

# Park District of Oak Park Personnel Policies

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## POL.P.01 - Personnel Policy Disclaimer

Welcome to the Park District of Oak Park (the "Park District"). This Employee Personnel Policy Manual ("Manual") contains only general information and guidelines. It is not intended to be comprehensive, all-inclusive, or to address all of the possible applications of, or exceptions to, the general policies and procedures described. Rather, this Manual has been prepared for you as a general reference guide.

**Employees have access to the Manual on the Park District's Hub.**

This Manual supersedes all previously issued versions of this Manual. Your continued employment with the Park District after the effective date of this Manual, and any future revisions to this Manual, constitutes your agreement with all such revisions.

The Park District Board of Park Commissioners may at any time revise, supplement, or discontinue any of the policies, guidelines, or benefits described in this Manual, without prior notice. All policies and procedures outlined in this Manual become effective immediately upon approval by the Board of Park Commissioners, unless specifically provided otherwise.

Where the context of this Manual permits, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number. The descriptive headings of the various sections or parts of this Manual are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation of this Manual or any of its provisions.

If any policy or procedure or part thereof contained in this Manual is determined invalid by a court of law, or by another appropriate judicial body or agency, such determination will not affect the validity of the remaining policies and procedures or parts thereof.

### At-Will Employment

All employment with the Park District is at the will of the Park District, unless noted otherwise in a collective bargaining agreement. This means that employment is not for any specific period of time and may be terminated by the Park District at will, with or without cause and without prior notice. Also, employees may resign for any reason at any time.

Nothing contained in this Manual, or in any written or oral statement contradicting, modifying, interpreting, explaining or clarifying any provision of this Manual, is intended to create, nor shall create, an employment contract, either express or implied, between you and the Park District. Nor does this Manual guarantee any fixed terms and conditions of employment. No supervisor, Department Head, Executive Director, or other representative of the Park District has the authority to enter into any agreement for employment for any specified period, or to make any agreement contrary to the above, except as specifically authorized in advance by the Board of Park Commissioners.

### Employee Responsibility

Employees are expected to review these Policies and become familiar with their contents. After review, employees will be required to sign, date, and return the Employee Acknowledgement form. A copy of this Manual shall be on file at all times with the Human Resources Office and shall be made available to any current employee upon request and is available electronically.

In case of a conflict between a provision of a collective bargaining agreement and this Manual, the provision of the agreement will prevail. If the agreement is silent on a subject covered by this Manual,

then the Manual will prevail.

## POL.P.01.01 - Equal Employment Opportunity

Employment at the Park District of Oak Park is based on experience and qualifications without regard to race, color, religion, sex, pregnancy, sexual orientation (actual or perceived), national origin, citizenship status, ancestry, age, marital or civil union status, physical or mental disability, veteran or military status, or any other category protected by local, county, Illinois, or federal law (“legally protected characteristics”).

In accordance with federal, State of Illinois, and local laws, it is the policy of the Park District to provide equal employment opportunities to all qualified persons. All of the Park District’s personnel policies, procedures, and decisions pertaining to hire, promotion, transfer, layoff, rates of pay, discipline, termination, and other terms and conditions of employment are made and executed without regard to legally protected characteristics.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of Human Resources or the Executive Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## POL.P.01.02 - Non-Discrimination and Anti-Harassment

The Park District is committed to a work environment in which all individuals are treated with respect and dignity. It is the responsibility of each and every employee, Board member, agent, volunteer, and vendor of the Park District, as well as anyone using the Park District’s facilities, to refrain from sexual or other harassment. Sexual or other harassment is illegal, unacceptable, and violates the policies of the Park District. Title VII of the Civil Rights Act and/or the Illinois Human Rights Act prohibit discrimination and harassment on the basis of race, color, religion, sex, pregnancy, sexual orientation, age, disability, national origin and any other legally protected characteristic. Actions, words, jokes, or comments based on any legally protected characteristic will not be tolerated.

### Sexual Harassment

Sexual harassment may occur whenever there are unwelcome sexual advances, requests for sexual favors, or any other verbal, physical, or visual conduct of a sexual nature when:

- a. Submission to the conduct is made either implicitly or explicitly as a term or condition of the individual’s employment;
- b. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
- c. The harassment has the purpose or effect of interfering with the employee’s work performance or creating an environment that is intimidating, hostile, or offensive to the employee.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual

jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail and text messages); and other physical, verbal or visual conduct of a sexual nature.

#### Harassment on the Basis of Any Other Protected Characteristic

Conduct that denigrates or shows hostility or aversion toward an individual because of any legally protected characteristic of a non-sexual nature and that has the purpose or effect of (a) creating an intimidating, hostile, or offensive work environment, (b) unreasonably interfering with an individual's work performance, or (c) otherwise adversely affecting an individual's employment opportunities is prohibited.

Harassing conduct includes, but is not limited to, epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; or display or circulation, whether by hand, through e-mail, or otherwise, in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, professional conferences, business meetings, and business-related social events.

Any employee engaging in practices or conduct constituting discrimination or harassment will be subject to disciplinary action up to and including termination.

#### **Retaliation**

The Park District prohibits retaliation against any individual who reports discrimination or harassment, participates in an investigation of such reports, or files a charge of discrimination or harassment.

#### **Reporting Procedure**

The Park District strongly urges the reporting of all incidents of discrimination, harassment, or retaliation. If an employee experiences or witnesses harassment or discrimination of any kind, the employee should:

1. Directly Communicate with Offender. If there is harassing or discriminatory behavior in the workplace, the employee should (but is not required to) directly and clearly express his or her objection to the offending person(s) regardless of whether the behavior is directed at the employee.
2. Report Conduct to Supervisor, Department Head, or Human Resources. After direct communication is undertaken, or if the employee feels threatened or intimidated by the offending person, the employee should promptly report the offending behavior to his or her immediate supervisor, Department Head, or Human Resources.
3. Report Conduct to Executive Director. Employees may also report incidents of harassment or discrimination directly to the Executive Director. The Executive Director or his/her designee will promptly investigate the facts and take corrective action where appropriate. If an employee complaint alleges harassment by the Executive Director, then the employee should immediately report the matter in writing directly to the President of the Board of Park Commissioners.

While the Park Districts suggests that employees follow the above reporting procedures, employees can

raise concerns relating to discrimination, harassment, or retaliation to any representative of the Park District (e.g., your Supervisor, Department Head, Human Resources, or the Executive Director) at any time.

### **Harassment Allegations Against Non-Employees**

If an employee makes a complaint alleging harassment or discrimination against any person other than a Park District employee, then the Executive Director or his/her designee will investigate the incident(s) and determine the appropriate action.

### **Responsibility of Supervisors**

Any supervisor who becomes aware of any possible harassment or discrimination of or by any employee must immediately advise the Director of Human Resources, who will investigate the conduct and take appropriate action.

Under the Park District's policy, no Department Head, manager, or supervisor has any power to take any tangible action against or with respect to an employee, such as termination of employment, promotion, demotion, or undesirable reassignment, which is motivated by a desire to harass or to retaliate for reporting harassment or as a result of an employee's resistance to harassment or retaliation.

### **Investigations**

Each reported allegation of harassment, discrimination, or retaliation will be investigated promptly. The Park District will make every reasonable effort to conduct an investigation in a responsible and confidential manner, but the Park District cannot guarantee absolute confidentiality.

**Responsive Action** The Park District will determine whether harassment, discrimination, or retaliation has occurred based on a review of the facts and circumstances of each situation. Where appropriate, corrective measures will be taken.

### **Education and Training**

As part of general orientation, each recently hired employee will be informed of the standards of acceptable behavior. All employees will participate periodically in seminars that describe workplace harassment and teach strategies for resisting and preventing sexual harassment, other types of harassment and discrimination.

## **POL.P.01.03 - Americans With Disabilities Act**

The Park District is committed to complying with the applicable provisions of the Americans with Disabilities Act (ADA). The Park District will not discriminate against any qualified employee or applicant with regard to the terms or conditions of employment because of such individual's disability or perceived disability, provided the employee can perform the essential functions of the job with or without a reasonable accommodation. The Park District will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who makes the Park District aware of the need for an accommodation and participates in the interactive process, if such accommodation does not constitute an undue hardship on the Park District or pose a direct threat to the safety of employees or the Park District's members or guests.

The Park District will base all decisions concerning recruitment, placement, selection, training, hiring,

advancement, termination, or other terms, conditions, or privileges of employment on job-related qualifications and abilities.

An employee with a disability in need of an accommodation to perform the essential functions of the job should contact his or her Department Head. Upon receipt of an accommodation request, the Park District will meet with the employee to discuss the disability and the potential accommodations, if any, that are needed to help the employee perform the essential job functions of the position. The Park District may require the employee to submit documentation from a physician prior to granting the meeting to discuss any potential accommodation.

Reasonable accommodation requests are reviewed and discussed with employees on a case-by-case basis. The Park District will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

An employee or job applicant who has questions regarding this Policy or believes that he or she has been discriminated against based on a disability should immediately notify his/her Department Head, Human Resources or the Executive Director.

## **POL.P.01.04 - Pregnancy Non-Discrimination and Accommodation**

The Park District prohibits discrimination on the basis of pregnancy. Therefore, the Park District will not refuse to hire, segregate, or take any other employment action with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, or the terms, privileges or conditions of employment on the basis of pregnancy. "Pregnancy" is defined as pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth.

The Park District will not require an employee affected by pregnancy to take a leave of absence (against the employee's wishes) if another reasonable accommodation can be provided to the known medical or common conditions related to the pregnancy or childbirth of that employee. Further, the Park District will not fail or refuse to reinstate an employee affected by pregnancy to her original job or to an equivalent position with equivalent pay, seniority, and benefits upon her signifying her intent to return to work or when her need for reasonable accommodation ceases, unless the Park District can demonstrate that the accommodation would impose an undue hardship on the Park District's operations.

The Park District will provide reasonable accommodations to employees who are affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth, unless the accommodation would impose an undue hardship on the operations of the Park District. Such reasonable accommodations could include but are not limited to: more frequent or longer bathroom breaks, breaks for increased water intake; breaks for periodic rest; private non-bathroom space for expressing breast milk and breastfeeding; seating; assistance with manual labor; light duty; temporary transfer to a less strenuous or hazardous position; the provision of an accessible worksite; acquisition or modification of equipment; job restructuring; a part-time or modified work schedule; appropriate adjustment or modifications of examinations, training materials, or policies; reassignment to a vacant position; time off to recover from conditions related to childbirth; and leave necessitated by pregnancy, childbirth, or medical or common conditions resulting from pregnancy or childbirth.

The Park District reserves the right to request documentation from the employee's health care provider concerning the need for the requested reasonable accommodation(s). The information requested by the Park District could include but is not limited to: the medical justification for the requested accommodation(s); a description of the reasonable accommodation(s) that is medically advisable; the date the reasonable accommodation(s) became (or will become) medically advisable; and the probable duration of the reasonable accommodation(s).

Employees with a question, complaint, or problem related to pregnancy discrimination should follow the procedures outlined in the [Non-Discrimination and Anti-Harassment Policy](#).

In applying this Policy, the Park District complies with the Americans With Disabilities Act and Illinois Human Rights Act.

### **POL.P.01.05 - Anti-Nepotism**

The employment of relatives can cause various problems, including charges of favoritism, conflicts of interest, family discord, and scheduling conflicts that work to the disadvantage of both the Park District and its employees.

It is the policy of the Park District not to employ any "relatives" of elected Park District officials in any capacity. In addition, two or more members of an immediate family shall not be employed where one such immediate family member occupies a position that has influence over the other's employment, including hire, promotion, supervision, compensation or other benefits.

For the purposes of this Policy, "relatives" includes the following relationships, whether established by blood, marriage, or other legal action, and it also includes step and generational relationships: mother, father, husband, wife, civil union partner, son, daughter, brother, sister, aunt, uncle, niece or nephew.

When a situation occurs which results in a violation of this Policy (whether because of the marriage of two employees or some other circumstance), one of the employees involved will be required to resign their current position or otherwise be terminated. If one of the employees is qualified for an available position in another department, the employee can request a transfer. Requesting a transfer under these circumstances does not guarantee that the employee will be selected for the available position. If no positions are available or the employees are not qualified or selected for an available position, the employees will be permitted to determine which one will resign. The Park District must be informed of who will resign within two (2) months after the violation first occurs. If the employees cannot make a decision, the Park District will decide in its sole discretion who will remain employed.

### **POL.P.01.06 - Employment of Minors**

For the purposes of this Handbook, the term "minor" means any person younger than 16 years of age. The Park District complies with all federal and Illinois labor laws regarding the employment of minors.

All minors must have an employment certificate before they can work for the Park District. Employment certificates are issued by a superintendent of schools or a duly authorized agent.

## **Schedule Restrictions for Minors**

Under Federal and Illinois child labor laws, a minor cannot work the following hours:

- During school hours when school is in session;
- More than 6 days in a calendar week;
- More than 18 hours in a calendar week when school is in session;
- More than 40 hours in a calendar week when school is not in session;
- Earlier than 7:00 a.m. or later than 7:00 p.m., except from June 1 to Labor Day, when minors may work to 9:00 p.m.;
- More than 3 hours in a day on school days;
- More than 8 hours in a day on non-school days; and
- More than 8 hours a day, combining school and work.

Exception: A minor employee age 14 or older who is employed by the Park District in a recreational or educational activity while school is in session may work up to 3 hours per school day twice a week no later than 9:00 p.m. if the number of hours worked by the minor outside school hours in any week does not exceed 24. Such minors can work between 7:00 a.m. and 10:00 p.m. during summer vacation or, if the minor attends school year-round, the period(s) during which school is not in session for the minor.

## **Work Restrictions**

Minors working for the Park District are not permitted to supervise any part of the transportation of camp, field trips, or other Park District-sponsored program participants to or from Park District-sponsored activities. Those minors may resume their duties only after all participants and materials have been unloaded from the bus or other vehicle.

Minors under the age of 16 and age 18 should not perform the following job duties:

Employees Under the Age of 16: Exposure to hazardous chemicals, ladder climbing, operation of heavy, powered machinery, use of any type of power tool, construction work, roofing or excavating operations, work on elevated services with or without equipment

Employees Under the Age of 18: Driving on or off road vehicles, mowing, working on roofs, demolition work, operating heavy, powered machinery, and entering confined spaces

Minors age 12 or 13 can officiate youth sports activities for the Park District if each of the following restrictions is met: (1) the parent or guardian of the minor who is officiating or an adult (i.e., person age 16 or older) designated by the parent or guardian shall be responsible for being present at the youth sports activity while the minor is officiating; (2) the minor provides an employment certificate to the Park District; (3) the minor may work as a sports official for a maximum of 3 hours per day on school days and a maximum of 4 hours per day on non-school days, may not exceed 10 hours of officiating in any week, and may not work later than 9:00 p.m.; and (4) the participants in the youth sports activity must be at least 3 years younger than the officiating minor, or an adult must be officiating the same youth sports activity with the minor.

## POL.P.01.07 - Employment of Certified and Professionally Trained Staff

Relevant education and professional certification are desirable elements of candidates for employment with the District. Selection of management employees should emphasize this policy.

## POL.P.01.08 - Immigration Law Compliance

In compliance with the Immigration Reform and Control Act, all newly hired employees (including new hires previously employed by the Park District) must present documented proof of identity and eligibility to work in the United States. Employees will be required to furnish this information on the first day of work or within 3 working days of your hire date. If the employee cannot verify his or her right to work in the United States within 3 working days of hire, the Park District is required by law to terminate his or her employment.

## POL.P.01.09 - Employment Screening Policy

### **Post-Offer Examination**

Applicants to whom a conditional offer of employment has been made will be required to submit to a post-offer, pre-employment examination, including drug and alcohol screening, conducted by a clinic or physician arranged and paid for by the Park District. The physical examination will help determine whether the applicant can perform the essential functions of the job being sought, with or without reasonable accommodation and in compliance with the employment provisions of the Americans with Disabilities Act. The Park District's offer of employment is contingent upon passing such an examination.

### **Criminal Background Check**

All employees shall be required to submit to a criminal background check prior to first day of employment. Employees shall also be required to submit to periodic criminal background checks. Employees may be required to submit fingerprints and/or other identification in order to facilitate such an investigation. Any employee who refuses to submit to a criminal background check under this Policy or refuses to sign a consent form shall be subject to termination of employment.

Convictions will not absolutely bar employment with the District. Rather, if a background check reveals a criminal conviction, the Park District will conduct an individualized assessment considering the nature of the crime, the time elapsed since the crime occurred, the nature of the specific job, and additional related factors, in order to determine whether exclusion of that person from employment is job related and consistent with business necessity. Before making an employment decision based on a criminal conviction, the Park District will provide an opportunity to the individual to demonstrate that he/she should not be excluded from employment based on the criminal conviction and that the exclusion from employment based on the criminal conviction would not be job-related and consistent with business necessity. All offers of employment and re-employment are contingent upon passing the above mentioned criminal background check.

### **Drug Screening**

Employees in safety sensitive positions, including those that drive a Park District vehicle (car, truck, van, etc.) and/or operate any gas-powered or electric equipment or machinery will be required to submit to random drug screening. Any employee who refuses to submit to a drug screen under this Policy or refuses to sign a consent form shall be subject to termination of employment. Drug screens may also be

conducted at other times as set forth in other sections of this Manual. All offers of employment and re-employment are contingent upon passing the drug screen.

### **Driver's License Abstracts / Checks**

Employees required to use a Park District vehicle in performing their job duties must pass a Motor Vehicle Record check with the Illinois Secretary of State before commencing employment and using any of the Park District vehicles. Thereafter, Motor Vehicle Record checks will be performed for these employees at least once a year. An employee must notify the Supervisor, Department Head and Human Resources if the employee's driver's license has been suspended or revoked. Employees should refer to Pol.S.01.08 - Motor Vehicle Record Review.

All offers of employment and re-employment are contingent upon passing required employment screening.

## **POL.P.01.10 - Introductory Employment Period**

The Introductory Employment Period is intended to assist new employees in adjusting to the Park District and the new position with orientation and training. The Introductory Employment Period gives the employee's supervisor a reasonable amount of time to evaluate performance, including determining if the employee appears to possess the aptitude and attitude necessary to meet the required standards and expectations of the position.

The Introductory Employment Period is a minimum of six months. The employee may be discharged at any time during this period if the Park District concludes that his or her job performance is not satisfactory. Under appropriate circumstances, the introductory period may be extended at the Park District's sole discretion.

During their Introductory Employment Periods, newly-hired employees will be paid for holidays recognized by the Park District that are applicable to their employment classification.

After two months of employment, a new employee will be allowed to use earned vacation, sick time and/or PTO (Paid Time Off) benefits with supervisory approval. Additional time off, if any, will be unpaid. The employee's attendance may influence the Park District's decision whether to terminate employment during or at the end of the Introductory Employment Period. If employment is terminated for any reason during the Introductory Employment Period, the employee is not eligible for any compensation for unused benefits, unless required by law.

Other employee benefits, such as group insurance, will be applied according to the Park District's agreement with its group insurance providers. Transferred or promoted employees will maintain their benefits, unless the new position provides for different benefits eligibility.

At the end of the Introductory Employment Period, the employee and his or her supervisor will discuss the employee's performance. If the Park District determines that the employee's job performance meets the expectations of the Park District, the employee will be retained.

Successful completion of the Introductory Employment Period does not guarantee continued employment for any specific period or otherwise create an employment contract between the employee and the Park

District. Thus, subject to any governing collective bargaining agreement, employees remain at-will during and after their Introductory Employment Period, which means they can be discharged at any time, with or without cause and without prior notice.

## **POL.P.01.11 - Orientation**

Newly-hired employees or employees who, because of a transfer, promotion or reclassification, are in a different employment classification or are entitled to different benefits, must report to Human Resources on or before the first day in that position to complete the necessary paperwork.

Each employee, including transferred or promoted employees, may be required to complete a job training and orientation session within the first four weeks of their employment in their new position. The orientation process may include training required by law and guidance from the Park District Risk Management Agency (PDRMA). Employees will be required to sign an Employee Orientation Checklist to confirm that they have received and understand the necessary material.

## **POL.P.01.12 - Personnel Files**

A personnel file will be established for each employee. All pertinent employment information and forms, including without limitation, employment application, references, evaluations, commendations, disciplinary actions, and other employment records will be contained in this file. Medical and benefit records will be maintained in a separate file.

Employees may review their own personnel files in accordance with applicable law and established Park District procedures. Employee requests to review a personnel file should be directed in writing to Human Resources.

It is to the employee's advantage to see that all personnel records are accurate and up-to-date. Employees are responsible for and must promptly advise the Park District of any changes in any personal information that the Park District needs to know to contact the employee or properly administer its benefits programs or general operational concerns, including:

- Name,
- Marital or civil union status,
- Address and telephone number,
- Number of eligible dependents,
- W-4 deductions,
- Emergency contacts, and
- Eligibility for employment in the United States.

## **POL.P.01.13 - Performance Reviews**

### **Purposes for Performance Reviews**

The Park District has a formal performance review system for full-time and part-time employees to provide a means of evaluating employees' performance and progress. Performance reviews assist the

Park District in making personnel decisions related to such matters as promotions, transfers, demotions, terminations, and salary adjustments. Performance reviews are an essential part of an employee's personnel records.

### **Frequency of Reviews and Performance-Based Increases**

All full-time and part-time, year-round employees should receive an annual performance review. In addition, full-time employees generally will receive a mid-year performance review. A review may be conducted more frequently, if an employee's job responsibilities change substantially during the year. Formal evaluations for full-time and part-time staff are conducted by the immediate supervisor on a pre-determined annual schedule. Performance-based pay increases, if any, generally are processed to take effect on a pre-determined annual schedule. All new employees should be reviewed after the first six months of employment or at the end of the Introductory Employment Period. The timing of pay adjustments for new employees following the Introductory Employment Period, if any, should be factored in to the annual review schedule and agreed upon at the time of hire.

Short-term and Seasonal employees should receive a performance review at the end of each season. Performance-based increases, if any, should be considered at the start of the next year's season.

### **Informal Review of Employee Performance**

In addition to scheduled performance reviews, the immediate supervisor, Department Head, or Executive Director, or all of them, may observe and informally evaluate employee performance on a daily basis. An employee will be notified about deficiencies in work performance or inappropriate conduct.

### **Unsuccessful Review**

If an employee receives an unsuccessful performance review, that employee will be ineligible for a merit pay increase and, in addition, may be subject to disciplinary action up to and including termination of employment.

### **Appeal of Formal Performance Review**

If an employee disagrees with a formal performance review, that employee may request a meeting with the immediate supervisor to discuss the performance review. If that employee still disagrees with the review after the meeting, that employee may submit a written request for a meeting with the next higher level supervisor. The decision of the next higher level supervisor is final.

## **POL.P.01.14 - Employment in More Than One Position**

Full-time and part-time employees are usually hired for a specific position in one department. An employee may work an additional part-time or short-term job with the Park District if the primary Park District job is not compromised in any manner, and if the employee receives written permission, in advance, from the Department Head of the primary position. Permission to work the second position may be revoked at any time if the Park District determines for any reason that the additional position interferes or is inconsistent with the primary position.

## **POL.P.01.15 - Outside Employment**

The primary work duty and responsibility of Park District employees is to the Park District. No full-time employee may: (a) engage at any time in any outside employment for salary, wages, or commissions; or

(b) engage in any outside business interests, except only if the Department Head recommends approval in writing to the Executive Director and the Executive Director grants approval in writing.

A full-time employee seeking approval for other employment or outside business interests must furnish the Department Head with a written description of the outside employment or business interest. The employee must update and resubmit the written description annually. The written description must include the employer or business name and address, the nature of the work or activities to be performed, and the schedule and number of hours per week that the employee will work in the outside employment position. The Park District has the absolute right to deny, for any reason, the request of any full-time employee to engage in outside employment.

All Park District employees are prohibited from performing services or using Park District vehicles or equipment for any person or entity other than the Park District while on Park District duty. In addition, employees are prohibited from using any Park District vehicle, equipment, or other property while they are not on Park District duty. Further, no employee may receive pay or any other compensation or benefit, other than Park District pay and benefits, for performing services while on Park District duty.

All Park District employees, including part-time employees, are expected to be available to work upon request by the Park District, regardless of whether the Park District employee works for another employer, and other employment should not interfere with employees' availability to work for the Park District.

## **POL.P.01.16 - Modified Duty Program**

The purpose of the Modified Duty Program is to provide a temporary modified work assignment to assist employees in returning to work at a level close to their pre-injury productivity, when feasible.

Noncompliance with the Modified Duty Program may result in a reduction of workers' compensation benefits and possible disciplinary action, up to and including termination of employment. In administering the Modified Duty Program, the Park District complies with the Americans with Disabilities Act ("ADA") and any other relevant law.

### Basic Program Requirements

- a. Employees may be assigned to a Modified Duty, which fulfills a job function(s) useful to the Park District and within the limitations set by treating and/or evaluating physicians. Modified Duty assignments will not create a new job, but, rather, will modify an existing position on a temporary basis. The assignment may include duties anywhere within the Park District.
- b. A modified duty assignment usually will not be provided on an indefinite basis.
- c. Hourly employees will be paid their regular hourly rate for all hours worked while on modified duty (or, one and one-half times their regular hourly rate for all hours worked over 40 hours in a workweek). The compensation of exempt, salaried employees will depend on the circumstances, but the Park District may reduce an employee's salary or pay the employee on an hourly basis, among other options.
- d. There should be regular communication among Human Resources, the employee's immediate supervisor, the physician and PDRMA throughout the course of treatment and recovery.

e. Participants in the Modified Duty Program should report any problems with a Modified Duty assignment to an immediate supervisor, promptly notify the immediate supervisor of any and all changes or modifications to the employee's work restrictions, promptly provide all original copies of physician releases and reports and all medical records and forms to Human Resources, immediately notify the person who assigned a task about any problems performing the duties, inform the immediate supervisor about subsequent doctor visits for the same injury, and avoid disruption of Park District operations by scheduling doctor's appointments during non-work hours.

f. The Park District may ask an employee entitled to receive payments under the Worker's Compensation Act to undergo an examination by a duly-qualified medical practitioner or surgeon selected by the Park District at any time and place reasonably convenient to the employee, for the purpose of determining the nature, extent and probable duration of the injury received by the employee, and to assess the amount of compensation which may be due the employee.

g. An employee who declines a Modified Duty position within the limitations determined by the treating physician may be subject to disciplinary action and possible termination of employment. The employee may also lose eligibility for workers' compensation benefits.

#### Procedure

a. The Department Head or Facility Manager will manage an employee on Modified Duty. Modified Duty assignments may be coordinated with other departments, Risk Management, Human Resources, and PDRMA. Each department is responsible for keeping a list of Modified Duty assignments up-to-date.

b. When an employee is injured, the attending physician will be asked to complete a Physician's Evaluation of Functional Capabilities. This form requests a list of the duties the employee is capable of performing and any physical limitations the employee may have.

c. The employee must return the Physician's Evaluation to Human Resources, who will contact the employee's immediate supervisor. The immediate supervisor will work with the Department Head to assign modified duty to the employee, if possible.

d. All Modified Duty assignments are subject to continuing review of the existing medical restrictions of the employee.

e. When applicable, the possibility of medical management and/or vocational services will be explored and communicated to all parties.

Employees will be compensated at a pre-determined rate of pay while performing Modified Duty assignments, including time necessary to report to a physician's office for further review. Time above and beyond that which is necessary for the doctor's visit, including reasonable transportation time, will be charged against the employee's available sick or personal time off. Employees who do not have any available time will be compensated only to the extent required by law.

## POL.P.01.17 - Separation of Employment

Note: this section is subject to any applicable collective bargaining agreement.

### **Resignations**

Any employee may resign at any time, with or without notice or cause. The Park District requests, however, that the employee give his or her immediate supervisor at least two (2) weeks' advance notice, to enable the Park District to minimize departmental hardship and to make provisions to fill the position. That notice will not prevent the employee from resigning in good standing at any time during the notice period.

### **Return of Park District Property**

Before officially separating from the Park District's employment for any reason, an employee must return all Park District property, including without limitation vehicles, tools, cellular phones and mobile devices, keys, key fobs, uniforms, equipment, and identification, credit and insurance cards.

### **References**

Employment references are not given by the Park District, except to confirm the employee's start date, end date, job title, job description, and rate of pay and/or salary at the time of separation.

### **Exit Interview; General Assistance**

The Park District will conduct an exit interview with an employee, if possible, at the time of separation. The Park District also may assist the employee with completion of forms for insurance continuation, IMRF and other termination-related matters.

## POL.P.01.18 - Identity Protection

This Identity Protection Policy is intended to comply with the Illinois Identity Protection Act, 5 ICLS 179/1 et seq.

### **1. Definitions:**

**a. "Policy" means this Park District of Oak Park ("Park District") Policy with Regard to the Collection, Use, Disclosure and Protection of Individuals' Social Security Numbers.**

**b. "Act" means the Identity Protection Act, 5 ICLS 179/1 et seq., created by Public Act 96-0874.**

### **2. Prohibited Activities:**

**a. No officer or employee of the Park District shall do any of the following:**

(1) Intentionally communicate or otherwise intentionally make available to the general public, in any manner, an individual's social security number.

(2) Print an individual's social security number on any card required for the individual to access

products or services provided by the Park District.

(3) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

(4) 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, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this subsection to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Illinois Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend or terminate an account, contract or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this subsection may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope, or be visible on an envelope without the envelope having been opened.

**b. Except as otherwise provided in this Policy, no officer or employee of the Park District shall do any of the following:**

(1) Collect, use or disclose a social security number from an individual, unless:

(i) required to do so under State or federal law, rules or regulations, or the collection, use or disclosure of the social security number is otherwise necessary for the performance of that officer's or employee's official duties and responsibilities;

(ii) the need and purpose for the social security number is documented before collection of the social security number; and

(iii) the social security number collected is relevant to the documented need and purpose.

(2) Require an individual to use his or her social security number to access an Internet website.

(3) Use the social security number of an individual for any purpose other than the purpose for which it was collected.

**c. The prohibitions in subsection 2.B. above do not apply in the following circumstances:**

(1) The disclosure of social security numbers to officers or employees of the Park District, or disclosure to another governmental entity or its agents, employees, contractors or subcontractors, if disclosure is necessary in order for the Park District to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the officer or employee of the Park District 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 this Policy on the Park District, to protect an individual's social security number, will be achieved.

(2) The disclosure of social security numbers pursuant to a court order, warrant or subpoena.

(3) The collection, use or disclosure of social security numbers in order to ensure the safety of:

(i) Park District employees;

(ii) persons committed to correctional facilities, local jails and other law-enforcement facilities or retention centers;

(iii) wards of the State; and

(iv) all persons working in or visiting a Park District facility.

(4) The collection, use or disclosure of social security numbers for internal verification or administrative purposes.

(5) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

**d. Any previously adopted standards of the Park District, for the collection, use or disclosure of social security numbers, that are stricter than the standards under this Policy with respect to the protection of those social security numbers, shall, in the event of any conflict with the provisions of this Policy, control.**

### **3. Public Inspection and Copying of Documents:**

Notwithstanding any other provision of this Policy to the contrary, all officers and employees of the Park District must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. All officers and employees of the Park District must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents, as such information is exempt from disclosure under the Freedom of Information Act, pursuant to 5 ILCS 140/7(1)(b) as "private information, " as defined by 5 ILCS 140/2(c-5).

### **4. Applicability:**

**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 required to be open to the public under any State or federal law, rule or regulation, applicable case law, Supreme Court Rule or the Constitution of the State of Illinois.**

#### **5. Compliance with Federal Law:**

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, the Park District's compliance with said program shall not be deemed a violation of this Policy or the Act.

#### **6. Embedded Social Security Numbers:**

No officer or employee of the Park District may encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology or other technology, in place of removing the social security number as required by this Policy.

#### **7. Identity-Protection Requirements:**

**a. All officers and employees of the Park District, identified as having access to social security numbers in the course of performing their duties, shall receive training in regard to protecting the confidentiality of social security numbers. Said training shall include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information.**

**b. Only officers and employees of the Park District who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.**

**c. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.**

#### **d. Statement of Purpose**

(1) When collecting a social security number, or upon request by the individual providing the social security number, a statement of the purpose or purposes for which the Park District is collecting and using the social security number shall be provided.

(2) The statement of purpose shall also inform the individual whether disclosure is mandatory or voluntary, and by what statutory or other authority the social security number is solicited, as required by the federal Privacy Act of 1974, 5 USC 552(a).

e. The federal Privacy Act also prohibits the Park District from denying an individual any right, benefit, or privilege provided by law because the individual refuses to disclose his/her social security account number, unless required by federal statute or the disclosure is to a local agency maintaining a system of records in existence before January 1, 1975, where required by statute or regulation to verify the identity of an individual. Therefore, an individual will not be denied any right, benefit or privilege provided by law because he or she refuses to disclose his/her social security number unless disclosure is required by federal law.

f. The Park District's Executive Director shall ensure that all officers and employees of the Park District are aware of the existence of this Policy, and shall make a copy of this Policy available to each officer and employee. If the Park District amends this Policy, then Park District's Executive Director shall advise all officers and employees of the Park District of the existence of the amended Policy, and shall make a copy of the amended Policy available to each officer and employee of the Park District.

g. The Park District shall make this Policy available to any member of the public, upon request.

#### **8. Violation:**

Any person who intentionally violates the prohibitions in Section 10 of the Act (which are set forth in Sections 2.A. and 2.B. of this Policy) shall, pursuant to the Act, be guilty of a Class B misdemeanor.

**9. This Policy does not supersede any more restrictive law, rule or regulation regarding the collection, use or disclosure of social security numbers.**

## **POL.P.02.01 - Classifications, Definitions, and Status of Employees**

**a. Exempt employees** are those employees who are not eligible for overtime compensation under federal and/or Illinois law.

**b. Non-Exempt employees** are those employees who are eligible for overtime compensation under federal and/or Illinois law.

**c. Full-Time employees** are defined as employees who are designated as full-time by the Executive Director or the Board of Park Commissioners, and who have successfully completed their Introductory Employment Period. Except for determining eligibility under the Park District's health insurance plan, full-time employees generally are scheduled to work at least 37.50 hours per work week. Full-time employees may be required to work additional hours as necessary. Short-term, part-time and seasonal employees are excluded from the full-time employee classification, regardless of the number of hours worked.

**d. Part-Time employees** are defined as employees who are designated as part-time by the Executive Director and who have successfully completed their Introductory Employment Period. Part-time employees are generally scheduled to work less than 30 hours per week, on average. Part-time

employees are eligible for employment benefits based on their classification when hired. The classifications are as follows:

- Class I IMRF Qualifying: Part-time employees generally scheduled to work at least 1,000 hours in a single position during the 12 months following their date of hire are eligible for IMRF enrollment and paid time off benefits.
- Class II Non-IMRF Qualifying: Part-time employees generally scheduled to work less than 1,000 hours in a single position but more than 600 hours during the 12-month period following their date of hire are not eligible for IMRF enrollment, but do receive paid time off benefits at a reduced rate.
- Class III Non-Eligible: Part-time employees generally scheduled to work less than 600 hours in a single position during the 12-month period following their date of hire are not eligible for IMRF enrollment or paid time off benefits.

**e. Short-term and Seasonal employees** are employed for a specific function or project, part-time or full-time, and for a temporary and limited period, generally less than three quarters during a calendar year. Short-term and seasonal employees are excluded from the part-time employees' benefits eligibility, regardless of the number of hours worked.

## POL.P.03.01 - Compensation

### **Salary Increases**

Full-time and part-time employees may be considered for wage adjustments on an annual basis based on performance. Employees receiving an unsuccessful performance evaluation rating are not eligible for a wage increase for that year and may be subject to disciplinary action.

### **Overtime Eligibility**

Non-exempt employees are entitled to overtime compensation at the rate of one and one-half (1½) times their regular rate of pay for all hours worked in excess of 40 in a single workweek. Paid time off is not counted as "hours worked" for purposes of calculating overtime. The "hours worked" shall not include any form of leave, or other non-working time, whether paid or unpaid. Exempt employees are not eligible for overtime pay.

### **Overtime Obligations and Approval**

Depending on Park District work needs, employees may be required to work overtime. Refusal to work overtime when requested may be cause for disciplinary action up to and including termination of employment. For all non-exempt employees, prior approval of the employee's immediate supervisor is required before the non-exempt employee works overtime. Employees working overtime without prior approval may be subject to disciplinary action.

## POL.P.03.02 - Payroll Periods and Paychecks

Park District employees are paid bi-weekly on Fridays. If the payday is a Park District-recognized holiday, employees are paid on the preceding business day. Employees are encouraged to sign-up for direct deposit. If an employee chooses to be paid with a pay check, the employee is responsible for picking up his/her paycheck at the payroll department. Paychecks may not be given to anyone other than the employee without the employee's prior written consent. If employment is terminated in the middle of a

pay period, the employee will be paid for the actual hours worked.

Employees may be paid by check or through direct deposit of funds to either a savings or checking account at any bank with direct deposit capability. Due to banking requirements, it may take several weeks for activation of the direct deposit.

All employees must sign-up for the Electronic Service Portal (ESP) after their first pay period worked. The ESP allows employees to review their pay statements online, on demand, as well as view important documents such as tax information, receive W-2's, and update personnel information, such as home address and phone number. No paper direct deposit stubs will be mailed.

If a paycheck is lost, the payroll assistant must be notified in writing before a replacement check will be issued.

### **POL.P.03.03 - Payroll Deductions**

Automatic payroll deductions will be made for you for federal and state income tax purposes, IMRF pension contributions, union dues (if any), and social security and Medicare tax, and any other item ordered by a court or applicable law. Voluntary deductions may be made for elective programs such as health insurance, tax-deferred retirement plans, credit union accounts, and supplemental life insurance. Please contact the Finance Department for information on payroll deductions.

Except as required by law or court order, deductions will not be taken without your written authorization. Deductions required by law include Social Security, Medicare, and federal and state income taxes. Federal or state law determines these deductions. Other involuntary deductions may be made as required by law or court order, such as child support payments and wage garnishments. In addition, employees who meet certain hourly requirements will have Illinois Municipal Retirement Fund (IMRF) pension contributions withheld. Employees should reference the [Policy on Illinois Municipal Retirement Fund \(IMRF\) Pension Plan](#) for more information on IMRF.

### **POL.P.03.04 - Work Schedules**

Department work schedules are established by the immediate supervisor or Department Head based on the needs of the Park District. The number of working hours that will be scheduled is subject to the financial and staffing requirements of the Park District, and employees are not guaranteed any specific number of hours per day or week. The responsibilities of certain positions may require an employee to be on call on a 24-hour basis. The Park District may change the work schedules at its discretion.

A change in work schedules or exchange of work periods among employees may not be made without the prior written approval of an immediate supervisor.

### **POL.P.03.05 - Recording of Hours Worked**

All non-exempt employees are required to maintain an accurate and legible record of their hours worked, by clocking in and out through the Time Clock Plus Electronic System. These time records, which must be

approved by the immediate supervisor, are the basis for employee paycheck calculations. An employee with permission to leave during working hours must clock out and clock in upon return.

Employees shall not clock or sign in or out for other employees. Recording another employee's time record or falsification of an employee's own time record is against Park District policy and is grounds for disciplinary action up to and including termination of employment.

An employee must commence work immediately after clocking in. Failure to commence work immediately is deemed to be a falsification of timekeeping records.

An employee who forgets to clock or sign in or out must notify his or her supervisor immediately so the time may be accurately recorded for payroll.

### **POL.P.03.06 - Meal and Rest Periods**

Department Heads are authorized to establish and arrange meal break periods and up to two paid rest periods during each work day that are most consistent with departmental operation. Rest periods shall not exceed 15 minutes. The granting of rest periods is entirely at the discretion of the Department Head. Department Heads have the authority to place restrictions on rest periods, e.g., requiring the rest periods to be taken only on Park District premises. Rest periods are compensated as work time. Employees who are required to work during their authorized rest periods may not leave work early.

An employee who works 7.5 hours or more each day is entitled to at least a 30-minute unpaid meal period break no later than five hours after the start of the work period. An employee may not waive a required meal break period, or choose to work during the meal break period in order to leave work early. Employees on rest or meal breaks must not interfere with employees who are working.

### **POL.P.03.07 - Emergency Closings**

The Park District may close for all or part of a normally scheduled workday because of inclement weather, national crisis, or other emergency. The Park District will attempt to notify employees of its closure through announcements on predetermined local area radio stations. Certain essential personnel may be required to report to work during emergency closings. The selection of essential personnel will be determined using Park District critical-incident plans included in the safety manual. If a non-exempt employee does not work due to an emergency closure, the employee will not be paid for hours he/she was scheduled to work (but did not actually work).

### **POL.P.03.07 - Conference and Training Attendance**

Non-exempt/hourly employees who are required to attend training that directly relates to the employee's job will be compensated for the time spent at the training, excluding meal break periods. Voluntary attendance at training not directly related to the employee's job outside of regular working hours will not be compensated. For example, if an employee who normally is scheduled to work Monday through Friday for eight (8) hours each day attends a conference not directly related to the employee's job for eight (8) hours on Friday and nine (9) hours on Saturday, the employee would not be paid for eight (8) hours on Friday and would not be paid for Saturday. If the same employee were required to attend all of the

training, however, the employee would be paid for eight (8) hours on Friday and nine (9) hours on Saturday. The employee's overtime pay rate would apply for all hours worked over 40 hours in one week if the employee is required to attend training or a conference.

### **POL.P.03.08 - Temporary Vacancy Appointment**

If a management position becomes vacant for any reason other than a reduction in the workforce, the Department Head may request authorization from the Executive Director to have another Park District employee fill the position on a temporary basis. The employee who is temporarily appointed to the vacant management position shall be compensated at a higher rate of pay than they are for their incumbent position if the appointment is longer than thirty (30) days. The increase in pay will be ten percent (10%) higher than the employee's regular rate of pay and is effective retroactively to the first day of the temporary appointment. If the Department Head chooses to take responsibility for the duties of the vacant management position or divides the duties between more than one employee, no extra compensation will be paid on an ongoing basis. However, the Executive Director may approve compensation for the employee(s) performing the duties of the vacant management position in a lump sum payment after the position is filled.

The Department Head shall consider all the eligible employees in the Department based on job performance and the ability to carry out the duties of the vacant management position successfully. The Department Head shall recommend which employee should be appointed to the temporary management position to the Executive Director. The Executive Director shall make the temporary appointment. A temporary appointment may be terminated at any time and for any reason by the Executive Director based upon a recommendation submitted by the Department Head. However, a temporary appointment will automatically terminate with the appointment of a regular employee to fill the vacant supervisory position or at the end of three (3) consecutive calendar months, whichever occurs first. A temporary appointment may be extended a maximum of three (3) months only by the Executive Director.

At the conclusion of the temporary appointment, the employee's rate of pay shall immediately revert to the rate of pay the employee was receiving before the appointment to the temporary position. An employee who is temporarily appointed to fill a vacant management position will be required to fulfill all of the duties and responsibilities of the position and will be assigned the authority normally associated with the vacant management position. Overtime and other fringe benefit eligibility, which accrue during the temporary appointment, shall be governed by Park District policies as it pertains to the management position that is being temporarily filled.

### **POL.P.03.09 - Extended Trip Wage Calculation**

Non-exempt employees will be paid travel time for work-related trips away from the Park District.

Non-exempt employees who are required to work on trips that are organized and run by the Park District will be compensated for the time spent working on the trip and certain travel time. If the trip is more than twenty-four (24) hours in duration, up to eight (8) hours per day will be designated as unpaid sleeping time. Regardless of the organizer of the trip, the employee may be paid at a predetermined reduced hourly rate, which will not be less than minimum wage.

## POL.P.04.01 - Holidays

### **Holidays**

The Park District observes the following holidays: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving, the day after Thanksgiving (Friday), a half-day on Christmas Eve, and Christmas Day. Holidays that fall on a weekend will be observed on either the preceding Friday or the following Monday as determined by the Executive Director.

### **Full-Time Employees**

Full-time employees are entitled to the observed holidays with pay. An employee must receive prior approval to work on a paid holiday. Full-time exempt employees required to work on an observed holiday will be granted time off for the workday. Time off for working on a holiday should be scheduled within one week after the date of the holiday and must be used by the end of the year or it is forfeited without compensation. If the holiday falls in the 4th quarter of the year (October 1 through December 31), the time off must be used by the end of the first quarter of the following year (by March 31) or it is forfeited without compensation. If an employee is on an approved vacation leave during which a holiday falls, the holiday will not count as a day of used vacation leave.

## POL.P.04.02 - Vacation Leave

### **Accrual**

Eligible full-time employees accrue vacation benefits pro rata per pay period. Any increases in accrued vacation benefits due to length of service will occur during the pay period in which the employee's starting date falls. There will be no accrual of vacation time during any leave of absence.

The amount of accrued vacation benefits shall be based on the employee's length of service as follows:

- From the date of hire through the completion of the fifth year of continuous service, the employee earns vacation time at the rate of five-sixths ( $5/6$ ) of a day per month for a maximum of 10 days annually.
- From the start of the sixth year of service through the completion of the tenth year of service, the employee earns vacation time at the rate of one and one-fourth ( $1-1/4$ ) days per month for a maximum of 15 days annually.
- From the start of the eleventh year of service through the remaining years of service, the employee earns vacation time at the rate of one and two-thirds ( $1-2/3$ ) days per month for a maximum of 20 days annually.

### **Benefits For Eligible Part-Time Employees**

1. Class I part-time personnel are eligible to earn a maximum of 12 days paid time off (PTO) annually after successfully completing their Introductory Employment Period. Employees' PTO equivalent hours are 6.00 per day.
2. Class II part-time personnel are eligible for a maximum of four (4) days of Paid Time Off (PTO) annually after successfully completing their Introductory Employment Period. Employees' PTO equivalent hours are 3.00 per day.

The employee may elect to use the paid time off benefits for vacation, holiday or sick leave. The benefits

do not accrue and must be used by December 31 or be forfeited.

### **Paid Time Off Benefits for Part-Time Employees Who Become Full Time**

If an employee's status changes to full-time from part-time, accumulated paid time off benefits will be converted into eligible paid time off benefits for full-time employees. For purposes of calculating accrued paid time off benefits, the employee's length of service will be determined by converting the number of hours worked on a part-time basis into a percentage of a full-time work schedule. Part-time service must have been continuous in order for this proration to apply.

### **Scheduling Vacation**

Vacation leave must be scheduled in not less than half ( $\frac{1}{2}$ ) day increments for both exempt and non-exempt employees. Employees must request vacation leave using the appropriate personnel form. Written vacation requests should be made at least two calendar weeks before the planned leave. The immediate supervisor will approve or disapprove the dates requested, depending on the workload during the particular time requested. When two or more employees in the same department request the same days off (and it is not possible to let both employees off), the Department Head will decide who is allowed to take the time off based on seniority. The immediate supervisor may require an employee to reschedule a vacation.

If an employee fails to return to work at the end of an approved vacation leave, that employee may be considered to have voluntarily resigned his or her position with the Park District effective immediately.

### **Vacation Accumulation**

Vacation time must be taken in the calendar year in which the employee earns it. Full-time employees are allowed to carry-over a maximum of five unused vacation days per calendar year. Any excess days not used by December 31 will be forfeited without compensation.

### **Vacation Pay upon Termination**

When employment is terminated for any reason, the employee will be paid for any earned, but unused vacation days. Payment for earned, but unused vacation leave at the time employment with the Park District is terminated is based on the employee's regular hourly rate of pay or rate of salary at the time of termination.

### **Credit for Prior Service**

The Executive Director may give prior service credit of 50 percent of months served as a full-time employee at another park district or similar industry to new managerial employees hired from outside the organization.

## **POL.P.04.03 - Personal Leave (For Full-Time Employees Only)**

Full-time employees earn a maximum of three and one-half ( $3\frac{1}{2}$ ) paid personal days per calendar year, when such leave is of any personal nature, such as a doctor or dentist appointment, to care for a sick family member or to address child care issues or to allow paid time off for holidays not recognized by the Park District. Personal days are earned on January 1. New full-time employees do not earn personal days until the Introductory Employment Period is successfully completed. Except for emergencies, personal days must be requested at least seven days in advance of the desired date and are subject to the approval of the immediate supervisor.

Personal days must be taken during the calendar year in which they are earned, or they will be forfeited without compensation. Employees will not be paid for any earned, unused personal days at the termination of employment.

## **POL.P.04.04 - Sick Leave (For Full-Time Employees Only)**

Sick days are intended for absences necessitated by illness, injury, or disability of the employee or of immediate family members. Eligible full-time employees will earn one (1) sick day for each month (up to a maximum of 12 sick days earned per calendar year) of employment from date of hire, up to a maximum of 240 sick days. Unless otherwise provided in another leave of absence policy, sick days may not be added to the beginning or end of vacation time, and abuse of sick days will result in discipline up to and including termination of employment. Sick days will not accrue while an employee is on any leave of absence.

For purposes of this Policy, the phrase "immediate family" means the employee and the employee's spouse or civil union partner, minor children, and children older than 18 years of age who are incapable of self-care residing in the employee's household.

Sick days must be taken in at least half ( $\frac{1}{2}$ ) day increments.

When a sick day is used for personal illness, the employee must notify his or her supervisor no later than one hour before his/her scheduled work shift. The employees must keep his/her supervisor specifically informed of his/her condition on each day of absence taken for sick leave. An employee who fails to notify his/her supervisor for three consecutive workdays is considered to have voluntarily resigned his/her employment.

### **Request For Health Care Provider Statement**

If an employee is absent on sick leave for three (3) or more consecutive days, Human Resources, the supervisor or Department Head may require the employee to produce a statement from a health care provider to verify that the employee is receiving medical care and when the employee can return to work. If proof of illness is requested and not provided, the employee will be charged vacation time or, if the employee has no available vacation time, unpaid leave. The employee will be notified of this action.

The Park District may require a medical physical or statement from a health care provider if an employee experiences multiple or repeated illnesses of shorter periods, or requests sick leave on the day of, prior to, or after a holiday, scheduled vacation, or weekend. If the Park District requests a statement from a health care provider, the Park District will pay for the service fees and may require the employee to see a health care provider designated by the Park District.

### **Unused Sick Days Conversion**

Upon resignation or non-disciplinary termination, full-time employees with unused sick time allowances who have worked full-time for five (5) consecutive years and are eligible to establish or contribute to a health savings account, shall convert up to a maximum of thirty (30) days of accrued sick time to a health savings account at the employee's current rate of pay. Employees who are not eligible to contribute to or establish a health savings account will receive the cash equivalent of accrued sick time based on the employee's current rate of pay, but such payments will be subject to withholding for applicable income and employment taxes. If the employee is terminated as part of a disciplinary action, no unused sick time

will be paid out. Notwithstanding the aforementioned, employees retiring with an IMRF pension may still use their unused sick leave for additional IMRF service credit to the extent permitted under IMRF, which in turn will reduce the amount of unused sick leave converted into a health savings account. Employees may accumulate a maximum of 240 sick days. Should the employee accumulate more than 240 sick days, the unused amount shall be converted into a health savings account at a rate of 25% of the sick days in excess of the 240 maximum. This conversion will occur annually in December.

## **POL.P.04.05 - Bereavement Leave**

Full-time and Class I part-time employees are allowed up to three (3) work days with pay per calendar year to attend the funeral of a family member, or five (5) work days if travel is necessary for more than 200 miles. Pay will be based on the number of hours the employee is regularly scheduled to work. A family member is defined as the employee's spouse or civil union partner, child, stepchild, parent, grandparent, sibling, grandchild or in-law. When an employee suffers the loss of more than one family member in a calendar year, consideration will be given to extending a reasonable leave benefit at the discretion of the Executive Director. Proof of death and the relationship to the deceased may be required.

## **POL.P.04.06 - Civic Duty Leave**

### **Jury Duty and/or Court Appearances**

Employees called to serve on a jury or who receive a subpoena (to testify as a witness) will be granted paid time off for the duration of their civil service. Full-time employees on jury duty will receive an amount equal to the difference between their full pay based on their regular base pay (if exempt) or the number of hours for which the employee was scheduled to work on those days and their jury duty pay. In order to receive pay from the Park District, employees must submit a copy of the check received for jury duty to the Finance Department before the Park District will pay the difference. All other employees will receive civil duty leave without pay from the Park District. All employees must provide written notice, supported with appropriate documentation of civil duty (e.g., the jury duty summons or the subpoena), to their immediate supervisor before reporting for civil duty. They must also inform their immediate supervisor as to the expected duration of the civil duty leave and provide the Park District with appropriate documentation evidencing the length of their civil duty.

### **Voting**

The Park District provides eligible employees two (2) hours of paid voting leave on election day, provided the employee requests the leave prior to election day. Employees eligible for this paid leave are those employees whose shifts begin less than two (2) hours after polls open and end less than two (2) hours before polls close. The Park District may specify the time that the employee may take the leave.

## **POL.P.04.07 - Family and Medical Leave**

**I.**  
Employees who have been employed by the Park District for at least twelve (12) months (with no break in service of seven (7) or more years except if related to USERRA covered military obligations) and have worked at least 1,250 hours during the 12-month period preceding the start of the leave (which includes all periods of absence from work due to or necessitated by USERRA covered service), are eligible for up to

a total of twelve (12) workweeks of unpaid leave during any rolling twelve (12) month period for one or more of the following reasons:

- a. The birth of the employee's child and in order to care for such child (within 12 months after the birth of the child);
- b. The placement of a child with the employee for adoption or foster care (within 12 months of the placement of the child);
- c. To care for the employee's spouse, child, or parent(s) if they have a "serious health condition;"
- d. A "serious health condition" that makes the employee unable to perform the functions of his or her job; or
- e. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is under a call or order to active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

## **II. Serious Health Condition**

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

- a. Hospital Care. Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity relating to the same condition;
- b. Absence Plus Treatment. A period of incapacity of more than three (3) full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (1) treatment two (2) or more times (within 30 days and provided the first visit takes place within seven (7) days of the first day of incapacity) by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or (2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (first visit to health care provider must take place within seven (7) days of the first day of incapacity);
- c. Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care;
- d. Chronic Conditions Requiring Treatment. A chronic condition which: requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
- e. Permanent/Long-Term Conditions Requiring Supervision. A period of incapacity that is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
- f. Multiple Treatments (non-chronic conditions). Any period of absence to receive multiple treatment

(including any period of recovery there from) by a healthcare provider or by a provider of health care services under orders of, or in referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

### **III. Qualifying Exigency Leave**

Eligible employees (as defined above) are entitled to take up to twelve (12) weeks of unpaid FMLA leave for any qualifying exigency arising out of the fact that a military member is on covered active duty or called to covered active duty status in a foreign country. The leave described in this paragraph is available during a 12-month rolling period, and may be taken on an intermittent or reduced leave schedule basis. Eligible employees will be required to provide a copy of the military member's active duty orders or other documentation issued by the military that indicates that the military member is on covered active duty or is called to covered active duty status in a foreign country and the dates of the military member's covered active duty service. An eligible employee may take all twelve (12) weeks of his/her FMLA leave entitlement as qualifying exigency leave or the employee may take a combination of twelve (12) weeks of leave for both qualifying exigency leave or any other qualifying reason listed above.

With respect to Qualifying Exigency Leave:

- A "military member" means the employee's spouse, son, daughter, or parent who is on covered active duty or called to covered active duty status in any foreign country in any of the Armed Forces, including a member of the National Guard or Reserves.
- A "qualifying exigency" includes the following broad categories: (a) short notice deployment; (b) military events and related activities; (c) childcare and school activities; (d) parental care; (e) financial and legal arrangements; (f) counseling; (g) rest and recuperation; (h) post deployment activities, including reintegration activities, for a period of 90 days following the termination of active duty status; and, (i) additional categories that are agreed to by the employer and employee within this phrase.
- The phrase "son or daughter" is defined as the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, of any age for qualifying exigency leave, who is on active duty or called to active duty status who is of any age. (Note: This definition is different from other sections of this Policy). If the exigency leave is to arrange for childcare or school activities of a military member's child, the military member must be the spouse, son, daughter or parent of the employee requesting the leave.
- A "parent" means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter but it does not include "parents in law."
- Eligible employees may take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.
- Eligible employees may take up to 15 days to spend time with a military member on Rest and Recuperation leave, limited to the actual leave time granted to the military member and supported by the Rest and Recuperation leave orders or other appropriate documentation issued by the military setting forth the dates of the leave.

#### **IV. Military Caregiver Leave**

Employees who have been employed by the Park District for at least twelve (12) months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, and are a spouse, child (of any age for military caregiver leave), parent or next of kin of a Covered Servicemember, as defined below, are entitled to a total of twenty-six (26) workweeks of unpaid leave during a single 12-month period to care for the Covered Servicemember (including twelve (12) workweeks for any other FMLA qualifying reason). The leave described in this paragraph shall only be available during a single 12-month period beginning as of the date the leave commences and ending 12 months after that date (and any unused amounts are forfeited).

Military Caregiver Leave may be permitted more than once if necessary to care for a different Covered Servicemember (or the same Servicemember with multiple or subsequent injuries or illnesses) up to a combined total of twenty six (26) workweeks in a twelve (12) month period. However, the employee's total available leave time in any single 12-month period generally may not exceed a combined total of twenty-six (26) workweeks (including FMLA time off taken for any other reason); except as provided under the FMLA regulations. Employees will be required to timely submit a medical certification available from Human Resources or an invitational travel order or authorization from the Department of Defense as a condition of receiving approved Military Caregiver Leave. Note: the 12-month computation period for this type of leave differs from the other types of FMLA leave.

With respect to Military Caregiver FMLA Leave:

- A "Covered Servicemember" means: (1) a 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; or (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, National Guard or Reserves at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy, and who was discharged or released under conditions other than dishonorable. (The time period between October 28, 2009 and March 8, 2013, is not counted in determining the five year period preceding a covered veteran's treatment, etc.)
- "Outpatient status" means the status of a Covered ServiceMember assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- "Next of kin" means the nearest blood relative of that individual (regardless of age) other than an employee's spouse, son or daughter. Employees are required to provide confirmation of the relationship upon request. The Servicemember may designate the blood relative who is considered his/her next of kin; otherwise, the following order generally will apply: blood relatives granted custody by law, brother/sister, grandparents, aunts/uncles, and then first cousins.
- "Serious injury or illness" for a Covered Veteran means an injury or illness incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the Servicemember unable to perform the duties of the Servicemember's office, grade, rank, or rating; OR (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR (3) a

physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; OR (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

#### **V. Spouses Employed by the Park District**

If your spouse also works for the Park District and you both become eligible for a leave under paragraphs I.a. or I.b. above, or for the care of a sick parent under paragraph I.c. above, the two of you together will be limited to a combined total of twelve (12) workweeks of leave in any rolling 12-month period. In addition, if you and your spouse both become eligible for a leave under the Military Caregiver Family Leave provision above or under a combination of the Military Caregiver Family Leave provision, paragraphs I.a., I.b. above, or to care for your parent with a serious health condition under paragraph I.c. above, the two of you together generally will be limited to a combined total of twenty-six (26) workweeks of leave in any single 12-month period, but if the leave taken by you and your spouse includes leave described in paragraphs I.a. through I.e. above, that leave shall be limited to a combined total of twelve (12) workweeks of leave in any rolling 12-month period.

#### **VI. Medical Certification**

Any request for a leave under paragraphs I.c., I.d. or under the Servicemember Family Leave provision above must be supported by certification issued by the applicable health care provider or the Department of Defense. Employees are required to submit this information on the forms available from Human Resources or on the Invitational Travel Orders or Authorizations provided to the employee by the Department of Defense.

Employees will be required to submit a new medical certification form for each leave year for a medical condition(s) that last longer than one year. Additionally, employees are required to submit a recertification of an ongoing condition every six (6) months in connection with an absence where the duration of the condition is described as "lifetime" or "unknown."

At its discretion, the Park District may require a second medical opinion and periodic recertification to support the continuation of a leave or under paragraphs I.c. and I.d. (except as otherwise provided by the Department of Labor). If the 1st and 2nd opinions differ, a 3rd opinion can be obtained from a health care provider jointly approved by both employee and the Park District (unless the employee accepts the second opinion as determinative). A second medical opinion generally will not be requested for Military Caregiver Leave, but may be requested if the Certification is completed by a health care provider who is not affiliated with the DOD, VA or TRICARE.

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

individual or family member receiving assistive reproductive services.

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

### **VII. Intermittent Leave**

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

### **VIII. Light Duty Work Assignments**

While voluntarily performing in a light duty capacity while on FMLA leave, that time does not count against an employee's 12-week FMLA allotment. In effect, the employee's right to restoration is held in abeyance during the period of time that you are performing in a light duty capacity (or until the end of the applicable 12-month FMLA leave year, if longer).

### **IX. Notification and Reporting Requirements**

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

Employees must respond to questions from the Park District relative to their leave request so that the Park District can determine if the leave qualifies for FMLA protection; failure to do so may result in loss or delay of FMLA protections. If the employee is seeking leave due to an FMLA-qualifying reason for which the Park District has previously granted that employee FMLA-protected leave, *the employee must specifically reference the qualifying reason or need for FMLA leave at the time of his or her request to be away from work*. It is not sufficient to simply "call in sick" without providing additional information which would provide the Park District with reasonable cause to believe the employee's absence/time away from work may qualify as an FMLA qualifying event. In all cases in which the employee is seeking leave under this Policy, the employee shall provide such notice to the Park District consistent with the Park District's established call-in procedures so long as no unusual circumstances prevent the employee from doing so. Failure to comply with the call-in procedures may result in a delay or denial of FMLA protected leave.

Employees must make an effort to schedule a leave so as not to disrupt the Park District's operations.

During the leave, an employee may be required to report periodically on his or her status and intention to return to work. Any extension of time for the employee's leave of absence must be requested in writing prior to the scheduled date of return to work, together with written documentation to support the extension. The employee's failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered to be a resignation of employment effective as of the last date of the approved leave. Employees on leave for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work. An employee's maximum time on a leave of absence, all types combined, and including all extensions, cannot exceed a total of twelve (12) weeks in a rolling twelve (12) month period, unless the employee is a spouse, child, parent, or next of kin on leave to care for a Covered Servicemember, in which case the employee's leave can last for up to twenty-six (26) workweeks in a single twelve (12) month period (unless legally required otherwise).

An employee shall not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including termination of employment.

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

#### **X. Employee Benefits During Family and Medical Leave of Absence**

Employees will be permitted to maintain health insurance coverage (medical, vision and dental insurance) for the duration of the leave under the same conditions coverage would have been provided if the employee had remained actively at work. However, the employee must make arrangements for the continuation of and payment of insurance premiums before the employee goes on leave status. If the employee does not return to work after the leave, or if the employee fails to pay his or her portion of the premiums, the employee will be required, under certain circumstances, to reimburse the Park District for the costs and expenses associated with insuring the employee during the leave.

#### **XI. Return from a Family and Medical Leave**

If an employee returns from his or her leave on or before being absent for twelve (12) workweeks in a rolling twelve (12) month period or twenty-six (26) workweeks if a leave is taken under the Servicemember Family Leave provision, the employee will be restored to the same or to an equivalent position to the one the employee held when the leave started. Of course, employees have no greater right to reinstatement or to other benefits and conditions of employment than if they had been continuously employed during the FMLA leave period. If the leave was due to the employee's own serious health condition, the employee will be required to submit a fitness-for-duty certification from his or her health care provider stating that the employee is able to perform the essential functions of the job. If the employee fails to return to work at the expiration of his or her approved Family and Medical Leave, it will be considered to be a resignation of the employee's employment with the Park District.

#### **XII. Key Employees**

Certain highly compensated key employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the Park District's operations. A "key" employee is a salaried employee who is among the highest paid 10% of Employees at that location, or any location

within a 75-mile radius. Employees will be notified of their status as a key employee, when applicable, after they request a Family and Medical Leave.

### **XIII. Coordination with Other Policies**

Employees must substitute any accrued paid vacation days, personal days, and sick days (if the employee otherwise qualifies) for unpaid leave under this Policy, and any such paid time off must be taken concurrently with the employee's Family and Medical Leave. If the employee otherwise qualifies for disability pay, the employee will collect it at the same time as the employee is on unpaid Family and Medical Leave.

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

### **XIV. Anti-Retaliation Provisions**

Employees can be assured that no retaliation will be taken or tolerated against any employee because he or she exercises his or her rights under this Policy. If an employee feels that he or she has been the victim of any discrimination or retaliation under this Policy, that employee is encouraged to contact Human Resources so that the matter can be promptly investigated and remedied as appropriate.

### **XV. Compliance With Other Laws**

In administering this FMLA Policy, the Park District complies with the Americans with Disabilities Act ("ADA") and any other relevant law. The Park District may approve a reasonable request for an extension of a leave of absence beyond the amount of leave provided by the FMLA, approve a leave of absence for an employee who does not qualify for FMLA leave, or otherwise modify this Policy, as a reasonable accommodation for a disability under the ADA.

For further information or clarification about FMLA leave, employees should contact Human Resources.

[http://www2.illinois.gov/dhr/Publications/Documents/Pregnancy\\_Posting-Igl-ENG14.pdf](http://www2.illinois.gov/dhr/Publications/Documents/Pregnancy_Posting-Igl-ENG14.pdf)

## **POL.P.04.08 - Personal Leave of Absence (Non-FMLA Leave)**

Eligible full-time and part-time employees may be granted a non-FMLA, unpaid personal leave of absence for a period generally not to exceed 90 consecutive calendar days within any 24 consecutive month period. Employees who are eligible for this non-FMLA leave of absence must substitute any accrued paid vacation days, personal days, and sick days (if they otherwise qualify) for unpaid leave under this Policy, and any such paid time off must be taken concurrently with leave under this Policy. Normally, a personal leave of absence will not be granted during the first year of employment.

All requests for personal leave must be made in writing and must be submitted to the employee's

immediate supervisor or Human Resources stating the reason for and the beginning and ending dates of the proposed leave. The leave request must be approved by the Executive Director or his/her designee. Each request will be reviewed on a case-by-case basis.

If the leave request is for a medical reason and it is foreseeable, the Park District asks that employees submit such requests at least thirty (30) days before the requested start date of the leave of absence. If emergency circumstances exist, leave of absence requests under this Policy should be submitted as soon as practicable. In deciding whether to grant a personal leave of absence, the Park District will consider the reason for the leave and its impact on the Park District's operations.

Employees requesting personal leave for medical reasons will be required to submit a statement from their doctor verifying their medical condition and the length of time they will be unable to work. In addition, employees requesting personal leave for medical reasons agree that the Park District shall have the right to verify the employee's medical condition on a periodic basis during the leave of absence. Furthermore, the Park District may require an employee returning from a medical leave of absence for medical reasons to provide proof that he or she is able to perform the essential functions of the position for which he or she is qualified, with or without reasonable accommodation, before he or she is permitted to return to work.

While a full-time employee is on an approved personal non-FMLA leave, the employee will be eligible to continue the group health insurance coverage (medical, vision and dental insurance) in existence for that employee at the start of the leave under the Park District's group plan for the duration of the leave. The employee will be responsible for paying the employee portion of the premium contribution while on leave.

Any planned salary increase for an employee returning from an unpaid leave of absence will be deferred by the length of the leave, and the length of the leave will extend the normal performance review date.

An employee shall not return from a personal leave before the end of leave time as granted, without the prior authorization of the Park District. Except as otherwise provided by applicable law (e.g., a reasonable accommodation under the ADA), the District does not guarantee that the position of a person who has been on a personal leave will be held open for that person, but the Park District will endeavor to place a person in the same or a similar position when the individual is available to return to work. Refusal of an individual to accept a position offered to him or her by the Park District shall constitute, and be deemed to be, a voluntary resignation by that individual.

Any employee who fails to return to an available position on the first scheduled working day after the leave of absence has expired generally will be considered to have resigned from the Park District. However, extensions of the personal leave may be granted or denied at the sole discretion of the Park District. The Park District complies with the Americans With Disabilities Act and all other relevant laws, and will consider providing a personal leave of absence as a reasonable accommodation for qualified employees with disabilities.

Employees may not engage in other employment or businesses or apply for unemployment benefits while on personal leave. Employees who return from an authorized personal leave will retain all benefits they had earned or accrued at the commencement of their leave, but shall not earn or accrue any benefits, including vacation, holidays, or seniority, while they are on leave.

## **POL.P.04.09 - Military Leave**

Employees will be granted a leave of absence for military service, training or related obligations in accordance with applicable law.

Full-time employees may take leave without pay to participate in mandatory military training and duty in the United States Armed Forces for the actual duration of such training and duty. Employees on military leave may substitute their accrued paid leave for unpaid leave.

Employees must provide the Park District with at least thirty (30) days' advance written notice before the start of leave for military service except in cases of national emergency. Such notice must include, without limitation, a copy of orders. Within the statutorily proscribed time period upon return to the Park District from military training, the employee must submit a statement signed by an appropriate military official indicating the time spent in military training and/or service.

Pursuant to the Local Government Employees Benefits Continuation Act (50 ILCS 140/2), if an employee is a member of the National Guard or of the United States Armed Services Reserve (including the Illinois National Guard), he or she may be entitled to leave with pay when called into service by the President of the United States as provided by law. If eligible, the employee will receive the difference between his/her regular salary, plus any health insurance and other benefits he/she was receiving or accruing at that time the leave began, and base military pay.

Employees who qualify for the Local Government Employees Benefits Continuation Act are also eligible for leave with pay to take part in annual encampments or training courses. Employees should retain their military pay vouchers. Upon returning from service, the employee must furnish official proof of pay during the tour of duty in order to receive pay from the Park District.

Employees inducted into the Armed Services of the United States under the Military Selective Service Act (or under any prior or subsequent corresponding law) for training and service shall receive military leave and reemployment benefits in accordance with applicable law. Employees who enlist in the Armed Services of the United States shall also receive military leave and reemployment benefits in accordance with applicable law.

During a military leave of less than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of

more than 30 days, an employee may elect to continue his/her health coverage for up to 18 months of uniformed service, but may be required to pay all or part of the premium for the continuation coverage. Employees and/or dependents who elect to continue their coverage may not be required to pay more than 102% of the full premium for the coverage elected. The premium is to be calculated in the same manner as that required by COBRA.

Employees should contact Human Resources if they are called to perform military training or military service to more fully discuss their benefits for such training or service.

## **POL.P.04.10 - Illinois Family Military Leave**

This section briefly summarizes rights and regulations under the Illinois Family Military Leave Act (IFMLA).

The IFMLA provides eligible employees with up to thirty (30) days of unpaid leave if the employee is the spouse, civil union partner, parent, child, or grandparent of a person called to active military service lasting longer than 30 days with the State of Illinois or the United States pursuant to the orders of the Governor or the President of the United States. During this leave, an eligible employee is entitled to continued group health plan coverage at his or her expense. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position. The leave must be taken during the period the military deployment orders are in effect.

Unpaid leave under the IFMLA Act can be taken only after the employee has exhausted all accrued vacation and personal leave.

### **Eligibility**

An Eligible employee is any employee who has worked for the Park District for at least 12 months, and for at least 1,250 hours during the 12-month period immediately preceding the start of the leave. An employee shall not take leave as provided under this Policy unless he or she has exhausted all accrued vacation leave, personal leave, and any other leave that may be granted to the employee, except sick leave and disability leave.

### **Length Of Time**

Employees qualifying for leave under the IFMLA may take up to a maximum of thirty (30) days of unpaid family military leave during the time federal or State deployment orders are in effect.

### **Requesting Leave**

The employee shall give at least 14 days' notice of the intended date upon which the family military leave will commence if leave will consist of five (5) or more consecutive work days. Where possible, the employee shall consult with the Park District to schedule the leave so as to not unduly disrupt the operations of the Park District. Employees taking family military leave for less than five (5) consecutive days shall give the Park District as much advanced notice as is practicable. The Park District may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

### **Intermittent Or Reduced Work Schedule Leave**

Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday. The Park District is not required to grant intermittent or reduced work schedule leave, however this type of leave may be granted if the employee's requested leave does not unduly disrupt the Park District's operations.

### **Benefit Continuation**

While a full-time employee is on IFMLA leave, the Park District will make it possible for the employee to maintain group health insurance coverage at the employee's expense. The employee will be responsible for any premium contribution and/or payment to other employee elected benefit programs and may be paid pursuant to a system voluntarily agreed to by the Park District and the employee. Benefits such as vacation days, sick days, or personal days, shall not accrue while an employee is on IFMLA leave.

Employees on IFMLA leave, however, will not forfeit any benefits that accrued before the start of IFMLA leave by virtue of taking IFMLA leave.

### **Certification**

The Park District requires certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

### **Return From Leave**

Upon returning from IFMLA leave, the employee shall be entitled to be restored to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. Employees are entitled to reinstatement only if they would have continued to be employed had IFMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

### **Failure To Return To Work Following IFMLA Leave**

An employee who fails to return to the available position on the first scheduled work day after the leave of absence has expired will be considered to have voluntarily resigned his or her employment.

The Park District will not interfere with, restrain, or deny the exercise or the attempt to exercise any right provided under this Policy or terminate, fine, suspend, expel, discipline or in any other manner discriminate against any employee that exercises any right provided under this Policy.

## **POL.P.04.11 - Victim's Economic Security and Safety Leave**

The Illinois Victims' Economic Security and Safety Act ("VESSA") provides eligible employees with up to twelve (12) workweeks of unpaid leave during any rolling twelve (12) month period to address matters involving domestic or sexual violence as provided for under Illinois law.

### **Eligibility**

Generally, to be eligible for VESSA leave, you must either be a victim of domestic or sexual violence or a family or household member of such a victim. Leave may be taken for the following reasons:

- a. seeking medical attention or treatment for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- b. obtaining services from a victim services organization for the employee or the employee's family or household member;
- c. obtaining psychological or other counseling for the employee or the employee's family or

household member;

d. participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or

e. seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

"Family or household member" means a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household.

"Parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.

"Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

### **Period of Leave**

Eligible employees shall be entitled to a total of twelve (12) workweeks of unpaid leave during any rolling twelve (12) month period. If an employee applies for VESSA leave for a condition that also qualifies for FMLA leave, the leave time will also count as FMLA leave and will run concurrently with FMLA leave. Otherwise, the VESSA leave time will be in addition to FMLA time off. If an employee is entitled to take paid or unpaid leave other than FMLA leave, the employee may choose to use any period of that paid or unpaid leave while taking VESSA leave, but will not be required to do so. VESSA leave may be taken intermittently or on a reduced work schedule.

### **Notice**

Employees who need to take a leave of absence under VESSA or need a reasonable accommodation should contact Human Resources so that the Park District can determine the amount of leave that is necessary and how it can best schedule the employee's work. The employee shall provide the Park District with at least 48 hours' advance notice of the employee's intention to take the leave, unless providing such notice is not practicable. If such notice is not possible, the employee must notify Human Resources as soon as is practicable.

### **Certification**

Employees who are eligible for VESSA leave and seek to use it must provide Human Resources with certification (a sworn statement) that: (a) states that the employee or his/her family member is a victim of domestic or sexual violence; and, (b) includes the reason(s) for taking the leave. The employee shall provide such certification to the Park District within a reasonable period (generally no later than fifteen (15) days) after the Park District requests certification.

In addition to the employee's sworn statement, he or she also must provide corroborating information to

support the need for leave, such as:

1. documentation from a representative 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 or sexual violence and the effects of the violence; or
2. a police or court record; or
3. other corroborating evidence.

The supporting documentation may be submitted as it becomes available.

### **Confidentiality**

All information provided to the Park District, 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 confidence by the Park District, except on a need-to-know basis (e.g., a Department Head or immediate supervisor), to the extent that disclosure is requested or consented to in writing by the employee, or to the extent disclosure is 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 Park District 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 unpaid 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 Park District**

The Park District may require an employee on leave under this Policy to report periodically to the Park District 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 Park District 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 Park District may recover the premium that the Park District paid for maintaining health insurance coverage for the employee and the employee's family or household member during any period of leave under this Policy if the employee fails to return to work unless there is a continuation, recurrence, or onset

of domestic or sexual violence that entitles the employee to leave; or other circumstances beyond the control of the employee.

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

The Park District will not fail to hire, refuse to hire, terminate, or harass any individual exercising his rights under this Policy, or otherwise discriminate against any individual exercising his or her 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 his or her rights under this Policy.

## POL.P.04.12 - School Visitation Leave

Employees who have worked for the Park District at least six (6) months for an average of at least twenty (20) hours per week, may be eligible to take up to eight (8) hours of unpaid school visitation leave per school year to attend school conferences or classroom activities related to their child(ren) if the conference or classroom activities cannot be scheduled during non-work hours. For purposes of this Policy, "school" means any public or private primary or secondary school or educational facility located in Illinois or a state that shares a common boundary with Illinois.

No more than four (4) hours of leave may be taken in any one-day. Leave will not be granted until the employee has used all available vacation leave, personal days and floating holidays.

Before arranging attendance at the school conference or activity, the employee must provide the Park District with a written request for leave at least seven (7) days in advance of the requested time off. In an emergency, twenty-four (24) hours notice may be given. In addition, the employee must consult with his/her immediate supervisor to schedule the leave so as not to disrupt operations unduly.

School visitation leave shall be unpaid. The employee may choose to make up the time taken for school visitation leave on a different day or shift if the Park District may reasonably accommodate such request. If the employee does not choose to make up the time taken, or a reasonable arrangement cannot be made, the employee will not be compensated for the leave taken.

Upon completion of a school visitation, documentation of the visit from the school administrator may be required to be submitted to the Park District. Failure to submit the documentation upon request to the Park District within two (2) working days of the school visit may subject the employee to disciplinary action.

## POL.P.04.13 - Blood Donation Leave

Any full-time employee who has been employed by the Park District for (6) six months or more may, upon request, use up to one hour with pay every 56 days to donate blood.

A participating employee shall submit a request for leave to his or her supervisor before donating or attempting to donate blood. The request must include medical documentation of the appointment to donate. The medical documentation may consist of a written statement from the employee's doctor or a blood bank indicating that the participating employee has an appointment to donate or attempt to donate. In the case of a blood drive, documentation of the time and location of the drive will be acceptable medical documentation.

A participating employee must provide a written statement from a doctor or the blood bank confirming that the employee kept the donation appointment.

A participating employee will not be required to use accumulated or future sick or vacation benefit time for the period used to donate or attempt to donate blood.

If a participating employee is charged with leave or denied leave for blood donation or attempted donation, the employee may seek to remediate the dispute through the Park District's established grievance procedure or through the grievance procedure agreed to between the employer and the employee's exclusive representative for collective bargaining purposes.

## POL.P.04.14 - Nursing Mothers

The Park District is committed to provide nursing employees with reasonable unpaid break time each day to express breast milk for an infant child, unless the break time unduly disrupts Park District operations. The break time will run, if possible, concurrently with any break time already provided to the employee. Additionally, the Park District will make reasonable efforts to provide nursing employees a private room or other location, in close proximity to the work area, to express milk privately. The private room is expressly prohibited from being a toilet stall. Employees with any questions concerning this Policy should contact Human Resources.

## POL.P.04.15 - Absence Without Leave

Absence without leave is any absence from work, including a single day or any portion of a day, which has not been granted or approved in accordance with established policy and procedure. In any such case, pay may be denied and the employee may be subject to disciplinary action up to and including termination of employment.

If an employee is absent without leave for three (3) consecutive working days, without calling in or providing notice to his or her supervisor, the Park District will consider the employee to have voluntarily resigned from the Park District.

## POL.P.04.16 - Advancement of Time Off Benefits

In order to allow employees flexibility in planning to use vacation benefits, the Park District may allow regular full-time employees to take advancements in their vacation time up to their yearly allocation with the prior written approval of Human Resources, and upon execution of a cash advance agreement between the Park District and the employee. Time off benefits will not be advanced if the employee does not enter into a cash advance agreement with the Park District. The Executive Director may also approve the advancement of up to the yearly allocation of sick time in the event of serious illness or injury. The advance payment of time off benefits is provided with the understanding that if employment is terminated for any reason before the total amount of advanced time is accrued the employee is responsible for repaying the difference to the Park District. Introductory Employees are not eligible for the advancement of time off benefits unless the time off is agreed to at the time of hiring.

## POL.P.04.17 - Personal Crisis Leave Donation

The Park District recognizes that an employee may have a family emergency or a personal crisis that necessitates time off in excess of available paid time off benefits. To address this need, all eligible employees will be permitted to donate personal or vacation time from their unused balance to their co-workers in crisis in accordance with the policy outlined below.

### **Eligibility**

Only full-time employees of the Park District in good standing who have been employed a minimum of one (1) year are eligible to donate leave or request leave donations.

### **Guidelines**

Employees who would like to make a request for personal crisis time from their co-workers must have a situation that meets the following criteria:

- a) Family Health Related Emergency. A critical or catastrophic illness or injury of the employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. "Immediate family member" is defined as spouse, civil union partner, child, parent or other relationship in which the employee is the legal guardian or sole caretaker.
- b) Other Personal Crisis. This may include, but is not limited to, a natural disaster such as a fire, flood or severe storm impacting the employee's primary residence.

If the recipient employee has accrued, unused, time-off benefits, those benefits must be used prior to receiving any donated time under this Policy. Human Resources must approve any request for donation leave in advance of the donation. Donated time that exceeds the time off needed to address a personal crisis will be returned to the original donors on a prorated basis. All leave requests are subject to the following:

- Employees who request personal crisis time may receive no more than 60 days (12 weeks) within a rolling 12-month period.
- All time off must be approved by the recipient employee's supervisor in 30-day increments.
- Personal Crisis Time shall run concurrent with any FMLA leave request.

Employees seeking to donate time must have sufficient time in their balance and will not be permitted to

exhaust their balances in order to provide for unforeseen needs of personal time off. In no event may an employee borrow against future time to donate. In addition, an employee who is currently on an approved leave of absence may not donate time.

Employees who donate time from their unused balance are limited to the following:

- minimum donation - half (½) day
- maximum donation - five (5) days, or no more than 50% of the employee's current balance, whichever is less

### **Procedure**

An employee seeking to receive personal crisis time previously authorized by the supervisor must complete a Donation of Personal Crisis Time Request Form, which can be obtained from Human Resources. The form should be returned promptly to Human Resources for approval. The form should specify the total number of days requested, up to sixty (60) business days. Human Resources will approve up to thirty (30) business days of the leave request and, at the expiration of those thirty (30) days, reconsider the initial request if additional time has been requested and sufficient hours are donated. If Human Resources approves the request, Human Resources and the employee's Department Head will solicit donations of leave from qualifying employees of the District for the sole purpose of addressing the crisis. The solicitation will identify the individual requesting leave and the amount of leave requested; state whether the request is for a Family Health Related Emergency or Other Personal Crisis, and impose a deadline for making a donation.

Employees who wish to donate time to a co-worker in need must complete a Donation for Personal Crisis Time Form by a specified date. All forms should be returned to Human Resources, who will calculate the total number of days donated and communicate the days of available personal crisis leave to the requesting employee. If the leave donation is insufficient to cover the approved leave request, the employee will convert to unpaid leave for the duration of the approved leave of absence.

## **POL.P.05 - Employee Benefits Disclaimer**

The Park District has established a variety of employee benefit programs designed to assist the employee and eligible dependents in meeting the financial burdens that can result from illness and disability, and to help plan for retirement. Section 5 of the Personnel Policies contains a very general description of the benefits to which employees may be entitled. Employees should understand that this general explanation is not intended to, and does not, provide all the details of these benefits. These Policies do not change or otherwise interpret the terms of the official plan documents. Employee's rights can be determined only by referring to the full text of the official plan documents, which are available for examination from the Human Resources Department. To the extent that any of the information contained in these Policies is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Nothing contained in the benefit plans described in these Policies shall be held or construed to create a promise of employment or future benefits, or a binding contract between the Park District and its

employees, retirees or their dependents, for benefits or for any other purpose. All employees shall remain subject to termination of employment or discipline to the same extent as if these plans had not been put into effect.

The Park District reserves the right, in its sole discretion, to amend, modify or terminate, in whole or in part, any of the provisions of the benefit plans described here, including any health benefits that may be extended to retirees and their dependents. Further, the Park District reserves the right to administer, apply and interpret the benefit plans described here and to decide all matters arising in connection with the administration of such plans.

Benefits under the plans described in this Section will be paid only if the plan administrator decides that the applicant is entitled to them.

For more complete information about any Park District benefit programs, please refer to the Summary Plan Descriptions, which can be obtained from Human Resources.

## POL.P.05.01 - Illinois Municipal Retirement Fund (IMRF) Pension Plan

Employees who work in Park District positions that meet certain hour standards are required to participate in the Illinois Municipal Retirement Fund (IMRF). IMRF provides retirement, disability, and death benefits to eligible participants. These benefits are in addition to those provided by Social Security. For more information on IMRF benefits, or to see the latest updates, employees should contact the IMRF website at [www.imrf.org](http://www.imrf.org).

### **Contribution**

Participating employees contribute a certain percentage of their gross pay as determined by IMRF through payroll deduction. Contributions are tax deferred and not subject to either federal or Illinois income tax, but will be subject to federal income tax when refunded or withdrawn as a pension or death benefit. The Park District also contributes to IMRF as a percentage of total contributions.

### **Return of Contributions**

a. Refunds. IMRF participants may receive a separation refund of IMRF contributions when they cease working in an IMRF-qualified position if:

- They are less than 55 years old, without regard to length of service;
- They have fewer than eight or 10 years of service (as applicable), without regard to age;
- They are 55 years old or older, but their pensions would be less than \$30 per month.

No interest is paid with a separation refund; nor are the Park District's contributions refunded to the participant.

b. Pension. If a participant is at least 55 years old and has eight to 10 years of service credit (as

applicable), that participant may be entitled to a reduced retirement benefit.

c. Disability Benefits. IMRF provides monthly disability payments if an eligible member is unable to perform the duties of his position reasonably assigned by the Park District.

d. Death Benefits. Under certain conditions, IMRF provides for lump sum payment or surviving spouse (or civil union partner) pension upon the death of participants.

## POL.P.05.02 - Social Security and Medicare

As required by law, a fixed percentage of earnings is deducted from each paycheck and deposited with the Social Security Administration. In addition, the Park District contributes an equal amount to the Social Security Administration to help fund benefit programs. Detailed information on benefits, eligibility requirements and account status is available from your local Social Security Administration office.

The Social Security Administration recommends periodically verifying personal earnings and benefits. Information on requesting an account balance is available from the local Social Security Administration.

## POL.P.05.03 - Domestic Partner Program

### **Definitions**

When used in these policies, the following terms have the following meanings:

Affidavit of Domestic Partnership: A form, provided by Human Resources, in which two people agree to be jointly responsible for the necessities of life incurred during the domestic partnership and state under oath that all qualifications for domestic partnership as set forth in this Policy are met when the Affidavit is signed.

The form shall set forth all the requirements for a domestic partnership as defined herein. The form shall indicate that the fraudulent misrepresentation of information set forth therein by the Park District employee executing it shall be considered cause for termination of the employee's employment with the Park District. The affidavit shall further state that the persons executing such affidavit may be held civilly liable for the misstatement of any information set forth therein and that such affidavit may further be construed by a court of law as creating enforceable, legal obligations between the persons executing the affidavit.

Dependent: One who lives with a domestic partner and is a biological, adopted or stepchild of a domestic partner, a dependent of a domestic partner as defined by the Internal Revenue Service regulations, or a ward of a domestic partner as determined under the laws of guardianship or agency.

Domestic Partner: Each adult in a domestic partnership.

Domestic Partnership: Two unrelated adults of the same sex, one of whom is an employee of the

Park District who is otherwise eligible for employee benefits, who have chosen to share one another's lives in an intimate and committed relationship of mutual caring, who also:

1. share the same primary, regular and permanent residence and have lived together for the previous 12 months;
2. agree to be jointly obligated and responsible for the necessities of life for each other;
3. are not married to anyone;
4. are each 18 years of age or older;
5. are competent to enter into a contract;
6. are and have been each other's sole domestic partner for at least 12 months prior to execution of the Affidavit of Domestic partnership required under this Policy;
7. agree to file a Termination of Domestic Partnership within 30 days if any of the above facts change;
8. have filed the required notice of termination of any prior domestic partnership acknowledged under the provisions of this Policy in the manner required herein and no less than 12 months prior to the execution of the current Affidavit of Domestic Partnership; and
9. execute an Affidavit of Domestic Partnership, indicating compliance of the persons executing such affidavit with all the requirements for a domestic partnership set forth in this Policy.

Live Together: Two people claiming domestic partnership status share the same primary, regular and permanent residence. It is not necessary that both domestic partners have the legal right to possess the residence.

Necessities of Life: Basic food, shelter, clothing, medical care and the costs associated therewith. The domestic partners need not contribute equally or jointly to the cost of these expenses as long as they agree that both are responsible and obligated for the cost.

Termination of Domestic Partnership: Any change in the domestic partnership, which causes the partnership not to satisfy any one of the requirements for a domestic partnership set forth herein.

### **Affidavit Of Domestic Partnership; Execution And Accompanying Documentation**

Both parties seeking recognition by the Park District as a domestic partnership must sign an Affidavit of domestic partnership, under oath.

The signatures of both persons must be witnessed and notarized. The affidavits will also be required to indicate that they thoroughly understand the content of the affidavit at the time of execution. The Director of Human Resources, or his or her designee, shall receive executed affidavits of domestic partnership and may require reasonable documentation verifying the truth and accuracy of any statements contained in the affidavit, including verification of the primary, regular and permanent residence address of the persons seeking recognition as a domestic partnership.

Once the affidavit has been properly executed by both individuals seeking recognition as a domestic partnership by the Park District and presented to the Director of Human Resources along with all requested supporting documentation and the Director of Human Resources is satisfied that the individuals seeking recognition as a domestic partnership have met all requirements for recognition, the Human Resource Director shall provide those individuals with a letter, recognizing the domestic partnership,

identifying the parties to same and identifying the benefits to which the domestic partners are then entitled. The letter shall further indicate that the domestic partners must comply with the provisions of the domestic partnership policy and notify the Director of Human Resources of the termination of the domestic partnership within 30 days of the termination, and the possible consequences for the failure to do so.

### **Employment Benefits**

The Park District shall provide the same family sick leave, funeral leave, health insurance, or any other benefits available to any Park District employee, and the spouse and dependents of any Park District employee, to any Park District employee and any other person with whom the employee has formed a domestic partnership and the dependents of such domestic partnership as defined herein to the best of the Park District's ability. If the Park District is not able to offer health insurance benefits for an employee's domestic partner or the dependents of the domestic partnership because of contractual restraints dictated by the insurance carrier, the employee will be provided with a monthly cash payment in the same amount that the District would be obligated to pay if the coverage would be allowed to be provided to offset the cost of individual insurance. However, the Park District shall not extend health insurance benefits or cash payments to a domestic partner, or the domestic partner's dependents, if the domestic partner who is not a Park District employee is otherwise eligible for health insurance benefits through his or her employer.

### **Termination Of Domestic Partnership; Notice Required**

Any employee of the Park District who is receiving employment benefits as a member of a domestic partnership and whose domestic partnership terminates as defined herein, shall notify the Director of Human Resources within 30 days of such termination.

### **Fraudulent Misrepresentation**

If any employee fraudulently misrepresents information in the Affidavit of Domestic Partnership executed by such employee, or fails to inform the Park District of the termination of his or her domestic partnership, the Park District reserves its right to seek repayment in a court of law of any expenditures made by the Park District in reliance on such misrepresentations or for expenditures made due to the employee's failure to notify the Park District of the termination of a domestic partnership. Such fraudulent misrepresentation shall also constitute cause for the termination of the employee's employment with the Park District.

## **POL.P.05.04 - Insurance & Flexible Spending Account Plan**

Eligible employees may enroll in certain group insurance plans based on their employment classification by timely completion of the required enrollment forms. The employee's portion of any required premium payment may be made through payroll deduction.

Group plans are subject to the rules and regulations of the insurance providers and the Park District. Except where prohibited by law, the Park District reserves the right to change, modify, cancel or discontinue any group insurance plans or change the amount of the required employee premium at any time with or without notice. Employees' insurance under the plan(s) will terminate immediately if the group policies are cancelled or if the employee fails to make any required premium payment.

Newly hired employees do not have to complete their Introductory Period before being eligible to participate in the plan; they are eligible to participate on their 31st day of employment if they meet all plan requirements.

### **Full-time Employee Insurance Plans**

The following group insurance plans are limited to full-time employees and their dependents (as defined by the insurance providers):

- a. Medical. Group medical and hospitalization are available to all eligible full-time employees. Employees are expected to pay a portion of the cost.
- b. Dental. The Park District offers optional dental insurance to eligible full-time employees and their dependents. The employee must pay a portion of the cost. Payment is made through payroll deductions.
- c. Life and AD&D Insurance. The Park District provides all eligible full-time employees with basic life and accidental death and dismemberment (AD&D) insurance. This insurance is currently provided at no cost to the employee. A summary plan description is available from the Human Resources Department.
- d. Supplemental Life Insurance. The Park District offers supplemental life and AD&D policies to eligible full-time employees. The employee must pay the entire premium. Payment is made through payroll deduction.

### **Full-time Employee Flexible Spending & Dependent Care Account Plans**

The following group Flexible Spending Account options are limited to full-time employees and their dependents (as defined by the providers):

- a. Flexible Spending Account. This account allows employees to plan ahead and set aside tax-free dollars through bi-monthly payroll deductions (up to \$2,400 total per year) for un-reimbursed medical expenses.
- b. Dependent Care Account. This account allows employees to plan ahead and set aside tax-free dollars for child or elder care expenses through bi-monthly payroll deduction. Employees can set aside up to \$5,000 per year in this account. Employees cannot receive more than their current balance at any time.

Human Resources will assist employees in making the necessary arrangements for enrollment in any of the above plans.

### **Opt-Out Program**

Some employees may have “excess” coverage or be “over-insured” where, for example, the employee is covered by the Park District health plan and his or her spouse’s employer’s plan.

To ensure all employees are able to benefit from the Park District’s health insurance program, the Park District will provide an incentive for employees who have declined Park District coverage. This incentive plan will take the form of a payment into the employee’s Flexible or Dependent Care Spending Account. Notwithstanding the preceding, pursuant to the Medicare Secondary Payer rules, individuals who are eligible for Medicare must demonstrate enrollment in other primary coverage (other than Medicare) in order to be eligible for a benefit under this Opt-Out Program.

This program only applies to the Park District’s health insurance coverage. Dental and Life Insurance are not included in this incentive opt-out program. This option may be renewable each year under the current configuration under which health insurance is provided to employees; however, no one knows how future federal mandates may affect these types of programs.

Employees wishing to participate in the insurance opt out program must provide evidence (such as a copy of their health insurance card) that they have primary health coverage other than through Medicare (e.g., through their spouse's employer or an individual policy) and sign the authorization form. Employees may convert back to the District's coverage at the annual open enrollment or any time there is a significant event as defined in the District's IRS Section 125 Plan including loss of coverage by their spouse. However, exclusion for pre-existing conditions may apply pursuant to the respective plan document if coverage is provided at any time other than the District's Open Enrollment period.

### **COBRA**

Under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) and Illinois law, employees and their covered dependents are offered the option to extend group health insurance coverage in the event the insurance terminates due to separation of employment, reduction of hours, death, divorce or legal separation, disability, or Medicare entitlement. Employees should contact Human Resources for detailed information on COBRA and Illinois law.

## **POL.P.05.05 - Deferred Compensation Plan**

The Park District has established two voluntary deferred compensation plans in accordance with state and federal guidelines in order to aid employees with their long-term financial planning. The plans allow employees to put money aside for retirement on a tax-deferred basis through payroll deductions. The Park District offers the plans as a voluntary service; employees should consider their financial needs to determine if a deferred compensation plan is in their best interest.

## **POL.P.05.06 - Indemnification and Liability Insurance**

The Park District is required by state statute (70 ILCS 1205/8-20) to indemnify and protect employees against civil rights, damage claims and suits, constitutional rights damage claims and suits, death and bodily injury damage claims and suits, and property damage claims and suits, including defense thereof, when damages are sought for negligent or wrongful acts alleged to have been committed within the scope of employment, or under the direction, of the Board of Commissioners. Such indemnification and protection shall extend to employees of the Park District at the time of the incident from which a claim arises. However, the Park District is statutorily prohibited from indemnifying employees for "punitive" damages.

Employees may be covered by the Park District's liability insurance to defend any civil action that may be brought against them or the Park District, its agents, or any other employee for damages arising out of the lawful performance of duties.

*Approved by the Park District Board of Commissioners on July 18, 2013.*

## **POL.P.05.07 - Unemployment Compensation**

The Park District provides Unemployment Compensation coverage to all employees in accordance with

Illinois law. This coverage is provided at no cost to the employee. Should employment with the Park District end, unemployment benefits may be available provided certain eligibility requirements are met. Additional information can be obtained from the local Unemployment Insurance office.

## **POL.P.05.08 - Workers' Compensation**

The Illinois Workers' Compensation Act provides for medical care and replacement of wages if an injury is sustained during the course of employment with the Park District. Non-job-related illnesses or injuries are not covered under the Act. All employees must adhere to the following procedures:

Any work-related injury or illness (even if the employee is uncertain if the injury or illness is work-related, but suspects it might be work-related) must be reported immediately and directly to the employee's supervisor or Department Head. Failure to report an injury or illness immediately may jeopardize the employee's eligibility for workers' compensation benefits.

The employee will be instructed to report to a designated hospital or physician for an examination or treatment. In the case of an emergency, the employee should go to the nearest hospital emergency room for treatment and then utilize the Park District's physician network referral service if additional treatment is necessary.

No employee will be allowed to return to work without a statement from a physician approving the employee's return to work without restrictions, or with restrictions acceptable to the Park District. The Park District has the right to re-assign the employee to another position at the same pay and benefits the employee received at the time of the injury.

When an employee has been released by a licensed physician to return to work on a modified duty basis, the employee may periodically be requested to return for medical evaluations.

## **POL.P.05.09 - Education, Training, and Professional Participation**

All employees are required to attend orientation meetings, staff meetings, and in-service training sessions that are designed to improve the overall job performance, communication and efficiency of the Park District.

In the best interest of the Park District, employees may attend professional conferences and seminars and belong to professional associations as budgeted and approved by the Department Head and/or Executive Director. Such activities should further the insight of staff into better ways to operate and provide recreational activities to the public.

Employees are encouraged to discuss advancement and professional development opportunities with their immediate supervisor. When possible, authorization may be given for attendance at conferences, seminars, workshops, conventions and technical meetings and participation in professional organizations

that are related to the position within the Park District.

Attendance at conferences, seminars, workshops, conventions and technical meetings and participation in professional organizations must be approved in advance. Employees should check with their immediate supervisor for applicable policies, procedures and approvals.

### **Conference Attendance**

Attendance at and participation in professional seminars, conferences, conventions, workshops and technical meetings is considered part of the administrative and supervisory staff's normal duties.

Reimbursement for attendance expenses will be 100% of approved expenses. Please see [Policy 04.12 \(Expense Reimbursement\)](#) for details on expense reimbursement.

Employees who attend professional seminars, conferences, conventions, workshops and technical meetings outside the Park District, may be required to submit a written report to their immediate supervisor within five (5) days of attendance, which summarizes the ideas or methods discussed at the meeting.

### **Education**

At the discretion of the Park District, employees may be given the opportunity to take educational courses related to their position within the Park District. Interested employees should consult with their immediate supervisor. Park District resources are limited and the employee's immediate supervisor and Human Resources will evaluate individual requests. Please see [Policy 04.10 \(Tuition Reimbursement\)](#) for details on tuition reimbursement.

### **Professional Organizations**

Employees are encouraged to join and participate in professional associations that promote Park District goals, individual skill development, professional recognition, or relate to their job responsibilities. However, employee participation in such associations must not conflict with the Park District's interests. Depending upon the benefits derived from membership by the Park District, the Park District may pay all or part of the membership fees.

Participation in association activities during normal working hours must be approved in advance by the employee's immediate supervisor, and approval is contingent upon the employee's ability to meet his or her work responsibilities.

## POL.P.05.10 - Tuition Reimbursement

Full-time employees and part-time employees who are eligible for time-off benefits (see Policy XX.XX) may participate in the Park District's tuition reimbursement program.

The Park District will partially reimburse an employee for tuition for a course that the Park District determines is job-related in accordance with the requirements of this Policy. Eligible courses must be directly and substantially related to improving an employee's productivity in his or her current job, or another job with the Park District in which the employee maintains interest. Employees will not receive any reimbursement for a grade lower than a "B-" ("B minus"). Reimbursement will not exceed an annual amount of \$1,500.

The Executive Director may authorize the full reimbursement of tuition for the completion of an advanced degree for executive level management staff, subject to approval by the Board of Commissioners.

An employee must apply and obtain written approval for tuition reimbursement before the course begins. The employee must take the following steps:

- Complete a tuition reimbursement form.
- If the request is approved, return the signed form to Human Resources.
- Employee signs a tuition reimbursement agreement with Human Resources.
- Pay the course tuition and fees.
- After the class ends and the employee has received a grade of B or better, attach the tuition bill and the final grade to a copy of the initial tuition reimbursement form and send the form to Human Resources.

The employee will receive a reimbursement within 30 days after properly completing all steps.

No employee may take a course when the class or class-related activities must be performed during business hours, except with the prior written approval of a Department Head.

If an employee resigns or is involuntarily terminated before completing a course and receiving a final grade, the employee will not be reimbursed for tuition expenses. If an employee resigns or is involuntarily terminated within 12 months after receiving reimbursement, the Park District will require the employee to repay the Park District in full for such reimbursement in accordance with the law.

Items ineligible for tuition reimbursement include: meals, transportation, lodging, books, classroom supplies, and application and other associated registration fees.

Employees will not be eligible to earn tuition reimbursement unless they enter into a tuition reimbursement agreement with the Park District.

*Approved by the Park District Board of Commissioners on July 18, 2013.*

## POL.P.05.11 - Employee Assistance Program

Personal and work-related problems can affect an employee's job performance, health, family, and emotions. To help with these pressures, the Park District has contracted with an independent firm to provide confidential employee assistance (EAP) services. The services are available to all employees and their families. Please contact Human Resources for further information about the EAP.

## POL.P.05.12 - Credit Union

The Park District has established a voluntary credit union program. The plan allows employees to become a member of the Oak Park Municipal Employees Credit Union. All funds contributed, and the income earnings on the funds, are available for distribution to the employee at anytime according to credit union rules. The Park District offers this plan as a voluntary service; employees should consider their financial needs to determine if this plan is in their best interest.

## POL.P.05.13 - Use of Recreational Facilities

### **Season Passes**

Full-time employees and year-round part-time employees may purchase skating and swimming passes at 50 percent of the resident rate. These same employees who are Oak Park residents also may purchase dog park passes at 50 percent of the resident rate. The passes issued to full-time and eligible part-time employees will be limited to the employee and immediate family members (spouse, civil union partner, and dependent children under 18 living at home). All full-time and year-round part-time employees, and their family members must meet any requirements and restrictions for facility usage including regular hours of operation, age limitations and waivers.

### **Recreation Programs and Group Lessons**

Full-time employees and year round part-time employees and their immediate family members (spouse, civil union partner, and dependent children under 18 living at home) will be allowed to enroll in recreation programs (excluding leagues or private lessons) at a reduced rate of 50 percent less than the resident rate, subject to the following conditions:

- Employees or immediate family members are not eligible to register for any resident lottery for recreation programs without complying with all requirements, regulations, rules and fees.
- For contractual classes or trips, the employee or immediate family member will be charged the same rate that the Park District is charged per person, plus any applicable supply expense.

Employee participation in any recreational program cannot conflict with normal working hours.

### **Facility Rental**

Full-time employees will be allowed to rent all Park District facilities (except Cheney Mansion) at a reduced rate of 50 percent of the resident rental rate for private family events. The rentals may not be used for any commercial purpose, and the employee must attend the event.

All discounted passes and discounts given to a benefits eligible employee or qualifying dependent shall expire immediately upon termination of employment with the Park District. Complimentary passes and discounts cannot be transferred. Unauthorized use of any discounted pass may result in revocation of all pass privileges and disciplinary action up to and including termination of employment.

## POL.P.05.14 - Expense Reimbursement

The Park District may reimburse employees for necessary and reasonable expenses incurred while on authorized Park District business. The purchase of alcohol is not considered a reasonable or necessary expense and will not be reimbursed by the Park District. In order to qualify for reimbursement, prior written approval from the employee's immediate supervisor for expenses must be requested and proof of the expenses incurred on official Park District business must be provided (e.g., submission of an approved reimbursement form and other appropriate documentation such as receipts as required by the Park District). Employees should check with their supervisor for specific policies and procedures before incurring any expenses.

## POL.P.05.15 - Employee Awards

The Park District Employee Awards Program has been established to recognize length of service or outstanding performance. Full-time employees may be so honored based on the recommendation of the Department Head or Executive Director and approval of the Board of Commissioners. The length of service or outstanding performance award is not a guarantee of employment for any specified length of time.

## POL.P.06.01 - Compliance with Policies in Performance of Duties

Employees are required to comply with all policies and procedures established by the Park District, including by Board of Park Commissioners, immediate supervisors, and administrative staff of the Park District.

## POL.P.06.02 - Conflict of Interest and Ethics

### **Statement of Policy**

It is the policy of the Park District that employees should exercise their judgment and perform job duties according to the highest ethical standards of conduct and for the sole benefit of the citizens of Oak Park. To this end, employees should avoid accepting or retaining any economic benefits or opportunities, which could impair or present an actual threat to the exercise of independent judgment. It is further the policy of the Park District that all appearances of impropriety shall be avoided. The Board of Park Commissioners hereby determines that a policy setting forth ethical principles and regulations applicable to public officials and employees is in the best interest of the Park District and will contribute to the public confidence in the integrity, ability and performance of said persons.

The Park District recognizes the right of employees to engage in activities outside of their employment, which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the Park District may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse, civil union partner or significant other, children, parents, siblings) because of the Park District's business dealings.

It is the responsibility of every Park District employee to disclose any personal or financial interest in any person, firm, company or any business entity doing business with the Park District. This information is required to determine whether any undue or special influence may be involved in sales to or purchases from the Park District. Such disclosure must be made in writing by the employee and forwarded to the Executive Director for review of a potential conflict of interest.

Individuals employed in a supervisory capacity or authorized to purchase equipment may be required to file a Statement of Economic Interest as required by Illinois law.

### **Persons Affected**

1. This entire Policy shall apply to the Executive Director and Department Heads.
2. The Sections entitled "Standards of Conduct," "Ruling," "Complaints," and "Procedures," shall apply to all employees of the Park District.

### **Disclosure of Real Estate**

The Executive Director and Department Heads shall file, with the Director of Finance, a statement disclosing direct or indirect ownership of any real property located within the corporate limits of the Village of Oak Park, owned by the person required to file or by the spouse or minor children of such person. Property in which the Executive Director or Department Head resides is exempt from this provision, unless said property contains more than three (3) residential units. Such statement shall include the legal description and common address of the real estate and shall indicate the ownership held in such real estate. For purpose of this section, the ownership of beneficial interest in each estate held in land trust, real property being purchased by contract or real property held by a corporation, an investment group or partnership in which the person filing shall own more than a five percent (5%) interest, shall be considered real property.

### **Disclosure of Business Interests**

The Executive Director and Department Heads shall file with the Director of Finance, a statement disclosing an ownership interest of greater than five percent (5%), either direct or indirect, of a business, firm or corporation doing business with the Park District.

### **Filing and Disclosure**

All disclosure statements referenced in the Policy shall be filed with the Director of Finance on or before May 1 of each calendar year, except as hereinafter set forth. Persons already obligated to file disclosure statements by laws of the State of Illinois may file copies of said statements with the Director of Finance in satisfaction of the requirements of this Policy, except that any information required by this Policy and not contained on other filed statements must be separately filed herein.

The Park District shall keep the disclosure statements described in this Policy herein for five (5) years from the date of filing. Said records shall be considered public and accessible to citizens of Oak Park for the purpose of viewing and copying as indicated in the Freedom of Information Act.

### **Standards of Conduct**

1. No employee of the Park District shall have any interest directly or indirectly in any contract work or business of the Park District. Any financial or other personal interest, direct or indirect, which tends to affect the independent judgment of said official or employee, shall be publicly disclosed.
2. No person subject to this Policy shall use or permit the use of Park District funds, services, property, equipment, or materials except as provided by law or in accordance with the Administrative Directive as ordained by established Park District policy.

### **Ruling**

Any person who questions a particular situation may ask in writing for a ruling from the Executive Director.

### **Complaints**

Complaints that a person covered by this Policy has violated its provisions shall be made in writing and signed by the complaining person. Complaints shall be filed with the Executive Director.

### **Procedures**

If the Executive Director determines that a complaint is valid, appropriate remedial action will be taken. Remedial action may consist of a reprimand, suspension without pay or termination of employment. The Executive Director may also refer the matter to the prosecuting attorney for action under the general penalty provisions of the Illinois Municipal Code or refer the matter to the States Attorney's office for prosecution.

## **POL.P.06.03 - Attendance, Punctuality and Dependability**

Employees must report to work regularly, promptly, and ready to perform assigned duties at the beginning of the work day. Absenteeism and tardiness will have an adverse impact on an employee's performance review and chances for advancement, and may result in disciplinary action up to and including termination of employment.

Each employee who will be late or absent for any reason, or someone on his or her behalf, must contact the employee's immediate supervisor on the telephone at least 30 minutes before the scheduled start time. It is the employee's personal responsibility to ensure that proper notification is given. Reporting an absence or late arrival via e-mail or text message to a co-worker is unacceptable.

If an employee must leave work early because of an illness or personal emergency, he or she must make every reasonable effort to promptly advise his or her immediate supervisor.

Employees may be required to present a doctor's note or other documentation substantiating the length of and reasons for the absence or tardiness.

Notice requirements apply to each day of absence or tardiness, including without limitation consecutive days. Failure to give proper notice may subject the employee to disciplinary action.

Continued irregular attendance or excessive absenteeism or tardiness constitutes unsatisfactory work performance and will subject the employee to disciplinary action up to and including termination of employment.

## POL.P.06.04 - Proper Dress and Appearance

Employees' attire on the job should be in good taste, clean, neat, and appropriate for the duties performed at work. Clothing and shoes that are torn, frayed, deteriorated, and/or visibly dirty are unacceptable. Safety equipment and clothing may be required for certain jobs, and must be worn when assigned.

Employees should avoid extremes in dress and appearance. Hair must be neat, clean, trimmed, and present a groomed appearance, including mustaches and beards. For safety purposes, all employees working with maintenance equipment must either keep their hair in back no longer than one inch below the ear, or firmly secured away from the face.

Exposed body piercing jewelry is strictly limited to earrings.

Exposed tattoos may not be offensive in nature, including but not limited to those using profanity, vulgarity, or otherwise offensive symbols.

Any employee requiring an accommodation of this Policy because of disability, religious belief, national origin, or other legally protected basis must file a written request for an accommodation with Human Resources or the Executive Director.

Uniforms, nametags, and other Park District property remain the property of the Park District, and must be returned upon termination. Employees may be responsible for the cost of replacing any damaged or lost Park District property.

Uniforms, nametags, and other items with a Park District logo may not to be worn when an employee is not on duty.

## POL.P.06.05 - Park District Property

No employee, contractor, elected official or member of the public may use Park District property for personal use without the prior written consent of the Executive Director. The Executive Director may approve the personal use of Park District equipment under certain circumstances, if a benefit to the Park District is established. The Park District's equipment, such as telephones, cellular phones, mobile devices, postage, facsimile and copier machines, is intended for business purposes. An employee may only use this equipment for non-business purposes in an emergency and only with permission of the Executive

Director. Personal usage, in an emergency, of equipment that results in a charge to the Park District should be reported immediately to your immediate supervisor so that reimbursement can be made.

Except in the ordinary course of performing duties for the Park District, or as otherwise permitted, Park District property may not be removed from the work premises. For the purpose of this section, Park District property is defined as buildings, vehicles, facilities, grounds, tools, implements, building materials, electronic equipment, data, records, recreation and rental equipment and all other property owned, leased, or in the possession and control of the Park District. Before an employee leaves the Park District, the employee must return to the Park District all related Park District information and property the employee has in his or her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disk, supplies, uniforms, equipment, office supplies, identification cards, cellular phone or mobile device, keys or key fobs.

Employees should understand that while certain Park District-owned property, such as desks, lockers, and vehicles are available for their use, these items remain the property of the Park District, and are subject to inspection, with or without notice and with or without consent. Employees are not permitted to store wrongfully obtained, illegal, or prohibited items or substances in or on Park District property or otherwise misuse Park District property.

### **Searches and Inspections**

Whenever necessary or appropriate, and at the Park District's sole discretion, the Park District may search anywhere on and within Park District property, including without limitation any employee work area, such as desks, file cabinets, lockers, computers, cell phones and vehicles. Any search may be conducted without specific cause and without notice. All employees are required to cooperate with any search, and an employee may be subject to disciplinary action up to and including termination of employment for failure or refusal to cooperate. Therefore, employees should have no expectation of privacy in any Park District-owned property that they use.

Any property belonging to the Park District is subject to search to ensure compliance with the Park District's policies, or if it is reasonably suspected that the property holds or contains any illegal or prohibited items or substances or missing or stolen Park District or Park District patrons' funds or property.

In addition, the Park District reserves the right to inspect any packages, parcels, purses, handbags, gym bags, briefcases, lunch boxes, or any other possessions or articles carried to and from Park District premises by all persons, including employees.

Loss, damages, or theft of Park District property should be reported at once. Negligence in the care and use of Park District property may be considered grounds for discipline up to and including termination. The Park District is not responsible for the loss of personal property.

## **POL.P.06.06 - Credit Card, Procurement Card or Charge Account Usage**

Employees are fully responsible for all charges to cards issued under their name, Park District cards temporarily assigned to them, or charge account purchases initiated by them. Any misuse or unauthorized use of credit cards, procurement cards or charge accounts may result in the withdrawal of these

privileges and possible discipline, up to and including termination of employment.

These forms of payment may be used only for approved Park District business transactions and may not be used for personal expenses under any circumstances.

Employees may not use the credit cards or procurement cards to withdraw cash unless specifically authorized by the Executive Director.

Regardless of payment method, purchases must be authorized according to the Park District Procurement Policy.

Employees are responsible for saving and providing documentation supporting all purchases and use of cards and accounts and receipts must be turned in promptly after each use of these payment methods.

Misuse of these payment methods, or failure to report purchases in the required timeframe, may cause the Park District to recover the funds through payroll deductions or other means for any amounts incorrectly claimed or for reconciliations that are one month in arrears of the statement date.

Employees must report lost or stolen credit or procurement cards to the Business Operations Department immediately upon discovering that the card is missing.

When an employee's employment ends, he or she must return any credit or procurement cards to his or her immediate supervisor with a final reconciliation of all expenditures prior to departure.

Terminated employees must return credit or procurement cards immediately, and shall provide a final reconciliation of all expenditures within two business days. Failure to comply with this requirement shall result in the terminated employee being personally responsible for all charges on the account at the time of termination, or until the account is closed, whichever is later.

## POL.P.06.07 - Travel and Vehicle Use

### **Vehicles Operated On Park District Business**

1. An employee's immediate supervisor must authorize the use of any vehicle for Park District business.
2. Employees operating any vehicle for Park District business must have a valid driver's license with the proper classification for the type of vehicle being operated, show proof of such license upon request, and notify the immediate supervisor if the status of the drivers license changes.
3. Employees must obey all driving and traffic regulations, including without limitation the use of seat belts at all times and headlights when the windshield wipers are on.
4. Employees must report all accidents immediately to the immediate supervisor with a copy of the police report, if applicable. Employees who are in an accident or are injured while on Park District business will be sent for a post-accident/injury drug and alcohol test.
5. No employee may be under the influence of alcohol, illegal substances, or legal drugs while operating any vehicle (regardless of the reason for operation) for Park District business. Further, no

employee may be under the influence of alcohol, illegal substances or legal drugs while operating any Park District vehicle at any time, irrespective as to whether the use is for personal or Park District business. "Under the influence" means that the employee is affected by alcohol or drugs in a determinable manner. For purposes of this Policy, a determination of being "under the influence" can be established by professional opinion, a scientifically valid test, a lay person's opinion, or the statement of a witness.

6. Employees are specifically prohibited from accessing electronic mail or the Internet, text messaging, or instant messaging while driving on Park District business and/or operating a Park District vehicle. This includes composing, sending, or reading an electronic message while operating a vehicle on a roadway. However, this prohibition does not apply to employees engaging in electronic communications via their cellular telephones in hands-free or voice-activated mode; or while safely parked on the shoulder of a roadway. Employees cannot wear head phones or "ear buds" while operating a Park District vehicle.

### **Park District-Owned Vehicles**

1. Park District-owned vehicles may be taken home only when authorized by the Executive Director, or when the employee is subject to emergency calls during off-duty hours.
2. Employees operating Park District vehicles must be 18 years old or older.
3. Park District vehicles may not be used to transport Park District patrons unless the vehicle and employee are authorized to do so or in case of emergency and the employee is 21 years old or older.
4. Any employee who is required to have a commercial driver's license (CDL) as a condition of employment is subject to random drug and alcohol testing.
5. Employees are responsible for the care and conservation of Park District vehicles and must promptly report any accident, breakdown, or malfunction of any vehicle so that necessary repairs may be made.
6. No employee may smoke any product while inside a Park District vehicle.
7. Park District vehicles belong to the Park District and employees have no expectation of privacy in or associated with a Park District vehicle. The Park District has the right to search any Park District vehicle at any time with or without consent.

### **Personal Vehicles**

1. An employee using a personal vehicle for Park District business must have liability insurance on the vehicle in accordance with applicable law and may be asked to provide proof of the insurance. The Park District's liability insurance is secondary to the employee's own coverage.
2. No employee may use his or her personal vehicle at any time to transport participants in any Park District programs.
3. Reimbursement for authorized use of personal vehicles will be predetermined by a monthly car allowance or for trips of 100 or fewer miles each way at the standard mileage rate established by the IRS and will be considered payment for the use of the vehicle, insurance and all other transportation costs. For trips longer than 100 miles each way, the Park District will endeavor to provide the employee with a Park District vehicle. If a Park District vehicle is not available, then the employee will be reimbursed only for the actual cost of the fuel that is used. See the **Expense**

[Reimbursement Policy](#) for further details.

## POL.P.06.08 - Security and Keys

In the interest of safety and protection of property, strict control over access to Park District property, work locations, records, computer information, cash and other items of value or confidential nature must be maintained. Employees who are assigned keys, key fobs, safe combinations or other access to Park District property in connection with their job responsibilities must exercise sound judgment and discretion to protect against theft, loss or negligence. Employees must immediately report any loss of keys to their immediate supervisor. Failure to do so may result in disciplinary action, up to and including termination of employment. Keys and key fobs may not be transferred from one employee to another without the prior written authorization by the appropriate Facility Manager.

## POL.P.06.09 - Work Areas

Work areas will be kept clean and orderly at all times. Apparel such as boots, coats and umbrellas will be stored in designated areas. Before the end of the workday, all tools and equipment will be cleaned and stored. All items, papers, or information of value must be properly secured. Non-work materials, such as posters, signs, pictures and calendars are permitted to the extent that they do not interfere with the performance of work and they are not offensive to a reasonable person. The Executive Director is the final authority when deciding whether a non-work item is permissible.

## POL.P.06.10 - Retention of Lost Property

When property is lost or left behind at one of the Park District facilities, the item should be brought to the attention of a supervisor as soon as practicable before the close of business or the end of the duty shift.

A reasonable effort should be made to identify and contact the owner of the lost property. In many cases, the owner will return to the facility within a day to reclaim the missing item.

If the item reasonably appears to exceed \$100 in value, the supervisor should report the lost property to the Oak Park Police Department by the close of business so that the Police Department may collect that item. The Police Department will provide an incident report number at the time of collection.

Supervisors should avoid retaining lost items overnight in a desk drawer, on-site safe to which many employees have access, or other unsecured location. In the case of large items such as bicycles, the property should be retained only if adequate storage is available.

The supervisor should prepare an incident report to document the date and location of the loss and any witnesses to the discovery of the lost property. The incident report should be filed with the Park District's HR Safety & Risk Manager.

## POL.P.06.11 - Alcohol and Drug Abuse and Testing Procedures

The Park District has implemented this Policy in response to overwhelming evidence that alcohol and drug use has a detrimental impact on employees' and the public's health, job performance, safety, and efficiency. Since employees operate, supervise and maintain parks, facilities, programs, and equipment for use by members of the public and perform services that may have a direct effect on the health and safety of members of the public and fellow employees, the Park District implements this Policy in order to assure the health and safety of its patrons and employees.

While the Park District will not penalize an employee solely for his or her status as a registered qualifying patient under the Compassionate Use of Medical Cannabis Pilot 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 termination of employment for violations of this Policy.

The Park District prohibits the use of, being under the influence of, possession of, manufacture of, and distribution of controlled substances, including without limitation cannabis and alcohol, while on Park District premises and/or performing job duties.

### **Restrictions**

- a. The unlawful use, abuse, sale, purchase, manufacture, distribution, dispensation, transfer, possession or presence in one's system of alcohol, drugs or a controlled substance, including cannabis and alcohol, is prohibited on Park District property or while acting on behalf of the Park District;
- b. Employees shall not report for duty while there is any alcohol or controlled substance in the employee's system, except only if the use is prescribed by a physician who approves the employee to perform his or her job safely;
- c. Employees shall not report for duty or perform safety-sensitive functions within four hours after having consumed alcohol;
- d. Employees shall not consume alcohol or controlled substances for eight hours after an accident involving a death or resulting in a moving violation involving a Park District vehicle that contributed to that accident. In both cases, the employee must remain available to undergo a post-accident or controlled substance test.

An employee must report immediately for testing when ordered to do so and must cooperate with testing personnel and procedures. By signing the Employee Acknowledgment Form, the employee agrees that he or she will release all test results and reports to the Park District and the substance abuse professional.

### **Screening and Testing**

The Park District may require any employee to be screened or tested:

- a. after a workplace accident or incident. For purposes of this Policy, an individual shall be deemed to have been involved in a work-related accident if he or she is ticketed or causes the injury of another person or self on the Park District's premises or during working time or causes damage to any of the Park District's leased or owned property or any third party property.
- b. a. during and after an employee's participation in an alcohol or drug counseling or rehabilitation program;
- c. upon reasonable suspicion when two supervisors agree, based on observations of the employee and other symptoms, that the employee may be under the influence of alcohol or drugs; and
- d. for employees in safety sensitive positions only, to be screened or tested on a random basis.

The screening or testing will be conducted at a medical facility or by an on-site medical group selected by the Park District at the Park District's expense. A confirmed positive drug and/or alcohol test will result in disciplinary action up to and including termination of employment.

### **Treatment**

It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to disciplinary action. The Park District will not discipline an employee who voluntarily seeks treatment for a substance abuse problem if the employee is not in violation of the Park District's drug and alcohol Policy or other rules of conduct. Seeking such assistance will not be a defense for violating the Park District's Drug and Alcohol Policy.

If the medical facility personnel recommend treatment, the Park District may decide to give the employee one opportunity to undergo treatment offered by a clinic or trained professional mutually acceptable to the Park District and employee. Participation in such treatment will be at the employee's expense. The employee must enter the treatment program within 10 days after the time of recommendation of treatment.

### **Use of Legal Drugs**

Any employee who (a) operates or maintains a vehicle or machinery, (b) handles hazardous materials or substances of any kind, or (c) has public safety responsibility, and who has taken a legally prescribed drug must report the use of such legal drug to his/her immediate supervisor if the legal drug may prevent the employee from performing his or her job safely. It is the burden of the employee to ascertain from the employee's doctor or pharmacist whether the legal drug may have potential side effects.

### **Notice of Conviction**

Any employee who is convicted of violating any federal or state criminal drug statute must notify the Executive Director within five days after that conviction. For purposes of this notice requirement, a conviction includes a finding of guilt, a no contest plea, and/or an imposition of sentence or fine (including probation) by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, sale, dispensation, possession or use of any controlled substance or cannabis. Failure to notify the Executive Director may subject the employee to disciplinary action, up to and including termination of employment.

### **Discipline, Penalties for Violations**

An employee will be disciplined up to and including termination of employment if he or she: (a) reports to work or is found during working hours to be or to have been under the influence of alcohol, controlled substances, or cannabis; (b) manufactures, possesses, uses, sells, or dispenses alcohol, controlled substances, or cannabis while on Park District property or while acting on behalf of the Park District; (c) is convicted of a drug-related crime; (d) causes financial or physical damage to Park District property, its employees, or patrons as the result of alcohol or drug abuse; or (e) fails to report the use of legal drugs in accordance with this Policy. The Park District may require the employee to successfully complete an alcohol and/or drug abuse assistance or rehabilitation program approved for such purposes by the Park District and by a federal, Illinois, or local law enforcement agency.

## **Inspections**

In order to assure that employees comply with the prohibition on manufacturing, distributing, dispensing, possessing, or using alcohol, controlled substances, or cannabis, employees do not have a reasonable expectation of privacy in the workplace and may be subject to inspection as follows:

Lockers, desks, files, vehicles, equipment and other containers and property owned or leased by the Park District and which an employee is permitted to use during employment with the Park District, are and remain the property of the Park District. Employees have no reasonable expectation of privacy with respect to the use of any Park District property or equipment. Employees are not permitted to keep controlled substances, cannabis or alcohol in or on such property. Any such property reasonably suspected of having or holding such substances is subject to search by the Park District.

Any refusal to submit to such an inspection will be treated as an act of insubordination and may result in disciplinary action, up to and including termination of employment.

## **Records**

The Park District will maintain medical records relating to alcohol or drug abuse, diagnosis, and treatment in a confidential file separate from the employee's regular personnel file. Access to these confidential files will be limited to those who need to know. The Park District will not disclose these records to persons outside the Park District without the employee's consent unless disclosure is necessary for legal or insurance purposes.

## **Testing Procedures**

### Alcohol Test

- a. Employee immediately reports to the designated testing facility, shows a photo identification card, and signs testing form.
- b. Employee blows into alcohol testing device. If the employee cannot exhale sufficient quantity of air through the machine for a complete test, another type of test will be performed.
- c. If test results are negative, the employee returns to work. Results will be reported to Human Resources.
- d. If test results are positive, another test will be performed not less than 15 minutes but not more than 20 minutes after the first test. The employee may not eat or drink anything or belch during the waiting period for the re-test.
- e. If re-test results are negative, then the test will be reported to the designated contact as negative.
- f. If re-test results are positive, the test results will be reported immediately to the designated

contact.

Controlled Substances Test: Marijuana, Cocaine, Opiates, Amphetamines, and Phencyclidine

- a. Employee immediately reports to the designated testing facility, shows a photo identification card, and signs the testing form.
- b. Employee provides a urine sample. If the employee is unable to provide sufficient quantity for testing, the employee will be asked to drink water (up to 24 oz. in two hours) and attempt again.
- c. Hospital personnel will perform required testing to verify that the specimen sample has not been tampered with. The employee returns to work.
- d. Sample is sent to laboratory where it is split in half. A screening test is performed on a portion of one of the sample splits. If the test result is negative, the testing will be reported as negative to the medical review officer (MRO) who, in turn, will report a negative result to the designated contact.
- e. If test result is positive, confirmation testing will be performed on the rest of the split sample. Results will be reported to the MRO. If the test result is negative, the MRO will report a negative result to the designated contact.
- f. If test result is positive, then employee will be removed from duties. Employee has 72 hours in which to request a re-test of the second split sample, and employee may request that the split sample be tested at a second lab. A negative re-test of the split sample will cancel the first positive results.
- g. If the test result is positive, confirming the presence of one or more controlled substances, the MRO will contact the employee to discuss the results of the test to determine if there is a legitimate clinical reason for the presence of the drug. If the employee cannot be reached by the MRO, the designated contact will be asked to direct the employee to contact the MRO. If the employee fails to contact the MRO within 72 hours, the MRO will report the test results as positive. The MRO will report the test results as positive or negative to the designated contact.
- g. If the test result is positive, the employee will be removed from performing his/her duties. The employee will have 72 hours in which to request a re-test of the second split sample, and the employee may request that the split sample be tested at a second lab. A negative re-test of the split sample will cancel the initial positive results.

### **Consequences of Failed or Refused Tests**

1. An employee will immediately be removed from duty if the employee refuses to cooperate with testing procedures or if the employee's test results are positive. An employee who refuses to submit to testing will be discharged. An employee who fails an alcohol or drug test is subject to disciplinary action up to and including termination of employment.
2. If an employee is offered the chance to seek substance abuse rehabilitation, the employee is responsible for payment to the substance abuse professional (SAP) and subsequent counseling. The employee's medical insurance may be used to help pay for these services. The employee must sign a release allowing the Park District to release the test results to the SAP, and must sign a release for the SAP to report to the designated contact.
3. When the SAP reports to the designated contact that the employee may return to full duty, the employee must:
  - a. Test negative in return-to-duty alcohol or controlled substances testing (or both tests if indicated by the SAP);
  - b. Continue with any rehabilitation therapy if prescribed by the SAP;

c. Test negative in unannounced follow up testing as prescribed by the SAP or, at a minimum, in six tests in the first 12 months of returning to duty as ordered by the Executive Director.

## POL.P.06.12 - Smoking

In accordance with the Smoke Free Illinois Act, smoking is prohibited in or on any Park District building, facility, property, equipment, and vehicle. In addition, smoking is prohibited within 15 feet of any entrance or exit to a Park District facility. This Policy applies equally to all employees, patrons, and visitors.

## POL.P.06.13 - Weapons

The Park District strictly prohibits weapons at any Park District facility, on any Park District property, in any Park District vehicle, or at any Park District-sponsored event.

Weapons include visible and concealed weapons, including those for which the owner has necessary permits. Weapons can include firearms, knives with a blade longer than three (3) inches, explosive materials or any other objects that could be used to harass, intimidate, or injure another individual, including but not limited to an employee, manager, or supervisor, visitor, patron or participant.

Note: Employees who are licensed to carry a concealed firearm in the State of Illinois:

- shall be permitted to carry a concealed firearm on or about their person within their personal vehicle while driving into or out of a Park District parking area;
- may store a firearm or ammunition concealed in a case within their locked personal vehicle or locked container out of plain view within the personal vehicle in a Park District parking area; and
- may carry a concealed firearm in the immediate area surrounding his or her personal vehicle within a Park District parking area only for the limited purpose of storing or retrieving a firearm within the vehicle's trunk, provided the licensee ensures the concealed firearm is unloaded prior to exiting the vehicle.

Employees who violate this Policy may be subject to disciplinary action, up to and including termination of employment.

### **Procedure For Reporting Possession of a Weapon**

If an employee is aware of any person possessing a weapon on Park District property or while on Park District business, he or she is required to report it his or her immediate supervisor. If the employee feels uncomfortable doing so, or if the employee's supervisor is the source of, condones, or ignores the problem, the employee must report to the supervisor's supervisor, Human Resources, the Executive Director, or the police (if necessary).

## POL.P.06.14 - Violence in the Workplace

The Park District strongly believes that all employees should be treated with dignity and respect. Acts or

threats of violence will not be tolerated. Any instances of violence must be reported to the employee's immediate supervisor and/or the Department Head. All complaints will be investigated.

The Park District will promptly respond to any incident or suggestion of violence. Violation of this Policy will result in disciplinary action, up to and including immediate termination of employment.

In furtherance of this Policy, employees should warn their supervisors, Human Resources, or the Executive Director of any suspicious workplace activity, situations, or incidents that they observe or that they are aware of that involve other employees, former employees, Park Board Commissioners, patrons, vendors, or visitors and that appear problematic. This includes, for example, threats of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this Policy will be held in confidence to the extent possible. The Park District will not tolerate any form of retaliation against any employee for making a report under this Policy.

## **POL.P.06.15 - Romantic or Sexual Relationships**

The Park District strongly discourages romantic and sexual relationships between co-workers. In addition, the Park District prohibits romantic and/or sexual relationships between a manager/supervisor and any employee who reports directly to that manager/supervisor. The Park District also prohibits romantic and/or sexual relationships between a manager/supervisor and any employee over whom the manager/supervisor has any input with regard to terms and conditions of employment, including but not limited to hiring, discipline, promotion, evaluation, compensation, expense reimbursement or duty assignment.

If a romantic or sexual relationship between a supervisor or manager and an employee develops, then the supervisor or manager must disclose the existence of the relationship promptly to his or her Department Head so that the Park District can address any potential conflict of interest and take appropriate action.

By incorporating this Policy, the Park District does not intend to inhibit social interaction (such as lunches, dinners, or attendance at entertainment events) that may be part of or an extension of the working environment.

## **POL.P.06.16 - Children in the Workplace**

It is inappropriate for employees to bring children in their care to the workplace during the work day. Bringing children to the workplace should be avoided except in extraordinary emergencies and only with prior authorization from a supervisor. This Policy is intended to minimize disruptions and distractions in job duties of the employee and co-workers, to reduce property and general liability, and to maintain the Park District's professional work environment.

A child brought to the workplace in an unavoidable emergency will be the sole responsibility of the employee caregiver and must be under the direct supervision of the employee caregiver at all times. Excessive need to bring a child to the workplace may result in discipline, up to and including termination of employment.

## POL.P.06.17 - Political Activity

Park District employees are expected to serve all patrons equally. The political opinions or affiliations of any patron should in no way affect the amount or quality of service received from the Park District.

Park District rules do not preclude an employee from becoming a political candidate or from taking part in election campaigns and other lawful political activities. However, employees may not engage in political activities at any time while on duty or when they may be identified as an employee of the Park District by any means such as uniform, insignia, motor vehicle or in any other manner. Political activities include, but are not limited to, running as a candidate for public office, soliciting or receiving funds for a political party or candidate for public office, soliciting votes for such party or candidate, attending political rallies, circulating petitions, distributing political literature, or encouraging others to do any of the above. For purposes of this paragraph "while on duty" includes those hours you are scheduled to work and are working for the Park District but does not include, breaks, lunches, or other duty-free periods of time.

Employees are also prohibited from interrupting or disturbing other employees while they are on duty.

Political affiliation, preference or opinion will not influence an individual's employment, retention or promotion as a Park District employee. Employees of the Park District will not be required to contribute monies to any candidate or political party, but may do so on a strictly voluntary basis.

## POL.P.06.18 - Solicitation and Distribution of Literature

Employees may not solicit any other employee during working time, nor may employees distribute literature on Park District premises, which includes all areas where employees perform their assigned work tasks, during working time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their working time.

Employees may not accept the solicitation or the distribution of literature by any non-employee while on duty. For the purposes of this Policy, "while on duty" does not include breaks, lunches, or other duty-free periods.

### **Bulletin Boards**

Bulletin boards maintained by the Park District are to be used only for posting or distributing material of the following nature:

- Notices containing matters directly concerning Park District business, and
- Announcements of a business nature that are equally applicable and of interest to employees.

All posted material must have prior authorization from administrative staff. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

Any employee who violates this policy is subject to disciplinary action, up to and including termination of employment.

## POL.P.06.19 - Policy on Staff Acceptance of Gifts

Employees may not solicit or accept any gift, gratuity or other reward from any person, business, or entity doing business with the Park District or attempting to secure business from the Park District. Further, employees may not solicit, accept, or expect people who use Park District programs or facilities to give gifts, gratuities, other rewards, or favors for performing a job. This Policy does not apply to nominal non-cash tokens such as a cup of coffee, a soft drink, or a sandwich. Retention of any gift will be conditioned on approval of the Executive Director after consultation with the appropriate Department Head. Failure to report a gift, gratuity, or other reward properly may result in disciplinary action up to and including termination of employment.

## POL.P.06.20 - Electronic Communication

All computer equipment, voicemail, and online mobile access devices, including information transmitted, received or contained therein, are the property and assets of the Park District. The use of computer equipment, telephones, cell phones, tablets, and electronic communication devices issued by the Park District are for business purposes only. The Park District decides at its sole discretion whether a communication or activity falls within a legitimate business purpose.

Employees should have no expectation of privacy in anything they create, store, send or receive using the Park District's computer equipment, e-mail system, telephones, cellular phones or mobile devices.

Failure to abide by this Policy may result in discipline, up to and including termination of employment.

### **System Security and Configuration Guidelines for Computers**

All computer equipment provided by the Park District is pre-configured with the appropriate hardware and software for Park District business use. No employee may install, change, or remove system hardware or software. For the purposes of this Policy, "systems" means the Park District's electronic systems, including but not limited to its computer system, e-mail network, and phone and voicemail systems.

A user may be responsible for replacement or repair costs up to the Park District's insurance deductible for lost, stolen, damaged, unsecured, or unprotected equipment.

### **No Expectation of Privacy**

No user has any reasonable expectation of privacy or other rights at any time with respect to any use of Park District property, including without limitation electronic and communications systems and equipment. The Park District has the right to monitor all on-line activity, including communications, to ensure that appropriate business and lawful purposes are being pursued to ensure compliance with the Park District's policies, and to limit communications solely to business-related reasons. The Park District's systems may not be used for personal, political, or commercial purposes unless specifically authorized in advance by the Park District. The Park District may search all computers, cell phones, other equipment, and information at any time.

Any electronic communication may be considered a "public record" and thus may be subject to inspection and copying under the Illinois Freedom of Information Act. No message should be created on the Park District's systems that casts the Park District in false light or that creates unfair or undue discomfort or embarrassment.

## **Illegal and Inappropriate Use**

The Park District specifically prohibits the use of its systems and computer equipment for any illegal or inappropriate purpose at any time, whether in the course of business or otherwise. All users are prohibited from gaining unauthorized access to, or intentionally damaging, other computer systems, networks, or the information contained within them; committing theft, fraud, or other criminal or dishonest acts of any kind; distributing or obtaining illegally copied software, graphics, sounds, text, or other material; or sending or posting defamatory, harassing, threatening, pornographic, or patently indecent content.

## **User Name/Password**

A user name and password is assigned to each employee for their use only; it is not to be shared with other employees. However, the use of passwords for security and confidentiality cannot be guaranteed, and the Park District has the right to remove or change passwords.

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of the Park District's entire network. As such, all Park District employees are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords. The purpose of this Policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change. The scope of this Policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Park District facility, has access to the Park District network, or stores any non-public Park District information.

User passwords should be changed every 90 days at a minimum. Passwords must not be inserted in email messages or other forms of electronic communication. Employees shall not share Park District passwords with anyone. All passwords are to be treated as sensitive, confidential Park District information. All Park District passwords are required to be a minimum of six alphanumeric characters long, include at least one upper case and one lower case character and include at least one number. Employees shall not use the same password for Park District accounts as they do for their personal accounts and where possible, shall not use the same password for various Park District access needs.

Employees shall not use the "Remember Password" feature of applications (e.g., Outlook, Yahoo Mail) or write passwords down or store them anywhere in Park District facilities. Passwords should not be stored in a file on ANY computer system (including handheld/mobile devices) without encryption. If an account or password is suspected to have been compromised, employees should report the incident to IT and change all passwords. Password cracking or guessing may be performed on a periodic or random basis by IT or its delegates. If a password is guessed or cracked during one of these scans, the user will be required to change it. If someone demands a password, employees should refer them to this Policy or have them contact the IT Manager.

## **Downloading or Saving Information**

To protect systems from computer viruses, no user may download or install any executable programs, screen savers, or other similar items without the prior approval of the IT Manager.

To protect the Park District from infringement actions due to copyright or trademark violations, no user may send, download, or save any material from any online source, however retrieved, unless the material is legally permitted to be downloaded without violation of copyright or trademark laws.

## **E-mail and Text Messages**

E-mail messages and text messages are business communications and an appropriate business tone should be used in every message. E-mail messages and text messages should not contain any material that would be inappropriate in any written form.

### **Prohibited Activities**

This is not intended to be an exhaustive list. The following activities are strictly prohibited on the Park District's systems:

- Posting of confidential information on the Internet related to the Park District's patrons or guests;
- Subscription to news groups or mailing lists without prior approval;
- Chat group visitation;
- Completion of the final terms of any contract electronically;
- Removing electronic equipment of any kind from Park District premises without prior approval;
- Disseminating or printing copyrighted materials, including articles and software, in violation of copyright laws.
- Sending or soliciting sexually oriented or harassing statements, messages, images or language.

### **Internet**

The Internet is a useful research and communication resource that is provided to Park District employees for uses related to Park District business. Employees accessing the Internet for work are representing the Park District. All communications shall be for primarily business reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Blog/chat sites may only be used to conduct official Park District business or to gain technical or analytical advice. Use of the Internet must not disrupt the operation of the Park District network or the networks of other users. It must not interfere with the user's job performance productivity.

Employees may not use the Internet to:

- Transmit, retrieve or store communications of a discriminatory or harassing nature or materials that are obscene, pornographic or violent including gambling sites or any illegal activities;
- Download unauthorized software from the Internet including games; or
- Access other materials that may violate the Park District's Non-Discrimination and Anti-Harassment Policy.

### **Disclaimer of Liability for Use of Internet**

The Park District is not responsible for material viewed or downloaded by users from the Internet. Users are cautioned that many Internet pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous searches may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to the receipt of unsolicited e-mail containing offensive conduct. Employees accessing the Internet should notify the IT Manager immediately if this occurs.

### **Confidentiality**

Electronic messages may be monitored by service providers and authorized Park District officials, and may be compromised by unauthorized or unintended distribution. Confidentiality may also be compromised because of inadequacy of current technology to protect against unauthorized access. Consequently, all electronic messages shall be limited to non-confidential matters, except for

communications with Park District Legal Counsel.

### **Information Sensitivity**

Users are also prohibited from using electronic means to seek out personal or confidential information regarding Park District employees, contracts, finances, or other non-public matters, unless otherwise specifically authorized by the Board of Park Commissioners or Executive Director.

### **Cellular Phones and Mobile Devices**

The Park District may issue cellular phones or mobile devices to certain employees. Cellular phones and mobile devices will be provided only when they are required for the employee to perform essential functions of his or her job. Incidental and infrequent personal use of cell phones and mobile devices issued by the Park District is permissible. In certain circumstances, a Department Head may authorize an employee to use a personal cell phone or mobile device for Park District business. Authorized use of personal cell phones or mobile devices to conduct business is a reimbursable expense. In any case, the Department Head is responsible for the continued justification of providing or authorizing the use of a cell phone or mobile device on the job.

Each employee who is issued a cellular phone or mobile device by the Park District should keep costs low by using land lines whenever possible, by giving the cellular phone/mobile device number only to those who need it for matters related to the essential functions of the employee's job, and when traveling for business.

All equipment, and all information transmitted, received, or contained in the equipment, is the property of the Park District and may be subject to a Freedom of Information Act request. All relevant Park District policies and procedures will apply to the use of cellular phones and mobile devices. Employees are responsible for the proper care and maintenance of the cellular phone equipment issued, and employees will be required to pay for the repair or replacement costs of equipment that is damaged or lost due to negligence. Employees must return equipment in good working condition upon request.

Failure to abide by these rules is grounds for discipline up to and including termination of employment.

### Reimbursement for Personal Cell Phone Calls

It is preferable that Park District-provided cellular phones and mobile devices not be used for personal business, but if an employee elects to make or receive personal calls on a Park District-provided cellular phone or mobile device, those calls should be kept to a minimum and be made only during non-working time. Employees who have excessive usage for personal calls during work hours will be subject to disciplinary action. Alternatively, if an employee is authorized to use a personal cell phone or mobile device to conduct business, then the Park District will reimburse the employee at a predetermined monthly cellular phone/mobile device usage allowance. In either event, the employee will be required to sign an agreement acknowledging the terms and conditions of the Cell Phone/Mobile Device Policy and reimbursement rate.

## **POL.P.06.21 - Audio Recording**

It is a violation of Park District policy to record conversations with a tape recorder or other recording device unless prior approval is received from your Department Head or *all* parties to the conversation give their consent.

The purpose of this Policy is to eliminate a chilling effect on the expression of views that may exist when one person is concerned that his conversation with another is being secretly recorded. This concern can inhibit spontaneous and honest dialogue especially when sensitive or confidential matters are being discussed.

Violation of this Policy will result in disciplinary action, up to and including immediate termination.

## POL.P.06.22 - Social Media

The Park District understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, employees' use of social media can pose risks to the Park District's confidential information, and can potentially jeopardize the Park District's compliance with the law. To minimize these legal risks and assist employees in making responsible decisions about their use of social media, the Park District has established these guidelines for appropriate use of social media.

### **Guidelines**

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site (such as Facebook, LinkedIn, Twitter or Pinterest), web bulletin board or a chat room, whether or not associated or affiliated with the Park District, as well as any other form of electronic communication.

Ultimately, employees are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved.

Employees may not use social media in a manner which violates the Park District's [Policy on Equal Employment Opportunity](#), [Policy on Non-Discrimination and Anti-Harassment](#), or [Policy on Violence in the Workplace](#). Postings that violate these policies will not be tolerated and may subject the employee to disciplinary action, up to and including termination of employment.

Employees may not use social media to make threats of physical violence against a Park District employee, patron, member or guest.

Employees must also comply with copyright, fair use and financial disclosure laws. Employees may not cite or reference the Park District's members, guests, customers or vendors or without their approval.

Participation in social networking activities that can be characterized as non-work related and are carried out during a time that an employee is scheduled to be working can certainly interfere with work duties and/or responsibilities and can be grounds for appropriate disciplinary action, up to and including termination of employment.

Employees must respect the Park District's confidential information. Do not post, discuss or divulge the Park District's confidential information or record or post any video or photo of the Park District's facilities that will divulge such information. For purposes of this Policy, the Park District's "confidential information" includes customer, member and guest information, or other copyrighted materials. Employees with questions about the appropriateness of publishing or disclosing the Park District's

confidential information online should consult the Director of Human Resources and Risk Management. Do not create a link from your blog, website or other social networking site to a Park District website.

When expressing a personal opinion, employees should make it clear that your views are their own and do not represent those of the Park District.

Employees must not use their Park District e-mail address to register on social networks, blogs or other online tools utilized for personal use.

If you are required to use social media as part of your job duties (if you are not sure, ask Human Resources), for the Park District's marketing, public relations, recruitment, communications or other business purposes, you should carefully review this Policy. Only authorized employees can create the Park District's social media sites, pages or similar entries or categories on Facebook, Twitter or any existing, new or future social media network. Also, only authorized employees can prepare, post and modify content on the Park District's social media sites, pages or similar social media entries.

If an employee's job duties require him or her to speak on behalf of the Park District in a social media environment, the employee must obtain approval for such communication in advance from Human Resources. Likewise, if an employee is contacted to provide an official comment on behalf of the Park District for publication or posting on any social media, the employee must direct the inquiry to Human Resources, and is not to provide an official comment on behalf of the Park District without prior approval from Human Resources.

Employees with any questions about this Policy should contact the Director of Human Resources and Risk Management.

Violations of this Policy may result in discipline, up to and including termination of employment.

Notwithstanding any of the foregoing, nothing in this Policy shall be construed to limit, in any way, employees' rights under any applicable federal, state or local laws, including the Illinois Public Labor Relations Act.

## **POL.P.07.01 - Disciplinary Actions**

The Park District may take corrective action other than immediate termination of employment under the appropriate circumstances to address work performance and behavioral issues. The intent of corrective action is to document problems formally while providing the employee with a reasonable time in which to improve performance.

Notwithstanding the Park District's option to take corrective action in a particular situation, the Park District may apply any appropriate discipline at any time, including without limitation termination for a first violation or offense, foregoing lesser forms of discipline.

Appropriate disciplinary action may range from an oral warning, written warning, suspension, or termination of employment.

**a. Oral Warnings.** Oral warnings may be issued to express disapproval of conduct or poor work

performance or attendance, to clarify applicable procedures or guidelines, and to warn an employee that repetition of the conduct or failure to improve work performance or attendance may result in more severe discipline including termination of employment. Written documentation of an oral warning will be placed in the employee's personnel file.

**b. Written Warnings.** Written warnings may include a conference between the employee and the supervisor imposing the warning, and will include a written statement expressing disapproval of conduct, poor work performance, or attendance and a warning that repetition of the conduct or failure to improve may result in more severe discipline, including termination of employment.

The employee will be asked to sign the written warning to acknowledge receipt and understanding of the reasons. A refusal to sign should be witnessed by more than one supervisor. A copy of the written warning will be placed in the employee's personnel file.

**c. Suspensions.** A suspension is a temporary relieving of an employee from duty. Depending on the circumstances, a suspension may be with or without pay.

- Administrative Review Suspension. Employees may be suspended or reassigned from performing their normal duties during the investigation of an accident, incident, or accusation.
- Disciplinary Suspension. Employees may be suspended for disciplinary reasons. The supervisor imposing a disciplinary suspension will meet with the employee and issue a written statement outlining the details of the suspension, including without limitation the reasons for and duration of the suspension. During the meeting, the employee will be given an opportunity to respond to the reason for the suspension.

The employee is required to sign the written notice of suspension to acknowledge receipt and be given an opportunity to provide written comments on the notice. A refusal to sign should be witnessed by more than one supervisor. A copy of the notice will be placed in the employee's personnel file.

**d. Termination of Employment.** An employee's employment may be terminated at any time at the will of the Park District, with or without cause (subject to any applicable collective bargaining agreement).

Generally, an employee will be issued a written notice of the reasons for the termination including the effective date and time of termination. Under ordinary circumstances, a supervisor or designee will meet with the employee, explain the reasons for the termination, and offer the employee an opportunity to respond. The employee will be asked to sign the written notice of termination to acknowledge receipt. If the employee refuses to sign, another supervisor may be asked to witness the refusal. A copy of the notice will be placed in the employee's personnel file.

### **Examples of Reasons for Disciplinary Action**

Reasons for disciplinary action include but are not limited to:

1. Absence from duty without permission, habitual tardiness, excessive absenteeism, or

- misrepresentation of material facts relating to the use of leave;
2. Extending breaks or lunches and/or not taking breaks or lunches at scheduled times;
  3. Leaving the job during working hours without permission;
  4. Failure to obey any lawful official rule, regulation, or order;
  5. Inability or unwillingness to take orders from a supervisor;
  6. Insubordinate attitude toward a supervisor and/or failure to follow supervisor's directions or requests;
  7. Willful or reckless destruction of Park District supplies, materials, vehicles, equipment, tools, or other property;
  8. Failure to wear uniform or safety equipment as directed, such as safety shoes, glasses, goggles, or a face shield;
  9. Endangering one's safety or the safety of others by failing to act properly in the performance of job duties;
  10. Engaging in criminal activity;
  11. Failing to report an accident or known hazardous conditions to an immediate supervisor;
  12. Gambling while on duty;
  13. Fighting;
  14. Being under the influence or possession of intoxicants or illegal drugs while on duty or on Park District property or failing to notify the Park District that you are taking legal drugs when such notice is required;
  15. Theft, misappropriation, or the careless, negligent, or improper use of funds or property belonging to the Park District, Park District employees, or the public;
  16. Possession of weapons in or on Park District property or while on duty;
  17. Incompetence, inefficiency, negligence, or other failure to perform duties properly;
  18. Failure to maintain a valid driver's license or other license or certification required for a Park District position;
  19. Smoking in or on Park District property;
  20. Violating the Park District's Equal Employment Opportunity Policy (anti-discrimination policy), Non-Discrimination and Anti-Harassment Policy, Violence in the Workplace Policy, or Conflict of Interest and Ethics Policy;
  21. Dishonesty, lying to Park District personnel, or falsifying or providing misleading information on forms, records, or reports provided to or on behalf of the Park District;
  22. Time card or time-keeping violations;
  23. Unauthorized possession, use, or copying of any document that is the property of the Park District;
  24. Sleeping on duty;
  25. Excessive use of personal cellular telephones or similar devices;
  26. Any violation of policies or procedures regarding the privacy of individually identifiable health information.

### **Review of Disciplinary Action Other Than Termination of Employment**

In the case of disciplinary action other than termination, you may request a review of the action by submitting your request in writing to your immediate supervisor within five (5) working days from the date the action was taken. Your immediate supervisor may meet with you and should issue a written determination within 10 working days of receipt of your written request for review. If you are not satisfied with this determination, you may seek review by submitting a written request with a copy of the initial

determination to the supervisor at the succeeding level of authority in your department within five (5) working days after the date of the initial determination. This supervisor may meet with you and should issue a written determination within 10 working days of receipt of your written request for review. If you are not satisfied with the determination at this stage, you may continue this process through each succeeding supervisory level in your department and Human Resources up to the Executive Director. Any decision of the Executive Director shall be final.

The Park District's failure to strictly adhere to the time limits or the procedure in this Policy shall not affect the resolution of any disciplinary action. This procedure should be followed to the extent that it is, in the Park District's sole discretion, practicable under the circumstances.

### **Review of Termination of Employment**

The decision to terminate an employee's employment shall be final unless a request for review of the termination is submitted in writing to the Executive Director within five (5) working days from the date the action was taken. The Executive Director or a designee may meet with you and investigate the circumstances surrounding your termination. The Executive Director or the designee(s) should issue a written determination within 10 working days of receipt of your written request. The Executive Director's decision shall be final.

Department Heads who has been terminated may make a request to the President of the Board of Commissioners ("President") to have the termination reviewed by the Board. The Executive Director's decision to terminate the Department Head's employment shall be final unless the Department Head submits a written request for review of termination to the President within (5) working days from the date the action was taken. The President and the Board may meet with you and investigate the circumstances surrounding your termination. The President on behalf of the Board should issue a written determination within 10 working days of receipt of your written request. The Board's decision shall be final.

Nothing in this Policy shall limit or restrict the Park District's right to terminate an employee's employment at any time, with or without cause.

**The Park District's failure to strictly adhere to the time limits or the procedure in this policy shall not affect the resolution of any disciplinary action.** This procedure will be followed to the extent that it is, in the Park District's sole discretion, practicable. The Park District reserves the right to proceed directly to the Executive Director or designee's review of an employee's termination.

## **POL.P.08.01 - Open Door**

The Park District is interested in all of its employees' success and happiness with the agency and welcomes the opportunity to help employees whenever feasible. The Park District promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees are encouraged to discuss any problems with their immediate supervisor. Employees may put a problem or concern in writing or supervisors may ask that this is done. An investigation will be made, and the employee will get an answer as quickly as possible.

At any time, or if the supervisor cannot be of assistance, employees may contact their Department Head, Human Resources, and the Executive Director. Employees experiencing or witnessing discrimination, harassment, or retaliation should following the reporting procedures contained in the [Policy on Non-](#)

## [Discrimination and Anti-Harassment.](#)

This procedure is not designed to discourage employees from talking to anyone in the Park District at any time. Rather, it is simply a way to ensure that concerns and problems are dealt with in a prompt, orderly and consistent fashion. The initial communication of an employee's problem or concern should be communicated to a Park District official within a reasonable time of the occurrence. Untimely complaints will be difficult to investigate, so employees are encouraged to make a complaint within a reasonable amount of time.

In addition to an employee's own problems and concerns, the Park District encourages employees to follow these procedures whenever they learn of a violation of Park District rules and policies.

No one who comes forward under this procedure will be retaliated against or suffer any negative consequences, no matter how their complaint or problem is resolved. Please be assured that the confidentiality of all such matters will be maintained to the fullest extent possible.

## POL.P.08.02 - Grievances

*Note: This Policy is subject to any applicable collective bargaining agreement.*

Any employee who has a grievance arising from employment with the Park District is encouraged to attempt to resolve problems with the person involved. If that attempt is unsuccessful or if, for any reason, the employee feels uncomfortable discussing the problem with the person involved, then the following procedure may be used:

Step 1: Present the grievance to the immediate supervisor, who will respond within three (3) working days after presentation. In most cases, a problem can and should be resolved with a frank and open discussion. If no satisfactory resolution is reached, the employee may proceed to Step 2.

An employee who is uncomfortable discussing a grievance with an immediate supervisor may proceed directly to Step 2.

Step 2: Present a written grievance to the next higher-level supervisor. That supervisor will investigate the matter, discuss it with the employee and the immediate supervisor, and issue a written response within three working days after presentation. If no satisfactory resolution is reached, the employee may continue this process through each succeeding level of authority up to the Executive Director. If the Executive Director becomes involved, a written decision will be issued within 10 working days after presentation of the grievance unless further investigation requires a longer period of time. A decision of the Executive Director is final and not subject to further review.

The Park District's failure to strictly adhere to the suggested time periods will not affect the resolution of the grievance.

This grievance procedure does not apply to performance evaluations or to any disciplinary actions, including without limitation oral warnings, written warnings, suspensions, or terminations.

The Park District will not discriminate or retaliate against an employee because the employee processes a

grievance through this procedure or testifies, assists, or participates in a grievance procedure investigation. A copy of all correspondence relating to the grievance will be placed in the employee's personnel file.