Livingston County
Personnel Policy Manual

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NO CONTRACTS OF EMPLOYMENT

The Policy Manual is not intended to create a contract of employment and is not an offer to enter into a contract. These policies do not establish contractual rights or employment or any employment benefit and are not to be construed to constitute contractual obligations of any kind, or a contract of employment between Livingston County ("County") and any employee. Rather, these policies are intended to describe the County's present policies and procedures, employee benefits, and general guidelines. Employment with the County is voluntary and "at-will." Just as you are free to resign at any time for any reason, the County has the right to terminate your employment and/or benefits at any time, with or without cause or advance notice.

Employment and compensation can be terminated, with or without cause, and with or without notice, at any time at the option of the either the employee or the County.

No commitment for employment for any specified duration, including "lifetime" employment, shall be valid or binding on the County unless expressly set forth in a written document and signed by both the employee and by the Livingston County Board.

Federal, state, or local laws or regulations shall supersede these stated policies, until corrections can be published, in the following instances:

1. If any of the policies are or become in conflict with applicable federal, state, or local laws or regulations;
2. If any omissions or inclusions cause conflict with applicable federal, state, or local laws or regulations; and
3. If typographical or printer error should cause conflict with applicable federal, state, or local laws or regulations.

Should there be any questions as to the interpretation of the policies or benefits listed in this Policy Manual, the final explanation and resolution will be at the sole and absolute discretion of the County Board, subject to applicable federal, state, and local laws.

The policies in this Handbook have been developed at the discretion of the County and may be amended or eliminated at any time, at the sole discretion of the County. The County retains the right to modify, eliminate, amend, or cancel any of its published or unpublished policies for any reason, with or without advance notice, at its sole discretion without having to give justification.

These policies replace all previous policies and practices and may not be changed or added to without the express written approval of the Livingston County Board. Questions about these policies should be directed to Human Resources.

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INTRODUCTION

The policies outlined in this Personnel Policy Manual are in effect for all employees of the County. However, employees represented by labor unions will be governed by the policies set forth in their collective bargaining agreements to the extent such policies differ from policies outlined in this Manual.

This Policy Manual is designed to acquaint employees with Livingston County and provide information about working conditions, employee benefits and some of the policies affecting employment. Employees are responsible for reading, understanding, and complying with all provisions of the Policy Manual. It describes many of the responsibilities of an employee and outlines the programs developed by the County to benefit employees. One of the objectives is to provide a work environment that is conducive to both personal and professional growth.

The Policy Manual cannot anticipate every circumstance or question about policy. As times change or as situations arise that are not addressed in the Policy Manual, the need may arise to change policies described in the Policy Manual. The County therefore reserves the right to revise, supplement, deviate from or rescind any policies or portion of the Policy Manual from time to time as it deems appropriate, in its sole and absolute discretion, with or without notice to employees.

CHAPTER ONE - DEFINITIONS

1-1 **COUNTY** - The geographical area and the local public entity known, defined and recognized as Livingston County, Illinois.

1-2 **BOARD** - The Livingston County Board, which is the chief governing and administrative body of the local public entity known and recognized as Livingston County, Illinois.

1-3 **COUNTY BOARD COMMITTEE** - Any one of the various County Board Committees established pursuant to the Standing Rules of the County Board. These Committees shall have duties as set forth in the Standing Rules and said duties may be changed from time to time by resolution of the full County Board.

1-4 **COUNTY AD-HOC PERSONNEL CODE COMMITTEE** - Comprised of at least three County Board members and County Officers.

1-5 **PERSONNEL, HEARING OFFICERS** - Committee comprised of three (3) County Board members appointed by the County Board Chairman when needed.

1-6 **OFFICER** - Any elected (or duly appointed) Office holder or any person who is appointed by the Board to administer and supervise the operation of any County Department, and any person who is appointed by the Board, or any other entity, to administer and supervise the operation of any public service agency in the County, which agency is supported, in part or whole, by funds which are collected and/or disbursed by the County and/or the Board. It is the duty of the Officer to determine the status of each Employee under his or her charge, as a full-time, regular part-time, or temporary Employee.

1-7 **FULL-TIME EMPLOYEE** - Employees regularly scheduled to work at least 1950 hours per year, for a County Office, including Officers, is considered a full-time Employee and is eligible for all County benefits. Temporary and per diem Employees are not considered full-time Employees.

1-8 **PART-TIME EMPLOYEE** - A person regularly scheduled to work less than 1950 hours per year is considered a regular part-time Employee and is not eligible for County benefits unless otherwise stated. Department Heads may be regular part-time Employees; however, temporary Employees are not considered regular part-time Employees.

1-9 **TEMPORARY EMPLOYEE** - A person employed for a period of time normally not to exceed three (3) months, or for a specific task. A Temporary Employee is not eligible for County benefits, unless otherwise stated. Temporary Employees may work the regularly scheduled number of hours for an Office (full-time) or less than the regularly scheduled number of hours for an Office (regular part-time). Student interns may be considered temporary Employees and employed up to one year. Temporary Employees are always considered to be on introductory status. Employment beyond any initially stated period does not in any way imply a change in employment status.

1-10 **CONTRACTUAL EMPLOYEE** - An individual, including per diem Employees, who receive a standard sum of remuneration for each day worked or service performed is considered a Contractual Employee and is not eligible for County benefits, unless otherwise stated.

1-11 **FISCAL YEAR** - December 1st through November 30th of each year.

1-12 **CALENDAR YEAR** - The twelve (12) consecutive month period that commences on the first day of January and ends at 12:00 midnight on the thirty-first day of the next following December.

1-13 **CLERK** - The qualified and duly elected, or appointed, Livingston County Clerk and Recorder of Deeds.

1-14 **STATE'S ATTORNEY** - The qualified and duly elected or appointed, State's Attorney in and for Livingston County.

1-15 **IMMEDIATE FAMILY** - The employee's spouse, child, sibling, parent, grandparent, or grandchild as related either biologically, through legal adoption, or through legal marriage (parent in-laws and step relatives of the same relation as above).

1-16 **POLICY** - The Livingston County Employees' Personnel Policy, the same having been passed by the Board at its Regular Meeting on July 17, 2014 and the effective date being August 1, 2014.

1-17 **TRAVEL** - The distance which an Employee is required by the Officer to travel in his or her own motor vehicle while performing his or her usual and customary job duties. Mileage shall be calculated from place of employment or Employee's residence, whichever is shorter. Mileage shall not include usual and customary travel to and from work.

1-18 **EMPLOYMENT DATE** - The first day an Employee works.

1-19 **PERSONAL DAYS** - Two days per calendar year of the employee's choice to be deducted from the employees accumulated sick days. If not used, the accumulated sick days remain the same.

1-20 **EXEMPT & NON-EXEMPT** - Each employee is designated as either NONEXEMPT or EXEMPT according to federal and state wage and hour laws. NONEXEMPT employees are eligible for overtime or compensatory pay under the specific provisions of federal and state wage and hour laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws.

These employment classifications are so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship, at will, is retained by both the employee and the County.

CHAPTER TWO - RECRUITMENT, HIRING AND INTRODUCTORY PERIOD

2-1 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy and practice of the County to afford equal opportunity in all personnel practices to all employees and applicants for employment regardless of race, color, religion, sex, sexual orientation, age, national origin, citizenship status, physical or mental disability, ancestry, marital status, and protected military or veteran status, in accordance with applicable law.

The County's Equal Employment Opportunity policy covers all employment practices, including hiring, benefits, promotions, discipline, training, and termination. Employees with questions or concerns should contact Human Resources.

2-2 INTRODUCTORY PERIOD

2-2.1 Duration - Each Employee hired, transferred, or promoted to fill a position must successfully complete an introductory period of twelve (12) months. The Officer or designee will generally conduct several informal meetings to orient the new Employee to the position. Upon successful completion of the introductory period, the Employee will be considered a regular employee, although this designation is solely for administrative purposes and does not affect the nature of the at-will relationship. An Officer may extend the introductory period up to an additional six months, if the Employee's performance is not satisfactory at the end of the initial introductory period. Further, any significant absence may extend the Introductory Period by the length of the absence.

Completion of the introductory period does not entitle the employee to remain employed by the County for any definite period. Employment with the County is at-will and the employee or the County may end the employment relationship at any time during or after the introductory period, with or without cause or advance notice.

2-2.2 Evaluation - Employees serving an introductory period may receive a written evaluation quarterly during the twelve (12) month period. The Officer or designee may discuss the evaluation and progress toward satisfactory performance with the Employee. Additional performance evaluations may take place as deemed necessary by the Officer or designee.

2-3 Job Posting

2-3.1 The County provides employees an opportunity to indicate their interest in open positions and transfer positions within the County according to their skills and experience. In general, notices of job openings are posted on the employee bulletin board and normally remain open internally for five (5) days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, and qualifications (required skills and abilities). Employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

2-3.2 To apply for an open position, employees must submit an application to the Human Resources Department listing job-related skills and accomplishments. It should also describe how their current experience with the County and prior work experience and/or education qualifies them for the position.

2-3.3 An applicant's supervisor may be contacted to verify performance, skills, and other qualifications. Staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

2-3.4 Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to Human Resources. Other recruiting sources are also used to fill open positions.

CHAPTER THREE - PERSONNEL RECORDS

3-1 MAINTENANCE OF PERSONNEL RECORDS

Employee personnel records are confidential and are maintained by Human Resources/Bookkeeping in a secure area. Employee medical records are kept in a separate file. Personnel records will be maintained in accordance with the schedule set forth by the Local Records Commission.

3-2 CONTENTS OF EMPLOYEE RECORDS

Personnel records may contain the following information:

i. A receipt for information received during orientation;
ii. All evaluations;
iii. Letters of reference, commendation or complaint;
iv. Applications;
v. Memos of verbal and written Employee warning records and suspensions;
vi. Training records;
vii. Requests for leaves of absence;
viii. Attendance, sick leave, vacation leave, compensation time, and overtime (if applicable) records;
ix. Resignation letters; and
x. Other pertinent job-related information.

3-3 RECORDS OF UNSUCCESSFUL APPLICANTS

A record of each unsuccessful applicant will be retained by Human Resources in accordance with applicable law.

3-4 ACCESS TO EMPLOYEE RECORDS

Access to Employee personnel records shall be made in accordance with the Illinois Personnel Record Review Act. Employees may review their file upon written request up to two times per calendar year. Employees shall not be permitted to remove their personnel file from Human Resources/Bookkeeping. One copy of the Employee's record will be allowed per request, at the Employee's expense.

3-5 CHANGE OF PERSONNEL INFORMATION

It is the responsibility of each employee to promptly notify the County of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify Human Resources as soon as possible.

CHAPTER FOUR - PERFORMANCE EVALUATION

4-1 EMPLOYEE EVALUATIONS

An annual evaluation is conducted for each Employee who has completed the introductory period. Evaluations are based upon performance of job duties and other job-related criteria. The County reserves the right to conduct more frequent performance evaluations in its discretion to address performance or misconduct issues.

4-2 APPOINTED OFFICER EVALUATIONS

Officers appointed by the County Board may be evaluated at the end of their introductory period and on an annual basis by the appropriate Board Committee. Evaluations will be reviewed and filed by the Board Personnel Committee. Evaluations are placed in the Officer's personnel file in the Human Resources/Bookkeeping office in a sealed envelope. Evaluations are based upon job descriptions and other job-related criteria. The County reserves the right to conduct more frequent performance evaluations in its discretion to address performance or misconduct issues.

CHAPTER FIVE - RESIGNATION, EXIT INTERVIEWS, LAYOFF

5-1 RESIGNATION, REDUCTION IN FORCE AND TERMINATION OF BENEFITS

Since employment with the County is based on mutual consent, both the employee and the County have the right to terminate employment at will, with or without cause, at any time.

5-1.1 The County requests that a letter of resignation be provided to the Officer at least two (2) weeks before the Employee's last working day. The letter should state the reason for resignation and the last working day. Supervisory personnel are requested to provide at least four (4) weeks notice.

5-1.2 The Officer shall notify Human Resources and the County Payroll Department of all resignations immediately. A Termination Notice and Payroll Change Form showing last day to be paid for, vacation days, holidays, compensatory time, etc. must be filed with the County Payroll Department.

5-1.3 Exit interviews are generally scheduled with Human Resources prior to the last working day.

5-1.4 An Officer in charge of supervising a Department may lay off an Employee in the County whenever it is necessary. Reasons for layoff include, but are not limited to, shortage of funds or work, change in the duties of a position, elimination of the position.

CHAPTER SIX - PROBLEM SOLVING PROCEDURE, DISMISSAL AND DISCIPLINE

6-1 PROBLEM SOLVING PROCEDURE

6-1.1 The problem solving procedure is just what it says - a procedure for solving employee problems which typically occur in the workplace. Employees who have a problem, complaint, or a situation they do not understand, may take the following steps:

Step 1: The employee should discuss the situation with his or her immediate supervisor or department official as soon as possible. The employee should give the supervisor or department official an opportunity to investigate and then get back to the employee.

Step 2: If the employee is not satisfied with the supervisor's response or feels the problem is not resolved, the employee can present the problem to Human Resources. This should be done in writing and again, as soon as possible. The employee should give Human Resources an opportunity to investigate and get back to the employee in writing.

Step 3: If the employee is still not satisfied that the problem is resolved, the employee can present the problem to the County Board Chair who will appoint personnel hearing officers. As before, this should be done in writing and as soon as possible. The personnel hearing officers, appointed by the County Board Chair, will then investigate and make a decision that will be final.

Employees with concerns or complaints related to harassment should refer to the County’s Anti-Harassment Policy and Complaint Procedure.

6-2 DISCIPLINARY ACTION

6-2.1 Employees of the County are required to adhere to certain rules of conduct necessary for the County's operations and courteous and harmonious delivery of business operations and interactions with co-workers. This code of conduct is necessary to establish and maintain an effective and pleasant working atmosphere. Employee conduct that interferes with the effective operation of the County's business is prohibited.

The performance standards listed below and others published from time to time are not all inclusive. Rather, they are published to provide a general understanding of what the County considers to be misconduct for which employees may be disciplined or dismissed. Unacceptable conduct not specifically listed may, nonetheless, result in disciplinary action up to and including discharge. Employees who need clarification of a specific issue related to these standards should seek clarification from a supervisor. Violations of any of the following performance standards may result in disciplinary action and/or discharge:

i. Unauthorized use, possession purchase, consumption, transfer or sale of alcoholic beverages, controlled substances or illegal drugs during working hours, on work premises, or otherwise while representing the County, or reporting to work under the influence of alcohol, controlled substances or illegal drugs;

ii. Carrying a firearm or weapon, other than authorized personnel, while on duty;

iii. Failure to follow a specific order of a supervisor;

iv. Willful or negligent damage of County property and/or County records, including removal;

v. Theft or misappropriation of funds, records, or property;

vi. Fighting, threatening violence, or intimidation by an employee;

vii. Willful misrepresentation or concealment of fact requested process;

viii. Violating County policies, rules, regulations, or practices;

ix. Excessive unexcused absences;

x. Repeated tardiness;

xi. Leaving duty prior to the end of the assigned shift;

xii. Failure to complete duties as assigned in a manner and attitude acceptable to the Employee's Officer;

xiii. Failure to request leave in an authorized manner or abuse of leave privileges;

xiv. Discourtesy or disrespect to a member of the public or a County official or fellow Employee which may include the use of loud, aggressive, profane, obscene, abusive, or threatening language/behavior;

xv. Any safety violation or engaging in any conduct which tends to create a safety hazard or failing to report on the job accidents;

xvi. Inappropriate behavior, including sexual harassment or other types of illegal harassment;

xvii. Unauthorized use of telephones;

xviii. Inappropriate dress; (see Dress Code Policy)

xix. Abuse of authorized work breaks.

xx. Use of the employee's position for personal gain, including but not limited to, the acceptance of gratuities offered in the expectation that they will affect or influence the employee in the performance of the employee's duties;

xxi. Inducing or attempting to induce any employee to commit an illegal act or to act in violation of any lawful and reasonable department or official regulation;

xxii. Conducting any outside business during working time. In addition, employees may not conduct private business on County property;

xxiii. Failure or refusal to accept a new job assignment or a change of employment to a department, section, or shift;

xxiv. Exercising or attempting to exercise any political patronage or influence that might affect the conditions of employment.

xxv. Being wasteful of material, property, or working time;

xxvi. Inability to get along with fellow employees so that the work being done is hindered and not up to required levels;

xxvii. Making derogatory or false accusations so as to discredit other employees or supervisors;

xxviii. Divulging or misusing confidential information;

xxix. Conduct on the job that violates the common decency or morality of the community;

xxx. Dishonesty or any act that is incompatible with or reflects discredit upon the County or tends to damage the efficient operation of the public service.

xxxi. Falsification of records or statements, or deliberately using any type of misleading, inaccurate, or falsified records or statements.

xxxii. Unauthorized or improper use of telephones, mail systems, electronic communications, or other employer-owned system and equipment, or any violation of the Electronic Communications policy.

xxxiii. Smoking in prohibited areas.

6-2.2 Recommended Disciplinary Procedures - These are recommended procedures for Employee discipline. These procedures may be utilized in the absence of a procedure provided by statute (e.g. Court Services Department).

i. Verbal Warning - Verbal warning may be given prior to initiation of disciplinary action, and may be noted in the Employee's personnel file as to the time and date of the infraction and the nature of the infraction.

ii. Written Warning - A written warning may be given to the Employee if he or she continues to have difficulties in the same area. However, the Officer in charge of the Department may give a written warning to an Employee after an oral warning, even if the problem area is different. Finally, a written warning may be given by the Officer in charge of the Department if the violation or infraction is of a serious nature, but does not justify dismissal. A copy of this warning may be included in the Employee's personnel file, and each Employee will sign and date a statement that he or she received the warning.

iii. Suspension - An Officer in charge of a Department may, as a disciplinary action, suspend without pay any Employee. An Employee may appeal his or her suspension to the County Board Chair who will appoint personnel hearing officers, provided that the request for review is filed with Human Resources within ten (10) working days of the receipt of the written report stating the reasons and duration of the suspension.

iv. An employee may also be suspended with pay pending investigation of allegations of misconduct. Employees may be subject to further discipline, or not, depending on the outcome of the investigation.

v. Dismissal - The most severe violations, or repeated violation for similar conduct, may result in discharge of the Employee by the Officer in charge of the Department. The Officer or designee must prepare a written report of the grounds and the specific reasons for the dismissal, and must provide the same to the Employee. A non-introductory Employee may appeal his or her dismissal to the personnel hearing Officers of the County Board within 10 days of dismissal.

vi. While a system of progressive discipline may be followed, it is not always appropriate that each step be completed before moving to the next level. Discipline may begin at any step, dependent upon the severity of the incident. The progressive disciplinary steps and the failure to follow the steps in every situation does not in any way create a contractual right to continued employment. The County reserves the right to use progressive discipline or not, as it deems appropriate in each instance.

CHAPTER SEVEN - WORKING HOURS AND COMPENSATION

7-1 OFFICE HOURS

7-1.1 Official Livingston County Office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, except for those Departments which require twenty-four (24) hour staffing.

7-2 WORKING HOURS

7-2.1 Each Employee scheduled to work 7.5 hours or more in a workday shall have a meal break during work hours. Meal periods of at least 20 minutes are to be taken no later than 5 hours after beginning work.

7-2.2 Work breaks will be scheduled by the Officer or designee.

7-2.3 Each employee shall be responsible for the accurate and timely completion of his or her time sheet/timekeeping system report. Time sheets/timekeeping system reports must be signed by the employee and approved by the department official. Hours worked should not be predicted or projected. Time sheets/timekeeping system reports must reflect actual hours worked, and not personal travel time, unpaid lunch time, personal errands during work hours, etc. Time sheets/timekeeping system reports must also include paid benefit time, including sick, vacation, holiday, and compensatory time during the pay period.

7-2.4 Completion of another employee's time sheet/timekeeping system report or falsification of an employee's own time sheet/timekeeping system report could result in discipline up to and including termination.

7-3 ATTENDANCE POLICY

7-3.1 Consistent attendance and punctuality contribute to the success of the County's business operations. Attendance problems disrupt operations, lower productivity, and create a burden for other employees. All employees of the County are expected to assume responsibility for their attendance and promptness. Poor attendance will be reflected in an employee's performance review, and is subject to disciplinary action up to and including termination of employment.

7-3.2 Employees who are unable to report to work as scheduled must contact their immediate supervisor as soon as possible before their starting time, providing the reason for the absence and the estimated time of return. Employees who are absent for two or more consecutive days without calling are considered as having voluntarily quit.

7-4 Emergency Closing

7-4.1 Definitions:

Emergency Conditions – Circumstances which necessitate the closing of a County building or the curtailing of operations.

Conditions of a Serious Nature – Circumstances which may prohibit employees from reporting to work but do not necessitate the closure of a building or curtailing of operations.

7-4.2 The County does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each person should exercise his/her best judgment with regard to road conditions and other safety concerns. If conditions of a serious nature arise before the start of an Employee's working hours, the Employee shall make reasonable attempts to arrive at his or her place of employment. If this is not possible and the County Office Building in which an Employee works is not declared closed and the Employee is unable to arrive at work, non-exempt employees may, at the discretion of the Department Official: 1) utilize benefit time such as comp time, vacation, etc.; 2) have a day's pay deducted from his or her next pay check; 3) make arrangements to work additional hours to compensate for those hours missed.

7-4.3 If emergency conditions arise, the decision to close the Law & Justice Center is the responsibility of the Sheriff. The decision to close the courts is the responsibility of the Chief Judge of the 11th Circuit. The decision to close the Historic Courthouse, Regions Bank Building and the H&E Building is the responsibility of the County Board Chairperson or designee.

7-4.4 When a county building is closed or operations are curtailed due to emergency conditions, employees whose work is affected by the declaration of the emergency shall be granted administrative leave with pay. This is limited to one day's pay, however. If the building(s) remain closed beyond that first day, non-exempt employees may use benefit time, such as comp time, vacation, etc. , elect to have a day's pay deducted from his or her next pay check or at the Department Official's discretion, make arrangements to work additional hours to compensate for those hours missed.

7-4.5 The provisions of this policy shall not apply to employees on sick leave; any other prior approved leave rendering them unavailable to work; or is not scheduled to work that day. FLSA guidelines will be used for exempt employees.

7-4.6 The provisions of this policy are not applicable to the employees in the following departments who are required to work when emergency conditions arise: Highway, Sheriff's Office, Jail, Coroner, Facility Services and LIVCOM/911.

7-5 PAYCHECKS, PAYCHECK ERRORS AND DEDUCTIONS

7-5.1 Paychecks - Payroll periods end every other Sunday night at 12:00 midnight and payroll periods begin at 12:01 a.m. on Monday morning. Payroll checks are issued the first Friday following the end of a payroll period. Payroll checks are delivered to Department Offices, within the Courthouse, and are normally distributed by the Officer or designee at 8:30 a.m. Payroll checks that have not been picked up by the Employee will be mailed after distribution. All deductions from an Employee's gross pay are printed on the stub of each payroll check.

7-5.2 Paycheck Errors - Any paycheck errors should be referred to the Employee's Officer or Human Resources. With the approval of said Officer, correction will normally be made no later than the following pay period.

7-5.3 Deductions - The following deductions may be made from an Employee's pay in accordance with established benefits, legal requirements and/or Employee option:

i. Federal and State Income Tax;

ii. F.I.C.A. (Social Security);

iii. Medicare;

iv. I.M.R.F. (Illinois Municipal Retirement Fund);

v. Employee and Dependent Insurance Coverage;

vi. Deferred Compensation;

vii. Credit Union; and

viii. Others as requested, legally required and/or approved.

7-6 Compensatory Time Off Policy

7-6.1 The Board acknowledges that circumstances may arise which, on occasion, require Employees to perform their job duties at times other than scheduled working hours; therefore, the Board hereby states its intention and desire that non-exempt Employees be compensated, as herein after set forth, for such hours worked beyond the scheduled hours in a workweek. Exempt employees are not eligible for overtime and compensatory pay.

7-6.2 Prior to the performance of supplemental hours worked by any Employee, the Employee must receive authorization from the appropriate individual/Department Head. Failure to receive authorization in advance of working supplemental hours may result in discipline up to and including termination of employment.

7-6.3 Statutory and Other Comp time, with the exception noted below for "Other" comp time, shall be taken by the non-exempt employee as time off unless the employer and employee reach an understanding prior to the hours worked as to the method of payment. "Other" comp time can come into play when an employee's maximum scheduled workweek is fewer than forty (40) hours. During any workweek with a total of 40 hours or more hours worked, "Other" comp time will be paid out for the hours worked up to 40 in compliance with applicable wage and hour laws. If the total worked for the workweek is 40 hours or less, "Other" comp time will be accrued to comp time earned. Statutory comp time comes into play only when employees work more than 40 hours in a workweek.

7-6.4 Officers in charge of Departments shall have absolute authority to determine the time period when Employees will be allowed to take their Compensatory Time Off so as to minimize interference with the routine operation of the various Offices and Departments. The final approval of Compensatory Time Off periods will be left to the discretion of the various Department Heads after the Employee has made the request and discussion has been held between the Employer and Employee.

7-6.5 For each hour that an Employee works beyond 40 hours in a single workweek, the Employee will be granted one and one half hours time off as statutory comp time in compliance with applicable wage and hours law.

7-6.6 All existing accumulated comp time is paid to employees at the end of the fiscal year.

7-6.7 An employee may not be required to substitute compensatory time off for a leave of absence granted pursuant to the Family and Medical Leave Act (FMLA). Other leaves of absence require the exhaustion of any accumulated, unused compensatory time off.

7-6.8 Compensatory Time Off shall be deemed to be separate and distinct from vacations, but such Compensatory Time Off may be granted in addition to the vacation for which employees are eligible.

7-6.9 No Employee may be absent from his usual and customary duties for more than two (2) consecutive weeks, whether he is taking the accumulated Compensatory Time Off that has accrued to him, or any vacation for which he is eligible, without first obtaining the approval of the Officer who is responsible for supervising the Employee.

7-7 ELECTED OFFICERS

7-7.1 The provisions of Section 7-2 and 7-6 should be considered to be advisory only as to elected Officers.

7-8 FINAL PAYCHECK

7-8.1 Terminating Employees will be paid in a lump sum for accrued, unused vacation, compensatory time, and time worked beginning with the first day following the end of the previous pay period up through, and including, the final day of employment. Payment will be made at the employee's normal rate of pay, on the regular pay date.

CHAPTER EIGHT - BENEFITS

A Summary Plan Description (SPD), which explains coverage of many of the benefits in greater detail, may be available. The actual plan documents, which are available by making a written request to the Human Resource Office are the final authority in all matters relating to benefits described in this handbook or in the summary plan description and will govern in the event of any conflict. Additionally, the County reserves the right to change or eliminate any benefits at any time in accordance with applicable law.

8-1 HOLIDAYS

8-1.1 Official Holidays - Except as otherwise provided by statute, the annual holiday schedule for Livingston County shall be set by the Sheriff and approved by the County Board. The Chief Judge of the 11th Judicial Circuit shall consult with the Sheriff in an attempt to resolve any differences between the holiday schedule prescribed by the Illinois Supreme Court for judicial employees and the Circuit Clerk's office and the holiday schedule recommended by the Sheriff to the County Board.

i. In observance of those holidays hereinafter specified, all County Offices and Departments, as well as the Livingston County Courthouse, will be closed. In the event that any such holiday falls, or is observed on, either a Saturday or Sunday, the Livingston County Sheriff shall determine whether such holiday will be observed by the State of Illinois on either Friday or Monday. The various County Offices and Departments, as well as the Livingston County Courthouse, will be closed on the same day that such holiday is observed by the State of Illinois.

ii. The Holidays that will be observed by the closing of the County Offices and Departments, as well as the Livingston County Courthouse, shall be established by the Sheriff, with the consent of the County Board, prior to January 1st of each year.

8-1.2 Holiday Observance - Where an Employee is scheduled and required to work on a holiday, equivalent time off will be granted within a reasonable period at a time convenient to the Employee and consistent with the Department's operating needs.

8-1.3 Holiday During Vacation - A holiday falling during an Employee's regularly scheduled vacation period shall be counted as a holiday and not as a vacation day.

8-1.4 Eligibility for Holiday Pay - To be eligible for a paid holiday, the Employee shall work the last scheduled work day before the holiday and the first scheduled work day after the holiday, unless absence on either or both of these work days is for good cause and approved by the Officer. Employees working a holiday are eligible for equivalent time off or pay, consistent with the Department's operating policy.

8-1.5 Part-Time Employees - Part-time employees will receive holiday pay for those holidays on which they were regularly scheduled to work, in accordance with the above guidelines. Employees will be paid for the number of hours they were scheduled to work on that day.

8-2 VACATION LEAVE

8-2.1 Vacations are granted to Employees on an annual basis and are intended to provide Employees with an opportunity for rest and relaxation. Therefore requests for compensation in lieu of vacation time will not be granted. Employees should submit requests for vacation time to their immediate supervisor as far in advance as possible. Upon termination of employment, employees will receive pay for all earned, unused vacation time.

8-2.2 Employees with zero (0) through seven (7) years of continuous employment from the Employee's employment date shall earn one vacation day per month and may be accrued not to exceed twenty-four (24) vacation days

8-2.3 Beginning the eighth (8th) year of continuous employment from the Employee's employment date, an Employee earns one and one-half (1 1/2) vacation days per month and may be accrued not to exceed thirty-six (36) vacation days.

8-2.4 Beginning the sixteenth (16) year of continuous employment from the Employee's employment date an Employee earns two (2) vacation days per month and may be accrued not to exceed forty-eight (48) vacation days.

8-2.5 To schedule vacation time off, employees must submit their request to their Officer. Requests are reviewed based on a number of factors, including operational needs and staffing requirements. No vacation shall be taken prior to the successful completion of six (6) months continuous employment with the County without the approval of the Officer. Employees will be credited with paid vacation leave days during the period of time in which he or she receives compensation pursuant to the Illinois Workers' Compensation Act, and he or she shall be permitted to accumulate such paid vacation leave days during said period of time. Employees will not accumulate vacation time during unpaid leaves or during leaves covered by short or long term disability.

8-2.6 Part-time Employees who are regularly scheduled at least 16 hours per week are eligible for paid vacation time and shall earn vacation time in proportion to the number of scheduled hours worked.

8-2.7 Vacation time is accrued on the last day of the month. If an employee's start date is the 1-15th day of the month, the employee will accrue the full month accrual for vacation. If the employee's start date is the 16th – 31st of the month, the employee will accrue a half month of accrual for vacation. If the employee terminates employment from Livingston County and their last day of work is the 1-15th of the month, the employee will receive a half month of accrual for vacation. If the employee's last day of work is the 16-31st of the month, the employee will receive the full month accrual for vacation. Following is a table representing the full month accrual rate:

Years of Service	Scheduled Hours per Pay Period	Accrued Vacation Hours per Month
0-7	80	8
0-7	75-79	7.5
0-7	70-74	7.2
0-7	64-69	6.4
0-7	60-63	6
0-7	55-59	5.6
0-7	50-54	5
0-7	45-49	4.8
0-7	40-44	4
0-7	32-39	3.2
after 7	80	12
after 7	75-79	11.25
after 7	70-74	10.8
after 7	64-69	9.6
after 7	60-63	9
after 7	55-59	8.4
after 7	50-54	7.5
after 7	45-49	7.2
after 7	40-44	6
after 7	32-39	4.8
after 15	80	16
after 15	75-79	15
after 15	70-74	14.4
after 15	64-69	12.8
after 15	60-63	12
after 15	55-59	11.2
after 15	50-54	10
after 15	45-49	9.6
after 15	40-44	8
after 15	32-39	6.4

8-3 PERSONAL DAYS

8-3.1 Employees may choose to have two (2) personal days per calendar year. If an employee chooses to use personal days, the personal days will be deducted from the employee's accumulated sick days. If the Employee does not use any personal days, the accumulated sick days will remain the same.

8-4 SICK LEAVE

8-4.1 The Board hereby declares its intention to assist Employees in minimizing the loss of income that often results when Employees are unable to perform any of their usual and customary duties due to illnesses or injury to themselves or an immediate family member.

8-4.2 The term illness includes any physical impairment caused by pregnancy, childbirth, or related medical conditions which causes the Employee to be unable to perform the major functions necessary in the completion of her job.

8-4.3 Full Time employees shall earn one sick day per month.

8-4.4 Part-time Employees who are regularly scheduled at least 16 hours per week are eligible for paid sick time and shall earn sick time in proportion to the number of scheduled hours worked.

8-4.4.1 Sick time is accrued on the last day of the month. If an employee’s start date is the 1-15th day of the month, the employee will

accrue the full month accrual for sick. If the employee's start date is the 16th – 31st of the month, the employee will accrue a half month of accrual for sick. If the employee terminates employment from Livingston County and their last day of work is the 1-15th of the month, the employee will accrue a half month of accrual for sick. If the employee's last day of work is the 16-31st of the month, the employee will accrue the full month accrual for sick. Following is a table representing the full month accrual rate:

Scheduled Hours per Pay Period	Accrued Sick Hours per Month
80	8
75-79	7.5
70-74	7.2
64-69	6.4
60-63	6
55-59	5.6
50-54	5
45-49	4.8
40-44	4
32-39	3.2

8-4.5 Upon retirement, up to 240 days accumulated (earned and unused) sick days shall be credited to Illinois Municipal Retirement Fund (IMRF) benefits as per IMRF rules and regulations. The Employee shall be compensated at his or her daily wage rate for unused accumulated sick leave days in excess of 240 days, up to a maximum of 120 days. This amount will be paid in one lump sum no later than 90 days from the retirement date.

8-4.6 Sick Leave is hereby declared to be a privilege granted by the County and any abuse thereof shall result in the discharge of the offending Employee pursuant to Section 6-2, or the forfeiture of all Sick Leave benefits previously granted to the offending Employee. The Officer who is in charge of the Department may require proof, in written form or otherwise, of the illness, including but not limited to a doctor's diagnosis. Upon return, an employee may be required to submit a physician's statement indicating that the employee is fit to resume his or her duties.

8-4.7 If, as a consequence of a job-related injury, illness, or disability, an Employee will receive compensation pursuant to provisions of the Illinois Worker's Compensation Act. Employees may not use sick leave to supplement the difference between Workers' Compensation payments and the employee's regular pay. Employees will accrue paid sick leave and vacation days during the period of time in which he or she receives Workers' Compensation.

8-4.8 Accumulated paid sick leave days may not be converted into vacation days.

8-5 Family and Medical Leave Policy (FMLA)

8-5.1 Eligible employees may take up to 12 workweeks of unpaid FMLA leave in a 12-month period for specified family and medical reasons. The 12-month period is measured forward from the date an employee's first FMLA leave begins.

8-5.2 Eligibility - Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

8-5.3 Conditions Triggering Leave - FMLA leave may be taken for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Federal law specifies employee eligibility for leave and provides certain limitations and conditions. Spouses who both work for the County may only take a combined total of twelve (12) weeks for the birth or placement of a child. However, each employee may use the remainder of his/her individual FMLA leave for other allowable reasons.

8-5.4 Definition of Serious Health Condition

For the purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

8-5.5 Military Family Leave

8-5.5.1 Qualifying Exigency Leave Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

8-5.5.2 Leave to Care for a Covered Servicemember FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Spouses who both work for the County may only take a combined total of 26 weeks in a single 12-month period to care for a covered servicemember.

8-5.6 Calculation of FMLA Leave

Eligible employees may receive up to 12 workweeks of unpaid leave during the 12-month period measured forward from the date an employee's first FMLA leave begins. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement of the child.

8-5.7 Intermittent Leave

Eligible employees may take FMLA intermittently or on a reduced hour basis when medically necessary for the employee's own or immediate family member's serious health condition. Leave due to qualifying exigencies may also be taken on an intermittent basis. Intermittent leave is not permitted for birth of a child, to care for a newly born child, or for placement of a child for adoption or foster care.

Where an employee requests intermittent leave or leave on a reduced hours basis due to an immediate family member's or the employee's own serious health condition, the County has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job (with equivalent pay and benefits) for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave than the employee's regular job.

8-5.8 Use of Accrued Paid Leave

Employees must first use their available paid time off (vacation, sick leave, etc.) during the leave period. When an employee has taken all available accrued paid leave, any additional leave under this policy will be unpaid.

8-5.9 Requesting Leave and Designation of Leave

FMLA leave may be initiated by the employee or the County. To request FMLA leave employees should complete a Request for Leave form and submit it to Human Resources. In certain circumstances, the County may designate an absence as FMLA even if the employee did not request FMLA.

8-5.10 Notification by Employee

When the need for leave is foreseeable (such as the birth or placement of a child and certain medical treatments), the employee must notify the County at least 30 days in advance of the requested leave. When the need for leave is not foreseeable, the employee must give notice as soon as practicable. Failure to provide timely notification may result in delay or denial of leave.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified.

8-5.11 Certification

Employees may be required to provide a certification and periodic recertification from a health care provider supporting the need for leave. The employee must provide a copy of the certification in a timely manner (fifteen calendar days). All appropriate information must be provided on the certification; employees must provide additional required information when requested. Under certain circumstances, the County may require second or third medical opinions and periodic re-certifications. Failure to comply with these requirements may result in delay or denial of leave.

8-5.12 Benefits

Employees taking leave under this policy who participate in the County's group health plan may continue coverage under the plan on the same terms as if they had continued work, with the County paying its portion of the premiums and the employee paying his or her portion. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage.

If an employee fails to return to work from FMLA leave, the County reserves the right to recover reimbursement for the employer-paid portion of benefits coverage, unless the employee fails to return due to the continuation, recurrence, or onset of a serious health condition or circumstances beyond his or her control.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. Vacation and sick leave will not accrue during any unpaid portion of the FMLA leave.

8-5.13 Return to Work

Upon returning from FMLA leave, most employees must be restored to their original position or to an equivalent position with equivalent pay, benefits, and other employment terms.

8-5.14 Limited Nature of This Policy

This policy is intended to provide only those leave benefits and protection required by FMLA and any applicable law.

8-6 Personal Leave of Absence

8-6.1 The County will consider requests for personal leaves of absence from employees who have at least twelve (12) months of continuous service. The County provides personal leaves of absence in certain circumstances for family emergency situations or highly unusual circumstances not covered by FMLA or other County leave policy.

8-6.2 At the discretion of the County, a personal leave may be granted for a period of up to 12 weeks each calendar year or until appropriate benefit time has been exhausted whichever is greater. Employees must use accrued vacation, comp time, personal, and sick time (if the personal leave is for the employee's illness) during personal leave. Any remaining personal leave will be unpaid.

8-6.3 Employees must submit a request for leave of absence in writing to their department official at least 30 days in advance, whenever the need for leave is foreseeable. If the need for leave is not foreseeable, employees must request leave as soon as practicable.

8-6.4 At the end of the month in which the employee exhausts vacation, comp time, personal, and sick time while taking leave under this policy, the employee will become responsible for the full costs of health insurance if they wish coverage to continue.

8-6.5 Benefit accruals, such as vacation and sick time, will be suspended during the unpaid portion of leave under this policy and will resume upon return to active employment.

8-6.6 Reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, approval of leave does not guarantee job reinstatement in all cases. The employee's present position may be filled or eliminated while on a personal leave of absence unless otherwise protected by law.

8-6.7 Employees who fail to return to work without notification upon the expiration of the leave of absence will be considered to have resigned as of the last day of the leave of absence.

8-6.8 Job reinstatement is not guaranteed with a Personal Leave of Absence. If the employee's job has been filled or eliminated, the employee may apply for other open positions with the County for which he or she is qualified. If no such position is available when the employee returns to work, the employee may be terminated from employment.

8-7 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT

8-7.1 Statement of Policy - Eligible employees may use unpaid victims' economic and security and safety leave for up to 12 weeks per 12-month period for any one or more of the following reasons:

i. Seeking medical attention 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; or

ii. Obtaining services from a victim services organization for the employee or the employee's family or household member; or

iii.Obtaining psychological or other counseling for the employee or the employee's family or household member; or

iv. 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 ensuring economic security; or

v. 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.

8-7.2 DEFINITIONS -

i."12-Month Period" - means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.

ii. "Family or Household Member" - means a spouse, parent, son, daughter, and persons jointly residing in the same household;

iii. "parent"- means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.

iv. "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.

v. "Domestic or Sexual Violence" - means domestic violence, sexual assault, or stalking.

8-7.3 Coverage and Eligibility - Both full and part-time employees are eligible to apply for this leave.

8-7.4 Intermittent or Reduced Leave - An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule.

8-7.5 Substitution of Paid Time Off/Family/Medical Leave -

i. An employee may elect to substitute accrued paid vacation, sick or personal time for any part of victims' economic security and safety leave. Such substitution will not extend the 12-week period.

ii. When the employee's need for the leave also qualifies as family/medical leave pursuant to the Family and Medical Leave Act (FMLA), or for short-term or long-term disability, these leaves will run concurrently with leave taken pursuant to this policy.

8-7.6 Notice Requirement - An employee is required to give 48 hours notice to the County in the event of a foreseeable leave. In unexpected or

unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

8-7.7 Certification - For leaves taken pursuant to this policy, the employee may be required to submit a certification demonstrating the need for the leave. The certification must be provided by the employee as soon as reasonably possible, but in most cases, within 15 days after requested.

The certification requirement may be satisfied by the submission of a sworn statement from the employee and one of the following:

i. Documentation from a victim services organization, attorney, clergy, or medical or other professional from whom the employee or the family/household member has sought assistance from in addressing domestic or sexual violence and/or its effects;

ii. A police or court record; or

iii. Other corroborating evidence.

All documentation related to the employee's need for the leave pursuant to this policy will be held in strict confidence and will only be disclosed as required/permitted by law.

8-7.8 Effect on Benefits - During an approved VESSA leave, the County will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid VESSA leave, the County will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the County for the cost of the premiums paid by the County for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuation, recurrence, or onset of domestic or sexual violence or other circumstances beyond your control.

8-7.9 Job Protection - If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If you take leave because of your own medical condition, you are required to provide medical certification that you are fit to resume work. You may obtain Return to Work Medical Certification forms from your Officer. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

8-7.10 Reasonable Accommodations - The County supports the Victims' Economic Security and Safety Act and will attempt to provide reasonable accommodations for people who are entitled to protection under this Act, unless such accommodations would present an undue hardship for the County.

Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic or sexual violence.

A qualified individual is an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a

victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires.

Should you wish to request a reasonable accommodation pursuant to this policy, you should contact your supervisor.

8-8 BEREAVEMENT

8-8.1 In the event of the death of an immediate family member, an Employee shall be permitted to be absent from his or her job for an appropriate number of days up to 3 days with Officer approval, and for each such day's absence the Employee shall receive compensation at his or her normal rate of pay. If the Employee desires to be absent for more than 3 days, he or she may utilize previously earned, unused, vacation days, personal days or compensatory time and receive compensation for each such additional day's absence at his or her normal rate of pay, provided that his or her immediate supervisor approves such additional absence. For purposes of this policy only, immediate family member is the employee's spouse, child, sibling, parent, grandparent, or grandchild as related either biologically, through legal adoption, or through legal marriage (in-laws and step relatives). The County reserves the right to request proof of the need to take a leave pursuant to this policy.

8-8.2 Any absence to attend the funeral of anyone who is not a member of an Employee's immediate family may be arranged with the Officer in charge of supervising the Employee, without pay. Previously earned, and unused, vacation days, personal days or compensatory time may be utilized in such case with the consent of the Officer in charge of supervising the Employee.

8-8.3 No County Office or Department shall be closed due to the death of an Officer, Department Head, Employee or member of any Employee's immediate family, except during funeral hours, and then only with the consent of the Officer in charge of supervising the Department; there shall be no exceptions to this rule unless the consent of the County Board Chairman is obtained.

8-9 MILITARY LEAVE

8-9.1 Any Employee may take a LOA for active or reserve duty with a military unit of the United States or the State of Illinois in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state law. Advance notice of military leave is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Employees on military leave must apply for reinstate in accordance with applicable laws. Contact Human Resources for more information or questions about military leave.

8-10 TRAINING LEAVE

8-10.1 The Officer may request Employee training on subject matter directly related to the Employee's job. The training may consist of a training seminar or conference of two (2) weeks duration or less or a course for college credit of up to three (3) semester hours. The Employee attending the training will receive his or her normal salary and reimbursement for expenses incurred and the County will pay the registration fee. Any study time resulting from this training should be completed during regular scheduled work hours.

8-10.2 Upon the Officer's recommendation, an absence to attend any training seminar or conference lasting more than two (2) weeks or a course for college credit of more than three (3) semester hours may be approved by Board Personnel Committee. The Board Personnel Committee shall specify remuneration and terms of reimbursement, if any.

8-10.3 Any exceptions to this section, shall be approved by the County Board Personnel Committee.

8-11 JURY/WITNESS DUTY

8-11.1 Any Employee who is called for jury duty shall be excused from work for the days served. Employees who receive a summons must provide a copy of the summons to their supervisor as soon as possible. Employees must provide proof of service upon completion of the jury duty period, or as requested by the County. It is the employee's responsibility to keep his or her supervisor informed as to the expected amount of time required for jury duty. Employees are expected to come to work whenever the court schedule permits.

Employees are paid their normal rate of pay for each day of jury duty for which they would have worked. To receive normal pay, employees must complete the court's waiver voucher for jury duty pay. The mileage reimbursement shall be paid to the Employee upon request at completion of jury duty.

8-11.2 Employees who are served a subpoena to appear for witness duty will be paid at their normal rate of pay during the time they are required to be away from work. The payment received for witness duty shall be returned to the County; however, the mileage reimbursement shall be retained by the Employee.

8-11.3 Department Heads shall maintain records of the days on which jury and witness duty is served by the Employee.

8-12 HEALTH AND TERM LIFE INSURANCE

8-12.1 The County provides group health and life coverage as it determines. The County Board shall determine annually the amount that it will contribute to a health insurance program on behalf of each Employee. Employee choice of health insurance program shall not interfere with the Employee's group life benefit. If the cost of a group health insurance program is more than the County contribution, the Employee shall pay the additional amount through payroll deduction. If the Employee wishes to have dependent coverage, the Employee must assume the responsibility for dependent health insurance coverage through payroll deduction.

8-12.2 Health coverage is available for full time employees. For the purposes of health insurance coverage, full time is defined in accordance with the Affordable Care Act. Effective date of coverage is after continuous employment for 30 days, plus the first of the following month. Premiums are deducted one (1) month in advance for the following month's coverage.

8-12.3 Dental coverage is available for full time employees as defined in Section 8-12.2. Effective date of coverage is after continuous employment for 30 days, plus the first of the following month. Premiums are deducted one (1) month in advance for the following month's coverage.

8-12.4 Life insurance coverage is provided for Employees who are regularly scheduled to work 32 hours or more per week. Effective date of coverage is after continuous employment for 30 days, plus the first of the following month.

8-12.5 If there is no payroll check to be issued in an amount to cover insurance deductions, payment in an equal amount of the total deduction must be made to the Human Resources Department, no later than 30 days following the end of the month in which the deductions were not taken. Failure to make timely payment may cause loss of insurance coverage for the Employee and his or her dependents.

8-12.6 The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

8-12.7 Under COBRA, the employee or beneficiary pays the full cost of coverage at the County's group rates plus an administration fee. The County provides eligible employees with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the County's health insurance plan.

8-12.8 Employees who retire from the County on an IMRF pension or qualify for IMRF permanent disability may retain their health insurance coverage for any dependent(s) on the County group plan as longs as the dependent(s) was enrolled in the plan at the time of the Employee's retirement, or at the time the Employee qualified for permanent disability, and meets the eligibility requirements of the plan. A dependent(s)may not be added after retirement or qualification for permanent disability. Retirees will reimburse the County for their premiums, or have it deducted from their IMRF pension check. The total health premium is the responsibility of the retired or disabled Employee.

8-13 ILLINOIS MUNICIPAL RETIRMENT FUND (IMRF)

8-13.1 The benefits of the Illinois Municipal Retirement Fund and eligibility for IMRF are determined by state law and not by the County. The benefits are subject to change without notice. Benefits include temporary and permanent disability payments, pension, and death benefits. For a detailed description of your benefits, visit www.imrf.org.

8-14 WORKERS' COMPENSATION POLICY

8-14.1 All County Employees are covered by a Worker's Compensation policy for job related injuries or death as prescribed under the State of Illinois Worker's Compensation Law. Employees who are injured while at work, no matter how minor, must immediately report the injury to a supervisor. Failure to do so may result in discipline up to and including termination of employment.

8-14.2 Limited or Light Duty Policy - The County may also elect to make "limited or light duty" work available for Employees who have work related injuries if "limited or light duty" work is available, which is consistent with the Department's operating needs and if appropriate medical release is given by a physician.

8-15 ELECTED OFFICERS

8-15.1 The provisions of Sections 8-1 through 8-8 inclusive and 8-11 should be considered to be advisory only to elected Officers.

8-16 School Visitation Leave

8-16.1 The County provides eligible employees who have exhausted all paid time off (except sick and disability) unpaid time off to attend school conferences and activities of their child. Under this policy, "child" includes biological, adopted, foster, stepchild of the employee, and/or legal wards of the employee.

8-16.2 To be eligible for leave under this policy, employees must have been employed by the County at least 6 months working at least half time. Employees must provide at least 7 days advance notice of the need for leave under this policy whenever possible. Employees must provide at least 24 hours notice in an emergency situation.

8-16.3 Employees may request up to 8 hours leave per school year under this policy. However, no more than 4 hours of school visitation leave may be taken in any one day. Upon return from the leave, employees must provide documentation to Human Resources from the school verifying the date and time of the visit. Contact Human Resources for more information or questions about and requests for parental leave for school visits.

8-17 Reclassification and Elected Official Policy

All Livingston County employees are encouraged to seek reclassification and/or run for public offices for Livingston County. In the event that an employee is reclassified to a management position or is elected to a public office such as Sheriff, State's Attorney, Circuit Clerk, County Clerk and Recorder, Treasurer, or Coroner, all such employees will adhere to this policy regarding salary and benefits. Any past practices, county resolutions or policies regarding reclassifications and being elected to a public office become null and void at the time this policy is approved by the Livingston County Board and is added to the Livingston County Personnel Policy Manual.

Section I - Union to Management: Employees covered by a collective bargaining agreement who are reclassified to an exempt, management position such as but not limited to: Sheriff's Chief Deputy, Captain, Chief of Detectives, Jail Superintendent, Asst. Jail Superintendent, Supervisor of Probation/Court Services, Director of Probation/Court Services, Highway Foreman, Assistant County Engineer, County Engineer, Manager of Communications, or any other appointed management positions will adhere to the following guidelines for salary and benefits:

a. Will cease being a member of the collective bargaining agreement.
b. Salary will be determined by the Finance Committee and the Appointed or the Elected Official (if appropriate).
c. Accumulated vacation time will be carried over to the new position and accrue in accordance with Livingston County Personnel Policy, 8-2.
d. Accumulated sick time will be carried over to the new position and accrue in accordance with Livingston County Personnel Policy 8-4.
e. Any accumulated comp time and/or holiday time is paid out at the hourly rate prior to the reclassification. If the employee was being paid a stipend or any other additional compensation prior to the

reclassification, the stipend amount or other additional compensation will not be included in the hourly rate for the payout of comp time and/or holiday time. The payout for this benefit time will be paid out within 30 days of the effective date of the reclassification. The employee may choose from a lump sum payout or biweekly payout until all accumulated time has been paid out.

f. If the collective bargaining agreement provides clothing and/or medical allowance, the employee may continue to access this benefit if he/she prefers. Terms and conditions of the collective bargaining agreement would be followed for this benefit.
g. Retirement benefits will adhere to IMRF regulations. In the circumstance of the Sheriff's police with the rank of Chief Deputy (from the ranks), Captain, and Chief of Detectives, and with 20 years or more of service, the employee will receive the same retirement benefits of all other Sheriff's police personnel under the collective bargaining agreement.

Section II - Union to Elected Official Position: An employee covered by a collective bargaining agreement who is elected to a public office such as Sheriff, State's Attorney, Circuit Clerk, Coroner, County Clerk and Recorder or Treasurer will adhere to the following guidelines for salary and benefits:

a. Will cease being a member of the collective bargaining agreement.
b. Salary will be determined by the Finance Committee in accordance with appropriate state statute.
c. Accumulated vacation time will be paid out. (Refer to line e below). Elected Officials do not accrue vacation time.
d. Accumulated sick time will be documented for future IMRF pension however; if the collective bargaining agreement allows for payout of sick time when the employee resigns, the sick time will be paid out at the hourly rate prior to taking office as an Elected Official. If the employee was being paid a stipend or any other additional compensation prior to taking office as an Elected Official, the stipend amount or other additional compensation will not be included in the hourly rate for the payout of the sick time. The payout for sick time will be paid out within 30 days of the effective date of the employee taking office as an Elected Official. The employee may choose from a lump sum payout or a biweekly payout until all accumulated time has been paid out. Elected Officials do not accrue sick time.
e. Any accumulated vacation, comp time and/or holiday time is paid out at the hourly rate prior to taking office as an Elected Official. If the employee was being paid a stipend or any other additional compensation prior to taking office as an Elected Official, the stipend amount or other additional compensation will not be included in the hourly rate for the payout of vacation, comp time and/or holiday time. The payout for this benefit time will be paid out within 30 days of the effective date of the employee taking office as an Elected Official. The employee may choose from a lump sum payout or a biweekly payout until all accumulated time has been paid out.
f. If the collective bargaining agreement provides clothing and/or medical allowance, the employee may continue to access this benefit if he/she prefers. Terms and conditions of the collective bargaining agreement would be followed for this benefit.
g. Elected Officials have the option of participating in IMRF if their position meets the eligibility requirement. In order for the Elected Official to participate in IMRF, IMRF form 6.21 must be completed. If the

Elected Official does not want to participate in IMRF, retirement benefits will adhere to IMRF regulations.

Section III – Non-Union to Management: Employees not covered by a collective bargaining agreement who are reclassified to an exempt, management position such as but not limited to: Sheriff's Chief Deputy, Captain, Chief of Detectives, Jail Superintendent, Asst. Jail Superintendent, Supervisor of Probation/Court Services, Director of Probation/Court Services, Highway Foreman, Assistant County Engineer, County Engineer, Manager of Communications, or any other appointed management positions will adhere to the following guidelines for salary and benefits:

a. Salary will be determined by the Finance Committee and the Appointed or the Elected Official (if appropriate).
b. Accumulated vacation time will be carried over to the new position and accrue in accordance with Livingston County Personnel Policy, 8-2.
c. Accumulated sick time will be carried over to the new position and accrue in accordance with Livingston County Personnel Policy 8-4.
d. Any accumulated comp time and/or holiday time is paid out at the hourly rate prior to the reclassification. If the employee was being paid a stipend or any other additional compensation prior to the reclassification, the stipend amount or other additional compensation will not be included in the hourly rate for the payout of comp time and/or holiday time. The payout for this benefit time will be paid out within 30 days of the effective date of the reclassification. The employee may choose from a lump sum payout or a biweekly payout until all accumulated time has been paid out.
e. In a situation where the nonunion employee is being reclassified to a management position whereby a collective bargaining agreement is in effect for that department and the collective bargaining agreement provides clothing and/or medical allowance, the employee may access this benefit if he/she prefers. Terms and conditions of the collective bargaining agreement would be followed for this benefit.
f. Retirement benefits will adhere to IMRF regulations. In the circumstance of the Sheriff's police with the rank of Chief Deputy (from the ranks), Captain, and Chief of Detectives, and with 20 years or more of service, the employee will receive the same retirement benefits of all other Sheriff's police personnel under the collective bargaining agreement.

Section IV – Non-Union to Elected Official Position: An employee not covered by a collective bargaining agreement who is elected to a public office such as Sheriff, State's Attorney, Circuit Clerk, Coroner, County Clerk and Recorder or Treasurer will adhere to the following guidelines for salary and benefits:

a. Salary will be determined by the Finance Committee in accordance with appropriate state statute.
b. Accumulated vacation time will be paid out. (Refer to line d below). Elected Officials do not accrue vacation time.
c. Accumulated sick time will be documented for future IMRF pension.
d. Any accumulated vacation, comp time and/or holiday time is paid out at the hourly rate prior to taking office as an Elected Official. If the employee was being paid a stipend or any other additional compensation prior to taking office as an Elected Official, the stipend amount or other additional compensation will not be included in the hourly rate for the payout of vacation, comp time and/or holiday time. The payout will be

paid out within 30 days of the effective date of the reclassification. The employee may choose a lump sum payout of the benefit time or a biweekly payout until all accumulated benefit time is paid out.

e. In a situation where the nonunion employee is elected to a public office whereby a collective bargaining agreement is in effect for that department and the collective bargaining agreement provides clothing and/or medical allowance, the employee may access this benefit if he/she prefers. Terms and conditions of the collective bargaining agreement would be followed for this benefit.

f. Elected Officials have the option of participating in IMRF if their position meets the eligibility requirement. In order for the Elected Official to participate in IMRF, IMRF form 6.21 must be completed. If the Elected Official does not want to participate in IMRF, retirement benefits will adhere to IMRF regulations.

CHAPTER NINE - SALARY ADMINISTRATION GUIDELINES

9-1 DEFINITIONS

9-1.1 Job Description - A written set of criteria regarding the basic duties and responsibilities performed in a position and the minimum knowledge, skills, abilities, education, training, and experience required to perform the job. Position descriptions will be written and maintained by the Officer.

9-1.2 Authorized Position - A single job slot allocated to a County Department authorized by the appropriate County Board committee as full time or part time. Part-time positions are stated as a percentage of full-time, or average hours worked.

9-1.3 New Position - Creation of a new authorized position in a County Department which has been approved by the appropriate County Board Committee and County Board.

9-1.4 Transfer - The process of hiring or moving a current County Employee from one authorized position and job description to a new authorized position and/or job description within the County personnel system.

9-1.5 Reclassification/Position Re-Evaluation - The process of deleting an existing authorized position in a County Department and creating a new authorized position based upon an existing or new job description.

9-1.6 Maximum - The maximum salary is the highest salary paid for a particular position.

9-1.7 Minimum - The minimum salary is beginning salary for a particular position. All employees shall receive at least the minimum salary for a particular position.

9-1.8 Salary Range - A salary range is established based on the dollar value the County is willing to pay an experienced Employee for performing consistently competent work that fully meets all position requirements. The salary range represents the normally expected variation in individual performance.

9-1.9 Experienced - A candidate whose knowledge, skills, abilities, and education and experience substantially exceed the minimum requirements as stated in the appropriate position description.

9-1.10 Inexperienced - A candidate whose knowledge, skills, abilities; and education and experience meet the minimum requirements as stated in the appropriate position description.

9-1.11 Exempt/Non-Exempt Pay Practice Status - Fair Labor Standards Act(FLSA) guidelines will be followed.

9-2 SCHEDULE OF AUTHORIZED POSITIONS & SALARY RANGES

9-2.1 The Schedule of Authorized Positions reflects the quantity and position title of all full time positions in every County Department as approved by the Livingston County Board. Temporary positions are controlled solely by a Department's line item in their appropriated budget. The County Board's appropriations for salaries to Department's budgets will only be made to positions approved for the Schedule of Authorized Positions. No full-time, part-time, or per diem Employee may be

paid except through service in a position that is authorized by the Finance Committee.

9-3 HIRING

9-3.1 Beginning Pay - Unless otherwise authorized under these guidelines or recommended by the appropriate County Board Committee, a new or promoted Employee's beginning salary shall be paid at the minimum salary for an approved authorized position.

9-3.2 The salary for the position will be set by using the salary grades plus the following guidelines:

- When meeting minimum education and experience qualifications, the candidate will be started at the minimum salary.

- If the candidate exceeds minimum requirements and has related and pertinent experience for the job and/or educational background directly related to the job, the Department Official in concurrence with Human Resources may negotiate the starting salary up to midpoint of the salary range. The Department Official will decide whether the candidate’s experience and/or educational background are pertinent to the job opening.

9-3.3 Eligibility for Pay Increase - Each employee becomes eligible to receive a raise in salary upon completion of one (1) full year of service with the County. Eligibility for raises in salary after the completion of the first full year of service will then occur at the beginning of each calendar year. Eligibility does not mean that a salary increase is automatic. Salary increase is based upon a variety of factors including the employee's performance and the County's budget. Employees who are transferred or promoted to another position must complete a secondary introductory period (one full year) before becoming eligible for a pay increase.

9-3.4 Equity Adjustment for Exempt Employees– An **equity increase** is a permanent increase to the base salary that may be granted to an employee under certain circumstances, such as increased duties that do not warrant a reclassification or a significant salary lag to comparable internal positions or the local labor market. An equity increase may be granted under unusual circumstances and is typically based on a serious salary inequity. A salary inequity exists when an employee’s salary is significantly below that of those in the same or similar management job positions with similar performance, experience, skills, knowledge, and assignments. Examples of situations which may indicate a salary inequity include:

1. The salary of a long-term employee is low relative to a new hire whose salary is highly market-driven.
2. There is significant salary compression between a supervisor and his/her employees.
3. Market factors influencing recruitment and retention.
4. When the difference is not explainable by differences in qualifications, type or length of service, the work itself, the value to the organization, performance/productivity, knowledge, skills, abilities, effort, and responsibility and/or market.

An equity adjustment shall not exceed 25 percent of base pay including any other wage increases for the fiscal year. Equity adjustments must be approved by the Finance Committee.

Rehire

Former employees who left Livingston County in good standing may be rehired. The rehired employee will be considered a new employee from the date of reemployment unless the break in service is less than eight weeks in which case the employee will retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan.

Livingston County employees who have been laid off due to staff reduction may be rehired and resume previous benefits, salary, and seniority as long as they are rehired within six months of the lay off.

CHAPTER 10 - SAFETY AND HEALTH

10-1 ACCIDENT REPORTING PROCEDURE

10-1.1 An on-the-job injury (no matter how minor) must be reported to the Officer or Supervisor immediately and be reported to Human Resources within 24 hours.

10-1.2 The provisions of this chapter are intended to facilitate the administration of insurance claims and are not intended to provide that the County will be liable for on-the-job injuries.

10-2 REPORTING UNSAFE WORKING CONDITIONS

10-2.1 Employees who become aware of unsafe working conditions must report those conditions to the Officer as soon as possible.

10-3 SMOKING POLICY

10-3.1 Smoking is prohibited in all County buildings and within 15 feet of every entrance and exit. Smoking is also prohibited in all County-owned vehicles.

10-4 DRUG FREE WORK PLACE

10-4.1 The County has a strong commitment to its employees to provide a safe and healthy work environment. The County expects all employees to report for work in a condition to perform their duties. The presence of drugs or alcohol on the job and the influence of these substances on employees during working hours are inconsistent with these objectives. The County's policy with respect to drugs and alcohol is as follows:

i. The illegal use, sale, or possession of narcotics, drugs or controlled substances; including, but not limited to, marijuana, cocaine, PCP, heroin, LSD, amphetamines, and barbiturates while on the job or on the County's property is a dischargeable offense. Any illegal substances will be turned over to the appropriate law enforcement agency and may result in criminal prosecution. The possession, distribution or use of alcoholic beverages by any County employee is prohibited during working hours or while on County property. Individuals found using alcohol will be subject to disciplinary action up to and including discharge.

ii. Employees will not be permitted to work while under the influence of drugs or alcohol. Individuals who appear to be unfit for duty will be relieved from duty and may be requested to take a physical examination at a designated medical facility. Refusal to comply with a physical examination or failure to pass the examination may result in disciplinary action, up to and including discharge.

iii. Off-the-job illegal drug and/or alcohol use which could adversely affect an employee's job performance or which could jeopardize the safety of other employees, the public, or the County's facilities, or where such usage adversely affects the public trust in the ability of the County to carry out its responsibilities, is also cause for disciplinary action, up to and including discharge.

iv. The Institute of Human Resources, Pontiac, Illinois, provides a voluntary program to the citizens and employees of Livingston County regarding the abuse of drugs and alcohol. This program called "Remedial Education" may be attended by the employee and appropriate referral for drug counseling will be made. Employees are encouraged to voluntarily seek help for alcohol or drug problems before becoming subject to discipline under this or other County policies. Employees who seek such assistance will be allowed to use accrued paid time off, placed on leaves of absence, where available, and otherwise accommodated as required by law. Such employees may be required to provide documentation that they are successfully following prescribed treatment and required to take and pass follow-up tests if they hold jobs that are safety sensitive, require driving, or if the employee has violated this policy previously.

v. Employees who wish to report drug and alcohol use in violation of this policy should contact a member of management. The County will treat such reports as confidentially as possible.

vi. Employees are required to notify a supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The County has specific policies regulating the use, testing and disciplinary action of drug and alcoholic substances. That policy is made part of these Personnel Policies.

10-5 DISABILITIES ACT

10-5.1 The County supports the Americans with Disabilities Act (ADA) and will attempt to provide reasonable accommodations for people with disabilities in the workplace unless such accommodations would present an undue hardship for the County.

10-5.2 Reasonable accommodation may be requested by all employees and can include hiring practices, job placement, training, pay practices, promotion and demotion policies, and layoff and termination procedures.

10-5.3 A qualified person with a disability is any individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual has or seeks, and does not pose a direct threat to the health or safety of himself/herself or other individuals in the workplace.

10-5.4 The County will not deny health insurance to an individual based on that person's diagnosis or disability. Ail persons with disabilities have equal access to health insurance coverage provided to all associates. Preexisting condition clauses and pre-existing condition exclusions included in insurance policies offered by the County will remain in effect.

10-6 WORKPLACE VIOLENCE

10-6.1 The County is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States, and would like to take steps to help prevent incidents of violence from occurring in the workplace. In this connection, it is the policy of the County to expressly prohibit any acts or threats of violence by any employee or former employee against any other employee in or about the County's facilities or elsewhere at any time. The County will not condone any acts or threats of violence against the County's employees, clients or visitors on the County's premises at any time or while they are engaged in business with or on behalf of the County, on or off County premises.

10-6.2 In keeping with the spirit and intent of this policy, and to ensure that the County's objectives in this regard are attained, it is the commitment of the County:

i. To provide a safe and healthful work environment.

ii. To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.

iii. To take appropriate action when dealing with former employees or visitors to the County's facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.

iv. To prohibit employees, former employees, and visitors from bringing unauthorized firearms or other weapons onto County premises.

v. To establish viable security measures to ensure that the County's facilities are safe and secure to the maximum extent possible and to properly handle access to County facilities by the public, off-duty employees, and former employees.

10-6.3 All employees are responsible for maintaining a workplace that is free from threatening behavior and violence. Accordingly, each employee has a duty to report any threat, instance of harassment or offensive conduct, or violent act observed or experienced at work. In addition, any employee who has a reason to believe that a violent act may be committed on the worksite or against an individual related to the business in any way, must promptly report that belief or suspicion to the employee's immediate supervisor or Officer. Retaliation against any employee who in good faith either makes a report or participates in an investigation under this policy is prohibited.

10-6.4 Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that the County, in its sole discretion, deems offensive or inappropriate will be subject to disciplinary action, up to and including discharge.

10-6.5 Any employee who applies or obtains a protective or restraining order that lists County premises as being protected areas should inform the employee's Officer and Sheriff's Office. The County may require the employee to furnish it with a copy of the order.

Section 10-7 <u>Concealed Weapons</u>

In the interest of protecting the safety of employees and citizens of Livingston County and in recognition of the Illinois Firearm Concealed Carry Act (430 ILCS 66), the Livingston County Board adopts the following policy:

10-7.1 The word "employee" shall mean classifications including but not limited to, classified employees, unclassified employees, contractual employees, members of any boards or commissions approved by county officials or functioning on county property, volunteers working behalf of the county or any elected or appointed Livingston County Official. This definition shall not include law enforcement officials specifically authorized to carry a firearm or any other employee authorized by statute.

10-7.2 Employees of Livingston County are prohibited from carrying firearms in any county owned or leased building on any county premise, at any county work location, in any county vehicle, at a county controlled site, or at any time or in an area that is associated with county employment while the employee is acting within the course and scope of his or her employment.

10-7.3 Employees will be aware of the prohibited areas described in the statute. Employees who bring a weapon into one of the prohibited areas while acting within the course and scope of his or her employment will be subject to disciplinary action including, but not limited to, termination by the County.

10-7.4 Employees of Livingston County are prohibited from bringing a firearm onto a county owned or leased parking lot, even if it is kept in his or her own vehicle, except for employees who possess a valid license to carry a concealed weapon.

10-7.5 A county employee with a valid license to carry a concealed weapon who chooses to carry a concealed weapon while driving to and from work and park in a county owned or leased parking lot, must secure his or her weapon in his or her own locked vehicle, either in a locked compartment within the vehicle or in the trunk before he or she acts in the course and scope of his or her employment.

10-7.6 Any county employee who violates this policy shall be considered as acting outside the course and scope of his or her duties and will be subject to disciplinary action up to and including termination by the county.

10-7.7 Livingston County will not defend or indemnify an employee who carries or discharges personal weapons on the job.

CHAPTER ELEVEN - GENERAL RULES AND PROCEDURES

11-1 POLICITAL ACTIVITY

No Employee of Livingston County shall be subject to direct or indirect political influence or coercion; Employees are not required to participate in or contribute financially to political campaigns; political affiliation or support is not a consideration for employment with the County.

11-2 SUGGGESTIONS

Employees who have suggestions for the improvement of County services, reduction of costs, improvement of safety, training, or other related plans or programs are encouraged to submit new and original ideas to their Officer.

11-3 ANTI-HARASSMENT AND COMPLAINT PROCEDURE

11-3.1 The County is committed to providing a workplace free from all forms of unlawful discrimination and harassment. Discrimination or harassment of any kind based on sex, race, color, national origin, age, religion, disability, handicap, sexual orientation, veteran status, marital status, ancestry, or any legally protected characteristic is prohibited by the County and by applicable state and federal laws. Actions, words, jokes, or comments based on any of these characteristics will not be tolerated.

Any employee who engages in conduct in violation of this policy is subject to discipline up to and including termination of employment.

11-3.2 Sexual Harassment

Sexual harassment is one type of unlawful discrimination that is prohibited. All employees must avoid offensive or inappropriate sexual behavior at work and are responsible for assuring that the workplace is free from sexual harassment at all times. All employees must avoid any action or conduct which could be viewed as sexual harassment, including: (a) unwelcome sexual advances; (b) requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; and (c) other verbal or physical conduct of a harassing or sexual nature made to an employee when

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

Examples of prohibited conduct include, but are not limited to, lewd or sexually suggestive comments; off-color language or jokes of a sexual nature; slurs and other verbal, graphic or physical conduct relating to an individual’s gender; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos or cartoons.

11-3.3 Other Forms of Impermissible Harassment

Harassment on the basis of sex, race, color, national origin, age, religion, disability, handicap, sexual orientation, protected military or veteran status, marital status, ancestry, order of protection status or any legally protected characteristic is prohibited by the County. All employees must avoid offensive or inappropriate harassing behavior at work and are responsible for assuring that the workplace is free from unlawful harassment at all times.

The County's policy prohibits verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of that individual's race, sex, color, national origin, age, religion, disability, handicap, sexual orientation, veteran status, marital status, ancestry, or any legally protected characteristic or that of the employee's relatives, friends, or associates and that (a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (b) has a purpose or effect of unreasonably interfering with an individual's work performance; or (c) otherwise adversely affects an individual's employment opportunities.

Prohibited conduct can include, but is not limited to, the following: (a) epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to any protected characteristic and (b) written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of a protected characteristic and that is placed on walls, bulletin boards, or elsewhere on the employer's premises or circulated in the workplace.

11-3.4 Harassment Complaint Procedure

If you believe you have been subject to or witness to sexual or other unlawful harassment, report it immediately to your supervisor. If your supervisor is unavailable or you believe it would be inappropriate or uncomfortable to discuss it with him or her, you should immediately report it to your Department Head or Human Resources. Such conduct must be reported whether it occurs on or off County premises, during work hours or outside work hours, and whether committed by a County employee or by another person the employee encounters as part of employment by the County, such as a supplier or vendor.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately report such information to Human Resources even if the employee has asked that no action be taken on the complaint or the information provided.

Employees can make good faith reports and complaints of sexual or other harassment without fear of reprisal or retaliation. Retaliation by any person against an employee making such a report or complaint or participating in a related investigation is strictly prohibited and any such retaliation subjects an employee to disciplinary action, up to and including termination of employment.

False and frivolous complaints refer to incidents where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action.

All complaints of sexual or other harassment will be promptly and thoroughly investigated. To the extent practicable, the County endeavors to maintain confidentiality of complaints and related investigation.

Any employee who has engaged in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

The County hopes that any incident of sexual harassment can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with IDHR must be filed within 180 days of the incident of sexual harassment. A charge with EEOC must be filed within 300 days of the incident.

The Illinois Department of Human Rights may be contacted as follows:

Chicago	312-814-6200
Chicago TDD	312-263-1579
Springfield	217-785-5100
Springfield TDD	217-785-5125

11-4 CREDIT CARD POLICY

11-4.1 Each department head must submit a current list of all credit cards issued to their department for approval by the Election, Rules and Legislation Committee on a yearly basis. The list should include, at a minimum, the name of the Credit Card Company, mailing address, expiration date and credit limit. This list shall be maintained in the County Clerk's Office.

11-4.2 Each department head is to submit any requests for new credit cards to be issued to their department for approval by the Election, Rules and Legislation Committee. All unauthorized cards are to be destroyed.

11-4.3 All credit cards are not to have a limit greater than $3,000.

11-4.4 Each department head is responsible for monitoring their department's usage of the credit cards. All usage must fall within the budgetary constraints of the department.

11-4.5 No personal purchases are to be made with County credit cards. No phone or internet purchases are to be made without the department head's permission.

11-4.6 For all transactions made with a credit card, a receipt must be turned into the department head. No payment will be approved or made without a matching receipt.

11-5 TRAVEL

11-5.1 Mileage shall be paid to the Employee for their actual and necessary travel on County business as approved by the Officer, at the County Board approved rate pursuant to 1-17.

11-5.2 From time to time, it may be necessary for employees to drive their personal vehicle on county business. All employees using their personal vehicle for approved business travel for the county will be reimbursed for such use at the Internal Revenue Service standard mileage rate. This fee

is intended to repay the employee for their expenses in operating the vehicle including cost of gas, oil, tires, maintenance and the cost of insurance.

Livingston County requires that all employees who drive personal vehicles on county business carry the required minimum amounts of liability protection and uninsured motorist coverage mandated by the State of Illinois. The purchase of comprehensive and collision insurance is at the discretion of the employee.

In the event of an accident while an employee is driving their personal vehicle on county business, the employee will need to turn any claims for damages in to the employee's own insurance. Livingston County's automobile policy provides no coverage for an employee's personal vehicle.

11-6 NO SOLICITATION

11-6.1 In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature or printed material of any kind in working areas at any time.

11-7 ELECTRONIC COMMUNICATIONS

11-7.1 Purpose - To describe the County's policy regarding the use and monitoring of communications systems, including electronic and telephone communications systems, including, but not limited to mail, e-mail, telephone systems, voice mail, facsimiles, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, computer networks, the internet, and computer directories and files.

11-7.2 Policy - It is the policy of the County to provide or contract for the communication services and equipment necessary to promote the efficient conduct of business. All business equipment, electronic and telephone communications systems, and all communications and stored information transmitted, received, or contained in the County's information systems are the County's property and are to be used primarily for job-related purposes. While some limited personal use is permitted, (to be determined in the sole discretion of the County) such use should only be during non-working time and should be in accordance with this policy. To ensure the proper use of communications systems and business equipment, the County may monitor the use of these systems and equipment from time to time.

11-7.3 Employees also are prohibited from using codes, accessing files, or retrieving any stored communication without prior clearance from an authorized County representative. No employee may use a pass code unknown to the County.

11-7.4 Employees who violate this policy are subject to disciplinary action, up to and including termination. As a condition of employment, employees will be required to sign a consent form acknowledging their understanding and agreement to comply with this policy.

11-7.5 Procedure-

i. Electronic systems are owned/leased and maintained by the County, and electronic communications are the sole property of the County. Personal software or messages shall not be installed or stored on County electronic equipment unless approved by authorized personnel.

ii. The County will, or reserves the right to, monitor the use of electronic systems and to review, retrieve, or inspect all material that is created, transmitted, stored in, accessed, or sent through any County electronic communication system, with or without prior notice to the employee. No communications are guaranteed to be private or confidential, and employees have no right of privacy with respect to any use of the County's electronic communications systems.

iii. The use of personal passwords, assigned to the employee, is not grounds for an employee to claim privacy rights in the electronic or communications systems. The County reserves the right to override personal passwords. Employees may be required to disclose passwords or codes to the County to allow access to the systems.

iv. The County's prohibition again sexual, racial, and other forms of harassment are extended to include the use of electronic and telecommunications systems. Offensive, harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually oriented messages or images. Communications that may defame or disparage the County or employees are also prohibited from publication on any electronic systems. Employees who receive e-mails or other information on their computers which they believe violate this policy should immediately report this activity to their supervisor.

The County prohibits the use of its electronic communication systems in a manner that is unlawful or violates any County policy. Employees are prohibited from using County communications systems to transmit, receive, retrieve, or store any information or communication that is discriminatory, harassing, derogatory to any individual or group, obscene, sexually explicit or sexually suggestive, unlawful, or otherwise contrary to the County's policies or business interests.

Employees are prohibited from accessing without authorization or tampering with the security of any computer or network system. Any unauthorized attempt to bypass computer or network security controls, i.e. "hacking" into other systems or logins or using unauthorized passwords is strictly forbidden.

v. Privileged or confidential material, such as, but not limited to, trade secrets or attorney-client communications, should not be exchanged haphazardly by e-mail, facsimiles, etc.

vi. Employees are prohibited from disseminating, printing, or copying copyrighted materials or in any other way violating copyright laws. The electronic posting of copyrighted information is also prohibited, unless the County or the employee has created the information or owns the rights to it.

vii. Outsiders or non-employees are prohibited from using electronic communications to communicate with County employees or the County for any purpose unrelated to County business.

viii. Employees must be aware of the possibility that electronic messages that are believed to have been erased or deleted can frequently be retrieved by systems experts and can be used against an employee or the County. Therefore, employees should be cautious and use the systems only in the appropriate manner and consult with systems experts to guarantee that information to be deleted is truly eliminated from the system.

ix. Employees should exercise care so that no personal correspondence appears to be an official communication of the County. Personalized County stationery and business cards may only be issued by the County. Employees may not use the County's address for receiving personal mail or utilize County stationery or postage for personal letters.

x. Violation of this policy can result in discipline, up to and including termination of employment.

xi. Limited personal use of cellular phones and pagers is permitted. Abuse of this rule may result in discipline up to and including discharge.

11-8 Employee Committees

11-8.1 In an effort to increase employee morale, improve work quality, efficiency, productivity, and quality of work life in general, and to improve and facilitate communications with employees, it is the policy of the County to solicit ideas, suggestions, views and concerns of employees by providing employees with the opportunity to speak out at Personnel Committee meetings.

11-8.2 All County employees are encouraged to present their ideas, suggestions, views and concerns to management at these meetings. Management will also use these sessions as a forum for communicating information to employees that is relevant to the performance of employees' duties with the County.

11-8.3 Topics appropriate for discussion at these sessions generally include matters involving workplace efficiency, productivity, safety issues, and managerial issues. These meetings are not a forum for discussing grievances or labor disputes. These issues should be handled through the County's problem solving procedure.

11-8.4 Employees attending a session may ask questions, express their views and make suggestions in their individual capacities. Employees may not represent other employees at these sessions.

11-8.5 To maximize the benefit of each session, attendance will be limited to two employees per department. Attendance is purely voluntary and will be on a rotational basis. No employee will be coerced to attend any of these sessions or retaliated against for refusing to participate. Employees will be compensated at their normal rate of pay for the time spent participating in a session.

11-8.6 A summary of the items discussed and issues raised at each session will be prepared by one of the management representatives attending the session. Copies of these summaries will be posted or distributed. Management may take action on the basis of these issues as it deems appropriate.

11-9 Dress and Personal Appearance Guidelines

11-9.1 Dress, grooming, and personal cleanliness standards ensure we project the proper image of the County and its employees. Employees are expected to present a clean, neat, and tasteful appearance during work hours and when representing the County. Employees should dress and groom themselves according to the requirements of their position. This is particularly true for employees whose job involves dealing with the public or visitors in person.

- Any clothing that is excessively worn, frayed, or revealing is not appropriate.
- Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not appropriate and must not be worn during work hours.

- Employees required to wear a uniform must be in uniform at all times while on duty.
- Shoes must provide safe, secure footing, and offer protection against hazards where appropriate and/or required for the employee's position.
- Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
- Tank tops, halter tops, spaghetti strap tops or dresses, clothing that reveals the back or midriff or through which undergarments are visible, and off the shoulder tops are not appropriate. In addition tops, blouses or dresses that show cleavage are not appropriate.
- Spandex and other form fitting pants, short shorts, and mini-skirts are not appropriate.

11-9.2 Consult your supervisor if you have questions as to what constitutes appropriate attire. Failure to comply with dress and appearance guidelines will result in the employee being asked to return home and return when dressed properly.

11-10 County Vehicles

11-10.1 Employees must possess a valid driver's license of proper classification to operate a County vehicle. In the event your driver's license is suspended, you must immediately notify your supervisor. Failure to do so is cause for disciplinary action. County owned vehicles are not to be taken home unless authorized by the department head.

11-10.2 Any employee who drives a County vehicle is expected to treat it with care. Any employee who abuses a County vehicle through lack of care or unsafe driving will be subject to disciplinary action up to and including termination of employment. In the event of an accident involving a County vehicle or while on County business, the employee must report all information immediately to his or her supervisor.

11-10.3 Operators of County vehicles must comply with all applicable motor vehicle laws and regulations. All drivers and passengers in County vehicles are required to wear safety belts. County vehicles may not be driven for private use unless specific arrangements have been made in advance. Alcoholic beverages and illegal drugs or chemicals are not allowed in a County vehicle at any time and no driver who has been drinking alcohol or is under the influence of alcohol, drugs, or chemicals is allowed to drive a County vehicle. Smoking is prohibited in all County vehicles.

11-10.4 Employees must observe all motor vehicle laws and regulations governing cell phone use and electronic communications while driving.

11-10.5 The improper, careless, negligent, or unsafe operation of County vehicles, as well as excessive or avoidable traffic and parking violations, and any other violation of this policy can result in disciplinary action, up to and including termination of employment.

11-11 Use of County Property and Equipment

11-11.1 Employees are responsible for all County property and equipment issued to them or in their possession or control. When using County equipment and property, employees are expected to use care and follow all operating instructions, safety standards, and guidelines. Employees must immediately notify their supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damage, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

11-11.2 County property may not be removed or used for personal use unless authorized by the County. Employees must return all County property immediately upon request or upon termination of employment. The improper, careless, negligent, destructive, or unsafe use or operation of County equipment can result in disciplinary action, up to and including termination of employment.

11-12 Inspections

11-12.1 The County reserves the right to inspect all equipment, desks, lockers, offices, and other storage devices and areas on County premises (including, but not limited to, County buildings and parking areas), as well as any articles found within them, at any time, with or without notice. This includes the right to inspect employee property brought onto County premises.

11-13 Telephone, Cell Phone, and Other Electronic Device Use

11-13.1 Personal calls and use of personal cell phones during work hours is to be kept to a minimum. Personal cell phones should be set on the vibrate function while at work and during work hours.

11-13.2 Any use of personal or business cell phones or other electronic devices that interrupts operations or otherwise negatively affects job performance will result in disciplinary action.

11-14 Code of Ethics

11-14.1 Employee integrity and ethical conduct are necessary for successful County operations. Employees and appointed officials are expected to exercise a scrupulous regard for the highest standards of conduct and personal integrity. Employees must act in a way that will merit the continued trust and confidence of the County and its citizens.

11-14.2 It is our goal to comply will all applicable laws and regulations and the County expects employees to conduct business in accordance with applicable laws and regulations and refrain from unlawful, dishonest, or unethical conduct.

11-14.3 In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If you have any questions as to the proper course of action, the issue should be promptly discussed with your supervisor or Human Resources.

11-14.4 Compliance with this policy of business ethics and conduct is the responsibility of every County employee. Failing to comply with this policy could lead to disciplinary action, up to and including termination of employment.

11-15 Whistleblower Policy

11-15.1 Employees and officials are expected to abide by state, federal, and local laws and regulations, as well as County policy. It is against County policy for any employee to be compelled to violate the law or County policy. Employees are encouraged to raise good faith concerns about any questionable practices they encounter. Employees who have knowledge of specific acts that he or she reasonably believes violate the law or County policy are encouraged to report that information to their supervisor or Human Resources.

11-15.2 Reports under this policy will be addressed in a confidential manner. Confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate investigation of the report.

11-15.3 The County prohibits retaliation against employees based on any lawful action of such employees with respect to a good faith report made in accordance with this policy. The County also prohibits retaliation against employees who provide information to or assist in an investigation by a government regulatory or law enforcement agency or any person or entity that has the authority to investigate, discover, or terminate the reported wrongful conduct when the employee reasonably believes the misconduct violates applicable laws.

11-15.4 The County does not tolerate the making of a false report, which is a report that the employee knows or has reason to know to be false. Making such false reports may have disciplinary consequences for the employee up to and including termination of employment.

11-16 Confidential Information

11-16.1 The protection of confidential information is vital to the interests of the County and the public. Confidential information includes, but is not limited to, financial information, health and medical information, information protected by law, pending projects, and proposals. No confidential information may be copied or removed from County premises, except in the ordinary course of performing duties for the County. Additionally, confidential information may not be disclosed to anyone except where required for a legitimate business purpose.

11-16.2 Use of any photographic equipment (including cell phones or any other electronic device with photographic or imaging capability) to take still pictures or video of any confidential information is strictly prohibited.

11-16.3 All requests by outside entities or persons for the disclosure of confidential information should be directed to your Department Head. Employees who are unsure about the confidential nature of specific

information are to ask their Department Head for clarification. Any employee who improperly uses or discloses confidential information is subject to discipline, up to and including termination of employment, even if he or she does not actually benefit from the disclosed information.

11-17 Conflicts of Interest

11-17.1 Employees have an obligation to avoid actual or potential conflicts of interest. The purpose of this policy is to provide guidelines so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact your Department Head or Human Resources for more information or questions about conflicts of interest.

11-17.2 Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both.

11-17.3 An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the County’s business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

11-17.4 If an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that the employee disclose to the Livingston County State’s Attorney as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

11-17.5 Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

11-18 Outside Employment

11-18.1 All employees are subject to the County’s scheduling demands, regardless of any existing outside work requirements. If the County determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment in order to remain with the County. Outside employment that constitutes a conflict of interest is prohibited.

11-19 Working Off-Premises

11-19.1 Employees who work off County premises must maintain appropriate care and security of all County equipment and information used at the employee’s home or worksite.

11-19.2 Employees are responsible for maintaining the confidentiality of County information, documents, passwords, and other information. Employees are also responsible for preventing unauthorized access to any County system or information from their worksite. Employees must dispose of work related documents in a manner that will not jeopardize the interests of the County.

11-19.3 All County equipment, County property, information, hardware, software, and files remain the property of County and shall be promptly returned to the County upon request or termination of employment.

11-20 EMPLOYMENT OF RELATIVES

11-20.1 It is the County's policy that an employee may not directly work for a relative or supervise a relative. The County also reserves the right to take action if an actual or potential conflict of interest arises involving relatives or persons involved in a dating relationship who are in positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

11-20.2 There may also be situations when there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, employees may be separated by reassignment or termination of employment.

11-20.3 For this policy, a relative is defined as any person who is related to an employee by blood or marriage, or whose relationship with the employee is similar to that of a relative.

11-21 Social Media

11-21.1. "Social media" includes, but is not limited to, online forums and social networking sites, such as *Twitter*, *Facebook*, *Linkedin*, *YouTube*, and blogs. The use of social media by County employees can become problematic and unacceptable in certain circumstances, examples of which are if it interferes with an employee's work, if it is used to harass coworkers, if it creates a hostile work environment, if it harms the public or governmental reputation of the County, or if it in any way adversely affects the County. Employees are expected to use their professional judgment and take the most prudent action possible with regard to social media posts. If a County employee is uncertain about the appropriateness of a social media posting, the employee must confer on that matter with the employee's supervisor or with County Human Resources. While other posting to social media may be violations, specific requirements are:

i. No County employee other than a designated spokesperson may speak on behalf of the County.

ii. If an employee identifies himself or herself as a County employee or discusses matters related to the County on social media, the employee must make clear that he or she is an employee of the County and that the views posted are those of the person (the employee) alone and that they do not represent the views of the County or any agency or department of the County. The employee must keep in mind that if information is posted in violation of County policy or any law, the disclaimer will not shield the employee from disciplinary action.

iii. Unless given written consent by the County, an employee shall not use the County's logo or trademarks on any social media post.

iv. All postings on social media must comply with the County's confidentiality, ethics, harassment and

personnel policies. If an employee is unsure about the confidential nature of information the employee is considering for posting, the employee must first consult with their supervisor.

v. Employees shall not link any post to the County's website, nor shall an employee post County material, on a social media site without written permission from County Human Resources.

vi. All employee postings to social media sites must comply with copyright and trademark laws, and must cite or reference sources accurately.

11-21.2. Violation. Violation of this policy may lead to discipline up to and including the immediate termination of employment.

11-21.3. County employees represented by labor unions will be governed by the policy set forth in their respective collective bargaining agreement.

11-22 <u>Residency</u>

11-22.1 It is preferred that employees of Livingston County reside in Livingston County for the duration of their employment with Livingston County.

CHAPTER TWELVE - ADMINISTRATION AND REVIEW

12-1 ADMINISTRATION

12-1.1 The Officer shall be responsible for the enforcement of the Personnel Policies.

12-1.2 The policies outlined in this Personnel Policy Manual are in effect for all employees of the County. However, employees represented by labor unions will be governed by the policies set forth in their collective bargaining agreements to the extent such policies differ from policies outlined in this Manual.

12-1.3 Any variance to this Policy shall be approved by the County Board Personnel Committee.

12-2 REVIEW

The Chairman of the County Board shall appoint an Ad-Hoc Personnel Policy Committee, who shall work with the County Board Personnel Committee for any review of the adequacy and relevancy of the current personnel policies and shall submit to the County Board any needed revisions or additions.

Livingston County

Drug and Alcohol Abuse Policy

I. Statements

PURPOSE STATEMENT: The County is strongly committed to providing a safe and productive working environment for its employees and to establishing programs promoting high standards of employee performance. It is the belief of the County that employee involvement in illegal drugs or abuse of alcohol is inconsistent with an employee's ability to provide the highest quality of services to its residents. Therefore, all employees are expected to report for work and remain in a condition to perform assigned duties free from the effects of alcohol and drugs.

GENERAL POLICY STATEMENT: It is the policy of the County that its employees shall not be involved in the unlawful use, possession, sale or transfer of illegal drugs, narcotics, alcohol or intoxicants in any manner. Nor shall employees engage in the use of illegal drugs, narcotics, alcohol or intoxicants where such use affects the employee's ability to perform his or her job, creates dangerous working conditions or negatively affects the reputation and credibility of the County. The County reserves the right to search all County property at any time, without notification to the employee. County property shall include, but not be limited to, employee lockers, County buildings, vehicles, desks, cabinets, files, etc. Those employees with a collective bargaining agreement and governed by the Federal Highway Administration (FHA) shall follow the specific provisions of their drug and alcohol abuse policy. This policy establishes the rules and procedures for random drug and alcohol testing for safety-sensitive positions in compliance with the drug and alcohol testing in compliance with the Omnibus Transportation Employee Testing Act of 1991, 49 CFR part 40, and Part 382 as adopted by the FHA.

A. SCOPE

Employees Governed - all persons employed by Livingston County except those covered by a collective bargaining agreement or by Federal Highway Administration regulations.

B. DEFINITIONS

Breath Alcohol Technician (BAT): An individual who instructs and assists individuals in the alcohol testing process and operates an EBT. BAT's shall be licensed in accord with the rules of the Illinois Department of Health, 77 Ill. Admin. Code, Part 510.

Collection Site: A place designated by the employer where individuals present themselves for the purpose of providing a specimen of their urine to be analyzed for the presence of drugs.

Confirmation Test: In drug testing, a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine). In alcohol testing, a second test, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration.

DHI-IS: Department of Health and Human Services or any designee of the Secretary, Department of Health and Human Services.

Employee: An individual who works for Livingston County.

EBT (evidential breath testing device): An EBT device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's conforming Product List of Evidential Breath Measurement Devices.

MRO (Medical Review Officer): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

On Duty: The time period which constitutes an employee's work day, or that period when he or she has been recalled to work.

Reasonable Suspicion: An articulable belief based on specific facts and reasonable inferences drawn from those facts. The term "probably cause" is synonymous with the term "reasonable suspicion."

Refusal To Submit (to an alcohol or controlled substances test): A refusal occurs when an employee:

1. Fails to submit to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this policy, or

2. Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this policy, or

3. Engages in conduct that clearly obstructs the testing process.

Screening Test (or initial test): In drug testing, an immunoassay screen to eliminate "negative" urine specimens from further analysis. In alcohol testing, an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Counselors Certification Commission) with knowledge of and clinical experience on the diagnosis and treatment of alcohol and controlled substance-related disorders.

C. PROHIBITIONS

In Accordance with 49 CFR Part 382, the following is prohibited:

1. No Employee shall report to duty or remain on duty while under the influence of alcohol, illegal drugs, narcotics or intoxicants.

2. No Employee shall report to duty or remain on duty while having an alcohol concentration of 0.04 or greater.

3. No Employee shall perform safety-sensitive function while having an alcohol concentration of 0.02 or greater.

4. No Employee shall use alcohol, illegal drugs, narcotics, or intoxicants while on duty or on County property.

5. No Employee shall be on duty or operate a motor vehicle or commercial motor vehicle or be within a County owned vehicle while the Employee possesses alcohol, illegal drugs, or narcotics.

6. No Employee shall use alcohol while performing safety-sensitive functions.

7. No Employee shall perform safety-sensitive functions within four hours after using alcohol.

8. No Employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until the employee undergoes a post accident-test, whichever occurs first.

9. No Employee shall refuse to submit to a post-accident alcohol or controlled substance test, a random alcohol or controlled substance test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substance test.

10. No Employee shall report to duty or remain on duty requiring the performance of safety-sensitive functions when the employee uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a motor vehicle or commercial motor vehicle.

11. No Employee shall report to duty, remain on duty or perform a safety-sensitive function if the employee tests positive for controlled substances.

12. Employees must report to their supervisor use of any prescribed drug or substance, which may affect their ability to perform their work safely and effectively.

13. No Employee shall report to work or perform work while impaired by any drug or controlled substance.

14. No Employee shall sell or otherwise dispense alcohol, illegal drugs, narcotics, controlled substances or intoxicants to others on County premises, in or from a County-owned or leased vehicle.

I. Administration

A. PROGRAM ADMINISTRATION

Day to day administration of this policy shall be handled by Human Resources.

All positive tests and violations of this policy shall be reviewed by a five member committee consisting of (1) the County Board Chairman, (2) the Personnel Committee Chairman, (3) a County Board Member appointed by the County Board Chairman, (4) the Department Director/Head/Supervisor where a positive test or violation originates from, and (5) the County Coordinator.

B. DEPARTMENT DIRECTOR'S RESPONSIBILITES

Department Director's shall be responsible for the following duties:

1. Authorizing the testing of employees for cause.
2. Receiving the results of drug testing for departmental employees.
3. Taking disciplinary action, up to and including discharge against employees who fail to comply with provision outlined in this policy.
4. Forwarding all drug and alcohol test-related records for employees to the Director of Personnel Department/Bookkeeping for final retention.
5. Ensuring standard notices are prominently displayed at departmental facilities housing 10 or more employees.
6. Scheduling employees for tests.

C. SUPERVISOR'S RESPONSIBILITIES

Department Supervisors shall be responsible for the following duties:

1. Directing employees to submit to reasonable suspicion testing.
2. Detailing in writing the specific facts, symptoms, or observations which formed the basis for determining that reasonable suspicion existed to warrant testing of the employee.
3. Submitting documentation to the department director or designee and for enforcing the appropriate provisions outlined in this policy.

II. Education

A. Supervisory personnel and managers will receive a minimum of one hour of training each on drug and alcohol abuse. Future training for new and existing supervisory staff will be scheduled on an "as needed" basis.

B. A mandatory employee meeting of no less than one hour concerning this drug and alcohol policy will be conducted for all employees who are governed under this policy.

C. A notice on the drug and alcohol policy will be posted. A copy of the policy will be available for review by employees upon request. The results of the program will be monitored.

IV. Employee Assistance Program (EAP)

The County's EAP will be available for employees who are suffering from drug and alcohol abuse. When an Employee's work performance or attendance is affected by the use of drugs or alcohol, the employee is considered to have an abuse problem. The employee will be encouraged to immediately seek adequate medical or professional assistance. All employees who are suffering from substance abuse problems will be encouraged to seek treatment without fear of disciplinary action.

THE COUNTY ENCOURAGES ANY EMPLOYEE WITH AN ALCOHOL OR DRUG PROBLEM TO ASK FOR HELP FROM THE COUNTY'S EAP PROVIDER. SUCH EMPLOYEE WILL BE ELIGIBLE FOR ASSISTANCE IN OBTAINING A LEAVE OF ABSENCE AND ENTERING A REHABILITATION PROGRAM. THIS MATTER WILL BE TREATED 1N AN ABSOLUTELY CONFIDENTIAL MANNER.

V. Drug and alcohol testing procedures

All time required by an employee to comply with these testing procedures shall be considered time worked, except for any time arranged by an employee for an employee's own convenience which is outside normal working hours. The following procedures will apply to the employee drug and alcohol testing program:

A. CONTROLLED SUBSTANCE TESTING

1). Controlled substance testing will be performed in accordance with 49 CFR Part 40. Ail urine specimens shall be split-sample and shall be taken promptly. The "primary" sample shall be at least 30 mi. of urine; the split sample shall be at least 15 ml. immediately after the specimen is collected, the individual containers shall, in the presence of the employee, be labeled and then initialized by the employee. The specimens shall be placed in the transportation container after being labeled. The container shall be sealed in the employee's presence and the employee shall be given an opportunity to initial or sign the container. The container shall be sent to a DHHS - certified testing laboratory on the soonest normal business day.
Failure of the employee to provide specimens of sufficient quantity, even after a two hour second opportunity following drinking up to 24 oz of water, will cause the employee to be referred for a medical evaluation to develop pertinent information regarding whether the employee's inability to provide a specimen is genuine or constitutes a refusal to test. This evaluation shall be sent to the County.

2). Employees shall be tested for drugs while performing a safety-sensitive function, just before performing a safety-sensitive function, just after performing a safety-sensitive function or at any time there is a reasonable suspicion to believe an employee is under the influence of a controlled substance.

3). In the event of a confirmed positive test result, at the employee's expense, the employee shall be given the opportunity to have the split sample tested by a different DHHS-certified laboratory within 72 hours of being informed of a positive result by the MRO. If an employee has not contacted the MRO within 72 hours, the employee may present to the MRO information documenting serious illness, injury, inability to contact the MRO, lack of actual notice of the verified positive test, or other unavoidable circumstances that prevented the employee from timely contacting the MRO. If the MRO concludes that there is a legitimate explanation for the employee's failure to contact the MRO within the 72 hours time frame, the MRO shall direct that the analysis of then split sample be performed, if applicable.

4). An employee who successfully challenges a positive test result shall be reimbursed for expenses incurred in the re-testing of the split sample. Back wages will be restored for time missed from work during the process of challenging the test.

B. ALCOHOL TESTING

1). The County requires alcohol testing in accordance with 49 CFR Part 40. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screen test shall be conducted first. Any result less than 0.02 alcohol concentration is considered a negative test. If alcohol concentration is 0.02 or greater, a second or confirmation test must be conducted. An EBT device will be used to conduct the test. The alcohol test will be conducted by a trained Breath Alcohol Technician (BAT). Failure to provide an adequate amount of breath will cause the employee to be immediately referred for a medical evaluation to develop pertinent information regarding whether the employee's inability to provide the adequate amount of breath is genuine or constitutes a refusal to test. This medical evaluation shall be sent to the County.

2). Employees shall be tested for alcohol while performing a safety-sensitive function, just before performing a safety-sensitive function, just after performing a safety-sensitive function or at any time there is reasonable suspicion to believe an employee is under the influence of alcohol.

3). Any test with results of 0.02 or greater shall cause the employee to be removed from safety-sensitive functions for at least 24 hours and shall cause the employee to be subject to disciplinary actions stated within the policy.

C. PRE-EMPLOYMENT TESTING

1). All Employment Applicants who have successfully completed the employment interview process are required to submit to drug and alcohol testing as a condition of employment.

2). All applicants subject to testing shall be advised of the County's Drug and Alcohol Policy at the time of the interview.

3). An applicant will not be considered for the position if.'

a. test results are confirmed positive for prohibited substances, or
b. the applicant refuses to provide a urine specimen for testing, or
c. the applicant attempts to tamper with or adulterate the specimen, or
d. the applicant has an alcohol concentration of 0.02 or more.

4). All employment applicants shall sign a release and consent authorization form for the drug and alcohol test to release information to the County and to attest that the urine is the applicant's. Refusal to sign this form will cause the applicant to be advised that the applicant is no longer under consideration for employment.

5). The applicant shall be required to produce acceptable verification of the applicant's identity immediately prior to testing.

D. REASONABLE SUSPICION TESTING

1). When a Department supervisor has "reasonable suspicion" to believe that the employee is under the influence of controlled drugs or alcohol upon reporting to work, during the work day, or upon completion of his or her work activity for the day, the supervisor will require the employee to go to the County's designated collection site for a urine or breathe alcohol test.

2). Reasonable suspicion means suspicion based on specific personal observations that a supervisor can describe concerning the appearance, behavior, speech or breath odor of the employee, where odor is detected in addition to appearance, behavior, or speech. Suspicion is not reasonable, and thus not a basis for testing if it is based solely on the observations and reports of third parties. The grounds for reasonable suspicion must be determined by a supervisor or a member of the management staff.

3). When an employee is asked to submit to drug or alcohol testing the employee shall be informed of the reasons for the request to submit to testing. The employee shall be informed that refusal to submit to testing will constitute a presumption or a positive result for drug or alcohol abuse. The employee's refusal will be in writing.

E. RANDOM TESTING

1). The County may conduct random testing of employees covered under this policy.

F. POST ACCIDENT TESTING

1). Post accident testing of employees may be conducted under the following circumstances:

a. when a fatality is involved, or
b. when personal injury is involved, or
c. when an employee receives a moving violation citation, or
d. when County property has been damaged.

2). Post accident testing:

a. The post accident drug test shall be conducted as soon as practical but no later than 32 hours after the reportable or fatal accident. If the test is not administered, the County shall prepare and maintain on file a record stating the reasons why the test was not properly administered.

b. The post-accident alcohol test shall be conducted as soon as practical but no later than 2 hours following the fatality or the reportable accident, unless circumstances for a delay are documented. If a test is not administered within 8 hours of the fatality or the reportable accident, the County shall cease attempts to administer an alcohol test and shall prepare and maintain on file a record stating the reasons why the test was not promptly reported.

3). An employee who is seriously injured and cannot provide a urine specimen or breath alcohol test at the time of the accident shall provide the necessary authorization for obtaining medical records and reports to determine whether controlled drugs or alcohol were present.

4). Employees are required to remain readily available for testing. Failure to be readily available or refusal to give a urine sample or breath alcohol test shall be deemed a positive test result.

5). The County shall provide employees with the necessary post-accident information, procedures, and instructions prior to the driver operating a commercial motor vehicle, so that employees will be able to comply with this requirement.

6). In lieu of administering a post-accident test, the County may substitute a breath or blood test for the use of alcohol and a urine test for the use of drugs conducted by Federal, State or local officials under separate authority.

G. RETURN TO DUTY TESTING

1). An alcohol breath test will be conducted on employees engaged in prohibited conduct for alcohol to ensure an alcohol level of less than 0.04 before being returned to duty and less than 0.02 before being returned to a safety-sensitive function.

2). A drug urine test will be conducted on employees engaged in prohibited conduct for drugs to ensure a negative result before being returned to duty.

H. FOLLOW UP TESTING

1). Following a determination that an employee is in need of assistance in resolving problems associated with alcohol or drug abuse, unannounced follow-up testing will be conducted as directed by a substance abuse professional.

2). Follow-up testing for alcohol (outside that directed by a substance abuse professional) shall be conducted only when an employee is performing safety- sensitive functions, just before the driver is to perform safety-sensitive function, or just after the driver has ceased performing safety-sensitive functions.

VI. Disciplinary Action

The assessment of disciplinary action in each of the foregoing circumstances shall only be imposed for just cause and shall be subject to the County's grievance procedures. The County shall take, but not be limited to, disciplinary action based on test results as follows:

A. DRUG TESTING

1). If the test results show a forensically acceptable positive result, the employee shall be removed from duty immediately without pay and be subject to disciplinary action up to discharge as described below.

2). Disciplinary action for engaging in a prohibited activity involving drugs shall be as follows:

a. For the first violation, the employee will be suspended from duty without pay for a minimum of 20 working days and be required to undergo substance abuse counseling. Employee is responsible for all costs incurred with the substance abuse counseling.

b. For the second violation within two years of the first violation, the employee will be terminated from employment.

c. Regardless of the above, if an employee is determined to be under the influence of drugs following an accident while on duty, or if an employee, who is required to drive as part of his or her job duties, loses his or her driving privileges due to a driving under the influence charge, he or she shall be terminated from employment. Any employee who faces termination as a result of losing driving privileges from a first offense of DUI outside work hours and not involving County property shall be given up to 30 days unpaid leave of absence from the effective date of loss of driving privileges to initiate civil or administrative proceedings designed to restoring driving privileges. Employees may use accrued vacation or compensatory time for the 30 day unpaid leave period.

B. ALCOHOL TESTING

1). If the test results show an EBT/alcohol concentration equal to or above 0.02, the employee shall be subject to disciplinary action as follows:

a. For the first violation:

i. For levels equal to or greater than 0.02. But less than 0.04, the employee will be removed from safety-sensitive duty for one working day without pay or be re-assigned to non-safety- sensitive activity if such activity is available. The

employee may use available vacation hours if no non-safety-sensitive activity is available.

ii. For levels equal to or greater than 0.04, the employee will be suspended from duty without pay for two days and be required to undergo substance abuse counseling at the employee's expense.

b. For a second violation within one year of another violation:

i. For levels equal to or greater than 0.02, the employee will be suspended from duty for five working days without pay.

ii. For levels equal to or greater than 0.04, the employee will be suspended from duty without pay for ten working days and will be required to undergo substance abuse counseling at the employee's expense.

c. For a third violation within two years of a second, the employee will be terminated.

d. Regardless of the above, if the employee is convicted of driving under the influence of alcohol following an accident while on duty, or if an employee, who is required to drive as part of his or her job duties, loses his or her driving privileges due to a charge of driving under the influence, he or she will be terminated from employment.

Any employee who faces termination as a result of losing driving privileges from a first offense of DUI outside work hours and not involving County property shall be given up to 30 days unpaid leave of absence from the effective date of loss of driving privileges to initiate civil or administrative proceedings designed to restoring driving privileges. Employees may use accrued vacation or compensatory time for the 30 day unpaid leave period.

VII. Disclosure and Record Keeping

A. Except as required by law or expressly authorized or required by 49 CFR 382, the County will not release driver information that is contained in records required to be maintained in accordance with current DOT regulations.

B. The County will comply with all federal, state, and local laws and regulations governing any violations of criminal drug use in the work place.

C. The Department Head of each County Department covered by this policy will be designated to receive testing results.

D. No laboratory or medical reports or test results shall appear in an employee's personnel folder. Information of this nature will be included in a separate file kept elsewhere.

E. An employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of drugs, alcohol, and test results. Access shall not be contingent upon payment for records other than those requested.

F. The County will disclose information to be maintained under this policy when required to by any DOT agency, any State or local officials with regulatory authority as empowered to receive such information, and any law

enforcement agency in association with criminal misuse of controlled substances and alcohol.

G. The County may disclose information required to be maintained under this policy pertaining to the employee, or to the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol or controlled substance test administered under this policy, or from the employer's determination that the employee engaged in conduct prohibited by this policy.

H. The County will only release information regarding an employee's record as directed by the person with the specific, written consent of the employee authorizing release of information to an identified person, unless such request is initiated by a regulatory or law enforcement agency.

I. The release of such information may take the form of personal interviews, telephone interviews, letters, or any other method of providing information that ensures confidentiality.

J. All records in reference to referrals, evaluation, return-to-duty and follow-up testing shall be retained for five years.

Personnel Policy Manual Acknowledgment

My signature acknowledges I have received and read a copy of the Livingston County Personnel Policy Manual. I understand it contains important information on certain policies and my obligations as an employee. I understand that if I have any questions or need additional information regarding policies and procedures, I may contact my immediate supervisor or Human Resources.

I have read, understand, and agree with the County Electronic Communications policy. I understand and agree that I have no expectation of privacy with respect to any of the County's electronic equipment or any information sent, received, or stored in the equipment. I understand that the County has the right to monitor, at its discretion, any electronic information and usage. By my signature below, I hereby authorize the County to monitor, search, inspect, use, and disclose all electronic communications.

I understand that this Policy Manual and the information in it supersede any other previous Policy Manual or policy. I understand that the County may add, change, rescind, replace, or cancel policies, practices, or benefits at any time, with or without notice, at its sole discretion.

I understand that during the course of my employment confidential information may be made available to me. I understand that this information may not be disseminated or used outside County premises without prior authorization.

I understand and acknowledge that the Policy Manual does not constitute a contract of employment. I also understand there is no specified length to my employment at the County and that my employment is at-will and that either I or the County may terminate my employment at any time, with or without cause or advance notice. Furthermore, no commitment for employment for any specified duration is valid or binding on the County unless expressly set forth in a written document and signed by both the employee and by Livingston County Board.

_____
Employee Name (Printed)

_____
Employee Signature

_____
Date