1996 S. Kirk Rd Ste 320
Geneva, IL 60134

Kane County

Forest Preserve, Finance and Administration Committee

Agenda

President Bill Lenert, Chair Rick Williams,
Vice-Chair Jon Gripe, Mo Iqbal, Leslie Juby,
Bill Roth

Tuesday, July 28, 2026 **2:00 PM** **3rd Floor Board Room**

I. Call To Order
Remote Attendance Approval

II. Approval of Minutes from June 23, 2026

III. Public Comment (Each Speaker is limited to three minutes)

IV. Bids and Proposals

V. New or Unfinished Business

TMP-26-937 Resolution Approving Revisions to the Employee Handbook 2026

TMP-26-938 Approval of the Restated Organization Ordinance

VI. Closed Session to Discuss Land Acquisition, License Agreements, Potential Litigation and Personnel

VII. Communications

VIII. Chairman's Comments

IX. Adjournment
Adjournment until: Tuesday August 25, 2026 at 2:00 p.m. in person at the Forest Preserve District Administration Offices 1996 S. Kirk Road, Suite 320 Geneva, Illinois and via zoom https://zoom.us/j/6302325980? pwd=aURTSGJoRlVJNDRCcHJXd3dvaVVrUT09 Meeting ID: 630 232 5980 Password: 24680 The Request to Speak Form on the Districts' website must still be completed for guests to speak at the meeting.

STATE OF ILLINOIS)
SS.
COUNTY OF KANE)

FP RESOLUTION NO. TMP-26-937

RESOLUTION APPROVING REVISIONS TO THE EMPLOYEE HANDBOOK 2026

WHEREAS, the Commissioners of the Forest Preserve District of Kane County, established and adopted an Employee Handbook detailing personnel policies and procedures for the employees of the District on July 8, 1980; and

WHEREAS, said handbook has, from time to time, been revised by the Commission, and remains in effect to this date; and

WHEREAS, it is deemed to be necessary to revise the Employee Handbook to keep current and to conform to currently accepted employee procedures, newly adopted legislation, or clarification of existing policies; and

WHEREAS, a current and updated Employee Handbook has been developed to meet the needs of the employees and the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Forest Preserve District of Kane County, Kane County, Illinois, that the Employee Handbook, attached and identified as Exhibit A, be, and hereby is approved and adopted.

APPROVED AND PASSED on this 11th Day of August, 2026.

_____
Bill Lenert
President, Kane Forest Preserve
Kane County, Illinois

_____
Mohammad Iqbal
Secretary, Kane Forest Preserve
Kane County, Illinois

AGENDA MEMORANDUM

DATE: July 28, 2026

TO: Forest Preserve District Finance & Administration Committee

FROM: Jennifer Clough, Director of Human Resources

VIA: Ben Haberthur, Executive Director

SUBJECT: Presentation and Approval of Employee Handbook Revisions

PURPOSE:

The purpose of this memorandum is to provide the Committee with information to consider the approval of revisions to the Employee Handbook.

BACKGROUND:

The Employee Handbook underwent a comprehensive review early this year, and its revisions were approved by the Commission in March 2026. Additional changes have been prepared to ensure compliance with state and federal statutes, clarify policies for ease of interpretation, and align with current practices. The following changes are recommended:

- *2.1 Hours of Work and Compensation:* The One Big Beautiful Bill Act (OBBBA) introduced new tax deductions for overtime pay. Employees who receive qualified overtime compensation may deduct the pay that exceeds their regular rate of pay, such as the "half" portion of "time-and-a-half" compensation, that is required by the Fair Labor Standards Act (FLSA) and that is reported on a Form W-2. Additionally, meal and break periods and compensatory time accrual processes were revised to accommodate the implementation of ADP timekeeping technology. The total number of hours employees are required to work in a standard work week remains the same.
- *2.4 Vacation Time & 2.7 Holidays:* Vacation 1.0 and 1.5 accrual awards and the distinction between Major and Non-Major holidays were removed, and the method of computing employee compensation on holidays worked was revised to accommodate ADP system limitations. Total annual accruals for both vacation time and holidays offered by the District remain the same.
- *3.6 Jury Duty:* To ensure consistency in policy application, the language has been revised to reflect the same verbiage in the District's Collective Bargaining Agreement with the Metropolitan Alliance of Police Chapter #315. The benefit remains the same.
- *4.2 Workplace Conduct:* Language was expanded to confirm employee uniform standards, ownership and return requirements.

FINANCIAL IMPACT:

When calculating hours eligible for compensatory time (comp time) accrual or overtime compensation, the District follows federal Fair Labor Standards (FLSA) guidelines. Under FLSA, comp time is earned and/or overtime pay is calculated strictly based on actual hours worked over forty (40) hours in a workweek. Previously, some paid leave was counted towards hours worked for comp time accrual and/or overtime pay purposes. As a result of the recommended policy changes to ensure OBBB compliance and recordkeeping standards, the District may realize a reduction in comp

time accruals and/or overtime pay.

RECOMMENDATION:
Staff recommends approving the revisions to the Employee Handbook.

ATTACHMENTS:
Draft 2026 Employee Handbook

Employee Handbook

Forest Preserve District of
Kane County Commission
Approved March 10, 2026

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MISSION STATEMENT

To acquire, hold and maintain lands within Kane County that contribute to the conservation of natural and historic resources, habitats, flora and fauna; and to restore, restock, protect and preserve such lands for the environmental education, recreation, pleasure and well-being of all its citizens.

GOAL

To preserve and restore the nature of Kane County

WELCOME

For over a century, the Forest Preserve District of Kane County (the "District) has been dedicated to protecting, restoring, and sharing the natural resources of Kane County for the benefit of present and future generations.

District employees have always been essential to this mission. All positions in the District contribute directly to the quality of life in our communities and the stewardship of more than 254,000 acres of public woodlands, wetlands, and prairies.

This Employee Handbook is designed to help provide understanding of the District's policies, benefits, expectations, and resources. It serves as a guide to support employees in their work and to promote a safe, respectful, and inclusive workplace. District employees are encouraged to review this document carefully and to ask questions when clarification is needed.

POLICY ADMINISTRATION

This Employee Handbook is intended to convey to employees of the Forest Preserve District of Kane County descriptions of some of its policies, procedures and standards which are important to know and understand in order to support a mutually beneficial relationship between the District and its employees. These descriptions are the most recent of the terms of each policy or procedure and, therefore, supersede any previous Handbook, instruction or policy description.

It is important for all employees to be aware that, although these policies and procedures are intended to be consistent and comprehensive, it is impossible to cover all subjects, questions and contingencies. It is likewise impossible to enumerate policies that will apply indefinitely. The following policies and procedures state current policy and are not themselves to be considered or interpreted as terms of an implied or express contract.

The District reserves the right to amend, modify and/or revoke any of its policies, practices, procedures and standards summarized in this Handbook. Similarly, the interpretation, scope and applicability of any of the provisions are exclusively within the District's control and discretion. All employees of the District serve at the pleasure of the District and no employee will have any vested rights in their employment or in the practices and procedures hereinafter set forth, excepting only by a specific written contract. Written and verbal statements made to the employee do not alter at-will relationship and should not to be interpreted in any way that alters the at-will relationship. As is always true during an employee's employment with the District, employment is not for any specific time and may be terminated at will, with or without cause and without prior notice.

Several of the provisions in this policy Handbook are based upon, or mandated by, various federal and state laws and regulations and, therefore, are obviously subject to change from time to time to comply with changes in those laws and regulations.

Some of the provisions in this policy Handbook are summaries of what is contained in laws and legal documents, such as insurance and disability contracts. The District has attempted to minimize the use of legal terms and language. Any questions concerning the application or

interpretation of any such provision will have to be determined by the wording of the underlying law or legal document, rather than by the informal wording used in this policy Handbook.

The Director of Human Resources will be responsible for making updates to the Employee Handbook and, in concurrence with the Executive Director, may amend policies to comply with changes in laws or regulations or to align with best practice recommendations in Human Resources which have no resulting budgetary or significant operational impact.

Because of the complexity of the District and its operation, questions may arise periodically concerning these policies. The District welcomes inquiries from employees in order to resolve uncertainties and misunderstandings. Employees should direct any inquiries to their supervisor or Human Resources.

The Employee Handbook is available electronically, as well as in hard copy format through Human Resources. New employees will be provided with a copy of the Employee Handbook as part of their onboarding and orientation process. Updates to the Employee Handbook will be communicated to all employees as they are implemented.

ORGANIZATION STRUCTURE

In accordance with the District's Organization Ordinance, District policies are determined by a Forest Preserve District Commission (the "Commission"), whose members are elected by the citizens of Kane County. The elected official in charge of the District is the President, who is elected by members of the Commission, and serves for a two (2) year term. There is no limitation on the number of terms a President may serve. The President works directly with the Executive Director/CEO (see also the Organization Ordinance of the Forest Preserve District of Kane County).

The Commission holds regular monthly meetings as required by law. Special meetings are called as necessary. These meetings are advertised electronically on the District's website and are open to the public in accordance with state law.

The operating departments within the District include: Administration, Community Engagement and Environmental Education, Finance, Human Resources, Natural Resources, Operations, Planning and Land Protection, and Public Safety.

SECTION ONE: EMPLOYMENT

1.1 EQUAL EMPLOYMENT OPPORTUNITY AND ACCOMMODATIONS

1.2 JOB CLASSIFICATION

1.3 RECRUITMENT AND HIRING

1.4 TRAINING AND ORIENTATION PERIOD, PROMOTION AND TRANSFER

1.5 CAREER AND PROFESSIONAL DEVELOPMENT

1.6 PERFORMANCE EVALUATION SYSTEM

1.7 OPERATING A DISTRICT VEHICLE
1.8 WORKPLACE SAFETY
1.9 TRAVEL AND OTHER EXPENSE REIMBURSEMENT
1.10 EMPLOYEE RECORDS AND VERIFICATION OF EMPLOYMENT
1.11 IDENTITY PROTECTION
1.12 RESIGNATION AND RETIREMENT

SECTION ONE: EMPLOYMENT

1.1 EQUAL EMPLOYMENT OPPORTUNITY AND ACCOMMODATIONS

POLICY:

It is the policy of the Forest Preserve District of Kane County to comply with all federal, state and local laws regarding Equal Employment Opportunity including, but not limited to, the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendment's Act (ADAAA) and the Illinois Human Rights Act.

ELIGIBILITY:

- All District employees, as well as contractors, vendors, visitors, volunteers and others doing business with the District, will adhere to the Equal Employment Opportunity and Accommodations policy.

GUIDELINES:

A. Equal Employment Opportunity has been, and will continue to be, a fundamental principle at the District, where employment is based upon personal capabilities and qualifications without discrimination because of an individual's actual or perceived race (including but not limited to traits associated with race, such as hair texture and protective hairstyles such as braids, locks, and twists), color, religion, sex, sexual orientation, gender (including gender identity and expression), national origin, ancestry, citizenship status, work authorization status (i.e. the status of being a person born outside the U.S., who is not a U.S. citizen but is authorized by the federal government to work in the United States), age, disability (association with a person with a disability), pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth), family responsibilities, reproductive health decisions (association with someone else's reproductive health decisions), genetic information, order of protection status, marital status (including domestic partnership), military or veteran status, unfavorable discharge from military service, or any other protected characteristic as established by law.

B. All District personnel policies, procedures and decisions pertaining to hire, promotion, transfer, layoff, rates of pay, discipline, discharge and other terms and conditions of employment are made and executed without regard to an individual's actual or perceived race (including but not limited to traits associated with race, such as hair texture and protective hairstyles such as braids, locks, and twists), color, religion, sex, sexual orientation, gender (including gender identity and expression), national origin, ancestry, citizenship status, work authorization status (i.e. the status of being a person born outside the U.S., who is not a U.S. citizen but is authorized by the federal government to work in the United States), age, disability

(association with a person with a disability), pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth), family responsibilities, reproductive health decisions (association with someone else's reproductive health decisions), genetic information, order of protection status, marital status (including domestic partnership), military or veteran status, unfavorable discharge from military service, or any other category protected by applicable law.

C. The District prohibits all forms of discrimination in the use of its facilities and acts in a manner that demonstrates respect and dignity to all persons when addressing issues regarding our restrooms and locker rooms. The District does not discriminate based on gender identity or sexual orientation.

a. Transgender individuals, whether they are employees, volunteers, patrons, guests, or contractors are permitted to use the restroom and locker room facility that corresponds with their self-identified gender. The District expects all users to exercise appropriate etiquette when using our restrooms and locker rooms.

b. An individual who uses a restroom or locker room that corresponds with their self-identified gender does not pose a safety risk solely because of their gender identity. If an individual is concerned about their individual safety, other than the sole fact that a transgender person is using a restroom or locker room, then that individual should seek assistance from a District employee or by contacting the Forest Preserve Public Safety department.

D. The District is committed to complying with all applicable provisions of the ADA, ADAAA and the Illinois Human Rights Act. It is the District's policy not to discriminate against any qualified employee or applicant about any terms or conditions of employment because of such individual's disability or perceived disability (or association with a person with a disability) so long as the employee can perform the essential functions of the job with or without a reasonable accommodation.

E. The District will provide reasonable accommodations to a qualified individual with a disability, as defined by law, who has made the District aware of their disability, provided that such accommodation does not constitute an undue hardship on the District. Requests for reasonable accommodation will be reviewed on a case-by-case basis.

F. The ADA does not require the District to make the best possible accommodation, to reallocate essential job functions, to create new positions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.).

G. The District prohibits discrimination on the basis of pregnancy. The District will not refuse to hire, segregate, or take any other employment action with respect to recruitment, hiring, promotion, renewal of employment, selection for training or

apprenticeship, discharge, discipline, tenure or the terms, privileges or conditions of employment on the basis of pregnancy. “Pregnancy” is defined as pregnancy, childbirth, or medical, or common conditions related to pregnancy or childbirth.

H. The District will provide reasonable accommodations to employees who are affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth, unless the accommodation would impose an undue hardship on the District.

I. The District will provide reasonable accommodations to employees based on their sincerely held religious beliefs, unless the accommodation would impose an undue hardship on the District.

PROCEDURES:

1. The Director of Human Resources, or designee, will be responsible for communicating and implementing this policy.

2. Disability Accommodation:

   a. An employee with a disability who believes they need a reasonable accommodation to perform the essential functions of their job should contact their immediate supervisor or Department Head. If an employee is uncomfortable making an accommodation request to their immediate supervisor or Department Head or the employee believes their accommodation request was not properly managed, the issue should be reported to the Director of Human Resources or the Executive Director.

   b. Upon receipt of an accommodation request, the Department Head, the Director of Human Resources, and/or the employee's immediate supervisor will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the District might make to help overcome those limitations and perform the essential job functions of the employee's position.

   c. The District will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the District's overall financial resources, the accommodation's impact on the operation of the department, including the ability of other employees to perform their duties, and on the District's ability to provide its services to the public.

   d. The District will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of their right to appeal the decision to the Executive Director by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

3. Pregnancy Accommodation:

   a. An employee who believes they need a reasonable accommodation to perform the essential functions of their job due to a pregnancy or childbirth related condition should contact their immediate supervisor or Department Head. If an employee is uncomfortable making an accommodation request to their immediate supervisor or Department Head or the employee believes their accommodation request was not properly managed, the issue should be reported to the Director of Human Resources or the Executive Director.

   b. The District will not require an employee affected by pregnancy to take a leave of absence (against the employee's wishes) if another reasonable accommodation can be provided.

   c. The District will not fail or refuse to reinstate an employee affected by pregnancy to their original job or to an equivalent position with equivalent pay, seniority, and benefits upon indicating their intent to return to work, or when their need for reasonable accommodation ceases, unless the District can demonstrate that reinstatement would impose an undue hardship on the District's operations.

   d. The District will inform the employee of its decision regarding an accommodation request or on how to make the accommodation. If an accommodation request is denied, the employee will be advised of their right to appeal the decision to the Executive Director by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

4. Nursing Mothers Accommodation:

   a. The District will provide new mothers who are breast feeding with a time and place in close proximity to the work area, other than a bathroom, to express breast milk while at work in a clean, sanitary, and private environment and will provide access to a refrigerator for the breast milk.

   b. Employees may use regular paid breaks to express milk and they may take additional reasonable paid breaks to express breast milk for up to one year after the child's birth. The employee will be compensated at their regular rate of pay, and will not be required to use paid leave for the break time.

   c. Employees must work with their supervisor or department head to plan such breaks.

5. Religious Accommodation:

   a. An employee who believes they need a reasonable accommodation to perform the essential functions of their job due to a sincerely held religious belief should contact their immediate supervisor or Department Head. If an

employee is uncomfortable making an accommodation request to their immediate supervisor or Department Head or the employee believes their accommodation request was not properly managed, the issue should be reported to the Director of Human Resources or the Executive Director.

b. Upon receipt of an accommodation request, the Department Head, Director of Human Resources, and/or the employee's immediate supervisor will meet with the employee to discuss and identify the precise limitations resulting from the sincerely held religious belief and the potential accommodation that the District might make to help overcome those limitations and perform the essential job functions of the employee's position.

c. The District will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the District's overall financial resources, the accommodation's impact on the operation of the department, including the ability of other employees to perform their duties, and on the District's ability to provide its services to the public.

d. The District will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of their right to appeal the decision to the Executive Director by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

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

7. Any employee, citizen, or applicant who has questions regarding this policy or believes that they have been discriminated against should immediately notify their immediate supervisor or Department Head, Director of Human Resources or Executive Director (see also Employee Handbook 4.1, Anti-Harassment). All inquiries or complaints will be treated as confidential, but the District cannot guarantee confidentiality.

8. Any deliberate attempt by any employee to bypass this policy will be subject to disciplinary action, not to exclude termination of employment.

1.2 JOB CLASSIFICATION

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish and provide job classification definitions.

ELIGIBILITY:

- All employees of the District will be classified in one of the below general classifications.

GUIDELINES:

A. Any changes or amendments of the official wage and salary plan, the rates, grades or ranges of pay for the positions in each of these job classifications require approval by the Full Commission.

1. **Executive Personnel.** The Executive Director will be directly responsible to the President. The Executive Director will be hired by the President with the consent of the Commission.

2. **Managerial Personnel.** The Chief Financial and Administrative Officer (CFAO) and Department Heads will be directly responsible to the Executive Director. The CFAO and Department Heads will be hired by the Executive Director.

3. **Supervisory Personnel.** Supervisory personnel will include those positions as the Executive Director, CFAO, or the Department Heads deem necessary. Supervisory personnel will be hired by the Department Heads, and will be responsible to the Department Heads.

4. **Regular Full-Time Personnel.** The classification of regular full-time personnel will include those employees who have been employed by the District for a period of at least six (6) months and whose duties and responsibilities are regularly scheduled to be full-time in nature. These employees will be hired by the Department Heads or their representatives and will be responsible to supervisory or managerial personnel.

5. **Confidential Personnel.** Confidential personnel will include all employees whose job involves confidential and/or sensitive information and any who assist, as part of their duties, a managerial employee with respect to the formation and effectuation of District policies including labor relations. These persons include, but are not limited to, the Executive or

Administrative Assistants to the Executive Director, and Department Heads.

6. **Training and Orientation Personnel.** All personnel, other than Classification III part-time employees, are subject to a six (6) month training/orientation period. Employees in the training/orientation classification will remain in this classification for a period generally not less than six (6) months.

7. **Classification I. Regular Part-time Personnel with Benefits.** Regular part-time employees who work 1,000 hours or more per year, annually. Employees in this category must participate in the Illinois Municipal Retirement Fund (IMRF) and can accrue vacation, holiday, sick and personal leave on a prorated basis after each anniversary date.

8. **Classification II.** Part-time Personnel without Benefits. Part-time employees who work less than 1,000 hours per year, year-round. This classification of employees is not entitled to any benefits other than their wages and personal leave.

9. **Classification III.** Seasonal/Intern Personnel. Seasonal/Intern employees who work less than 1,000 hours per year, generally during the summer. This classification of employees is not entitled to any benefits other than their wages and personal leave.

10. **Commissioners.** For all purposes in this Handbook, Commissioners of the District elected to the Kane County Board will not be considered "employees" of the District, notwithstanding any compensation received, retirement benefits paid or retirement contributions made, per diem payments received or other remuneration or benefits received or made by such Commissioners while holding such elected office and serving as a Commissioner of the District.

11. **Elected Officials** -A District employee may not be an elected official for the County of Kane or Forest Preserve District of Kane County.

1.3 RECRUITMENT AND HIRING

POLICY:

It is the policy of the Forest Preserve District of Kane County to follow recruitment procedures to attract, hire, and retain qualified applicants for position vacancies.

ELIGIBILITY:

- All employees are subject to the Recruitment and Hiring policy.

GUIDELINES:

A. Recruitment procedures will be in compliance with the District's Equal Employment Opportunity policy.

B. The recruitment and hiring functions will be centralized within the Human Resources Department, which includes responsibility for disseminating job posting information throughout the District.

C. Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, promoted, or transferred however, if it would:

- Create a supervisor/subordinate relationship with a family member;
- Have the potential for creating an adverse impact on work performance; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

D. For the purpose of this policy, immediate family includes: spouse, domestic partner, parents, children (including step or adopted), siblings, parent and sibling in-law, aunts, uncles, nieces, nephews, grandparents, grandchildren, and other members of household as well as those within romantic relationships (see also Employee Handbook 4.2, Workplace Conduct).

E. The District will comply with the Illinois Department of Employment Security New Hire Reporting Law to report all persons hired or rehired within twenty (20) days of their first day of employment.

PROCEDURES:

1. When a department has a position that is vacant, or will be vacant, and is ready to begin recruitment, an Employee Requisition Form should be completed and submitted to Human Resources.

2. Human Resources and the position's Supervisor ~~will~~will review the job description and complete any updates prior to posting.

3. The Human Resource Department will be responsible for coordination of recruitment activities including, but not limited to, job posting, pre-employment interviews and testing, acceptance of employment applications, conducting reference and background checks, and making and negotiating offers for employment.

4. Human Resources may require applicants to furnish professional references, evidence of education or certification, authorizations for criminal background or driving records checks, or other information applicable to performing the essential functions of the position.

5. Human Resources may disqualify an applicant for consideration of employment if it is found that:

    a. The applicant has made a false statement in securing employment.

    b. The applicant has used, or attempted to use, bribery to secure advantage in the selection process.

6. Human Resources will be responsible for making all offers of employment.

7. Once an offer of employment has been accepted, Human Resources will be responsible for completing appropriate new hire processes, including scheduling and conducting a Human Resources Orientation with new employees.

1.4 TRAINING AND ORIENTATION PERIOD, PROMOTION, AND TRANSFER

POLICY:

It is the policy of the Forest Preserve District of Kane County to define a Training and Orientation Period for new and current employees following placement into an established job classification through hiring, promotion, or transfer. The Training and Orientation Period allows the employee an opportunity to become familiar with the duties and responsibilities of the position and allows their supervisor adequate time to make a reasonable assessment of the employee's ability to perform the essential job functions.

ELIGIBILITY:

- All full-time and part-time employees will complete a Training and Orientation period.

GUIDELINES:

A. An employee will be required to work not less than six (6) months in each position to which appointed, hired, promoted or transferred in order to be considered to have completed the training/orientation period.

B. The first six (6) month period of employment or transfer or promotion to a new position is designed to provide training and orientation to familiarize the employee with job duties and expectations. It also provides an opportunity for management to make a reasonable assessment of the employee's ability to perform the essential job functions.

C. During the Training and Orientation Period, either the employee or management may decide that the fit is not right and end the employment relationship at that time. If, however, employment continues past the training/orientation period, it remains "at-will," meaning either the employee or the District may terminate the relationship at any time for any reason, with or without cause or prior notice.

D. It is the intention of the District (not the obligation), when and where appropriate and in the best interest of the District, to promote current employees to positions of greater responsibility. In regard to promotions, the following factors may be considered: past performance evaluations, recommendations of supervisors, and knowledge and ability to perform essential job functions as they may relate to a higher position and seniority.

PROCEDURES:

1. Upon completion of an employee's Training and Orientation Period, the immediate supervisor will conduct a written evaluation of the employee's work performance, including attendance, and submit it to the appropriate Department Head for review. The evaluation will review the employee's progress, qualifications, capacity to grow and other relevant factors, and recommend regular status, dismissal, or other action.

2. Promoted employees will be required to complete a Training and Orientation Period in the new position at an acceptable performance level and will also be eligible to receive an evaluation at the end of the Period. The District does not have an obligation to ensure continued employment, or return the employee to their previous position or any other position if the employee does not successfully complete the Training and Orientation period.

3. If the Executive Director or Department Head determines a promoted employee is not successfully performing the essential functions of the new position during the Training and Orientation Period, or if the employee requests to return to the previous position, the District may reassign the employee to the previous position if it is vacant. However, the District has no obligation to reassign such employee or ensure continued employment if no appropriate position exists.

4. The Department Head has the discretion to approve an extended training/orientation period of up to three (3) months or longer, if necessary, for performance issues or other operational reasons.

5. Transfer of employees between departments or divisions on either a permanent or temporary basis may be made upon the recommendation of supervisory personnel as well as the needs of the District; however, only the Executive Director may approve a transfer. All such transfers will be based on present qualifications to perform essential job functions (with or without a reasonable accommodation), required certifications, job performance, years of service, and operational needs of the District.

6. An employee's refusal to transfer to a District office or site throughout the District's jurisdiction may result in dismissal.

7. An employee who transfers within the same department into a position that has the same job title will not serve a Training and Orientation Period, unless the job duties are different.

1.5 CAREER AND PROFESSIONAL DEVELOPMENT

POLICY:

It is the policy of the Forest Preserve District of Kane County to be committed to ensuring that employees receive the training necessary to perform the responsibilities of their positions effectively and safely. In addition, the District supports career growth and development of its employees by enhancing their knowledge and skills through continuing education and professional development opportunities.

GUIDELINES:

A. Tuition Reimbursement: The District provides educational assistance for eligible full-time employees who want to further their education through courses that are work-related and are a definite value to the District.

1. Reimbursement is subject to the availability of budgeted funds, and requests are processed on a first-come, first-served basis. The District is not able to guarantee that funds will always be available for this purpose.

2. The amount reimbursable is a maximum of $2,500 per fiscal year, per eligible full-time employee.

3. All regular full-time employees may be extended the privilege of tuition reimbursement related to their job responsibilities under the following conditions:

i. An employee must be continuously employed for one (1) full year of employment before becoming eligible to participate in the Tuition Reimbursement Program.

ii. Courses must be taken for college credit at an accredited educational institution, or be part of a college-level certification program.

iii. Courses, seminars, or workshops outside of these criteria might otherwise be covered under the department's training/professional development budget.

iv. Employees must demonstrate satisfactory completion of each course. Receiving a grade of "C" in undergraduate study or "B" in graduate study indicates satisfactory completion of courses.

v. Employees participating in this program must retain their employment with the District for at least one (1) year of employment

following the last course completed. Employees not completing the required one (1) year of employment will be required to reimburse the District for the cost of the last course/semester, books, and lab fees.

vi. If the employee is receiving tuition benefits from an outside source, District tuition payments will not exceed an amount equal to the difference between those outside funds and the cost of tuition.

4. Tuition, lab fees, and books are reimbursable expenses.

5. Funding for approved courses will be consolidated within the Human Resources department budget for overall District-wide distribution.

B. District Training: The District believes that employees should receive the proper training in order to perform the responsibilities of their position effectively and safely.

1. The District will offer in-house training and other resources, as feasible, to support achieving and maintaining required, position-specific certifications.

2. Annual training which is required for all employees for employment purposes will be coordinated through the Human Resources Department.

C. Professional Development: The District encourages the ongoing career development of staff and supports this philosophy through attendance at external workshops, seminars, and programs.

1. At the discretion of the Department Head, any employee may be authorized or required, from time to time, to attend seminars, training sessions, and specialized meetings. Employees are also encouraged to make recommendations to their immediate supervisor about attending job-related programs, training, or other continuing education.

2. The District, subject to the individual department's budgeted funds, will pay any attendance costs. These classes are covered under the employee's department's training budget rather than the Tuition Reimbursement Program.

PROCEDURES:

1. Employees are encouraged to discuss job or career-related courses and goals with their supervisor or Department Director.

2. Tuition reimbursement requests must be submitted to Human Resources prior to signing up for the class in order for the funds to be earmarked and set aside.

3. Tuition reimbursement requests are processed on a first-come, first-served basis as available funding allows.

4. Eligible employees should use the Tuition Reimbursement Request form to participate in this program. The form outlines the process for submitting a request for reimbursement, and is available in Human Resources.

5. Employees who do not fulfill training or certifications as required for their position may be subject to corrective action not to exclude termination of employment.

6. Requests for additional professional development opportunities should be discussed and reviewed between the employee and their immediate supervisor, and approval will be contingent upon the availability of funds within the department.

1.6 PERFORMANCE EVALUATION SYSTEM

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish a performance evaluation system to assess employee performance in the accomplishment of their assigned duties and responsibilities and promote individual job development.

ELIGIBILITY:

- All full-time and part-time employees are eligible for a performance evaluation.
- All seasonal employees are eligible for a performance evaluation at the end of each season.

GUIDELINES:

A. In evaluating employee performance, factors which have a direct relationship to the accomplishment of work assignments will be considered. The factors used in evaluating performance are intended to be as objective as possible and appropriate for the position.

B. The evaluation system is a coaching tool for management to share its overall assessment of the employee's work. The assessment explains where the supervisor believes the employee exceeds, meets or fails to accomplish performance expectations and provides a performance improvement plan, when necessary.

C. Performance evaluations also may be used to determine promotions and pay increases.

D. The performance evaluation system does not change the employment at-will status of an employee.

E. The Director of Human Resources, with the agreement and advice of the Executive Director and other Department Heads, will be responsible for developing and implementing the performance evaluation system to be used within the District.

PROCEDURES:

1. A performance evaluation will be completed for new employees or newly promoted employees at the conclusion of their training/orientation period. Thereafter, employees will receive a performance evaluation on no less than an annual basis.

2. The Executive Director or Department Head may require evaluations to occur at any other time for reasons which are deemed necessary to assist the employee and the employer to ensure effective performance of required duties.

3. Employees with acceptable performance (not on a performance improvement plan), may be eligible for a step increase as authorized by the annual budget.

4. All performance evaluations will be completed using the appropriate evaluation form.

5. Each employee will receive a copy of the evaluation as completed by their immediate supervisor. As appropriate, and based on assignments, the supervisor may seek feedback from other team leads or supervisors in order to provide a holistic review of the employee's work for the preceding evaluation period.

6. The evaluation will be reviewed together by the supervisor and employee and the employee will be given an opportunity to comment on the evaluation.

7. The Department Head will review evaluations within the department to ensure department-wide consistency, and the Director of Human Resources has the responsibility of monitoring and reviewing rating accuracy and consistency within the organization.

8. When a disagreement occurs with the evaluator and reviewer, or if the employee disagrees with the evaluation, the Department Head will investigate the disagreement. If an employee disagrees with an evaluation, the employee should attach a written rebuttal. The rebuttal will be reviewed by the Department Head and Human Resources and, if necessary, by the Executive Director. The Executive Director's decision on the evaluation is final and is not subject to any additional review or grievance procedure. The Department Head or Executive Director will provide a written response to any evaluation disagreement which will be placed in the employee's personnel file along with their evaluation and rebuttal.

9. Any employee who falls below acceptable performance or has a severe drop in their evaluation from one year to the next may begin a performance improvement plan. The plan's goal is to bring the employee's performance in line with acceptable performance or to a level commiserate with the employee’s experience. At the conclusion of the evaluation, the employee's supervisor will outline the District’s expectations and schedule, at minimum, a follow-up review meeting within three (3) months. These meetings will continue for the duration of the plan or until the employee attains a satisfactory performance level. If, however, the employee does not make an immediate and sustained improvement, the employee may be subject to disciplinary action, not to exclude termination of employment.

1.7 OPERATING A DISTRICT VEHICLE

POLICY:

It is the policy of the Forest Preserve District of Kane County to adhere to safe driving practices and provide employees with vehicles, as practical, to perform the responsibilities of their position.

ELIGIBILTY:

- Employees must be eighteen (18) years or older to operate a District vehicle or equipment.

GUIDELINES:

A. Only approved drivers will be authorized to drive for the District. An approved driver will be defined as one who: has a valid driver's license; Has had no more than two (2) accidents and/or convictions for moving violations in the previous year; and has not been convicted within the year prior to driving a District vehicle for the offenses of reckless homicide, reckless driving, driving with a suspended or revoked license, hit and run, driving while under the influence of intoxicants, or fleeing or attempting to elude a police officer. (Convictions that are expunged or sealed are not considered except if allowed by law.) Annual driver's license abstracts will be conducted for all employees driving for District business.

B. Drivers will comply with all applicable laws, including, but not limited to, the Illinois Vehicle Code. Drivers are specifically prohibited from using electronic communication devices such as, but not limited to: hand-held wireless telephones, hand-held personal digital assistants, tablets and/or portable/mobile computers while operating a motor vehicle (see also Employee Handbook 4.4, Electronic Communications).

1. Exceptions to this guideline include:

- A law enforcement officer while performing his official duties;
- A driver using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation;
- A driver using an electronic communication device in hands-free or voice-operated mode, which may include the use of a headset or earbuds with microphone function included;

- A driver using an electronic communication device while parked on the shoulder of a roadway;
- A driver using an electronic communication device when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park;
- A driver using a two-way or citizens band radio; or
- A driver using an electronic communication device by pressing a single button to initiate or terminate a voice communication.

C. Use of District-Owned Motor Vehicles:

a. The use of District-owned motor vehicles for other than official purposes is prohibited.

b. The Executive Director determines whether the nature of an employee's duties require the use of a District-owned vehicle between the employee's residence and place of employment.

c. Employees are not to pick up strangers, hitchhikers, or other individuals. Non-employees will not ride in District vehicles unless authorized by the Executive Director or Department Head. Only employees are authorized to operate a District vehicle.

d. Any employee who is required to have a Commercial Driver's License (CDL) as a condition of employment is subject to random drug and alcohol testing in accordance with Department of Transportation regulations. Please review the District's Alcohol and Drug Testing for Commercial Driver's License (CDL) Driver's policy.

e. Employees are responsible for the care and conservation of District vehicles, and must promptly report any accident, breakdown or malfunction of any unit so that necessary repairs may be made. Use of tobacco, including e-cigarettes, in District vehicles is strictly prohibited.

f. The District has the right to search any District vehicle at any time, with or without notice. Therefore, employees have no reasonable expectation of privacy with respect to District vehicles.

g. No employee may be under the influence of alcohol, illegal substances or legal drugs while operating any District-owned vehicle at any time, irrespective as to whether the use is for personal or District business. "Under the influence" means that the employee is affected by alcohol or drugs in any determinable manner. For purposes of this policy, a determination of being of being under the influence can be established by a professional

opinion, a scientifically valid test, a lay person's opinion, or the statement of a witness.

h. Certain District vehicles are equipped with global positioning systems ("GPS"). The District reserves the right to utilize GPS technology at any time for District-related purposes, including, but not limited to determining unauthorized use of the vehicle, misuse of the vehicle, unsafe use of the vehicle, unauthorized or misuse of work time, and emergency assistance. Employees using any District vehicle for District purposes at any time (including conferences) should have no expectation of privacy regarding their whereabouts during working hours, when acting on behalf of the District at any time or otherwise when on District business.

D. Use of Personal Vehicles: Only when a District-owned vehicle is not available to provide essential business-related transportation, employees may receive authorization from their Department Head, or designee, to use privately-owned, insured vehicles. The use of a privately owned vehicle is to be based upon the work requirements and not the personal preference or convenience of the employee. Department Heads, or their designee, have the discretion to verify the necessity and accuracy of mileage claims. In addition to the general regulations listed above, the following apply to any employee who operates their personal vehicle for District business:

a. Employees using their personal vehicle for District business are required to carry liability insurance on their vehicle in accordance with applicable law and may be asked to provide proof of this insurance annually. The District's liability insurance is secondary to the employee's own coverage. In addition, employees using their personal vehicle for District business must follow the same guidelines listed above related to driving District vehicles.

b. Employees will not use their personal vehicle to transport participants in any District programs or to transport individuals otherwise not involved in the business of the District. If multiple employees are making the same work-related trip, they are encouraged to carpool and only the employee utilizing their personal vehicle for the travel is eligible for reimbursement.

c. An employee who uses a personal vehicle will be reimbursed for mileage at the standard mileage rate published each year by the Internal Revenue Service. The standard mileage reimbursement, set by the IRS, includes the costs of operating an automobile such as depreciation, maintenance, repairs, tires, gasoline, oil, insurance, taxes and vehicle registration fees. In order to qualify for reimbursement, an employee must secure prior approval from their immediate supervisor or department head, provide proof of the mileage used for District business and provide proof that the vehicle was used on District business (i.e., submission of an approved mileage reimbursement form and other appropriate documentation such as receipts

as required by the District, including but not limited to printed maps documenting travel between locations and i-Pass records when applicable)

d. Eligible for Reimbursement. The following are considered eligible for mileage reimbursement purposes: Mileage between work-related locations during the course of the workday is reimbursable, including travel to meetings, job sites, or other approved destinations; mileage to and from alternative work sites at the beginning and end of the business day (after subtracting the number of miles in the employees typical commute to and from work); and mileage reimbursement when identified as the most appropriate means of travel in accordance with Section 1.9 of the employee handbook.

e. Exclusions. The following are excluded for mileage reimbursement purposes: transportation between home and work (regardless of how many times the trip is made in a single day or if an employee is required to report to work on a day they were otherwise scheduled to work remotely); transportation to and from optional employee events, including but not limited to, all staff meetings, the summer outing, and the annual recognition banquet; and attendance or volunteering at District or Foundation festivals and events if the employee is not scheduled to work the event. Under no circumstances will an employee be authorized to make unnecessary trips to and/or from their regular work location in order to increase mileage reimbursement eligibility.

PROCEDURES:

1. An employee who does not have a valid Illinois driver's license will not be allowed to drive a District vehicle.

2. Any driver, who does not qualify as an approved driver, will generally be counseled by their immediate supervisor. The supervisor will then make a recommendation to the Department Head and to the Executive Director to allow the individual to continue driving or to suspend the individual from further driving for the District. The final decision made by the Executive Director may include termination of employment if the employee can no longer perform the essential duties of their job description.

3. In those situations where an employee sustains a conviction and/or accident while driving their personal vehicle, and the outcome affects the employee’s ability to drive, the employee will notify his supervisor within (24) hours of the occurrence as practicable.

4. In the case of a motor vehicle accident with a District vehicle or personal vehicle on District business, the police department should be notified immediately, as well as the employee's supervisor and Human Resources. If District-owned vehicles or other equipment are involved in an accident, applicable vehicle accident reports must be completed, including pictures of the damage.

5. Vehicle accident reports should be submitted to Human Resources within (24) hours of the accident and will include, but will not be limited to: license and registration numbers of cars involved; names and addresses of all occupants of vehicles involved and witnesses; nature of the accident and how it occurred; and name, address, insurance policy number, and insurance company of drivers of other vehicles involved.

6. Violations of this policy may result in disciplinary action, not to exclude termination of employment.

1.8 WORKPLACE SAFETY

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide a safe work environment for employees and a safe leisure environment for the public using our preserves, facilities, and programs.

ELIGIBILTY:

- All employees must adhere to all Workplace Safety policies and procedures.

GUIDELINES:

A. The Human Resources Department will be responsible for developing and maintaining a District Safety Handbook.

B. The District's Safety and Wellness Coordinator will be responsible for organizing and planning the agenda and activities of the Safety and Wellness Committee.

C. On the job safety is the responsibility of every employee of the District. All employees are expected to be alert for safety hazards which may exist and which may affect not only employees, but the general public as well. All employees are expected to perform their assignments in a manner that will avoid injury. Employees are required to read and follow the safety rules in the Safety Handbook, this policy, and the policies and procedures of their respective facilities or departments.

D. Designated positions will be required to wear appropriate safety equipment and personal protective equipment (PPE) as applicable to assigned tasks. Detailed information regarding safety equipment and procedures is included in the District's Safety Handbook.

E. In order to maintain a safe workplace, free of disruptions or distractions, bringing children and/or pets into the workplace is prohibited.

PROCEDURES:

1. The Safety Handbook will be reviewed on a regular basis for updates and accuracy. Employees are responsible for reviewing the Safety Handbook and asking questions if they need clarification on the contents.

2. Human Resources will distribute any changes to the Safety Handbook and copies will be available for all employees either in hard copy or electronically. Employees will be required to provide signed acknowledgement of the Safety Handbook.

3. The Safety and Wellness Committee will develop and make available an annual meeting calendar. Meetings will include discussion of safety incidents and suggestions for process improvements.

4. Concerns regarding safety, unsafe conditions, or unsafe equipment should be brought to either the employee's immediate supervisor, safety liaison, or the District’s Safety and Wellness Coordinator.

5. Employees not actively engaged in the District’s safety-first culture may be subject to disciplinary action, not to exclude termination of employment.

1.9 TRAVEL AND OTHER EXPENSE REIMBURSEMENT

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide employees and Commissioners reimbursement for certain approved expenses.

GUIDELINES:

A. The following definitions are applicable to this policy:

1. Entertainment: includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

2. Travel: any expenditure directly incident to official travel by commissioners, employees, and representatives of the District or by wards or charges of the District involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

B. Employees are not permitted to incur any personal expenses without prior authorization from management. Authorized, reasonable expenses or losses incurred within the scope of employment and directly related to an employee's job responsibilities will be reimbursed as set forth in the Illinois Wage Payment and Collection Act, provided that the expenses are submitted for reimbursement within the time limits set forth in this Policy below. Employees are expected to attain the least costly reasonable expense.

C. A commissioner, employee, or representative of the District will be entitled to reimbursement for travel, including meals and lodging, related to the following types of official business:

1. Educational conferences, seminars, or training related to duties of the commissioner, employee, or representative of the District.

2. Site visits to current or potential vendors of the District.

3. Professional associations and partnering agencies meetings and work groups necessitating participation by the District.

D. The maximum allowable reimbursement for a commissioner, employee, or representative of the District will be as follows:

1. Mileage will be reimbursed in accordance with established rates set by the Internal Revenue Service. (See Section 1.7, Guideline D for additional mileage reimbursement policy information.)

2. Travel expenses for rental vehicle, airfare, taxi, train, bus, parking, etc.

   a) Rental Vehicles - It is the responsibility of each employee to obtain quotes for the least expensive provider for a compact level vehicle unless necessitated by equipment/supply cargo or additional personnel and pre-approved by Executive Director.

   b) Airfare - It is the responsibility of each employee to obtain the least expensive airline and coach seat within reason of travel parameters and pre-approved by Executive Director. Employees who choose to upgrade airfare accommodations must do so at their own expense.

   c) Other Travel Expenses – Other travel expenses, such as taxi, train, bus and/or parking ancillary to the program or event will be limited to $75 per day, unless pre-approved by Executive Director or otherwise required by the Illinois Wage Payment and Collection Act.

3. It is the responsibility of each employee to obtain quotes from several lodging options within reasonable proximity of conference/meeting and request the lowest available lodging rate at the time of making reservations. Maximum allowable base rate reimbursement is $175.00 per day, unless pre-approved by Executive Director.

4. Maximum allowable meal reimbursement will be $75.00 per day.

5. Exceptions to these Guidelines include:

   a) Conference package lodging charges or lodging at official meeting hotels when pre-approved by the Executive Director in excess of the maximum allowed above.

   b) Meals and lodging for commissioners, employees and representatives exceeding the allowed maximum level when within metropolitan areas such as Springfield, Chicago, counties of Cook, Lake, and DuPage, and out of state travel provided the amount of such expenses does not exceed one hundred fifty percent (150%) of the maximum meal reimbursement allowance allowed above for all other areas.

   c) Meals purchased for non-District employees or non-District officials while on travel status and in connection with District business are reimbursable in reasonable amounts not exceeding two hundred percent (200%) of the maximum daily allowable meal

reimbursement hereunder for commissioners, employees, and representatives. A statement specifying why and for whom the expense was provided will be included as part of the travel voucher.

E. No employee, representative, or member of the Commission of the District will be reimbursed by the District for any entertainment expense, excluding those sanctioned with prior approval.

PROCEDURES:

1. To be eligible for reimbursement, employees must submit all receipts or other supporting documentation at the of the end of the fiscal year or within thirty (30) days of the date when the expense is incurred.

2. Before any reimbursement for travel related expenses may be approved, a standardized form for submission of travel, meal and lodging expenses supported by the following minimum documentation will first be submitted to the direct supervisor or the Commission of the District, whichever is applicable. The form and documentation will include:

   - An estimate of the cost of travel, meals, or lodging if expenses have not been incurred, or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;
   - The name of the individual who received or is requesting the travel, meal, or lodging expense;
   - The job title or office of the individual who received or is requesting the travel, meal, or lodging expense; and
   - The date(s) and nature of the official business in which the travel, meal, or lodging expense was or will be expended.

3. All documents and information submitted under this Section are public records subject to disclosure under the Freedom of Information Act, 5 ILCS 140/1.

4. The Executive Director, Directors, and Supervisors are responsible for proper monitoring of claims under this Section.

5. The Commission of the District must approve the following reimbursements for travel, including meals or lodging by a roll call vote at an open meeting of the Commission of the Forest Preserve District of Kane County, any expense that exceeds the maximum permitted in this policy; or any expense of any member of the Commission of the District.

6. Employees seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety. Reimbursement is allowed only when reimbursement has not been, and will not be,

received from other sources. If a circumstance arises that is not specifically covered in this travel and other expense reimbursement policy, then the most conservative course of action should be taken.

1.10 EMPLOYEE RECORDS AND VERIFICATION OF EMPLOYMENT

POLICY:

It is the policy of the Forest Preserve District of Kane County to maintain complete and accurate personnel records and to ensure that such records remain confidential except where information is required to be made public by law or court order.

GUIDELINES:

A. Employee records will be maintained and secured by Human Resources.

B. Employee records will not be accessible to anyone other than the Commission, the President, Executive Director and Human Resources. Human Resources will release personnel files to Department Heads or Supervisors for employees under their supervision.

C. Human Resources will maintain a record of any person outside of Human Resources who accesses personnel records and the contents accessed.

D. All inquiries from outside of the District (from credit or governmental agencies, individuals, and industries) asking for information about the wages, salaries, home addresses, or other information about present or past District employees should be referred to Human Resources. No employee other than those in Human Resources are authorized to respond to a request for a professional reference.

PROCEDURES:

1. Human Resources will not release, to supervisors within the District, personal and/or employment data for employees in other departments of the District without the prior written approval of the Executive Director or Director of Human Resources.

2. Current and former employees may, upon written request and during working hours, examine and obtain copies of their own personnel files. Current and former employees will also have access to inspect, copy, or receive copies of any employment-related contracts or agreements, employee handbooks, and any other written employer policies and procedures. Requests must be made by submitting a letter to the Human Resources Department. Human Resources will have seven (7) days to make the file available to an employee, with limited exceptions where necessary. The District will provide access to a former employee's records for one (1) year after the date of separation.

3. Review of personnel files will take place in Human Resources, or by another method of their choosing, including electronically. Each employee will have an opportunity to review any written statement placed in their personnel file if it was used or relied on in making an employment decision, except as provided by law.

4. An employee may request copies, electronic or otherwise, from their employee record and will be asked to sign indicating receipt of the copies.

5. It is the responsibility of each employee to advise Human Resources of any changes in address, telephone number, name, and/or dependents, or changes to any other information that may affect the employee's pay, benefits, or status electronically via the District's self-service portal.

6. If an employee acquires additional work-related skills, completes an educational or training course or receives a professional license, certificates of such achievements may be provided to Human Resources for inclusion in the employee's record.

7. Verification of employment, wages, or salary will only be completed after Human Resources has received appropriate authorization signed by the employee. This includes requests from prospective employers. Human Resources will only verify employment dates, job title, and salary information, unless otherwise required by law.

8. Requests for information about an employee, to be used in a legal proceeding or court action, will not be released unless required by a court order, subpoena, or other legal process.

9. Providing an unauthorized reference or employment verification may result in disciplinary action, not to exclude termination of employment.

1.11 IDENTITY PROTECTION

POLICY:

It is the policy of the Forest Preserve District of Kane County to maintain practices which are in compliance with applicable laws and regulations, including but not limited to the Illinois Identity Protection Act in order to protect the identity of employees, vendors, and patrons, as well as to safeguard other types of confidential information.

ELIGIBILITY:

- All employees will adhere to the Identity Protection policy.

GUIDELINES:

A. Neither the District nor any Person may collect, use, or disclose a Social Security Number (SSN) from an individual, unless: (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the SSN is otherwise necessary for the performance of the District's duties and responsibilities; (ii) the need and purpose for the SSN is documented before collection of the SSN; (iii) the SSN collected is relevant to the documented need and purpose; and, (iv) the SSN collected is to be used and/or disclosed for the documented need and purpose.

B. District employees are not permitted to:

- Publicly post or publicly display in any manner an individual's SSN.
- Print an individual's SSN on any card required for the individual to access products or services provided by the District.
- Require an individual to transmit a SSN over the Internet unless the connection is secure or the SSN is encrypted.
- Print an individual's SSN on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires or permits the SSN to be on the document to be mailed.

C. The prohibitions identified immediately above do not apply in the following circumstances:

- The disclosure of SSNs to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another

governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity first receives from the contractor or subcontractor a copy of the contractor's or subcontractor's Policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's SSN will be achieved.

- The disclosure of SSNs pursuant to a court order, warrant, or subpoena.
- The collection, use, or disclosure of SSNs in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.
- The collection, use, or disclosure of SSNs for internal verification or administrative purposes.
- The disclosure of SSNs by a State agency to the District for the collection of delinquent child support or of any State debt or to the District/SRA to assist with an investigation or the prevention of fraud.
- The collection or use of SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

D. Neither the District nor any Person will encode or embed a SSN in or on a card or document including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the SSN as required by the Act and this Policy.

E. The District will comply with the provisions of the Illinois Freedom of Information Act, and any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's SSN. However, the District will redact SSNs from the information or documents before allowing the public inspection or copying of the information or documents.

F. When collecting SSNs, the District will request each SSN in a manner that makes the SSN easy to redact if required to be released as part of a public records request.

PROCEDURES:

1. The District will provide an individual with a Statement of Purpose anytime an individual is asked to provide the District with their SSN, or if an individual requests it.

2. Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs will first be trained to protect the confidentiality of SSNs. The training will include instructions on the proper handling of information that contains SSNs from the time of collection through destruction of the information.

3. Human Resources will be responsible for maintaining, distributing, and making available a copy of this policy and any related documents, such as the Statement of Purpose.

4. This Policy may be amended by the District at any time. If the Policy is amended, the District will file a written copy of the Policy, as amended, with the Commission and will also advise all District employees of the existence of the amended Policy. A copy of the amended Policy will be made available to District employees and the public through Human Resources.

5. There are some situations in which the law permits for the disclosure of a social security number including, but not limited to, preventing fraud, internal verification purposes, and ensuring the safety of employees and patrons.

6. If any provision of this Policy conflicts with any law or regulation, the District will adhere to the strictest of the applicable policy provisions, laws, and/or regulations.

7. Any misuse of identity-related information may be subject to disciplinary action, not to exclude termination of employment. Furthermore, certain violations may be subject to misdemeanor criminal charges under applicable laws.

EXCEPTIONS:

This policy does not apply to: the collection, use, or disclosure of a SSN as required by State or federal law, rule, or regulation; or documents that are recorded with a county recorder or required to be open to the public under a State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois; provided, however, that the District will redact the SSN from such document if such law, rule, or regulation permits.

1.12 WHISTLEBLOWER PROTECTION (SAFE-T ACT) POLICY

POLICY:

It is the policy of the Forest Preserve District of Kane County to maintain practices which are in compliance with applicable laws and regulations, including but not limited to the Illinois Identity Protection Act in order to protect the identity of employees, vendors, and patrons, as well as to safeguard other types of confidential information.

ELIGIBILITY:

- All employees will adhere to the Whistleblower Protection Policy.

GUIDELINES:

A. Pursuant to § 4.1 of the Public Officer Activities Act, 50 ILCS 105/4.1 (the "Act"), the District protects the confidentiality of and prohibits retaliation against any full-time, part-time, or temporary employee or contractor who reports improper governmental action under the Act and this Policy.

B. For purposes of this Policy, "improper governmental action" means any action by an employee of the District, an appointed member of a board, commission or committee, or an elected official of the District that:

- Is undertaken in violation of a federal or state law or local ordinance;
- Is an abuse of authority;
- Violates the public's trust or expectation of their conduct;
- Is of substantial and specific danger to the public's health or safety; or,
- Is a gross waste of public funds.

C. The action need not be within the scope of the official duties of the employee, elected official, board member, or commission member to be subject to a claim of improper governmental action.

D. Improper governmental action does not include the District's personnel actions, including but not limited to: (1) employee grievances or complaints; (2) appointments, promotions, transfers, reassignments, or reinstatements; (3) restorations or reemployment; (4) performance evaluations; (5) reductions in compensation; (6) dismissals, suspensions, demotions, reprimands, or violations of

collective bargaining agreements, except to the extent that the action amounts to retaliation.

PROCEDURES:

1. Confidentiality will be protected to the extent permissible by law unless waived by the employee. The District's Auditing Official will manage and investigate complaints filed under the Act and this Policy in accordance with the following processes and procedures.

2. The Auditing Officials may take reasonable measures to protect employees who reasonably believe they may be subject to bodily harm for reporting improper government action.

3. The District will not retaliate against an employee or contractor who:

    a. Reports an improper governmental action under this Policy or the Act;

    b. Cooperates with an investigation by the Auditing Official related to a report of improper governmental action; or

    c. Testifies in a proceeding or prosecution arising out of an improper governmental action.

1. Prohibited retaliation means any adverse change in an employee's employment status or terms and conditions of employment. Retaliatory action includes, but is not limited to:

    a. denial of adequate staff to perform duties;

    b. frequent staff changes;

    c. frequent and undesirable office changes;

    d. refusal to assign meaningful work;

    e. unsubstantiated letters of reprimand or unsatisfactory performance evaluations;

    f. demotion;

    g. reduction in pay;

    h. denial of promotion;

    i. transfer or reassignment;

    j. suspension or dismissal; or

k. other disciplinary action made because of an employee's protected activity under the Act.

5. To invoke the protections of the Act and this policy, any employee who is aware of an improper governmental action (as defined above) is required to make a **written** report of it to the District's Director of Human Resources, who serves as our Auditing Official. Further, any employee who believes that they are being retaliated in violation of the Act and this Policy must submit a **written** report regarding the retaliation to the District's Auditing Official, within 60 days of learning of the retaliatory conduct. If the Auditing Official is the individual doing the improper governmental action, then a report may be submitted to any State's Attorney.

6. Investigation Procedures:

a. Upon receiving a report of alleged improper governmental action, the Auditing Official will conduct a confidential investigation of the report.

b. The Auditing Official will also notify the employee and all witnesses of the District's policy against retaliation for reporting alleged improper government action or participating in a related investigation or proceeding.

c. The Auditing Official will notify the District's corporate counsel and the General Counsel of the PDRMA of the report and seek legal advice regarding the report, investigation, and potential findings and remedies.

d. The Auditing Official may transfer a report of improper governmental action to another auditing official designee (including, but not limited to, the appropriate State's Attorney) for investigation if the Auditing Official deems it appropriate.

e. If the Auditing Official (or their designee) concludes an improper governmental action has taken place or concludes that the any person has hindered the investigation, the Auditing Official will notify in writing the District's Executive Director and any other individual or entity the Auditing Official deems necessary in the circumstances, including, for example, the President of the Board or other board members.

f. If the Auditing Official determines that an employee has been subjected to retaliation in violation of the Act or this Policy, the Auditing Official may also reinstate, reimburse for lost wages or expenses incurred, promote, or provide some other form of restitution. In instances where the Auditing Official determines that restitution will not suffice, the Auditing Official may make their investigation findings available for the purposes of aiding in that employee or the employee's attorney's effort to make the employee whole.

g. The Auditing Official will maintain records relating to the report, investigation, and findings confidential to the extent allowed by law and

will consult with the District's corporate counsel and/or PDRMA's General Counsel before disclosing such records to any third parties, including, but not limited to, pursuant to a request under the Illinois Freedom of Information Act (IL FOIA).

7. The Auditing Official will also:

   a. Ensure that each employee receives a written summary or a complete copy of § 4.1 of the Act upon hire and at least once each year of employment.

   b. Ensure that all employees receive a copy of this Policy upon hire and at least once each year of employment, as well as any updates to it, and sign a form acknowledging receipt.

   c. Be familiar with § 4.1 of the Act and any amendments thereto and will comply with all requirements of the Act.

   d. Respond to questions from employees about this policy.

8. Upon hire and then annually thereafter, employees must review this policy and procedures carefully and sign an acknowledgment.

1.13 RESIGNATION AND RETIREMENT

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish procedures for employees who voluntarily separate employment from the District.

ELIGIBILITY:

- All employees are subject to the Resignation and Retirement policy.

GUIDELINES:

A. The District is an at-will employer, which means that both the employee and the District have the right to end the employment relationship at any time.

B. An employee wishing to leave District service in good standing is requested to submit a written resignation or intent to retire to supervisory personnel stating the reason or reasons for leaving at least fourteen (14) days in advance of the last day to be worked. For managerial personnel and retirees, thirty (30) days' notice is requested (see also Employee Handbook 1.2, Job Classification).

C. The District complies with any applicable laws or regulations, including the Local Government Wage Increase Transparency Act, requiring reporting or disclosure of and employee's final earnings.

PROCEDURES:

1. Upon receipt of an employee's resignation, the Supervisor or designee should forward a copy of the resignation to Human Resources. The resignation must include a separation date and signature.

2. The letter of resignation, or retirement, will be placed in the employee's personnel file. If the employee fails to provide the requested advance notice of separation, a note will be recorded in the employee's file and the employee may forfeit any monetary compensation for accrued sick leave. An employee in this scenario will not be considered as leaving employment in good standing.

3. It will be the employee's responsibility to accurately report time worked during the employee's final pay period.

SECTION TWO: COMPENSATION AND BENEFTIS

2.1 HOURS OF WORK AND COMPENSATION
2.2 HEALTH AND WELFARE BENEFITS
2.3 ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF)
2.4 VACATION TIME
2.5 SICK LEAVE
2.6 SICK LEAVE DONATION PROGRAM
2.7 HOLIDAYS
2.8 PERSONAL DAYS
2.9 COMPENSATION PLAN

SECTION TWO: COMPENSATION AND BENEFITS

2.1 HOURS OF WORK AND COMPENSATION

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish consistent work hours and compensation practices which are in compliance with Federal and State laws.

ELIGIBILITY:

- All employees are subject to the Hours of Work and Compensation policy.

GUIDELINES:

A. **Definitions**

1. **Pay Days:** Payment of salary or wages is made by check or automatic deposit bi-weekly to cover the work performed for the previous period.

2. **Regular Hours:** Normal regular working hours will be assigned by the supervisor and may include evenings, weekends and holidays. All regular full-time employees work a forty (40) hour workweek (12:00 a.m. Sunday to 11:59 p.m. Saturday). Exempt employees will not necessarily have a fixed schedule of hours, but will work the hours necessary to accomplish the mission and goals of the District.

3. **Non-Exempt:** A Non-Exempt position is eligible for the compensatory and overtime provisions of the Fair Labor Standards Act (FLSA), Non-exempt employees are compensated for time worked in excess of forty (40) hours in a workweek at one and one half (1 1/2) times the employees' regular straight time rate.

4. **Exempt:** An Exempt position is exempt from the compensatory and overtime provisions of the Fair Labor standards Act (FLSA); therefore, Exempt employees do not earn compensatory time or overtime. Exempt employees are expected to work the necessary hours to complete their duties, even if it requires more than forty (40) hours in the workweek, and Exempt employees do not have a fixed schedule of hours, but will work those hours necessary to accomplish the mission and goals of the District.

5. **Overtime Hours.** Overtime is defined as compensation for all hours worked over forty (40) hours per workweek for Non-Exempt employees.

6. **Compensatory Time (Comp Time).** Comp time is defined as time off granted to Non-Exempt employees as compensation for hours worked in lieu of overtime pay.

B. Employees are expected to arrive at and report to the assigned work location at the beginning of their scheduled shift and adhere to departmental guidelines for reporting absences or late arrivals.

C. The District requires all employees, regardless of exemption status (exempt or non-exempt), to accurately record all hours worked. Non-exempt employees are required to clock in and out of work at the beginning and end of each shift and meal break period, if the meal break period is anticipated to be of a duration of more than thirty (30) minutes. Time must be submitted promptly, through ADP, whether recorded via computer or mobile application. Falsification of time records violates District policy and may result in disciplinary action, up to and including termination.

D. The District provides employees a half hour (30 minute) ~~unpaid~~ meal period no later than 5 hours after the start of the work period ~~and generally two fifteen (15) minute paid breaks~~ in a standard eight (8) hour workday. For every additional four (4) hours of work, employees are entitled to an additional half hour (30 minute) ~~unpaid~~ meal period. The timing of, and whether or not an employee receives additional ~~the~~ breaks, are at the discretion of the employee's supervisor. However, lunch breaks are mandatory and should be taken away from the designated work area in order to avoid disruption.

E. The District complies with the salary basis requirements of the law. As a result, deductions from pay are permissible when a salaried exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for penalties imposed in good faith for infractions of safety rules of major significance. The District is not required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the District's leave of absence policy. In these circumstances, either partial day or full day deductions may be made.

F. Under most circumstances, the District will remain open for business during inclement weather. The Executive Director, or designee, is the sole authority who may determine when weather, or other extreme conditions, are such that they require closure of District operations.

G. In those situations where the District is closed due to severely inclement weather, employees, except those who work in the Operations and Public Safety

Departments, have the option of using accrued leave to avoid driving. Operations and Public Safety employees are still expected to report to work during closures.

PROCEDURES:

1. Paychecks are distributed by Automatic Data Processing, Inc. (ADP).

2. Questions regarding paychecks may be directed to the employee's immediate supervisor or to the ADP MyLife Advisors Line.

3. If an Exempt employee believes that an improper deduction has been made from their salary, it should be immediately reported to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

4. Employees must receive their supervisor's approval to work more than forty (40) hours in a workweek.

5. Compensatory time will be awarded to employees for all time worked over forty (40) hours in a workweek unless their Department Head, at their discretion, gives advance authorization for overtime pay.

~~6. It is the Department Head's discretion as to whether the employee will receive comp time or paid overtime for time worked over forty (40) hours in a workweek.~~

~~7.~~6. **Overtime:**

a. Overtime work will be avoided as much as possible, but may be authorized by the Department Head, or designee, to handle emergency situations or in the interest of efficient operations.

~~b. An employee must receive their supervisor's advance approval to work overtime.~~

~~c.~~b. The following District events have been pre-approved for payment at the employee's overtime rate of pay for regular full-time employees~~, rather than comp-time~~.

Special Events and Activities:

- Earth Day
- National Public Lands Day
- Prescribed Burns (over forty (40) hour workweek)~~(evening/weekend)~~

- Call back for ~~S~~snow plowing or other emergency response ~~(over forty (40) hour workweek or prescheduled nighttime shift, as budget allows)~~
- Wood chip pick up day
- Volunteer Steward Brush Pile Removal (Burn or Chip)
- Special Use Requests
- Cross Country events
- Marathons/Runs/Races
- Productions — Movies, Videos, etc.
- Other events or activities at the discretion of the Executive Director

~~8.~~7. **Compensatory (Comp) time:**

a. Non-exempt employees are credited with comp time for time worked in excess of forty (40) hours in a workweek (Sunday — Saturday).

b. Comp time accrues at a rate of not less than one and one-half hours for each overtime hour worked per workweek. An employee may not accrue more than sixty (60) hours of comp time without prior approval from the Executive Director. If unforeseen circumstances occur and the employee must accrue more than sixty (60) hours, ~~the~~ the employee will be required to use the excess time within the following pay period. Exceptions to this policy, including the payment of any compensatory time over sixty (60) hours, must be approved by the Executive Director. ~~any additional time will be paid at one and one-half (1 1/2) times the regular straight time rate~~.

~~9. When calculating hours worked for overtime purposes, vacation and personal hours and days do count as hours worked.~~

~~10.~~8. When calculating hours ~~worked~~ eligible for overtime compensation, the District follows federal FLSA guidelines. Overtime is calculated strictly based on actual hours worked over forty (40) hours in a workweek ~~purposes, sick time, comp time hours, and workers compensation hours and days do not count as hours worked~~. Paid time off does not count as hours worked for overtime purposes.

~~11.~~9. Comp time will be taken as time off by mutual agreement between the employee and supervisor.

~~12.~~10. Managerial and supervisory personnel are authorized to establish and arrange lunch periods and reasonable rest periods (breaks) during each workday that are most consistent with departmental operation as permitted by applicable law. The

granting of paid rest periods (breaks) is entirely at the discretion of the Department Head, or designee.

~~13.~~11. In cases of inclement weather:

a. Management may, in its sole discretion and for safety reasons, allow employees to adjust their work schedule.

b. Employees are required to notify their supervisor of their intention to use accrued time off one (1) hour before their normal start time.

c. Employees are expected to report to work unless otherwise notified via the automated notification system, normally via telephone. As indicated in the Guidelines above, Operations and Public Safety employees are still expected to report to work during closures.

~~14.~~12. If the District is closed for any reason, employees may be paid for their scheduled work time, at the sole discretion of the District.

2.2 HEALTH AND WELFARE BENEFITS

POLICY:

It is the policy of the Forest Preserve District of Kane County to promote healthy well-being for employees and their family members by offering a variety of health and welfare benefit options.

ELIGIBILITY:

- Full-time employees are eligible for all of the benefits listed in this policy.
- Part-time employees are eligible for the Employee Assistance Program (EAP) benefit.

GUIDELINES:

A. The Commission reserves the right to amend, modify, terminate, suspend, withdraw or modify in whole or in part, cancel, or increase the extent and types of coverage provided, if any, at its discretion at any time. The plan may change from time to time at the sole discretion of the Commission. In the event of a discrepancy between the official employee benefit plan documents and this summary, the employee benefit plan documents will control.

B. Health and Welfare Benefit options may include:

1. **Medical/Dental/Vision.** Eligible employees may elect to be covered under the District's group plan for major medical, dental, and vision insurance.

2. **Retiree Health Benefit.**

- Employees retiring under the Illinois Municipal Retirement Fund (IMRF) may be eligible for health insurance continuation in accordance with Illinois law. Additional information is available through the Illinois Department of Insurance.

- Premiums are due on the 1st of each month and must be submitted to the District's Finance department in order for coverage to be maintained. Alternatively, the retiree can choose to complete IMRF's Form 7.10 - *Health Insurance Continuation Through Employer-Premium Deduction Authorization*, allowing IMRF to deduct insurance premiums from the retiree's IMRF benefit and to remit said amount to the District.

- Medicare-eligible retirees, disabled employees, and surviving spouses may be offered a reduced-benefit PPO healthcare plan in lieu of the retiree benefits described above. The full amount of the premium is paid by the Medicare-eligible retiree, disabled employee, or surviving spouse.

3. **Flexible Spending Account (FSA).** An FSA is an employer-sponsored plan that allows employees to withhold certain amounts from their paycheck and place into a medical spending or dependent care account on a pre-tax basis, subject to certain limits. Funds set aside in an FSA account can be used for eligible health care and dependent care expenses incurred by the employee and the employee's spouse and dependents. The District does not contribute to an employee's FSA.

4. **Other Insurance That May Be Offered:**

   - Life insurance
   - Disability insurance
   - Accidental death and dismemberment insurance

5. **Employee Assistance Program (EAP).** The EAP is a benefit that provides counseling to the employee or any member of the employee's family at no cost to the employee. The service is staffed with licensed and trained clinical professionals who are equipped to handle a variety of needs related to work or personal issues, such as workplace or personal stress, childcare resources, financial resources, etc.

   - EAP services are confidential. No workplace colleague, friend, or family member will ever be made aware of the services provided to the employee, without the employee's permission.
   - EAP services are free; however, referrals can be made to specialists for those who seek additional services (the District is not responsible for the costs of any such referrals).

6. **Deferred Compensation Plan (457(b)).** The District has established a voluntary deferred compensation plan to aid employees with their long-term financial planning. A 457(b) plan allows public sector employees to save and invest money, on a tax-deferred basis, for retirement through payroll deductions. The District does not contribute to 457(b) plans.

PROCEDURES:

1. A detailed explanation of the insurance benefits offered by the District and the claim procedures under the applicable policy are provided by the insurance carrier. Each employee is entitled to a copy of this information upon request.

2. For eligible full-time employees, health, dental, and vision insurance is effective the first day of the month, following thirty (30) days of employment.

3. Employee contributions toward health insurance premiums will be made via a payroll deduction each pay period. Employee contributions are normally deducted through payroll two times per month (during the first and second pay periods); however, initial deductions may vary depending upon the employee's start date or insurance effective date.

4. Employees are responsible for completing and submitting electronic enrollment forms through PlanSource in a timely manner, as well as notifying Human Resources of any status change which could affect insurance coverage such as marriage, divorce, and birth of a child. Qualifying events must be reported within thirty (30) days.

5. Specific information about health, dental, vision, life, or supplemental insurance benefits or pre-tax plans can be obtained from Human Resources.

6. There are certain situations where coverage under health, dental, and/or vision plans would otherwise end, such as termination, retirement, or divorce, but a continuation option is available where eligible employees may elect to purchase continued coverage under the plans for a limited period. When applicable, employees will receive notice of COBRA continuation options from the District's cooperative insurance provider.

2.3 ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF)

POLICY:

It is the policy of the Forest Preserve District of Kane County to participate in the Illinois Municipal Retirement Fund (IMRF) to provide eligible employees and their families the IMRF pension, disability, and/or death benefits associated with being a member.

ELIGIBILITY:

- Regular full-time and Classification I part-time employees working in excess of 1,000 hours in a year are required to participate in the Illinois Municipal Retirement Fund (IMRF), with the exception of employees hired prior September 10, 2019, who are required to participate in the IMRF if working in excess of 600 hours in a year
- Eligible employees hired prior to January 1, 2011, must have at least eight (8) years of service credit with IMRF and be at least 55 years of age to qualify for IMRF retirement benefits.
- Eligible employees hired after January 1, 2011, must have at least ten (10) years of service credit with IMRF and be at least 62 years of age to qualify for IMRF retirement benefits.
- Eligible employees who have twelve (12) consecutive months of service and who cannot perform the duties of their position due to an illness or injury lasting more than thirty (30) days may be eligible for IMRF disability benefits.

GUIDELINES:

A. IMRF is the sole authority in determining benefit eligibility and the amount of benefit payments.

B. Changes to accrual of benefits or other modifications by IMRF are possible and those changes will be effective as of the effective date established by IMRF with respect to each such change.

C. Retirement Benefits:

1. Retirement benefits accrue based on the employee's IMRF service credit and earnings.

2. Employee contributions of 4.5% are deducted from the employee's pay each pay period.

3. Participating members may receive an estimate of their retirement benefits by contacting IMRF directly.

4. An employee who terminates employment prior to qualifying for retirement benefits may request a refund of their own contributions. Refunds are requested through IMRF.

5. An employee may contribute up to an additional ten percent (10%) of his earnings to the Voluntary Additional Contribution (VAC) program. VAC contributions are after tax - they are not tax-deferred like an employee's customary IMRF member contributions.

D. Disability Benefits:

1. IMRF Disability benefits may begin on the 31st day of an eligible employee's absence due to illness or injury and equal 50% of the employee's average monthly earning.

2. Employees who are unable to work in excess of thirty (30) days due to a work-related illness or injury should contact IMRF in order to maintain service credit and death benefits.

3. 3. An eligible employee who is absent for an extended period of time may also be subject to the guidelines of the Family Medical Leave Act policy (see also Employee Handbook 3.2, Family Medical Leave Act).

E. Death Benefits

1. The amount which IMRF pays as a death benefit will vary depending upon the employee's IMRF service credit and membership status.

PROCEDURES:

1. Information regarding IMRF enrollment and benefits is distributed during New Employee Orientation and is also available in Human Resources.

2. Employees have the responsibility of keeping their personal information up to date with IMRF.

3. Employees must apply for all IMRF benefits directly through IMRF.

4. Employees who plan to retire from the system are encouraged to contact IMRF at least sixty (60) days in advance of their anticipated retirement date.

5. All forms related to IMRF disability benefits are available through Human Resources or on the IMRF website.

2.4 VACATION TIME

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide employees with paid vacation time based on the employee's length of continuous service and the number of hours each employee is regularly scheduled to work.

ELIGIBILITY:

- Full-time and Classification I part-time employees are eligible for vacation leave.
- Classification I part-time employees earn vacation leave on a prorated basis, based on the years of service chart below, after completing 1,000 hours, or more, and one full year of service. Pro-rated vacation hours are awarded as a 'lump sum' based on the prior year's work hours on January 1 of each year.

GUIDELINES:

A. On January 1 of each year, each employee advances to the next year's accrual rate based on the chart below.

CALENDAR YEAR	ANNUAL VACATION DAYS EARNED
Year of Hire	10 days
Year 2	11 days
Year 3	12 days
Year 4	13 days
Year 5	14 days
Year 6	15 days
Year 7	16 days
Year 8	17 days
Year 9	18 days
Year 10	19 days
Year 11	20 days
Year 12	20 days
Year 13	21 days
Year 14	21 days
Year 15	22 days
Year 16	22 days
Year 17	23 days
Year 18	23 days
Year 19	24 days

CALENDAR YEAR	ANNUAL VACATION DAYS EARNED
Year 20	25 days

B. Vacation hours and days do not count as hours worked for overtime and comp-time purposes.

PROCEDURES:

1. It will be each employee's responsibility to accurately report vacation time use on their timesheet.

2. Vacation schedules are determined by supervisory personnel. While consideration for individual employee convenience may be given, supervisors may deny a vacation request if it interferes with department operations.

3. Based on operational needs, a supervisor may require that vacation requests be submitted, electronically via ADP, at least fourteen (14) calendar days prior to the date(s) being requested.

4. Non-exempt level employees must take vacation time in fifteen (15) minute increments.

5. Exempt-level employees must take vacation in full day increments.

6. Employees may carryover up to ten (10) vacation days, or 80 hours total, from one calendar year to the next calendar year. ~~This includes any combination of vacation, vacation 1.0, and vacation 1.5 time earned (see section 2.8, Holidays, for additional information).~~ Accordingly, unused vacation days in excess of ten (10), 80 hours total, as of January 1 are subject to forfeiture without pay. Payroll will automatically carryover up to ten (10) vacation days, or 80 hours total, at the conclusion of the calendar year.

7. No salary payment will be made in lieu of vacation not taken during the year.

8. Upon separation of employment, employees will be paid for accrued, unused vacation.

9. Vacation time is not accrued during any full pay period in which an employee is on an unpaid leave of absence, including family medical leave, while donated sick leave is in use, while an employee is on workers' compensation or in times of layoff.

10. A vacation day may not be deemed as a separating employee's last day of work, unless the employee meets the provisions of the Family Medical Leave Act (see also Employee Handbook 3.2, Family Medical Leave Act).

2.5 SICK LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide for a sick leave benefit in order to protect against loss of income during absence from work due to illness or injury.

ELIGIBILITY:

- Full-time and Classification I part-time employees will be eligible for sick leave.
- Classification I part-time employees earn sick leave on a prorated basis, after completing 1,000 hours, or more, and one full year of service.

GUIDELINES:

A. Sick leave will be earned on a per pay period basis for each bi-weekly pay period of continuous employment at the District up to a maximum of 96 hours per calendar year.

B. Sick leave is considered a privilege and not a right to be used at the employee's discretion for personal business. Sick leave is to be utilized if:

- The employee is ill or injured, or for the purpose of receiving medical care, treatment, diagnosis or preventative medical care;
- A family member of the employee is ill or injured, or to care for a family member receiving medical care, treatment, diagnosis or preventative medical care;
- The employee or a family member of the employee is the victim of domestic violence or the victim of sexual violence or stalking; or
- The District is closed during a scheduled workday by order of a public official due to a public health emergency, or the employee needs to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency.

C. For the purposes of this policy, "family member" is defined as the employee's spouse, domestic partner, children or stepchildren, siblings, parents, parents-in-law, grandparents, grandchildren, and stepparents.

D. Sick leave may not be used as vacation time or as personal time.

E. Regular holidays occurring during an employee's sick leave will not be counted as a working day against the employee's sick leave.

F. Sick hours and days do not count as hours worked for overtime or comp-time purposes.

G. Sick time may be used by non-exempt employees in 15 min increments; exempt employees must use sick time in full day increments.

PROCEDURES:

1. To be eligible for sick leave, employees must notify their supervisor within one (1) hour of their scheduled start. An employee who becomes ill while at work must notify their immediate supervisor before leaving.

2. If an employee is away from work for more than three (3) consecutive days because of illness or injury, or if an employee's immediate supervisor becomes aware that the employee incurred an illness or injury likely to last more than three (3) consecutive days, an employee's immediate supervisor may require the employee to provide a doctor's note confirming the illness or injury, fitness for duty or ability or inability to perform the essential functions of the position. When proof of illness is requested and not provided, the employee will be charged vacation time, personal day or comp time, if available. If other paid time off is not available, the time will be unpaid and the employee will be subject to disciplinary action, not to exclude termination of employment.

3. If the employee's immediate supervisor has reason to suspect abuse of the sick leave policy, the supervisor may require medical documentation for the employee's time away from work for less than three (3) consecutive days.

4. An employee will not be allowed to carry a negative sick leave balance. Employees who do not have sick leave must utilize accrued vacation, personal or comp time. If none is available, the time will be unpaid.

5. An employee may have the option of requesting sick time through the Sick Leave Donation Program (see also Employee Handbook 2.6, Sick Leave Donation).

6. Sick leave may be accumulated from year to year, up to a maximum of one hundred twenty (120) days or nine hundred sixty (960) hours. Sick leave is not accrued during an unpaid leave of absence, including family leave, workers' compensation, when donated sick leave is in use, or times of layoff by the District.

7. Upon resignation or layoff of employment, an employee in good standing will receive monetary compensation for accumulated sick leave, based on the schedule of continuous service chart below and up to a maximum of thirty-three percent (33%) (capped at thirty (30) day payout) of the then current compensation rate for accumulated sick leave days then accrued to the benefit of the employee.

Employees terminated from employment by the District ~~may~~ will not be paid for any sick leave).)

YEARS OF COMPLETED CONTINUOUS SERVICE	MONTHS OF COMPLETED CONTINUOUS SERVICE	PERCENTAGE PAYOUT
0 through 4 Years	0 - 48 months	0%
5 through 9 Years	49 -108 months	10% /9 days (72 hours) max.
10 through 14 Years	109 —168 months	20% / 18 days (144 hours) max.
15 Years or Greater	169+ months	33% / 30 days (240 hours) max.

8. In those situations where an employee is retiring from the District and will be eligible to receive a pension from IMRF (see also Employee Handbook 2.3, Illinois Municipal Retirement Fund) within sixty (60) days, the District will report any remaining unused and unpaid days of sick time to IMRF.

9. A sick day may not be deemed as a separating employee's last day of work, unless the employee meets the provisions of the Family Medical Leave Act (see also Employee Handbook 3.2, Family Medical Leave.

10. For serious health conditions expected to last longer than three (3) consecutive days, see the Leaves of Absence section of this Handbook.

11. It will be each employee's responsibility to accurately report sick leave on their timesheet.

12. Sick leave is not accrued during any full pay period in which an employee is on an unpaid leave of absence, including family medical leave, while donated sick leave is in use, while an employee is on workers' compensation or in times of layoff.

2.6 SICK LEAVE DONATION PROGRAM

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide for a sick leave donation program as a benefit to alleviate the hardship caused when a serious health condition forces an employee to exhaust all paid time off and is not otherwise receiving any related compensation benefits.

ELIGIBILITY:

- Full Time employees are eligible for the Sick Leave Donation Program.

GUIDELINES:

A. The Sick Leave Donation Program serves as a bank into which participating employees may voluntarily donate accrued sick leave time for allocation to employees who are undergoing a medical crisis, or who have an immediate family member who is undergoing a medical crisis.

B. The program will be administered in accordance with the Americans with Disabilities Act (ADA) and Family and Medical Leave Act (FMLA) requirements.

C. The Sick Leave Donation Program will be activated on an as needed basis.

PROCEDURES:

1. The Sick Leave Donation forms and program details are available in Human Resources.

2. An employee who requests to access the Sick Leave Donation Program will be required to submit medical certification or other comparable documentation.

3. An employee who requests access to the Sick Leave Donation Program will be notified if the request is approved or denied.

4. An employee who submits a donation to the program will be notified of the amount of sick time which will be deducted from their accrued sick leave time.

5. An employee who is being paid through the Sick Leave Donation Program will not accrue paid time off benefits for any bi-weekly pay period during which they have not received compensation other than through the Sick Leave Donation Program.

2.7 HOLIDAYS

POLICY:

It is the policy of the Forest Preserve District of Kane County to normally provide employees with certain designated paid holidays unless, in the District's sole discretion, their services are needed to operate the District's facilities, programs, or general operations.

ELIGIBILITY:

- Full time employees are eligible for time off with pay for designated holidays.
- Certain part-time positions, as identified in the Guidelines below, are eligible to receive additional compensation for designated holidays.

GUIDELINES:

A. Designated holidays are as follows:

~~Major Holidays:~~ New Year's Day, Martin Luther King's Birthday, Washington's Birthday, Lincoln's Birthday, Spring Holiday, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus/Indigenous People's Day, Election Day (Presidential Only), Veteran's Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve, Christmas Day

~~Non-Major Holidays: Martin Luther King's Birthday, Washington's Birthday, Lincoln's Birthday, Spring Holiday, Juneteenth, Columbus/Indigenous People's Day, Election Day (Presidential Only), Veteran's Day, Day after Thanksgiving Day, Christmas Eve~~

B. The day of the week on which a designated holiday is observed may not be the same day of the week on which the holiday falls. Normally, designated holidays falling on a Saturday will be observed on the preceding Friday and designated holidays falling on a Sunday will be observed the following Monday.

C. In those situations when a designated holiday falls on a Saturday or Sunday, but is observed by the District on a Friday, Monday, or other weekday, the compensation provisions of this policy will apply to the weekday that the designated holiday is observed, rather than the weekend day on which the actual holiday falls.

D. If an employee works on a designated holiday, the employee will receive compensation at their regular rate of pay for all hours worked and earn additional vacation time at a rate of one and a half (1.5) times the number of ~~based on all~~ hours worked to be used at a later date ~~as follows:~~.

- ~~If the holiday worked is a designated Major holiday, the additional vacation time earned will be at a rate one and a half times the number of hours worked, awarded as Vacation 1.5.~~
- ~~If the holiday worked is a designated Non-Major holiday, the additional vacation time earned will be at a rate equal to the number of hours worked, awarded as Vacation 1.0.~~
- ~~If an employee's schedule is such that they are not scheduled to work on a designated holiday, the employee will receive (8) hours of Vacation 1.0.~~

E. Exceptions to Guidelines B and C are for ~~police officers and~~ full-time positions required to work according to pre-assigned schedules. If a designated holiday is observed on a day other than the actual holiday, employees with hours worked on the observed day will earn additional vacation time at a rate of one and a half (1.5) times the number of ~~for their~~ hours worked. ~~Additional vacation time earned is based on the classification of the holiday, and will be awarded as Vacation 1.5 for Major holidays and Vacation 1.0 for Non-Major holidays.~~ Employees with hours worked on the actual day of a ~~major~~ holiday which falls on a Saturday or Sunday will earn ~~compensatory time or~~ compensation at their overtime rate of pay~~, subject to the District's annual budget~~.

F. When a designated holiday is observed on a day other than the actual holiday, p~~P~~art time police officers who are scheduled to work on the actual ~~Major~~ h~~H~~oliday~~, not the observed day,~~ will be paid at ~~time and a half~~ their overtime rate of pay for all hours worked. ~~Part-time officers who work a designated Non-Major holiday receive regular pay for all hours worked.~~

G. Classification I part-time employees earn holiday leave on a prorated basis, after completing 1,000 hours, or more, and one full year of service.

PROCEDURES:

1. Holiday schedules will be published on an annual basis by Human Resources.

2. Employees on Bereavement, Jury Duty, or other paid Leave of Absence are eligible for holiday time. If a holiday occurs during any of these paid time off categories, the employee will not be charged ~~vacation time~~time under any other time off category.

   a. In those situations where an employee is on a leave of absence and is also receiving benefits through IMRF, the employee will not be eligible to receive holiday compensation.

3. If a holiday occurs during an employee's vacation period, the employee will not be charged vacation time.

4. Paid holidays ~~do~~ will not count as hours worked for overtime or comp-time purposes.

5. The following conditions must be met in order for employees to be eligible for holiday time:

   a. If an employee calls in sick the day before and/or after a holiday, the employee must provide a doctor's note. If a doctor's note cannot be produced, the employee must substitute a vacation day for the holiday, forfeiting the holiday time.

   b. If an employee is scheduled to work the holiday and calls in sick on the holiday, the employee must use sick time, forfeiting the holiday time.

   c. If an employee is scheduled to work the holiday and calls in sick the day of the holiday, plus either before or after the holiday, the employee may be required to provide a doctor's note. If a doctor's note cannot be produced, the employee must substitute a vacation day for the holiday, forfeiting the holiday time as well as use a sick day for the day before and/or after the holiday.

6. If an employee is scheduled to work the holiday and calls in to substitute vacation time or a personal day for the holiday, the employee will forfeit the holiday time. It will be each employee's responsibility to accurately report holidays hours on their timesheet.

2.8 PAID LEAVE FOR ALL WORKERS ACT POLICY

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide paid leave that may be used for the observance of holidays not formally recognized by the District, personal business, or any other reason in compliance with the Paid Leave for All Workers Act. The required notice for this act can be found on the Illinois Department of Labor Website (linked here) and on District bulletin boards. This paid leave will hereafter be referred to as personal time and/or personal day(s).

ELIGIBILITY:

- All employees, including, but not limited to, all full-time, part-time, interns, and seasonal employees, are eligible to be granted and use up to forty (40) hours of paid leave per year. Personal time will be calculated at no less than one (1) hour for every forty (40) hours of work anticipated in the benefit year.

GUIDELINES:

A. This Policy is administered on a calendar year basis from January 1 to December 31. The calendar year is hereafter referred to as benefit year.

B. Employees working at least 1,600 hours per year receive forty (40) hours of paid leave on the first day of each benefit year.

C. Employees working less than 1,600 hours per year will receive twenty-five (25) hours of paid leave on the first day of the benefit year.

D. On the first day of employment, new employees will receive prorated hours of paid in accordance with the chart below. Prorated hours will be no less than the number of hours to be worked for the remainder of the year (calculated at one (1) hour for every forty (40) hours to be worked for the remainder of the year, up to forty (40) hours per year).

Month of New Hire- Full Time Staff	**Personal Hours Awarded**
January-June	40
July-August	32
September- October	24
November	16
December	8

Month of New Hire- Part-Time/Seasonal/Intern Staff	Personal Hours Awarded
January-August	25
September- October	16
November	10
December	6

E. Employees may not request or use paid leave for non-scheduled shifts. Under no circumstances can an additional shift be added to an employee's schedule to allow for the use of personal time.

F. Employees may not carryover any granted but unused hours of paid leave into the subsequent benefit year.

G. Employees who have concerns about prorated hours should contact Human Resources.

H. The District may deny paid leave under this policy in certain limited circumstances in order to meet the employer's core operational needs, including but not limited to time scheduled for holidays or an employee's last day of work at the end of employment.

PROCEDURES:

1. Employees may use no more than forty (40) hours of paid leave per year. Employees must use paid leave in increments of fifteen (15) minutes. Paid leave may be used for any reason under this Policy.

2. When use of paid leave under this Policy is foreseeable, the employee must notify the employee's supervisor at least seven (7) calendar days before the date the leave is to begin.

3. If leave taken under this Policy is not foreseeable, the employee will notify the employee's supervisor as soon as is practicable after the employee is aware of the necessity of the leave.

4. Generally, an employee is expected to notify the employee's supervisor of the need for unforeseeable leave at least one (1) hour before the employee's scheduled starting time.

5. Employees are not required to find a substitute or replacement worker to cover the hours during which they use paid leave under this Policy.

6. Paid leave under this Policy will not count as hours worked for overtime or comp-time purposes.

7. If an employee's employment is terminated for any reason, the employee will not be paid for any granted but unused paid leave under this Policy.

8. If an employee separates and returns within the same benefit year, that employee is entitled to reinstatement of any unused personal leave and no additional personal leave will be granted. If an employee separates and returns within a subsequent benefit year, paid time off will not be reinstated and new personal time hours will be granted.

9. Retaliation of any kind is prohibited because an employee (1) exercises rights or attempts to exercise rights under this Policy or the Paid Leave for All Workers Act, (2) opposes practices which the employee believes to be in violation of the Act, or (3) supports the exercise of rights of another under the Act.

10. Employees may raise any concerns about retaliation by following the complaint reporting procedure set forth in the Anti-Harassment Policy (see Employee Handbook 4.1, Anti-Harassment).

2.9 COMPENSATION PLAN

POLICY:

It is the policy of the Forest Preserve District of Kane County to adopt a compensation philosophy which attracts and retains qualified employees while ensuring consistency of application and compliance with applicable laws and regulations.

ELIGIBILITY:

- The compensation plan covers all District employees.

GUIDELINES:

A. The objectives of the District's compensation plan are:

- To develop and maintain salary structures that will enable the District to attract and retain qualified personnel,
- To use salaries as incentives to encourage improved performance and to motivate employees to develop their potential abilities,
- To have a flexible compensation program, which will reflect changing economic and competitive conditions,
- To maintain salary relationships among positions that are internally consistent in recognizing important relative differences in position responsibilities and requirements, and
- To follow the principles of Equal Employment Opportunity (EEO), basing decisions about pay solely on qualifications, position responsibilities and individual performance without regard to an individual's actual or perceived race (including but not limited to traits associated with race, such as hair texture and protective hairstyles such as braids, locks, and twists), color, religion, sex, sexual orientation, gender (including gender identity and expression), national origin, ancestry, citizenship status, work authorization status (i.e. the status of being a person born outside the U.S., who is not a U.S. citizen but is authorized by the federal government to work in the United States), age, disability (association with a person with a disability), pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth), genetic information, order of protection status, marital status (including domestic partnership), military or veteran status, unfavorable discharge from military service, or any other basis protected by law.

B. The Commission will, from time to time, establish wage and salary plans, which will be applied to each classification of employees.

C. The compensation plan is a 12-step, 16 grade schedule built off the average market. The percentage between steps is 2.5%. The percentage between pay grades varies to minimize compression between supervisor and subordinate positions. Employees move one step within the schedule each year based upon performance. When an employee's performance reflects exemplary merit, the Executive Director may accelerate placement by one additional step. Employee step increases are not guaranteed and are subject to the District's annual budget as approved by the Full Commission.

D. In determining the pay rates, consideration is given to the District's financial condition, including statutory budgetary policies, current cost of living, prevailing rates of pay for similar work in other public agencies, working conditions, fringe benefits, and other relevant factors.

E. The Commission may change, by resolution, the compensation for any employee regardless of classification depending on labor market conditions, cost-of-living factors, budgetary constraints, lack of work, technological improvements, or for other reasons deemed sufficient by the Commission.

F. The adopted compensation plan may be amended whenever necessary by the Full Commission. Amendments and revisions will be submitted to the Full Commission by the President, Executive Director, and/or the Director of Human Resources.

G. Nothing herein will prevent the Commission, the President, or Executive Director from prospectively freezing or lowering the compensation of an employee with unsatisfactory work performance.

PROCEDURES:

1. Human Resources will generally review the salary structure on an annual basis.

2. Salary adjustment recommendations will be in alignment with the Commission-approved budget and the level of individual employee performance as indicated though the performance evaluation process (see also Employee Handbook 1.6, Performance Evaluation System).

3. Exempt employees such as certain managerial and supervisory positions, will be compensated based on an annualized salary. Evaluation as to the level of salary will be generally conducted on an annual basis upon the recommendation of the Executive Director or appropriate Department Head as to an increase or decrease in the level of salary. Such recommendation will be based on the quality of performance and duties required in accordance with the established compensation plan as approved by the Full Commission, but a compensation increase is not guaranteed.

4. An employee's rate of pay will be in accordance with the compensation plan for the employee's assigned job classification.

SECTION THREE: LEAVES OF ABSENCE

3.1 COORDINATION OF LEAVE AND BENEFITS
3.2 FAMILY AND MEDICAL LEAVE OF ACT ("FMLA")
3.3 NON-FMLA/PERSONAL LEAVE OF ABSENCE
3.4 MILITARY LEAVE
3.5 FAMILY MILITARY LEAVE
3.6 JURY DUTY
3.7 BEREAVEMENT LEAVE
3.8 SCHOOL VISITATION LEAVE
3.9 BLOOD DONATION LEAVE
3.10 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT (VESSA)
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3.12 MODIFIED DUTY PROGRAM
3.13 MILITARY FUNERAL HONORS DETAIL LEAVE
3.14 NEONATAL INTENSIVE CARE LEAVE

SECTION THREE: LEAVES OF ABSENCE

3.1 COORDINATION OF LEAVE AND BENEFITS

POLICY:

It is the policy of the Forest Preserve District of Kane County to coordinate accrued time off policies along with leaves of absences in order to ensure consistent application of policies.

GUIDELINES:

A. All leaves of absence that an employee may qualify for at the same time are to be taken at the same time. All time missed from work that qualifies for both workers' compensation and Family and Medical Leave Act (FMLA) will be counted toward the employee's twelve (12) weeks of FMLA.

B. If an employee otherwise qualifies for workers' compensation benefits, the employee will collect such payments at the same time they are on FMLA.

C. If an employee otherwise qualifies for other types of paid-time-off programs, such as paid time off (i.e., sick, vacation, personal, or comp time), or IMRF disability, the employee must take those paid days concurrently with any FMLA and/or Non-FMLA/Personal Leave. This means that the employee must take such paid time off at the same time they are taking unpaid FMLA and/or Non-FMLA/Personal Leave.

D. Days on which an employee qualifies for paid workers' compensation or IMRF disability, the employee will not be required to use any accrued paid time off concurrently. Disability payments normally only occur after an employee has used all of their accrued benefit time.

PROCEDURES:

1. While an employee is on an unpaid leave of absence, FMLA, Non-FMLA/Personal Leave or otherwise, the employee will be eligible, in most cases, to continue current group health insurance coverage for the duration of the leave, provided the employee pays their portion of the premium(s) to the Finance Department by the dates provided. Failure to pay the insurance premium on time could result in cancellation of coverage.

2. If the employee's insurance is cancelled either because the employee chose not to continue coverage during the leave or because of non-payment of the premium, the availability of health insurance may be restricted or limited under the federal law commonly known as HIPAA.

3. Other benefits, if any, such as vacation and sick leave, will not accrue during an unpaid leave of absence.

4. All leaves may be evaluated periodically.

3.2 FAMILY AND MEDICAL LEAVE OF ACT ("FMLA")

POLICY:

It is the policy of the Forest Preserve District of Kane County to comply with all applicable law in granting Family and Medical Leave. This policy is meant to comply with the Family Medical Leave Act (FMLA) and it is not intended to grant leave in addition to what the FMLA requires. The FMLA statute and regulations contain more detailed rules about FMLA leave and definitions that will control to the extent a particular issue is not addressed in this policy.

ELIGIBILITY:

- An employee who works for the District must meet the following criteria in order to be eligible for FMLA leave:
    - Have worked for the District for at least 12 months;
    - Have at least 1,250 hours of service in the 12 months before taking leave; and
    - Work at a location where the District has at least 50 employees within 75 miles of the employee's worksite.

GUIDELINES:

A. Eligible employees can take up to 12 weeks of unpaid, job-protected leave in a rolling 12-month period for the following reasons:

1. The birth of a child or placement of a child for adoption or foster care;
2. To bond with a child (leave must be taken within one year of the child's birth or placement);
3. To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
4. For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; or
5. For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

B. Eligible employees may take up to 26 weeks of unpaid, job-protected leave in a single 12-month period to act as a military caregiver for the following reasons:

1. To care for a covered service member who is the employee's spouse, parent, child and/or relative for whom the employee is next of kin as defined by the FMLA, who is undergoing treatment, recuperation or therapy for a serious illness or injury that occurred any time during the 5 years preceding the date of treatment.

C. An employee is required to use any accrued personal days, vacation time, comp-time, and/or sick time during an approved Family and Medical Leave, ~~providing~~ provided this does not interfere with workers' compensation benefits or eligibility for IMRF disability benefits. The order in which paid time off accruals will be exhausted is as follows: sick, personal, vacation, comp-time, donated sick time (if applicable). Upon exhaustion of an employee's paid time off accruals, the leave will be unpaid.

D. An employee who is absent from work due to a personal illness or injury for more than thirty (30) days may be eligible for IMRF disability benefits (see also Employee Handbook 2.3, Illinois Municipal Retirement Fund).

E. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Intermittent leave is defined as leave taken in block of time, or by reducing the employee's normal weekly or daily work schedule.

F. While employees are on FMLA leave, the District will continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

G. The District will not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

H. The Genetic Information Nondiscrimination Act (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the District asks that employees not provide any genetic information when responding to a request for medical certification regarding their own serious health conditions under this FMLA Policy.

1. "Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

PROCEDURES:

1. Generally, employees must give thirty (30) days' advance notice of the need for FMLA leave. If it is not possible to give thirty (30) days' notice, an employee must notify Human Resources as soon as possible.

2. Employees who are absent or expect to be absent from work for more than three (3) consecutive workdays for a serious health condition must request a leave of absence.

3. The District ordinarily requires a medical certification or periodic recertification supporting the need for FMLA leave. If the District determines that the certification is incomplete, it will provide a written notice indicating what additional information is required.

4. An employee requesting FMLA does not have to share a medical diagnosis, but must provide enough information for the District to determine if the leave qualifies for FMLA. Examples include: informing the District that the employee is or will be unable to perform his or her job functions; that a family member cannot perform daily activities; or, that hospitalization or continuing medical treatment is necessary. Employees must inform the District if the need for leave is for a reason for which FMLA leave was previously taken or certified.

5. Once the District becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the District will notify the employee if the employee is eligible for FMLA leave and, how much leave will be designated as FMLA leave.

    a. If an employee is eligible for FMLA, the District will provide the employee with a notice of rights and responsibilities under the FMLA.

    b. If the employee is not eligible for FMLA, the District will provide a reason for ineligibility.

6. At the end of FMLA Leave which has been approved for the employee's serious medical condition, the employee will be asked to submit documentation from their physician indicating ability to return to work, with or without a reasonable accommodation (*see also* Employee Handbook 1.1, Equal Employment Opportunity and Accommodations).

7. If an employee has exhausted the FMLA entitlement for his or her own serious health conditions, but remains disabled and unable to perform the essential functions of the job, the employee may request an extended leave of absence as a reasonable accommodation under the ADAAA (Americans with Disabilities Act Amendment Act) (*see also* Employee Handbook 1.1, Equal Employment Opportunity and Accommodations).

8. When an extended leave is requested as a reasonable accommodation, the District will engage in the interactive process with the employee to determine whether it can reasonably accommodate the requested extension without undue hardship.

9. If an employee has exhausted the FMLA entitlement due to reasons other than his or her own serious health condition, the employee may request an extended leave of absence in accordance with the Non-FMLA/Personal Leave of Absence Policy (see also Employee Handbook 3.3, Non-FMLA/Personal Leave of Absence).

3.3 NON-FMLA/PERSONAL LEAVE OF ABSENCE

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide employees with the option to request a leave of absence for varying circumstances of personal need when it is determined to be in the best interest of both the District and the requesting employee.

ELIGIBILITY:

- Full-time and Classification I part-time employees may request a leave of absence.

GUIDELINES:

A. Eligible employees may be granted a Non-FMLA/Personal Leave for a period generally not to exceed sixty (60) days within any twenty-four (24) consecutive month period. This is unpaid leave except that an employee will be required to use any accrued benefit time during the leave, such as sick, vacation, personal, or comp time.

B. Employees may request a Non-FMLA/Personal Leave in those situations when they are ineligible for Family Medical Leave (FMLA), including as a means to request an extended leave after exhausting FMLA leave (see also Employee Handbook 1.1, Equal Employment Opportunity and Accommodations). In situations where Non-FMLA/Personal Leave is requested beyond the general sixty (60)-day limit above as an accommodation under the ADA, the District will consider potential exceptions to the limit on a case-by-case basis.

C. An employee who is absent from work due to a personal illness or injury for more than thirty (30) days may be eligible for IMRF disability benefits (see also Employee Handbook 2.3, Illinois Municipal Retirement Fund).

D. Each request will be reviewed on a case-by-case basis. The Executive Director retains the sole discretion to grant or deny personal leave requests.

E. The following considerations will be taken into account when determining whether or not to grant the leave:

- purpose for which the leave is requested,
- length of time the employee plans to be away,
- the employee's job performance and attendance and punctuality record,
- the effect the employee's absence will have on the work in the department,
- the employee's position and length of service,

- the expectation that the employee will return to work when the lease expires, and
- any other factors deemed relevant by the District in its sole discretion.

F. An approved leave of absence will not affect an employee's continuity of employment. An employee's original date of employment remains the same for seniority purposes while on an approved Non-FMLA/Personal Leave. An employee will not accrue any paid time off benefits during a period of unpaid leave.

G. Approval of a Non-FMLA/Personal Leave does not guarantee the ability to return to the employee's former position. If the position is not available, the employee may be reinstated to another position of similar responsibilities and pay, if available.

PROCEDURES:

1. Employees who are absent, or expect to be absent from work for more than three (3) consecutive workdays for a serious health condition must request a leave of absence.

2. All requests for foreseeable leaves of absence must be submitted to Human Resources in writing at least thirty (30) days in advance of the start of the leave. A delay in submitting this request could result in a delay of the start of the requested leave.

3. If the leave is due to an emergency or is otherwise not foreseeable, the employee must provide notice as soon as practicable.

4. To qualify for a Non-FMLA/Personal Leave for an illness or injury, an employee may be required to submit certification from their health care provider verifying the employee's medical condition, the need for the leave, and the length of leave needed. The District may also verify this information on a periodic basis during the leave of absence.

5. The employee will be notified once a request for leave is approved or denied.

6. During an approved leave of absence, the employee may be required to report periodically on status and intention to return to work.

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

8. Any request for an extension of a leave of absence must be requested in writing prior to the scheduled return to work date and should include written documentation to support the extension. Failure to either return to work on the scheduled date of return, or to apply in writing for an extension prior to that date, will be considered to be a resignation of employment effective as of the last date of the approved leave.

9. At the end of a Non-FMLA/Personal Leave which has been approved for medical reasons, the employee will be asked to submit documentation from their physician indicating ability to return to work, with or without a reasonable accommodation *(see also* Employee Handbook 1.1, Equal Employment Opportunity and Accommodations).

10. Any employee who fails to return to an available position on the first scheduled working day after the leave of absence has expired will be considered to have resigned from the District.

3.4 MILITARY LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to comply with all applicable laws granting Military Leave to employees who voluntarily or involuntary serve, or who are reserve members, in any branch of the United States military.

GUIDELINES:

A. During periods for annual military training, or equivalent orders, employees will continue to receive full compensation for up to thirty (30) days per calendar year.

B. If an employee's leave is for more than thirty (30) days, an employee may be eligible for differential compensation.

C. Typically, an employee will only be eligible for differential pay for a period of sixty (60) workdays in a calendar year. Depending on the type of military service the employee is performing this period of differential pay may be extended.

D. "Differential compensation" means that the employee will receive the difference between the employee's average daily rate of military pay and the average daily rate of pay the employee would have received had the employee remained working.

   a. The District will calculate an employee's average daily rate of military pay by taking the employee's monthly military rate of pay and dividing it by the number of days in the month.

   b. The District will calculate the employee's daily rate of pay from the District by determining the number of shifts the employee would have worked per pay period had the employee not been on military leave and dividing the amount the employee would have normally been paid that pay period by the number of shifts that pay period.

   c. After three (3) years of consecutive leave, while performing voluntary active service, the employee's entitlement to differential compensation will be terminated. Should the employee return to work for more than 90 calendar days, the employee's right to differential compensation will be reinstated.

E. During the period of military leave, the employee will be credited with the average rating of the performance evaluations that the employee received for the three (3) years immediately before the military leave. The employee will not receive a lower

rating than the employee received for the period immediately prior to the commencement of military leave.

F. District health plan benefits will continue, except that the District will pay the full premium and administrative costs during time an employee is on active duty.

PROCEDURES:

1. Employees who have need for leave due to voluntary or involuntary service in the military should contact Human Resources as soon as the employee receives military orders.

2. Employees are required to inform the District regarding any changes to their military orders.

3. Upon the end of an employee's military leave, the employee will be reinstated to the employee's prior position with no loss of seniority, if the employee seeks reinstatement within any applicable deadlines set by law.

3.5 FAMILY MILITARY LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to adhere to applicable laws which ensure that close family members of persons called to active military duty have an opportunity to spend time with their spouses or children before deployment without the risk of losing employment.

ELIGIBILITY:

- Employees who have worked for the District for at least twelve (12) months and for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave are entitled to take unpaid leave to visit with a spouse or child who has been called to military service for a period lasting longer than thirty (30) days.

GUIDELINES:

A. Any employee who exercises the right of family military leave, upon expiration of the leave, will be entitled to be restored by the employer to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment.

B. The employee will be responsible for any premium contribution and/or payment to other employee-elected benefit programs. To the extent that an employee's Family Military Leave is paid, the employee's portion of health insurance cost will be deducted from the employee's salary. For the portion of Family Military Leave that is unpaid, the employee's portion of health insurance premiums must be paid by submitting a monthly check to the Finance Department.

C. Other benefits, if any, such as vacation or sick leave, will continue to accrue only while an employee is on paid Family Military Leave. There will be no accrual for unpaid time.

PROCEDURES:

1. The employee will give at least fourteen (14) calendar days' notice of the intended date upon which the family military leave will commence if the leave will consist of five (5) or more consecutive workdays. For leave of less than five (5) consecutive workdays the employee should provide as much advance notice as is practicable.

2. Where possible, the employee will consult with the District to schedule the leave so as to not unduly disrupt the District's operations.

3. The District may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

4. An employee will not take unpaid leave, unless the employee has exhausted all accrued vacation leave, personal days, banked holidays, compensatory time, and any other leave that may be granted to the employee, except sick and disability leave.

3.6 JURY DUTY

POLICY:

It is the policy of the Forest Preserve District of Kane County to comply with applicable laws regarding jury duty and provide employees the necessary time away from work to serve as required. Employees are also provided necessary time away from work to act as a subpoenaed witness, as associated with their job duties at the District.

ELIGIBILITY:

- All full-time employees are eligible to for Jury Duty leave.

GUIDELINES:

A. Full time employees will receive up to three (3) work weeks (120 hours) of full pay to serve as a juror or a witness in a court of law. Any additional leave will be charged against the employee's accumulated benefit time, of the employee's choice.

B. All employee benefits will continue during jury or witness duties. The employee will be responsible for any premium contribution and/or payment to other employee-elected benefit programs. To the extent that an employee's Jury Duty Leave is paid, the employee's portion of health insurance cost will be deducted from the employee's salary. For the portion of Jury Duty Leave that is unpaid, the employee's portion of health insurance premiums must be paid by submitting a monthly check payable to the Forest Preserve District of Kane County to the Finance Department.

C. Other benefits, if any, such as vacation or sick leave, will continue to accrue only while an employee is on paid jury duty. There will be no accrual for unpaid time.

PROCEDURES:

1. Any per diem payment the employee receives from the court system for jury duty service up to three (3) work weeks (120 hours) must be forwarded from the employee directly to the Finance Department. Should an employee receive per diem payment for jury service electronically, the employee must provide payment to the District by submitting a check equivalent to the per diem received. Per diem payment for service extending beyond three (3) work weeks (120 hours) may be retained by the employee.

2. Employees may retain any mileage reimbursement received.

3. It will be each employee's responsibility to accurately report jury duty leave on their timesheet.

3.7 BEREAVEMENT LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide time off for employees after the loss of an immediate family member.

ELIGIBILITY:

- All full-time employees are eligible to use Bereavement Leave.

GUIDELINES:

A. In the event of the death in an employee's immediate family, regular full-time employees will be allowed bereavement leave upon approval by the employee's immediate supervisor.

B. For purposes of this policy, immediate family members are defined as the employee's: current spouse, domestic partner or significant other, natural child, adopted child, stepchild, a legal ward or a child of a person standing *loco parentis*, brother, sister, stepparent, parent, grandparent, grandchild, parent-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law.

C. Employees will be compensated for up to three (3) days unless the funeral is held more than two hundred fifty (250) miles from the employee's home or the employee must travel an equal distance to make transport arrangements. In such cases, the employee will be compensated for up to five (5) days rather than three (3) days.

D. Any additional leave will be charged against the employee's accumulated benefit time, of the employee's choice, if the time off has been approved by the employee's supervisor.

E. Part-time and seasonal employees are not eligible for paid days of bereavement leave, but will be provided time off for bereavement leave.

F. In addition to the three (3) or five (5) paid days of bereavement leave, all employees eligible for leave under the federal Family and Medical Leave Act (FMLA) will be eligible for up to seven (7) days of unpaid bereavement leave that must be taken within sixty (60) days of receiving notification of the family member's death or within sixty (60) days of the date on which an event listed under paragraph (d) below occurs in order to:

   a. Attend the funeral or alternative to a funeral of a family member,

   b. Make arrangements necessitated by the death of the family member,

c. Grieve the death of a family member, and/or

d. Be absent from work due to (i) a miscarriage; (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure; (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party; (iv) a failed surrogacy agreement; (v) a diagnosis that negatively impacts pregnancy or fertility; or (vi) a stillbirth.

G. A "child" is defined as an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing loco parentis.

H. Employees may be entitled to up to six (6) weeks of unpaid bereavement time in the event of the death of more than one family member during a twelve-month period.

I. In addition, full-time employees who have worked for the District for at least two weeks and are faced with a child's death due to homicide or suicide will be eligible for six (6) weeks of unpaid child extended bereavement leave. Employees are required to provide reasonable advance notice of their need to take child extended bereavement leave, unless providing such notice is not reasonable and practicable. Child extended bereavement leave may be taken in a single continuous period or intermittently in increments of no less than 4 hours, but leave must be completed within one year after the employee notifies the employer of the loss. An employee may be required to provide reasonable documentation of the need for leave and the cause of death, which may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency. Child extended bereavement leave does not extend the maximum period of leave employees are entitled to under the FMLA or under any other leave provided by law or policy.

J. Management discretion in handling bereavement leave requests should reflect respect and sensitivity for the nature of the individual's circumstances while ensuring consistency with other requests.

PROCEDURES:

1. Employees must notify their immediate supervisor of the death, the employee's relationship to the deceased, and the expected time of absence.

2. Bereavement hours and days do not count as hours worked for overtime purposes.

3. It will be each employee's responsibility to accurately report bereavement leave on their timesheet.

3.8 SCHOOL VISITATION LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide eligible employees the ability to take unpaid time off to attend school conferences or classroom activities if they cannot be scheduled during non-work hours in accordance with applicable laws.

ELIGIBILITY:

- Full-time and part-time employees, who have worked at least twenty (20) hours per week for six (6) consecutive months.

GUIDELINES:

A. Eligible employees may take up to eight (8) hours of unpaid school visitation time during any school year, which may be taken on any day in increments of no more than four (4) hours.

B. Employees will be required to first exhaust all earned, unused vacation, personal days and compensatory time before taking unpaid time off.

C. The District will make every effort to allow the employee to make up the hours of leave, if it is possible without causing a burden on other employees.

PROCEDURES:

1. Whenever possible, an employee must give seven (7) days' written notice (twenty-four (24) hours in an emergency) to their immediate supervisor prior to the scheduled school visit.

2. The employee must obtain, from the school administrator, documentation of the school visitation. The employee will submit the verification statement from the school to the District within two (2) working days of the school visitation.

3.9 BLOOD AND ORGAN DONATION LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to encourage employees to donate organs, bone marrow, and/or blood and plasma through compliance with laws which provide for paid time off to do so.

ELIGIBILITY:

- Full-time and part-time employees with at least six (6) consecutive months of service are eligible to request Blood and Organ Donation Leave.

GUIDELINES:

A. Eligible employees may request up to one (1) hour of paid Blood and Organ Donation Leave every fifty-six (56) days.

B. Eligible employees may request up to ten (10) days of leave in any twelve (12)-month period to serve as an organ donor.

C. An employee must obtain advance approval in order to receive paid Blood and Organ Donation Leave.

D. Part-time employees will be compensated based on the daily average pay received in the previous two (2) months of employment.

PROCEDURES:

1. Employees must give a fifteen (15) day advance notice to their immediate supervisor if they wish to use Blood Donation Leave.

2. A written certification from the blood bank, hospital, or appropriate healthcare provider will be required to verify the date of the blood or organ donation.

3.10 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT (VESSA)

POLICY:

It is the policy of the Forest Preserve District of Kane County to comply with the provisions of the Victims' Economic Security and Safety Act (VESSA). This policy is not intended to grant leave in addition to what the Act requires.

ELIGIBILTY:

- An employee is eligible for VESSA Leave if they meet the following criteria:
    - Is a victim of domestic, sexual, or gender violence or any other crime of violence; or
    - Has a family member or household member who is a victim of domestic, sexual, or gender violence or any other crime of violence whose interests are not adverse to the employee as it relates to the violence; and
    - Complies with the notice and certification requirements of this policy.

GUIDELINES:

A. An eligible employee will be approved for VESSA Leave during work hours for any of the following:

1. To seek medical attention for, or recover from, physical or psychological injuries caused by domestic, sexual, or gender violence, or any other crime of violence to themself or to a member of their family or household; or
2. To obtain services from victim service organizations for themself or a member of their family or household; or
3. To obtain psychological or other counseling for themself or a member of their family or household; or
4. To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase their safety or the safety of a member of their family or household from future domestic, sexual, or gender violence, or any other crime of violence; or
5. To seek legal assistance or remedies to ensure their health and safety or that of a member of their family or household; this may include preparations for or participation in any civil or criminal legal proceeding related to or

derived from domestic, sexual, or gender violence, or any other crime of violence.

6. To attend the funeral or alternative to a funeral or wake of a family or household member who is killed in a crime of violence.

7. To make arrangements necessitated by the death of a family or household member who is killed in a crime of violence.

8. To grieve the death of a family or household member who is killed in a crime of violence.

B. B. Eligible employees may take up to twelve (12) weeks of unpaid leave within any twelve (12) month period and be restored to the same or an equivalent position upon return from leave.

C. VESSA Leave is not intended to be in addition to the twelve (12) weeks of leave provided under the Family Medical Leave Act, but will run concurrently as applicable (see also Employee Handbook 3.1, Coordination of Leave).

D. VESSA Leave may be taken in any combination of the following time periods:

1. In twelve (12) or fewer consecutive weeks; or

2. Intermittently in separate blocks of time as necessary; or

3. As a reduction in the usual number of hours per workweek or hours per workday.

E. All information provided, including the employee's sworn statement or other documentation, record, or corroborating evidence and the fact that the employee has requested or obtained a VESSA Leave, will be retained in the strictest confidence, except to the extent that disclosure is requested or consented to in writing by the employee, or otherwise required by applicable law.

F. An employee may use District-issued equipment to record domestic violence, sexual violence, gender violence, or any other crime of violence committed against the employee, their family or household member. The District will make reasonable efforts to grant an employee access to any photographs, voice/video recordings, sound recordings, or any other digital documents or communications stored on the device(s).

PROCEDURES:

1. Eligible employees must notify Human Resources, or their immediate supervisor, at least forty-eight (48) hours' in advance notice of the employee's intention to take the leave, unless providing such notice is not practicable. If an employee cannot provide advance notice, the employee must submit the request as soon as feasible under the circumstances.

2. Certification of the Leave may be satisfied by one of the following:

   a. A sworn statement by the employee; and

   b. Documentation from an agent of victim services, an attorney, or other professional from whom the employee or their family/household member has sought assistance in addressing domestic, sexual, or gender violence and the effects of the violence, or any other crime of violence; or

   c. A police or court record; or

   d. Other corroborating evidence.

3. The supporting documentation may be submitted as it becomes available. Certification must be provided within a reasonable time (generally no later than fifteen (15) days) following the request by the Director of Human Resources or an employee's supervisor.

4. Employees who are taking leave in consecutive weeks must contact Human Resources during each month regarding leave status and the employee's intention to return to work.

5. Employees may substitute sick leave, personal days, compensatory time and/or vacation time prior to taking unpaid leave.

6. If any period of leave is substituted paid benefit time, the employee's share of insurance premiums will be paid by the method normally used (generally, as a payroll deduction).

7. During unpaid leave time, an employee will not accrue any benefits, including paid time off. Employees may continue health insurance on the same terms and conditions as if the employee remained continuously employed by paying their portion of the health insurance premium that they would normally pay as if they were working.

8. Premium payments during unpaid leave must be submitted to the Finance Department by the first of each month for coverage during each subsequent month. If an employee fails to return from leave, the District will recover any and all premium contributions provided by the District during the leave period.

9. In response to an actual or perceived threat of domestic, sexual or gender violence, or any other crime of violence, an employee may qualify for a reasonable accommodation which includes adjustment to job structure, workplace facility, modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure, assistance in documenting domestic, sexual, gender, or other violence that occurs at the workplace or in a work-related setting, unless the accommodation causes an undue hardship for the District.

10. The District will reinstate the employee in the same position that was held prior to the start of leave without pay, or an alternate position with comparable pay and benefits and status, as if the employee did not take leave.

11. An approved leave of absence will not affect the continuity of an employee's employment. The employee's original date of employment remains the same for seniority and benefit accrual purposes.

3.11 WORK-RELATED INJURIES

POLICY:

It is the policy of the Forest Preserve District of Kane County to adhere to the Illinois Workers' Compensation Act ("IWCA") which provides for medical care and replacement of wages if an employee sustains an injury arising out of or occurring in the course of performing their duties with the District.

GUIDELINES:

A. An employee who sustains any injury or illness while performing the duties of their job, no matter how slight, must report the situation to their supervisor immediately.

B. Some occupational injuries may not be caused by a specific accident and generally occur over longer periods of time and/or exposure. If there is a situation in which an employee does not become aware of their injury right away, the employee must report the injury as soon as reasonably possible upon becoming aware of the injury.

C. The District will not discipline or retaliate against any employee for reporting an injury or illness. However, the District reserves the right to discipline any employee for engaging in unsafe, careless, or reckless conduct contributing to an avoidable workplace injury or illness, or for filing a fraudulent workers' compensation claim.

D. Non-job-related illnesses or injuries, or illnesses or injuries not related to the performance of the employee's assigned duties, are not covered under the IWCA.

E. Questions regarding workers' compensation should be directed to the Safety and Wellness Coordinator, the Director of Human Resources, or the District's Workers' Compensation Coverage provider.

PROCEDURES:

1. An employee should report any work-related injury or illness to their supervisor, Department Head, or Human Resources as soon as an employee becomes aware of the injury or illness. If the employee is uncertain but suspects the illness or injury is work-related, the employee should still notify their supervisor.

2. The supervisor, with the employee's help, must complete the appropriate Employee Injury Report Form, and forward it to Human Resources within twenty-four (24) hours of when the employee reports an injury or illness.

3. Upon notification, the District will instruct the employee to report to a designated Occupational Health Clinic or their personal doctor. If there is any question about the compensability of the injury/illness and the employee has HMO insurance, the

District may recommend that the employee see their personal physician. If the District's risk management agency deems the injury/illness compensable (covered), the doctor's visit will be converted to workers' compensation. In the case of an emergency, the employee should go to the nearest hospital emergency room for treatment.

4. All medical evaluations by any licensed physician must be submitted to Human Resources in a timely manner for the duration of the claim.

5. The District reserves the right to have the employee examined by a licensed physician of its own choice and expense. The employee will be entitled to a copy of the physician's report.

6. Some injuries and illnesses might be minor in nature and the employee may be able to continue to work under certain doctor-recommended limitations.

7. More severe injuries and illnesses may require the employee to lose time from work. Employees who lose time from work are entitled to receive weekly Temporary Total Disability (TTD) payments in lieu of a paycheck. Illinois law requires a three (3) day waiting period prior to TTD payments commencing. For injuries that do not extend beyond fourteen (14) in duration, the injured employee is responsible for this waiting period and may elect to take the time off without compensation, or may choose to use their accrued paid time off benefits. The District's risk management agency pays the TTD payments, which represent two-thirds (2/3) of the employee's average weekly earnings during the year before the accident or last exposure, subject to certain limits, per the IWCA.

8. The District may assign an injured employee to a modified duty assignment in accordance with the District's Modified Duty Program.

9. No employee will be allowed to return to work without a statement from a physician approving the employee's return to work without restrictions, or with restrictions acceptable to the District.

10. Depending on the circumstances, the District reserves the right to explore all reasonable accommodations that may be available, including, but not limited to, temporary modified duty or permanent reassignment to a position in which the employee can perform the essential functions of the job, with or without an accommodation.

11. When an employee has been released by a licensed physician to return to work on a modified duty basis, the employee may periodically be requested to return for medical evaluations. For these doctor visits, the employee will be compensated at the employee's current rate of pay only for the period of time necessary for the visit, including reasonable transportation time. The District reserves the right to verify the time of the visit. Time taken over and above what is necessary will be charged to the employee's available sick time. If the employee does not have any available time, the employee will be compensated only to the extent required by law.

3.12 MODIFIED DUTY PROGRAM

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish a Modified Duty Program, as deemed appropriate, to provide employees with available and reasonable opportunities to maintain career and employment status and benefits, and to maximize the District's ability to provide services offered to the public.

GUIDELINES:

A. The Modified Duty Program is for employees who have sustained injuries or illnesses arising out of and in the course and scope of their employment with the District ("work-related injury"), as well as employees with disabilities, or employees who are pregnant or have a medical condition related to pregnancy.

B. The purpose of the Modified Duty Program is to provide a temporary modified work assignment, when feasible, available, and applicable. The District will determine feasibility of modified duty on a case-by-case basis, considering several factors, and is at the sole discretion of the District. These factors include, but are not limited to, the attitude and aptitude of the employee, the specific physical or mental limitations, the essential functions of the temporary job assignment, the work environment and the ability of the agency to provide accommodation. Modified duty may not be available for certain positions.

C. Noncompliance or failure to cooperate with the Modified Duty Program may affect workers' compensation benefits and may be considered job abandonment.

DEFINITIONS:

For purposes of this policy, the following definitions apply:

A. **"Employee"** refers to any individual employed by the District in a valid, authorized position.

B. **"Modified Duty Program"** is a temporary assignment of duties to a worker with an occupational injury or illness whose doctor indicates the worker may return to work subject to specified restrictions and who has not yet reached a level of maximum recovery enabling the employee to return to regularly assigned duties. Modified duty may only be applicable to those employees who are eligible for temporary total disability benefits under the Illinois Workers' Compensation or

Occupational Disease Acts (hereafter "Acts") or whose injury or illness is compensable under the Acts. However, nothing in this policy will prohibit or limit employees from requesting, or the District from granting, reasonable accommodations under the ADA to individuals with non-work-related injuries or illnesses.

C. **"Occupational Injury or Illness"** refers to an injury or illness arising out of, and in the course of, the employee's employment and compensable under the Illinois Workers' Compensation Act or Occupational Disease Act. All claims for workers' compensation benefits are subject to initial and continuing investigation.

OBJECTIVES:

A. To return occupationally injured or ill employees to work as soon as possible provided there is not a probability of re-injury or aggravation of an injury/illness and the return to work does not directly or indirectly adversely jeopardize the safety of others or is potentially detrimental to the agency.

B. To minimize financial hardship and emotional stress to the employee who sustained an occupational injury.

C. To assist employees in returning to work at a level close to their pre-injury earnings and productivity.

D. To retain qualified and experienced District employees.

E. To further the District's commitment and obligation to provide recreational programs, services and facilities to the public.

BASIC PROGRAM REQUIREMENTS:

A. Employees may be provided a Modified Duty assignment when temporarily unable to perform the essential functions of their regular position due to occupational injury or illness, provided the Modified Duty assignment fulfills a job function(s) useful to the District and is within limitations set by treating and/or evaluating physicians. Modified Duty assignments will not create a new job but will incorporate or modify an existing position on a temporary basis. The assignment may include duties anywhere within the District.

B. The District will establish a time limit on a case-by-case basis for the length of time it offers modified duty. The time limit is subject to review and revision at the sole discretion of the District.

C. The District will compensate an employee on modified duty at the employee's regular pay rate if possible. If this is not possible and if the injury/illness is compensable under the relevant occupational injury/illness laws, the employee will receive no less than 2/3 of what their average weekly regular wage (excluding

overtime) was prior to the accident, injury, or illness. The District or the District's workers' compensation provider (PDRMA) may compensate the employee.

D. There should be regular communication among the Safety and Wellness Coordinator, Director of Human Resources, the employee's immediate supervisor, the physician, and PDRMA throughout the course of treatment and recovery.

E. Employee Responsibilities: Participate in the Modified Duty program as assigned; report any problems with Modified Duty assignment to immediate supervisor; notify the immediate supervisor promptly of any and all changes or modifications to the employee's work restrictions; provide all physician releases and reports and all medical records and forms to the department head promptly when received; notify the person who assigned the task immediately if they cannot complete a task or if it in any way adversely affects their injury/illness. In addition, if the employee's injury/illness requires them to see a physician for subsequent visits, they must inform their immediate supervisor prior to any and all appointments (except in emergencies), so the immediate supervisor can complete the necessary forms and arrangements for the absence if the employee must visit the doctor during working hours. If the immediate supervisor is unavailable, they must contact the supervisor at the succeeding level of authority in the department. To avoid disruption of District operations, the employee should schedule doctor appointments during non-work hours. Under the Illinois Workers' Compensation Act (820 ILCS 305/12), the District may ask an employee entitled to receive disability payments under the Act to undergo an examination by a duly qualified medical practitioner or surgeon selected by the District at any time and place reasonably convenient to the employee to determine the nature, extent and probable duration of the injury received by the employee and to ascertain the amount of compensation due to the employee from time to time for disability according to the provisions of the Act.

F. An employee who declines a Modified Duty position, which is within the limitations as determined by the treating or evaluating physician (and provided there is no conflicting medical opinion), may be considered to have abandoned their job. The employee may also lose eligibility for workers' compensation benefits.

G. The District may conduct a review at any time while an employee is on Modified Duty status to determine the appropriateness and reasonableness of continuing the assignment.

PROCEDURE:

A. The department head or manager is typically responsible for the management of employees on Modified Duty status. The department head or manager may also coordinate Modified Duty assignments with other departments, the Safety and Wellness Coordinator, Director of Human Resources, and PDRMA. Each department is responsible for maintaining an updated list of Modified Duty

assignments and advising the Safety and Wellness Coordinator or Director of Human Resources of any changes to the modified duty lists.

B. When an employee is injured, the attending physician must complete a Modified Duties Physician Form. This form, sent to the physician by the department head, requests a list of the duties the employee can perform and any physical limitations she may have.

C. The employee must return the Modified Duties Physician Form to the department head, who will contact the employee's immediate supervisor. The supervisor will work with the department head or manager to assign Modified Duty to the employee, if possible or applicable.

D. If a department does not have any available Modified Duty tasks, the Safety and Wellness Coordinator or Director of Human Resources will work with other departments to explore such assignments.

E. All Modified Duty Assignments are subject to continuing review of the employee's existing medical restrictions, and departments will continue to develop and coordinate appropriate duty assignments with the Safety and Wellness Coordinator, Director of Human Resources, and PDRMA, and monitor ongoing medical status and work adjustment.

F. Employees will be compensated at the predetermined rate of pay while performing Modified Duty assignments, including time necessary to report to a physician's office for further review. Time above and beyond what is necessary for doctor visits, including reasonable transportation time, will be charged against the employee's available sick, personal or other time off. If the employee does not have any available time, the employee will receive compensation only to the extent required by law.

3.13 MILITARY FUNERAL HONORS DETAIL LEAVE

POLICY:

It is the policy of the Forest Preserve District of Kane County to adhere to applicable laws to provide paid leave for eligible employees who perform funeral honors detail.

ELIGIBILITY:

- Employees who have worked for the District for at least twelve (12) months and for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave.

- Employees must be trained to participate in the funeral honors detail at the funeral of a veteran and also either a retired or active member of the armed forces of the United States or a member of a reserve component of the armed forces of the United States, including the Illinois National Guard; or an authorized provider, or a registered member of a nonprofit or other organization that is an authorized provider, including a member of a veterans service organization.

GUIDELINES:

A. An employee may use up to 8 hours per calendar month to participate in a funeral honors detail, up to a total of 40 hours per calendar year, or more if authorized by the District.

B. An employee who takes leave under this policy may do so in lieu of, and without having exhausted vacation leave, personal leave, compensatory leave, or any other leave that may be granted to the employee, including sick leave and disability leave.

C. The District will pay the employee their regular rate of pay for the leave taken to participate in a funeral honors detail.

PROCEDURES:

1. An employee taking funeral honors detail leave will give his or her employer reasonable notice, as is practicable.

2. The employee must provide a confirmation from the relevant veteran's service organization that dispatched the employee to the funeral honors detail, or any official notice provided to the employee in relation to the funeral honors detail, that can be used as proof of the employee's participation in the detail.

3.14 NEONATAL INTENSIVE CARE LEAVE ACT

POLICY:

It is the policy of the Forest Preserve District of Kane County to adhere to applicable laws to provide unpaid leave for eligible employees for the care of a child who is a patient in the neonatal intensive care unit (NICU).

ELIGIBILITY:

This policy applies to all District employees.

GUIDELINES:

A. Employees will be entitled to use a maximum of twenty (20) work days of unpaid leave for the care of a child who is a patient in the neonatal intensive care unit (NICU) without impacting their qualifying FMLA entitlement.

B. Qualifying leave is not required to be taken in one block. Employees may take leave intermittently or on a reduced schedule.

C. Employees may choose, but are not required, to use paid benefit time during this leave, and will be reinstated to their position upon return with no interruption to accrued benefits or health insurance.

PROCEDURES:

1. After conclusion of the leave, the employee must provide their immediate supervisor with verification of the child's length of stay in the NICU.

SECTION FOUR: Employee Conduct

4.1 Anti-Harassment

4.2 Workplace Conduct

4.3 Workplace Violence

4.4 Electronic Communications

4.5 Social Media

4.6 Ethics Ordinance

4.7 Solicitation and Distribution

4.8 Smoke-Free Workplace

4.9 Drug-Free Workplace

4.10 Alcohol and Drug Testing for Commercial Driver's License (CDL) Drivers

4.11 Corrective and Disciplinary Action

SECTION FOUR: EMPLOYEE CONDUCT

4.1 ANTI-HARASSMENT

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide for a work environment that encourages and fosters appropriate conduct among colleagues and respect for individual values and sensibilities. Accordingly, the District's officers and administration are committed to enforcing this Anti-Harassment Policy at all levels within the workplace and to creating an environment free from discrimination or harassment of any kind based on an individual's actual or perceived race (including but not limited to traits associated with race, such as hair texture and protective hairstyles such as braids, locks, and twists), color, religion, sex, sexual orientation, gender (including gender identity and expression), national origin, ancestry, citizenship status, work authorization status (i.e. the status of being a person born outside the U.S., who is not a U.S. citizen but is authorized by the federal government to work in the United States), age, disability (association with a person with a disability), pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth), family responsibilities, reproductive health decisions (association with someone else's reproductive health decisions), genetic information, order of protection status, marital status (including domestic partnership), military or veteran status, unfavorable discharge from military service, or any other basis protected by law.

ELIGIBILITY:

All District employees, as well as contractors, vendors, and others doing business with the District, will adhere to the Anti-Harassment policy.

GUIDELINES:

A. Harassment based on any protected class, whether by a fellow employee, guest, member of management, elected officials, volunteers, vendors, or contractors will not be tolerated. Activities of this nature may be unlawful and serve no legitimate purpose, in addition, they have a disruptive effect on one's ability to perform their job and undermine the integrity of the employment relationship.

B. Sexual harassment for purposes of this policy is defined as unwelcome sexual advances, requests for sexual favors or other verbal, non-verbal, or physical acts of a sexual or sex-based nature, where submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;

   a. an employment decision affecting an employee is based on the individual's acceptance or rejection of such conduct; or

b. such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

C. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender or sex. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal, or visual conduct of a sexual nature.

D. Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is unwelcome verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of an individual's actual or perceived race (including but not limited to traits associated with race, such as hair texture and protective hairstyles such as braids, locks, and twists), color, religion, sex, sexual orientation, gender (including gender identity and expression), national origin, ancestry, citizenship status, work authorization status (i.e. the status of being a person born outside the U.S., who is not a U.S. citizen but is authorized by the federal government to work in the United States), age, disability (association with a person with a disability), pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth), genetic information, order of protection status, marital status (including domestic partnership), military or veteran status, unfavorable discharge from military service, or any other protected characteristic as established by law, or the protected characteristics of an individual's relatives, friends or associates, and that:

- has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

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

F. All Guidelines in this policy apply in the workplace and in any work-related setting outside the workplace, such as during business trips, professional conferences, business meetings, and business-related social events.

G. The District prohibits retaliation against any individual who reports discrimination, harassment, or retaliation, who participates in an investigation of such reports, and/or who files a charge of discrimination, harassment, or retaliation. Retaliation against an individual for reporting harassment, discrimination, or retaliation, for participating in an investigation of a claim of harassment, discrimination, or retaliation, or for filing a charge of discrimination, harassment, or retaliation is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, not to exclude termination of employment.

H. In addition to the District's prohibition on retaliation, various state and federal laws prohibit retaliation for reports of discrimination, harassment, or retaliation. For instance, protections against retaliation exist under the Illinois Human Rights Act, and, depending on the circumstances, protections against retaliation may exist under the Illinois Whistleblower Act and/or the State Officials and Employee Ethics Act.

PROCEDURES:

1. The District strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. While no fixed reporting period has been established, the District strongly urges the prompt reporting of complaints or concerns, so that rapid and constructive action can be taken.

2. The following reporting procedure does not preclude individuals who believe they are being subjected to harassing, discriminatory, or retaliatory conduct from promptly advising the offender that the offender's behavior is unwelcome and requesting that it be discontinued. However, nothing in this policy will require individuals who believe they are being subjected to harassing, discriminatory, or retaliatory behavior to directly address the offender.

3. If an employee experiences or witnesses harassment, discrimination, or retaliation of any kind, the employee should deal with the incident(s) as directly and firmly as possible by clearly communicating to their immediate supervisor, Department Head, and/or the Executive Director. The employee should also document or record in writing each incident (what was said or done, by whom, the date, time and place, and any witnesses to the incident). Written records such as letters, notes, memos, texts, social media postings, tweets, e-mails, and telephone messages can strengthen documentation. It is not necessary that the discrimination, harassment, or retaliation be directed at the employee in order for the employee to make a complaint.

    a. Direct Communication with Offender: If there is harassing, discriminatory, or retaliatory behavior in the workplace, and if an employee feels comfortable doing so, they should directly and clearly express objection to the offending person(s) regardless of whether the behavior is directed at them. If the employee is the harassed individual, and feels comfortable doing so, the employee should also clearly state that the conduct is

unwelcome, and the offending behavior must stop. However, an employee is not required to directly confront the person who is the source of the report, question, or complaint before notifying any of those individuals listed below. Further, an employee is not required to directly confront the person who is the source of the report, question, or complaint if the employee feels uncomfortable doing so. The initial message may be verbal or written, but documentation of the notice should be made. If subsequent messages are needed, they should be put in writing.

b. Report to Supervisory and Administrative Personnel: At the same time direct communication is undertaken, or in the event an employee feels threatened or intimidated by the offending person, the employee should promptly report the offending behavior to their immediate supervisor or Department Head. If the employee feels uncomfortable doing so, or if the employee's immediate supervisor and/or Department Head is the source of the problem, or if the action taken by the Department Head is not deemed adequate by the employee to have solved the problem, report the conduct to the Director of Human Resources. If the Director of Human Resources is the source of the problem, or if the action taken by the Director of Human Resources is not deemed adequate by the employee to have solved the problem, immediately report the incident or incidents directly to the Executive Director.

c. Report to Executive Director/President of the Board of Commissioners: An individual may also report incidents of harassment, discrimination, or retaliation directly to the Executive Director. If the complaint alleges harassment, discrimination, or retaliation by the Executive Director, or if the action taken by the Executive Director is not deemed adequate by the employee to have solved the problem, an employee should immediately report the incident or incidents directly to the President of the Board of Commissioners.

4. Harassment Allegations Against Non-Employees/Third Parties: If an employee makes a complaint alleging harassment, discrimination, or retaliation against an agent, vendor, supplier, contractor, volunteer, or person using District programs or facilities, the Executive Director, or designee, will promptly investigate the incident(s) and determine the appropriate remedial action, if any. The District will take reasonable efforts to protect the employee from further contact with such persons.

5. Harassment Allegations Against Elected Officials of the District: Alleged harassment by one elected District Commissioner against another can be reported to the District's Board President. If the Board President is the person reporting the harassment or is implicated by the allegation, the report can be made to any other District Commissioner. If a complaint is made against an official of the District by another elected District Commissioner under this Section, the matter must be referred to the District's legal counsel. The allegations of the complaint will be

thoroughly investigated through an independent review, which may include referring the matter to a qualified, independent attorney or consultant to review and investigate the allegations. Further, if warranted (as determined, where possible, by a committee of the other Commissioners who are not the reporting official or the official who is the subject of the complaint), reasonable remedial measures will be taken.

6. Any supervisory or managerial employee who becomes aware of any possible sexual or other harassment, discrimination, and/or retaliation of or by any individual should immediately advise the Director of Human Resources.

7. Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The District will make every reasonable effort to investigate in a responsible and confidential manner. However, it is impossible to guarantee absolute confidentiality, as the District must be able to fully investigate and take prompt remedial action when necessary.

8. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other knowledge relevant to the allegations. The District reserves the right and hereby provides notice that third parties may be used to investigate claims of harassment, discrimination, or retaliation. At no time will personnel involved in the alleged discrimination, harassment, or retaliation conduct the investigation.

9. Employees are expected to cooperate with any investigation of workplace harassment.

10. After investigation, the District will determine whether a complaint of harassment, discrimination or retaliation has been substantiated, or not, based on a review of the facts and circumstances of each situation. Misconduct constituting a violation of this policy (such as engaging in harassment, discrimination, or retaliation) will be dealt with appropriately. Appropriate responsive action for a substantiated complaint may include, by way of example only: training, referral to counseling, and/or disciplinary action (such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination of employment) as the District believes appropriate under the circumstances.

11. An employee found to have violated the Anti-Harassment policy will be subject to disciplinary action, not to exclude termination of employment.

12. False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints which, even if erroneous, are made in good faith) may be subject to disciplinary action, not to exclude termination of employment.

13. Nothing contained within this policy precludes an employee from filing a complaint with the Illinois Department of Human Rights (IDHR) at the James R. Thompson Center, 100 Randolph Street, Suite 10-100, Chicago, Illinois 60601. The IDHR also has a reporting hotline, which includes a method for the intake of anonymous phone

calls regarding allegations of sexual harassment. The IDHR will investigate the complaint, and if it determines that there is sufficient evidence of harassment to proceed further, it will file a complaint with the Illinois Human Rights Commission (HRC), located at the same address on the fifth floor. If the IDHR does not complete its investigation within 365 days, the employee may file a complaint directly with the HRC between the 365th and the 395th day.

4.2 WORKPLACE CONDUCT

POLICY:

It is the policy of the Forest Preserve District of Kane County to promote a work environment that encourages respect for all individuals and demonstrates integrity of actions.

ELIGIBILITY:

- All employees are subject to the Employee Workplace Conduct policy.

GUIDELINES:

A. The guidelines of this policy have been established to provide assistance to employees in identifying appropriate and inappropriate workplace conduct. However, these examples are guidelines and are not meant to be all-inclusive, as no policy can describe or identify every individual unique situation. Therefore, employees should always exercise sound judgement while performing job responsibilities.

B. All employees are expected to perform their job duties and conduct themselves in an honest and professional manner. Acts of dishonesty, fraud, or theft will not be tolerated.

~~B.~~C. Professionalism includes maintaining appearance and dress in a way that is neat, clean, safe, and appropriate for the work being performed. Employees are required to adhere to the District's administrative policy on dress code and uniforms as well as any department specific uniform procedures. Employees are prohibited from wearing District issued uniforms, logo apparel, or safety attire and equipment at any time or location in which they are not acting in an official capacity for the District. District issued uniforms and logo apparel are the property of the District and must be returned upon separation of employment. ~~In addition, acts of dishonesty, fraud, or theft will not be tolerated.~~

~~C.~~D. Workplace violence, discrimination, and harassment will not be tolerated. The use of abusive language and/or hostile or intimidating actions are considered unacceptable behaviors in the workplace. (See also Employee Handbook 4.1, Harassment, and 4.3, Workplace Violence.)

~~D.~~E. Employees who have access to and are responsible for the completion of forms and paperwork are expected to fulfill such responsibilities in an accurate and truthful manner.

~~E.~~F. Employees are accountable for the District's property, equipment and supplies (including keys and ID badges) which are entrusted to them and will not directly or indirectly allow the use of property of any kind, including leased property, for anything other than official District activities.

~~F.~~G. Employees are accountable for the funds over which they have control and should adhere to the established Finance and Purchasing procedures.

~~G.~~H. The preserves, programs, and facilities of the District are open to everyone; therefore, the District is committed to celebrating and encouraging diversity, providing equity through fair treatment of all people, and fostering an environment of inclusion. The District recognizes the importance of cultural competency in the provision of services, as well as in our interactions. Employees are expected to demonstrate behaviors and actions which support individual differences, and encourage diversity, equity and inclusion. More information may be found in the Commission-approved Diversity, Equity & Inclusion (DEI) Policy available in the Comprehensive Board Policies Manual available through the Executive Director's office.

~~H.~~I. Employees will not seek out, use, or disclose confidential information for purposes other than those related to their job duties. Information that is subject to disclosure under applicable laws may be requested and disclosed in accordance with internal procedures.

~~I.~~J. The District does not permit employees to have weapons of any kind in District buildings or vehicles, unless the employee's job responsibilities require it and applicable laws, regulations, and procedures are adhered to.

~~J.~~K. Supervisors and employees under their supervision are prohibited from forming romantic or sexual relationships. Such relationships can create the impression of impropriety in terms and conditions of employment and can interfere with productivity and the overall work environment.

~~K.~~L. Employees will not:

- Engage in any business or transaction or have a financial interest or other personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties or which would tend to impair independence of judgment or action in the performance of official duties;

- Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties; provided that any employee engaged in any other employment than his District position must notify his supervisor in writing before accepting such employment, and receive the written approval of the Executive Director and President;

- Accept any gift, whether in the form of service, loan, thing or promise, from any person, firm, or corporation which to their knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the District by which they are employed;

- Represent private interests in any actions or proceedings against the District;

- Participate in the negotiation or the making of any contract with any business or entity in which they have a financial interest.

PROCEDURES:

1. If unsure of the appropriateness of an interaction with another employee, or the application of any of the guidelines within this policy, employees should contact their immediate supervisor, or Human Resources for guidance.

2. Each employee will have the responsibility of reporting any behaviors that are inconsistent with this policy to their immediate supervisor, Department Head, or Human Resources.

3. Allegations or reported violations will be investigated in a sensitive manner, with as much confidentiality as practical.

4. Employees will cooperate in investigations into suspected misconduct, which may include investigations by law enforcement, regulatory or administrative oversight agencies.

5. Retaliation against an individual for reporting conduct that conflicts with the guidelines of this policy, or for participating in an investigation related to a complaint filed in accordance with the guidelines of this policy, is considered to be a serious violation and will be subject to disciplinary action, not to exclude termination of employment. Acts of retaliation should be reported immediately to Human Resources.

6. An employee who is convicted of a crime should notify Human Resources in order to determine if the conviction may impact the employee's position with the District.

7. False or malicious complaints of violations of this policy, or of retaliation (as opposed to complaints which, even if erroneous, are made in good faith) may be subject to disciplinary action, not to exclude termination.

8. Violations of this policy may result in appropriate actions being taken depending upon the situation or offense. Actions may include, but are not limited to, transfer or reassignment, administrative leave of absence, or disciplinary action, not to exclude termination of employment.

4.3 WORKPLACE VIOLENCE

POLICY:

It is the policy of the District to expressly prohibit any acts or threats of violence or abuse by any District employee or former employee against any other employee in or about the District's facilities or premises. The District also will not condone any acts or threats of violence or abuse against the District's employees, Board members, patrons, volunteers, visitors, or children on the District's premises at any time or while they are engaged in business with or on behalf of the District. The District maintains a zero-tolerance policy of violence or abuse in the workplace (whether the violence originates inside or outside the workplace, when related to or affecting our business operations or the safety of our employees and property).

ELIGIBILITY:

- All employees are subject to the Workplace Violence policy.

- This policy does not supersede or replace any mandatory reporting requirements under federal, state or local law. If an employee is a mandated reporter pursuant to applicable law, they must also comply with all relevant federal, state and local laws for mandated reporters.

GUIDELINES:

A. Employees are expected to conduct themselves in an appropriate and professional manner and treat all other employees and members of the public with courtesy and respect at all times.

B. In order to provide employees with a safe and healthful work environment, the District will strive to do the following:

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

- Take appropriate action when dealing with vendors, former employees, or visitors to the District's facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and/or prosecuting violators to the maximum extent of the law.

- Establish viable security measures to promote the safety and security of the District's facilities.

C. Workplace violence is any act, statement (written or verbal), expression, or behavior that is or tends to be violent, abusive, threatens violence, coerces, harasses, or intimidates others, interferes with an individual's legal rights of movement or expression; or disrupts the workplace or the District's ability to provide services to the public.

D. Prohibited acts of workplace violence can occur in many forms from threats to physical violence. Examples of prohibited conduct include but are not limited to:

- Making threatening remarks or statements (verbal or written).
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to a perception of an unsafe condition.
- Causing or threatening physical injury to another person.
- Utilization or possession of weapons to threaten or harm others or which could result in same.
- Committing acts related to prohibited harassment or domestic violence.

E. The District has an Employee Assistance Program (EAP) in place, which serves as a confidential resource available to all employees to help them identify, manage and cope with problems or challenging situations.

PROCEDURES:

1. Each employee plays a role in ensuring that the District maintains a safe work environment.

2. All employees are expected to report any suspected workplace violence, or workplace violence that they have witnessed or have been a victim of.

3. All employees are expected to promptly report any observed or reasonably suspected abuse, neglect, or inappropriate conduct involving a minor or vulnerable adult immediately.

4. Reports should be made to the employee's supervisor, except where that person is the individual accused of workplace violence. In that case, the report should be directed to the Department Head and the Director of Human Resources. The report may be made initially either verbally or in writing, but an employee may be asked to put a verbal report into writing to allow for a thorough investigation.

5. Employees should warn their Supervisors, Managers, Directors, Human Resources, Public Safety, or the Executive Director of any suspicious workplace activity, situations, or incidents that they observe or that they are aware of that involve other employees, former employees, Board members, patrons, volunteers, vendors, or

visitors and that appear to be potentially problematic or potentially or actually harmful to the District, its employees, and/or property.

6. Human Resources should be made aware of all incidents and reports of potential workplace violence.

7. When a report has been made, the Director of Human Resources and the individual informed (or a designee) above will initiate an investigation of the suspected workplace violence as soon as reasonably possible. If necessary, the Director of Human Resources may designate another supervisory or management employee of the opposite sex to assist individual in the investigation. If the Director of Human Resources is the subject of the investigation, the Executive Director will conduct the investigation. The investigation will include an interview with employee(s) who made the initial report, the person(s) towards whom the suspected workplace violence was directed, and the individual(s) accused of the workplace violence. Any other person who may have information regarding the alleged workplace violence may also be interviewed.

8. The Director of Human Resources may prepare a written report. The report will include a finding that workplace violence occurred, workplace violence did not occur, or there is inconclusive evidence as to whether workplace violence occurred.

9. Employees who report incidents of workplace violence are encouraged to keep written notes in order to accurately record the offensive conduct. Every effort will be made to keep all matters related to the investigation and various reports confidential to the extent possible.

10. An employee who is involved in a violation of this policy will be subject to disciplinary action, not to exclude termination of employment.

11. Retaliation against an individual for reporting conduct that conflicts with the guidelines of this policy, or for participating in an investigation related to a complaint filed in accordance with the guidelines of this policy, is considered to be a serious violation and will be subject to disciplinary action, not to exclude termination of employment. Acts of retaliation should be reported immediately to Human Resources.

4.4 ELECTRONIC COMMUNICATIONS

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish protocols for the use of electronic communications used while performing the work of the District.

ELIGIBILITY:

- All employees are subject to the Electronic Communications policy.

GUIDELINES:

A. All other workplace conduct, privacy, anti-harassment, and anti-violence policies apply to the use of electronic communications while performing work for the District.

B. Electronic communications are a critical part of operations. It is essential that the integrity of these systems is carefully preserved.

C. District provided electronic communications systems (phones, email, computers, internet access, and all other related electronic communications), should be used for District-related business only. Personal use should be limited to non-working hours.

D. **Use of District Telephones.**

1. Employees are permitted to use District telephones for personal reasons in cases of absolute necessity only. This is a privilege and not a right and may be withheld by supervisory personnel if abused through excessive use or interference with work duties.

2. Long distance phone calls are reserved for District-related business only.

3. Employees will observe the rules of telephone courtesy in answering or placing calls.

4. Employees are specifically prohibited from accessing electronic mail or the internet, talking on the telephone, text messaging, or instant messaging while driving. This includes accessing the internet, composing, sending, or reading an electronic message while operating a vehicle on a roadway. However, this prohibition does not apply to either: (1) law enforcement employees while performing their official duties; or (2) employees engaging in electronic communications via their cellular telephones in hands-free or voice-activated mode.

5. Employees under the age of nineteen (19) are specifically prohibited from using a cell phone (including hands-free or voice-activated) at any time while driving, except for emergency purposes.

6. Employees, regardless of age, may not use a cell phone (including hands-free or voice-activated) at any time while operating a motor vehicle on a roadway in a school zone, or on a highway in a construction or maintenance speed zone, except for emergency purposes.

E. **Use of Computer Equipment and Software.**

1. The District complies with all applicable hardware and software copyright, licensing, and other laws, agreements, and regulations.

2. Employees are not permitted to take or transmit any original or copy of any software from the District.

3. No software can be brought into or transmitted to the District for use on our system without express advance permission from the IT Department.

4. The District's hardware and software cannot be used for any personal purposes.

5. All passwords, password procedures (including confidentiality), and e-mail policies and procedures must be strictly honored.

F. **Use of E-mail and Voice Mail.**

1. The e-mail and voice mail systems provided for employee use are the exclusive property of the District. Anything generated by the use of either of these systems is the property of the District, even when created through the use of a personal password. Users should understand that electronic communications may be saved to the computer back-up system and may continue to exist, even though the user deletes them from their computer.

2. Employees should access and use only the e-mail and voice mail accounts assigned to them. Employees are responsible for the security of the e-mail and voice mail accounts assigned to them and should protect assigned accounts, using a secure password for each account. Passwords should not be disclosed to others within the District except on a need-to-know basis. Passwords are not to be disclosed to anyone outside the District.

3. Unless an employee has specific authorization from the intended holder or recipient, an employee should not: access another's e-mail or voice mail; listen to or publish e-mail or voice mail message(s) contained in e-mail or voice mail accounts assigned to another person; and copy, retrieve, modify or forward copyrighted materials.

4. An employee should not defame, publish, or announce derogatory information to or about the District's patrons through the use of the District's e-mail and/or voice mail system(s).

5. If someone else gains access to an employee's e-mail and/or voice mail account(s) with the employee's knowledge and permission, the employee will be held responsible for any violation of this policy associated with the access. If an employee suspects that someone has obtained access to their password, the employee should immediately inform their supervisor and the network administrator.

6. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the systems.

7. While patron and employee information is and should remain privileged and confidential, employees should not have any expectation of privacy with respect to messages or files sent, received, or stored in the District's e-mail or voice mail systems. The District reserves the right to access all such communications.

G. Nothing in the policy precludes employees from discussing or disclosing terms and conditions of employment relating to themselves or their fellow employees, such as, for example, wages and working conditions.

PROCEDURES:

1. E-mail messages containing confidential information should not be sent without (a) first assuring that the recipient's computer is secure so that the message cannot be retrieved by unauthorized persons, and (b) including the following in the message: "CONFIDENTIAL: This message contains confidential and/or privileged information and must not be transmitted, copied or forwarded to any other person."

2. Use of the e-mail and/or voice mail systems will be deemed to constitute the employee's consent to comply with this policy and recognition that any such messages may be monitored or recorded.

3. Violations of this policy will result in disciplinary action, not to exclude termination of employment, as well as possible legal action to recover any damages the District may suffer.

4.5 SOCIAL MEDIA

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish guidelines regarding social media communication within the workplace.

ELIGIBILITY:

- All employees are subject to the Social Media policy.

GUIDELINES:

A. Social media will be defined as: multi-media, social networking, other types of self-published sites such as blogs and wilds, and collaborative discussion forums. Examples include, but are not limited to sites like Facebook, Twitter, Tic Toc, and YouTube.

B. All other workplace conduct, privacy, anti-harassment, and anti-violence policies apply to the use of social media.

C. Employees should not engage in non-work-related social media activities during work hours. The District has designated employees who are responsible for the District's social media content.

D. Posting of comments or materials, including photographs, videos, or audio, both during work hours and outside of work hours, that violate District policy is prohibited. This includes, but is not limited to, material regarding the District, as well as District employees, volunteers, and patrons.

PROCEDURES:

1. If an employee is contacted by a member of the media regarding social media posts, the employee should direct the contact to the Director of Community Affairs.

2. Employees who use social media and choose to identify themselves as District employees are strongly encouraged to state explicitly, clearly, and in a prominent place on the site that their views are their own and not those of the District, or any person or organization affiliated or doing business with the District. An employee who posts on any social media platform, other than those employees designated by the District, is doing so as an individual and independent of the District.

3. Nothing in this policy is meant to preclude employees from discussing or disclosing terms and conditions of employment relating to themselves or their fellow employees, such as, for example, wages and working conditions.

4. Violations of this policy may result in disciplinary action, not to exclude termination of employment.

4.6 ETHICS ORDINANCE

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish guidelines for ethical standards of conduct and to maintain a workplace that is in conformance with applicable laws and regulations. This policy is a summary of the ethical conduct, political activities, and the solicitation and acceptance of gifts by District officials and employees as adopted through the Forest Preserve District of Kane County's Ethics Ordinance ("Ordinance").

GUIDELINES:

A. **Prohibited Political Activities, Article 5**

a. No employee will intentionally perform any prohibited activity during any compensated time, as defined herein. No employee will intentionally use any property or resources (including, but not limited to, District uniforms, insignia, and vehicles) of the Forest Preserve District of Kane County in connection with any prohibited political activity.

b. At no time will any officer or employee intentionally require any other employee to perform any prohibited political activity (i) as part of that employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation, or personal time off).

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

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

e. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, will be denied or deprived of employment or tenure

solely because of being a member or an officer of a political committee, of a political party, or of a political organization or club.

f. An employee retains the right to vote as he chooses and to express his opinions on political subjects and candidates.

B. **Gift Ban, Article 10**

a. Except as permitted by this Guideline, in accordance with the Ordinance, no employee, and no spouse of or immediate family member living with any employee (collectively referred to herein as "recipients") will intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source will intentionally offer or make a gift that violates this Section.

b. Exceptions to the Gift Ban provisions include:

i. Opportunities, benefits, and services that are available on the same conditions as for the general public.

ii. Anything for which the employee, or his spouse or immediate family member, pays the fair market value.

iii. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

iv. Educational materials and missions.

v. Travel expenses for a meeting to discuss District business.

vi. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

vii. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his spouse or immediate family member and does not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient will consider the circumstances under

which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

viii. Food or refreshments not exceeding $75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

ix. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the employee, and are customarily provided to others in similar circumstances.

x. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an from another employee, and "inter-governmental gift" means any gift given to an employee by an employee of another governmental entity.

xi. Bequest, inheritances, and other transfers at death.

xii. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than $100.

xiii. Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

C. **Disposition of Gifts**

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

D. **Ethics Advisor, Article 15**

a. The President, with the advice and consent of the Commission, will designate an Ethics Advisor for the Forest Preserve District of Kane County. The duties of the Ethics Advisor may be delegated to an employee of the Forest Preserve District of Kane County unless the position has been created as an office by the Forest Preserve District of Kane County.

b. The Ethics Advisor will provide guidance to the officers and employees of the Forest Preserve District of Kane County concerning the interpretation of and compliance with the provisions of this Ordinance and State Ethics Laws. The Ethics Advisor will perform such other duties as may be delegated by the Commission.

c. The Ethics Advisor position for the District is shared by the Director of Human Resources and the District's Attorney.

E. **Penalties, Article 25**

a. A person who intentionally violates any provision of the Ordinance may be subject to the penalties which are outlined in the Ordinance. Penalties may include fines and/or criminal prosecution.

b. A full detail of the penalties article may be found in the Ordinance.

PROCEDURES:

1. Each employee is responsible for promptly reporting any actions or behaviors in conflict with the guideline of this policy and the Ordinance.

2. All allegations will be investigated by the appropriate agency. All employees will cooperate in any and all investigations conducted by any local, state, or federal law enforcement, regulatory, or administrative agency.

3. In accordance with applicable state and federal requirements, the District will protect any employee who comes forward with information indicating that another employee, supervisor, or elected official has violated the Ethics Ordinance.

4. In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of the Ordinance will be subject to disciplinary action, not to exclude termination of employment.

5. If, at any time, there appears to be an inconsistency between this policy and the Ordinance, the Ordinance will supersede this policy.

4.7 SOLICITATION AND DISTRIBUTION

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish rules which apply to solicitation and distribution of non-work-related literature on District property, either by employees or by non-employees, where District employees and facilities are involved.

GUIDELINES:

A. Solicitation and distribution includes, but is not limited to activities such as: selling, promoting, or delivering products, goods, or services; seeking contributions or pledges; distributing anything other than District authorized communications, including through the use of electronic communications.

B. For purposes of this policy, work hours are defined as the hours and time in the workday during which an employee is supposed to be performing any of their job duties. Work hours do not include lunch or other breaks.

C. Non-work-related solicitations or distributions by employees during work hours are strictly prohibited. This includes the work hours of the person soliciting or distributing, and the person on the receiving end of the solicitation or distribution.

D. Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a District-sponsored event.

E. Solicitation and/or distribution by any non-employee is prohibited:

- During the working hours of any employee involved in the solicitation or distribution;
- At any time in the non-public working areas of the District;
- In public areas where such conduct is not incidental to the normal use of the area, disrupts employees who are working, or interferes with the use of the District's property by other members of the general public.

F. The posting of non-work-related materials or literature on District bulletin boards, which are limited to District business, is prohibited.

PROCEDURES:

1. The posting or distribution of information or materials unrelated to District operations or activities is permitted only with the approval of the Executive Director, or designee.

2. The District reserves the right to reasonably regulate solicitation and distribution activities so as not to disrupt operations.

3. Violations of this policy may be subject to disciplinary action, not to exclude termination of employment.

4.8 SMOKE-FREE WORKPLACE

POLICY:

It is the policy of the Forest Preserve District of Kane County to provide for a smoke-free workplace.

ELIGIBILITY:

- This policy applies to all employees, contractors, volunteers, patrons, and visitors.

GUIDELINES:

A. Use of any tobacco product or electronic smoking device is prohibited in or on any District building, facility, property, equipment, and vehicle. In addition, use of any tobacco product or electronic smoking device is prohibited within twenty-five (25) feet of any entrance or exit to a District facility.

B. District employees working outside are not permitted to use any tobacco product or electronic smoking device while on duty.

C. Electronic smoking device (i.e. e-cigarettes) means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

PROCEDURES:

1. Tobacco cessation programs will be made available to employees who wish to quit smoking through the Employee Assistance Program (EAP), or the District's benefits provider.

2. An employee may report violations of this policy to their Supervisor, or to Human Resources.

3. Violations of this policy may result in disciplinary action, not to exclude termination of employment.

4.9 DRUG-FREE WORKPLACE

POLICY:

It is the policy of the Forest Preserve District of Kane County to institute policies which support the health and safety of its employees and establish itself as a Drug-Free Workplace in accordance with federal and state Drug-Free Workplace regulations.

ELIGIBILITY:

- All employees are subject to the Drug-Free Workplace policy.

GUIDELINES:

A. This Policy does not replace any of the provisions or requirements of the District's Controlled Substance and Alcohol Testing Policy for positions that require a Commercial Driver's License (CDL). Agency employees who operate District commercial motor vehicles and possess a CDL have specific requirements which must be adhered to (see also Employee Handbook 4.10, Alcohol and Drug Testing for CDL Drivers). Both the District and the federal government recognize that it is important to establish programs to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. The Alcohol and Drug Testing Policy for CDL Employees is in addition to and supplements and complements rather than supersedes all other District policies, rules, procedures, and practices, including without limitation this Drug-Free Workplace Policy. For employees covered by the Alcohol and Drug Testing Policy for CDL Employees policy, in the event of any conflict between any of the provisions of the Alcohol and Drug Testing Policy for CDL Employees and the provisions of any other District policy, rule, procedure or practice, the provisions of the Alcohol and Drug Testing Policy for CDL Employees will be followed.

B. The following definitions apply for purposes of this policy:

1. “Alcohol” means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

2. "Cannabis" is defined as provided in the Cannabis Control Act (720 ILCS 550/1, et seq.), which provisions are specifically incorporated in this Policy by reference.

3. "Controlled Substance" means a controlled substance in schedules I through V of section 812 of Title 21 of the United States Code, which provisions are specifically incorporated in this Policy by reference.

4. "Criminal Drug Statute" means a criminal statute involving the manufacture, distribution, dispensation, possession, or use of any controlled substance or cannabis.

5. "District Property" means any building, gym, pool, office, common area, open space, vehicle, parking lot or other area owned, leased, managed, used or controlled by the District. District Property also includes property used by District patrons while on District-sponsored events or field trips or property of others when presence thereon by the District employee is related to employment with the District.

6. "Drugs" mean Prescription/OTC Drugs and controlled substances, including cannabis and medical marijuana.

7. "Medical Facility" means any physician, laboratory, clinic, hospital, or other similar entity.

8. "On Call" means the employee is scheduled with at least 24 hours' notice by the District to be on standby or otherwise responsible for performing tasks related to their employment either at the District's premises or other previously designated location by their employer or supervisor to perform a work-related task.

9. "Policy" means this Alcohol and Drug Abuse Policy.

10. "Possess" means to have either in or on an employee's person, personal effects, desk, files, or other similar area.

11. "Prescription/OTC Drugs" mean prescription drugs (including medical marijuana) and over-the-counter ("OTC") drugs obtained legally and being used in the manner and for the purpose for which they were prescribed or manufactured.

12. "Public Safety Responsibility" means a safety-sensitive position in which the nature of the employee's duties is such that impaired perception, reaction time, or judgment may place the employee or members of the public or other employees at risk of serious bodily harm, or the employee is responsible for the administration or enforcement of alcohol/drug policies. As examples and not by way of limitation, employees with public safety responsibility may include: employees who drive District vehicles; employees who operate heavy machinery or other equipment; employees who handle hazardous or toxic materials or substances of any kind; sworn peace officers; and similar positions.

13. "Under the Influence" or "impaired" means the employee is affected by alcohol or drugs in any determinable manner. A determination of being under the influence can be established by a professional opinion, scientifically valid test, layperson's opinion or the statement of a witness.

For cannabis, this determination will be made based on whether the employee manifests while working or on-call specific, articulable symptoms of decreased or lessened performance of the duties or tasks of the employee's job position, including: odor, symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property or personal injury; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others.

C. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, including cannabis, medical marijuana and alcohol, is prohibited on District property, during any on-call period or while acting on behalf of the District.

D. The District's active police officers are also prohibited from using cannabis and other controlled substances during non-working time. Exceptions may be made for inactive police officers who are prescribed medical marijuana during leaves of absence.

E. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to disciplinary action, violations of policies, or have other adverse impacts on work performance or employment. The District will not discipline an employee who voluntarily seeks treatment for a substance use disorder, if the employee is not in violation of the District's alcohol and drug related policies or other policies, rules of conduct and standards. Seeking such assistance will not be a defense for violating the District's policies, nor will it excuse or limit the employee's obligation to meet the District's policies, rules of conduct and standards, including, but not limited to, those regarding attendance, job performance, and safe and sober behavior on the job.

F. Employees who suffer from alcohol or drug abuse are encouraged to consult voluntarily with District management and undergo appropriate medical treatment. The District provides full-time and part-time employees access to an Employee Assistance Program (EAP). Employees are encouraged to contact the EAP for more information about treatment options for alcohol of substance use disorders. Participation in such treatment will be at the employee's expense, although some of these expenses may be covered under the employee's group health plan.

PROCEDURES:

1. The District will require current and prospective employees applying for positions that require pre-employment drug testing to sign an applicable consent form. A separate consent form may be required by the medical facility conducting the screening or testing.

2. The District may require the following types of drug and alcohol screening or testing:

   a. Pre-employment testing may be required of applicants, post-offer, as a condition of employment. Pre-employment testing will not include testing for alcohol or cannabis, absent a federal, state or local law requiring the District to do so.

   b. Reasonable suspicion screening or testing will be required when an employee exhibits conduct or behavior that raises a reasonable suspicion that the employee is under the influence of, or is impaired by, drugs or alcohol. (See Definition of "Under the Influence" or "impaired" above.) The supervisor(s) who observes or receives information about the conduct or behavior that led to the request for reasonable suspicion testing, within a reasonable timeframe of observing or learning about the behavior or conduct, will document the objective, articulable signs of reasonable suspicion on a form provided by the District.

   c. Random screening or testing may be required of employees whose job functions require them to operate or maintain vehicles or machinery, handle hazardous or toxic materials or substances of any kind, or engage in any other public safety responsibility.

   d. Post-accident or post-incident screening or testing may be required of any employee following a workplace accident or injury that results in property damage to District or third-party property, personal injury to another employee or third-party, or any personal injury to the employee where the circumstances raise a reasonable suspicion that impairment may have played a role in the injury. When an accident or incident occurs, all employees who may have contributed to the accident or injury may be required to complete post-accident or post-incident testing.

   e. Post-rehabilitation program screening or testing may be required of an employee during and after participation in an alcohol or drug counseling or rehabilitation program to ensure compliance with the recommended treatment and conditions of continued employment.

3. Any employee who operates or maintains a vehicle or machinery, handles hazardous materials or substances of any kind or has any other Public Safety Responsibility and who has taken a prescription/OTC drug (including medical marijuana) must report the use of such prescription/OTC drug to their immediate supervisor if the prescription/OTC drug may cause drowsiness; alter judgment, perception, or reaction time; or cause other impairment impacting work responsibilities. It is the employee's responsibility to obtain information about side effects from their doctor or pharmacist. An employee who reports use of prescription/OTC medications which may cause impairment may be removed from their Public Safety Responsibilities.

4. Any employee convicted of violating any federal or state criminal drug statute must notify their immediate supervisor, Department Head, and the Director of Human Resources within five (5) days of such conviction. For purposes of this notice requirement, a conviction includes a finding of guilt, a no contest plea and/or an imposition of sentence by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, sale, dispensation, possession, or use of any controlled substance or cannabis.

5. A medical facility selected by the District, at the District's expense, will conduct drug or alcohol screening or testing. Employees who undergo alcohol or drug screening or testing will have the opportunity, prior to the collection of a specimen or other testing, to disclose the use of prescription/OTC drugs, including medical marijuana, and to explain the circumstance of their use. If an initial test is positive, the facility will conduct a second test from the same sample.

6. In those situations in which the District receives a confirmed, positive drug or alcohol test and/or information indicating that the employee manifests specific, articulable symptoms that demonstrate impairment or being under the influence, the employee will have a reasonable opportunity to contest the basis of the District's determination.

7. An employee who receives a confirmed, positive drug and/or alcohol test will be removed from their Public Safety Responsibilities (see Guidelines within this policy).

8. Any records obtained by the District in conjunction with this policy will be maintained in accordance with applicable laws and regulations. The District will not disclose these records to persons outside the District without the employee's consent, unless disclosure of the records is necessary for legal or insurance purposes or the law requires it.

9. District property which is used by the employee during employment, including, but not limited to, lockers, vehicles, desks, equipment, etc., is subject to inspection at any time for any reason including reasonable suspicion of a violation of this policy.

10. Violations of this policy include, but are not limited to: Refusal to submit to alcohol or drug screening or testing; refusal to submit to an inspection in accordance with this policy; refusal to undergo recommended treatment or rehabilitation; failure to follow a course of treatment which was agreed to with the District as a condition of employment; additional violations of the policy after or during treatment or rehabilitation.

11. Violations of the Drug-Free Workplace policy will result in disciplinary action, not to exclude termination of employment.

4.10 ALCOHOL AND DRUG TESTING POLICY FOR CDL EMPLOYEES

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish guidelines and adhere to applicable regulations in order to maintain drug and alcohol-free workplace and reduce the probability of accidents or incidents related to the misuse of alcohol or controlled substances.

ELIGIBILITY

- All employees who are required to hold a valid Commercial Driver's License (CDL) will adhere to the Alcohol and Drug Testing Policy for CDL Employees.

GUIDELINES:

A. In an effort to promote public safety and to help prevent accidents and injuries, the U.S. Department of Transportation (DOT) instituted regulations that establish a zero-tolerance level for the presence of alcohol or controlled substances in the system of any individual who operates or maintains a commercial class vehicle.

B. DOT regulations establish testing requirements to help ensure compliance with the alcohol and controlled substance prohibitions. The controlled substances prohibited by the DOT regulations are: Marijuana/THC, Cocaine, Opiates (codeine, morphine & heroine), Amphetamines, and Phencyclidine (PCP). Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

C. Unlawful use of drugs and alcohol poses a number of risks. Alcohol and drug abuse can lead to a number of health problems, such as lung cancer, obstructive pulmonary disease, chronic respiratory infections, liver disease, high blood pressure, cardiac disease, and seizures. Drug abusers are at an increased risk for AIDS and hepatitis.

D. The impairments drugs cause mean users (and their nearby coworkers) suffer more accidental injuries and motor vehicle accidents. Drugs can also rob the user of their ability to place for and reach long-term goals, to deal constructively with stress and anxiety, or to have successful and satisfying friendships and family relationships. Because drug use is unlawful, lives can be ruined when users are arrested, jailed, or injured by drug-related violence.

E. All full-time employees have access to the District's confidential Employee Assistance Program (EAP) for information and assistance with alcohol or drug use. Full-time employees may obtain information about the District's EAP through their

immediate supervisor or Human Resources. Detail can also be found in the Employee Assistance Program (EAP) section of this Handbook.

F. Affected Employees include:

1. All employees who are required to have a valid CDL driver's license as a condition of employment and operate a commercial vehicle for the District, including full-time and part-time employees, are subject to these alcohol and drug procedures, restrictions, and requirements.

2. The above employees are subject to these procedures and regulations at all times while on duty including all overtime and call back time. An exception may be made by the Executive Director to exempt an employee from alcohol use restrictions if the employee is attending off site training and is not expected to return to duty for the remainder of the day.

G. To meet the DOT regulations, the following requirements are placed upon affected employees. Exceptions to these requirements may be made by a Department Head or Human Resources in making temporary work assignments for employees.

1. Affected employees will not consume or possess any product containing alcohol or controlled substances while on duty.

a. Affected employees will not report for duty while there is any alcohol or controlled substance in their system (unless the use is pursuant to the instruction of a physician who has been informed of the affected employee's job duties, and has advised the affected employee that the substance does not adversely affect his ability to safely perform his job).

b. Affected employees cannot report for duty within four (4) hours of having consumed alcohol and may not perform safety-sensitive functions (this includes, but is not limited to, operating motor vehicles or equipment) within four (4) hours after consuming alcohol.

c. Affected employees must immediately report for testing when so ordered, and must cooperate with testing personnel and procedures.

d. Affected employees must agree to release testing results to the District and to the Substance Abuse Professional (SAP) and to release the substance abuse professional's report.

e. Affected employees cannot consume alcohol for eight (8) hours following an accident involving a death or an accident for which the employee received a moving violation for their operation of a commercial class vehicle which contributed to the accident, or until the employee undergoes a post-accident or controlled substance test,

whichever occurs first. The employee must remain available for testing for a period of eight (8) hours for an alcohol test or 72 hours for a controlled substance test.

PROCEDURES:

Detailed descriptions of the testing procedures are contained in the Department of Transportation's Regulations. A brief description of the testing procedures follows:

1. Alcohol Test

    a. Employee immediately reports to the designated testing facility, shows a valid photo identification card and signs testing form.

    b. Employee blows into alcohol testing device. If employee cannot exhale sufficient quality of air through the machine for a complete test, a medical exam will be performed.

    c. If test results are negative, the employee will return to work. Results will be reported to Human Resources.

    d. If test results are positive, another test will be performed after a fifteen (15)-minute wait, but before twenty (20) minutes. The employee may not eat or drink anything during the waiting period for the retest.

    e. If retest results are negative, the test is reported to Human Resources as negative.

    f. If retest results are positive, the test results are immediately reported to Human Resources. The employee will not be allowed to return to work and arrangements will be made to drive the employee home.

2. Controlled Substances Test

    a. Testing will only be performed for the five (5) controlled substances prohibited by the DOT regulations - Marijuana, Cocaine, Amphetamines, Opiates, and PCP.

    b. Employee immediately reports to the designated testing facility, shows a valid photo identification card and signs the testing form.

    c. Employee provides a urine sample. If unable to provide a sufficient quantity for testing, the employee will be asked to drink water (up to twenty-four (24) oz. in two (2) hours) and attempt test again.

    d. Medical personnel will perform required testing to verify that the specimen sample has not been tampered with. Employees will return to work upon completion of testing.

e. The sample is sent to the lab where it is split in half. A screening test is performed on a portion of one of the sample splits. If negative results are obtained, the testing is reported as negative to the Medical Review Officer (MRO), who in turn reports negative results to Human Resources.

f. If screening tests are positive, sophisticated confirmation testing is performed on the rest of the split sample. Results are reported to the MRO. If negative, the MRO reports a negative result to Human Resources.

g. If the results are positive, confirming the presence of one of the five (5) controlled substances, the MRO will contact the employee to talk over the results of the test to determine if there is a legitimate clinical reason for the presence of the drug, and will decide if test results are negative or positive. If the employee cannot be reached by the MRO within seventy-two (72) hours, the MRO will determine the test results as positive. The MRO reports to Human Resources test results as positive.

h. If test results are positive, the employee will be removed from all safety sensitive duties including, but not limited to, operating or maintaining a commercial class vehicle. The employee will have seventy-two (72) hours in which to request a retest of the second split sample and can request that the split sample be tested at a second lab. A negative retest of the split sample will cancel the first positive results.

3. When Testing is Performed

Note that testing required by this policy must be performed separately from and take precedence over any other testing for drugs or alcohol that may be conducted. Other testing may be performed separately only after testing required by this policy has been completed. Results from testing not conducted under this policy and in accordance with DOT regulations should not be considered for purposes of this policy.

a. Pre-employment Testing

(1) Before a new employee is hired (post offer) or before an existing employee may be transferred to a position in which operating or maintaining a commercial class vehicle is required, both alcohol and controlled substance testing is required.

(2) Alcohol test results must be below 0.04 and controlled substances negative or the employee cannot be hired to the position without a substance abuse professional evaluation. There is no requirement that the prospective employee be hired or that they see the MRO or SAP, but an attempt must be made to inform the prospective employee of the test results and to seek an evaluation.

(3) In addition to submitting to testing, the prospective employee must supply the District with the names of all firms for which they have

been employed in the previous two (2) years operating or maintaining commercial class vehicles.

(4) The District will conduct a pre-employment full query of the DOT's database containing records of drug and alcohol program violations (referred to as the Clearinghouse).

(a) Violations include whether the prospective employee has: (i) a verified positive, adulterated or substituted controlled substances test result, (ii) an alcohol confirmation test of 0.04 or higher, (iii) refused to submit to a test in violation of the Act, (iv) an employer has reported actual knowledge the prospective employee used alcohol on duty or before duty or following an accident; or, (v) used a controlled substance.

(5) As required, the District will continue to contact employers manually for the same information through January 6, 2023.

(6) The District will report the above categories of information to the Clearinghouse as it is collected.

(7) The prospective employee must cooperate fully with the District in obtaining from each of the previous employer's results of any positive test, SAP's reports and any refusals to test.

(8) The District will adhere to related record retention requirements.

b. Random Testing

(1) All affected employees will be placed in a pool from which random selections for testing will be made. Random testing will be for both alcohol and controlled substances. A driver may only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

(2) The annual rate of testing for the entire pool will be as directed by the U.S. Secretary of Transportation, currently ten percent (10%) per year for alcohol and fifty percent (50%) per year for illegal drugs.

(3) Every employee in the selection pool has an equal chance of being selected each time the clinic draws names.

(4) Selection for testing will be performed on a sufficiently random basis by a neutral third party. Employees will not know when testing is complete for the year nor when to anticipate the next selection.

(5) A surplus of names will be generated so that another selection may be made in place of an employee who is temporarily on leave.

(6) The District will adhere to the Clearinghouse reporting requirements for positive random test results. Refusal to test or failure to cooperate with testing may also be subject the Clearinghouse reporting requirements.

c. Reasonable Suspicion Testing

(1) When a supervisor has reason to believe that an employee has alcohol or controlled substances in their system, he must contact another supervisor, manager or Department Head who will also observe the employee. If both supervisors are in agreement, the Director of Human Resources will be notified of the situation and the employee will be driven to the designated testing facility for alcohol or controlled substances testing as appropriate. While the Agency may elect to require testing under a non-DOT regulated policy, alcohol testing under this policy is permitted only if the observations are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part. A driver may be directed to undergo reasonable suspicion testing under this policy while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

(2) The supervisor's determination must be based upon specific, describable, current observations of the employee's appearance, behavior, speech or body odor. The observations also may include indications of the chronic and withdrawal effects of controlled substances. Possession alone is not sufficient cause to require the employee to submit to testing.

(3) When a reasonable suspicion determination has been made, the employee must immediately stop operation or maintenance of a commercial class vehicle, District vehicle or equipment.

(4) The employee will be informed of his right to consent or refuse testing and the consequences of refusing testing or failing an alcohol or drug test.

(5) A Human Resources representative will notify the designated testing facility that the employee will be reporting for testing. The employee under suspicion must be accompanied to the testing facility by their supervisor or his designee. If the Director of Human

Resources is not available, the employee's department can notify the testing facility.

(6) If an employee refuses to submit to a test, he will be required to call someone to drive them home. If unable to find someone, the District will provide transportation to the employee's home. If the employee insists on driving themself, the police will be called and notified.

(7) Testing for alcohol reasonable suspicion should be performed within two (2) hours, but cannot be conducted if eight (8) hours have passed since the determination was made. A written report must be submitted to Human Resources explaining why testing was not performed within two (2) hours. Controlled substances testing should be performed as soon as possible, but not after 32 hours since the determination was made.

(8) The supervisor(s) making the determination must submit a signed written description to their Department Head and Human Resources, citing the specific observations which led to the reasonable suspicion testing. The written description should be submitted before the test results have been received.

(9) The District will adhere to the Clearinghouse reporting requirements for positive reasonable suspicion test results under this policy. Refusal to test or failure to cooperate with testing may also be subject the Clearinghouse reporting requirements.

d. Post-Accident Testing

(1) While the District may elect to require accident-related testing under a non-DOT regulated policy, a surviving driver of a commercial class vehicle involved in an accident in which a death occurred or for which the driver received a ticket for the operation of their commercial vehicle having contributed to the accident, will be tested for both alcohol and controlled substances under this policy.

(2) The driver will remain readily available for testing after an accident until 32 hours have passed or earlier if a supervisor advises that testing will not be necessary.

(3) A driver cannot consume any alcohol within eight (8) hours following an accident unless a supervisor advises that no testing will be required or testing has already been performed.

(4) If a death occurs or a driving citation is issued, alcohol testing will be performed within two (2) hours, but no testing after eight (8) hours, and controlled substance testing within 32 hours. A written record must be submitted to Human Resources to be placed in a

separate DOT file maintained for CDL employees explaining why alcohol testing could not be performed within two (2) hours if such is the case and a record if either testing could not be performed.

(5) The District will adhere to the Clearinghouse reporting requirements for positive post-accident test results under this policy. Refusal to test or failure to cooperate with testing may also be subject the Clearinghouse reporting requirements.

e. Return to Duty Testing

(1) Alcohol and controlled substances testing will be performed with negative test results (less than 0.02 alcohol) on all affected employees who:

(2) Have been removed from duty of operating or maintaining a commercial class vehicle for refusing to test or testing positive for controlled substances or alcohol greater than 0.04. The employee will be responsible for all costs associated with this classification of return to duty testing, or

(3) Have not been in a random testing pool for more than thirty (30) days.

f. Follow-up Testing

(1) Any affected employee who has refused to test or who has tested positive for controlled substances or greater than 0.04 alcohol content and has been determined by a SAP to require help in dealing with their substance abuse problem will be subject to follow-up testing.

(2) Human Resources will order the affected employee to immediately report for surprise alcohol or controlled substance (or both) testing at the frequency prescribed by the substance abuse professional. Human Resources will advise the SAP of the test results. The duration of surprise testing will continue as long as required by the SAP to a maximum of five (5) years.

(3) At a minimum, six (6) unannounced tests will be required within the first twelve (12) months of return to duty. This minimum must be conducted regardless of whether the SAP deems no more testing is required.

(4) Employee is responsible for all costs associated with follow-up testing.

(5) The District will report negative test results to the Clearinghouse as required.

1. Consequences of Failed or Refused Tests

a. An employee will be immediately removed from duty upon the employee's refusal to cooperate with testing procedures or upon receipt of a positive test results. Employees who refuse to submit to testing or fail an alcohol or drug test are subject to disciplinary action, up to and including discharge. The District will adhere to all applicable Clearinghouse reporting requirements.

b. If the employee selects a SAP, the employee is responsible for payment to the SAP and subsequent counseling and rehabilitation. The employee's medical insurance may be used to help pay for these services. Human Resources will provide a list of SAPs to the employee, however, the employee is free to choose any certified SAP.

c. The employee must sign a release allowing the District to release the test results to the SAP and sign a release for the SAP to report back to Human Resources.

d. The SAP will report back to Human Resources that the employee:

1. Does not require any help in dealing with a substance abuse problem - in which case the employee may be returned to full duty.

2. That the employee requires and is cooperating with continued counseling and rehabilitation and may return to full duty, or may not return to full duty yet.

3. That the employee requires but is not cooperating with counseling and rehabilitation and may not return to duty.

e. The employee is responsible for obtaining any counseling or rehabilitation prescribed by the SAP and must provide appropriate releases for counseling and rehabilitation professionals to report back to the SAP. Employees are advised that the DOT regulations require that the additional counseling and rehabilitation not be performed by any business entity in which the SAP has a financial interest.

f. When the SAP reports to Human Resources that the employee may return to full duty of operating and maintaining commercial class vehicles the employee must:

1. Test negative in return to duty alcohol or controlled substances testing (or both tests if so indicated by the SAP).

2. Continue with any rehabilitation therapy if so prescribed by the SAP.

3. Test negative in unannounced follow-up testing as prescribed by the SAP or, at a minimum, six (6) tests in the first twelve (12) months of returning to duty as ordered by the District.

g. The District will report an employee's completion of the SAP return-to-duty process to the Clearinghouse as required.

2. Required Training

a. Affected employees will be informed of any new DOT regulations and any revisions to or modification of these policies and procedures to implement the regulations.

b. All supervisory personnel will receive training in recognizing physical signs of alcohol misuse and controlled substance use prior to any employee being ordered to submit to reasonable suspicion testing by that supervisor. Sixty (60) minutes of training for alcohol misuse recognition and sixty (60) minutes of training for controlled substance use recognition is required.

c. All new employees and newly transferred employees in affected positions will receive training prior to operating or maintaining a commercial class vehicle. All newly hired supervisory personnel will receive sixty (60) minutes of alcohol misuse recognition training and sixty (60) minutes of controlled substances use training prior to their requiring any employee to submit to reasonable suspicion testing

d. Training will include information related to the Clearinghouse requirements.

e. Attendance at training will be documented and maintained by Human Resources.

4.11 CORRECTIVE AND DISCIPLINARY ACTIONS

POLICY:

It is the policy of the Forest Preserve District of Kane County to establish a process of corrective and disciplinary action to address behaviors which interfere with or adversely affect employment, or are inconsistent with the District's expectations and standards of conduct and performance.

ELIGIBILITY:

- All employees are subject to the Corrective and Disciplinary Actions policy.

GUIDELINES:

A. Every employee is expected to meet the District's standards of work performance, engage in acceptable conduct, and satisfactorily perform their duties in accordance with the policies and guidelines contained in this Handbook, as well as internal procedures and guidelines.

B. The intent of corrective action is to formally document problems while providing the employee with a reasonable time to demonstrate improvement, when appropriate. If an employee does not meet District standards, the District may, in its sole discretion, take corrective disciplinary action, not to exclude termination of employment.

C. This policy does not change the employment-at-will relationship between the employee and the District. Nothing in this policy will limit or restrict the District's right to dismiss an employee at any time, with or without cause or prior notice. As an at-will employee of the District, an employee may terminate their employment at any time, with or without cause or notice and the District retains the same right.

D. The District reserves the right to determine when expectations of performance or standards have been violated and implement corrective or disciplinary action based on the violation(s). The District reserves the right to bypass, or eliminate, the preliminary disciplinary steps and to proceed immediately to discharge (even for a first offense if deemed appropriate), depending on the circumstances.

E. Disciplinary procedures are optional when managing job performance issues with temporary or seasonal status employees or employees who have not completed their Training and Orientation/Introductory Period (see also Employee Handbook 1.4, Training and Orientation Period).

PROCEDURES:

1. Supervisors are expected to maintain appropriate documentation of employee performance issues.

2. Supervisors should contact Human Resources as soon as possible when an employee is displaying adverse behavior or unsatisfactory job performance.

3. Depending upon the situation, the Supervisor or Human Resources with the Supervisor's input, may complete an Administrative Action Report Form to document and review the situation with the employee.

4. The following summarizes the disciplinary categories that may be used. Each situation of adverse conduct will be considered both individually and collectively and, as a result, the category of discipline that is deemed appropriate may not follow progressive steps.

Performance Counseling. A performance counseling session should be conducted at the onset of a performance issue and is not considered a formal disciplinary action.

a. The supervisor should inform the employee of the performance concern and observations and discuss the best way to correct the situation.

b. The counseling session will be documented on an Administrative Action Report Form and placed in the employee's file.

c. If the documented issue should continue, further disciplinary action may be imposed, not to exclude termination of employment.

Oral Reprimand. Oral reprimands may be issued by the employee's supervisor(s). Oral reprimands are considered to be formal disciplinary action and will be documented on an Administrative Action Report Form.

a. The supervisor imposing the oral reprimand will discuss the reprimand with the employee and the employee and supervisor will document suggestions on how to correct the conduct.

b. The employee will be asked to sign the Administrative Action Report form, indicating receipt. The employee will also be given an opportunity to provide written comments on the form. If the employee refuses to sign, another supervisor or Human Resources will be asked to witness the employee's refusal. A copy of the action form will be placed in the employee's personnel file.

c. If the documented issue should continue, further disciplinary action may be imposed, not to exclude termination of employment.

Written Reprimand. Written reprimands are considered to be formal disciplinary action and will be documented on an Administrative Action Report Form.

a. A written reprimand will include a conference between the employee and the supervisor imposing the warning. The employee and the supervisor will document suggestions on how to correct the conduct.

b. The employee will be asked to sign the Administrative Action Report form, indicating receipt of the reprimand. The employee will also be given an opportunity to provide written comments on the form. If the employee refuses to sign, another supervisor or Human Resources will be asked to witness the employee's refusal. A copy of the action form will be placed in the employee's personnel file.

c. If the documented issue should continue, further disciplinary action may be imposed, not to exclude termination of employment.

Performance Improvement Plan (PIP). An employee's immediate supervisor, in consultation with the relevant Department Head and Director of Human Resources, may place an employee on a Performance Improvement Plan for a period of one (1) to three (3) consecutive working months. This may, but is not required to, be done simultaneously with or following the receipt of a poor performance evaluation, written reprimand, or suspension.

a. The employee will be given a written summary of the reasons and terms of the PIP. If the documented issue should continue, further disciplinary action may be imposed, not to exclude termination of employment.

b. An employee who is placed on a PIP does not have a guaranteed term of employment with the District for the length of the disciplinary probation. As an at-will employee, the employee may be dismissed at any time during their employment, including the period established by the PIP, with or without cause or notice.

Suspension. A disciplinary suspension is defined as temporarily relieving an employee from duties. Depending on the circumstances, a suspension may be with or without pay at the discretion of the Department Head with the Executive Director's consent.

a. The supervisor(s) imposing the suspension, and a Human Resources representative, will meet with the employee and provide the employee with a written memorandum summarizing the details of the suspension including, without limitation, the reasons for and duration of the suspension. During this meeting, the employee will be given an opportunity to respond to the reason(s) for the suspension.

b. The duration of the employee's suspension will be determined at the discretion of the Department Head with the Executive Director's consent. A suspension without pay of greater than ten (10) days may not be imposed without the approval of the ~~President~~Executive Director.

c. The employee will be asked to sign the Administrative Action Report form indicating receipt of the suspension. The employee will also be given an

opportunity to provide written comments on the Form. If the employee refuses to sign, another supervisor or Human Resources will be asked to witness the employee's refusal. A copy of the action form will be placed in the employee's personnel file.

d. If the documented issue should continue, further disciplinary action may be imposed, not to exclude termination of employment.

Administrative Leave. Administrative leave is used to temporarily remove an employee from a job assignment while the District conducts an official review, investigation and/or disciplinary proceeding of a serious issue or allegation involving the employee. Most often, employees on administrative leave continue receiving their base pay and benefits during the leave with the Executive Director's consent. Paid leave under this policy will not count as hours worked for overtime or comp-time purposes.

a. The supervisor(s) imposing the administrative leave, and a Human Resources representative, will meet with the employee and provide the employee with a written memorandum summarizing the details of the leave.

b. The employee will be asked to sign the Administrative Action Report form indicating receipt of the leave notice. The employee will also be given an opportunity to provide written comments on the form. If the employee refuses to sign, another supervisor or Human Resources will be asked to witness the employee's refusal. A copy of the action form will be placed in the employee's personnel file.

c. If the documented issue should continue, further disciplinary action may be imposed, not to exclude termination of employment.

Dismissal. Dismissal is termination of employment initiated by the District. An employee may be dismissed for any reason at any time, with or without prior notice, with the Director of Human Resources' consent. All District employees serve at the will of the District.

a. As a general rule, the employee's supervisor and a Human Resources representative will meet with the employee to explain the reasons for the employee's dismissal. At the conclusion of the meeting, the employee will be given a termination letter. The letter will include an area for the employee to sign, indicating receipt. The employee will also be given an opportunity to provide written comments on the letter or form.

b. In the event a face-to-face meeting cannot be arranged, Human Resources will send a trackable letter to the employee's home address, and the employee may still submit written comments.

c. The Executive Director will notify the President of any staff dismissal.

5. The decision to terminate an employee will be final unless the employee requests a review of their dismissal by submitting a written request to the Executive Director within seven (7) calendar days from the date the action was taken.

    a. The Executive Director or a person or persons designated by the Executive Director will review the action and investigate the circumstances surrounding the employee's dismissal.

    b. The employee may submit written documentation to support their position prior to the cut-off date established by the Executive Director or their designee(s) for receipt of such documentation.

    c. The Executive Director or their designee(s) will issue a written determination following such cut-off date. The determination of the Executive Director or their designee will be final.

    d. If the employee who has been dismissed is a direct report of the Executive Director, the employee may make a request to the President of the Forest Preserve District Commission to have their dismissal reviewed. The Executive Director's decision to dismiss a direct employee will be final unless the employee submits a written request for review of dismissal to the President within seven (7) calendar days from the date the action was taken. The President will issue a written determination after the employee's written request. The President's decision will be final.

6. The District reserves the right to proceed directly to a subsequent level of review of a disciplinary action. The District's failure to strictly adhere to the time limits or the procedures in this section will not affect the resolution of any disciplinary action. This procedure will be followed to the extent that it is, in the District's sole discretion, practicable under the circumstances.

STATE OF ILLINOIS)
SS.
COUNTY OF KANE)

FP ORDINANCE NO. TMP-26-938

APPROVAL OF THE RESTATED ORGANIZATION ORDINANCE

WHEREAS, the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, is a Special District as defined by the Downstate Forest Preserve Act, (70 ILCS 805/). The Organization is defined within the Downstate Forest Preserve Act and therefore complies with the provisions and is recognized by judicial notice as organized under this act; and

WHEREAS, it is reasonable, necessary and desirable for the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, hereafter called "District", to restate an Organization Ordinance governing the organization and rules of procedure of the Board of Commissioners of the District annually. The original Organization Ordinance was passed on June 14, 1937, and most recently revised on February 10, 2026; and

WHEREAS, the District is subject to statutory changes from time to time, as well as policy changes adopted by the District over time, and as a result of those changes, it becomes necessary to review, reconsider, and revise the Organizational Ordinance of the District to assure adherence to the changes in statute and policy that have occurred or been adopted by the District since the last formal adoption or ratification of the Organizational Ordinance by the District; and

WHEREAS, the District has the authority and power to restate and establish this Organization Ordinance and rules of procedure.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Forest Preserve District of Kane County, Kane County, Illinois, that the restated Organization Ordinance, hereto attached and identified as Exhibit A be, and hereby is, adopted and approved.

APPROVED AND PASSED on this 11th day August, 2026.

_____	_____
Bill Lenert	Mohammad Iqbal
President, Kane Forest Preserve	Secretary, Kane Forest Preserve
Kane County, Illinois	Kane County, Illinois

AGENDA MEMORANDUM

DATE: July 28, 2026

TO: Forest Preserve District Finance & Administration Committee

FROM: Jennifer Clough, Director of Human Resources
Benjamin Haberthur, Executive Director

SUBJECT: Review and Discuss Potential Modifications to the Organization Ordinance

PURPOSE:
The purpose of this memorandum is to provide the Committee with information to review and discuss proposed revisions to the District's Organization Ordinance.

BACKGROUND:
The Organization Ordinance underwent a comprehensive review early this year, and its revisions were approved by the Commission in February 2026. Additional changes have been prepared at the request of the Commission and the recommendation of the District's corporate counsel. The following changes are recommended:

1. *Chapter 8, Section E, "Rules for Standing and Ad Hoc Committees".* Updated Ex-Officio Membership to include the President Pro-Tem, Secretary, and Treasurer in addition to the Forest Preserve District President.

FINANCIAL IMPACT:
There is no financial impact to the District in adopting the proposed revisions.

RECOMMENDATION:
Staff recommends the Committee approve the revisions to the Organization Ordinance as presented.

ATTACHMENTS:
Draft Organization Ordinance

RESTATED ORGANIZATION ORDINANCE OF THE FOREST PRESERVE DISTRICT OF KANE COUNTY

WHEREAS, the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, is a Special District as defined by the Downstate Forest Preserve Act, (70 ILCS 805/). The Organization is defined within the Downstate Forest Preserve Act and therefore complies with the provisions and is recognized by judicial notice as organized under this act.

WHEREAS, it is reasonable, necessary and desirable for the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, hereafter called "District", to restate an Organization Ordinance governing the organization and rules of procedure of the Board of Commissioners of the District. The original organization ordinance was passed on June 14, 1937; and,

WHEREAS, the District is subject to statutory changes from time to time, as well as policy changes adopted by the District over time, and as a result of those changes, it becomes necessary to review, reconsider, and revise the Organizational Ordinance of the District to assure adherence to the changes in statute and policy that have occurred or been adopted by the District since the last formal adoption or ratification of the Organizational Ordinance by the District; and

WHEREAS, the District has the authority and power to restate and establish this Organization Ordinance and rules of procedure;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Forest Preserve District of Kane County, Kane County, Illinois, as follows:

CHAPTER I-GENERAL

Section A - General Purpose of this Ordinance. The general purpose of this Ordinance is to restate the organizational structure and rules of procedure of the District as provided for in the Downstate Forest Preserve Act. (70 ILCS 805/) (Source: P.A. 96-239, eff. 8-11-09.)

Section B - Corporate Authority. The Board of Forest Preserve Commissioners shall be the corporate authority of the District and shall have the power to pass and enforce all necessary ordinances, rules and regulations for the management of the property and the conduct of the business of such District.

Section C - Definitions. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. Words used in the masculine gender are for convenience only. The word "shall" is always mandatory and not merely directory.

1. "Commission", wherever used, means the Board of Forest Preserve Commissioners of the District, when acting as the governing body of the District.
2. "Commissioner", wherever used, means a member of the Board of Forest Preserve Commissioners.
3. "District", wherever used, means the Forest Preserve District of Kane County.

4. "Employee", wherever used, means any full or part time, regular or temporary worker in the employ of the District under the supervision of the President.
5. "President", wherever used, means the elected President of the Board of Forest Preserve Commissioners.
6. "County Board", wherever used, means the County Board of Kane County, Kane County, Illinois, composed of its members elected or appointed, pursuant to state statute and county ordinance whether or not there are vacancies.
7. "Executive Director", wherever used, means the Chief Executive Officer of the District hired by the Commission.
8. "Standing Committee", wherever used, refers to those committees appointed by the President which meet on a regular basis year-round and work on the general matters as opposed to a special committee appointed for a special purpose or for a limited duration.
9. "Public Body", wherever used herein, refers to the Forest Preserve District of Kane County and its committees. [5 ILCS 120/1.02]
10. "Meeting", wherever used, refers to any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing the business of the public body. "Convenient and Open to the Public", wherever used means that meetings of public bodies are to be held at places which are convenient and open to the public and not restricted to a particular group or category of participants and for these purposes. "Convenient" means suitable or proper and consistent with the other requirements of the OMA, generally. The OMA also requires that Public bodies give persons an opportunity to address the elected officials at their meetings under the rules established and recorded by the public body (e.g., each person providing comment is limited to 3 minutes). [5 ILCS 120/2.06(g)] If a member of the public would like to provide comment to the Board or a Committee at a Meeting, they are encouraged to submit a completed Request to Speak Form. The Completed Request to Speak Form may be submitted online no later than 24 hours before the scheduled meeting, or submitted in person to the Secretary no later than 15 minutes prior to the start of the meeting. In accordance with Illinois law, speakers are encouraged to provide their name and address but doing so is not a mandatory prerequisite to providing public comment.

    Notices of all Meetings are posted consistent with the requirements of the Open Meetings Act [5 ILCS 120/1 et seq.] (Open Meetings Act). It is public policy of this State and thus as part of the State, this District, that its citizens shall be given the statutorily required advance notice of, and the right to attend, all meetings at which any business of a public body is discussed or acted upon in any way. 5 ILCS 120/1. The notice concerning the meeting and the place of the meeting itself shall comply with the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend a meeting and who require certain accommodations in order to allow them to observe and/or participate in the meeting, or who have questions regarding the accessibility of the meeting or facilities, are asked to contact the District office prior to the meeting.
11. "Quorum", wherever used, refers to the minimum number of members of a public body

who must be present at a meeting in order for the body to take official action. Unless the law otherwise provides, a quorum of a public body is a majority of the total number of members of the body. A "majority of a quorum" is the smallest number of members of a public body able to control action when a bare quorum is present.

12. "Presiding Officer", wherever used, refers to the President, President Pro-Tem or a Committee Chair, as the case may be, whose duty it is to chair a Commission meeting and, in the case of committee meetings, it shall mean the Chairperson, or in the case of their absence, the member of the Committee who is elected to chair the Committee meeting *pro tem*. The Presiding Officer may, where approved, attend by remote means and chair the meeting.

13. "Americans with Disabilities Act" (ADA), wherever used, refers to the Americans with Disabilities Act (ADA) which became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.

CHAPTER II - COMMISSION AND COMMISSIONERS

Section A - Composition and Term.

1. The Commission shall consist of the members of the County Board of Kane County, Kane County, Illinois, functioning in their separate and distinct capacities as members of the Board of Commissioners of the District.
2. The term of each Commissioner shall coincide with, and be the same as, his term as a County Board member.
3. In the event of a vacancy on the Commission for whatever reason, such a vacancy shall be filled according to the applicable statutes and procedures for filling vacancies on the County Board and the new member of the County Board shall automatically, by virtue of becoming a member of the County Board, be a member of the Board of Commissioners of the District upon taking the oath of office as a Commissioner of the District. Modifications in Officers, Committee Chairs and/or Committee members shall be ratified by the Commission.
4. The Commission shall be construed in law and in equity, a body corporate and politic, a municipal corporation, and shall be known as the Forest Preserve District of Kane County, Kane County, Illinois.

Section B - Duties of the Commission.

1. The Commission shall perform those duties prescribed by statute.
2. The Commission shall be the corporate authority of the District and shall have the power to pass and enforce all necessary ordinances, rules and regulations and do those things necessary for the management of the property and conduct of the business of the District.
3. The Commissioners shall elect a President of the Commission. The Commissioners shall hire an Executive Director.
4. *Effective January 1, 2012, elected or appointed members of a public body subject to Open Meetings Act (OMA) must complete the electronic training once during their term of election or appointment* no later than the 90th day after taking the oath of office or, if not

required to take an oath of office, after otherwise assuming responsibilities as a member of the public body. Elected or appointed members need not complete the electronic training on an annual basis.

CHAPTER III - OFFICERS OF THE DISTRICT

Section A – Composition and Term.

1. The officers of the District shall be the Commissioners and the offices of President, President Pro-Tem, Secretary and Treasurer.
2. All Officers, except the Commissioners and the President, shall serve for a term beginning with the annual Organization meeting and ending one day prior to the following annual Organization meeting or until their successors have been properly elected or appointed, unless a shorter term is specified at the time of appointment, in which event the shorter term shall prevail. The Executive Director is not an officer.
3. The President shall be elected by the members of the Commission for a period of two (2) years. For the election of the President, the Executive Director or another senior staff

member of the District shall be deemed elected as temporary chair of that portion of the meeting, entertaining nominations for President from the floor. If more than two candidates are nominated, then votes on all nominated candidates shall be taken by roll call successively. If a candidate receives a majority of the votes cast, that candidate shall be declared the winner without further voting taking place for the position of President. If no majority is reached by one candidate on the first round of voting, another round of voting shall commence, except that the recipient (or in the case of a tie between two or more candidates receiving the least amount of votes the recipients), of the least number of votes cast shall be dropped from the ballot for subsequent rounds of voting. The foregoing will continue until a majority of votes is reached in favor of one nominated candidate. If less than a majority of votes is received by the candidate with the highest vote total in any round of voting, then as contemplated above, the candidate with the least number of votes cast shall be stricken from the next round of voting, and voting shall continue until a single nominated candidate receives a majority of votes cast. Such person receiving the highest number of votes cast and which is a majority of the votes, shall be the elected President. The newly elected President shall then preside over the balance of the meeting in which he or she is elected.

4. The offices of President Pro-Tem, Secretary, and Treasurer shall be appointed by the President.

5. In the event of a vacancy in an office, for whatever reason, such vacancy shall be filled according to the same procedure used for the election or appointment at the annual organization meeting.

6. Whenever any person holding the office of President or Commissioner of the District shall, from any cause, cease to be a legal voter within the District, his office shall thereupon become vacant, and a successor shall be appointed for the remainder of this term as other members of the Commission are appointed.

7. Certain staff shall hold the positions of Assistant Secretary, Recording Secretary and Assistant Treasurer which shall not be considered Officers.

Section B - Duties of Officers; Committee Appointments by President.

1. PRESIDENT:

a. Shall perform those duties prescribed by statute, law or the Commission;
b. Shall preside at all meetings of the Commission;
c. Shall present all appointments to be approved by the Full Commission by a simple majority vote; provided, that if a vacancy arises on any committee, including a vacant chairperson or vice chairperson position, that vacancy may be immediately and temporarily filled by committee appointment(s) by the President to more readily enable a committee quorum to be met at committee meetings that occur prior to final selection ratification by the full commission, as provided in subsection (f) below.
d. Shall be an officer of the District;
e. Shall appoint the President Pro-Tem, Secretary and Treasurer.
f. Shall appoint any additional members of the Executive Committee, and the Chairperson and Vice Chairperson of all other subcommittees. He/she may appoint other members and establish the duties of each committee in writing within 30 days after the President is

elected or to fill any committee vacancy as contemplated in subsection (c) above. Special committees and their duties may be established at any time by the President; The Executive Committee shall consist of the President (as Chair), the Chairpersons of any other Committees, Officers and those other Commissioners as appointed by the President.

g. Shall appoint other officers as may be established by the Commission;
h. Shall have the power to rescind and cancel any appointment at any time, subject to subsequent Commission approval of same at the next succeeding Full Commission meeting in the same manner as initial appointments or vacancy appointments under Section B(1), subsections (c) and (f) above;
i. Shall sign all ordinances, resolutions and other papers necessary to be signed and shall execute contracts entered into by the District and perform such other duties as may be prescribed by ordinances;
j. May call standing or special committee meetings in addition to those established by this ordinance or special ordinance of the Commission;
k. May veto any ordinance and any orders, resolutions and actions, or any items therein contained, of the Commission, which provide for the purchase of real estate or for the construction of improvements within the preserves of the District; such veto shall be filed with the Secretary of the Commission within five (5) days after the passage of the ordinance, order, resolution or action and when so vetoed, the ordinance, order, resolution or action or any item therein contained is not effective unless it is again passed by a two-thirds vote of all members of the Commission;
l. May vote in the same manner as any other member of the Commission at Commission meetings.

2. PRESIDENT PRO-TEM:

a. The President shall appoint a President Pro-Tem;
b. In the event of the death, disability, or when the President is unable to perform his duties because of absence or inability to act, the President Pro-Tem shall serve as President or until a new President is elected;
c. The President Pro-Tem, at such times, shall have the powers and duties of the President.

3. SECRETARY:

a. The President shall appoint a Secretary;
b. Shall perform those duties prescribed by statute, law or the Commission;
c. Shall record and publish the minutes of the meetings of the Commission as well as the Closed Session minutes pursuant to Illinois Complied Statute 5ILCS 120/2.03 and has made a determination as to whether the need for confidentiality still exists as to all or part of those minutes which have not been made fully public;
d. Shall maintain a file of minutes, ordinances, resolutions and orders of the Commission;
e. Shall serve as custodian of the corporate seal and affix it to any records acquired by

statute;

f. Shall oversee Assistant Secretary and Recording Secretary in the duties;

4. ASSISTANT SECRETARY:

a. The Executive Director shall act as Assistant Secretary.

b. Shall perform the duties of the Secretary as delegated to the Assistant Secretary by the Secretary and when the Secretary is unable to perform the duties of Secretary or in the case of absence, inability to act or death of the Secretary;

c. Shall oversee the Recording Secretary and is authorized to further delegate the duties of the Secretary as described in Section B(3), subsection (g), subsubsection (iii) to the Recording Secretary.

5. RECORDING SECRETARY:

a. The Executive Administrative Assistant to the Executive Director shall act as Recording Secretary; Shall also act as Freedom of Information Officer [5 ILCS 140/3.5(a)].

b. Shall also act as Opens Meetings Act Compliance Designee [5 ILCS 120/1.05].

6. TREASURER:

a. The President shall appoint a Treasurer;

b. Shall perform those duties prescribed by statute, law or the Commission and shall be authorized to delegate any specific function to the Assistant Treasurer of any of the following functions listed in subsections c – m hereinbelow;

c. Shall receive and deposit all monies;

d. Shall prepare all checks and maintain a check-register;

e. Shall register or de-register bonds issued by the District;

f. Shall reconcile bank statements;

g. Shall maintain a file of the orders for deposit of monies;

h. Shall keep and maintain all records at the administration offices of the District;

i. Shall file the annual audit in compliance with audit of accounts;

j. Shall cause a statement of receipt and disbursements or the audit to be prepared and published, in accordance with the law;

k. Shall recommend depositories to be selected by the District;

l. Shall have the responsibility for the handling, care and investment of all deposits, investments or funds of the District, all pursuant to the ordinance for the investment of funds;

m. Shall account to the District, at such times and places, and on such forms as are required by the District;

n. Shall have such other duties as shall be specifically prescribed by the President of the District, from time to time.

o. Shall oversee the Assistant Treasurer;

7. ASSISTANT TREASURER:

a. The Chief Financial and Administrative Officer (CFAO) shall act as Assistant Treasurer.

b. Shall perform the duties of the Treasurer as delegated to the Assistant Treasurer by the Treasurer and when the Treasurer is unable to perform the duties of Treasurer or in case of absence, inability to act or death of the Treasurer;

c. The Assistant Treasurer shall be deemed to have been delegated the following functions by the Treasurer, unless expressly advised otherwise by the Treasurer:

- Shall receive and deposit all monies;

b. Shall prepare all checks and maintain a check-register;

c. Shall register or de-register bonds issued by the District;

d. Shall reconcile bank statements;

e. Shall maintain a file of the orders for deposit of monies;

f. Shall keep and maintain all records at the administration offices of the District;

g. Shall file the annual audit in compliance with audit of accounts;

h. Shall cause a statement of receipt and disbursements or the audit to be prepared and published, in accordance with the law;

i. Shall recommend depositories to be selected by the District;

j. Shall have the responsibility for the handling, care and investment of all deposits, investments or funds of the District, all pursuant to the ordinance for the investment of funds;

k. Shall account to the District, at such times and places, and on such forms as are required by the District;

l. Shall have such other duties as shall be specifically prescribed by the President of the District, from time to time.

8. ATTORNEYS:

a. Shall be appointed by the Commission;

b. Shall perform those duties prescribed by statute, law, or the Commission;

c. Shall advise the Commission and the staff on legal matters;

d. Shall direct litigation and represent the Commission.

Section C - Compensation of President and Commissioners.

1. Per Diem Stipend. A Commissioner shall be allowed reimbursement for a *per diem stipend, which shall not be more than the established amount per day, for all services rendered as a Commissioner on such day* for attendance at all regular, adjourned, canceled (due to lack of quorum) Full Commission or Committee meetings of the District for which they are named on the roll call. Commissioners shall be allowed a *per diem stipend maximum* of $30.00 per day for all services rendered on such day for the District. The remote attendance of Commissioners at Full Commission and Committee meetings consistent with Chapter X: Open Meetings Act shall be eligible to receive a *per diem stipend,* with the exception of meetings canceled due to a lack of quorum, in which case remote attendees are not allowed reimbursement.
2. Except for the President, officers of the Commission shall not receive additional compensation by reason of being an officer of the District, but shall receive compensation by *per diem stipend* and expenses as authorized by the President for all time spent on Commission business, whether as a Commissioner or as an officer according to the rules for compensation for Commissioners. See Section D: Travel Expense Reimbursement and also RESOLUTION 16-12-2509.
3. The President of the Commission shall receive, in lieu of *a per diem stipend* payment, a salary fixed by the Board of $25,000.00 per year.
4. Prior Approval Outside the District. A Commissioner must receive the approval of the President or the Commission to carry out the business of the District outside the boundaries of the District prior to receiving reimbursement therefor.
5. Prior Approval Inside the District. A Commissioner must receive the approval of the President to carry out the business of the District other than for Commission or Committee meetings inside the boundaries of the District prior to receiving reimbursement therefor.

Section D. Travel Expense Reimbursements.

The Forest Preserve District of Kane County is a non-home rule unit of local government pursuant to Article VII, 8 of the 1970 Constitution and the Local Government Travel Expense Control Act, Public Act 99-0604. The Act requires that all local non-home rule public agencies regulate by ordinance or resolution (FP-R-16-12-2509) the reimbursement of all travel, meal and lodging expenses of their Commissioners, employees, and representatives by the effective date of July 1, 2017. Travel Expense Reimbursement Policy RES: 16-12-2509: Official Business for which Expenses May Be Reimbursed.

A commissioner, employee or representative of the District shall be entitled to reimbursement for travel, including meals and lodging, related to the following types of official business:

- Educational conferences, seminars or training related to duties of the commissioner, employee or representative of the District.
- Site visits to current or potential vendors of the District.

- Professional associations and partnering agencies meetings and work groups necessitating participation by the District.

1. Maximum Allowable Reimbursement for Expenses.

a. Unless otherwise excepted herein, the maximum allowable reimbursement for a commissioner, employee or representative of the District ("traveler") shall be as follows:

i. Mileage**:** Those reimbursement rates set by the *IRS*.

ii. Travel**:** Those expenses for rental vehicle, airfare, taxi, train, bus, parking, etc.

1. Rental Vehicles- It is the responsibility of each traveler to obtain quotes for the least expensive provider for a compact level vehicle unless necessitated by equipment/supply cargo or additional personnel and pre-approved by Executive Director.

2. Airfare- It is the responsibility of each traveler to obtain the least expensive airline and coach seat within reason of travel parameters and pre-approved by Executive Director.

3. Other Travel Expenses- Such as taxi, train, bus and/or parking ancillary to the program or event shall be limited to $75 per day.

iii. Lodging**:** It is the responsibility of each traveler to obtain quotes from several lodging options within reasonable proximity of conference/meeting and request the lowest available lodging rate at the time of making reservations. Maximum allowable base rate reimbursement is $180.00 per day.

iv. Meals**:** Maximum allowable reimbursement will be $75.00 per day for meals.

The following exceptions shall not be controlled by Section C.2. and shall be limited as indicated:

1. Conference package lodging charges or lodging at official meeting hotels when pre-approved by the Executive Director in excess of the maximum allowed above.

2. Meals and lodging for travelers exceeding the allowed maximum level when within metropolitan areas such as Springfield, Chicago, counties of Cook, Lake, and DuPage, and out of state travel provided the amount of such expenses does not exceed 150% of the maximum allowance allowed above for all other areas.

3. Meals purchased for non-District individuals while on travel status and in connection with District business are reimbursable in reasonable amounts not exceeding 200% of the maximum daily allowable reimbursement hereunder for travelers. A statement specifying why and for whom, the expense was provided shall be included as part of the travel voucher.

4. The Executive Director, Directors, and Supervisors are responsible for proper monitoring of claims under this Section.

2. Approval of Expenses.

The Board of Commissioners of the Forest Preserve District of Kane County must approve the following reimbursements for travel, including meals or lodging by a roll call vote at an open meeting of the Board of Commissioners of the Forest Preserve District of Kane County:

a. Any expense of any traveler that exceeds the maximum permitted in Section III; or

b. Any expense of any member of the Board of Commissioners of the Forest Preserve District of Kane County.

3. Documentation of Expenses.

Before any reimbursement for travel related expenses may be approved, a standardized form for submission of travel, meal and lodging expenses supported by the following minimum documentation shall first be submitted to the direct supervisor or the Board of Commissioners of the Forest Preserve District of Kane County; whichever is applicable pursuant to Section IV:

a. An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;

b. The name of the traveler who received or is requesting the travel, meal, or lodging expense;

c. The job title or office of the traveler who received or is requesting the travel, meal or lodging expense; and

d. The date(s) and nature of the official business in which the travel, meal, or lodging expense was or will be expended.

All documents and information submitted under this Section are public records subject to disclosure under the Freedom of Information Act, 5 ILCS 140/1.

4. Entertainment Expenses.

No traveler of the Forest Preserve District of Kane County shall be reimbursed by the District for any entertainment expense, excluding those sanctioned with prior approval.

CHAPTER IV - ADMINISTRATIVE STAFF OF THE DISTRICT

Section A – President.

The President is the Chairperson of the District's meetings. The President shall administer those functions of the District as directed by the Commission. The duties of the President shall be delineated in his/her job description.

Section B- Administrative Staff.

1. Executive Director: The Chief Executive Officer of the District shall be the Executive Director. He/she shall report to the Commission and its President. The Executive Director shall manage the affairs of the District. The duties of the Executive Director shall be delineated in his/her job description. The Executive Director shall be a contract employee. The Administrative Staff shall also consist of supervisory, administrative and operating personnel required to fill the positions established by the Commission.

   Chain of Command: In the event the agency's Chief Executive Officer is incapacitated, out of town, ill or is unable to perform, his/her duties, the Chief Financial and Administrative Officer (CFAO) will assume authority. In the event that the CFAO is unable to assume authority, the Director of Planning and Land Protection would then assume authority.

   a. Chief Financial and Administrative Officer (CFAO)

      i. The CFAO will assume authority in the event that the Executive Director is unable to assume authority.

      ii. Performs the duties of the Treasurer as delegated as the Assistant Treasurer by the Treasurer and when the Treasurer is unable to perform the duties of Treasurer or in case of absence, inability to act or death of the Treasurer;

      iii. Shall serve as a Freedom of Information Act (FOIA) Officer, named and identified on website and written documentation. The FOIA Officer also shall develop a list of documents or categories of records that the public body shall immediately disclose upon request [5 ILCS 140/3.5(a)].

   b. Director of Planning and Land Protection

      i. In the event that the CFAO is unable to assume authority, the Director of Planning and Land Protection would then assume authority.

      ii. The Director of Planning and Land Protection shall serve as the District's ADA Compliance Officer.

CHAPTER V –
ORGANIZATION AND OPERATION OF A POLICE DEPARTMENT FOR THE DISTRICT

The (Forest Preserve) board shall have the right, and power to appoint and maintain a sufficient police force, the members of which shall be peace officers certified and trained under the provisions of the Illinois Police Training Act. (70 ILCS 805/8a) (Chapter 96 ½, par. 6316 – *Down State Forest Preserve Act*).

The Forest Preserve District's sworn police officers enforce federal, state, and county laws, as well

as our General Use Regulation Ordinance. The department ensures the safety of life and property in the forest preserves and adheres to the highest principles of the law enforcement profession. Officers respond to calls for emergencies, safety and service, and patrol the preserves on foot, bicycle, snowmobile, horseback, ATV, and vehicle. This department's function is to provide protection of facilities, natural resources, and citizen users; deter occurrences of crime, and provide a safe recreational environment for all citizens through pro-active enforcement and education efforts; provide security and traffic control for scheduled special events, when requested. The department is comprised of the following positions:

- Director of Public Safety / Chief of Police
- Sergeant
- Police Officer (5 Full Time)
- Year-round Seasonal Police Officers

1. **Training.** Police officers attend a state-certified police academy and Field Training Officer (FTO) program in conservation and Forest Preserve District ordinances, rules and regulations, as well as procedures. In-service training also keeps staff knowledgeable about legal updates, law-enforcement authority and human rights, and other State mandated training.

2. **Police Protection.** For all purposes of this Ordinance, the term "police protection" shall include, conducting routine , periodic motorized surveillance; making arrests on view of the offense, on reliable report of witnesses or upon warrants for violation of any State law and for violation of any of the penal ordinances of the District; warning apparent violators on District property of their apparent violations of any of the penal ordinances of the District and of laws of the State of Illinois and ordering them to cease the apparent violations; using lawful and reasonably necessary police methods to prevent, detect and make arrests for violations of any of the penal ordinances of the District.

3. **Territory.** The members of the police force shall have and exercise police powers over the territory owned, leased, or licensed by the District and property over which the District has easement rights for the preservation of the public peace, and the observance and enforcement of the ordinances and laws, such as are conferred upon and exercised by the police of organized cities and villages; but such police force when acting within the limits of any city or village, but outside the territory owned, leased, or licensed by the District and property over which the District has easement rights, shall act in aid of the regular police force of such city or village and shall then be subject to the direction of its chief of police, city or village marshals, or of other head thereof. (70 ILCS 805/8a) (Chapter 96 ½, par. 6316 – *Down State Forest Preserve Act*) (Source: P.A. 86-1480)

4. **Filing Complaints.** If a member of the public would like to make a complaint about the Forest Preserve District's police personnel, conduct or any aspect of our law enforcement operations:

    - Call or email the District Administration Office at 630-232-5980 (forestpreserve@kaneforest.com) and ask to speak to the Director of Public Safety/Chief

of Police.

- Uniform Peace Officers' Disciplinary Act, (50 ILCS 725/3.8), requires that anyone who files a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit (effective 1/1/04). If a complainant is unable to secure a notary public on their own, the department shall provide one. Complainants requiring the service of a notary public must call ahead to make an appointment.

CHAPTER VI - MEETINGS

Section A – Establishing Calendar and Organization Meeting.

The Commission shall approve its calendar at its December meeting for the following year to include Committee and Full Commission meetings and Holiday observation calendar. The Commission shall meet annually within forty-five days after the date that the Kane County Board holds its annual organization meeting for the purpose of adopting an organization ordinance, electing officers, making appointments and otherwise organizing the District for the following year. The following shall be the order of business:

1. Reading of roll call by Recording Secretary of the Forest Preserve Commission;
2. Reading and approving the minutes of the last meeting;
3. Approval of organization ordinance;
4. Approval, as applicable, of Officers, Committee Members, and Chairs;
5. Adjournment.

Section B: Election Year – Presidential Election Meeting.

The Commission shall meet bi-annually for the purpose of electing the office of President. The following shall be the order of business:

1. Reading of roll call by Recording Secretary of the Forest Preserve Commission;
2. Reading and approving the minutes of the last meeting;
3. Nomination of Acting Chair;
4. Nominations for duty of President;
5. Election of President;
6. Ordinance ratifying meeting dates and Annual Calendar, including Holiday Observation Calendar for the Commission and Staff;
7. Adjournment.

Section C - Appointments by President and Approval of Organizational Ordinance.

Within forty-five days after the election of the President, the Commission shall meet for the purpose of adopting or ratifying an organizational ordinance and, with the advice and consent of a simple majority of the members of the Commission, the President may make the following appointments and describe the duties of the standing committees and special committees appointed at that time, all in a written report to be furnished to the Commission within said forty-five days:

1. President Pro-Tem;

2. Secretary;
3. Treasurer;
4. Chairperson of standing committee, if any;
5. Vice Chairperson of standing committee, if any;
6. Members of standing committees;
7. Approval of Organizational Ordinance.

Filling of Vacancies: All vacancies on committees and committee chair selection shall be made by the President from time to time and as ratified by the Commission.

Section D - Regular, Adjourned or Special Meetings.

1. Regular or Adjourned Meetings. The Commission shall meet on days it schedules each month. The meeting may be adjourned to a certain date or adjourned without mentioning a date.
    a. As a public body, the District is required to give public notice, at the beginning of each calendar or fiscal year, of the dates, times, and places of their regular meetings to be held during the year.
    b. An agenda for each regular meeting shall be posted at the Administration Offices of the District, 1996 S. Kirk Road, Suite 320, Geneva, IL 60134, which is also the location of the meeting, it will be posted at least 48 hours in advance of the hold of the meeting. It is also posted to the website of the District www.kaneforest .com. These agendas remain posted until the regular meeting is concluded.
2. Order of Business for Regular Meetings:
    a. Call to order by the President;
    b. Pledge of Allegiance;
    c. Roll call;
    d. Acknowledgement of remote attendance requests and approval thereof;
    e. Approval of minutes of the last meeting;
    f. Public Comment; with a reasonable time limit of 3 minutes of each comment, allowing the public body to end a comment if it is repetitious or disruptive.
    g. New and Unfinished Business; Other petitions, resolutions and ordinances and other action items;
    h. Reports and Communications; To or by the President and the Commissioners;
    i. Adjournment.
3. Special Meetings.

    Special Meetings of the Commission shall be held only upon written request to the Secretary by at least one-third of the members of the Commission, or in the case of an emergency, by the President, specifying the time and place of such meeting and the matter or matters to be presented. Upon receipt of said request, the Secretary shall

immediately prepare the agenda and transmit same in writing to each member of the Commission, post the agenda at the principal office of the body holding the meeting, and post the agenda on the website at least 48 hours in advance of said meeting.

a. Notice for any special meeting, rescheduled regular meeting, or reconvened meeting shall be given at least 48 hours before such meeting. However, public notice is not necessary for a meeting that is adjourned to be reconvened within 24 hours, or if the time and place of the reconvened meeting was announced at the original meeting and there is no change in the agenda.

b. Order of business for Special Meetings:

   i. Call to order by the President;

   ii. Pledge of Allegiance;

   iii. Roll Call;

   iv. Acknowledgement of remote attendance;

   v. Reports of items listed for action or discussion in the as set forth on the Agenda for Special Meeting;

   vi. Adjournment.

Section E - Vote Requirements.

1. The "yeas" and "nays" shall be taken and entered in the meeting minutes recorded by the Recording Secretary upon the passage of all ordinances and all proposals to create any liability or for the expenditure or appropriation of money. The concurrence of a majority of all the members appointed to the Commission is necessary to the passage of any such ordinance of proposal. In all other cases, the "yeas" and "nays" shall be taken at the request of any member of the Commission and shall be entered into the minutes of the meetings as recorded.
2. An affirmative vote of at least two-thirds of all the members of the Commission is required to vacate any street, roadway or driveway contained within a forest preserve.
3. An affirmative vote of at least two-third of all the members of the Commission is required to transfer from one appropriation of any one fund to another use of the same fund, not affecting the total amount appropriated, may be made at any meeting of the Board by a two-thirds vote of all the members constituting the Board. (By a like vote, the Board may make appropriations in excess of those authorized by the appropriation ordinance, in order to amend the appropriation).
4. Except as above provided by law or where otherwise prescribed by ordinance, all other action of the Commission shall require a majority of those Commissioners present provided that there is a quorum, as defined by Robert's Rules of Order.

Section F –Open Meetings – Notices and Publications.

It is public policy of this State and, thus, as part of the State, this District commits that its citizens shall be given advanced notice of and the right to attend all meetings at which any business of a public body is discussed or acted upon in any way. Notices of each meeting are to be posted consistent with the notice requirements of 5 ILCS 120/1 et seq.

Advance notice of public meetings is part of this public policy, as is the principle that exceptions to allow closed meetings are to be interpreted narrowly [5 ILCS 120/1].

Notices shall also include language subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or facilities, are asked to contact the District office prior to the meeting.

CHAPTER VII - RULES OF ORDER

Section A - Duties of Presiding Officer.

The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members and shall decide all questions of order, subject to appeal. In case of any disturbance or any disorderly conduct, the presiding officer shall have the power to clear the meeting room.

Section B - Adoption of Robert's Rules of Order Newly Revised.

Robert's Rules of Order Newly Revised or as later published and revised from time to time, shall govern the Full Commission meetings, and all other committee meetings.

CHAPTER VIII - COMMITTEES

Section A - Committee Organization.

The Commission has determined that the committee structure in conjunction with the duties of the Executive Director is an efficient and productive way for the Commissioners to carry out their legal responsibilities. The primary responsibilities of the committees are suggesting policy, reviewing, investigating and making recommendations to the Commission.

The committee structure may be established so that more thought and time may be given to Commission matters by delegating review and investigative functions to a portion of its members, rather than reviewing all matters. The committees, therefore, are not operating bodies, but reviewing and investigative bodies; committee actions are not instructions to the Commission, but rather suggestions and/or recommendations.

Section B – Committees.

There may be regular and standing committees. In addition to the standing committees, the President can appoint one or more special committees. Special committees shall abide by the rules designated for standing committees. The duties of the committees shall be those duties specified in writing at the time committees are created or as changed from time to time by the President.

Section C - Confidentiality.

1. Members shall keep confidential all discussion and debate and documents relating to Closed Session or the acquisition of properties until the acquisition is complete.
2. Closed Session minutes are made pursuant to Illinois Complied Statute 5ILCS 120/2.03

and released periodically upon a determination by the District as to whether they need for confidentiality still exists as to all or part of those minutes which have not been made fully public.

Section D - Committee of the Whole.

The President, at his/her discretion, may call a committee of the whole meeting, consisting of all the members of the Commission, by notifying all Commissioners of the date, time, location and subject of such meeting at least three days in advance. No action may be taken at such meeting.

Section E - Rules for Standing and Ad Hoc Committees.

1. Standing Committees shall meet regularly as required by the chairperson of the Committee. An annual list of meeting dates will be prepared by the Commission Secretary for all standing committees. Chairperson may adjourn regular committee meetings to any date.
2. The number of standing committees shall include: Executive, and may include Finance and Administration, Planning and Utilization, and Land Acquisition or such other committee the President establishes by ordinance. A current Committee Roster appears as Exhibit A.
3. Standing committees shall consist of a Chairperson and those committee members appointed by the President and confirmed by the Commission.
4. All Commissioners shall have equal voting privileges.
5. The committee term of each member shall commence upon his appointment of the organization meeting. The President may change committee membership and/or fill vacancies at any time with the consent of the Commission.
6. The committee Chairperson may:
    a. Schedule a regular time for the meetings with concurrence of the President and notification to the members, President, Officers, Executive Director/Assistant Secretary; Recording Secretary, and Assistant Treasurer.
    b. Preside at the meetings;
    c. Present an oral or written report of committee business at the regular meetings of the Executive Committee.
    d. Present, when necessary, the recommendation of the committee to the Commission for final action.
7. Commitments. No Commissioner, committee or officer shall in any way bind the Commission to do or not to do any certain thing unless expressly authorized to do so, and no such action shall be in any way recognized by the Commission unless expressly ratified or approved by the Commission.
8. Committee Quorum. At least a simple majority of the members must be present before there is a quorum and any official action may be taken by a committee. A majority vote of a quorum is required for action on any item of business.

9. Ex Officio Membership. The Forest Preserve District President, President Pro-Tem, Secretary, and Treasurer shall each be an ex officio member of all standing committees. The District President, President Pro-Tem, Secretary and Treasurer shall be in addition to the number of members otherwise provided in this division for each of the standing committees, and they shall not be considered in the determination of the number of committee members needed to establish the presence of a physical quorum ~~needed~~ for the conduct of business of a committee; however, their presence at a meeting shall be considered in the determination of whether a quorum is physically present at the meeting. The ~~District President~~ex-officio members present ~~-~~ shall be entitled to vote only in the case of a tie, unless their presence was required to constitute a quorum at a meeting, in which case they may vote on all questions to come before the committee at the meeting, and in all events, may make motions or second motions.

10. Chairperson. In the event of temporary absences or inability of a committee chairperson to chair a committee meeting, the President or President Pro-Tem shall chair the meeting. In the event of temporary absence or inability of both the President and the President Pro-Tem to chair a committee meeting, the committee shall elect a member to be the chairperson of that meeting.

CHAPTER IX - CONDUCT OF DISTRICT COMMISSIONERS, OFFICERS, AND EMPLOYEES

Section A - Interest in Contracts - Conduct of Commissioners.

The Commissioners, Officers, and all employees of the District are expected to act and conduct themselves in such a way that they do not violate any statute, rules or regulations of the District, the State of Illinois or of the federal government dealing with contracts, interest in contracts or property of the District.

Section B – Gifts and Rebates.

The Commissioners, Officers and all employees of the District are expected to act and conduct themselves in such a way that they do not violate any statute, rules or regulations of the District, the State of Illinois or of the federal government dealing with contracts, interest in contracts or property of the District. See Ethics Ordinance May 8, 2004 and Article 10 Employee Handbook Rev.January 13, 2026.

CHAPTER X - OPEN MEETINGS ACT

The District shall follow the "Open Meetings Act" of the State of Illinois, as well as maintain a record of its ordinances and other proceedings as provided by the Illinois Revised Statutes, as amended from time to time. 5 ILCS 120/1 et seq. The District further adopts the policy allowing for remote attendance at open or closed sessions of meetings in the following manner:

REMOTE ATTENDANCE AT MEETINGS:

In accordance with the provisions of the Open Meetings Act, 5 ILCS 120/7(a)-(c), and subject to the additional limitations prescribed herein, a District Commissioner (herein also referred to as a

"member") may attend any open or closed meeting of the District or any of its committees remotely by "other means", which is defined under OMA to mean "by video or audio conference," if the member is prevented from physically attending because of (i) personal illness or disability; (ii) employment purposes or the business of the public body; (iii) a family or other emergency, or (iv) unexpected childcare obligations, so long as the following conditions are met:

(1) A quorum of the members is physically present for the meeting.

(2) Any member who desires to attend a meeting remotely by other means must notify the recording secretary or the assistant secretary as soon as reasonably practical prior to the start of the meeting by email to the assistant secretary, recording secretary at HaberthurBen@kaneforest.com; Figliozzi, Gabriella FigliozziGabriella@kaneforest.com or through any other designated staff member assigned by the Secretary or President of the District to receive notice for these purposes or, if email is not available, by leaving a voicemail message by phone to 630-232-5980. Notification shall consist of a statement that the member is physically unable to attend the meeting for one of the following four reasons:

(a) The member cannot attend because of personal illness or disability; or

(b) The member cannot attend because of employment purposes or the business of the District; or

(c) The member cannot attend because of a family or other emergency.

(d) The member cannot attend because of unexpected childcare obligations.

Video conferencing is the preferred means for remote attendance and will be mandatory in most instances. If a member is unable to attend by video conference due to technical or other reasons, such as privacy concerns, the member shall notify the assistant secretary or recording secretary. The President of the District as to full commission meetings, or the chairman of the committee or designated presiding officer for such other committee meeting may excuse the mandatory use of video in such instances and permit the member to attend by audio only.

(3) The assistant secretary or recording secretary, after receiving the remote attendance request, shall inform the President or the chairman of the committee or the designated presiding officer of the meeting regarding the request to attend remotely by other means.

(4) After establishing that a quorum is physically present at a meeting where a member desires to attend remotely by other means, the presiding officer shall state that the member is present by video or audio conference, as applicable, and has notified the assistant secretary or recording secretary in accordance with the Rules. The member will be deemed authorized to attend the meeting by video or audio conference unless a motion objecting to the member's attendance is made, seconded, and approved by two-thirds of the members of the District or committee that are physically present at the meeting.

(5) Any member attending remotely by other means shall be counted as present, and the minutes shall reflect that a member is attending remotely by audio or video conference, as applicable.

(6) The equipment and internet or phone connection used for remote participation shall be of such quality that the members present and the public shall be able to (i) see the member's face at all

times, unless excused by the chairman or designated presiding officer, and (ii) hear the comments of the member participating.

(7) The equipment and the internet or phone connection used for remote participation shall be the responsibility of the member attending remotely.

(8) The member attending the meeting remotely by other means shall have their microphone off or muted during the meeting, unless they are called to vote or are otherwise recognized by the District President, committee chairman or presiding officer to be an active speaker.

(9) The District staff managing the conference shall be permitted to mute a member's microphone when the member is not speaking or voting in order to eliminate disruptive background noise.

(10) The member who makes a presentation at a meeting while in attendance via video conferencing may have to share their screen. It is the member's responsibility to protect their privacy and the information that they may not want to share with the public.

(11) The member attending remotely shall have the same rights to participate in discussions and vote as if the member were physically present.

(12) At an executive session or closed session of the District or one of its committees, the member attending remotely by other means must comply with the privacy and confidentiality requirements of the meeting and confirm such compliance on the record.

(13) Nothing herein shall be construed to prohibit the board from conducting a meeting by audio or video conference, without a physical presence of a quorum, in the event of a disaster declaration related to public health concerns, in accordance with the provisions of the Open Meetings Act, 5 ILCS 120/7(e).

CHAPTER XI – AMERICANS WITH DISABILITIES ACT

The Board of Commissioners of the Forest Preserve District of Kane County, is committed to complying with all applicable provisions of the ADA for the purpose of eliminating discrimination against individuals with disabilities and to allow them to fully participate in society. The District supports the ADA that prohibits exclusion of qualified individuals with a disability from employment, services, programs, or activities of any state or local government, including forest preserve districts. The District wishes to have its services, programs, and activities available to employees, applicants, participants, beneficiaries, and other interested persons as defined by the ADA.

Section A - Compliance.

The District intends to comply with the ADA in the delivery of its services, programs and activities, by making reasonable accommodations for individuals with disabilities, such as the removal of architectural, transportation, and communication barriers; the changing of rules, policies, and practices; and the providing of auxiliary aids or services for the enhancement of communication with individuals with hearing or sign impairments with regard to services, programs, and activities provided by the District.

Section B - Contracts.

All contracts entered into by the District which shall result in the delivery of services, programs, and activities shall include a requirement that such services, programs and activities be delivered without discrimination on the basis of disability, in a manner consistent with the ADA.

Section C - Accessibility Evaluation.

The District shall evaluate its current services, policies and practices and the effects thereof, that do not or may not meet the requirements of the ADA or which may result in the exclusion of individuals with disabilities or in the provision of a less effective service for individuals with disabilities.

Section D - Compliance Officer.

The Board of Commissioners designates the Director of Planning and Land Protection, as the ADA Compliance Officer, responsible for the coordination of the District's efforts to comply with and carry out its responsibilities under the ADA and to investigate any complaint against the District which alleges non-compliance with the ADA.

Section E - Grievance Procedure.

A grievance procedure for the prompt and equitable resolution of complaints which allege any action prohibited by the ADA is in place and utilized by staff. The District has an internal grievance system for prompt and equitable resolution of grievances alleging any action by the Forest Preserve District that would be prohibited by the A.D.A. or the applicable Title II Rules.

Grievances should be directed to: The ADA Compliance Officer, Forest Preserve District of Kane County. By mail, phone, email, or fax.

CHAPTER XII - FISCAL YEAR

The fiscal year of the District shall commence on July 1 and extend through the following June 30. The Commission shall adopt, by September 30, an annual appropriation ordinance appropriating funds for the fiscal year which commenced on the previous July 1. The Commission shall adopt, after the first Monday in October and by the last Tuesday in December, a tax levy for the fiscal year which commences on the following July 1.

CHAPTER XIII - MISCELLANEOUS

Section A - Conflict.

All District ordinances and parts of ordinances and all resolutions and orders, or any parts thereof, in conflict with this ordinance, or any parts thereof, are hereby repealed. In the event of any conflict between this ordinance and the statutes or case decision of the State of Illinois, then the statutes and case decisions of the State of Illinois shall control.

Section B - Amendment.

By adoption of this organization ordinance, the Board of Forest Preserve Commissioners recognizes that the organizational guidelines and rules herein provided may require revision and adjustment as experience will dictate. Revisions of this ordinance shall be made by recommending changes to the Finance and Administration Committee, which shall review the proposed change and make recommendations Executive Committee which shall review the proposed change and make recommendations to to the Commission. The proposed change shall be placed on the Commission agenda brought to the floor for debate and action.

A two-thirds vote of all elected Commissioners is required to amend this ordinance.

Section C - Ordinances, Orders and Resolutions - Publication - Evidence.

All ordinances imposing any fine or penalty or making any appropriation of money shall, within ten (10) days after passage, be published at least once, on the District's website, and no such ordinance shall take effect until ten (10) days after it is so published.

All other ordinances and all orders or resolutions shall take effect from and after their adoption, unless otherwise provided therein.

All ordinances, orders and resolutions, and the date of publication thereof may be proven by the certificate of the Secretary of such District, under the seal of the corporation and when posted on the District's website, or printed in book or pamphlet form and published by authority of such commission. Such book or pamphlet shall be received as evidence of the passage and publication of such ordinances, orders and resolutions as of the date mentioned in such book or pamphlet in all courts and places without further proof.

Section D - Copies.

The Secretary of the District is authorized and directed to transmit a copy of this ordinance to the President, President Pro-Tem, Secretary, Treasurer, Commissioners, and Attorney of the District. A copy of this ordinance shall also be posted to the website and made available in print at all site locations.

Section E - Captions and Headings.

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

Section F – Organization Officers and Committees Roster – 2025 Adopted February 11, 2025. (FP-R-25-00-0000) and incorporated by this reference.

Section G – General Use Ordinance.

Adopted August 8, 1995 (FP-O-08-95-213) revised and reviewed periodically. Last revision made and approved July 11, 2023 (FP-O-23-07-0593) and incorporated by this reference.

Section H – Travel Expense Reimbursement Policy.

Adopted December 2016 (FP-R-16-12-2509) and incorporated by this reference.

Section I – Establishment of Police Department.
Ordinance Adopted December 8, 1966 (FP-O-66-12-17). Revised July 10, 1979 (FP-O-79-07-037) and incorporated by this reference.

Section J – Municipal Directory.
Reference guide to personnel contacts and locations. Available online and at each facility and incorporated by this reference.

Section K – Ethics Ordinance.
Ordinance Adopted May 8, 2004, FP-O-05-04-393-A.

Section L – Employee Handbook.
Adopted February 13, 2024 FP-R-24-02-3074.