

Cook County Clerk's Office's Policy Manual  
Effective July 1, 2023



**COOK COUNTY CLERK'S OFFICE**  
**POLICY MANUAL**

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## **I. INTRODUCTION**

This is the Policy Manual of the Cook County Clerk which sets forth the general guidelines and rules that will govern the hiring and other employment policies and procedures of the Cook County Clerk's Office. This Policy Manual applies to all Employees of the Clerk's Office as well as all Applicants and Candidates for Positions within the Clerk's Office. All capitalized terms shall have the meanings given such terms in Section II below.

## **II. DEFINITIONS**

The following definitions apply to specific words and terms used in this Policy Manual:

Actively Recruited Position: Actively Recruited Positions are high ranking or technical/professional related Positions for which discretion and flexibility in hiring are necessary, appropriate and justifiable and the candidate's academic credentials or accumulated experience is an important determinant for the differentiation among candidates. Actively Recruited Positions are not Exempt Positions and have Minimum Qualifications requiring a bachelor's degree or higher or at least five years of full-time work experience relevant to the Position. Actively Recruited Positions are (1) not covered by any CBA; (2) at-will, and (3) either (a) responsible for the day-to-day performance of a high-level technical/professional function, or (b) responsible for the day-to-day supervision of at least three Employees.

Actively Recruited Positions List: The list of all Actively Recruited Positions attached as Exhibit A, which may be amended from time to time in accordance with the Actively Recruited Hiring Process.

Alternative Worksite – An Employee's work location other than the Employee's Official Worksite established pursuant to an approved Telecommuting schedule.

Applicant: A person who has submitted an application for a Position pursuant to the terms set forth herein.

Applicant List: The list of all applications received for a Position prior to review and validation.

Application Review Panel: The group of individuals selected to review the Validated Eligibility List and determine which individuals will be offered an interview pursuant to the Actively Recruited Hiring Process.

Automated Time Clock Correction Form: The form that FLSA Non-Exempt Employees must complete and submit to HR when they experience issues with swiping, or forgetting to swipe.

Candidate: An Applicant who after review and validation of their application materials has been found to possess the Minimum Qualifications required by the Job Descriptions

CCCO: Cook County Clerk's Office.

Chief Deputy Clerk: The Chief of Staff and lead Deputy Clerk that oversees all divisions of the CCCO.

Classification: A position or group of positions as defined by Job Code.

Clerk: The Cook County Clerk.

Collective Bargaining Agreement ("CBA"): The applicable collective bargaining agreement between the Clerk's Office and any legally recognized collective bargaining representative of Employees.

Compensatory Time: Time off earned as a result of an Employee working in excess of forty (40) hours in a work week pursuant to law and the Manual, or as otherwise provided for in an applicable CBA. Compensatory Time must be pre-approved prior to being earned except in emergency situations or if extenuating circumstances exist that make it impracticable to obtain pre-approval. Employees classified as "exempt" under the Fair Labor Standards Act ("FLSA") are not eligible for Compensatory Time.

Conflict of Interest: A situation in which impartiality and judgment may be compromised or may appear to be compromised because of an actual or potential inconsistency between a person's self-interest and their professional or public interest.

Cross-Training: Teaching an Employee assigned to perform the functions of one Position some or all of the skills required to perform a different Position.

Day or day: A calendar day unless otherwise indicated.

Demotion: A change or downgrade in an Employee's Position to a Position of a lower grade as provided for in a Collective Bargaining Agreement (CBA) or this Policy Manual. from one Position to another Position at a lower grade.

Deputy Clerk: The Employee listed on the Exempt Positions List who heads or directs a Department.

Designee: An Employee selected, authorized, and assigned to perform duties on behalf of another Employee, subordinate to and in the same Department unless otherwise specified in this Manual.

Desk Audit: The procedure used to determine whether a particular Position's qualifications, duties and responsibilities match its job classification and salary grade.

Discipline: An action taken by the Clerk's Office in response to an Employee's conduct or performance, including, but not limited to, verbal or written reprimands, suspensions, or terminations.

Discrimination: Any action or inaction that is based on race, color, religion, sex, age, disability, national origin, ancestry, sexual orientation, marital status, parental status, military service or discharge status. This definition is not limited only to work related activities, and extends to all interactions between persons on the premises of this office, or while on the clock.

Disqualifying Question: A question included on the employment application for a Position that is designed to identify whether an Applicant possesses a specific Minimum Qualification contained in the Position Description.

Division: An operational unit headed by a Deputy Clerk. Includes Elections, Vital Records, Administration, Real Estate and Taxes, Clerk of the Board, Security, Information Technology, Human Resources, Finance, Recording Operations and Communications.

Electronic Application System ("EAS") – The electronic online application system utilized by the CCCO for the recruitment, application and selection of Non-Exempt Positions, per the Hiring Policy.

Emergency Telecommuting – A short-term telecommuting schedule approved by the Employee's Deputy Clerk or Designee. Emergency Telecommuting is limited to inclement weather, exigent circumstances, or declared national, State and/or local emergencies. Approved Emergency Telecommuting schedules shall include the dates, hours and the reasons for Emergency Telecommuting. The period for Emergency Telecommuting shall not exceed 14 calendar days or the period in which the disaster declaration is in place, unless extended by the Employee's Deputy Clerk or Designee.

Employee: An employee of the Clerk's Office (whether probationary, full-time or part-time, permanent or temporary, and regardless of whether the Position is paid for by federal funds).

Employment Action: Any action (positive or negative) related to any aspect of employment, including, but not limited to, hiring, training, change in job assignment, Temporary Assignment, Cross-Training, Promotion, Demotion, Transfer, Reclassification, Layoff, assignment of Overtime (and other benefits of employment), Discipline, and Termination.

Executive Assistant Position: A Position that reports directly to an Exempt Employee and whose primary duties include clerical or secretarial assistance. Executive Assistants are (1) not covered by any CBA, (2) at-will, and (3) are not Exempt Positions unless the particular Executive Assistant Position is included on the Exempt List.

Executive Assistant List: The list of all Executive Assistant Positions as such list may be amended from time to time.

Exempt List: The list of all Exempt Positions, which may be amended consistent with the provisions of this Manual.

Exempt Position/Employee: A Position that is included on the Exempt List because it is a job that involves policy making to an extent or is confidential in such a way that political party affiliation is an appropriate requirement for the effective performance of the job.

External Applicant: An Applicant who applies for a Position and is not an Employee of the Clerk's Office at the time of application.

Flextime: A flexible hours schedule that allows management to alter workday start and finish times.

General Hiring Process: The process used to hire all Employees except for those hired pursuant to the Exempt Hiring Process, the Executive Assistant Hiring Process, the Actively Recruited Hiring Process and those that are hired as temporary Elections workers.

Harassment: Unwelcome and offensive verbal, physical, or visual conduct based on a protected classification such as: a race, color, creed, religion, sex (whether or not of a sexual nature and including same-gender harassment and gender identity harassment), pregnancy, national origin, age (40 and over), disability (mental or physical), sexual orientation, or any other legally protected classification when: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's employment; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating a hostile or offensive work environment.

Hiring Department: The Department to which a Candidate who is hired will be assigned to work.

Human Resources Division ("HR"): The Human Resources Division of the Clerk's Office.

Internal Applicant: An Applicant who is employed by the Clerk's Office at the time of application.

Internal Candidate Preference: The process by which Internal Applicants for a Position will be placed higher on the Interview List than qualified External Candidates because of the Clerk's goal of allowing qualified current Employees the opportunity for advancement within the Clerk's Office.

Interview File: A subset of the Posting File that includes the Interview Evaluation Forms, the Scored Interview List, notes from the Ranking Meeting, the Interview Panel Ranking Form, and any other documentation regarding the selection for interviewing and conducting of interviews, as reflected on the Posting File/Interview File Checklist for a job posting.

Interview List: The list of Candidates to be interviewed for a Position.

Interview Panel: The group of three to four individuals selected to interview Candidates.

Interview Panel Ranking Form: The form used by an Interview Panel to rank Candidates after all of the interviews are conducted, which is attached as Exhibit I.

Interviewer Evaluation Form: The form used by interviewers during the interview process to document interviews and score individual Candidates for Positions, which is attached as Exhibit F.

Job Code: A numeric code assigned to each job title.

Job Description: A written document that describes the Position's typical duties and current responsibilities, Minimum Qualifications, Preferred Qualifications (if applicable), the knowledge, skills, and abilities needed to perform those responsibilities, and any testing protocols (if applicable).

Justification to Hire: The form, attached as Exhibit B, which may be amended from time to time, completed by the Deputy Clerk of the Hiring Department upon completion of the Candidate selection process and setting forth the objective basis or bases for hiring the selected Candidate. This form shall include a NPCC signed by the Deputy Clerk of the Hiring Department.

Layoff: The involuntary, temporary, or permanent separation of one or more Employees from employment with the Clerk's Office for reasons other than termination.

Manager: Any Employee who is a member of management in the Clerk's Office who, among other duties, has the authority to authorize or execute any Employment Action.

Minimum Qualifications: The objectively ascertainable minimum requirements listed on the Job Description that an Applicant must possess to be considered for employment in that Position.

No Political Consideration Certification ("NPCC"): The certification that, to the signer's knowledge and agreement, no Political Reasons or Factors have been or will be taken into consideration or have or will influence the Employment Action involved. A copy of the current No Political Consideration Certification language (which must accompany or be included on forms relating to any Employment Action) is attached as Exhibit K.

Non-Exempt Position: Any Position that is not included on the Exempt List.

Notice of Job Opportunity: The publicly available notice of a Position opening.

Official Worksite - The CCCO worksite(s) where an Employee is regularly assigned to work during their scheduled work hours.

OIG: The Office of the Independent Inspector General for Cook County.

Overtime: Time worked by an Employee in excess of the 40-hour work week for which Employees shall be awarded Compensatory Time or paid time pursuant to any applicable CBA, this Manual, or applicable federal, state, and/or local law.

Overtime Compensation Form: The form that must be completed by Supervisors upon authorizing an Employee to work Overtime, which is attached as Exhibit N.

Performance Evaluation: A formal written review of an Employee's job-related performance, which is completed on the form attached as Exhibit L.

Personnel File: A file maintained by HR for each employee, including personal information and information about the employee's work history, such as the employee's application, resume, licenses, recommendations, training, rate of pay, salary history, and benefits. Discipline and medical files are kept separately.

Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) from any Politically Related Person or Organization to an Employee regarding an Employment Action relating to any person known likely to be an Applicant or Employee holding or applying for a Non-Exempt Position.

Political Contact Log: The log maintained by HR and submitted to the OIIG recording all Political Contacts from any Politically-Related Person or Organization regarding any person known likely to be an Applicant or Employee holding or applying for a Non-Exempt Position.

Political Contact Log Reporting Form: The form, attached as Exhibit C, which may be amended from time to time, used to report to the OIIG a Political Contact from a Politically-Related Person or Organization regarding an Employment Action related to a Non-Exempt Position.

Political Reasons or Factors: Any reasons or factors relating to political matters in connection with any Employment Action including, but not limited to: 1) any recommendation for or against the hiring, Transfer, or the taking of any other Employment Action with respect to any person from any Politically-Related Person or Organization that is not based on personal knowledge of the person's work skills, work experience, or other job-related qualifications; 2) the fact that the person works or worked for a Politically-Related Person or Organization or works or worked on a political campaign or belongs to a political organization or political party, or the fact that the person chose not to work in a political campaign or to belong to a political organization or a political party, unless related to a recommendation based on the person's skills, work experience, or other job related characteristics; 3) the fact that any person is or was, or is not or was not a member of any political party or Politically-Related Organization; 4) the fact that the person contributed money, raised money, or provided something else of value to a Politically Related Person or Organization, or refrained from doing so; 5) the fact that a person is a Democrat or Republican or a member of any other political party or group, or the fact that the person is not a member; or 6) the fact that the person expressed views or beliefs on political matters.

Politically-Related Person or Organization: Any elected or appointed public official, any person acting as an agent of or representing any elected or appointed public official, or any person employed by, acting as an agent of, or representing any political organization or politically-affiliated group.

Policy Manual: The collection of the Clerk's Office's employment policies and procedures regarding the Employees' relationship with the Clerk's Office, including any and all amendments and addendums thereto, prepared for distribution to the Employees of the Clerk's Office.

Position Identification Number: The unique number assigned to each Position by the Cook County Budget Department.

Position: A defined role that includes a list of duties. Any probationary, temporary, part-time, full-time, or any other category of employment with the Clerk's Office, other than an Intern or Extern.

Posting File: A file containing a copy of all documents related to a job posting or the filling of a Vacancy including, but not limited to, the Request to Hire, current Position Description, Notice of Job Opportunity, Preliminary Eligibility List, Randomized Preliminary Eligibility List, Sorted Preliminary Eligibility List, Validated Eligibility List, Interview File, testing protocols (if any), pre-employment test results (if any), documented Conflicts of Interest, Justification to Hire, NPCCs, Contact Log and methods of posting, as reflected on the Posting File/Interview File Checklist.

Posting File/Interview File Checklist: The checklist in the form attached hereto as Exhibit D, which may be amended from time to time, used by HR to memorialize the items collected in the Interview File and Posting File during the hiring of a Position.

Preferred Qualifications: The objectively ascertainable criteria listed in the Job Description that are preferred (but not required) in an Applicant for a Position.

Preliminary Eligibility List: The list of Applicants who have submitted complete applications for a Position and whose responses to the Disqualifying Questions indicate that they meet the Minimum Qualifications of the Position.

Prescreening Questions: Questions designed to identify whether an Applicant possesses specific Preferred Qualifications contained in the Job Description.

Prohibited Political Activity: Activities performed during any compensated time (other than vacation, personal, or compensatory time off), including, but not limited to:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum questions or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

Promotion: The advancement of a current Employee to a higher graded Position than their current Position.

Randomized Preliminary Eligibility List: A computer-based randomized list that assigns a random number to each Applicant on the Preliminary Eligibility list.

Ranking Meeting: The meeting at which the Interview Panel completes the Interview Panel Ranking Form, attached as Exhibit I.

Reclassification: The process by which a Position's Job Code and/or pay grade is changed.

Recruiting Event: An event, such as job fairs, school sponsored campus recruitment events and community-based employment programs that are hosted, sponsored, or attended by Clerk's office staff, where, among other things, announcements of job opportunities at the Clerk's office are made.

Request to Hire ("RTH"): The request to hire form completed by the Deputy Clerk of HR or Designee requesting recruitment and hiring activities to fill a Vacancy, which is attached as Exhibit G.

Routine Telecommuting: An ongoing arrangement approved by the Employee's Deputy Clerk, or Designee, with a prescribed schedule for days of the week and hours an Employee is authorized to work at an Alternative Worksite.

Scored Interview List: The list, in the form of Exhibit E, of interviewees, listed in descending order, based on their average interview scores from the completed and scored Interview Evaluation Forms.

Sexual Harassment: Verbal harassment (e.g., lewd or sexually suggestive remarks, pranks, epithets, jokes, threats or slurs); Physical harassment (e.g., touching, patting, pinching or intentionally brushing against another's body); Visual harassment (e.g., leering, making sexual gestures, or displaying or sending lewd or sexually suggestive posters, cartoons, pictures, drawings or objects); Sexual innuendo and demands for sexual favors (e.g., unwelcome sexual statements or advances); or any form of unwelcome sexual advance, request for sexual favors or other verbal, visual or physical conduct of a sexual nature regardless of whether it occurs face-to-face, in writing, on the telephone, by electronic mail, via the Internet, or by some indirect form of communication.

Sorted Preliminary Eligibility List: The list created by HR when grouping Candidates based on the number of Preferred Qualifications that each Candidate has indicated they meet based on answers to Prescreening Questions.

Telecommute or Telecommuting – A work arrangement whereby an Employee performs the duties and responsibilities of their position from an Alternative Worksite.

Temporary Assignment: The assignment for a limited time of an Employee to perform all or some of the duties of a Position which is different from the Position to which the Employee is permanently assigned. Temporary Assignments are not to exceed 120 days but may be extended one time for a period not to exceed an additional 120 days if the operational need giving rise to the Temporary Assignment still exists. Temporary Assignments do not include the assignment of an Employee in one job classification to work in a different work location in his or her same job classification (e.g. an Employee assigned to perform the same work that they usually performs at one of the Satellite facilities).

Termination: The involuntary separation of an Employee from employment with the Clerk's Office other than due to a Layoff.

Transfer: The movement of an Employee from one Position to another Position without changing the payroll designation (i.e., step, grade, or compensation).

Upgrade: The process by which an Employee's Position is changed from one pay grade to a higher pay grade.

Unlawful Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) from any Politically-Related Person or Organization that is intended to affect or influence, based on Political Reasons or Factors, any Employment Action involving an Applicant, potential Applicant, Candidate, or Employee applying for, being considered for, or holding a Non-Exempt Position.

Unlawful Political Discrimination: Any positive or negative Employment Action involving an Applicant, potential Applicant, Candidate, or Employee who is applying for, being considered for, or holding a Non-Exempt Position that is based on any Political Reasons or Factors.

Vacancy: An unfilled Position.

Validated Eligibility List: A listing of Candidates whose application materials and responses to the Disqualifying Questions and Prescreening Questions have been verified by HR and support the Candidate's claim to possess the Minimum Qualifications and, if applicable, Preferred Qualifications of the applied-for Position.

Veteran: A person who has served in the United States Armed Forces on active duty for a period of not less than six months of continuous service and who was not dishonorably discharged.

Veterans' Preference: The Clerk's preference to interview eligible Veteran Applicants and exclude Veterans who are Applicants for Positions subject to the General Hiring Process from any computerized randomization process under this Manual.

Written or in writing: Any communication in hard copy, electronic or digital form, unless otherwise indicated.

### **III. GENERAL PROVISIONS**

A. Purpose. This Policy Manual ("Manual") is intended to serve as a guide for Employees of the Cook County Clerk's Office ("CCCO") providing information regarding office employment policies and procedures. Its purpose is to establish and maintain uniformity of policies and procedures across all Divisions, Departments, and work locations.

B. Commitment. The Clerk's Office will implement proactive and transparent employment-related policies, practices and procedures that will prevent and remedy the negative effects of any alleged Unlawful Political Contacts and Unlawful Political Discrimination as required by this Policy Manual and Appointment Order. No CBA or other agreement between the Clerk's Office and any other individual or entity shall provide otherwise.

C. Scope. The Manual applies generally to all Shakman Non-Exempt Employees (full-time, part-time and seasonal) of the CCCO as well as Applicants and Candidates for positions at the CCCO, unless otherwise specified herein and is intended to define and communicate the CCCO's general employment policies to Employees. If the provisions of this Manual conflict with the terms of applicable collective bargaining agreements ("CBA"), the terms of the applicable CBA shall govern members of the collective bargaining unit. All union Employees should also consult their applicable CBA. Employees shall be deemed to understand the policies contained in this Manual and are responsible for acknowledging receipt of this Manual, via signature or electronic affirmation. Employees shall adhere to these policies.

D. Reauthorization and Past Practices. The CCCO reserves the right to require Employees to reauthorize certain permissions or arrangements that were in place before this Manual in order to comply with the terms of this Manual. Where a written policy in this Manual conflicts with a past practice, whether written or unwritten, the Employee may seek clarification, but should be aware this Manual repeals all prior employment-related policies.

E. Interpretation. Manual repeals, supplants, and supersedes any and all previous employment policies whether in the form of a policy manual, a memoranda, past practice, or executive order issued prior to the date of adoption of this Manual. All provisions of this Manual will be interpreted as furthering the principles of transparency and implementation and enforcement of pro-active and transparent employment-related policies and procedures that will prevent and eliminate discrimination, including Unlawful Political Discrimination. Any conflict or vagueness related to any term or provision in this Manual will be construed and interpreted by the Chief Legal Counsel, Deputy Chief of Staff and Labor Counsel, or the Chief Ethics Officer, with input from the Deputy Clerk of Human Resources.

F. Political Activities. To foster a culture of compliance, the CCCO requires strict adherence to all federal, state, county, and local ethics provisions, especially those regarding political activities. All political activities while an Employee is on duty are strictly prohibited. Employees are encouraged to consult with the Chief Legal Counsel or the Chief Ethics Officer on any activities that may be considered political activities. Employees are also encouraged to avoid even the appearance of political bias. All CCCO Employees shall abide by the following rules concerning Political Activities:

1. Political discrimination in all aspects of CCCO employment, including but not limited to all Employment Actions such as the hiring, promotion, discipline, discharge, award of overtime, evaluation of Employee performance, and transfer of employees in Shakman Non-Exempt CCCO positions shall be strictly prohibited.
2. No official or Employee shall compel, coerce, or intimidate any county official or employee to make or refrain from making any political contribution or to participate or refrain from participating in political activities. Nothing in this section shall be construed to prevent any Employee from lawfully making or receiving political contributions or from voluntarily participating in political activities as protected under the First Amendment.

3. Nothing herein shall affect the right of any Employee to hold membership in and support a political party or candidate, to vote as he/she chooses, to express his/her personal opinions, to attend political meetings, or to maintain political neutrality.
4. Employees shall not use or attempt to use political influence to secure preferential treatment in employment decisions for himself/herself or any other person.
5. Complaints - Complaints alleging Unlawful Political Discrimination in any aspect of CCCO employment or application for CCCO employment shall be made to the Cook County Office of the Independent Inspector General ("OIIG"), or to the Chief Ethics Officer, who shall promptly transmit the report to the OIIG.
6. Duty to Report - It shall be the duty of every Employee who learns of any Unlawful Political Discrimination in connection with any aspect of government employment with the County Clerk, or who believes that such Unlawful Political Discrimination has occurred or is occurring, to report this information to the OIIG without undue delay, as required by the Cook County Independent Inspector General Enabling Ordinance. Any Clerk Employee who fails to report and/or cooperate as required will be subject to Discipline, up to and including termination, provided that such reporting and cooperation are not required if protected from disclosure by constitutional right or prohibited by law, court order, or other legal obligation. Employees who report suspected Unlawful Political Discrimination to the OIIG may also report the same to the Chief Ethics Officer, who will forward the allegation to the OIIG. When forwarding the matter to the OIIG, the Chief Ethics Officer will copy the complainant on the correspondence.
7. Political Contact Reporting. Any Employee who receives or has reason to believe a Political Contact has occurred or is occurring is required to complete a Contact Reporting Form and submit it immediately to the OIIG. In addition, Employees may report the Political Contact to the Chief Ethics Officer who shall forward all such complaints to the OIIG without delay. All Employees are required to cooperate fully in any investigation of such contact conducted by the OIIG. Any Employee who fails to submit a Contact Reporting Form and/or cooperate as required will be subject to Discipline, up to and including Termination.
8. For further rules and regulations, please see the Section below titled "Ethics."

G. Contact by Politically-Related Persons Who Are Clerk Employees. The Clerk and other Clerk Employees who hold political positions or offices are authorized to engage in departmental

or employee reviews and inquiries in conjunction with their respective general management duties. CCCO Employees are not required to report as Political Contacts, communications with the Clerk and other Clerk Employees who hold political positions or offices that are within their respective management duties and concern the normal day-to-day operations of the Clerk; provided that nothing in this Section will affect any Clerk Employee's obligation to report Unlawful Political Discrimination.

H. Equal Employment, Harassment, And Discrimination. The CCCO is an Equal Employment Opportunity ("EEO") employer. As an Employer, the CCCO prohibits illegal discrimination and harassment and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex (gender), gender identity and gender expression, age, disability, national origin, ancestry, sexual orientation, marital status, parental status, military service, or discharge status. The CCCO is committed to keeping its workplace free from discrimination and harassment and to maintaining an environment in which every person is treated with dignity and respect. Harassment is also unacceptable in other work-related settings such as business trips, off-premises social events, email, social media, or through other electronic communication. The CCCO further extends this prohibition to all interactions between employees and the public, including vendors. Please see the section below titled "Discrimination and Harassment" for information on reporting claims.

I. No Retaliation. The CCCO prohibits retaliation, punishment, or penalty for reporting, investigating, or initiating a complaint related to any alleged violation of this Manual or any other policy, or cooperating with or assisting the OIIG, the Chief Ethics Officer, HRD, or any other person or official authorized to investigate any such report or complaint.

J. HRD Staff. The CCCO will maintain a HRD staff of experienced and knowledgeable professionals who are able to fulfill the Clerk's obligations under this Manual.

K. Union Relations. The CCCO respects its relationships with its Employees' legally recognized bargaining representatives and the provisions of the CBAs it has negotiated with such representatives. Those relationships are governed by the Illinois Public Labor Relations Act, 5 ICLS 315, et seq., as amended. The Manual will be construed and administered consistent with that Act to the extent that the construction or administration does not conflict with the United States Constitution or federal civil rights laws. If a CBA is in conflict with the language in this Manual, the language in the CBA will govern for union Employees provided it does not permit or involve the use of any UPC or UPD, or violate any other law, court order, or other legal obligation. If any provision in a CBA allows for management discretion involving any Employment Action, such management discretion must be exercised subject to the Appointment Order (while in effect) and the procedures contained in this Manual. If the CBA does not contain a specific procedure or is otherwise silent, the relevant procedure in this Manual must be followed.

L. No Political Consideration Certification. All Clerk Employees will be required to sign, in hard copy or electronically, as applicable, a NPCC whenever they initiate or are involved in any Employment Action. Such NPCC may be incorporated into all applicable forms and EAS as described in this Manual to assist in the fulfillment of this requirement.

M. Training. The Clerk's Office may offer Employees training opportunities on a mandatory and optional basis. Mandatory Trainings will be required of all Employees Position-wide,

Department-wide, or Office-wide. Notice of Mandatory Trainings will state that the training is required and that failure to attend the training will subject an Employee to Discipline up to and including Termination.

Optional Trainings will be offered to all Employees on a Position-wide, Department-wide, or Office-wide basis. Notice of such training opportunity will state the training is optional and that attendance is not required.

The Director of Training (if the Position is filled) or Deputy Clerk of HR or Designee shall maintain documentation concerning all training opportunity notifications and attendance.

N. Dress Code. All employees are expected to be dressed in Business Attire or Business Casual Attire and well-groomed every day, including clean clothing and hair. Business attire is defined as traditional professional appearance in an office setting. Employees may wear Denim Jeans Clothing on Fridays only.

Dress code regulations must always be followed, but interpretation of these rules may be subject to supervisory review, as all scenarios and styles cannot be covered. Supervisors may use discretion to authorize dress code deviations in advance when appropriate for the tasks undertaken. Employees who violate the Dress Code will be subject to Discipline.

Business Attire/Casual Business Attire is outlined as the following:

**TOPS:**

Acceptable: All Shirts and Blouses with collars and/or Dress Crew or V-Necks (i.e. golf and polo shirts and other dress non-collar shirts and blouses). Fridays only – Denim shirts and tops without holes and frays.

Unacceptable: T-shirts and tops with any slogans/advertising, sweatshirts, hooded garments, spaghetti straps dresses and tops, tank and halter tops, muscle shirts, camouflage, crop tops, low cut blouses, peekaboo tops and any shirts revealing one's mid-drift.

**BOTTOMS:**

Acceptable: Slacks, trouser, pants, skirts. Fridays only – Denim (no overalls) without holes or frays.

Unacceptable: Shorts, miniskirts, sagging pants, spandex, beach wear, pajamas and/or loungewear, gym clothes, sports paraphernalia, camouflage, and skorts.

**FOOTWEAR:**

Acceptable: Dress shoes (slip-ons or tie shoes). Fridays only – Athletic shoes.

Unacceptable: Thong type sandals, flip flops, beach or swim shoes, and any footwear that appear as "house slippers".

### **SUMMER MONTHS:**

During the summer months, all employees are expected to dress in business or business casual attire. The summer months are classified as the Friday before Memorial Day until the last Friday before Labor Day.

The Summer Dress Code is the same as outlined above, except that the following will be permitted:

- Open toe or peep-toe sandals/shoes. No flip flops or thong sandals.
- Mid-calf to ankle capris, short sleeve shirts and blouses (golf, polo and other dress non-collar shirt/blouses) and sleeveless/short sleeve dresses. No halters or spaghetti straps.
- Lighter fabrics such as cottons and linens. No see-through, sheer or peek-a-boo.

### **WAREHOUSE AND LABORERS**

The Elections Warehouse will adhere to warehouse setting dress code policy. Safety attire for all employees is first and foremost. Employees whose job requires moving equipment or accessing dusty areas of the office may have alternate dress code arrangements with supervisory approval.

O. Cleanliness and Safety. It is the policy of CCCO to maintain a clean and tidy work environment, especially in areas visible to the public. There shall be no eating of food or snacks in any area visible to the public, regardless of whether the Employee is on a break or lunch, unless permission is granted by the applicable supervisor. Supervisors are expected to be aware of areas of hazard that could lead to "slips, trips or falls," or other health or safety concerns, and immediately rectify any unsafe conditions. In conjunction with the Dress Code above, Employees are expected to maintain reasonable personal hygiene.

P. Media Commentary and Requests. Employees are prohibited from speaking to the media regarding any matters pertaining to CCCO and/or Cook County Government. All CCCO-related media inquiries, including requests for information made in person or via electronic means, must be immediately forwarded by the Employee to the Deputy Clerk of Communications or the Director of Communications, in their absence, with a carbon-copy email to the Employee's supervisor. The Deputy Clerk of Communications will determine the content and method of response.

On a case-by-case basis, certain Employees may be authorized to communicate with members of the media. Such authorization will come from the Deputy Clerk of Communications or Director of Communications.

Inquiries in the form of official FOIA requests should be immediately sent to the Chief Legal Counsel or Designee, as CCCO response deadlines are governed by state law.

Q. Community Outreach Policy. Unless preauthorized, no Employee may contact any outside company, agency, organization, official, or informal group with an offer or inquiry of

official partnership, or representation by the Office at an event, nor represent the Office in any response to inquiry regarding the aforementioned. Such proposals must first be presented to and approved by the Special Assistant to the Clerk for Community Affairs in advance.

R. Personal Cell Phone and Electronic Device Policy. The CCCO recognizes the need for Employees to be reachable in certain non-work-related circumstances by others, including, family, school, and health care providers in cases of emergency or other exigent circumstances. Thus, Employees may bring personal cell phones and other mobile devices to the Office and access them on breaks and lunches for personal purposes or under other emergency or exigent circumstances. In the event of an emergency call, the Employee should excuse themselves from their work area and use the phone in an area not in view of the public. Failure to comply may result in individual discipline or, in the case of rampant disregard of the policy, the institution of a blanket, office-wide prohibition.

S. "Conceal-Carry" Firearms Policy

Employees are prohibited from possessing firearms, ammunition or weapons while conducting official County business or while in or on Cook County Clerk facilities. This includes but is not limited to the following:

- Possessing Weapons while in CCCO Facilities or County owned or leased vehicles;
- Possessing Weapons in any location outside of CCCO Facilities where the Employee represents Cook County for any business-related purposes (in other words, while the Employee is out in the field); and
- Possessing weapons in Employees' personal vehicles while conducting any official County business.

Pursuant to State law, Employees with valid FOID and concealed carry licenses shall be permitted to carry a concealed firearm on or about their person within a vehicle into the parking area and may store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A licensee may carry a concealed firearm in the immediate area surrounding their vehicle within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within the vehicle's trunk. For purposes of this subsection, "case" includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box, or other container.

The CCCO shall have a zero-tolerance policy for Employees who possess a firearm or weapon in violation of this Policy or imply that they are in possession of a firearm or use their status as a firearm owner to intimidate any Employee, customer, or visitor.

Checking for weapons: The CCCO reserves the right at any time and at its discretion to conduct reasonable searches of Employees and persons where there is reasonable suspicion that a violation of this Policy has occurred.

- Searches of Employees' persons ("pat-downs") shall be conducted by CCCO's Deputy Clerk of Security, security officers of CCCO or available law enforcement.
- CCCO reserves the right at any time and at its discretion to conduct reasonable searches of Employees' workplaces where there is reasonable suspicion a violation of this Policy has occurred or where a search is permissible under law. Employees are expected to submit to reasonable searches of their workplace and persons, including but not limited to desks, office, file cabinets, purses, luggage, and lockers. Any Employee who refuses to cooperate or submit to such search may be subject to discipline, up to and including termination.

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

T. Social Media Policy. Employees should be cognizant that if their social media profiles identify them as CCCO employees, members of the public may infer that the Employee is representing the Office if they are commenting on matters pertaining to the Office. CCCO considers its social media pages to be government property. Malicious or false statements may be treated as defacement, or improper use of, government property.

1. Personal Usage During Work Hours: Unless otherwise authorized, Employees are prohibited from engaging in any public social media activity, including posting, "liking" posts, commenting, or interacting with others, during work hours. This includes interactions with Office official social media accounts. Additionally, unless otherwise authorized, no Employee may post to their social media page(s) a photo taken in a non-public area of any CCCO office, or of a public area if taken while the Employee is in paid status.
2. Engaging with Office Accounts: Employees are encouraged to engage with the Office's various social media accounts in positive and respectful ways. When doing so, Employees are considered to be representing the Office even if engagement is made during non-work hours. The Office's public-facing accounts are not to be used to air grievances, make accusations, report policy violations, spread rumors that are likely to erode public trust in our duties, or slander the Office or its Employees. Similarly, Employees are not to engage in arguments, disputes, or attempts to respond to members of the public who engage in objectionable behavior on Office social media accounts. It is solely the duty of the Communications Department to respond to social media posts or comments.
3. The appropriate procedures for lodging Employee complaints and grievances is to file it through the normal chain-of-command, or in the case of

whistleblower situations, to the Administration, Chief Legal Counsel, Chief Ethics Officer, or County investigative bodies. While free speech protections are broad, the Office will investigate any bad-faith public statements that are demonstrably false, and pursue appropriate and allowable corrective action, including Discipline.

4. Nothing herein is intended to or should be construed to impact any Employee's First Amendment rights.

U. Confidential Information. Any document or record created or held by CCCO, which is not subject to a preauthorized public release or intergovernmental sharing arrangement, shall be considered confidential. The release of information, records and documents not typically published in the normal course of office business is governed by a variety of federal, state and local laws and regulations, which include special provisions on when and how a response must be provided. Failure to adhere to these policies can place CCCO in violation of these laws. Therefore, it is the policy of CCCO that all information not used in the normal course of business be treated as confidential, and all requests for release of such information must be forwarded to a Deputy-level Supervisor, who will ascertain the correct response.

The release of confidential material shall be made only after approval by the Chief Legal Counsel. Employees who are unsure as to the appropriateness of release of specific requests must first seek guidance from Deputies and/or the Chief Legal Counsel.

Please note that information related to Employee records, medical history, and other personnel information is to be considered highly confidential, and any unauthorized release or failure to maintain control of such information shall result in Discipline, up to and including termination and referral for prosecution. The willful and unlawful release of vital records, taxpayer information, and/or voting records, to any unauthorized party, or the unauthorized access of vital records by employees who are not doing so in the discharge of their duties may also result in Discipline, up to and including termination, and possible referral for prosecution.

For the purposes of FOIA compliance, all non-public documents created by CCCO Employees are considered "confidential drafts" unless otherwise classified by CCCO Chief Legal Counsel.

V. Divisions, Departments and Chain-Of-Command. The main administrative units of the CCCO shall be called "Divisions." These include Elections, Vital Records, Human Resources, Real Estate and Taxes, Information Technology, Communications, Security, Clerk of the Board, Recording Operations, and Administration. Divisions are led by Deputy Clerks, assisted by their Directors. For units that fall under Divisions, the term "Department" shall be used. These include Elections Operations Center (Elections); Customer Service and Ethics Filings (Elections); Procurement and Operations (Clerk of the Board).

W. Guests And Visitors. Any Employee not normally authorized to meet on-premises with outside guests, vendors, and/or employees from other Agencies must seek approval from their Supervisor, Manager, Director or Deputy. Employees may not receive non-work visitors into non-public areas without authorization. Any authorized guest must be accompanied by their host and may not be allowed to access non-public areas without escort.

X. Ethics. The Cook County Clerk's Office adopts the Cook County Ethics Ordinance in whole and with all future amendments that may occur from time to time. Please see attached Exhibit S. The Cook County Clerk's Office expects its Employees to adhere strictly to the rules and laws governing ethical conduct as laid out in the Cook County Ethics Ordinance. All County Clerk Employees must report any violations, suspected violations, or other misconduct under the Cook County Ethics Ordinance to the Board of Ethics or the OIIG in a timely manner. After satisfying the above reporting requirement, Clerk Employees may also report the alleged violation or other misconduct to the Chief Ethics Officer. The Chief Ethics Office will forward the report to the OIIG (copying the Employee) to ensure the OIIG received the allegation.

Y. Discrimination and Harassment. The CCCO is an Equal Employment Opportunity ("EEO") employer. As an Employer, the CCCO prohibits illegal discrimination and harassment and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, age, disability, national origin, ancestry, sexual orientation, marital status, parental status, Political Reasons or Factors (for Non-Exempt Positions), military service, or discharge status. The CCCO is committed to keeping its workplace free from discrimination and harassment and to maintaining an environment in which every person is treated with dignity and respect. Harassment is also unacceptable in other work-related settings such as business trips, off-premises social events, email, social media, or through other electronic communication. The CCCO further extends this prohibition to all interactions between employees and the public, including vendors. The following does not cover Unlawful Political Discrimination. The definitions of Discrimination, Harassment and Sexual Harassment and associated procedural requirements regarding Unlawful Political Discrimination can be found in the "Definitions" and "General Provisions" sections of this Manual. These definitions are not intended to fully encompass all scenarios that could rise to a violation of these prohibitions, but rather to provide general guidance. The Employer maintains the right to evaluate each incidence individually.

1. Reporting requirement: This Policy requires any Office Employee who witnesses a possible violation of this Policy to report such conduct. A variety of options exist for employees to report harassment and discrimination. If an Employee is uncomfortable with reporting violations to their supervisor, they may report to other officers within the Office, or another Office under County Government as provided herein. Employees who feel that they have been harassed or discriminated against or who witnesses an incident of harassment or discrimination must report the suspected violation to one of the following:
  - a. their immediate supervisor, who will then make a confidential report, in writing, to the Chief Ethics Officer; or
  - b. a Deputy Clerk or Director in their Chain of Command, or the Deputy Clerk of Human Resources; or
  - c. to the Chief Ethics Officer, and/or the Chief Legal Counsel; or

- d. outside agencies, including the Cook County Board of Ethics, the Office of the Independent Inspector General, the Equal Employment Opportunity Office, the Cook County Commission on Human Rights, or other appropriate county, state, or federal agency.

Any supervisor or managerial level Employee who receives a harassment or discrimination report or becomes aware of any credible situation that may involve harassment must immediately notify the Chief Ethics Officer. This is required whether or not an actual complaint has been made by a specific Employee. Supervisory or managerial level Employees who fail to report or fail to properly address harassing conduct, when the supervisor or manager should have been aware of such conduct and did not take appropriate steps to eliminate it, are also subject to disciplinary action.

As the means and methods of contact for Divisions change, the Office urges Employees to seek phone numbers and/or email addresses where appropriate, including an outside agency website, to ensure prompt attention. The Office's Human Resources Division shall be prepared to provide contact information for any officer or agency listed, if requested. All reports will be handled confidentially to the extent reasonably possible.

2. No Retaliation: Retaliation is an adverse action that is taken in an effort to punish an individual for having opposed a harassing or discriminatory practice or an adverse action taken in an attempt to deter an individual from opposing a harassing or discriminatory practice. There shall be no retaliation against Employees, vendors, customers, or any person or entity for reporting violations, or good-faith suspicions of violations, or for participating in an investigation of a report under this Policy. Additionally, those reporting allegations may be afforded whistleblower protections under the State Officials and Employees Ethics Act, the Illinois Whistleblower Act, the Illinois Human Rights Act, the Cook County Ethics Ordinance, the Cook County Human Rights Ordinance, the Cook County Inspector General Ordinance, and any other applicable County, State, or federal law. For exceptions to this section, see False or Frivolous Complaints, below.
3. Investigation/Confidentiality: All complaints will be kept confidential to the extent reasonably possible while allowing the Chief Ethics Officer to conduct a prompt, thorough, and fair investigation. If the initial complaint was verbally reported, the Chief Ethics Officer will memorialize the complaint and may follow up and request that the Employee provide specific details as to exactly what happened so the complaint can be adequately investigated and remedied. The nature and extent of an investigation will depend on the nature of the complaint and the circumstances presented. Upon completion of an investigation, the Chief Ethics Officer will determine whether there has been a violation of Office policy and whether additional action is required to correct any violation or prevent a violation from occurring. Depending on the nature and severity of a violation, disciplinary action may result, up to and including termination of

employment. All employees are required to fully cooperate with any investigation of a complaint of this Policy. Allegations of harassment, discrimination and retaliation will be investigated by the Chief Ethics Officer. At the conclusion of the Chief Ethics Officer's investigation, the Chief Ethics Officer will issue a written report detailing his or her findings and recommendations. If the Chief Ethics Officer recommends Discipline, they will complete a Disciplinary Action Form and submit it to the Deputy Chief of Staff and Labor Counsel pursuant to the Discipline Policy. If the Chief Ethics Officer does not recommend Discipline, they shall submit the report to the Chief Deputy Clerk and Deputy Chief of Staff and Labor Counsel. If the Chief Ethics Officer recommends any non-disciplinary corrective action, they shall track in writing any response and or implementation of any corrective action made by the Clerk's Office to ensure that the Clerk's Office either: (a) implements the proposed corrective action, (b) explains why the recommended action was not implemented, and/or (c) implements alternative corrective actions.

4. Discipline: Any employee of this Office who violates this Policy shall be subject to Disciplinary Action, up to and including termination, pursuant to the CCCO's Discipline Policy. Vendors or contractors of the Office found to have violated this Policy may be subject to penalties in accordance with contractual obligations or other penalties as provided by law. Employees who failed to or were negligent in their duty to report or in the handling of good-faith complaints will also be subject to discipline.
  
5. False and Frivolous Complaints: False and/or frivolous complaints include incidents where the accuser uses a harassment or discrimination report or complaint to accomplish some end other than reporting or stopping bona fide instances of harassment or discrimination. It does not include complaints made in good faith, which cannot be proven. Given the seriousness of the consequences for the falsely accused, a false and/or frivolous complaint is a Major Disciplinary Infraction that shall result in Disciplinary Action up to, and including, termination.

Z. Conflict of Interest.

1. No Employee or supervisor may directly or indirectly supervise an Employee where a Conflict of Interest exists.
  
2. No Employee or supervisor may be involved with or influence an employment action, including but not limited to hiring, firing, demotion, transfer, assignment of work, approval for employment benefits such as overtime, vacation time, etc., and employee evaluations where the Employee has a Conflict of Interest.

3. Conflict of Interest, as defined in this Manual, includes but is not limited to:
  - a. Where an Employee has (or has had) a familial relationship with another Employee, Applicant, or Candidate.
  - b. Where an Employee has (or has had) a romantic relationship with another Employee, Applicant, or Candidate.
  - c. Where an Employee has (or has had) a social, business, or financial relationship, or friendship with another Employee, Applicant, or Candidate where impartiality or professional judgment (or the appearance of) may be compromised.
4. If an Employee has any Conflict of Interest, the Employee must recuse themselves from any Employment Action and inform the Chief Ethics Officer immediately. Conflicts of Interests will be investigated by the Chief Ethics Officer.

AA. Alleged Violations of the Policy Manual Not Involving Political Reasons or Factors. If any Employee becomes aware of or receives a complaint that involves an allegation of a violation of this Policy Manual in connection with an Employment Action which does not include an alleged Political Contact or UPD, the Employee shall refer the complaint to the Deputy Clerk or HR or Designee. If HR is the subject of the complaint, the Employee shall refer the complaint to the Chief Ethics Officer. For any complaints received by HR, the Deputy Clerk of HR/Designee shall do the following:

1. Refer to the Chief Ethics Officer any allegations concerning an HR employee or concerning violations of the following policies: Hiring, Discipline, Performance Management and Temporary Assignment. For all complaints referred to the Chief Ethics Officer, they shall then conduct an investigation consistent with the above section titled "Discrimination and Harassment." For all investigative reports issued, the Chief Deputy Clerk or Deputy Chief of Staff and Labor Counsel shall issue the Chief Ethics Officer a written response within 45 days: (a) confirming implementation of the Chief Ethics Officer's recommended action(s), or (b) explaining why the recommended action was not implemented and describing any alternative actions the Clerk elected to take and the specific reasons for the alternative actions. Nothing in this section shall prevent the Chief Ethics Officer from exercising his or her discretion to issue a brief memorandum notifying an Employee of a technical violation (i.e. improper number of Candidates scheduled for interview, failure to maintain a complete Posting File). Such memoranda will be provided to the Employee, Deputy Clerk of HR or Designee, and no response will be required from the Chief Deputy Clerk or Designee.

BB. Severability. If any provision of this Policy is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, the remainder of this Policy Manual shall not be affected thereby and shall remain in full force and effect.

#### IV. HIRING POLICIES

A. Purpose. The purpose of this section is to define general hiring principles policies and procedures that will govern at the CCCO. These procedures and processes are provided to ensure that hiring and employment at the CCCO is fair, and free of unlawful Political Reasons or Factors.

B. General Guidelines. The Clerk's Office will adhere to the following general employment-related principles and guidelines with respect to employment:

1. Commitment: The Clerk's Office hereby implements pro-active and transparent employment-related policies, practices, and procedures that will prevent the negative effects of any unlawful Employment Actions. No CBA or other agreement between the Clerk's Office and any other individual or entity shall provide otherwise.
2. No Employment Actions Influenced by Political Reasons or Factors: No Employment Action affecting an Employee holding a Non-Exempt Position shall be influenced by any Political Reasons or Factors.
3. Notice of Exemption: An Employee holding a Non-Exempt Position that has been approved as an Exempt Position will be given a minimum of 30 days' advance notice of such change. The Employee shall be given the opportunity to Transfer into any available non-union, Non-Exempt Position for which they meet the Minimum Qualifications, but only in the event the Position is vacant, funded, and is intended to be filled by the Office. The Deputy of HR or Designee will provide the Employee with a list of such Positions. If the Employee selects one of the Positions, the Deputy Clerk of HR will complete a Request to Hire and validate the Employee's qualifications consistent with the General Hiring Process. The Deputy Clerk of HR or Designee will then complete a JTH and Grant of Authority, consistent with the General Hiring Process.
4. Recommendations: The CCCO does not accept recommendations for Non-Exempt Positions and recommendations are not considered when making employment decisions. If a recommendation is received by a CCCO Employee on behalf of an Applicant, Candidate or Employee, such recommendations shall be forwarded to the Chief Ethics Officer. The Chief Ethics Officer will review the recommendation to determine whether the recommendation is based on Political Reasons or Factors. If the Chief Ethics Officer finds that the recommendation is based on Political Reasons or Factors, the Chief Ethics Officer shall forward the recommendation to the OIIG. If the Chief Ethics Officer finds that the recommendation is not based on Political Reasons or Factors, then the recommendation shall be included in the Posting File. Employees that receive

recommendations shall not share these recommendations with any other Clerk Employee other than the Chief Ethics Officer.

5. Prohibited Contacts: No Clerk Employee may contact any other Clerk Employee involved in any Employment Action to influence any Employment Action based upon Political Reasons or Factors.
  6. Equal Employment, Harassment and Discrimination: The Clerk's Office is an Equal Employment Opportunity ("EEO") employer. The Clerk's Office is committed to keeping its workplace free from discrimination and harassment, and to maintaining an environment in which every person is treated with dignity and respect. Harassment is unacceptable in all work-related settings, including, but not limited to, email, telephone communications, social media, or through other electronic communication. The Clerk's Office further extends this prohibition to all interactions between employees and the public, including vendors.
  7. No Retaliation: The Clerk's Office shall continue to prohibit retaliation, punishment, or penalty for reporting, initiating, or investigating a complaint related to any alleged discrimination, UPC, UPD or harassment, or cooperating with or assisting the Chief Ethics Officer, the Office of the Independent Inspector General ("OIIG), or any other authorized investigative official or authority, in connection with any such report or complaint.
  8. Human Resources Division Staff: The Clerk will maintain an HR staff of experienced and knowledgeable professionals who meet the Minimum Qualifications contained in the Job Descriptions for their Positions. Such persons will be primarily responsible for implementing the hiring policies and procedures of the Clerk's Office as set forth in this Policy Manual.
  9. No Political Consideration Certification. All Clerk's Office employees and Vendors shall be required to sign, in hard copy or electronically, as applicable, a No Political Consideration Certification ("NPCC") whenever they initiate or are involved in any Employment Action.
  10. Interpretation of the Policy Manual. All portions and provisions of this Policy Manual will be interpreted as being in furtherance of the above principles and commitments.
  11. No Political Consideration Certification: All Clerk's Office employees and Vendors will be required to sign, in hard copy or electronically, as applicable, a NPCC whenever they initiate or are involved in any Employment Action related to this Policy Manual.
- C. Responsibilities of Human Resources Division. HR is responsible for initiating, directing, coordinating, and overseeing the Human Resources Division processes, policies, and procedures of the Clerk's Office relating to all Employment Actions, and for training employees regarding those matters, in consultation with the Chief Ethics Officer. The following will apply to activities of HR:

1. HR Personnel Training: HR, will provide comprehensive mandatory training programs for all personnel within HR to ensure that they are aware of and knowledgeable about the Policy Manual and will be able to administer relevant portions of the Policy Manual and answer questions they may receive. Such training will be conducted as soon as practicable after any individual becomes an Employee in HR. Electronic records proving attendance of such training shall be maintained in writing by the Director of Training (or Designee). HR will continue to provide training to HR personnel regarding changes to the Policy Manual as necessary between annual training sessions. The Chief Ethics Officer, Chief Legal Counsel, and/or the Deputy Chief of Staff and Labor Counsel may provide assistance with the development and presentation of these training programs, if necessary.
2. Supervisor Training: HR, will provide comprehensive mandatory training for all Supervisors to ensure they are aware of and knowledgeable about the Policy Manual. All Supervisors will receive such training as soon as practicable following their appointment as a Supervisor, and no less frequently than annually thereafter. Electronic records proving attendance of such training shall be maintained by the Director of Training (or Designee). HR will continue to provide training to Supervisors regarding interim changes to the Policy Manual as necessary between annual training sessions. The Chief Ethics Officer, Chief Legal Counsel, and or the Deputy Chief of Staff and Labor Counsel may provide assistance with the development and presentation of these training programs, if necessary.
3. Employee Training: HR, will conduct comprehensive mandatory training of all Employees to ensure they are aware of and knowledgeable about the Policy Manual, and Unlawful Political Discrimination. HR shall provide new Employees with copies of the Policy Manual within 10 days of employment. All Employees will receive such training as soon as practicable following the start of their employment, and no less frequently than annually thereafter. Electronic records proving attendance of such training shall be maintained by the Director of Training (or Designee). HR will continue to provide training to Employees as necessary. Amendments to the Policy Manual need not require immediate re-training of employees, but HR must provide written notice to all Employees of the amendment(s) prior to implementing and enforcing any such amendment. Electronic records demonstrating Employees were notified of amendments to the Manual will be maintained by the Deputy Clerk of HR or Designee. The Chief Ethics Officer, Chief Legal Counsel, and or the Deputy Chief of Staff and Labor Counsel may provide assistance with the development and presentation of these training programs, if necessary. The OIIG will be given at least five (5) business days' notice of all trainings pursuant to this Section and may participate in the training if available.
4. Interviewer Training: HR will conduct mandatory comprehensive training of all Employees who are eligible to interview Candidates for any Position regarding proper interviewing conduct, techniques, and requirements, as well as the

prohibition of Unlawful Political Contacts and Unlawful Political Discrimination. Electronic records proving attendance of such training shall be maintained by the Director of Training (or Designee). HRD will maintain a list of all Employees who have been certified as completing such training and consult the list when an Interview Panel is assembled. Only Employees who have been certified in interviewer training will be eligible to participate on any Interview Panel. The Chief Ethics Officer, Chief Legal Counsel, and or the Deputy Chief of Staff and Labor Counsel may provide assistance with the development and presentation of these training programs, if necessary.

5. Access to Information Regarding Applicants: The Deputy Clerk of HR will take steps to ensure that no information about any Applicant is available to or shared with any individual or entity unless that individual or entity is specifically authorized to receive such information.
6. Review of Job Descriptions: All Job Descriptions must include: (a) a list of all day-to-day essential duties and the related knowledge, skills, and abilities required to perform those duties; (b) a list of Minimum Qualifications; (c) a list of any Preferred Qualifications; (d) a list of testing protocols, if applicable; and they must be accurate and readily available to the public. Accordingly, the Deputy Clerk of HR shall:
  - a. consult with the Deputy of the hiring department and appropriate staff, if necessary, and evaluate the Job Description for each Position for which the Clerk receives a RTH to ensure that the Job Description is accurate and reflects the actual duties and Minimum Qualifications or Preferred Qualifications for the job and testing protocols, if any;
  - b. update and revise any such Job Description that is not accurate;
  - c. provide the updated or revised Job Description and the previous Job Description, if applicable, to the Chief Legal Counsel, the Chief Deputy Clerk, and the Deputy Chief of Staff/Labor Counsel, and the Chief Ethics Officer/Legal Counsel for comment.
  - d. post the accompanying Job Descriptions whenever a Position opening is posted in the same manner and locations as the Vacancy is posted. Nothing in this section will prevent HR from reviewing and updating Job Descriptions as described in this section to keep the Job Descriptions current and accurate, regardless of whether there is an anticipated posting.
7. Forms: HR is responsible for creating and updating HR related forms required under the Policy Manual. Accordingly, the Deputy Clerk of HR or their Designee shall create any standard form to be used in connection with Employment Actions. If the Deputy Clerk of HR determines that a form should be amended, the Deputy Clerk of HR or their Designee shall review the form and make any necessary amendments.

8. Recordkeeping: HR will keep personnel files and other HR related files in a manner that complies with the Local Records Act and the Personnel Records Review Act.
  9. General Principles and Responsibilities Related to Electronic Application System: The implementation and use of EAS shall be in compliance with the Clerk's commitments and obligations as follows:
    - a. EAS Training. The Deputy Clerk of HR or designee and the IT Department or outside consultants, if necessary, shall develop a written training program and provide on-site training for all Employees who will have access to and use EAS and will provide expertise to respond to questions as needed.
- D. General Hiring Process. The specific elements of the General Hiring Process, which apply equally to External Applicants and Internal Applicants are described in detail below. All Applicants, unless otherwise stated, will be required to go through the General Hiring Process.
1. Recruitment: HR will take steps to ensure that all Employee recruitment efforts are conducted in a manner that maximizes the pool of Applicants and avoids any Unlawful Political Contacts or Unlawful Political Discrimination including, but not limited to, the following:
    - a. Employee Recruitment and Hiring: Any Employees who engage in any Employee recruitment and/or hiring-related outreach activity will receive training in proper practices that comply with the General Hiring Process by HR prior to engaging in any such activity. Attendance of such training shall be tracked electronically by the Director of Training (or Designee). HR Employees who send notifications of postings to schools and community organizations shall not be considered as engaging in recruitment or outreach activities for purposes of the General Hiring Process based on those activities alone.
    - b. Employee Recruitment and Hiring-Related Outreach Event Participation: All Employees involved in employee recruiting may participate in a variety of events including, but not limited to, job fairs, school sponsored campus recruitment events and community-based employment and outreach program forums. The Clerk's Office shall provide prominent written notice at any such event to attendees that the Clerk's Office does not hire or accept recommendations for Non-Exempt Positions based on Political Reasons or Factors. The Deputy Clerk of HR or their Designee will document all employee recruitment and hiring-related outreach events attended by representatives of the Clerk's Office.
  2. Contacts about Hiring Process.

- a. HRD. Applicants and prospective Applicants may contact HR with any questions they may have with respect to the application process. Applicants and prospective Applicants with disabilities may contact HRD to request an accommodation during the application process. HRD employees must complete a Contact Form for each contact.
- b. Employees Involved in the Hiring Process. Employees involved in the hiring process who have or have had any communication(s), either directly or indirectly, with (a) an Applicant, prospective Applicant or Candidate about his or her application for a Covered Position or (b) an Employee not otherwise involved in the hiring process about a Candidate, Applicant or prospective Applicant must complete a Contact Form. Employees involved in a hiring process who make contact with Applicants or Candidates that are explicitly permitted in this Hiring Policy (e.g. HR employees scheduling interviews) need not complete Contact Forms for such contacts.
- c. Other Employees. Employees who have or have any communication(s), either directly or indirectly, with an Employee involved in the hiring process about a current or prospective hiring process must complete a Contact Form. The Clerk, Chief Deputy Clerk and the Special Assistant to the Clerk – Government Affairs may request from the Deputy Clerk of HR general updates on a hiring process and these contacts need not be included on a Contact Form. In connection with investigations, the Chief Ethics Officer (or Designee, consistent with the Discipline Policy) may also question Employees about current and prospective hiring sequences without requiring such contacts to be included on a Contact Form.
- d. Contact Form. The Contact Form must describe in detail the communication(s) and any known relationship the Applicant, prospective Applicant or Candidate has with any Employee and must be provided to the Deputy Clerk of HR immediately. The Deputy Clerk of HR will not permit anyone else involved in the hiring process to review the Contact Form. All completed Contact Forms will be included in the Posting File at the conclusion of the hiring process.
  3. Job Postings: All Non-Exempt Positions which the Clerk's Office is seeking to fill shall be posted electronically on the main page of the Clerk's Website under the Jobs tab. Postings may also be made on job search websites and/or at locations required by any CBA, schools, professional organizations, labor organizations, professional publications, online job posting sites, and other appropriate locations in order to generate a large pool of qualified Applicants. The methods of posting as well as posting locations will be documented in the Posting File.
  4. Request to Hire: All hiring for Positions shall be initiated by submission of a RTH in accordance with the following:

- a. Submission of RTH: The RTH must conform with the standards established by the Cook County Budget Department. On the RTH, the Deputy Clerk or Designee overseeing the Hiring Department must receive written approval to fill the Position from the Deputy Clerk of Human Resources or Designee, and the Chief Deputy Clerk or Designee. If the RTH is approved, the remainder of this section shall apply.
- b. Current Job Description: Prior to posting a Non-Exempt Position, the Deputy Clerk of HR or their Designee shall review with the Deputy of the Hiring Department the current Job Description containing a list of all Minimum Qualifications and, if applicable, Preferred Qualifications, as well as a description of the knowledge, skills, and abilities relating to the Position. The Deputy Clerk of HR and the Deputy of the Hiring Department will confirm that any such Minimum Qualifications, Preferred Qualifications, and knowledge, skills and abilities are, in fact, related to the Position's requirements. If no Job Description exists or the Deputy of the Hiring Department claims the current Job Description is not accurate, the Deputy of the Hiring Department, and the Deputy Clerk of HR or their Designee shall draft a new Job Description or update the current Job Description to accurately reflect the requirements of the Position. Before the Position is posted, copies of the final new or updated Job Description and the previous Job Description, if applicable, shall be given to the Chief Deputy Clerk, or Designee, for comment. Any updates to any Job Description must be done in compliance with the section relating to "Review of Job Descriptions."
  5. Preparation of Notice of Job Opportunity: The Deputy Clerk of HR or their Designee shall prepare the Notice of Job Opportunity in accordance with the following:
    - a. Confirmation of Accuracy: The Deputy Clerk of HR or their Designee shall take steps to ensure that all information, including, but not limited to, all Minimum Qualifications and Preferred Qualifications, if applicable, included in the Notice of Job Opportunity, are accurate and relate to the duties of the Position described in the Job Description.
    - b. Contents of Notice of Job Opportunity: The Notice of Job Opportunity shall be prepared based on information contained in the RTH and applicable Job Description. The Notice of Job Opportunity shall include, but not be limited to: (a) the job title and Job Code; (b) the deadline for applying; (c) the Job Description, including the Minimum Qualifications and Preferred Qualifications, if applicable; (d) Disqualifying Questions and Prescreening Questions; (e) that Internal Candidates will be given certain preferential treatment in the hiring sequence consistent with the General Hiring Process;; (f) the amount or range of compensation; (g) directions on how and where to apply; (h) the time period during which applications will be accepted; (i) a list of all certifications, licenses, and documents that the individual must produce in order to be considered eligible for the Position and the time period for producing such information; (j) a description of any testing protocols that will be administered for an Applicant to be considered eligible for the Position, (k) if applicable, a nondiscrimination clause; and (m) a statement that any Applicant who fails

to comply with any of the requirements of the Notice of Job Opportunity will not be considered eligible for the Position.

6. Posting of Notice of Job Opportunity: All Notices of Job Opportunity shall be posted in compliance with the following:
  - a. Posting Locations: All Notices of Job Opportunity shall be posted as described in the section above titled "Job Postings."
  - b. Union Postings: The Notice of Job Opportunity for a Position covered by a CBA shall be posted pursuant to any applicable provisions of the CBA, Union bulletin boards, and bulletin boards in employee break rooms.
  - c. Posting Period: All Notices of Job Opportunity shall be posted for a minimum of 14 days, unless exigent circumstances require otherwise. If HR decides to extend the final date for posting, a notice of such extension shall promptly be added to the Notice of Job Opportunity posted on EAS and a copy maintained in the Posting File.
7. Submission of Applications. All applications and required application materials must be submitted to HR through EAS. Each Applicant will be required to answer Disqualifying Questions and any applicable Prescreening Questions on EAS. The same Disqualifying Questions and Prescreening Questions will be asked of all Applicants applying for the same Position. Any Applicant who does not indicate in their answers to the Disqualifying Questions that they possess all of the Minimum Qualifications, and/or any Applicant who does not complete the online application for the Position through EAS, will not be considered eligible for the Position, and his or her name will not be included on any Preliminary Eligibility List.
8. Permitted Contacts from Applicants. Applicants may contact HR with questions about the application process.
9. Conflicts of Interest: No individual or entity subject to the provision of this Policy Manual, including Clerk's Office Employees, recruiting consultants, vendors, or other third-party contractors, may be materially involved with (*i.e.* conducting non-clerical tasks) or influence any Hiring process or decision, where that individual or entity has a Conflict of Interest. If at any time an Employee who is materially involved with a Hiring process or decision, realizes that they has a potential Conflict of Interest, or discovers that any other Employee has had, or currently has, a personal or professional relationship with an Applicant, prospective Applicant or Candidate, that Employee must immediately notify the Chief Ethics Officer, in writing. (This provision does not apply to professional relationships arising out of employment with the CCCO, or formerly with the Cook County Recorder of Deeds.) The Chief Ethics Officer will determine whether the relationship rises to the level of a Conflict of Interest and what

restrictions (if any) shall be placed on the Employee's continued involvement in the Employment Action. The Chief Ethics Officer and Legal Counsel shall communicate his or her determination to the Deputy Clerk of Human Resources in writing. If the Chief Ethics Officer determines that a Conflict of Interest exists, the Chief Ethics Officer shall include in the written decision any restrictions on the involvement of the conflicted Employee or whether the conflicted Employee must be removed from the hiring process. If the Chief Ethics Officer has a Conflict of Interest, the Deputy Clerk of HR shall carry out the above duties where applicable. If both the Chief Ethics Officer and Deputy Clerk of HR have a Conflict of Interest, the Deputy Chief of Staff and Labor Counsel shall carry out the respective duties where applicable. All documentation concerning a Conflict of Interest disclosure and deliberation shall be included in the Posting File.

10. Creation of Preliminary Eligibility List. After the final posting closing date, HR shall create a Preliminary Eligibility List for the Position posted containing only the names of the Applicants who completed the application process in EAS and who, based on their answers to the Disqualifying Questions, indicated that they possess all Minimum Qualifications for the Position. If no Applicant is eligible for inclusion on the Preliminary Eligibility List, the Position may be reposted.
11. Randomization of Preliminary Eligibility List. Using a computer-based randomization program (in EAS or another computer program), HR shall create the Randomized Preliminary Eligibility List. If an Applicant has submitted more than one application during the Posting Period, HR will only include the Applicant's name once in the randomization.
12. Sorting of Randomized Preliminary Eligibility List. HR shall create the Sorted Preliminary Eligibility List in the order described below:
  - a. Internal Candidate Preference. First, HR shall place all Internal Applicants at the highest grouping on the Sorted Preliminary Eligibility List in the randomized number assigned to them pursuant to the Randomization process described above. If the position posted is a union position, then the Internal union Applicants will be sorted based on their seniority consistent with the applicable CBA.
  - b. Veteran's Preference. Second, HR will review all Applicants eligible for Veterans' Preference. To be considered for Veterans' Preference, Applicants must (i) be a Veteran, (ii) submit a copy of the DD 214 Form on EAS at the time of application, and (iii) indicate based on their answers to the Disqualification Questions that they meet all of the Minimum Qualifications for the Position. HR will review all DD 214 Forms submitted on EAS. If HR confirms that the Applicant is a Veteran as defined in this Policy, HR will place the names of such Applicants directly below Internal Candidates in the order of the number of Preferred Qualifications, if applicable, the Veteran indicated they possessed in their answers to the Prescreening Questions, and the randomized number assigned to them pursuant to the Randomization process described above, and will note on the Preliminary Eligibility List they were confirmed as Veterans.

- c. Preferred Qualifications. Third, if the Job Description includes Preferred Qualifications, HR shall sort the names of External Applicants who indicated that they possess one or more Preferred Qualifications into groups based on the number of Preferred Qualifications (*e.g.* 4 of 4 Preferred Qualifications, 3 of 4, *etc.*). HR shall put the names of Applicants in each group in the order of each Applicant's randomly assigned number created through the randomization process.
- d. All Other Applicants. Finally, HR shall add all other Applicants from the Randomized Preliminary Eligibility List to the Sorted Preliminary Eligibility List based on their randomly assigned number created through the randomization process.

13. Creation of Validated Eligibility List. HR shall create a Validated Eligibility List to determine which Candidate(s) may be placed on the Interview List.

- a. Validation of Applicants. HR shall validate the Applicants in the order in which they appear on the Sorted Preliminary Eligibility List. HR shall validate first all Internal Applicants. If after validating all Internal Applicants there are less than 15 eligible Candidates for a single vacancy (or 15 eligible Candidates plus the number of vacancies for multiple vacancy postings), then HR will continue to validate the names in the order they appear on the Preliminary Eligibility List starting with (a) Veterans; (b) External Applicants with Preferred Qualifications within the groups created above and (c) then Applicants who claim to meet only the Minimum Qualifications of the Position. HR shall continue validating per this Section until there are 15 eligible Candidates for a single vacancy (or for multiple vacancy postings, 15 eligible Candidates plus the number of vacancies being filled) on the Validated Eligibility List. If less than 15 applicants apply for a single vacancy (or 15 plus the number of vacancies for multiple vacancies), all Applicants shall be validated.
- b. Validation of Experience/Education. HR shall validate the information in the employment application materials concerning the Applicant's work experience, education, and skills and compare it with the Applicant's responses to the Disqualifying Questions and Prescreening Questions. to determine whether the application materials show on their face that the Applicant meets the Minimum Qualifications and any Preferred Qualifications. If an Applicant has submitted more than one application during the Posting Period, only the most recent application submitted may be reviewed for purposes of validation. If necessary, HR may consult with individuals with specific knowledge of the qualifications for the Position during the validation process to assist in the determination of whether an Applicant possesses a Minimum Qualification or Preferred Qualification that is technical in nature. The consultation shall be documented on the Sorted Preliminary Eligibility List. In the event there is a material conflict or inconsistency between the information provided by the Applicant and the Applicant's response to any Disqualification Question, or if the information does not support the

Applicant's claim to possess the Minimum Qualifications of the Position, the Applicant shall be considered ineligible for the Position, and that person's name shall be not placed on the Validated Eligibility List. For each Applicant removed from the Preliminary Eligibility List, HR will document the specific Minimum Qualification(s) the Applicant failed to satisfy on the Sorted Preliminary Eligibility List. If HR determines that an Applicant does not meet as many Preferred Qualifications as represented on that person's application, HR shall put that Applicant in the appropriate group and in the order consistent with the Applicant's randomly assigned number created through the randomization process. If none of the Applicants possess all the Minimum Qualifications for the Position, the Position shall be reposted. In the case of reposting, HR, in consultation with the Deputy Clerk of the Hiring Department, may review the Minimum Qualifications in the Job Description to determine if any changes are appropriate.

- c. Validation of Disciplinary History for Internal Applicants or Former Employees. Following the validation procedure described above, HR shall review the disciplinary history for CCCO Employees and former CCCO Employees that were employed by the CCCO at any time within the 36 months preceding the Applicant's application for hire. If an Employee received a Suspension in the 18 months prior to the posting of job opportunity, the Employee will not be deemed eligible for the position. If a former Employee was terminated, resigned in lieu of Termination or received any Suspension within the 18-month period prior to Termination or resignation, the former Employee will not be deemed eligible for the Position.
- d. Pre-Screening Testing. Additional pre-employment tests may be administered to Candidates appearing on the Validated Eligibility list confirmed by HR. The requirement of any pre-employment test shall be clearly detailed on the Notice of Job Opportunity and must be based on the specific requirements of the Position for which the Candidates are applying and as described in the Notice of Job Opportunity. Each pre-employment test shall be administered, scored, considered, and weighted on a consistent basis for each Candidate, and must occur prior to interview. The Validated Eligibility List shall be updated to reflect those Candidates who passed the pre-employment test.

14. Creation of the Interview List. HR shall create the Interview List of the Candidates to be interviewed as follows:

- a. All eligible Internal Candidates will be added to the Interview List.
- b. Eligible Veterans – If there are less than five Internal Candidates on the Interview List for a single vacancy (or 3 Candidates per vacancy for multiple vacancies), then HR will add the names of any eligible Veteran Candidates and External Candidates to the Interview List in the order that they appear on the Validated Eligibility List until there are 5 Candidates for a single Vacancy or 3 Candidates per Vacancy for multiple Vacancies.

- c. If there are less than 5 Candidates on the Validated Eligibility List, the Validated Eligibility List may serve as the Interview List.

15. Use of Validated Eligibility List and Sorted Preliminary Eligibility List. The Validated Eligibility List and the Sorted Preliminary Eligibility List shall be valid and may be used for purposes of filling vacancies for the posted Position for a period of 12 months from the date created. The Deputy Clerk of HR, in consultation with the Deputy Clerk of the Hiring Department, shall decide if an existing Validated Eligibility List or Sorted Preliminary Eligibility List will be used to fill a Vacancy or if the Vacancy will be posted. If a Validated Eligibility List or Sorted Preliminary Eligibility List is used, HR shall proceed with the hiring process. If the vacancy will be filled via reposting, the existing Validated Eligibility List and Sorted Preliminary Eligibility List will no longer be viable.

16. Interview Preparation:

- a. Interview Scheduling: The Deputy Clerk of HR or their Designee shall schedule interviews of all Candidates listed on the Interview List. All offers for interviews will be sent to the Candidates in writing at least 48 hours in advance via electronic mail to the email address the Candidate provided with his/her application materials. All correspondence will be placed in the Posting File. If a Candidate fails to respond to an interview offer within 24 hours, the Candidate will be disqualified and will no longer be considered for the Position, unless the Candidate communicates exigent circumstances to the Deputy Clerk of HR or Designee, as soon as practicable. The Deputy Clerk of HR or Designee will document and determine whether the circumstance(s) were exigent. All such communication will be memorialized on the Contact Log in the Posting File. If any Candidate is unavailable at the prescribed time, an alternate date will be communicated to the Candidate. If the Candidate is not available on the alternate date, the Candidate will be disqualified and no longer eligible to be hired. If at any point a Candidate scheduled for an interview does not appear for an interview or declines the offer of an interview, the next eligible Candidate or Candidates (if any) on the Validated Eligibility List will be offered an interview. If there are no additional Candidates on the Validated Eligibility List, remaining Candidates on the Sorted Preliminary Eligibility List shall be validated, moved to the Interview List and contacted for an interview in accordance with the requirements listed above in this Hiring Plan. This interview process will continue as necessary until the Interviewer Panel selects any Candidate to whom the Deputy Clerk of Human Resources or their Designee extends an offer. The Interviewer Panel may establish, but is not required to meet, a minimum number of Candidates to interview before selecting a Candidate. This process will remain the same regardless whether there is a single vacancy or multiple vacancies.

If a candidate is denied entry to 69 West Washington or any other designated address for their interview because of COVID-19 related factors or if the Candidate contracts COVID-19 or is otherwise required to quarantine; the Candidate must immediately contact the Deputy Clerk of HR or his or her Designee to arrange for an alternate interview. The Candidate will be required to provide documentation (i.e., positive test results, quarantine order, signed affidavit of exposure or possible exposure, etc.) to the Deputy Clerk of HR within 24 hours of the scheduled interview.

- b. Interview Panel Selection: The Deputy Clerk of HR in consultation with the Deputy Clerk of the Hiring Department, shall select the Interview Panel consisting of (i) the Deputy of the Hiring Department or their Designee (unless the Deputy has been determined to have a Conflict of Interest) and (ii) two or three additional management level Employees with knowledge and competence in the skills and abilities sought of the Position to be filled. In addition, there must be at least one management level Employee with knowledge and competence in the skills and abilities sought of the Position to be filled designated to serve as an alternate member of the Interview Panel. At least one of the members of the Interview Panel must have first-hand knowledge of the job duties and Minimum Qualifications of the Position. No Employee, including the Deputy of the Hiring Department, may be assigned to the Interview Panel if a Conflict of Interest is determined. No Employee may be assigned to an Interview Panel without first receiving the interview training.
  
- c. Interview Questions: The Deputy of the Hiring Department shall prepare a list of a minimum of 10 interview questions relating to the open Position. The interview questions shall establish, at a minimum, the Candidate's: (i) willingness and ability to do the job; (ii) prior job performance; (iii) knowledge and understanding of the Position; (iv) relative qualifications for the Position as compared with other Candidates; and (v) overall credibility. The Deputy of the Hiring Department or their Designee shall send the list of interview questions, including proposed assigned weights for each question, to the Deputy Clerk of HR or their Designee. The Deputy Clerk of HR or their Designee, in conjunction with the Deputy of the Hiring Department or their Designee, shall amend or approve the questions, select five or more questions to be used for interviews for that posting, and determine final scoring weights for each question. The weighted values of the questions shall equal 100. The Deputy Chief of Staff and Labor Counsel or their Designee shall verify that the questions asked will not violate any employment/labor laws or regulations, including those laws or regulations pertaining to employment discrimination. Candidates will be advised to maintain the confidentiality of the questions they are asked during the interview. All questions shall be considered and treated as confidential, and they may not be disclosed to anyone other than the Deputy Clerk of HR, their Designee prior to the interviews. The interview questions developed for a particular Position may be used for subsequent vacancies for that Position, provided appropriate precautions are taken to prevent advance dissemination of the questions or answers to Candidates and provided the questions remain related to the duties of the Position. The interview questions developed for a particular Position may be used for subsequent vacancies for that Position, provided appropriate precautions are taken to prevent advance dissemination of the questions or answers to Candidates and provided the questions remain related to the duties of the Position.
  
- d. Pre-Interview License and Certification Verification: All Candidates must produce proof of the most advanced educational credential and certification relied upon to qualify for

the Minimum and Preferred Qualifications (e.g., current driver's license, diploma or proof of graduation, certifications, etc.) and listed on the Notice of Job Opportunity no later than end of the business day following their interview. An itemization of any and all required documentation must be included in the written offer of interview to the Candidate. Copies of all documents provided by the Candidates shall be included in the Interview File. Candidates who do not produce the required documents by the end of the business day following their interview shall be considered ineligible for further consideration.

17. Interview of Candidates: The following shall apply to the interview of Candidates:

- a. Notification: At least 2 business days prior to any interview, the Deputy Clerk of HR or their Designee shall notify the Deputy of the Hiring Department in writing of the time and place of each interview.
- b. Conducting the Interview: The Interview Panel shall interview each Candidate on the Final Interview List in accordance with the following:
  - i. The Deputy Clerk of HR or their Designee shall facilitate the conducting of interviews by informing the Interview Panel and the Deputy of the Hiring Department of the interview process, being available while interviews are being conducted to answer any questions from the Interview Panel and Candidates, requesting that any applicable forms be completed, picking up completed forms and other required documentation at the conclusion of each interview, and reviewing forms for completeness.
  - ii. At least 2 business days prior to any interview, the Deputy Clerk of HR or their Designee shall circulate to the Interview Panel the list of interviewee names and applicant materials to review and to determine whether a Conflict of Interest exists.
  - iii. Panel members are required to disclose to the Chief Ethics Officer if they know any Candidates in any way. The Chief Ethics Officer will determine whether such knowledge constitutes a Conflict of Interest, consistent with the Section titled "Conflicts of Interest." If a potential Conflict of Interest is reported prior to or during any interview, the Chief Ethics Officer will notify the Deputy Clerk of HR whether there should be a panel substitution because of a Conflict of Interest. If it is determined that a Conflict of Interest exists, the panel member will then leave the interview room and will not participate in the interview or the selection process for that Candidate and the alternate panelist assigned by the Deputy Clerk of HR in the "Interview Panel Selection" section above will be used. If the alternate panelist is not available, the interview will be rescheduled with the alternate panelist. The alternate panel member shall assume the conflicted panel member's duties (asking questions, completing the Interviewer Evaluation Form, etc.) for that interview. If a Conflict of Interest is discovered after an interview, the Chief Ethics Officer and Legal Counsel will make the determination of whether a

- second interview panel must be convened and if any competed interviews must be rescheduled.
- iv. The interview questions selected shall be provided to the Interview Panelists on the morning of their first interview and used to evaluate Candidates and complete the Interviewer Evaluation Form. Interview Panelists shall treat the questions as confidential.
  - v. All Candidates interviewed for the same Position will be asked to respond to the same pre-approved interview questions. Follow-up questions by the panel members are permitted and encouraged, provided they are related to a determination of the Candidate's suitability for the Position.
  - vi. Candidates who fail to appear for their interview within 30 minutes of the scheduled time may not be interviewed without providing an explanation of the exigent circumstances that resulted in their late arrival. Any such Candidate will not be considered for the Position during the current posting cycle. Also, any Candidate who cancels an interview less than 2-hours prior the scheduled time slot will not receive further consideration for the Position during the current posting cycle, unless exigent circumstances warrant consideration as determined by the Deputy Clerk of Human Resources or Designee.
- c. Interviewer Evaluation Form: Each interviewer shall independently complete and sign an Interviewer Evaluation Form for each Candidate at the conclusion of each interview and shall score each Candidate as 1 (unacceptable), 2 (marginally acceptable), 3 (acceptable), 4 (very good), or 5 (excellent) in each category listed on the Interviewer Evaluation Form. All scores must be explained in detail by the interviewer on their Interviewer Evaluation Form. Upon conclusion of each interview, no person may alter, add to, or delete from any Interviewer Evaluation Form other than the interviewer who completes and signs it, and any changes must be clearly noted, initialed, and dated. The interviewers shall submit the original completed Interviewer Evaluation Forms to the Deputy Clerk of HR or their Designee after each interview and prior to the subsequent interview beginning.
  - d. Scored Interview List: The Deputy Clerk of HR or their Designee shall tabulate the scores of the Candidates and rank them in order from the highest to lowest score for the Scored Interview List. Any Candidate who receives a combined overall average score of less than 3.0 will not be eligible for further consideration and will be designated accordingly on the Scored Interview List.
18. Candidate Ranking Procedure: Following completion of interviews with all eligible Candidates on the Scored Interview List, the final Candidate(s) shall be selected in accordance with the following:
- a. Ranking Meeting: The Interview Panel shall conduct a Ranking Meeting at which all of the interviewers are present and at which each interviewer has an opportunity to freely

and without fear of retaliation express their opinion regarding those Candidates on the Scored Interview List who received an average aggregate score of 3.0 or higher. This meeting may occur as soon as is reasonably possible, including immediately following the conclusion of the final candidate interviewed. The Interview Panel shall be provided with a copy of the Scored Interview List and will discuss those Candidates in the order they appear on the Scored Interview List. The Deputy Clerk of HR or their Designee shall be available to the panel to provide advice and expertise and will create the Interview Panel Ranking Form. Members of the Interview Panel may not discuss Candidates prior to the Ranking Meeting.

- b. Documentation of Ranking Meeting. Notes shall be taken at the Ranking Meeting and provided to HR after the meeting. Notes may be handwritten or typed. The notes shall include: (a) the title of the Position being discussed in the Ranking Meeting, (b) the date of the Ranking Meeting, (c) the name of the note taker facilitating the Ranking Meeting, (d) the names of each interviewer present, (e) a description of why, how and by whom each Candidate was ranked, (f) the order each Candidate was ranked by each member of the Interview Panel, and (g) the final overall rankings of the Candidates by the Interview Panel. The notes shall also detail the basis or bases on which any Candidate was ranked by the panel, or the basis or bases on which any Candidate was not ranked by the panel. All notes and the Final Interview Panel Ranking Form will be included in the Interview File.
  - c. Interview Panel Ranking Form: During the Ranking Meeting, the Deputy Clerk of HR or Designee shall complete an Interview Panel Ranking Form, listing in order of preference for hire those Candidates who are deemed suitable for hiring by a majority vote of the Interview Panel. The Interview Panel Ranking Form may be used for purposes of filling vacancies for the posted Position for a period of 12 months from the date created.
  - d. Use of Interview Panel Ranking Form for Subsequent Vacancy: The Deputy of the Hiring Department, in consultation with the Deputy Clerk of HR, shall decide if a subsequent Vacancy will be filled using the Interview Panel Ranking Form or if the subsequent Vacancy will be posted. If a subsequent Vacancy is filled via posting, the existing Interview Panel Ranking Form will no longer be viable.
  - e. Internship/Externship Weight: In the course of evaluating Applicants and Candidates for employment into Positions in the Clerk's Office, the Clerk shall give no consideration or weight to whether an Applicant has, at any point, performed an Internship or Externship with the Clerk.
19. Final Screening: HR shall conduct a final screening of the Candidate or Candidates on the Interview Panel Ranking Form as follows:

- a. Verification of Past Employment. HR shall attempt to confirm the employment history (referenced in the selected Candidate's employment application) and qualifications by contacting professional references provided by the Candidate until such reference list is exhausted (including if a professional reference does not respond). Any Candidate whom HR determines has provided misleading, incomplete, or incorrect information, excluding minor discrepancies, on his or her employment application or resume will not be considered eligible and may not be extended an offer of employment. HR shall document for the file the basis or bases for the finding of ineligibility and notify the Chief Deputy Clerk, the Deputy of the Hiring Department that the selected Candidate is not eligible. If a selected Candidate is found to be ineligible after the final screening, HR shall remove the Candidate from the Interview Panel Ranking List and document the reason for such finding in the Interview File.
- b. Review of Interview Panel Ranking Form: The Deputy Clerk of HR or their Designee shall review the Interview File and verify that the Candidate or Candidates listed on the Interview Panel Ranking Form and recommended by the Interview Panel for selection are in compliance with the requirements of the Hiring Selection Process. If either the Deputy Clerk of HR (or their Designee) determines that the selection of a Candidate or Candidates listed on the Interview Panel Ranking Form was not in compliance with the Hiring Selection Process, the process shall be suspended until the issue is resolved to the satisfaction of the Deputy Clerk of HR.
- c. Ineligible Candidate: If a selected Candidate is found to be ineligible after the final screening, the Deputy Clerk of the Human Resources shall remove the Candidate from the Interview Panel Ranking Form, and detail in writing the specific reason(s) the Candidate was determined to be ineligible.
  20. Final Selection; Justification to Hire: The Deputy of the Hiring Department shall review the Interview File, including the Interview Panel Ranking List, Ranking Meeting notes, and past employment verification notes, and select the final Candidate, or Candidates if multiple vacancies, by submitting a Justification to Hire to HR setting forth the objective basis or bases for the hiring with an explanation of the justification for the selection. If the Candidate selected is other than the Candidate ranked highest by the Interview Panel in the case of a single vacancy, or a Candidate ranked among the top Candidates equal to the number of vacancies to be filled by the Interview Panel in the case of multiple vacancies, the Justification to Hire shall include the objective basis or bases on which the Deputy's decision was made. The Justification to Hire shall be made part of the Interview File.
  21. Posting File: The Deputy Clerk of HR or their Designee shall maintain the full Posting File. The Posting File shall include the Request to Hire, current Job Description, Notice of Job Opportunity, Validated Eligibility List, Interview List, a list of the persons on the Interview Panel, the interview questions, testing protocols (if any), documented Conflicts of Interest (if any), Interview Evaluation Forms, Scored Interview List, the Interview Panel Ranking Form, NPCC,

Justification to Hire, any documents required to support that the Candidate meets the Minimum Qualifications (and Preferred Qualifications, if applicable) of the Position, and any other documentation regarding the selection and ranking of the selected Candidate, including all forms identified for the posting.

22. Offers of Employment: HR shall extend employment offers in accordance with the following:
  - a. Extension of Offer: The Deputy Clerk of HR or their Designee shall extend a written offer of employment to the selected Candidate(s). All offers of employment shall be made in writing and copies shall be included in the Posting File. The Deputy Clerk of HR or their Designee shall notify the Deputy of the Hiring Department and the Chief Deputy Clerk of the disposition of the offer.
  - b. Unaccepted Offer: If a Candidate does not accept the offer of employment, the Deputy Clerk of HR or their Designee shall make the offer to the next ranked Candidate on the Interview Panel Ranking Form and so on. Any communication from a Candidate declining an offer of employment, whether written or verbal, shall be communicated to the Deputy of the Hiring Department and be included in the Posting File.
  - c. No Additional Candidates: If no interviewed Candidate on the Interview Panel Ranking Form is eligible and accepts the offer of employment, HR shall create a new Interview List made up of Candidates on the Validated Eligibility List. Such Candidates shall be interviewed, scored, ranked, and considered pursuant to this Hiring Policy. If the Validated Eligibility List and Sorted Preliminary Eligibility List is exhausted and no Candidate accepted an offer, the Position, may be reposted after the Deputy Clerk of Human Resources and the Deputy Clerk of the Hiring Division have had an opportunity to confer about whether or not the Job Description needs to be revised.
  - d. NPCC. The selected Candidate shall complete and sign an NPCC upon beginning employment with the Clerk's Office. The Deputy Clerk of HR shall place the signed NPCC in the Posting File.
- E. Exempt Position Hiring Process. To assist the Clerk in hiring and retaining staff in Exempt Positions who possess the Minimum Qualifications for the Exempt Position in which they are being placed, the Clerk's Office shall use the following process for the hiring of all Candidates to fill Exempt Positions.
  1. Posting of Exempt List. The Clerk's Office shall post and maintain the current Exempt List in HR and on the Clerk's Website. The posting shall include (i) the name of the Department to which the Exempt Position is assigned; (ii) the job title and Position Identification Number; (iii) the grade level; and (iv) the date the Exempt List was approved. The Clerk shall post the Exempt List within five business days of any changes being made.

2. Changes to Exempt List. The Clerk's Office may from time to time update the Exempt List by adding or deleting Exempt Positions or amending the titles or job duties of Exempt Positions.
3. Request to Hire. All hiring for Exempt Positions shall be initiated using the following process.
  - a. Initiating an Exempt Hire. To initiate the hiring of an Exempt Position, the Chief of Staff or Designee shall notify the Deputy Clerk of HR in writing of the Exempt Position and name of the selected Candidate.
  - b. Job Description. HR shall create, revise and maintain a current and accurate Job Description for each Exempt Position. Exempt Job Descriptions must contain the Minimum Qualifications for the Position. HR shall also review the Job Description of a vacant Exempt Position prior to seeking to fill that Position and make changes if it is determined that changes to the position are necessary. HR shall post all Job Descriptions for Exempt Positions on the Clerk's website.
  - c. Review of Changes to Exempt Position Description Prior to HR Screening of Selected Candidate. If HR's proposed Exempt Position Description is in any way changed from the prior approved Exempt Position Description, the Exempt Position Description cannot be considered final until subject to review and comment by the Chief Ethics Officer. If the Exempt Position Description is for a new Exempt Position, the Exempt Position Description cannot be considered final until subject to review and comment by the Chief Ethics Officer.
4. Hiring Process. To document that all persons employed in Exempt Positions possess the Minimum Qualifications for the Exempt Position in which they are being placed, the following process shall apply to the hiring of all individuals in Exempt Positions.
  - a. Screening by HR. The Deputy Clerk of HR or Designee shall review the resume to confirm in writing that the individual possesses the Minimum Qualifications and any applicable required license or certification for the Exempt Position. If the Deputy Clerk of HR, or Designee, determines that the Candidate does not possess the Minimum Qualifications or any applicable required license or certification for the Exempt Position, the individual will not be hired for the Exempt Position.
  - b. Offers of Employment. Once the above steps have been completed, the Deputy Clerk of HR or Designee shall extend a written offer of employment to the selected Candidate.

5. No Other Specific Selection Process Required. Except as specifically provided in this Exempt Position Hiring Process, the Clerk and HR are not required to follow any other selection process in filling an Exempt Position and may consider any factor in making his or her and its decision, so long as it is not an illegal factor.
  6. Maintenance of Exempt Position Status. Any Employee who is appointed to an Exempt Position shall continue to be considered Exempt, even if subsequently placed into a Non-Exempt Position; his or her status as an Employee in an Exempt Position shall not change unless they is subsequently hired into a Non-Exempt Position that is filled through one of the hiring processes other than the Exempt Position Hiring Process.
- F. Actively Recruited Hiring Process. The Clerk's Office may use the following process for hiring individuals to fill Actively Recruited Positions. If the Clerk's Office elects not to follow the Actively Recruited Process for Actively Recruited Position, then it shall follow the General Hiring Process.
1. No Political Reasons or Factors. No Employment Action covering an Actively Recruited Position may be based on any Political Reasons or Factors.
  2. Requests to Hire. All hiring for Actively Recruited Positions shall be initiated by submission of a RTH pursuant to the General Hiring Process.
  3. Creation and Posting of Notice of Job Opportunity. All Notices of Job Opportunity shall be created and posted in the same manner as set forth in the General Hiring Process.
  4. Submission of Applications. All applications must be submitted to HR through EAS. Any Applicant who does not complete the online application for the Actively Recruited Position through EAS will not be considered eligible for the Actively Recruited Position.
  5. Conflicts of Interest. All potential conflicts of interest shall be handled pursuant to the General Hiring Process.
  6. Application Screening. Each Applicant will be required to answer Disqualifying Questions and any applicable Prescreening Questions in EAS. Applicants whose answers indicate they do not have all of the Minimum Qualifications of the Actively Recruited Position will not be considered eligible. The same Disqualifying Questions and Prescreening Questions will be asked of all Applicants applying for the same Actively Recruited Position.
  7. Creation of Preliminary Eligibility List. After the final posting closing date, HR shall create a Preliminary Eligibility List for the Position posted containing only the names of all Applicants who completed the application process in EAS and who indicated in EAS in their answers to the Disqualifying Questions that they possess all Minimum Qualifications for the Position. If no Applicant is eligible for inclusion on the Preliminary Eligibility List, the Position may be reposted.

8. Creation of Validated Eligibility List. HR shall create a Validated Eligibility List to determine which Candidate(s) may be placed on the Interview List.
  - a. Validation of Experience/Education. HR shall validate the information in the employment application materials of all Applicants on the Preliminary Eligibility List concerning the Applicant's work experience, education, and skills and compare it with the Applicant's responses to the Disqualifying Questions and Prescreening Questions to determine whether the application materials show on their face that the Applicant meets the Minimum Qualifications and any Preferred Qualifications. If necessary, HR may consult with individuals with specific knowledge of the qualifications for the Position during the validation process to assist in the determination of whether an Applicant possesses a Minimum Qualification or Preferred Qualification that is technical in nature. In the event there is a material conflict or inconsistency between the information provided by the Applicant and the Applicant's response to any Disqualification Question, or if the information does not support the Applicant's claim to possess the Minimum Qualifications of the Position, the Applicant shall be considered ineligible for the Position and that person's name shall be not placed on the Validated Eligibility List. For each Applicant removed from the Preliminary Eligibility List, HR will document the specific Minimum Qualification(s) the Applicant failed to satisfy on the Preliminary Eligibility List. If none of the Applicants possess all the Minimum Qualifications for the Position, the Position shall be reposted. HR, in consultation with the Deputy Clerk of the Hiring Department, may review the Minimum Qualifications in the Position Description to determine if any changes are appropriate.
  - b. Use of Validated Eligibility List. The Validated Eligibility List shall be valid and may be used for purposes of filling vacancies for the posted Actively Recruited Position for a period of 12 months from the date created. If a Validated Eligibility List is used, HR shall proceed with the hiring process as set forth in this Actively Recruited Hiring Process.
9. Appointment of an Application Review Panel. The Deputy Clerk of HR shall appoint an Application Review Panel consisting of the Deputy of the Hiring Department or their Designee and two or three management level Employees with knowledge and competence in the skills and abilities sought of the Position to be filled. In addition, there must be at least one management level Employee designated to serve as an alternate member of the Application Review Panel who has knowledge and competence in the skills and abilities sought of the Position to be filled. At least one of the members of the Application Review Panel must have first-hand knowledge of the job duties and Minimum Qualifications of the Position. The management-level Employees may come from outside the Hiring Department. HR shall schedule a meeting of the Application Review Panel and shall distribute the Validated Eligibility List, Position Description for the Actively Recruited Position, and the applications and resumes of the Candidates on the Validated Eligibility List to the Application Review Panel. No Employee, including the Deputy Clerk of the Hiring Department, may serve on an

Application Review Panel if a Conflict of Interest has been determined to exist in accordance with the General Hiring Process.

10. Creation of Interview List. Upon receipt of the Validated Eligibility List and Position Description from HR, the Application Review Panel shall review the applications and resumes of all Candidates listed on the Validated Eligibility List and select at least three Candidates for the Interview List based on the extent to which each Candidate meets the stated Minimum Qualifications, Preferred Qualifications (if any) and has the work-related experience, education, knowledge, skills, and abilities needed for the Actively Recruited Position. If fewer than three Candidates are on the Validated Eligibility List, the Application Review Panel may proceed to interview or may request HR to repost the Position.

11. Interview Preparation.

- a. Appointment of an Interview Panel. The Deputy Clerk of HR in consultation with the Deputy Clerk of the Hiring Department, shall select the Interview Panel consisting of the Deputy of the Hiring Department or their Designee and two or three management level Employees with knowledge and competence in the skills and abilities sought of the Position to be filled. In addition, there must be at least one management level Employee designated to serve as an alternate member of the Interview Panel, who has knowledge and competence in the skills and abilities sought of the Position to be filled. At least one of the members of the Interview Panel must have first-hand knowledge of the job duties and Minimum Qualifications of the Position. No Employee, including the Deputy of the Hiring Department, may be assigned to the Interview Panel if they has a Conflict of Interest. No Employee may be assigned to an Interview Panel without first receiving Interviewer Training.
- b. Interview Scheduling. HR shall schedule interviews of all Candidates listed on the Interview List and the corresponding Interview Panel meeting and provide the schedule to the Interview Panel at least 2 business days prior to the date of the first interview. All other provisions of the General Hiring Process' section on "Interview Scheduling" will apply here.
- c. Interview Questions. Interview Questions shall be created following the same process described in the General Hiring Process.
- d. Pre-Interview License and Certification Verification. Pre-Interview licenses and certification verification will follow the same process as in the General Hiring Process.

12. Interview of Candidates. The following shall apply to the interview of Candidates:

- a. Conducting the Interview. The Interview Panel shall interview each Candidate on the Interview List in accordance with the procedures in the General Hiring Process.
  - b. Interviewer Evaluation Form. Each interviewer shall independently and personally complete, sign, and score an Interviewer Evaluation Form consistent with the procedures in the General Hiring Process.
13. Candidate Ranking Procedure. Following completion of interviews, the final Candidate shall be selected in accordance with the following:
- a. Interview Panel Ranking Meeting. Within three days following the last Candidate interview, the Interview Panel shall conduct a Ranking Meeting in accordance with the General Hiring Process.
  - b. Interview Panel Ranking Form. The Deputy Clerk of HR shall create an Interview Panel Ranking Form in accordance with the General Hiring Process section titled "Interview Panel Ranking Form."
14. Review of the Interview File. The notes, the Interview Evaluation Forms and the Interview Panel Ranking Form shall be included in the Interview File. HR shall review the Interview File and verify that the Candidate(s) listed on the Interview Panel Ranking Form and recommended by the Interview Panel for selection is in compliance with the requirements of this Manual. If HR determines that the selection of a Candidate or Candidates listed on the Interview Panel Ranking Form was not in compliance with this Manual, the process shall be suspended until the issue is resolved to the satisfaction of the Deputy Clerk of HR.
15. Ineligible Candidate: If a selected Candidate is found to be ineligible after the final screening, the Deputy Clerk of the Human Resources shall remove the Candidate from the Interview Panel Ranking Form, and detail in writing the specific reason(s) the Candidate was determined to be ineligible.
16. Verification of Past Employment. HR may attempt to confirm the employment history of the selected Candidate(s) consistent with the procedures established in the General Hiring Process.
17. Candidate Selection Procedure. The Deputy of the Hiring Department shall review the Interview File, including the Interview Panel Ranking Form and any other applicable documentation, and will complete a Justification to Hire for all Candidates awarded positions under this Actively Recruited Hiring Process..
18. Posting File. The Deputy Clerk of HR or Designee shall maintain the Posting File.
19. Offers of Employment. HR shall extend employment offers in accordance with the procedures set forth in the General Process.

20. Changes to and Posting of Actively Recruited Positions Lists. Changes to the Actively Recruited Positions List shall be made using the same procedures provided for in the section governing changes to Exempt Positions, except that Court approval is not required. The Clerk's Office shall post and maintain the current Actively Recruited List and Job Descriptions in HR and on the Clerk's Website in the same fashion as the Exempt List and Job Descriptions as set forth in the Exempt Hiring Process.
  21. Union Membership. If an Actively Recruited Position becomes covered under a CBA, the Actively Recruited Position shall automatically be removed from the Actively Recruited Positions List, and any vacancy for such Actively Recruited Position shall be subject to the General Hiring Process.
- G. Executive Assistant Hiring Process. In order to assist certain members of the Clerk's senior management team in retaining direct-report clerical and secretarial assistants who the Executive Assistant Supervisor knows possess the experience, skills and competence needed by them to perform their jobs effectively, each Executive Assistant Supervisor may use the following procedure for hiring individuals to fill Executive Assistant Positions.
1. No Political Reasons or Factors: No Employment Action covering an Executive Assistant may be based on any Political Reasons or Factors unless that Executive Assistant position is included on the list of Exempt Positions.
  2. Request to Hire. All hiring for Executive Assistant Positions shall be initiated using the following process.
    - a. Submission of RTH. The Hiring Department Deputy Clerk must submit a completed and signed RTH, together with a current Position Description, to HR. The Hiring Deputy must receive written approval to fill the Executive Assistant Position on the RTH from the Chief Deputy Clerk and the Deputy Clerk of HR. The Deputy Clerk of HR or Designee shall provide a copy of the RTH and the basis for approval or denial of the RTH to the hiring Deputy and Internal Compliance Position.
    - b. Position Description. HR and the hiring Deputy shall create a new Position Description or review and update the current Position Description to ensure it is current and accurate for each Executive Assistant Position. The Deputy Clerk of HR or Designee will determine if the candidate meets the Minimum Qualifications. The Deputy Clerk of HR or Designee will document the results of the minimum qualifications review.
  3. Hiring Process. The following hiring process will apply for Executive Assistant Positions in order to document that all persons employed in Executive Assistant Positions possess the Minimum Qualifications for an Executive Assistant Position in which they are being placed.

- a. Identification of Applicant. The Executive Assistant Supervisor will submit the resume of the chosen candidate to the Deputy Clerk of HR or Designee for consideration.
- b. Screening and Validation of Application. The Deputy Clerk of HR or Designee shall verify in writing that the selected Applicant (a) possesses the Minimum Qualifications as set forth in the Executive Assistant Position Description; (b) has provided any licenses and certifications required; and (c) if they was or is an Employee of the Clerk's Office, they was not terminated for cause during the previous five years. If the Deputy Clerk of HR concludes that the selected Applicant does not meet any one of the three criteria, HR shall advise the hiring Deputy in writing that the selected Applicant is not eligible for the Executive Assistant Position, and they may not be offered employment as an Executive Assistant.
- c. Final Screening. HR shall attempt to confirm the employment history (referenced in the selected Candidate's resume or employment application) and qualifications by contacting professional references provided by the Candidate until such reference list is exhausted (including if a professional reference does not respond). Any Candidate whom HR determines has provided misleading, incomplete, or incorrect information, excluding minor discrepancies, on his or her employment application or resume will not be considered eligible and may not be extended an offer of employment. HR shall document for the file the basis or bases for the finding of ineligibility and notify the Chief Deputy Clerk and the Deputy of the Hiring Department that the selected Candidate is not eligible.
- d. Offers of Employment. Upon completion of the screening process described above, the Deputy Clerk of HR shall extend a written offer of employment to the selected Candidate.
  4. Transfer/Reassignment. Employees hired through the Executive Assistant Employment Hiring Process shall not be placed in any other Position (whether through Transfer, Reclassification or any other means) without first going through the applicable hiring process for the new Position as provided in this Manual.
  5. Termination. Because an Executive Assistant is hired specifically to assist a certain Deputy, the primary duties of the Executive Assistant include the performance of executive-level administrative services to that Deputy. An Executive Assistant is not covered by a CBA, is an at-will employee, and may be terminated from employment with the Clerk's Office when that Deputy is separated from employment with the Clerk's Office. Such Termination does not give rise to a claim of political discrimination unless the Termination was based on Political Reasons or Factors directed at the Executive Assistant separate and apart from the Deputy. For purposes of this Section, however, the termination of an Executive Assistant in connection with or as a result of the departure or termination of a Deputy shall not in and of itself be deemed to constitute an Employment Action based upon Political Reasons or Factors.

H. Probationary Employment. All new hires are subject to a 90-day probationary period of at-will employment.

V. **DISCIPLINE POLICY**

A. Purpose. Discipline is defined as an action taken by the Clerk's Office in response to an Employee's conduct or performance, including, but not limited to, verbal or written reprimands, suspensions, or terminations. The CCCO is committed to administering Discipline in a fair and impartial manner and will not unlawfully discriminate in the application of Discipline. The CCCO's goal is that Discipline will assist Employees in understanding that a performance problem or opportunity for improvement exists. Through Discipline, an Employee may improve their performance and consequently avoid future Discipline.

B. Scope. This Discipline Policy shall apply to all Shakman Non-Exempt, non-probationary Employees and shall serve as the standard for all Employees for appropriate conduct and behavior by Employees toward co-workers, vendors, visitors, contractors, guests, and members of the public. Countywide policies contained in this Section are considered adopted as CCCO policy. To the extent that this Discipline Policy conflicts with any provisions of an applicable CBA, the CBA will govern for those Employees subject to it. This Discipline Policy does not apply to probationary and Shakman Exempt Employees. Such Employees may receive Discipline, however; the Clerk need not follow the steps detailed below when issuing Discipline.

C. No Political Reasons or Factors. No Discipline or failure to issue a Discipline will be influenced by Political Reasons or Factors.

D. Infractions. Violations of this Policy shall subject Employees to Discipline up to and including termination, depending on the nature of the infraction. Infractions are divided into two categories: Minor Cause Infractions and Major Cause Infractions.

1. Minor Cause Infractions: For Minor Cause Infractions, Discipline will follow Progressive Discipline.

- a. Unauthorized Absence includes, but is not limited to, when an Employee is absent from work (1) without having the applicable amount of benefit time to cover the absence or (2) without being on an approved leave of absence ("Zero time") or (3) an instance of tardiness where an Employee swipes in one (1) hour or more after the Employee's designated start time.
- b. Failure to swipe on three (3) or more occasions within a pay period.
- c. Three (3) or more instances of tardiness in a calendar month, not including instances of tardiness where an Employee swipes in an hour or more after the Employee's designated start time. For the purposes of this infraction, an Employee is tardy when the Employee clocks in more than five (5) minutes after the Employee's designated start time, or clocks in upon return from lunch more than one hour after clocking out for lunch. Employees swiping in more than 30 minutes after the Employee's designated start time but less than

one (1) hour after the Employee's designated start time will receive two instances of tardiness.

- d. The unauthorized accrual of Compensatory Time.
- e. Incompetence or inefficiency: Incompetence or inefficiency in the performance of duties of the position. This means performance does not meet the expectation of the CCCO or is not commensurate with the performance of other Employees in similar positions, due to either lack of ability, knowledge or fitness, lack of effort or motivation, carelessness or neglect. Examples of such poor work performance include, but are not limited to, unauthorized lapse in productivity, forced balancing of accounts, or failing to perform any of the essential job duties as listed in the Employee's job description or other duties as assigned.
- f. Offensive Behavior: Behavior that is directed toward another Employee, a vendor, or a customer, which is offensive in nature. Examples of Offensive behavior include but are not limited to deliberately demeaning, belittling, or embarrassing another individual.
- g. Sleeping or inattention to duty during working hours. Breaks and lunches are excluded from this provision, so long as such sleeping or inattention is within designated break or lunch facilities.
- h. Insubordination, such as refusal to perform or follow through on an order or directive made from a Supervisor or managerial employee with authority to issue directives, either explicitly or implicitly, as evidenced by failure to comply after reasonable request.
- i. Intentional or unintentional misuse of CCCO technology or equipment: Using any information technology or CCCO instrumentality, including, without limitation, e-mail, Internet services or telephone, in a non-emergency situation, for an unauthorized purpose. Employees are forbidden from installing or using unlicensed computer software on CCCO-issued computers.
- j. Unauthorized sharing of county passwords: employees shall not share passwords needed to access county equipment, software, or technology without first obtaining authorization from the County Clerk's Information Technology Department.
- k. Using any CCCO office space, office supplies or office equipment in an unauthorized manner.
- l. Smoking in prohibited areas.
- m. Engaging in gambling on County premises or using County equipment or technology to engage in gambling related activities.
- n. Creating an unsafe condition or failing to abide by safety and/or fire prevention regulations or alarms, even during tests.
- o. Misusing confidential or proprietary information, or use of confidential information for other than an official purpose.
- p. Posting or distributing unauthorized literature or pamphlets or removing authorized notices from bulletin boards without permission.

- q. Violating any interdepartmental regulations, work rules or procedures.
  - 2. Major Cause Infractions: A Major Cause Infraction is conduct that may warrant Termination after only one occurrence. Examples of such conduct include:
    - a. Conducting work-related activities or being present on CCCO premises, including CCCO vehicles, while under the influence of illegal drugs, alcohol, or legal drugs that adversely affect safety or job performance.
    - b. The unlawful or unauthorized manufacture, distribution, dispensation, or possession of a controlled substance, drug paraphernalia, or alcohol on County premises, while on duty, in CCCO vehicles or while engaged in CCCO activities.
    - c. Fighting, violence or disruptive behavior.
    - d. Intimidation or coercion of another employee through physical or verbal threats.
    - e. Violation of the Anti-Harassment Policy.
    - f. Unauthorized possession of firearms or weapons.
    - g. Willful destruction of CCCO or County property.
    - h. Assaulting, threatening, intimidating, or abusing anyone, either physically or verbally, including using profanity, derogatory names or slurs.
    - i. Theft or unauthorized possession of Employee or CCCO property. "Unauthorized possession" means taking possession of property without the authorization or permission to do so.
    - j. Conviction of a State or Federal felony or class A misdemeanor, or plea of nolo contendere to a State or Federal felony or Class A misdemeanor, related to the duties of the position.
    - k. Misuse of timekeeping devices or records by changing the timekeeping records of Employee or on behalf of another Employee without proper authorization, or otherwise altering or falsifying time sheets, timecards, or other records. This includes asking or allowing others to swipe or clock in for an Employee, attempting to tamper with timekeeping hardware or software, interfering with another Employee's use of the Automated Time Clock, or using a timeclock at an unauthorized location.

- l. Absence without an approved leave: When an Employee is absent for three (3) or more consecutive workdays without notice or approved leave and with no adequate evidence that such an absence was excusable due to an emergency. The Deputy Clerk of Human Resources or Designee will determine if an excusable emergency exists.
- m. Falsifying or concealing material information related to employment records or any other County records through deliberate misstatement or omission of pertinent facts or information.
- n. Loss of professional or other license or failing to attain the pre-requisites necessary to obtain or renew the license when such a license is required to meet the Minimum Qualifications of the position.
- o. "Gross insubordination," which is an outright refusal to perform an assigned task or failure to follow an order coupled with hostile/ aggressive conduct or materially negative consequences for failure to comply with the reasonable tasks.
- p. Willful misconduct in failing to comply with written CCCO policies or procedures that have been distributed to the Employee(s).
- q. Failure to comply with the Cook County Personnel Residence Requirement Ordinance. The Cook County Personnel Residence Requirement Ordinance generally states that the County shall only employ persons who maintain residence in the County throughout their employment. Wages, salary and employee benefits may only be paid to persons residing in the County. Any new employee shall have six months from date of hire to establish actual residency with Cook County.
- r. Dishonesty, including making deliberately false statements or complaints to an immediate supervisor or other higher-level staff relating to work related issues or Employee misconduct.
- s. Knowingly or willingly interfering in or not cooperating in an investigation by the Chief Ethics Officer, Deputy Chief of Staff/Labor Counsel, the OIIG, or other authorized County official or agency, or knowingly or willfully providing false information during such an investigation.
- t. Conduct unbecoming of a CCCO Employee: which means violation of law or policy that bring into question the integrity of the Employee and reflects negatively on the CCCO. Examples include, but are not limited to, engaging in conduct that exploits an Employee's position at CCCO for personal gain, violating the provisions of the Cook County Ethics Ordinance, the Cook County Human Rights Ordinance, or engaging in criminal conduct that otherwise publicly and negatively reflects poorly on CCCO.

- u. Utilizing Sick Leave for a purpose not authorized by the Sick Leave Policy and not otherwise authorized by HRD.

E. Discipline Steps. For all non-probationary, non-At-Will, Shakman Non-Exempt Employees, Discipline for Minor Cause Infractions will be progressive in nature consistent with the disciplinary steps listed below. Major Cause Infractions, however, are so intolerable that suspensions or Termination may be imposed for the first offense. For all non-probationary, Shakman Non-Exempt Employees, the CCCO will apply Discipline consistently in similar situations. Probationary Employees, At-Will Employees and Shakman-Exempt Employees may be terminated at any time so long as the termination is not based on an illegal reason. The CCCO will not issue Discipline to Employees for multiple infractions arising out of a single event ("stacking") unless the event includes clearly distinct infractions as determined by the Hearing Officer, per this Policy.

Prior Discipline that did not result in a suspension will not be considered after 12 months, if there has not been Discipline for the same infraction during that same 12-month period. Suspensions that are 18 months or more old will not be used to move to the next level of progressive Discipline and the Employee will be subject to the same level of suspension as the most recent suspension for the same infraction. Suspensions that are more than 48 months old will be discarded and not considered when assessing Discipline provided the Employee has not received Discipline for the same offense during that 48-month period.

For purposes of this policy, the timeframe for calculating Discipline begins on the date the discipline is issued (not on the date that the Discipline process begins).

1. Major Cause Infractions: When imposing Discipline for a Major Cause Infraction as permitted herein, Progressive Discipline need not be followed, and infractions can result in the imposition of any level of Discipline, up to and including termination. Discipline for Major Cause Infractions is not limited to the steps of Progressive Discipline set forth below.
2. Minor Cause Infractions: For Minor Cause Infractions as stated above, Employees will receive Progressive Discipline as listed below. The progressive steps will advance when the Employee commits the same Minor Cause Infraction more than once within the timeframes detailed above. Any Discipline warranting professional counseling may include compliance with a referral to the County Employee Assistance program.

- a. Counseling
- b. Written Reprimand
- c. 5 Day Suspension

d. 10 Day Suspension

e. Termination

F. Issuing Discipline.

1. Drafting of Disciplinary Action Form. Whenever a Manager has reason to believe that an Employee has violated a policy, that Manager will draft a Disciplinary Action Form ("DAF") to initiate the disciplinary process. (If multiple Managers witness the same alleged violation of a policy, only one Manager need complete a DAF but must note the other Manager(s) who witnessed the alleged violation.) The DAF must include: 1) the name of the Employee who allegedly committed the infraction; 2) the date the infraction allegedly occurred; 3) the date the DAF is being submitted; 4) a detailed description of the Employee's conduct that resulted in the alleged infraction; and 5) the Section of the Policy Manual that was allegedly violated. Once completed, the Employee who prepared the DAF shall submit the DAF to the Deputy Chief of Staff and Labor Counsel by email. After receiving a DAF from a Manager, the Deputy Chief of Staff and Labor Counsel shall determine whether they will serve as the Hearing Officer in the disciplinary matter or whether the disciplinary matter will be referred to another Clerk employee to serve as the Hearing Officer. The Deputy Chief of Staff and Labor Counsel may designate the Chief Ethics Officer, Chief Legal Counsel, Deputy Chief Legal Counsel, Deputy Clerk of HR or Director of HR to serve as the Hearing Officer. The submitter of a DAF may not also serve as the Hearing Officer pursuant to the DAF.

Any Employee that witnesses an alleged infraction of this Policy Manual shall report the alleged infraction to the Employee's immediate supervisor, in which case, the Employee's immediate supervisor will prepare the DAF. In addition, any supervisory or management level Employee may prepare a DAF upon their own initiative if they have witnessed the alleged infraction or if they have been provided with the necessary information required to prepare the DAF. Generally, DAFs are required to be submitted within thirty (30) days of the date in which the incident occurred, unless there is good cause to justify the submission of the DAF later than 30 days after an incident occurred. Good cause may include, but is not limited to, the operational needs of the office, the unavailability of required personnel, or the presence of an ongoing investigation by the Chief Ethics Officer or Designee.

2. Letters of Notification. The Hearing Officer shall review the DAF and determine whether 1) it contains all of the information that is required to be included in the DAF and 2) whether the description of the Employee's conduct, if taken to be true, would support a finding that a violation of the Policy Manual has occurred. This review is to occur within five (5) business days of receiving a completed DAF unless there is good cause to justify a delay in the review process. Good cause may include, but is not limited to, the operational needs of the office, the unavailability of required personnel, or the presence of an ongoing investigation by the Chief Ethics Officer or Designee.

If the Hearing Officer does not find that the DAF contains all of the information required to be included in a DAF, or if they find that the facts presented in the DAF do not support each alleged

violation, the Hearing Officer can send the DAF back to submitter of the DAF requesting additional information. If after reviewing the DAF, the Hearing Officer finds that the facts set forth in the DAF do not support any violation of the Policy Manual, they shall disapprove the DAF and send a copy of the disapproved DAF to the submitter of the DAF. When sending a DAF back to the submitter of the DAF, either for corrections or to provide notice that the DAF was disapproved, the Hearing Officer, shall do so via email.

If the Hearing Officer finds that the DAF contains all the information required to be included in a DAF and that the facts presented in the DAF support each violation cited in the DAF, the DAF shall be approved. The Hearing Officer will then prepare a Letter of Notification that will set forth the date, time, and location for a Pre-Disciplinary Hearing for the charges set forth in the DAF. The Hearing Officer will issue via email the approved DAF along with the Letter of Notification to provide such notice to the Employee at least 2 business days (48 hours) in advance of the Pre-Disciplinary Hearing if such notification will not unreasonably hinder or impact operations. When issuing the DAF and Letter of Notification to the Employee, the Employee's Union Representative (if applicable), and the submitter of the DAF shall be copied on the email.

3. Pre-Disciplinary Hearing. After the issuance of the DAF and Letter of Notification, there shall be a Pre-Disciplinary Hearing prior to Discipline being issued to the Employee. The hearing will be held at the date, time and location as noted on the Letter of Notification, unless the date, time and location is subsequently changed by the Hearing Officer upon their own initiative or by request of the Employee or Union Representative, if applicable, after good cause shown.

At the Pre-Disciplinary hearing, the Employee and/or their Union Representative (if applicable) will be allowed to present any relevant facts or information that they would like to provide to the Hearing Officer. The submitter of the DAF will also be able to provide any relevant facts or information to the Hearing Officer. The Hearing Officer may ask questions, call witnesses, and seek additional information that would assist them in determining whether the Employee committed the alleged infraction. If the Discipline is based on an OIIG investigation, the Hearing Officer shall provide at least 2 business days' notice of the hearing to the OIIG so the OIIG may attend and provide information. The Hearing Officer may continue a hearing to obtain additional information. When continuing the hearing, the Hearing Officer may set another date for the hearing to reconvene or inform those present that a written ruling will be issued in the matter.

4. Hearing Officer Decision. After the Pre-Disciplinary Hearing, the Hearing Officer shall issue a decision regarding whether each alleged infraction is sustained or whether it is dismissed. The Hearing Officer may verbally present the decision at the hearing or present the decision in writing within ten (10) business days after the conclusion of the Hearing unless there is good cause to justify a delay in issuing a ruling. Good cause may include, but is not limited to, the operational needs of the office or the unavailability of required personnel. In the event that the Hearing Officer continued the Pre-Disciplinary hearing to gather additional information, the Hearing Officer shall set a date by which they will issue the decision. If the Hearing Officer is not able to gather all of the requested information by the date they set for issuing the decision, the Hearing Officer shall send an email to the Employee, their Union representative (if applicable), and the

submitter of the DAF, informing them of the reasons why they are unable to issue a decision by the previously established date. The Hearing Officer will also include in the email the new date by which a decision will be issued. Except for the Grievance process set forth in any applicable CBA, there is no appeal of Discipline and all decisions of the Hearing Officer are final.

5. Circulation of Final DAF. After the Hearing Officer issues their decision, the Hearing Officer shall memorialize the outcome of the hearing on the DAF that was submitted to begin the Discipline Process. This shall include whether each alleged infraction was sustained or dismissed, the Discipline being issued, and the dates any suspensions will be served (if applicable). The Hearing Officer shall also obtain the signatures of the Employee that is subject to Discipline and their Union representative (if applicable). The Hearing Officer will then circulate the completed DAF to the Employee, their Union Representative (if applicable), the submitter of the DAF, and the Deputy Clerk of Human Resources or Designee. For the purposes of issuing Counseling or Written Reprimands, the issuance of the completed DAF shall serve as the imposition of those forms of Discipline. The circulation of the completed DAF must occur within five (5) business days after the Hearing Officer issues their decision unless there is good cause to justify a delay in the circulation of the completed DAF.

G. Emergency Suspensions. An Emergency Suspension may be given pending completion of Discipline investigation and hearing, when the presence of the Employee is dangerous or will result in the disruption of operations. The Deputy Clerk of Human Resources or Designee must memorialize any Emergency Suspension in a Disciplinary Action Form and include a detailed explanation why the Deputy Clerk of Human Resources or Designee believes the Emergency Suspension is necessary. The Deputy Chief of Staff/Labor Counsel or the Deputy Clerk of Human Resources or Designee must provide a copy of that Disciplinary Action Form to the Employee, Employee's union representative (if applicable), and the Employee's Supervisor on the same day the Emergency Suspension is put into effect.

H. Resignation in Lieu of Discipline. Shakman Non-Exempt, at-will employees may be offered an opportunity to resign from their position prior to receiving discipline. Any Employee may resign in lieu of Discipline on their own initiative, prior to the imposition of discipline by the Clerk's Office.

## **VI. PERFORMANCE MANAGEMENT POLICY**

A. Scope. This policy applies to all Shakman Non-Exempt Employees.

B. No Political Reasons or Factors. Performance Evaluations shall not be based on any discriminatory reason including Political Reasons or Factors.

C. Purposes. The performance of all Non-Shakman Exempt Employees shall be evaluated periodically in accordance with the procedures set forth below. The purposes of Performance Evaluations are to measure the following: (i) how an Employee has successfully performed the

duties and responsibilities of their Position (including the duties assigned in his or her Job Description), (ii) how an Employee has performed consistent with CCCO policies; and (iii) whether an Employee has met goals and objectives set in previous Performance Evaluations. This process is designed to give the employee a general overview of their performance and is not intended to require a rehashing of every single mistake or instance of policy non-compliance that occurred during an evaluation period.

Non-Shakman Exempt employees who are not in a Collective Bargaining Unit are At-Will employees. While remaining subject to this Performance Management Policy, the Clerk's Office may terminate the employment of an At-Will Employee at any time, except the reason for the termination may not be discriminatory or unlawful.

The evaluation of performance is a crucial part of the responsibility of each Assistant Manager, Manager, Director, Assistant Deputy Clerk and Deputy Clerk (collectively, "Managers"). Managers are expected to monitor the performance of their Employees who are direct reports throughout the performance management period.

All Managers will be trained on how to conduct a Performance Evaluation consistent with this policy. This training shall be conducted by HR within 90 days of an Employee becoming a Manager. In addition, refresher training will be provided annually. Training presentations may be pre-recorded and provided electronically so long as Employees would have the opportunity to ask questions after the pre-recorded training presentation. Each Director, Assistant Deputy Clerk, and Deputy Clerk shall ensure that Performance Evaluations of Employees in their Division(s) are timely issued, conducted in accordance with this policy and used in an appropriate manner. Accordingly, all Managers must be ready to conduct the Performance Evaluations on behalf of their direct reports at the point that their direct reports ceases' employment with the CCCO during an evaluation period or are otherwise unable to fulfill their Performance Evaluation responsibilities. For the sake of clarity, the Manager that is directly supervising an Employee at the end of the Employee's evaluation period is responsible for completing the Performance Evaluation Form and issuing the Performance Evaluation Form to the Employee. Managers that materially fail to comply with this Performance Management policy will be subject to Discipline up to and including Termination.

Performance Evaluations for Employees in union Positions shall be conducted in accordance with this policy and any applicable CBA. If there is a conflict between this policy and a CBA, the CBA will govern.

D. Performance Evaluations. Managers will conduct Performance Evaluations consistent with the process described below in the "Performance Evaluation Process" section and under the following circumstances and timeframes:

- For all Shakman Non-Exempt Employees who received a new position pursuant to a job posting, before the end of the Employee's 90-day probationary period; and
- For all Shakman Non-Exempt employees, annually.

E. Multiple Managers During Annual Evaluation Period. If multiple Managers oversee an Employee during an Employee's annual evaluation review period, the Manager that is directly supervising an Employee at the end of the Employee's evaluation period is responsible for completing the Performance Evaluation Form and issuing the Performance Evaluation Form to the Employee. If the Manager who is directly supervising an Employee at the end of the Employee's evaluation period has been the Employee's Manager for less than 6 months, the Manager must consult with other Managers that have supervised the Employee during the evaluation period to gather information to include in the performance evaluation. A new Manager will only become responsible for the evaluation rating period of subordinate Employees on the day after the Manager receives Performance Management Training. Until then, the Manager's Immediate Supervisor (Manager, Director, Deputy Clerk or other Designee) will be responsible for the evaluation rating period of the Manager's subordinate Employees.

F. Multiple Managers During Probationary Period. If multiple Managers oversee an Employee during an Employee's probationary evaluation review period, the Manager that is directly supervising an Employee at the end of the Employee's probationary evaluation period is responsible for completing the Performance Evaluation Form and issuing the Performance Evaluation Form to the Employee. If the Manager who is directly supervising an Employee at the end of the Employee's probationary period has been the Employee's Manager for less than 30 days, the Manager must consult with other Managers that have supervised the Employee during the probationary period to gather information to include in the performance evaluation for the probationary Employee.

G. Performance Evaluation Process.

1. Probationary Period Evaluation Check-Ins. Prior to the 30<sup>th</sup> day of employment, the Manager will meet with the Employee to discuss the job description and milestones that will be evaluated during the probationary period. The "milestone meeting" may occur one-on-one or in a group setting, if the group consists only of Employees with the same Job Description. At this meeting, the Manager must detail how the Employee can satisfactorily achieve the milestones, and what constitutes unsatisfactory performance in relation to the milestones. The Manager will provide the Deputy Clerk of HR or Designee, Deputy Chief of Staff and Labor Counsel, and the Chief Ethics Officer with 2 business days' notice of the meeting so that all may monitor. The Employee may ask for a personal meeting at any time to discuss performance or seek clarification.

After the 30<sup>th</sup> day or after the milestone meeting occurs, whichever is earlier; the Manager shall begin documenting the Employee's performance. The Manager may maintain documentation in personal notebooks, agendas, calendars, etc. and will not be required to produce any notes to support evaluation scores.

Between the 30<sup>th</sup> calendar day and the 60<sup>th</sup> calendar day after a probationary Employee begins employment with the CCCO, the Employee's Manager will perform a check-in with the Employee whereby the Manager will provide the Employee with clear, direct feedback about the

Employee's work performance to date and any recommended areas of improvement for the remainder of the probationary period. This feedback will include details of the Employees' progress in relation to each milestone established at the milestone meeting described above. The purpose of this check-in process is to ensure Employees are provided a clear understanding of whether their work performance is satisfactory and, if it is not, what specific areas of performance require improvement. The Manager may provide this check-in either electronically via email or in an in-person, virtual or telephonic meeting. The Manager will copy the Deputy Clerk of HR on any check-in email sent to the Employee. If the check-in is conducted via meeting in-person, virtual or telephonic, the Manager will provide the Deputy Clerk of HR with 2 business days' notice of the meeting so that all may monitor. Notice to the Deputy Clerk of HR of check-in, evaluation, or any other meetings, does not satisfy reporting or notice requirements of substantive issues pursuant to the Policy Manual.

Nothing in this Section is aimed at prohibiting a Manager from providing more frequent feedback on an Employee's performance; however, more frequent feedback does not absolve the Manager from conducting the check-in required by this Performance Management Policy.

2. Drafting of Performance Evaluation Form. Prior to issuing the performance evaluation, the Manager will ensure that the most recent job description is being used and that the appropriate Evaluation Form is being utilized. The Manager shall assess the job performance of the Employee for each category in Section I (for all Employees) and relevant categories of Section II (for supervisory or professional/technical Employees). The Manager will assign a score of 1 through 4 for each category in the Performance Evaluation Form.

For each score that is provided, the Manager completing the Performance Evaluation Form must provide a written explanation for why the Manager is giving a particular score in each category. This can be done by providing general or specific examples of good or poor performance that support each evaluation score assigned. Such examples may include, but are not limited to, instances of exemplary performance, known policy violations, and adherence to the Clerk's Time and Attendance Policy via a review of Cook County Time. If needed, Managers may attach additional pages to the Form. Managers may also detail in the Performance Evaluation Form any known training needs required for the Employee. When determining appropriate scores and detailing the support for the scores, Managers should consult the materials provided by HR during Performance Management Training and if any Manager has questions about how to complete the Performance Evaluation Form, they should contact HR. Probationary Employees must receive an average score of 2.4 or higher on their performance evaluation to retain employment.

To comply with this Policy's requirements concerning when Managers must issue evaluations to Employees, Managers are encouraged to complete draft evaluations as follows: (i) probationary period evaluations by the 75th day of employment and (ii) annual evaluations within 15 calendar days of the end of the Employee's rating period.

- a. Evaluation Scoring System.

- 4 - The individual is an exceptional employee who achieves an unusually high level of performance.

- 3 - The employee fully meets the established expectations and is a reliable and solid performer. The employee generally performs well and requires little additional guidance. The individual demonstrates initiative to meet goals and objectives of position.
  - 2 - The employee meets some of the expectations, but not all. The individual frequently requires support and direction. The employee generally performs at a minimum level and improvement is needed to fully meet expectations.
  - 1 - The employee's performance generally fails to meet the established expectations. The individual is not performing at the level expected for employees doing this type of work. Unacceptable job performance is due to the employee's lack of application of skill or effort
3. Review of Draft Performance Evaluation Form Prior to Issuance. The Immediate Manager of the Manager who prepared the Performance Evaluation Form shall review the Performance Evaluation Form with the Manager who prepared the Performance Evaluation Form and raise any questions or concerns with the evaluation via email, in-person or telephonic meeting. The Deputy Clerk of HR or Designee shall be copied on all emails where Performance Evaluation Forms are being shared or discussed and provided at least 2 business days' notice of in-person, telephonic or virtual meetings, prior to the issuance of the evaluation. To comply with this Policy's requirements concerning when Managers must issue evaluations to Employees, Immediate Managers are encouraged to conduct the above meeting with the Manager as follows: (i) for probationary period evaluations by the 80th day of employment and (ii) for annual evaluations within 30 calendar days of the end of the Employee's rating period.
  4. Issuance of Failed Probationary Evaluation. Management reserves the right to terminate the employment of a Probationary Employee prior to the timeline provided below for egregious conduct. In these instances, the Employee will not be afforded the opportunity to rehabilitate their work performance. The Employee's Manager shall provide the details of the egregious behavior and termination recommendation in writing on a Disciplinary Action Form ("DAF"). The completed DAF shall be sent to the Deputy Clerk that oversees their respective Department, with a copy to the Deputy Clerk of Human Resources or Designee. The Deputy Clerk will either accept or reject the recommendation based on the written description, personal knowledge of the circumstances surrounding the egregious conduct (if any), and/or any additional relevant information that the Deputy Clerk may have about the situation. If the Deputy Clerk that is reviewing the termination recommendation rejects the recommendation, they will do so in writing to the Manager and will copy the Deputy Clerk of Human Resources or Designee. If the Deputy Clerk that is reviewing the termination recommendation accepts the recommendation, a meeting with the Deputy Clerk of Human Resources or Designee shall be scheduled to discuss the matter. If the Deputy Clerk of Human Resources or

Designee approves the termination recommendation, the Deputy Clerk of Human Resources or Designee will meet with and notify the Employee that their employment has been terminated.

If an Employee does not receive an average score of 2.4 or higher for a Probationary Period Evaluation, the Deputy Clerk of Human Resources or Designee, will issue the performance evaluation and notify the Employee that their employment has been terminated.

5. Meeting to Issue Annual Evaluations and Successful Probationary Period Performance Evaluations. The Manager who prepared the Performance Evaluation Form will schedule and hold a meeting with the Employee to present the Performance Evaluation by the 85th day of employment (for probationary period evaluations) and within 45 days of the end of rating period for annual evaluations. The Manager will give 2 business days' notice of the same to the Deputy Clerk of Human Resources. This notice must include a copy of the evaluation and any additional pages and/or attachments of relevant documentation to the evaluation. If the Employee is absent from work during the timeframe detailed above, the Manager will meet with the Employee to issue the evaluation, as soon as practicable, but no more than 10 business days after the Employee's return. At the issuance meeting, the Manager will provide the Employee with the completed and signed Performance Evaluation Form, explain the evaluation scores and discuss the goals and objectives for the next annual evaluation period. If the Manager has considered any Counseling or Discipline against the Employee in his or her Performance Evaluation, the Manager will have a copy of such Counseling or Discipline available for the Employee to review during the meeting, upon request.

The Employee will have the opportunity to ask questions. The Employee will also have seven (7) days to submit a written response to the Annual Evaluation. Employees will be asked to sign the Performance Evaluation Form to acknowledge the occurrence of the review meeting. The Employee's signature does not constitute the Employee's agreement with the content of the Performance Evaluation. The Manager will provide the completed Performance Evaluation Form and any written feedback from the Employee to the Human Resources Department, to be placed in the employee's personnel file, and provide a copy of the same to the Employee.

H. Application of Performance Evaluation Results. The results of Performance Evaluations for Probationary Employees will be used as a basis for Termination or retention of the Probationary Employee. The results of an Annual Performance Evaluation may be used as a recommendation for training. In addition, for Employees that belong to a collective bargaining unit, Annual Performance Evaluations may be used to assess the ability and other qualifications or characteristics of the Employee and his or her work history in the event of a reduction of force or layoff as required by the CBA.

## **VII. TELECOMMUTING POLICY**

A. Policy. Deputy Clerks may authorize Routine or Emergency Telecommuting in writing for Employees in the Deputy Clerk's Department. Eligibility shall be based on the Deputy Clerk's determination that the duties of the Employee's Position can be performed from an Alternative

Worksite with minimal disruption of Department operations. Telecommuting may only be authorized based on a documented operational need and/or documented extenuating circumstances as described below.

Opportunities for telecommuting must be equitably distributed and consistent with any applicable CBA.

Eligibility for Routine Telecommuting or Emergency Telecommuting shall not be based on Political Reasons or Factors.

B. Emergency Telecommuting. Circumstances warranting Emergency Telecommuting must meet the requirements established in the Definitions Section of this Manual for Emergency Telecommuting. The Deputy Clerk authorizing Emergency Telecommuting must detail in writing the circumstances that warrant an Emergency Telecommuting arrangement and the dates the telecommuting is approved for (not to exceed 14 days) and submit the explanation to the Deputy Clerk of HR via email. If the Deputy Clerk wishes to extend the Telecommuting arrangement beyond the anticipated length detailed in the written notification, the Deputy Clerk must provide an additional email notification to the Deputy Clerk of HR, detailing the ongoing emergency that necessitates the continuance of the Emergency Telecommuting arrangement.

C. Routine Telecommuting. The Deputy Clerk authorizing Routine Telecommuting must detail in writing the operational need and/or extenuating circumstances that necessitate the Telecommuting arrangement, along with the anticipated length of the arrangement and submit the explanation via email to the Deputy Clerk of HR. If the Deputy Clerk wishes to extend the Telecommuting arrangement beyond the anticipated length detailed in the written notification, the Deputy Clerk must provide an additional email notification to the Deputy Clerk of HR detailing the ongoing operational need and/or extenuating circumstances that necessitate the continuance of the Routine Telecommuting arrangement.

D. Policy Implementation.

1. Salary and Benefits. The salary and benefits of an Employee authorized for Routine Telecommuting or Emergency Telecommuting shall not change as a result of Telecommuting.
2. Number of Hours Worked. The number and schedule of hours worked by an Employee authorized for Routine Telecommuting or Emergency Telecommuting shall not change as a result of Telecommuting unless done in accordance with the Time and Attendance Policy.
3. Scheduling. An Employee's Telecommuting schedule shall require virtual or in person attendance at meetings, trainings, and conferences at the Official Worksite or elsewhere, as required by the Employee's Supervisor. An Employee engaged in Telecommuting shall be reachable within a reasonable timeframe via telephone, teleconference and/or e-mail during the Employee's assigned work hours. Should an emergency occur at the Alternative Worksite, the Employee shall notify his/her Supervisor as soon as practicable and follow instructions as given by CCCO management.

4. Performance Expectations. Employees are expected to maintain the same level of productivity at an Alternative Worksite as at an Official Worksite. An Employee's performance while Telecommuting shall be evaluated in accordance with the CCCO's Policy Manual, including those provisions in the Performance Management Policy.
5. Timekeeping. Employees working at an Alternative Worksite shall accurately record their work hours in accordance with, and adhere to all provisions of, the CCCO's Time and Attendance Policy.
6. Adherence to Policies. CCCO policies, rules and practices shall apply to the Employee at an Alternative Worksite including, but not limited to, those governing communicating internally and with the public; Employee rights and responsibilities; facilities and equipment management; financial management; information resource management; purchasing of property and services; and safety.
7. Telecommuting; Use of Technology. Virtual private network (VPN) access shall be granted as determined by the Deputy Clerk of Information Technology, or Designee in coordination with the County's Bureau of Technology. Non-CCCO issued equipment, including personal computers and personal cell phones, may be used for CCCO business when Telecommuting if compatible and approved by the Deputy Clerk of Information Technology, or Designee. Authorization for VPN access and use of non-CCCO issued equipment is subject to revocation by the Deputy Clerk of Information Technology on the basis that the Employee no longer is authorized to telecommute or has violated other policies of the Policy Manual. If VPN approval is denied or revoked, the Deputy Clerk of Information Technology or the Employee's Deputy Clerk shall document in writing the basis for the denial or revocation. Denial or revocation of VPN access shall not be based on Political Reasons or Factors.
8. NPCC. An NPCC shall be completed by Deputies (or Designees) making decisions regarding eligibility for Emergency or Routine Telecommuting and VPN access.

## **VIII. TEMPORARY ASSIGNMENT POLICY**

A. Purpose. The purpose of a Temporary Assignment is to permit the Temporary Assignment of an Employee, who has the ability to perform the duties of a different Position without extensive training, to that Position in order to address an operational and business need or goal of the Cook County Clerk's Office. Temporary Assignments must be made in accordance with this Manual and any applicable Collective Bargaining Agreement.

B. No Political Reasons or Factors. Temporary Assignments will not be based on Political Reasons or Factors. Temporary Assignments only apply to Employees in Positions that are not on the Exempt List. Experience gained by an Employee because of a Temporary Assignment shall not be considered if that Employee subsequently applies for another Position.

C. Requests for Temporary Assignments. Temporary Assignments may be initiated by a Deputy Clerk, Assistant Deputy Clerk, Director or Manager by submitting a request for a Temporary Assignment in writing, (email is sufficient) to the Deputy Clerk of HR or Designee. The request for a Temporary Assignment shall include the following:

1. A statement detailing the specific operational and/or business need or goal that will be addressed by the Temporary Assignment;
2. A core list of the duties that will be performed by the Employee that will serve in the Temporary Assignment. If the Temporary Assignment includes all the duties associated with the Position then an updated Job Description shall be provided in lieu of a list of duties;
3. The expected length of the Temporary Assignment will not exceed 120 days per Temporary Assignment unless extended consistent with the provisions of this Temporary Assignment Policy;
4. The name of the Employee selected for the Temporary Assignment, and a written explanation to support the selection of this Employee. The recommended Employee shall be able to perform the duties that they are being assigned without extensive training. If the requestor of a Temporary Assignment needs assistance identifying an Employee to select for the Temporary Assignment, the requestor must email a request for such assistance to the Deputy Clerk of HR or Designee and/or the Deputy Chief of Staff and Labor Counsel. Eligible Employees for the Temporary Assignment would include any Employees that meet the Minimum Qualifications for the position that generally performs the duties that are the subject of the Temporary Assignment.
5. A NPCC signed by the Employee requesting the Temporary Assignment

Temporary Assignments may include all the duties associated with the Position to which the Employee is temporarily assigned, or a portion of those duties. Further, Temporary Assignments may require performing the temporarily assigned duties for the entirety of the workday during the Temporary Assignment period, or for a portion of the workday for the Temporary Assignment period.

D. Approval/Denial. Upon receipt of a request for a Temporary Assignment, the Deputy Clerk of HR or Designee will review the request to ensure that it complies with this Temporary Assignment Policy. The Deputy Clerk of HR or Designee will confer with the requestor of the Temporary Assignment via email if they has any questions regarding the request. The Deputy Clerk of HR or Designee will subsequently provide a written approval or denial to the requestor. The Deputy Clerk of HR or Designee will also sign a NPCC. The requestor of the Temporary Assignment will meet with the selected Employee to discuss the Temporary Assignment.

E. Other Procedures Relating to Temporary Assignments.

1. Notification to Employee: Upon approval of a request for a Temporary Assignment and at least 2 business days in advance of the effective date of the Temporary Assignment, the Deputy Clerk of Human Resources or Designee will inform the selected Employee(s) that they are being given a Temporary Assignment. In communicating with the affected Employee(s), the Deputy Clerk of Human Resources (or Designee) will include the start date and projected end date of the Temporary Assignment and the list of duties the Employee will be expected to perform (or the Job Description if all the duties of a Position are subject to the Temporary Assignment). This communication to the selected Employee may be issued via email. This communication must also include a NPCC from the Deputy Clerk of HR or Designee. As noted above, the requestor of the Temporary Assignment will meet with the selected Employee(s) to discuss the Temporary Assignment, the duties that are to be performed, and any training that will be provided to the Employee. Such a meeting may be conducted via phone or video-conference.
2. Term of Temporary Assignment and Permitted Extensions: Generally, Temporary Assignments may not exceed 120 days in a calendar year; however, if after the first 110 days of the 120-day period, the operational and/or business needs or goals remain, the Temporary Assignment may be extended for an additional period of 120 days. In situations where a Temporary Assignment was in place as a result of an ongoing vacancy which has yet to be filled, there may be a second extension of the Temporary Assignment for 120 days or until the vacancy is filled, whichever is sooner, if there is good cause to justify the second extension. Good cause may include, but is not limited to, unforeseen delays in the Hiring Process for the position that is the subject of the Temporary Assignment. When extending a Temporary Assignment, the Employee who initiated the Temporary Assignment must submit the request to extend the Temporary Assignment in writing to the Deputy Clerk of HR. The request to extend should include all the requirements as the original request for a Temporary Assignment and include an explanation as to why the operational or business need for the Temporary Assignment still exists. In addition, an Employee serving in a Temporary Assignment for one Position does not preclude that Employee from subsequently serving in a Temporary Assignment for another position if an operational or business need or goal exists that would be addressed through a Temporary Assignment of that Employee.
3. Conclusion of Temporary Assignment: At least 3 business days' prior to the scheduled expiration of a Temporary Assignment, the Deputy Clerk of Human Resources or Designee shall notify the Employee subject to a Temporary Assignment of the effective date that the Temporary Assignment will end (or that the Temporary Assignment is ending on the date of the notification) and that the Employee is to return to their original/ Position at the termination of the Temporary Assignment.

F. Expedited Procedure for Temporary Assignment of Two Weeks or Less

1. A request for the Temporary Assignment of employees for two weeks or less may be made by a Deputy Clerk, Assistant Deputy Clerk, Director or Manager to the

Deputy Clerk of HR or Designee in writing. The request shall describe the verified operational need for the Temporary Assignment and its expected length and include an NPCC signed by the requestor.

2. The Deputy Clerk of HR or Designee shall approve or deny the request for the Temporary Assignment in writing and sign an NPCC.
3. No extensions of a Temporary Assignment approved under this section shall be granted. If a Requesting Deputy can demonstrate a verified operational need for an extension of a Temporary Assignment approved under this section, it shall proceed pursuant to the above section ("Term of Temporary Assignment and Permitted Extensions").

G. Acting Up Pay for Temporary Assignments. When an Employee is given a Temporary Assignment that involves job duties that are generally performed by a position of a higher salary grade, the Employee that is receiving the Temporary Assignment is eligible to receive Acting Up Pay. Acting Up Pay will consist of compensation consistent with the salary grade of the position subject to the Temporary Assignment at the step which reflects the employees' years of service with Cook County. Acting Up Pay will be given consistent with the terms of any applicable Collective Bargaining Agreement ("CBA") or related side letters, MOUs or other agreements entered into by CCCO and the Union.

## **IX. TIME AND ATTENDANCE POLICIES**

A. Purpose. Regular attendance and compliance with time and attendance-related policies and procedures are essential to having an efficient and effective workforce. As a result, the purpose of this policy is to establish the time and attendance policies of the Cook County Clerk's Office, consistent with applicable law, so that Employees understand what their responsibilities are and what is expected of them. No Time and Attendance-related Employment Actions affecting an Employee holding a Non-Exempt Position shall be influenced by any Political Reasons or Factors.

B. Attendance and Timekeeping. Regular attendance is an essential condition of employment. Employees should be at their assigned work location at the time assigned and prepared to work all scheduled hours. All CCCO Employees are expected to work eight (8) hours for each scheduled work day and forty (40) hours per work week consistent with this Time and Attendance policy unless an Employee is utilizing benefit time or other approved time off. An eight (8) hour workday and 40-hour work week consists of any combination of time worked, lunches, breaks, and approved absences (sick leave, personal days, vacation leave, or other approved time off). As described further below, violations of this policy shall result in Discipline consistent with the CCCO's Discipline Policy.

C. Cook County Time System. The CCCO utilizes Cook County Time or CCT Dashboard ("CCT"), a web-based dashboard, which allows Employees to clock in and/or out through a stationary time clock in the office or through the Web Clock for hours that are worked at an alternate work site. CCT also allows employees to view their respective time entries, accrual

balances and time off requests, and further allows Supervisors to manage and approve timesheets and time off requests.

Employees are prohibited from using another Employee's ID to clock in or clock out for another Employee. Each Employee is responsible for protecting their Employee ID and safeguarding it from unauthorized use. In the event of a lost or stolen Employee ID, the affected Employee must immediately report its loss to Human Resources. Employees will be required to pay for the cost of a replacement Employee ID.

**An Employee must notify their Supervisor as soon as possible if they have any problems with their ID cards (*i.e.*, lost/misplaced/forgotten ID; swiping problems or timeclock issues) or if they experience problems using the CCT Web Clock. Supervisors, in turn, must email Human Resources as soon as possible to report the problem being experienced by the Employee.**

Any corrections to an Employee's time record caused by missed swipes, lost/misplaced/forgotten ID's, malfunctioning time clocks, or problems with the CCT Web Clock must be made on the Automated Timeclock Correction Form. The Automated Timeclock Correction Form is available in Human Resources. Completed Automated Timeclock Correction Forms must be submitted to Human Resources. The following Time and Attendance-related infractions are prohibited and will be considered Major Cause Infractions. Employees found to be in violation will be subject to Discipline, up to and including Termination, consistent with the CCCO's Discipline Policy.

- Attempting to tamper with timekeeping hardware or software
- Clocking in or out for another Employee or attempting to do so
- Interfering with another Employee's use of the Automated Time Clock
- Allowing a coworker to clock you in or out or attempting to do so

D. Fair Labor Standards Act. The Fair Labor Standards Act, 29 USC 201 et. seq. ("FLSA") is a federal law that establishes minimum wage, overtime pay, recordkeeping, and other employment standards affecting employees, including local governments such as Cook County.

FLSA Non-Exempt Employees are Employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, as determined by the CCCO Human Resources Division. FLSA Non-Exempt Employees are entitled to Overtime pay or Compensatory Time at a rate not less than one and one-half times the regular rate of pay after 40 hours of work in a workweek.

FLSA Exempt Employees are salaried employees who, because of their compensation and duties, are not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, as determined by the CCCO Human Resources Division. If you have any questions regarding whether you are an FLSA Non-Exempt Employee or an FLSA Exempt Employee, please contact Human Resources for details.

E. Work Schedules, Swiping Requirements and Tardiness Policies.

1. FLSA Non-Exempt Employees. All FLSA Non-Exempt Employees will be assigned a standard work schedule, and will be expected to be at their assigned work location during their standard work schedule unless they are on their lunch period, break or if they are utilizing benefit time or other approved time off. The standard work schedule for each FLSA Non-Exempt Employee shall be Monday through Friday from 9:00am to 5:00pm unless an Employee was previously assigned to work a different schedule or has their schedule changed in writing by their Deputy Clerk or Designee as described below.

In the event that it is necessary to change the standard work schedule of a FLSA Non-Exempt Employee in order to address an operational or business need of the CCCO, the Employee's Deputy Clerk (e.g. Deputy Clerk of Vital Records for Vital Records employees) or Designee will send an email to the Deputy Clerk of Human Resources that includes: (1) the name and title of the Employee; (2) what the Employee's altered standard work schedule will be, including start and end of shift times; (3) the operational and business need that justifies the alternate standard work schedule and (4) whether the change is permanent or, if not, the date the Employee will return to their standard work schedule. The Employee and the Employee's Supervisor shall be copied on the email. The Deputy Clerk of HR or Designee shall update CCT to reflect the new work schedule.

FLSA Non-Exempt Employees are required to swipe in within (before or after) five (5) minutes of the start of the Employee's scheduled start time. FLSA Non-Exempt Employees are not permitted to swipe in more than five (5) minutes before their designated starting time. **Supervisors shall ensure compliance with these swiping in requirements on a daily basis by monitoring their Employees' swipe in and out times via CCT. Failure to follow these policies will result in Discipline consistent with the CCCO's Discipline Policy.**

FLSA Non-Exempt Employees must also swipe out no later than five (5) minutes after the Employee's scheduled departure time. Because failing to swipe out within 5 minutes after the Employee's scheduled departure time will result in the Employee accruing unauthorized Compensatory Time in the CCT system, it will result in Discipline consistent with the CCCO's Discipline Policy. FLSA Non-Exempt Employees are not permitted to work past the Employee's scheduled departure time unless approved by their Deputy Clerk, Manager, Assistant Manager, Director or Supervisor. See the Section on Overtime/Compensatory Time below for more details.

FLSA Non-Exempt Employees are required to swipe out at the beginning of their lunch period and swipe in upon return from the lunch period. Lunch periods are one (1) hour in duration. There are no grace periods for lunch swipes. Each instance of a late return lunch swipe will count as a tardy as described below. **Supervisors will ensure Employees' compliance with lunch period swiping requirements via CCT.**

If an FLSA Non-Exempt Employee experiences issues with swiping or forgets to swipe, they must complete an Automated Time Clock Correction Form and submit it to HR. Completion of this Form for beginning of shift and lunch swipe issues or forgotten swipes must be submitted to HR by the end of the same business day. For swipe issues or forgotten swipes at the end of the shift, Employees must submit this Form to HR the next day they return to the office. Failure to swipe on three (3) or more occasions within a pay period will result in Discipline consistent with the Clerk's Discipline Policy.

An FLSA Non-Exempt Employee is considered tardy if the Employee swipes in six (6) or more minutes after the Employee's designated starting time and/or one (1) or more minute after their lunch period has ended. Employees swiping in more than 30 minutes after the Employee's designated start time but less than one (1) hour after the Employee's designated start time will receive two occurrences of tardiness. Employees that swipe in an hour or more after their designated state time will be charged with an unauthorized absence for disciplinary purposes. Employees who accrue three (3) tardies in a calendar month will be subject to Discipline consistent with the CCCO's Discipline Policy.

In instances where tardiness is caused by a significant delay of a mode of public transportation (e.g. CTA trains or buses), the Deputy Clerk of Human Resources or Designee may excuse the tardiness if the delay was publicized in the local media or if public transportation provides documentation of the delay. The Deputy Clerk of Human Resources or Designee shall document this by sending an email to the Employee's Supervisor and the Employee's Deputy Clerk. Human Resources will also document the excused tardiness in CCT and update the Employee's time records in CCT to reflect the excused tardiness.

FLSA Non-Exempt Employees will not be paid for time in which they are deemed to have been tardy or on an unauthorized absence. Unauthorized absences and excessive tardiness will result in Discipline pursuant to the CCCO's Discipline Policy.

2. FLSA Exempt/Shakman Covered Employees. As a general matter, FLSA Exempt employees often work more than 40 hours a week and they will not receive additional pay based on working more than the usual 8-hour workday and/or 40-hour work week. As such, FLSA Exempt Employees are expected to work, as necessary, within and outside of the standard work schedule to perform their job duties, which includes being available to respond to work related calls and requests.

All other provisions and policies concerning schedule changes, swiping requirements, tardiness and unauthorized absences described above for FLSA covered Employees also apply to FLSA Exempt/Shakman Covered Employees.

F. Compensatory Time and Overtime. Compensatory Time and Overtime will be earned in accordance with any applicable CBA, the Manual and applicable law, including the Fair Labor Standards Act. Compensatory Time and Overtime for Employees will not be awarded or withheld based on Political Reasons or Factors.

FLSA Non-Exempt Employees will earn either Compensatory Time off or Overtime pay, at a rate of one and one-half (1.5) times the regular rate of pay for time worked in excess of eight (8) hours in a workday or for time worked in excess of 40 hours in a workweek. A "workday" is defined as the eight (8) hour period that makes up the Employee's standard work schedule. CCRD's workweek begins at 12:00am on Sunday and runs through 11:59pm on Saturday. An Employee's time spent on FMLA or use of sick time shall not count towards overtime eligibility and, as a result, shall not count as time worked in computing overtime. When an Employee utilizes personal time or vacation time for all or a portion of a workday, the personal time or vacation time shall count as time worked in computing overtime.

Overtime will be voluntary to the extent possible. Employees may be assigned Overtime

work provided that such Overtime shall be limited to either emergency conditions which cannot be deferred and which cannot be performed with the personnel available during normal working hours, or because of an abnormal peak load in the activities of a Division.

Employees must receive authorization from the Deputy Clerk overseeing their Division, or Designee, prior to working Overtime, whenever possible.

If an Employee reasonably believes that there is a circumstance (e.g. servicing a customer or dealing with a work-related matter) that will cause them to work past their scheduled shift end time, the Employee shall complete the servicing of the customer or dealing with the work-related matter and then immediately notify their Supervisor that he/she was required to work Overtime and detail the specific work-related matter requiring the Overtime. If the Employee's Supervisor is not available, the Employee shall notify their Manager or Director, or in the event that their Director is also not available, their Deputy Clerk of the circumstances which may require/required the Employee to work Overtime. Upon being notified by an Employee that Overtime work was warranted, the Supervisor that received the notification shall document the Overtime worked, including the reason for the Overtime.

Upon authorizing an Employee to work Overtime in advance, or authorizing Overtime without advance notice due to servicing a customer or dealing with a work-related matter, Supervisors shall submit a completed Overtime Compensation Form to Human Resources within five (5) days of the Overtime work being performed. The Overtime Compensation Form will include (1) the name(s) of the Employee(s) selected for the Overtime; (2) the date of the Overtime; (3) a description of the selection criteria; (4) the operational need for the Overtime; (5) the reason advance notice was not feasible (if applicable); (6) the amount of Overtime worked or expected, and (7) an NPCC signed by the Employee authorizing the Overtime. When Overtime or Compensatory time is offered Section, Division or Office-wide, the Supervisor shall complete one Overtime Compensation Form for all of the Employees within the relevant Section/Division that is working Overtime. Employees who work unauthorized Overtime or who accrue Compensatory Time without prior written authorization when prior written authorization was possible, will be subject to Counseling or Discipline consistent with the Discipline Policy.

Employees will be expected to perform any reasonable amounts of Overtime work assigned to them when provided with at least 48 hours' notice of the assigned Overtime. Failure to do so will result in Counseling or Discipline consistent with the Discipline Policy. When providing notice of the assigned overtime referenced at the beginning of this paragraph, Supervisors must inform the Employee that the Overtime is mandatory, and that the Employee is subject to Counseling or Discipline if they decline. It is the intention of the CCCO that Overtime and Compensatory Time opportunities be equitably distributed among the Employees consistent with any applicable CBA in the same job classification within a Division. However, a Supervisor may assign unexpected overtime to the best suited Employee to perform the work. Except as operationally necessary, pre-authorized Compensatory Time or Overtime work will not be assigned to Employees that had an unexcused absence during the prior workweek.

Overtime may be compensated by Compensatory Time, only under the following circumstances:

1. Where the Employee requests Compensatory Time in lieu of paid Overtime and the Deputy Clerk that oversees the Division agrees to payment in Compensatory Time instead of paid Overtime. All denials will be accompanied by an explanation; and
2. Where the Deputy Clerk overseeing the Division determines that the overtime work is necessary and there are insufficient budgeted funds to pay for the work in Overtime pay.

Employees may accumulate up to a maximum of one hundred and twenty (120) hours of Compensatory Time. Upon termination of employment, an Employee with accumulated Compensatory Time will be entitled to receive payment for that time at the hourly rate they are earning at the time of termination.

Use of Compensatory Time. All requests for the use of accrued Compensatory Time must be made via the Cook County Time (CCT) System at least one day prior to the start of the requested use, whenever possible. If an Employee is unable to request the use of Compensatory Time via CCT at least one day prior to use, the Employee shall enter the request in CCT as soon as practicable and the Employee shall also notify their Supervisor of the request to use Compensatory Time. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor’s County telephone line notifying them of the request. Approval or denial of a request to use Compensatory Time will be based on operational needs and will be made by the Employee’s direct Supervisor on CCT. Compensatory Time may be used in no less than one (1) hour increments, unless being used concurrently with a leave covered by the Family and Medical Leave Act (“FMLA”), Americans with Disabilities Act (“ADA”) or Illinois Human Rights Act (“IHRA”).

G. Benefit Time.

1. Vacation Leave. Employees will earn paid Vacation Leave as set forth below:

Anniversary of Employment	Annual Days of Accrued Vacation	Maximum Accumulation
0 thru 6 Years	10 days	20 days
7 thru 14 Years	15 days	30 days
15 or more Years	20 days	40 days

All requests for use of Vacation Leave should be submitted at least four (4) days prior to the start of the requested use, whenever possible. An Employee may only request to utilize Vacation Leave that has already been accrued or will be accrued by the date on which the use or Vacation Leave is requested. **All requests for the use of Vacation Leave must be made via the CCT System.** In addition, if an Employee is requesting same day use of Vacation Leave, the Employee shall also notify their Supervisor of the request to use Vacation Leave. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor’s County telephone line notifying them of the request. Approval of Vacation Leave requests shall

be approved or denied by the Employee's direct Supervisor based on operational needs and memorialized on CCT. Failure to submit requests for Vacation Leave at least 4 days prior to the start of the requested use may cause the request to be denied. Vacation Leave must be used in increments of one-half (1/2) day, or four (4) hours, unless being used concurrently with a leave covered by the FMLA, ADA, or IHRA. When an Employee's Vacation Leave overlaps with an observed Holiday, the Holiday will not count as a vacation day.

Employees earn Vacation Leave every two (2) week pay period. To be eligible to earn Vacation Leave, an Employee must be at work or on paid leave for five (5) days of the two (2) week pay period during which Vacation Leave is earned.

An Employee who has previously worked for the State of Illinois, Cook County, the City of Chicago, the Chicago Park District, the Forest Preserve District, the Metropolitan Water Reclamation District of Greater Chicago and/or the Chicago Board of Education may be able to have the prior work experience count for purposes of increasing the amount of Vacation Leave the Employee is eligible to earn. Employees wishing to have their prior work experience count for the purpose of increasing the amount of Vacation Leave the Employee is eligible to earn must provide documentation of their prior service with the applicable entities. Employees should contact Human Resources for specifics. An Employee will be credited for anytime spent on Duty Related Disability or on military service for purposes of calculating the amount of Vacation Leave an Employee is eligible to earn.

Employees separating from employment with the CCCO shall be paid for any earned but unused Vacation Leave, at the Employee's current wage rate.

2. Personal Time. Employees receive thirty-two (32) hours of Personal Time each fiscal year. Employees may use Personal Time for any reason. Personal Time may be used in four (4) hour increments, but only if the request is in accordance with this policy relating to Personal Time.

Employees will accrue Personal Time at the rate of 1.24 hours per pay period. Employees may be advanced up to (2) personal days to be used for the observance of religious holidays. If an Employee is advanced Personal Time, the Employee will not receive additional Personal Time until the Employee has earned enough Personal Time to offset the advance.

Personal Time must be requested in advance, whenever possible. **All requests for the use of Personal Time must be made via the CCT System.** In addition, if an Employee is requesting same day use of Personal Time, the Employee shall also notify their Supervisor of the request to use Personal Time. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or email the Supervisor notifying them of the request. All requests for Personal Time will be approved.

Employees are permitted to carryover twelve (12) hours of Personal Time into the next Fiscal Year. Any additional unused Personal Time will be lost. Severance of employment shall

terminate all rights to accrued Personal Time, unless otherwise granted by a collective bargaining agreement.

3. Holidays. The following dates are hereby declared holidays, except in an emergency and for necessary operations, for all salaried County officers and employees in the County offices, departments, or institutions.

New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Casimir Pulaski's Birthday	First Monday in March
Memorial Day	Last Monday in May
Independence Day	July 4
Juneteenth	June 19
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

Should a holiday fall on Saturday, the preceding Friday shall be observed as the holiday. Should a holiday fall on a Sunday, the following Monday shall be observed as the holiday.

To be eligible for holiday pay, an Employee must have worked the regularly scheduled hours on the last scheduled day before and the first scheduled day after the holiday, unless the Employee was on approved paid leave.

4. Floating Holiday. All Employees will receive one (1) Floating Holiday off with pay each Fiscal Year. The Floating Holiday must be taken in an eight (8) hour increment. An Employee must be employed at the beginning of the Fiscal Year (December 1) to be entitled to receive the Floating Holiday.

Floating Holidays must be requested in advance, whenever possible. **All requests for the use of Floating Holidays must be made via the CCT System.** In addition, if an Employee is requesting same day use of a Floating Holiday, the Employee shall also notify their Supervisor of the request to use the Floating Holiday. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or email the Supervisor notifying them of the request. All requests for use of a Floating Holiday will be approved.

A Floating Holiday must be used before November 30 of each Fiscal Year. If a Floating Holiday is not utilized by this date, it will be lost. An unused Floating Holiday will not be paid out in the event an Employee's employment ends.

5. Sick Leave. Employees accrue 3.70 hours of paid Sick Leave every two (2) week pay period. Employees must work or be on paid leave for five (5) days in a pay period to accrue Sick Leave in that pay period.

Sick Leave may be used for illness, injury, other health related issues or disability incidental to pregnancy, doctor appointments, dentist appointments, or appointments with other recognized practitioners. Employees may also use Sick Leave for injury, illness, or disability of an Immediate Family member of the Employee. Sick Leave may not be used as additional Vacation Leave or Personal Time.

Sick Leave may be used in one (1) hour increments but only if the request is in accordance with this CCCO Sick Leave policy.

An Employee may accumulate up to 175 working days (1400 hours) of Sick Leave. An Employee will not accrue any additional Sick Leave until the Employee draws down the Employee's Sick Leave balance below 1400 hours.

**All requests for the use of Sick Leave must be made via the CCT System.** In addition, if an Employee is requesting same day use of a Sick Leave, the Employee shall also notify their Supervisor of the request to use Sick Leave. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or email the Supervisor notifying them of the request and may leave the office immediately after providing such notice. All requests for Sick Leave will be approved.

For health-related absences of five (5) or more workdays, an Employee must submit to HR a doctor's statement or proof of illness and receive written notice from HR authorizing the Employee to return to work.

H. Other Types of Leave.

1. Jury Duty. Approval will be granted for leave with pay, for any jury duty imposed upon any Employee of the County of Cook. However, any compensation, exclusive of travel allowance received, must therefore be turned over to the County of Cook by said Employee.
2. Bereavement Leave.
  - a. Excused leave with pay will be granted, up to three (3) days, to an Employee for the funeral of a member of the Employee's immediate family or household. Immediate family is understood to include mother, father, spouse, child (including step-children and foster children), brother/sister, grandchildren, grandparents, domestic partner, spouse's parents, and such people who have reared the Employee. If the funeral is to occur in a state or territory non-contiguous with Illinois (not touching Illinois), the Employee shall be entitled to five (5) days of pay. Additional time beyond this allotment may be granted by the Employee's Deputy Clerk in accordance with operational need and subject to availability of accumulated Benefit Time.

- b. Unless impracticable or unreasonable, the Employee must provide the Supervisor and Human Resources Division with at least 48 hours' advance written notice of the intention to take bereavement leave. The leave must be completed within 60 days after the date on which the employee received notification of death of the employee's child, immediate family or household member, unless otherwise approved.
- c. The CCCO may require, within 48 hours after returning to work, that the Employee provide to the Human Resources Division (or Designee) documentation (e.g. obituary or newspaper announcement) supporting the Employee's absence. Failure to provide such supporting documentation may lead to Discipline, up to and including discharge, and the Employee may be required to reimburse the County for any payment received as a result of the bereavement leave.
- d. Leave requested to attend the funeral of someone other than a member of an Employee's immediate family or household may be granted, but time so used shall be deducted from the accumulated vacation, personal day(s), or floating holiday of the Employee making the request.

3. Family and Medical Leave Act ("FMLA").

- a. Overview. If you have been employed by the CCCO for at least 12 months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, you are eligible for up to a total of 12 workweeks (480 hours) of unpaid leave during any calendar year for one or more of the following reasons:
  - i. Because of the birth of your child and in order to care for such child (within 12 months after the birth of the child);
  - ii. Because of the placement of a child with you for adoption or foster care (within 12 months of the placement of the child);
  - iii. In order to care for your spouse, child, or parents if they have a "serious health condition" as defined below;
  - iv. Because of a "serious health condition" that makes you unable to perform the functions of your job; or
  - v. Because of any "qualifying exigency" (as defined by the Secretary of Labor) arising out of the fact that your spouse, child, or parent is deployed on covered active duty in a foreign country (or has been notified of an impending call or order to covered active duty in a foreign country) in the Armed Forces, including the National Guard and Reserves.
- b. Serious Health Condition. For purposes of this policy, "serious health condition" means an illness, injury, impairment or physical or mental condition that involves one of the following:

- i. Hospital Care. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity relating to the same condition;
  - ii. Absence Plus Treatment. A period of incapacity of more than three (3) full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (A) treatment two (2) or more times within 30 days of the incapacity (and provided the first visit takes place within seven (7) days of the first day of incapacity) by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or (B) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (and provided the first visit to health care provider takes place within seven (7) days of the first day of incapacity);
  - iii. Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care;
  - iv. Chronic Conditions Requiring Treatment. A chronic condition which: requires at least two (2) periodic visits for treatment per year by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; continues over an extended period of time, and; may cause episodic rather than a continuing period of incapacity;
  - v. Permanent/Long-term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The Employee or the Employee's spouse, child, or parents must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
  - vi. Multiple Treatments (non-chronic conditions). Any period of incapacity to receive multiple treatment (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) full consecutive calendar days in the absence of medical intervention or treatment.
- c. Spouses Employed by the CCCO. If your spouse also works for the CCCO and you both become eligible for a leave as a result of the birth or adoption of a child, the placement of a child with you for foster care, or if you are caring for a parent with a serious health condition, the two of you together will be limited to a combined total of 12 work weeks of leave in any rolling 12-month period. In addition, if you and your spouse both become eligible for a leave to care for your parent with a serious health condition under paragraph

1c above, the two of you together generally will be limited to a combined total of 24 workweeks of leave in any single 12-month period.

- d. Medical Certification. Any request for a leave based on the existence of a serious health condition must be supported by certification issued by the applicable health care provider. You will be required to submit a new medical certification form for each leave year for a medical condition(s) that last(s) longer than one (1) year. All medical certifications required under this policy shall be submitted to Human Resources.

Upon receiving a completed certification from an Employee, Human Resources is required to review the certification in order to determine whether the Employee is eligible for FMLA leave. Within five (5) business days after receiving the certification form from an Employee, Human Resources must notify the Employee in writing about whether or not the FMLA leave is approved.

Human Resources must determine whether the certification provided by the Employee is complete and sufficient to certify that a serious medical condition exists. A certification is considered incomplete if Human Resources receives a certification, but one or more of the applicable entries have not been completed. A certification is considered insufficient if Human Resources receives a complete certification, but the information provided is vague, ambiguous, or non-responsive. Human Resources shall advise an Employee whenever the employer finds a certification incomplete or insufficient, and shall state in writing what additional information is necessary to make the certification complete and sufficient. Human Resources must provide the Employee with seven (7) calendar days (unless not practicable under the particular circumstances despite the Employee's diligent good faith efforts) to cure any such deficiency. If the deficiencies specified by the employer are not cured in the resubmitted certification, the employer may deny the taking of FMLA leave.

At its discretion, the CCCO may require a second medical opinion and periodic recertification to support the continuation of a leave pursuant to a serious health condition (except as otherwise provided by the Department of Labor). If the 1st and 2nd opinions differ, a 3rd opinion can be obtained from a health care provider jointly approved by both you and the CCCO (unless you accept the second opinion as determinative).

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the CCCO 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. "Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an

individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

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

- e. Intermittent Leave. If certified as medically necessary for the serious health condition of either you or your spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. Intermittent leave also may be taken if you qualify for leave because of a qualifying exigency as described above, subject to the submission of a certification prescribed by the Secretary of Labor. If leave is requested on an intermittent basis, however, the CCCO may require that you transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.
- f. Notification and Reporting Requirements. All requests for FMLA-related leaves of absence must be submitted to Human Resources at least 30 days in advance of the start of the leave, except when the leave is due to an emergency or is otherwise not foreseeable. If the leave is not foreseeable, you must provide notice as soon as "practicable," which generally means either the same day or the next business day that you learn of the need for leave, in the absence of any unusual circumstances. A delay in submitting an FMLA leave request may result in a loss of FMLA protections and/or a delay of the start of your leave.

You must respond to HRD's questions relative to your leave request so that HRD can determine if the leave qualifies for FMLA protection; failure to do so may result in loss or delay of FMLA protections. If you are seeking leave due to an FMLA-qualifying reason for which the CCCO has previously granted you FMLA-protected leave, you must specifically reference the qualifying reason or need for FMLA leave at the time of your request to be away from work. It is not sufficient to simply "call in sick" without providing additional information which would provide the CCCO with reasonable cause to believe your absence/time away from work may qualify as an FMLA qualifying event. **All requests for the use of FMLA Leave must be made via the CCT System.** In addition, if an Employee is requesting same day use of a FMLA Leave, the Employee shall also notify their Supervisor of the request to use FMLA Leave. If an Employee is unable to reach their immediate Supervisor, the Employee needs to leave a message on the Supervisor's County telephone line or email the Supervisor notifying them of the request.

During the leave, you may be required to report periodically on your status and your intention to return to work. Any extension of time for your leave of absence must be requested

in writing prior to your scheduled date of return to work, together with written documentation (i.e. doctor's statement) to support the extension. Your failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date may be considered to be a voluntary resignation of employment effective as of the last date of the approved leave, consistent with the terms of the below section "Return From a Family and Medical Leave." Employees on leaves for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work. Your maximum time on a leave of absence, all types combined, and including all extensions, will generally not exceed a total of 12 weeks in a calendar year period.

- g. Employee Benefits During Family and Medical Leave of Absence. You will be permitted to maintain insurance coverage for the duration of the leave under the same conditions coverage would have been provided if you had remained actively at work. However, you must make arrangements for the continuation of and payment of insurance contributions before you go on leave status. If you do not return to work after the leave, or if you fail to pay your portion of the premiums, you will be required, under certain circumstances, to reimburse the CCCO for the costs and expenses associated with insuring you during the leave.
- h. Return From a Family and Medical Leave. If you return from your leave on or before being absent for 12 workweeks in a calendar year you will be restored to the same or to an equivalent Position to the one you held when the leave started. Of course, you have no greater right to reinstatement or to other benefits and conditions of employment than if you had been continuously employed during the FMLA leave period. In determining whether a Position is "equivalent" we would look at whether the Position had substantially similar terms and conditions of employment and whether the Position entails similar duties, skills, efforts, responsibilities, authority, privileges and status.

If the leave was due to your own serious health condition, you will be required to submit a fitness-for-duty certification from your health care provider in accordance with our normal policies and practices applicable to other leaves of absence, certifying that you are able to resume work and perform the essential functions of the job (either with or without a reasonable accommodation). A list of the essential job functions will be made available to you for compliance with this requirement prior to the CCCO designating your leave as FMLA leave. If a reasonable job safety concern exists, you also may be required to provide a fitness for duty certification up to once every 30 days before returning from an intermittent or reduced schedule FMLA leave related to your own serious health condition. Generally, a returning Employee will be permitted to return to work within two (2) business days of the CCCO's receipt of a valid fitness for duty release.

If you fail to return to work at the expiration of your approved Family and Medical Leave within three (3) days, it will be considered to be a voluntary resignation of your employment with

CCRD. Likewise, an Employee on FMLA leave who provides notice of their intent not to return to work upon expiration of a leave will lose their entitlement to FMLA leave and related benefits.

- i. Key Employees. Certain highly compensated key Employees may be denied reinstatement when necessary to prevent “substantial and grievous economic injury” to the CCCO’s operations. A “key” Employee is a salaried Employee who is among the highest paid 10% of Employees at that location, or any location within a 75-mile radius. Employees will be notified of their status as a key Employee, when applicable, after they request a Family and Medical Leave.
- j. Coordination with Other Policies. You must use any accrued paid leave concurrently with any leave or benefit time taken under this Time and Attendance policy. If an Employee has no accrued paid leave, the leave will be unpaid. If you otherwise qualify for disability pay, you will collect it at the same time you are on unpaid Family and Medical Leave.

Further, if you otherwise qualify for any other type of leave of absence, you must take that leave at the same time as you are taking your Family and Medical Leave. All time missed from work that qualifies for both Family and Medical Leave, and for workers’ compensation (or any other type of lawfully allowed leave), will be counted toward your Family and Medical Leave. To receive any type of paid time off benefit while on FMLA leave, you are required to meet the CCCO’s conditions for taking the paid leave (although the CCCO may in its discretion waive any procedural requirement for the paid leave in appropriate circumstances).
- k. Anti-Retaliation Provisions. Be assured that no retaliation will be taken or tolerated against any Employee who exercises his/her rights under our FMLA policy. If you feel that you have been the victim of any discrimination or retaliation under this Policy, you are encouraged to contact Human Resources so that the matter can be promptly investigated and remedied as appropriate.
- l. Compliance With Other Laws. In administering this FMLA Policy, the CCCO complies with the Americans with Disabilities Act (“ADA”), the Illinois Human Rights Act (“IHRA”), and any other relevant law. The CCCO may approve a reasonable request for an extension of a leave of absence beyond the amount of leave provided by the FMLA, approve a leave of absence for an Employee who does not qualify for FMLA leave, or otherwise modify this Policy, as a reasonable accommodation for a disability under the ADA or IHRA.
  4. Personal Leave of Absence. Employees may be granted a leave of absence, without pay, with the written approval of their Department Deputy and the Deputy Clerk of Human Resources. Approval of personal leave will be based upon the operational needs of the Division and will be provided by HR to the Chief Ethics Officer within one (1) week of approval. Such leave of absence shall be limited to one month for every full year of continuous employment by the County, with a maximum of one year of leave.

During a personal leave, the County shall not pay any insurance benefits. Employees can pay for their insurance premiums while on a personal leave of absence to maintain insurance coverage. Employees wishing to maintain insurance coverage during a personal leave of absence should contact Human Resources for additional information. An Employee granted a leave of absence shall be eligible, when such leave expires, to receive the salary they received at the time the leave of absence was granted, provided that the CCCO budgeted for the Employee's position. If the CCCO's budget cannot accommodate the salary, the Employee shall be eligible to have the salary received at the time the leave started restored at the earliest possible date. In all cases, the CCCO will provide the County Comptroller with the names of any Employees on leave of absence.

Employees shall be returned to work in accordance with the provisions in this Section.

5. Parental Leave. Employees may be eligible for Parental Leave as an alternative to maternity/paternity leave. Parental Leave shall be administered in conjunction with the Family Medical Leave Act, and may be combined with other accrued paid time off such as vacation, personal, and/or sick time (consistent with the Sick Leave policy above).
6. Unpaid Family Responsibility Leave. Employees shall be granted maternity or paternity leaves of absence to cover periods of pregnancy, postpartum childcare, adoption of a child and placement of a child in foster care. FMLA shall run concurrently with maternity or paternity leave. FMLA eligibility is not a precondition to maternity/paternity leave.

Employees need not exhaust all accrued vacation or sick time before going on maternity/paternity leave, but may apply such accrued time to the leave. Such leave, in general, shall not exceed six months, but may be renewed by the Chief Deputy Clerk or his designee. The following rules shall apply:

- a. An Employee requiring maternity/paternity leave shall, no later than 30 calendar days before the expected date of delivery, expected date of adoption of a child or expected date of placement of a child in foster care, request such leave through the Cook County Time and Attendance System and upload supporting documents signed by a physician, indicating the expected date of delivery.
- b. A pregnant Employee may continue to perform her job duties until otherwise advised in writing by her physician. The Employee shall provide such document to the Human Resources Division and accordingly, notify their Supervisor.
- c. An Employee returning to work from maternity leave shall be eligible for reinstatement as soon as their physician deems them able to assume their job duties. Prior to reporting to her work location, the Employee shall bring to the Human Resources Division a written statement from a physician indicating that the Employee is capable of resuming duties

- d. The reinstatement rights of an Employee returning from maternity/paternity leave will be identical to those of an employee returning from an ordinary disability leave, as defined by the Cook County Annuity and Benefit Fund.
  - e. An Employee returning to a safety sensitive position following a leave of absence of 30 consecutive calendar days or more may be subject to a drug and/or alcohol test.
  - f. Union employees should consult their CBA for additional family responsibility leave provisions, which may be covered already in the FMLA Policy.
7. Victim's Economic Security and Safety Act ("VESSA"). An Employee who is a victim of domestic or sexual violence (sexual assault or stalking) or an Employee who has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the Employee as it relates to the domestic or sexual violence may be eligible to take VESSA leave from the first day of employment if the Employee or Employee's family or household member is experiencing an incident of domestic or sexual violence or to address domestic or sexual violence as provided in the County's VESSA Leave Policy. Employees seeking VESSA leave should notify Human Resources at least forty-eight (48) hours in advance of taking VESSA leave, unless such notice is not practicable. If such notice is not practicable, then the Employee must provide notice of VESSA leave within a reasonable time period.

Employees may request VESSA leave through the Cook County Time and Attendance (CCT) System or by submitting a completed VESSA Leave Request Form to Human Resources. Forms can be obtained from Human Resources. The Employee must provide proper certification and supporting documentation to Human Resources. Failure to provide proper certification and documentation may result in delay or denial of leave. For more information, please see the County's Victims' Economic Security and Safety Act Leave Policy.

8. Veteran's Convention Leave. Any Employee who is a delegate or alternate delegate to a national or state convention of a recognized veterans' organization may request a leave of absence for the purpose of attending said convention, provided, however, that any Employee requesting a leave of absence with pay must meet the following conditions:
- a. The Employee must be a delegate or alternate delegate to the convention as established in the by-laws of the organization.
  - b. They must register with the credentials committee at the convention headquarters.
  - c. Their name must appear on the official delegate-alternate rolls that are filed at the state headquarters of their organization at the close of the convention.
  - d. They must have attended no other veterans' convention, with a leave of absence with pay, during the fiscal year.
  - e. The Employee must produce, upon returning from the convention, a registration card signed by a proper official of the convention, indicating attendance.

9. Military Service Leave. Employees called to perform uniformed service, whether in the reserves or on active duty, and whether members of the United States Marines Corps, Army, Navy, Air Force, Coast Guard, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service, and/or any reserve component of the State of Illinois and others designated by the President of the United States in a time of war or emergency, will be provided Military leave in accordance with state and federal law.

Employees have reemployment rights upon completion of military service, subject to terms outlined in the Military Service Leave Policy. The CCCO is not required to maintain temporary positions while an employee is on Military Service Leave. Employees should contact Human Resources with questions pertaining to Military Service Leave.

10. Family Military Leave (non-FMLA). An eligible Employee who has exhausted all vacation leave, personal leave, compensatory leave and any other leave granted to the employee, except sick and disability leave, may take up to 30 days of unpaid Family Military Leave due to the employee's spouse or child being called to military service. The number of days of leave provided under the Illinois Family Military Leave Act will be reduced by the number of days of Qualifying Exigency Leave provided under the Family Medical Leave Act ("FMLA"). Employees should contact Human Resources with questions pertaining to Family Military Service Leave.
11. Election Day Voting. An employee who is a registered voter shall receive two (2) hours of time off without pay during their regular workday so that they may vote in any general election. An employee desiring to take such time off shall arrange the exact hours of intended absence with their Supervisor at least five (5) work days prior to the election.
12. Approved Absences. Approved absences may be granted at the discretion of the Chief Deputy Clerk or their designee. These situations include scenarios when employees are sent home early due to building closures or unsafe conditions, such as inclement weather. Such designations shall not count against any accrued leave or affect leave accrual. The Chief Deputy Clerk shall memorialize all such approvals and provide a copy of the same to HR and the Chief Ethics Officer.
13. Long-Term Disability and Workers Compensation. The Clerk abides by Cook County's Pension Fund for all processes related to long-term disability and workers compensation claims. Additional information may be found by contacting the Cook County Pension Fund (<https://www.cookcountypension.com/>) at (312) 603-1200.
14. Americans with Disabilities Act. The Clerk's Office abides by all provisions of the Americans with Disabilities Act ("ADA"). To apply for an ADA accommodation, please contact Human Resources for the appropriate form. HR will respond in writing to all filed ADA Request Forms within five (5) business days.