan which authorizes the Human Services Committee to establish rates of pay to govern the salary administration of employees in job class positions.

## **JOB SHARING**

Job sharing is a program that allows two employees to work part-time to perform one full-time position. A shared position can be requested by a supervisor or an employee. Approval for sharing a position will be based on a case-by-case basis at the discretion of the Department Head or the Departmental Committee. Not all positions are appropriate for dual responsibility and will not qualify. Duties and assignments will be coordinated by the Department Head. Compensation will be on an hourly basis or percent of salary. Current employees must be employed at least one year with Kane County to be eligible.

All benefits are available to part-time employees as long as the position they occupy requires that they work a minimum of 1092 hours in a year and contribute to IMRF. Sick pay, holiday pay and vacation are earned and paid proportionate to the average number of hours normally worked. Part-time employees who work a minimum of 21 hours per week are eligible for health and dental insurance coverage but must pay the full premium cost per month.

Rev. 12.2003, Rev. 12.2012 (Res. 12-396)

## **KANE COUNTY LACTATION ACCOMMODATION POLICY**

### **Policy:**

Kane County establishes this guideline to accommodate mothers in our workplace as outlined in compliance with the Illinois Nursing Mothers in the Workplace Act, 820 ILCS 260/1, et seq., and the Fair Labor Standards Act, §29 U.S.C. 207(r).

### **Procedure for:**

Employees who are nursing or expressing breast milk for their infant children.

### **Lactation Time and Accommodations:**

#### **Employer:**

- Managers and supervisors will provide reasonable break time to an employee who needs to express breast milk for her nursing infant child each time the employee has the need to express milk (“lactation time”) for up to one (1) year after the child’s birth. Such break time may run concurrently with any break time or lunch already provided to employees. Lactation time includes time travelling to the space, setting up equipment, expressing milk, properly storing milk, cleaning equipment and returning to work. Reasonable break time shall be as needed by the employee, unless to do so would create an undue hardship as defined by item (J) of Section 2-102 of the Illinois Human Rights Act. Managers and supervisors should contact Kane County HRM with any undue hardship concerns.
- Managers and supervisors will not reduce an employee’s compensation for time used for the purpose of expressing milk or nursing a baby as provided in this policy.
- Employer shall provide a place, other than a bathroom, that is secure, private, and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk, be near a clean water source for washing hands and rinsing out any nursing equipment.
- A bathroom, even if private, is not a permissible location by law.

#### **Employee:**

- Employees who need to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of the employee and the employer.
- To the extent feasible, employees will seek to have break times run concurrently with any break time or lunch already provided to employee.
- Employees in work locations that do not have a designated lactation room should arrange with their supervisor to identify a location to be used as a lactation room.
- Employees will provide their own containers and storage unit such as small ice chest or thermos from home. If stored in a common refrigerator, the employee should label all milk expressed so it is not inadvertently confused with any other employees’ food, or items of any kind. Each employee is responsible for proper storage of milk, whether a common refrigerator or personal storage cooler.

#### **Maximum Accommodations/Schedule Adaption:**

The accommodations for breastfeeding will expire one year from the date of birth of the child. If mother discontinues breastfeeding, the employee is obligated to notify their supervisor immediately. Failure to notify the supervisor upon discontinuing breastfeeding and continuing to utilize the accommodations and/or schedule adaptation would be considered a policy violation and subject to possible disciplinary action.



**Atmosphere of Acceptance:**

Breastfeeding should not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a breastfeeding employee or exercise any conduct that creates an intimidating, hostile or offensive working environment. Any incident of harassment of a breastfeeding employee will be addressed in accordance with the Kane County Personnel Policy Handbook for discrimination and harassment.

Concerns can confidentially be directed to Kane County HRM.

**REFERENCES:**

1. Nursing Mothers in the Workplace Act, 810 ILCS 260/1, et seq.
2. Rights to Breastfeed Act, 740 ILCS 135/1, et seq.
3. Fair Labor Standards Act, §29 U.S.C. 207(r)

Designated lactation rooms are available at some Kane County worksites. A list of designated lactation rooms and scheduling information can be found below and at: <http://hrm.kane/SitePages/Home.aspx>

<b>Kane County Lactation Rooms</b>
Sixteenth Judicial Circuit of Kane County Room 307 37W777 Route 38 St. Charles, Illinois 60175 Designated lactation rooms available to nursing mothers who must visit the courthouse. To use the Kane County Judicial Center location, contact the Office of the Chief Judge reception desk at 630-232-3440. This is a locked space; you must request the use of the room.
Kane County Circuit Clerk 540 S. Randall Road St. Charles, Illinois 60174 (Employees make their request for the small conference room.) SB3503 which would go into effect 6/1/19 states every facility that houses a circuit court room must provide a lactation room. This would include field/branch locations.
Kane County Branch Court 540 S. Randall Road St. Charles, IL 60174 No designated lactation room – See supervisor for accommodations
Kane County Third Street Courthouse 100 S. Third Street Geneva, IL 60134 Designated room, 343 for employees and the public. To request the room, the person needs to inform reception in room 360.
Kane County Public Health Department 1240 N. Highland Avenue Aurora, IL 60506 630-208-3801 Designated Lactation room #3, available for public and employees.
Kane County Government Center 719 S. Batavia Ave., Bldg. A Geneva, IL 60134 No designated lactation room – See supervisor for accommodations

<p>Kane County Clerk  719 S. Batavia Ave., Bldg. B  Geneva, IL 60134  No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Information Technologies  719 S. Batavia Ave., Building B  Geneva, IL 60134  No designated lactation room. See supervisor for accommodations</p>
<p>Kane County Recorder  719 S. Batavia Ave., Building C  Geneva, IL 60134 No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Workforce Development  1 Smoketree Plaza, Unit A  North Aurora, IL 60542  No designated lactation room – See supervisor for accommodation</p>
<p>Kane County Kane Comm 911  719 S Batavia Ave., Building C  Geneva, IL 60134 No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Department of Transportation  41W011 Burlington Road  St. Charles, IL 60175  No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Sheriff  37W755 Route38  St. Charles, IL 60175  No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Coroner  719 S. Batavia Ave., Building F  Geneva, IL 60134 No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Court Services  37W777 Route 38  St. Charles, Illinois 60175  No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Court Services (Aurora Probation)  1330 N. Highland Ave.  Aurora, IL 60506 Aurora Office has a room next to the secretary's office.</p>
<p>Kane County Court Services (Elgin Probation)  113 S. Grove Ave  Elgin, IL 60120 No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Court Services (Diagnostic Center)  530 S. Randall Rd  St. Charles, IL 60174  No designated lactation room – See supervisor for accommodations</p>
<p>Kane County Court Services (Juvenile Justice Center)  37W655 IL Route 38  St. Charles, Illinois 60175  Designated employee room is the PREA Office. For the public, it is the conference room by the reception office.</p>

## **LAYOFF AND RECALL**

Policy for grant-funded employees - For employees hired pursuant to grant programs and paid from grant funds, continued employment is conditioned upon the County's receipt of those funds and, upon their reduction or exhaustion, said employees' employment by the County shall be terminated unless the County Board by resolution for specific employees orders otherwise. In the event of a reduction of grant funds which necessitates the termination of some but not all employees hired pursuant to such grant, the respective department head shall designate those employees who shall be terminated.

Policy for non grant-funded employees - Economic conditions, reorganization, the bona-fide abolishment of a position or other factors may require Kane County to make reductions in the work-force. Employees to be laid off will be determined by the department head. The authority for the decision to layoff employees will begin by resolution of the County Board committee that oversees the department from which the employee will be laid off. The layoff resolution will be forwarded to the Executive Committee. The County Board shall approve the layoff by resolution. No employee with regular status is to be separated by layoff within a department while there are seasonal workers, temporary workers or interns.

Procedure - In determining the order of layoff, the department head will consider on a consistent and equitable basis such factors as skill level, performance appraisals, work record, conduct, job responsibilities in relation to the continued efficient operations of the department, and length of service with the County.

Benefits – Benefits at layoff are those applicable to terminations. An employee who is laid off may elect COBRA coverage but at the appropriate employee rate for up to six (6) months as long as the employee portion of the monthly premium is paid by the 15<sup>th</sup> of each month. After six (6) months, the remaining term of the COBRA election must be paid at the COBRA rate. If employee is Medicare eligible, the employee should talk to a financial advisor about the plan that is best for the employee.

Recall - The appointment of a person who was a former regular status employee who was laid off through no fault of his/her own constitutes recall. Employees will be recalled from layoff in the reverse order in which they were laid off. It is the employee's responsibility to inform the County of any changes in address or telephone number.

- a) Employees separated as a result of a formal layoff will, upon written request, be considered before new hires for positions they are qualified for within their former department or in other County departments.
- b) An employee offered a position on recall must accept the position within three (3) working days from the date of recall or offer or he/she will be considered to have voluntarily terminated employment.
- c) A laid off employee is eligible for recall for a period of six (6) months from the date of layoff.
- d) If an employee returns to work within thirty (30) days of a layoff, he or she will be reinstated with no break in service and with all previous seniority rights.
- e) For benefit purposes, an employee's length of service will be reduced by the length of time the employee was laid off.
- f) Employees reinstated after a layoff lasting six (6) months or longer will be treated as a new employee for all purposes.

## **ON THE JOB INJURIES OR ILLNESSES**

Kane County provides insurance coverage for compensable injuries or illnesses occurring in the course of County employment. Generally, it does not include injuries received traveling to or from work or during the lunch period. No premium is charged for this coverage, and no individual enrollment is required.

Workers' compensation law requires Kane County to report to its insurance carrier all work-related illnesses of, or injuries to, County employees. The appropriate reporting forms may be obtained from Human Resources or from the County's intranet site, web.kane.

Time off due to a job-related injury will run concurrent with time off work for family and medical leave purposes.

### 1. Employee responsibility to report injuries.

It is most important that an employee furnish their supervisor with accurate, complete and immediate information about any accident that occurs during the course of an employee's work day, regardless of where it occurs. An employee must report any work-related injuries or illnesses to their supervisor on the same day that the injury or illness occurred. Within 24 hours of the injury or illness, the employee must complete an *Employee Injury Report* and sign the *Authorization for Medical Records and Communications Release* and give it to the supervisor.

### 2. Supervisor's responsibilities.

The supervisor, upon notice of a job-related illness or injury, and depending upon the injury, will immediately arrange for the injured employee to receive required medical care, including being taken to the hospital, if necessary. The supervisor will question the employee regarding the cause and circumstances of the injury.

The supervisor will investigate the cause of the incident to determine any corrective action that is needed to the work environment.

The supervisor will complete the *Supervisor Incident Report* giving details and circumstances surrounding the injury or illness. The supervisor will determine if there were any witnesses to the incident. If so, the supervisor will obtain a *Witness Statement* from all witnesses.

The completed report containing all statements must be submitted to Human Resources on the day that the injury took place, or on the next business day if the injury occurred on Saturday, Sunday or a holiday.

At no time should a supervisor make any commitments or statements pertaining to Kane County's liability in regard to an employee's injury or illness. If an employee demands to know if the injury or illness is compensable, the employee is to be advised that an investigation is in progress, and that no decision has yet been made. The employee must fully cooperate with their supervisor, Human Resources staff, and the claims adjuster so that a decision regarding compensability can be made within 30 days following receipt of the incident reports. All calls and correspondence are to be directed to Human Resources staff who acts as liaisons between employees and the County's third party administrators.

### 3. Payroll coordinator responsibilities.

The payroll coordinator will complete leave of absence paperwork for any employee who suffers a

work-related injury or illness. The paperwork will be submitted to Human Resources. If the employee seeks medical treatment on the first day of the injury, the employee's time will be recorded as time worked for payroll purposes. Until the payroll coordinator has been informed by Human Resources that the injury is compensable, the employee will be paid through the use of accrued time banks. After the injury is determined compensable, the payroll coordinator will work with the payroll office to restore the used time to the employee's accrued banks.

4. Human Resources responsibilities.

Upon notice of a work-related injury or illness, the Human Resources representative will review the *Employee Injury Report*, the *Supervisor's Incident Report*, and the *Witness Report* and enter the appropriate information into the automated claims reporting program. Human Resources will also maintain OSHA logs and reports.

During an employee's absence due to a job-related injury or illness, Human Resources will remain in close contact with the employee, the employee's supervisor, the claims adjuster, any case manager assigned to the case and the County's workers comp counsel. After a decision regarding compensability is made, the employee, their supervisor and the department's payroll coordinator will be notified.

Human Resources will give the employee an IMRF Disability application that the employee can complete and submit to IMRF to apply for disability benefits. The employee will also be given information regarding the payment of health, dental and life insurance.

5. Pay for job-related injuries or illnesses.

Employees who suffer a compensable job-related injury or illness, and who must obtain medical treatment during the work day, will be compensated, at their current rate of pay, for the time lost while receiving treatment, up to a maximum of eight hours. The total hours paid for treatment will not exceed the number of hours that the employee would normally work during a day.

Expenses incurred for the treatment of a work-related illness or injury will be covered by County insurance, if the third party administrator determines the illness or injury is compensable. Until the injury is determined compensable, the employee will be required to use their accrued time bank for pay. If the injury is compensable, the time deducted from the employee's accrued time bank will be restored.

If an employee remains off work because of an injury or illness that has been determined compensable, the employee will receive full pay for the first 30 CALENDAR days. If the employee remains off work beyond 30 days, a partial payment of 66-2/3 of the employee's wages for lost time at work will be made.

Public safety employees covered by the Public Employee Disability Act, 5 ILCS 345/0.01 et. seq., will receive full pay for up to one (1) year for lost work time.

6. Return to work of employee following job-related injury or illness.

An employee may not return to work following a job-related injury or illness until their return is approved in writing by the treating physician. The employee must give the physician's return to work release to their supervisor before the employee will be allowed to resume work activities.

Depending upon the nature of the injury or if an employee is covered by the terms of a collective bargaining agreement, the employee may be required to submit to a fitness for duty examination or

evaluation. The employee must cooperate with the evaluation.

If an employee is released, but is restricted in the duties that can be performed, the employee may be assigned to work that corresponds to their restrictions, provided that this type of work is currently available; however, a position will not be created for the employee by the department.

If work is not available within the employee's restriction, the employee is to be kept on leave of absence until:

- Work within the employee's restriction(s) is available, if applicable and appropriate; or
- The employee's restrictions have been removed or altered so as to permit return to the employee's original job or another open job; or
- A decision is reached by the treating physician that the employee is not re-employable in the position that the employee held when they were injured.

The employee has a continuing responsibility to cooperate during the time they are on a work-related leave of absence. This includes submitting to an independent medical examination, submitting to a functional capacity evaluation, submitting to a fitness for duty evaluation, maintaining communication with the claims adjuster and giving doctor's notes to their supervisor.

## **OVERTIME AND COMPENSATORY TIME OFF**

Working in excess of the normal work hours within a week requires supervisor approval. The work week begins on Sunday and ends on Saturday. The supervisor and the employee must agree, prior to working beyond the normal work hours, how time is to be compensated (i.e., payment or compensatory time). Compensatory time off should normally be used within 60 days, provided the supervisor concurs and the time off does not disrupt the operations of the department.

When non-exempt employees work over 35 hours but not more than 40 hours per week, they may be paid straight time or compensatory time on an hour-for-hour basis. Compensation for more than 40 hours will be at time and one-half in payment or compensatory time.

Exempt employees are not entitled to overtime in payment or compensatory time off.

Except as expressly provided by a collective bargaining agreement, hours spent on vacation, holidays, sick leave, funeral leave, compensatory time, or any other paid leave, do not count as hours worked for the purpose of calculating overtime.

## **PAY PERIODS**

Employees are paid on a bi-weekly schedule. Each payroll period shall consist of fourteen (14) calendar days, so that the bi-weekly rate of pay of each employee shall be 1/26th of the employee's annual salary. When a payday falls on a holiday, the paycheck is distributed the preceding workday.

Employees are encouraged to sign up for direct deposit of their paychecks through Payroll in the Human Resources Management Department.

Rev. 12.2007(Res 07-418), Rev. 12.2012 (Res. 12-396)



## **PAYMENT UPON TERMINATION**

First Year Employee - If an employee terminates employment prior to the first anniversary and has borrowed vacation time, pay for days used will be deducted from the final paycheck.

Reimbursement for Sick Pay - At the time of termination, an employee with less than six (6) months service is not entitled to sick pay reimbursement. Fourteen (14) calendar days written notice of resignation is required to be eligible for sick pay reimbursement. Employees will be eligible to receive unused sick pay earned previous to December 1, 1989 converted on a 3 to 1 basis if not retiring and on a 1 for 1 basis if receiving an IMRF pension. Employees will be paid for any unused short-term sick leave at the rate of one (1) day for every quarter worked in the benefit year. No payment for unused extended sick leave is made at termination. Employees retiring with an IMRF pension may convert extended sick leave into pension credit (see Sick Leave policy).

Unused Vacation Pay - Only eligible employees with one (1) year or more continuous County service shall receive pay for unused vacation. (Vacation earned in the previous anniversary year).

Accrued Vacation pay - Employees who have completed one (1) full year of employment or more will be paid for accrued vacation (vacation earned for each completed month employed from the last anniversary date during the year in which termination occurs).

Compensatory Time - Non-exempt employees who retire, quit or are otherwise terminated are entitled to be paid at the appropriate rate (straight time or time and a half) for all unused accrued compensatory time based on their current rate of pay earned during the period immediately before their termination, or at their average regular rate of pay over the previous three (3) years, whichever is higher.

Final check - All final checks will be distributed on the first regular payday following the employee's last working day. The final check will include wages through the last work day, payment for any unused or accrued vacation and accumulated sick pay in accordance with the policy.

<b>Personal Relationships</b>			
<b>Effective Date:</b> May 9, 2023	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> N/A			

**PERSONAL RELATIONSHIPS**

**Policy**

The purpose of this policy is to prevent instances of sexual harassment in the workplace and conflicts of interest with respect to working conditions. In order to ensure there is no impropriety, employees must disclose any personal relationship that may create an actual or apparent conflict of interest with their official actions according to the guidelines below.

**Eligibility**

All employees under the jurisdiction of the County Board are subject to this policy.

**Definitions**

Conflict of Interest: Any situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

Family Member: For the purposes of this policy, Family Member is defined as set forth in the Family Relationships Policy.

**Guidelines**

In order to avoid any appearance of impropriety, it shall be the responsibility and requirement of the employee to disclose to their department head, the Executive Director of Human Resources, or the County Board Chair, the existence of a personal relationship between the employee or the employee’s family member and a subordinate staff, supervisory staff, County Board Member, or vendor with which the employee contracts business on behalf of the County. Employees of elected officials should contact their elected official for guidance. A personal relationship that must be disclosed pursuant to this policy includes but is not limited to the following examples:

- A dating relationship including any relationship which has the intent or goal of romance or intimacy by one or both of the parties;
  - A friendship that includes a personal confidence or emotional bond beyond that of casual socializing;
  - A sexual relationship;
  - A cohabitation relationship;
1. It is the duty of the employee to disclose to their department head, the Executive Director of Human Resources, or the County Board Chair any actual conflict of interest, as well as, any acts or relationships that could be perceived as a conflict of interest or give the appearance of impropriety.
  2. The department head or County Board Chair, in consultation with the Executive Director of Human Resources, shall evaluate the circumstances and evaluate to determine if an actual conflict of interest

exists and if needed, incorporate any mitigating changes to eliminate the conflict. Record of any disclosure pursuant to this policy and subsequent review, decision, and mitigating changes implemented shall be maintained by the Human Resources Department.

Any violation of this policy will be cause for appropriate disciplinary action, up to and including termination.

Added 5.2023 (Res. 23-208)

## **PERSONNEL FILES**

Personnel files are kept and maintained by the Human Resource Department. In some cases, personnel files containing duplicate or additional information are maintained within the department where the employee works. Employees are not allowed to remove these files from either the Human Resources Department or the employment department.

Employee Requests - An employee, may upon written request, inspect his or her personnel file. Requests must be made by submitting a request form supplied by the Human Resources Department. The Personnel Records Review Act, (820 ILCS 40/1 et seq.) gives the County seven (7) days to make the file available to an employee. Review of the file will take place in the Human Resources Department. The Personnel Records Review Act does not entitle an employee to inspect or copy certain classifications of documents.

Third Party Requests - Requests for employment information from third parties will be handled pursuant to the Local Records Act and the Freedom of Information Act. Information provided or verified is limited to: dates of employment, title or position, compensation, benefits, and location of job site. Any information not mandated for release by law will be released only with the written consent of the employee. The County's website provides much of this information pursuant to the Open Meetings Act.

<b>PROHIBITION OF DISCRIMINATION AND HARASSMENT</b>	<b>POLICY PROHIBITING DISCRIMINATION AND SEXUAL AND OTHER FORMS OF HARASSMENT</b>		
<u><b>Effective Date:</b></u> July 13, 2021 <u><b>Last Amended Date:</b></u> July 13, 2021	<u><b>Applicable Law/Statute:</b></u> 775 ILCS 5/ Illinois Human Rights Act 5 ILCS 430/ State Officials and Employees Ethics Act Title VII of the Civil Rights Act of 1964	<u><b>Source Doc/Dept.:</b></u> None/HR	<u><b>Authorizing I.C. Sec:</b></u> None

**POLICY**

Kane County is committed to providing a working environment in which all individuals are treated with respect and dignity and that is free from all forms of discrimination and conduct that can be considered harassing, threatening, coercive or disruptive, including sexual and other forms of harassment, in accordance with federal and state law, including the Illinois Human Rights Act and the State Officials and Employees Ethics Act. Each individual has a right to work in a professional atmosphere that promotes equal employment opportunities and prohibits harassment and discriminatory practices.

**PROHIBITION OF DISCRIMINATION AND HARASSMENT**

It is a policy of Kane County to prohibit discrimination and harassment, including sexual harassment, of any person, regardless of any employment relationship or lack thereof, by any County officer, member, agent, supervisor, employee, nonemployee or any third party on the basis of race, color, religion, sex, gender, sexual orientation, gender identity, pregnancy, order of protection status, national origin, ancestry, age, disability, marital status, citizenship, military status or service, veteran status, political affiliation, or any other characteristic protected by law. Actions, words, jokes, or comments based on an individual’s protected status, are strictly prohibited and will not be tolerated. This type of behavior includes, but is not limited to, making slurs or derogatory statements. Threats of harm of any kind to an employee or any other person, even if in jest, will not be tolerated.

**DEFINITION OF SEXUAL HARASSMENT**

Sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964 and the Illinois Human Rights Act, and it affects individuals of all genders and sexual orientations.

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act and the State Officials and Employees Ethics Act, which currently define sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

For purposes of this definition, the phrase “working environment” is not limited to a physical location an employee is assigned to perform his or her duties and does not require an employment relationship.

Conduct which may constitute sexual harassment includes:

- Verbal: sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
- Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, “catcalls”, “smacking” or “kissing” noises.
- Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic: Sending written letters or notes of a sexual nature, “sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of written or electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook, Twitter, LinkedIn, Instagram, Snapchat, etc.). Note: Conduct online and through social media can constitute sexual harassment even when it is “off the clock”, “off-site”, or even “out of state”.

While the most commonly recognized forms of sexual harassment involve the types of conduct described above, non-sexual conduct can also constitute a violation of the applicable laws when that conduct is directed at the victim because of his or her gender identity or sexual orientation. All persons can be victims or perpetrators of sexual harassment regardless of gender identity or sexual orientation. In addition, victims of sexual harassment can include not only the target of the sexual harassment, but third parties or bystanders.

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a “reasonable person.”

## **DEFINITION OF OTHER FORMS OF HARASSMENT**

Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward an individual because of their race, color, religion, sex, gender, sexual orientation, gender identity, pregnancy, order of protection status, national origin, ancestry, age, disability, marital status, citizenship, military status or service, veteran status, political affiliation, or any other characteristic protected by law, and that:

- A. Has the effect of creating an intimidating, hostile, or offensive work environment.
- B. Has the effect of unreasonably interfering with an individual’s work performance.
- C. Otherwise adversely affects an individual’s employment opportunities.

Harassment includes, but is not limited to: epithets, slang, nicknames, slurs, negative stereotyping, threatening, intimidating or hostile acts, denigrating jokes, and written or graphic material or material that is transmitted electronically that demeans or shows hostility or aversion to an individual or group.

## **PROCEDURE FOR REPORTING AN ALLEGATION OF SEXUAL OR OTHER FORMS OF HARASSMENT**

An employee who either observes sexual or other forms of harassment or believes herself/himself to be the object of any such harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offender, her/his immediate supervisor, a Department Director, the County’s Human Resources Director, and/or the County’s Ethics Advisor. It is not necessary for the person making the report to be the subject of the sexual or other form of harassment.

Supervisors who are made aware of a complaint of any form of harassment, including sexual harassment, must report it immediately to her/his Department Director, the County's Human Resources Director and/or the County's Ethics Advisor. However, Supervisors should not report a complaint of harassment directly to an individual accused of harassment.

Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the County. However, because of the serious implications of sexual or other forms of harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

Any employee may report conduct which is believed to be sexual or another form of harassment in a number of ways, including the following:

- *Electronic/Direct Communication.* If there is sexual or another form of harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- *Contact with Supervisory Personnel.* At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a Department Director, the Director of Human Resources and/or the County's Ethics Advisor.

The employee experiencing what he or she believes to be sexual or another form of harassment must not assume that the employer is aware of the conduct. If there are no witnesses, and the victim fails to notify a supervisor or other responsible officer, it is likely the County will be presumed not to have knowledge of the harassment.

- *Resolution outside the County.* The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the County. However, all County employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must also be filed within 300 days.

#### ADMINISTRATIVE CONTACTS

- Kane County Local Contacts: See Exhibit A
- Illinois Department of Human Rights (IDHR)
  - Chicago: 312-814-6200 or 800-662-3942
  - Chicago TTY: 866-740-3953
  - Springfield: 217-785-5100
  - Springfield TTY: 866-740-3953
  - Marion: 618-993-7463
  - Marion TTY: 866-740-3953
- Illinois Human Rights Commission (IHRC) Chicago: 312-814-6269

Chicago TTY: 312-814-4760  
Springfield 217-785-4350  
Spring TTY: 217-557-1500

- United States Equal Employment Opportunity Commission  
(EEOC) Chicago: 800-669-4000  
Chicago TTY: 800-669-6820

## **CONFIDENTIALITY**

Pursuant to the State Officials and Employees Ethics Act and County policy, confidentiality shall be maintained to the greatest extent possible. The disclosure of allegations of sexual or other forms of harassment shall be restricted to those individuals who have a “need to know”. The complaint shall not be discussed or disclosed to anyone other than those directly involved in the incident or the investigation or complaint process, unless otherwise ordered by a court, tribunal, arbitrator or administrative body or agency.

## **PROHIBITION ON RETALIATION FOR REPORTING DISCRIMINATION OR SEXUAL OR OTHER FORMS OF HARASSMENT ALLEGATIONS**

No County officer, member, agent, employee or nonemployee shall take any retaliatory action against any individual due to:

1. Disclosure or threatened disclosure of any violation of this policy,
2. The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy, or
3. Assistance or participation in a proceeding to enforce the provisions of this policy.

For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment or contract of an individual that is taken in retaliation for the individual’s involvement in protected activity pursuant to this policy.

No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Any employee found to have retaliated against an individual making a report of discrimination or sexual or other form of harassment or retaliation or participating in a protected activity under this policy will be subject to discipline and discharge.

Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10 and 70-5) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:

1. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, State agency, or other State employee that the State employee reasonably believes is in violation of a law, rule, or regulation,
2. Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, State agency or other State employee, or
3. Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. (740 ILCS 174/15(b)).



According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual or other form of harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

An employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge – due within 300 days of the alleged retaliation.

### **CONSEQUENCES OF A VIOLATION OF THE PROHIBITION ON DISCRIMINATION AND SEXUAL AND OTHER FORMS OF HARASSMENT AND RETALIATION**

Any employee engaging in discrimination or in sexual or another form of harassment, or who is found to have retaliated against any person under this policy, shall be subject to discipline and discharge.

In addition to any and all other discipline that may be applicable pursuant to County policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to applicable discipline or discharge by the County and any applicable fines and penalties established pursuant to County ordinance, State law or Federal law. Each violation may constitute a separate offense. Any discipline imposed by the County shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a State or Federal agency.

### **CONSEQUENCES FOR KNOWINGLY MAKING A FALSE REPORT**

A false report is a report of sexual or other form of harassment made by an accuser who is falsely accusing an individual and using the sexual or other form of harassment report to accomplish some end other than stopping sexual or other form of harassment or in retaliation for reporting sexual or other form of harassment. A false report is not a report made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable County policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.

In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State’s Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor.

### **TRAINING**

The County’s Human Resource’s Management Department shall be responsible for organizing and conducting annual anti-harassment training programs for all County officers and employees, as required by the Illinois Human Rights Act, the Illinois Workplace Transparency Act, and the State Officials and Employees Ethics Act. Such training programs must include, at a minimum, the content published by the Illinois Department of Human Rights (“IDHR”) in any model training program, and any additional content required under the State Officials and Employees Ethics Act.

### **REPORTING**

Beginning July 1, 2020, and annually by July of each year thereafter, the Human Resources Director shall report to the IDHR all information required under the Workplace Transparency Act and the Human Rights Act, including the County’s total number of settlements, adverse judgments and administrative rulings during the preceding year for sexual harassment and discrimination. However, in reporting to the IDHR, the Human Resources Director shall not disclose the name of any victim of alleged sexual harassment or unlawful discrimination, which disclosure is prohibited under the Workplace Transparency Act and the Human Rights Act.

The provisions of this policy will apply only insofar as they do not conflict with any state or federal law.

**POLICY PROHIBITING DISCRIMINATION AND SEXUAL AND OTHER FORMS OF HARASSMENT**  
**Exhibit A**

**County Departments**

Department	Department Head		Phone	Email
Animal Control (Health Department)	Brett J.	Youngsteadt	(630) 208-3814	youngsteadtbrett@co.kane.il.us
Buildings & Grounds	Roger	Fahnestock	(630) 444-1003	fahnestockroger@co.kane.il.us
Development	Mark	VanKerkhoff	(630) 232-3451	vankerkhoffmark@co.kane.il.us
Environment and Water Resources	Jodie	Wollnik	(630) 232-3499	wollnikjodie@co.kane.il.us
Finance	Joseph	Onzick	(630) 208-5113	onzickjoseph@co.kane.il.us
Health Department	Michael	Isaacson	(630) 208-3140	isaacsonmichael@co.kane.il.us
Human Resources	Jamie	Lobrillo	(630) 208-3836	lobrillojamie@co.kane.il.us
Information Technologies	Roger	Fahnestock	(630) 444-1003	fahnestockroger@co.kane.il.us
Office of Community Reinvestment	Scott	Berger	(630) 208-5351	bergerscott@co.kane.il.us
Supervisor of Assessments	Mark	Armstrong	(630) 208-3818	armstrongmark@co.kane.il.us
Transportation	Carl	Schoedel	(630) 406-7306	schoedelcarl@co.kane.il.us
Veterans Assistance	Jacob	Zimmerman	(630) 232-5942	zimmermanjacob@co.kane.il.us
KaneComm - 911	Michelle	Guthrie	(630) 232-5988	guthriemichelle@co.kane.il.us

**Elected Offices**

Department	Department Head		Phone	Email
Auditor	Penny	Wegman	(630) 444-1176	WegmanPenny@co.kane.il.us
Chief Judge - Judiciary/Court Serv	Clint	Hull	(630) 232-3440	hullclint@countyofkane.org
Circuit Clerk	Theresa	Barreiro	(630) 208-2161	
Coroner	Robert	Russell	(630) 232-5914	russellrob@co.kane.il.us
County Board Chair	Corinne	Pierog	(630) 232-5931	
County Clerk	John	Cunningham	(630) 232-5999	KCClerkCunningham@co.kane.il.us
Public Defender (Judiciary)	Rachele	Conant	(630) 406-7210	RConant@KanePublicDefender.org
Recorder	Sandy	Wegman	(630) 208-3815	wegmansandy@kanecountyrecorder.net
Regional Office of Education	Patricia	Dal Santo	(630) 232-5900	pdalsanto@kaneroe.org
Sheriff / Corrections	Ron	Hain	Text 847-411	ronhain@co.kane.il.us
State's Attorney	Jamie	Mosser	(630) 444-3290	mosserjamie@co.kane.il.us
Treasurer	Christopher	Lauzen	(630) 232-3565	

<b>Kane County Ethics Advisor</b>	Grant	Wegner	(331) 223-3862	wegnergrant@co.kane.il.us
				gwegner@msclawfirm.com

<b>Recruitment</b>  <b>Effective Date:</b> December 1, 2023 <b>Last Amended Date:</b> N/A	<b>Applicable Law/Statute:</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
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**RECRUITMENT**

**Policy**

The purpose of this policy is to ensure the best possible candidate for all open positions within Kane County, and to ensure current employees are aware of open positions and have the opportunity to apply for those they are qualified for. Kane County believes in promoting from within when possible, and is committed to employing the best candidates for approved, vacant positions and engaging in effective recruitment and selection practices in compliance with all applicable employment laws. Kane County provides equal employment opportunity to all applicants and employees.

**Eligibility**

This policy applies to all vacant positions in departments under the jurisdiction of the Board. The hiring manager and human resource department may elect not to post certain positions when there are lawful, nondiscriminatory bases for doing so with written approval of the Department Head and the Executive Director of Human Resources.

**Definitions**

Hiring Manager: The department head or their designee who will be coordinating and conducting the hire on behalf of the department.

Internal Applicant: A current Kane County employee who has worked for Kane County for at least twelve months and has been in their current position for at least six months and has not had a disciplinary action or performance improvement plan in the preceding 12 months.

Vacant Position: A position is deemed to be vacant when the employee holding an existing position has a termination of employment or moves to another vacant position, or when a new position is created by resolution or other action of the Board.

**Guidelines**

- Upon the creation of a vacancy, the Hiring Manager shall coordinate with Human Resources to create the job advertisement that includes the title, department, required qualifications, starting salary range, and a description of the position.
- All vacant positions shall be posted internally on the County’s internal posting site for at least seven calendar days. Preference will be given to internal applicants in good standing who meet all the requirements of the position.
- The Hiring Manager, in cooperation with Human Resources, will determine the best method for external advertisement, which may include the County website as well as third party job posting sites. It is the responsibility of any hiring manager or human resources staff person who independently utilizes a third-party site to ensure the posting includes the salary range for the position in compliance with any laws and regulations.
- All internal and external applicants must complete a Kane County Application prior to any offer of employment or transfer.

- Applications will be directed to the Hiring Manager for consideration and interviews.
- All internal applicants will receive a notice from the hiring manager indicating if they have been chosen for an interview. Employees are not required to notify their supervisors of their application to an internal position, however the supervisor will be notified if the employee is chosen as a final candidate for the position.
- If an internal applicant is hired, the transfer date will be two weeks from the date of notification to the existing supervisor unless the existing and new supervisor agree on an alternative transfer date.
- Hiring Managers must retain a record of all applicants and interviews as well as all interview notes or records regarding hiring selections for a period of one year from the date of hire

Added 9.2023 (Res. 23-376)

## **SAFETY**

Employees are responsible for helping to make Kane County a safe place to work. Employees should not hesitate to ask their supervisors about any phase of their job that may seem hazardous and unfamiliar. The County wants to keep a safe work environment by promoting its Health and Safety Policy, which is summarized as follows:

1. To provide safe and efficient work places and provide tools, equipment and materials free from preventable hazards.
2. To maintain reasonable safety rules and procedures with firm and fair enforcement and to effectively communicate these rules and procedures to all employees.
3. To provide appropriate employee training programs, emphasizing the individual's responsibility for safe work performance.
4. To fully take into consideration the health and safety of employees in achieving improvement in productivity.
5. To constantly strive to improve safety performance with the objective of reducing accidents.
6. To promote good health and safety attitudes by actively seeking the full cooperation of all employees and providing appropriate recognition for superior safety performance.

Supervisors will instruct employees on how to best perform their work. However, it is the obligation of the employee to report to their supervisor any malfunctioning vehicle or equipment or any condition that might be hazardous to the safety of County employees or the public.

<b>Sick and Personal Leave</b>			
<b>Effective Date:</b> December 12, 2023	<b>Applicable Law/Statute:</b> Ordinance No. 23-529; 820 ILCS 192/15(p)	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> March 11, 2014			

**SICK AND PERSONAL LEAVE**

**Policy**

It is the policy of Kane County to provide protection for eligible employees against loss of income because of illness or personal needs. To ensure that protection, the County has made provisions for sick and personal leave. Sick and Personal Leave pay is based on the employee's regular workweek and their regular hourly rate of pay in effect when the leave is taken.

**Eligibility**

All full-time and part-time employees under the jurisdiction of the County Board are subject to this policy. Employees subject to a written policy of an elected official with internal control over operations of their office, or a collective bargaining agreement, contract, statute, or other ordinance shall receive paid leave according to the applicable policy, collective bargaining agreement, contract, statute, or ordinance. Elected officials with internal control may, at their option, expressly adopt the County policy on Sick and Personal Leave for non-union employees by notifying their employees and the County Department of Human Resource Management and the County Payroll Department in writing.

**Sick and Personal Leave**

**Guidelines**

1. **Sick and Personal Leave Accrual:** A “Sick and Personal Leave year” is defined as the twelve-month period beginning December 1 of each year. Employees who have completed ninety (90) days of continuous service as of December 1 of the applicable Sick and Personal Leave year will be credited with the equivalent of one (1) week of paid leave calculated based on the average weekly hours for the employee, up to a maximum of forty (40) hours of paid leave for the Sick and Personal Leave year. Employees who have completed less than ninety (90) days of continuous service as of December 1 of the applicable Sick and Personal Leave year, will be credited with Sick and Personal Leave upon completion of ninety (90) days of continuous service at a pro-rated amount calculated based on the number of complete months remaining in the Sick and Personal Leave year following completion of ninety (90) days of continuous service.
2. **Sick and Personal Leave Utilization:** Sick and Personal Leave may be utilized for any reason the employee chooses. If the need for leave is foreseeable, the employee must provide seven (7) calendar days’ notice to their supervisor of the request for leave. If the need for leave is not foreseeable, the employee shall provide such notice as is practicable once the employee is aware of the need for leave. Requests for leave must be in writing and in compliance with departmental procedures. Requests for Sick and Personal Leave may be denied based upon an employee’s failure to provide the required notice

and/or based on the operational needs of the department. Sick and Personal leave must be used in one-hour increments.

3. Sick and Personal Leave Payment at Termination: Employees are entitled to payment for Sick and Personal Leave at a rate of 1/12 of their annual entitlement for every complete month worked in the Sick and Personal Leave year. If the employee terminates employment having used more Sick and Personal Leave than they have earned for the year, the employee must repay the used but unearned Sick and Personal Leave.
  
4. Unused Sick and Personal Leave: Unused Sick and Personal Leave does not carry over or accumulate from year to year. At the end of the Sick and Personal Leave year, all unused Sick and Personal Leave shall be forfeited; provided, however, the County in its discretion may adopt a policy permitting unused leave to be converted or otherwise credited by the County to a form of extended illness leave. The enactment of any policy permitting such conversion or credit shall not be deemed to be an amendment of Ordinance No. 23-529 enacting this Sick and Personal Leave Policy without express language to the contrary, and any such policy may be discontinued at any time by the County.

<p><b>Sick Leave Donation Policy</b></p> <p><b>Effective Date:</b> June 1, 2024</p> <p><b>Last Amended Date:</b> N/A</p>	<p><b>Applicable Law/Statute:</b></p> <p>IRS Rev. Rul. 90-29, 1990-1 CB 11, IRC Sec(s). 61</p>
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## SICK LEAVE DONATION

### Policy

Kane County recognizes that employees may be affected by a major illness, injury, or impairment resulting in a need for additional time off in excess of their available sick/personal time. Therefore, it is the policy of Kane County that eligible employees will be permitted to voluntarily donate their available, unused sick/personal leave hours or vacation hours to a co-worker with a qualifying need. Accrued Extended Illness Leave days are not eligible for donation.

### Definitions

- **Medical Emergency:** A “medical emergency” is a medical condition which meets the Family and Medical Leave Act definition of a “serious medical condition” of either the employee or the employee's family member that is likely to require the employee to be absent from duty for a prolonged period, including intermittent absences for the same purpose or condition, and which result in a substantial loss of income because of the employee's lack of available paid leave.
- **Family Member:** A “family member” is defined as an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.
- **Substantial Loss of Income:** "a substantial loss of income" is the absence (or expected absence) from duty without available paid leave for at least 3 work days for a full-time employee.

### Eligibility

The policy applies to employees under the jurisdiction of the County Board. Employees subject to a written policy of an elected official with internal control over operations of their office, or a collective bargaining agreement, contract, statute, or other ordinance shall receive and utilize paid leave according to the applicable policy, collective bargaining agreement, contract, statute, or ordinance. Elected officials with internal control may, at their option, expressly adopt the County policy on Sick Leave Donation by notifying their employees and the County Department of Human Resource Management and the County Payroll Department in writing.

### Guidelines

1. Full time employees meeting the above criteria are eligible to receive donated sick/personal time or vacation time under the following conditions:
  - The employee is recorded with the County as on an active and approved FMLA leave or extended medical leave for a medical emergency as defined above.
  - False statements made by any employee to participate in sick leave donation or abuse of donated time will subject the employee to disciplinary action that may include return of the donated time received as well as other disciplinary actions pursuant to Kane County disciplinary policies.
  - The donated hours will be used only for the duration of the current leave, and cannot be used for leave not yet approved by the department or participating office.
  - The employee has fully exhausted their own paid leave hours, including but not limited to sick/personal leave, extended illness leave, and vacation time and anticipate at least 3 days of unpaid absence.
  - Receiving employee may choose to have their status kept confidential or to allow the request to be shared with



staff.

2. Full-time employees are eligible to donate sick/personal or vacation time to another employee under the following conditions:
  - The donated days are available in the employees personal/sick bank or vacation bank at the time of donation;
  - The employee must retain at least one week total of either vacation, personal/sick, or a combination thereof in case of the employee's own illness or emergency.
  - Donating employees may choose to keep their donation anonymous or have their donation disclosed to the receiving employee.
  - Employee may specify the employee to receive leave. Employees wishing to donate time without specifying the recipient employee may do so. Any donated time will be given to the oldest open, eligible application on file. If no open, eligible applications exist, the donation will be declined and the leave will remain in the corresponding bank of the donating employee. Donating employee will not be informed of recipient employee(s)' name without express consent from the recipient employee.
3. Donations must be made in full work-day increments for the daily hours standard of the donating employee (7, 7.5, or 8 hours applicably) and are received in full-day increments for the receiving employee (7, 7.5, or 8 hours applicably).
4. Donated but unused time will be forfeited upon expiration of the receiving employee's medical certification or approved leave.
5. Participating in this program is entirely voluntary for the recipient and the donor. No employee, supervisor, department head, or elected official is permitted to demand, incentivize, provide special accommodation, or in any other way coerce any employee to elicit a donation of leave.
6. Leave of absence must be approved prior to any application to receive donations. Approval of a Leave of Absence is not affected by an employee's ability to secure paid leave.
7. No employee, supervisor, department head, elected official, or human resources employee shall divulge the recipient employee's medical condition, eligibility to receive leave, or other information without express consent from the recipient employee.
8. Employees are not eligible to receive IMRF disability while receiving any wages, including donated paid leave.
9. Leave payment will be made and be taxable to the recipient only and will be included in the recipient's wages on form W-2. These wages will be subject to all applicable income and employment taxes as well as IMRF contributions for the recipient only. The donating employee will not be reported wages and will not receive any IMRF credit for donated time.

### **Procedure for Leave Donation**

1. An eligible employee wishing to receive donated leave must complete Application to Become a Leave Recipient form established by the Human Resource Department after their personal or family medical leave of absence has been approved.
2. The Application to Become a Leave Recipient must be approved by the department head or elected official of the donating and receiving employee and forwarded to the Human Resources Department and Payroll Department.
3. The approved form will be returned to the employee indicating the amount of leave the employee is eligible to receive.
4. If the receiving employee has consented to have their need shared, the HR department will coordinate with the receiving employee to determine an appropriate statement and notice will be sent by the Human Resources Department as appropriate.
5. Employees wishing to donate leave must complete and sign a Leave Donation Authorization Form established by the Human Resources Department and forward to their department head for approval.

All forms must be approved by the Human Resources Department and Payroll Department to ensure all eligibility conditions are met and guidelines are followed.

## **SMOKE-FREE WORK PLACE**

Kane County is dedicated to providing a healthful, comfortable and productive work environment for its employees.

The U.S. Surgeon General has determined that smoking adversely impacts the health of not only smokers but also non-smokers as well.

Smoking will be strictly prohibited within County-owned or leased buildings including: office, hallways, waiting rooms, restrooms, lunch rooms, elevators, meeting rooms, vehicles and all community areas. This policy applies to all employees, clients, contractors, visitors, individuals confined in juvenile detention and the adult correction facility.

Copies of the policy shall be distributed to all employees. "No Smoking" signs will be posted at all building entrances and throughout the buildings.

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers. All employees share in the responsibility for adhering to and enforcing the policy. Any problems should be brought to the attention of the appropriate supervisor and handled through the normal chain of command. Employees who violate this policy will be subject to the same disciplinary actions that accompany infraction of other County rules as outlined in this handbook.

## **SOCIAL SECURITY NUMBERS**

The County will not request an original Social Security card during the hiring process and will only review a Social Security card if it has been voluntarily presented to the County by a newly hired employee to complete the Form I-9. An accurate Social Security number is expected. If a Form I-9 review discloses questionably valid documents, the County will offer the employee the option of providing other documentation from the Form I-9 list. Replacement documents will be accepted if facially valid. Persons who present documents, which on their face appear invalid, may not be employed until they are able to establish work authorization.

When the Social Security Administration informs the County of an employee with a Social Security number "no match", the employee will be informed of the "no match" by a letter from the Social Security Administration and a payroll representative will meet with the employee. The letter will contain the employee's name and Social Security number as contained in the County's records and will ask the employee to compare the name and number on his or her original Social Security card with the name and number written on the "no match" letter. The payroll representative will review the contents of the letter with the employee, will ask for an explanation, will note any steps the employee agrees to take, and will set a time to talk again to resolve the Social Security number issue. The employee is to keep the payroll representative informed of the status of the efforts to correct the "no match" Social Security number. If the employee fails to resolve the matter within ninety (90) calendar days, the payroll representative shall inform the employee's Department Head or Elected Official of the issue. If the employee is unable to resolve the matter within 90 days, the County has three (3) additional days to require the employee to complete a new Form I-9, except the County may not accept a disputed social security card or any document with the disputed social security number as evidence of identity or work authorization. The employee must present at least one document with a photograph. The County will retain both the new and the old Form I-9s. If an employee is unable to present the required documentation for the Form I-9, the County must terminate the employee or risk forfeiting the safe harbor for employers that was established by the Department of Homeland Security when a "no match" letter has been received.

In all cases, an individual must be paid for work performed, even if the individual is later unable to demonstrate authorization to work in the United States of America or its territories.

In other contexts, such as compliance with recordkeeping imposed by the government for tax purposes, the County may request to review an employee's Social Security card. Employees are expected to review their W-2s to confirm that the County has their correct Social Security number. If a mismatch of a SSN occurs, the employee is to identify the reason for a mismatch and is to correct it.

This policy will be amended to comply with any changes in laws, procedures, or regulations.

## **TELEPHONE USAGE**

Good telephone habits are important. They show friendliness, helpfulness and consideration.

Always try to:

1. Answer the phone promptly.
2. Identify yourself and your department.
3. Give accurate and careful answers.

Do not make or receive personal calls while working. If a personal call is absolutely necessary, make it during break periods or during the lunch hour.

<b>Temporary and Seasonal Workers</b>			
<b>Effective Date:</b> December 1, 2022	<b>Applicable Law/Statute:</b> 820 ILCS 115	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>
<b>Last Amended Date:</b> N/A			

**TEMPORARY AND SEASONAL WORKERS**

**Policy**

It is the policy of Kane County to employ a varied and flexible workforce that effectively and efficiently meets the needs of the County and its residents. Kane County may utilize temporary and seasonal employees and temporary agency workers to meet the changing needs of its workforce.

**Definitions**

Seasonal Employee: An employee of the County selected to work on a full or part time basis for a limited duration, not to exceed 600 hours or 6 months in any 12-month period and for which employment begins each calendar year in approximately the same time of year. Seasonal employees are paid directly by the County but are not eligible for County benefits such as health, dental, or life insurance, paid vacation, sick, and holiday time, or pension benefits.

Temporary Employee: An employee of the County selected to fill short duration gaps in the current workforce to fill vacancies created by leaves of absence or assist with a defined project of limited duration, not to exceed 600 hours in any 12-month period. Temporary employees are paid directly by the County but are not eligible for County benefits such as health, dental, or life insurance, paid vacation, sick, and holiday time, or pension benefits.

Independent Contractor: An independent contractor performs work for the County under the terms of a contract for specified services or work product. Independent contractors generally provide work in independent trades, businesses or professions in which they offer their services to the public. Independent contractors retain the right to control or direct how they perform their work (i.e., the means and methods of accomplishing the results). Independent contractors generally provide their own tools and equipment to complete the project or services and provide similar services to other individuals or businesses. Independent contractors are not subject to the provisions in this policy and must be selected and contracted with in compliance with the Purchasing Ordinance.

Temporary Agency Worker: An employee of a temporary agency assigned to work at Kane County to work for a limited purpose or duration not to exceed 600 hours in any 12-month period. Temporary agency workers must be contracted through an agency approved by the Purchasing Department.

**Guidelines**

1. Any worker covered under the definitions of this policy must be assigned a temporary ID card by the Human Resources Department on or before their first day of work.
2. All temporary ID cards will be indicated as temporary and will expire not more than 180 days from the date of issuance.
3. Seasonal and temporary employees are subject to the policies, procedures, and onboarding process of regular employees, and must have New Hire Authorization forms.
4. Temporary Agency Workers must have a Temporary Agency Worker Assignment Form (Exhibit A) completed by the Department Head, which includes the assignment description detailing the duties and expectations of the worker or a description of the project, expected weekly hours, and an estimated assignment duration. The Temporary Agency Worker Assignment form must be signed by the Department Head and submitted with the ID card request to Human Resources.

(Exhibit A)  
Temporary Agency Worker Assignment

Department: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Staffing Agency: \_\_\_\_\_

Temporary Worker Title: \_\_\_\_\_

Project Description or Job Duties (if position is filling a temporary vacancy in a permanent position, you may attach job description): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated Duration of assignment: \_\_\_\_\_

Estimated hours per week: \_\_\_\_\_

If an individual has been chosen by the County for the position, please indicate their name:

\_\_\_\_\_

Approval Signature:

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

## **UNPAID VOLUNTEER AND PAID INTERN POLICY AND PROCEDURES**

### **GENERAL:**

The County strongly believes that permitting individuals to fulfill civic, charitable or humanitarian needs by volunteering their services to County government is an important tool in connecting individuals to the community they live in. Likewise, paid internships are an important tool in recruiting and introducing innovative people to public service and preparing the workforce of the future.

It is the purpose of this policy to provide individuals with exposure to County government in action through public service. This exposure illustrates how Kane County's system of government relates across various County departments and offices and into the Kane County community at large.

Kane County provides two different opportunities for individuals seeking to provide public service:

1. Paid interns
2. Unpaid volunteers

The Human Resources Department will facilitate the offering of paid internship opportunities for individuals who have a minimum of two years of post-high school academic credit. Additional consideration will be given to those individuals who are fluent in foreign languages including Spanish, Laotian or any other languages prevalent in Kane County. A student on academic or disciplinary probation will not be permitted to apply for an internship.

The Human Resources Department will also facilitate the placement of volunteers seeking to fulfill civic, charitable or humanitarian desires through public service with no expectation, promise or receipt of compensation for their service.

Volunteers are not considered employees of Kane County and consequently shall not be entitled to any of the rights or benefits of employees, including but not limited to, paid time off, medical insurance, pension service credits, holidays, etc. For purposes of benefits, interns are not considered employees and will not receive benefits.

Interns will be paid no less than the minimum hourly rate, not by stipend, for all hours worked. All hours worked must be tracked to ensure proper and timely payment of wages plus any applicable overtime in accordance with the Fair Labor Standards Act.

All individuals will be required to complete a Kane County Volunteer/Intern Application prior to the start date of the public service experience. The application is meant to gather individual-specific information with respect to interests, future learning goals, and availability in order to allow a meaningful match to be provided for both the County and the individual. The application will be kept on file at the County Human Resources Department.

### **DEFINITIONS:**

- A. Internship:** An internship is an opportunity to provide a paid training experience. Any intern wanting to receive academic credit for their experience has the responsibility to facilitate the administrative activities with their educational institution after receiving approval from the County department offering the internship. Internships are typically for a fixed duration to be determined by the County and established prior to the start date. The Internship should be a meaningful and worthwhile

experience intended to primarily benefit the intern and involving thoughtful preparation and interest in the intern career/learning goals. Interns are not guaranteed employment at the end of the internship experience.

**B. Meaningful and worthwhile experience** means a commitment to a designated number of hours per individual with the goal being the acquisition of skills necessary for the intern to gauge their interest in seeking a career in public service.

**C. Volunteer:** An individual who performs hours of service for a public agency for civic, charitable or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered. Individuals volunteering hours of service for Kane County government are not employees. The time they spend is not compensable under contract or under state or federal wage and hour statutes. Individuals shall be considered volunteers only where their services are offered freely and without pressure or coercion, direct or implied.

Examples of services which might be performed on a volunteer basis when so motivated include helping out at the Animal Control Facility or providing tutoring assistance to Challenge residents at the Juvenile Justice Center or assisting in the waiting room of the Juvenile Justice Center.

**D. County Department Designee:** The County Department Head/Elected Official or supervisor designated to oversee or supervise volunteer/internship operations within each County department or office.

## **INTERNSHIP PROCEDURES:**

### **A. Human Resources Responsibilities**

- Post notices of available internship opportunities on the County's website as well as on internet-based bulletin boards of local universities.
- Screen all applications received from individuals seeking an internship opportunity to ensure the individuals meet County qualifications.
- Forward submitted internship applications to County departments that have expressed an interest in sponsoring an intern and that have submitted the required paperwork to Human Resources.
- File all completed reporting and application information in a secure location within the Human Resources Department for a period as required by state statute.
- Obtain written approval for an internship by the County Department Head/Elected Official prior to individual placement.

### **B. Intern's Responsibilities**

- Complete a Kane County Volunteer/Internship Application and submit the application to the Kane County Human Resources County department by required deadlines.
- Submit to an informational screening, including academic credential review, criminal history background check, and driver's license check by the Human Resources Dept.
- Submit to an interview by the County department with the internship opportunity.



- Complete the Intern Information Form after approval of the internship by the County Department Designee but before the start date of the internship.
- Sign a written acknowledgment that outlines the County department's expectations, learning objectives and goals.
- Complete and submit all evaluation forms, including college forms at the conclusion of the internship.

**C. County Departments/Offices Responsibilities:**

- County departments or offices that desire to offer an internship opportunity must submit a request to Human Resources that describes the project, the estimated project start and end dates, the approximate number of hours per week needed, the desired qualifications and/or area of study of the intern and hourly rate of pay.
  - The County Department Designee will determine which members of the County department will participate in the internship experience and provide direct supervision of the intern.
  - The County Department Designee will interview applicants.
  - The County Department Designee will determine if computer access is needed and will submit a request to the Information Technology Department for access **prior** to the start date.
  - The County department will make sure interns comply with fingerprinting and/or other pre-employment testing prior to the intern's start date. Please call Human Resources for further direction and assistance. After acceptance of the intern, the County Department Designee will set up an initial meeting with the individual and arrange for subsequent student orientation, workplace accommodation and appropriate training to accomplish the assignment.

Orientation should include:

- Tour of the County department and introduction to staff the intern will be working with;
  - Information on the history, vision and services of the County department;
  - A clear list of expectations, project duties and goals; and
  - A list of the resources available to the intern. This should include a workstation that has been set up for the Intern as well as the items needed by the Intern to be successful in the performance of their project.
- The County department will ensure that the intern is offered a meaningful experience during their time with the County department and bring any issues that arise to the attention of the County Human Resources Department.
  - The transportation of interns by County vehicle must be authorized by the County department Head/Elected Official as necessary in the conduct of County business. If an intern is selected for a project that will require driving a County or personal automobile, the County department must notify the Human Resources Department.
- A. After the intern experience is complete, the County department involved with the intern will complete an evaluation of the experience and submit it to the County Human Resources Department.
- B. Evaluations will be reviewed by the County department and the County Human Resources Department.

## **VOLUNTEER PROCEDURES:**

### **A. Human Resources Responsibilities**

- Screen all applications received from individuals seeking an opportunity to volunteer in a County department.
- Forward applications to County departments that have expressed an interest in sponsoring an unpaid volunteer and that have submitted the required paperwork to Human Resources.
- File all completed reporting and application information in a secure location within the Human Resources Department for a period as required by state statute.
- Obtain written approval for a volunteer position by the County Department Head/Elected Official prior to individual placement.

### **B. Volunteer's Responsibilities**

- Complete a Kane County Volunteer/Internship Application and submit the application to the Kane County Human Resources County department by required deadlines.
- Submit to an informational screening, including review, criminal history background check, and driver's license check by the Human Resources Department.
- Submit to an interview by the County department with the volunteer opportunity.
- Complete the Volunteer/Intern Information Form after approval of the volunteer opportunity by the County Department Designee but before the volunteer starts work.
- Sign a written acknowledgment that specifies the unpaid nature of the volunteer opportunity and that the volunteer is working to fulfill a charitable, humanitarian or civic interest.

### **C. County Departments/Offices Responsibilities**

- County departments or offices that desire to have an unpaid volunteer perform work for their office must submit a request to Human Resources that describes the work to be performed by the volunteer. Human Resources will review the request to confirm that the position meets the criteria for volunteer.
- The County Department Designee will designate who will supervise the volunteer.
- The County Department Designee will interview applicant volunteers.
- The County Department Designee will determine if computer access is needed and will submit a request to the Information Technology Department for access **prior** to the start date.
- The County department will make sure volunteers comply with fingerprinting and/or other pre-employment testing prior to the volunteer's start date. Please call Human Resources for further

direction and assistance. After acceptance of the volunteer, the County Department Designee will set up an initial meeting with the individual and arrange for subsequent student orientation, workplace accommodation and appropriate training to accomplish the assignment.

Orientation should include:

- Tour of the County department and introduction to staff the volunteer will be working with;
- 1. Information on the history, vision and services of the County department; and
- A list of the resources available to the volunteer. This should include a workstation that has been set up for the volunteer.
- The transportation of volunteers by County vehicle must be authorized by the County department Head/Elected Official as necessary in the conduct of County business. If a volunteer is selected for a project that will require driving a County or personal automobile, the County department must notify the Human Resources Department.

Added 10.2012 (Res. 12-3

<b>Vacations</b>			
<b>Effective Date:</b> April, 12, 2022 <b>Last Amended Date:</b> August 2013 (res. 13-265)	<b>Applicable Law/Statute:</b> <b>820 ILCS 115/5</b>	<b>Source Doc/Dept.:</b>	<b>Authorizing I.C. Sec:</b>

## **VACATIONS**

### **Policy**

It is the policy of Kane County to provide its employees with vacation time based on hours of work and length of continuous service. Vacation time is intended to provide employees with needed rest and time for personal pursuits.

### **Eligibility**

All regular full-time and regular part-time employees with twelve (12) months of continuous service are entitled to vacation with pay:

### **Guidelines**

Vacation entitlement will be calculated according to the following schedule:

- 1) Two (2) weeks - Upon completion of 12 months (1 year) of continuous employment.
- 2) Three (3) weeks - Upon completion of 60 months (5 years) of continuous employment.
- 3) Four (4) weeks - Upon completion of 180 months (15 years) of continuous employment.

Vacation entitlement may be negotiated by a department head when hiring experienced staff as a part of the compensation package, provided the total vacation entitlement does not exceed four (4) weeks at any length of service and all other provisions are compliant with these guidelines. Any such agreement must be made in writing and indicated on the employee's new hire payroll form.

Vacation is accrued monthly at the rate of 1/12 the annual entitlement for each complete calendar month. Vacation pay is calculated on the basis of the employee's normal work week. Regular part-time employees will receive vacation pay proportionate to the average number of hours normally worked per week.

**Purchase of Military Service Credit** – Notwithstanding the earning schedule set out above, County employees who present proof of having purchased military service credit from the Illinois Municipal Retirement Fund pursuant to a duly approved resolution by the Kane County Board, will earn vacation time at a rate that equals their County employment plus the number of months of military service credits that were purchased. Proof must be presented to the Human Resources Department so that the employee's vacation accrual schedule is properly adjusted.

During the first year of employment only, the County offers the option of taking up to one (1) week vacation after six (6) months of continuous service. If the employee elects to use one (1) week after six (6) months, only one (1) week remains to be taken upon the completion of 12 months total service during the following one (1) year period. If the employee terminates prior to the first anniversary and has borrowed

vacation time, pay for days used will be deducted from their final paycheck. The employee is required to complete a form prior to the commencement of the vacation.

Vacation carry-over from year to year - All vacation earned during a year must be taken during the following year or it will be forfeited. Vacations will be scheduled with prime consideration given to the efficient operation of each department. While employee requests will be honored whenever possible, final approval must be given by the department head to provide continuity of operations. If department needs or circumstances restrict an employee from taking all of their earned vacation in the benefit year, the department head may authorize up to one half (1/2) of the employee's annual vacation entitlement to extend up to 6 months beyond its expiration date. Such approval must be approved in writing by the department head and Human Resources Department and submitted to the Payroll Department indicating the amount of vacation to be extended and the amount of time it will be extended.

Holidays - When a holiday falls during an employee's scheduled vacation period, the employee will be paid for the holiday instead of vacation pay. The employee may then take an alternate day of vacation during that anniversary year by arrangement with the department head.

Vacation Payment - No salary payment will be made in lieu of vacation not taken.

Vacation Pay upon termination - Employees with less than 12 months of service are not entitled to any vacation pay upon termination. Employees with 12 months or more of continuous County service will receive pay for unused vacation (vacation earned in the previous year) and for accrued vacation (vacation earned for each completed month employed from the last anniversary date during the year in which termination occurs).

## **WORK WEEK**

A full-time employee may work thirty-five (35), thirty seven and one-half (37½) or forty (40) hours a week depending upon the employing department or office. The actual hours that an employee works is determined by the department head or elected official in accordance with the office hours approved by the County Board or authorized by statute. An employee may have one (1) hour for lunch. Rest periods limited to a maximum of fifteen (15) minutes each (one in the morning and one in the afternoon) are permitted. Depending upon the number of hours worked in a day, part-time employees will receive a break period as mandated by law.

## **WORKPLACE SEARCHES**

Kane County reserves the right to search, inspect or examine an employee's work station, office, desk, file cabinet, files, computer and all forms of electronic storage. The employee's department head or supervisor, along with another manager, will conduct the search of the work station or work area. These searches may be done on a periodic basis.

The refusal of any employee to submit to a search, inspection or examination of the work area may result in discipline up to and including discharge. This policy is subject to any limits, if any, imposed by a collective bargaining agreement.