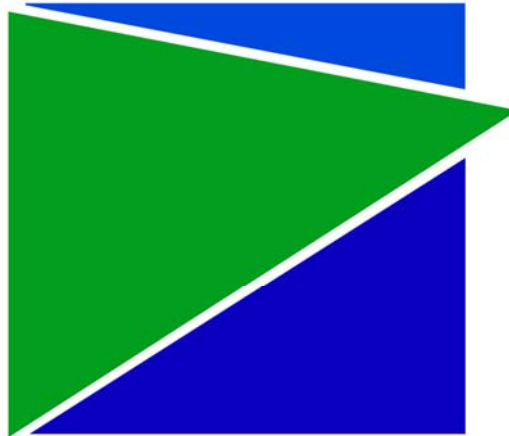


# *COOK COUNTY EMPLOYEE HANDBOOK*

COOK COUNTY



MINNESOTA

*SUPPORTING COMMUNITY  
THROUGH QUALITY PUBLIC SERVICE*

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**2018 and 2019**

**Approved by the Cook County Board of Commissioners**

DATE: May 22, 2018

*Cook County Is An Equal Opportunity Employer*

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## **INTRODUCTION**

This Employee Handbook (the “Handbook”) is provided as a reference for all employees, including elected officials, of Cook County (the “Employer”). It provides basic information and highlights county policies, procedures, rules, and benefits. However, no employee handbook can anticipate every issue, circumstance, or question. Employees should contact the Cook County Administrator’s Office for clarification regarding the handbook's contents, its up-to-date accuracy, and/or to inquire about any issue not addressed in the Handbook.

The provisions of this Handbook shall be in effect for all Cook County employees. However, if any portion of the handbook conflicts with existing Cook County labor union agreements, Minnesota Statutes governing elected officials, Minnesota Merit System rules governing certain employees hired through that system, or other State or Federal laws, the provisions contained in those statutes, labor contracts, and rules shall prevail over the contents of the Handbook.

This Handbook is informational only. Policies set forth in this handbook are not intended to create an employment contract between the County and any of its employees, nor are they to be construed to constitute contractual obligations of any kind.

The Handbook was originally approved by the Cook County Board of Commissioners ("the Board") on November 28, 2000 and most recently revised on May 22, 2018 replacing and superseding all prior personnel policies, manuals, and directives, which are hereby revoked. The handbook will be updated biannually from 2018 forward. The information, policies, and benefits described herein are subject to change, and the County reserves the right to amend, supplement, modify, suspend, interpret, or cancel, in whole or in part, any of the published or unpublished personnel policies or practices of Cook County without advance notice, in its sole discretion, without having to give cause or justification or consideration to any employee.

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY / AFFIRMATIVE ACTION / AMERICANS WITH DISABILITIES ACT**

Cook County will provide equal opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity / Affirmative Action laws, directives, regulations of Federal, State and Local governing bodies or agencies thereof, and specifically the Minnesota Human Rights Act.

Cook County will not discriminate against any employee or applicant due to race, color, creed, religion, national origin, sex, marital status, familial status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, veteran status, age, or any other protected class.

The County will take action to ensure that all employment practices are free of such discrimination. This policy extends to all applicants and employees and to all aspects of the employment relationship including, but not limited to: hiring, upgrading, demotion, transfer, recruitment, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training.

Pursuant to the Americans with Disabilities Act and Minnesota Human Rights Act, Cook County shall make a reasonable accommodation to the known physical and / or mental limitations of an applicant, or of an employee who could perform the major functions of the job with or without said accommodation, unless such accommodations impose an undue hardship on the conduct of the County.

Pursuant to Title VII, Cook County will provide accommodations for sincerely held religious beliefs and practices of employees and applicants, unless to do so would cause an undue hardship.

Pursuant to various state laws and Title VII, Cook County shall provide reasonable accommodations for pregnant employees.

Employees or applicants who believe they have been discriminated against or who need an accommodation are encouraged to contact the Cook County Administrator's Office or Cook County Attorney.

### **"AT WILL" EMPLOYMENT**

The doctrine of employment "at will" has been recognized in Minnesota for many years. The employee is free to resign at will at any time, with or without notice or cause. Similarly, the County may terminate the employment relationship at will at any time. "At Will" employment is, however, subject to certain State and Federal laws as well as union contracts.

### **TYPES OF APPOINTMENTS**

There are two basic types of appointments to positions with the County:

- 1) **Appointment to a "regular" position.** A regular position may last for an extended period of time, with no specific termination date. Appointment to a regular position should not, however, be considered a guarantee of permanent, continued employment. Regular positions are eligible for certain employee benefits, with the type and level of benefits determined by the regularly scheduled number of hours for the positions.
- 2) **Appointment to a "temporary" position.** A temporary position is short-term and/or seasonal in nature with a specific termination date. Temporary positions are not eligible for regular employee benefits, but are covered by overtime provisions, workers' compensation, and other general liability coverage that extends to all county employees while working on the job. Temporary positions may include internships.

Both regular and temporary positions can be full-time (30 to 40 hours per week), part-time (less than 30 hours per week), or intermittent (where the work schedule varies and cannot be predicted in advance).

## **RECRUITMENT AND SELECTION**

**A) REGULAR POSITIONS.** A formal recruitment and selection process shall be used to fill all regular County positions. The Administrator's Office shall work with the appropriate Department Head or designee throughout the recruitment and selection process to assure that a fair process is used and legal requirements are met. Authorization to fill a vacant position must be granted by the Board prior to advertising. Position vacancies may be advertised internally or may be opened up to the general public, at the discretion of the Department Head. Vacancies shall be posted on the County Courthouse bulletin board, on the intranet site for a minimum of ten days. When applications are opened to the public at large, a classified ad shall also be placed in the legal county newspaper and county web site at least once with the closing date for applications no sooner than ten days after publication. Additional advertising and recruiting efforts may also be undertaken. Regular County employees may apply for any opening without jeopardizing their current positions.

Applicants must complete an online application. The Administrator's Office shall screen applications to ensure completeness and that the applicant possesses the minimum qualifications for the position.

Applicants will be ranked and placed on an eligibility list for the vacancy. A minimum of three applicants, if available, will be certified for interview. Additional candidates may be certified, in rank order. Interviews shall be conducted by a team consisting of at least two people. The Administrator's Office will assist the interview team to ensure that a consistent, non-discriminatory, job-related format is used.

After candidates have been interviewed, the Administrator's Office, Department Head, or designee shall conduct a reference check of the finalist(s) for the position. Background investigations shall be conducted for certain positions as required. The name of the finalist shall then be presented by the Department Head to the County Board for formal hire and pay rate establishment.

Once a conditional job offer has been made, prospective candidates may be required to pass a job-related medical and/or psychological examination at the County's expense, and/or a drug test pursuant to federal drug and alcohol testing requirements for commercial drivers.

Applications and eligibility lists will remain on file for one year. If the position is again vacant during that time, the Department Head may choose to reconsider the same list of candidates without re-advertising the position.

**TEMPORARY POSITIONS.** A formal recruitment and selection process is optional for filling of temporary positions. The Board should be notified of all temporary placements. The Administrator's Office will work with the Department Head to discuss how the temporary position should be filled.

## **PROBATION**

All newly hired or rehired employees shall serve a probationary period of six calendar months following the hiring date. During such probationary period, the employee may be discharged at the sole discretion of the employer.

Current regular employees in a new position due to promotion, voluntary demotion, or voluntary transfer shall be on probation with respect to such position for a period of six calendar months. During the probationary period, the employee may be returned to his or her previous position at the sole discretion of the employer.

The Department Head or designee may extend an employee's probationary period for a specific period of time not to exceed six months, upon notification to the Administrator's Office. If an employee is hired in a trainee capacity, probation is determined at time of hire.

### **ATTENDANCE**

Regular attendance is expected of all employees. Time away from work shall be in accordance with County policies regarding hours of work, holidays, benefit use, and leaves of absence. Unauthorized absences and tardiness may be cause for disciplinary action. Employees shall maintain and submit County timesheets to their Department Heads in a timely fashion to document attendance and benefit use.

### **BUSINESS HOURS**

Regular business hours for County buildings are Monday through Friday from 8:00 a.m. - 4:00 p.m. The actual schedules for individual positions and offices may vary, and are determined by the Department Head. Employees are allowed one paid 15 minute rest period per each 4 hour shift. It is expected that anyone working 8 or more consecutive hours in a day must also take one 30 minute unpaid lunch break midway through their shift. Breaks and lunches shall be scheduled to cause as little disruption as possible to the workplace. Employees shall commence work at the beginning of their shift and, except for breaks, shall work through to the end of their shift. Except for occasional, unusual circumstances, employees shall not work through their breaks or lunch periods, nor schedule breaks and/or lunch periods to lengthen the lunch period or shorten the regular work day.

### **SCHEDULING AND COMPENSATION FOR OVERTIME WORK**

It is the County's policy to avoid the necessity for overtime whenever possible. Department Heads are responsible for the advance planning required to minimize the need for overtime. However, overtime may sometimes be necessary to meet emergency, seasonal, or peak workload requirements. Department Heads shall oversee and authorize all overtime hours worked. Employees are expected to work hours in excess of their regular schedules when requested, though reasonable basis to decline will be considered. The Federal Fair Labor Standards Act (FLSA) determines which positions are exempt (not eligible) for overtime compensation requirements, and which positions are non-exempt (eligible) for overtime compensation. Generally, positions which are categorized as Executive, Administrative, or Professional are exempt, and all other positions outside of those categories are non-exempt.

**1) FOR FLSA NON-EXEMPT EMPLOYEES (eligible for overtime compensation).** Employees required to work more than the normal schedule, but less than 40 hours per week, shall be paid at their

regular rate of pay for said excess hours, or shall be given hour-for-hour compensatory time off. Employees required to work more than 40 hours in one week shall be paid at 1-1/2 times the employee's regular rate of pay for excess hours, or by agreement of the Department Head and an employee, the employee may instead be compensated with time off ("compensatory time" or "comp time") at a rate of one and one-half times the excess time worked. For purposes of calculating hours worked in excess of 40 in one week, the following shall be counted as hours worked: paid leave, daily paid rest periods, and paid holidays. However, all banked compensatory time, rather than Paid Leave, is to be applied first to any "time off" taken by an employee in a week where the use of Paid Leave would incur an overtime liability for the County.

**2) FOR FLSA EXEMPT EMPLOYEES (not eligible for overtime compensation).** Designated Executive, Administrative, and Professional positions in the County are exempt from FLSA overtime provisions. The County has chosen, however, to divide these exempt positions into two groups:

**A) Department Heads.** Department Heads are full-time employees who are expected to work as many hours as needed to accomplish their work. Department Heads are paid on a salaried basis. Any time worked in a day is considered one day worked. Department Heads shall not be subject to deductions from pay or paid/unpaid leave for absences of less than one complete work day.

**B) Others.** All other FLSA-Exempt positions in the County are allowed to accrue compensatory time on an hour-for-hour basis for extra hours worked.

**3) USE/PAY-OFF OF COMP/OVERTIME HOURS.** It is the Employer's policy to encourage use of compensatory time rather than cash payment. Department Heads have sole discretion in determining whether hours should be paid off or banked for future use by the employee, and can direct employees to use their accrued compensatory time in a manner that is convenient for the department.

### **HOLIDAYS**

The County recognizes the following holidays:

New Year's Day	January 1
Martin Luther King Day	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Friday after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas	December 25

Christmas Eve Day is not a paid holiday. However, when Christmas Eve falls on a weekday, the Courthouse shall be closed for business operations at noon. Employees scheduled to work can either come in and/or continue to work as usual without interruption by the public, or will be allowed to use Paid Leave and/or Comp Time to account for their absence.



When an official holiday falls on a Saturday, the preceding Friday shall be designated as the holiday. When the holiday falls on a Sunday, the following Monday shall be designated as the holiday.

Employees who typically work 40 hours per week will receive 8 hours of holiday pay, and all employees typically working less than 40 shall receive a prorated amount of holiday pay. Pro-rated amounts shall be calculated twice a year. If an eligible employee is required to work on a designated holiday, the employee shall receive regular hourly straight time earnings or banked compensatory time in addition to the holiday pay.

### PAID LEAVE

Cook County provides Paid Leave (PL) to compensate employees who are absent from work for any personal reason. All regular and probationary full-time and part-time employees shall receive Paid Leave. Implementation of the Paid Leave Policy replaced old policies and agreements regarding vacation, sick leave, and personal leave.

Paid Leave shall accrue with respect to all paid work, holiday, funeral, and comp time, up to a maximum of 40 hours in a week, excluding paid overtime, on call time, and paid lunch/break time. For purposes of accrual rates, years of service are based on full-time equivalency.

<u>Completed Years of Service</u>	<u>Hourly Accrual Rate</u>	<u>Annual Accrual Rate</u>
0 < 5 years	.08462	22 days
5 < 10 years	.09615	25 days
10 < 15 years	.11538	30 days
15+ years	.13462	35 days

Employee have the option to “roll-over” a maximum of 40 hours of Paid Leave into their Deferred Compensation Plan once per year, provided that: the request to “roll-over” a designated number of hours is submitted to the County Administrator in writing no later than December 1<sup>st</sup>, of the year in which the employee wishes to take advantage of this opportunity. The financial value of the “roll-over” hours is based on the employee’s rate of pay as of December 1<sup>st</sup>; The cash amount of the “roll-over” is not subject to the County’s 3 % Deferred Compensation match; Employee must retain at least 120 hours in their Paid Leave bank following the “roll-over” of hours.

Paid Leave can be utilized for any purpose, subject only to necessary request/approval procedures. Planned use of Paid Leave must be requested in advance. Department Heads are responsible for scheduling Paid Leave for eligible employees and shall do so in a manner consistent with the interest of the public and convenience of the Department. Consideration shall be given to seasonal demands and department staffing needs prior to granting leave requests. The employee’s preference is to be considered, but the Department Head shall have final approval of any planned use of Paid Leave. Unplanned use of Paid Leave must be reported to the employee’s supervisor as soon as possible.

Paid Leave hours used shall not count toward the calculation of overtime. Employees receiving Worker's Compensation benefits may use accrued Paid Leave hours to return to 100% of their net salary.

Sick Leave balances that were accrued by employees under the old Sick Leave policy prior to implementation of the Paid Leave policy were placed in their Extended Sick Leave Bank. Hours in the Extended Sick Leave Bank may be used by an employee for the following:

- Personal illness or disability.
- Medical, optical, or dental appointments with prior approval of Department Head.
- Prenatal and postnatal care.
- Treatment for mental illness, alcoholism, or drug addiction.
- Isolation to minimize threat or spread of contagious disease.
- For such reasonable periods as the employee's attendance with his/her child is necessary on the same terms that the employee him/herself is able to use sick leave benefits.
- For the illness of spouse or parents as is necessary, at the rate of three (3) days per occurrence.

Employees using Extended Sick Leave hours shall be required to file with their supervisor competent written evidence of the medical need for their absence. Any unused Extended Sick Leave Bank hours remaining when an employee separates from employment shall be forfeited.

Employees absent from work for three or more days due to a medical condition, or when otherwise indicated, may be required to obtain a medical release certifying their ability to resume full or modified duties upon returning to work. The County may require evidence from a medical professional. If such requirement is made, the cost of such examination shall be the responsibility of the County.

Employees may donate accrued Paid Leave or Sick Leave to the Paid/Sick Leave bank of another County employee who is eligible for Family and Medical Leave Act (FMLA) leave based on the employee's or employee's immediate family member's serious health condition. The Administrator's Office shall first contact the potential recipient for permission, and then shall issue a memo to ask employees if they would like to donate. The individual and collective amount of Paid Leave hours donated shall remain confidential to everyone other than the payroll clerk who must calculate the transfers. The transfer of time will be computed at the hourly salary rate of the donor in proportion to the hourly salary rate of the recipient.

Upon separation from employment with Cook County in good standing and with a minimum of two (2) weeks' notice, employees shall be paid in full for the balance of their accumulated Paid Leave. This payment shall be made on the employee's last paycheck at the rate of pay in effect at the time of separation. Separation pay cannot be used to extend the employee's date of termination beyond the last scheduled work day.

A probationary employee who resigns or is terminated is not eligible to receive a pay-off of accumulated Paid Leave.

## OTHER LEAVES OF ABSENCE

Employees are granted certain leaves of absence as of right or in the sole discretion of the County and with or without pay, pursuant to County policy and applicable State and Federal laws. Various leaves of absence are as follows:

**1) JURY DUTY.** All employees shall be released from work if called to serve on a jury or ordered to appear in court in response to an official summons or subpoena.

A regular non-exempt employee called to serve on a jury shall be reimbursed for the difference between the amount paid for such service (exclusive of travel pay) and his/her regular county compensation. Regularly scheduled work hours necessarily lost because of jury service will be considered as hours worked except for the purpose of computing overtime. If employees are excused from jury duty on any day, they shall be expected to return to work if reasonable time remains in the shift and they have not been replaced. If desired, the employee can choose to take Paid Leave or compensatory time off in order to serve on jury duty, thereby retaining the full amount of jury duty pay received.

**2) FUNERAL LEAVE.** Regular employees shall be allowed up to 3 days off with pay in the event of the death of a spouse or children of the employee, and parents, grandparents, or siblings of the employee or employee's spouse. Funeral leave compensates for regularly scheduled hours only.

**3) MINNESOTA PREGNANCY AND PARENTING LEAVE LAW.** Eligible employees may take up to twelve weeks unpaid leave for qualifying events in conjunction with the birth or adoption of a child; or for prenatal care, incapacity due to pregnancy, childbirth, or related health conditions. Reasonable notice of the dates and duration of the leave must be given by the employee to their supervisor or department head. In conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption except in cases where the child must remain in the hospital longer than the mother, in which case the leave must begin within 12 months after the child leaves the hospital.

An employee may use accumulated Paid Leave and compensatory time towards some or all the pregnancy or parenting leave under this paragraph, and may also use accumulated Extended Sick Leave during the period of the employee's disability due to childbirth. Up to a total of 6 months of leave may be granted in the sole discretion of the County for pregnancy or parenting leave. Employees returning from pregnancy or parenting leave after these periods are entitled to return to their former positions.

Cook County will continue to make health insurance coverage available to employees taking leave under this paragraph for the 12 weeks of statutory leave, with the employee continuing to pay the employee's share of the premium, and if permitted per the health insurance plan, may continue to make coverage available on an extended leave (past the initial 12 weeks), provided the employee pays the full portion of the premium,

**4) FAMILY AND MEDICAL LEAVE ACT.** Leave shall be granted for employees in conformance with applicable State and Federal law and Cook County's policy regarding the Family and Medical Leave Act (FMLA) of 1993. FMLA provides for up to 12 weeks of job-protected leave to

eligible employees for certain family and medical reasons. Copies of the complete County FMLA policy are available on the county intranet.

**5) SCHOOL CONFERENCE AND ACTIVITIES LEAVE.** The County shall grant employees unpaid leave of up to 16 hours each school year to attend conferences or other school-related activities at their children's school, child care center, or other early childhood program, provided the activities cannot be scheduled during non-work hours. An employee may substitute any accrued Paid Leave or compensatory time for any part of the leave under this section.

**6) MILITARY LEAVE.** Any employee called for military service or compulsory training shall be entitled to the paid or unpaid leave and retention of benefits as provided in state and federal law, and any employee hired in his/her place during this absence shall be so informed.

**7) DISCRETIONARY LEAVE.** Other leaves of absence without pay for substantial personal reasons may be granted to employees in the sole discretion of the Employer.

All leave of absence requests shall be made to an employee's Department Head with as much notice as possible. Requests for leave of absences greater than 30 days must also be submitted in writing to the Administrator's Office. Employees who request and are granted unpaid leaves of absence must use all accrued Paid Leave and comp time accruals before beginning the unpaid leave. A doctor's authorization may be required.

An employee's total length of service with the County will be adjusted according to the length of any unpaid leave, except for military leaves as required by law. The County shall continue payment of all insurance premiums in the customary manner and amount during any approved leave of absence of 30 days or less. All insurance premiums beyond said period shall be entirely at the expense of the employee and subject to group eligibility, unless otherwise stipulated by State or Federal statute.

The County may fill the position of an employee on leave with a temporary employee. Provided that, if a leave of absence extends beyond six months, the County may fill the position with a regular employee. In such case, the employee on leave shall be considered to have terminated employment for all purposes, save that the employee shall be placed on a one-year re-employment list and considered for non-competitive appointment to the same or comparable position, as determined by the County, for which he/she may be qualified. The person may be tested as appropriate to determine qualifications and abilities. An employee who returns to a new position shall retain his/her former hire date, with the employee's total length of service adjusted due to time spent on lay-off. His/her anniversary date shall be the first day of work in the new job classification. As this is considered a new position, a regular six-month probationary period shall apply.

### **INSURANCE BENEFITS**

The County has various insurance programs and benefits which are made available to regular employees, which are subject to change at the discretion of the County. Insurance carriers, policies, premium contributions, eligibility, and level of benefits are all determined by the County. Eligibility for

these benefits is determined by the regularly scheduled number of hours of the employee's position and each program or benefit plan.

Premiums and coverages in addition to those provided by the County-paid premiums shall be at the expense of the employee and said cost shall be deducted from wages owed to said employee. If accumulated wages are not sufficient to cover said costs, the employee shall provide payment to the County for such costs by the 7<sup>th</sup> day of the month after the costs are incurred. An employee who allows any coverage to lapse for non-payment of premiums shall only be entitled to reinstate coverage on whatever terms are allowed by said group policy.

**A) HEALTH INSURANCE.** Full-time employees who are regularly scheduled to work thirty (30) or more hours per week and at least 1,560 hours per year are eligible for health insurance coverage.

The amount that the County pays towards Single or Family premium varies by employee union or group. The County also contributes \$1,200 per year into an individual VEBA personal health account for each full-time employee enrolled in the plan. The annual contribution is divided into equal monthly installments.

Employees enrolled in the health plan who cease to work for the county have certain rights which allow them to continue their coverage at personal expense for specified lengths of time.

**B) LIFE INSURANCE.** The County currently pays the premium for group term life insurance coverage pursuant to the Cook County Group Life Insurance Plan for all employees regularly scheduled to work 30 hours or more per week. Additional voluntary life insurance for employees, spouses, and/or dependents is also offered. This voluntary insurance coverage is subject to plan requirements and is at the employee's expense.

Employees who cease to work for the county have certain rights which allow them to continue their life insurance coverage at personal expense.

**C) LONG-TERM DISABILITY INSURANCE.** The County currently pays a monthly percentage of the employee's gross wages to pay 100% of the premium for the Cook County Long-term income disability insurance program for employees regularly scheduled to work 30 hours or more per week. Employees shall be ineligible for said program upon termination, or upon ceasing to be regularly scheduled to work 60 hours or more per pay period. The company which the county chooses will provide for continued coverage to employees who have served at least five years at a full-time status who have had a reduction of hours to a schedule of at least fifteen hours per week, retroactive to March 1, 2016

**D) HEALTH CARE AND DEPENDENT DAY CARE EXPENSE REIMBURSEMENT PLAN.** Employees work at least 200 hours per year are eligible for participation in the Cook County Health Care and Dependent Day Care Expense Reimbursement Plan (FLEX Plan). This allows employees to set aside salary on a pre-tax basis to pay eligible medical premiums and to pay for eligible health care and dependent day care expenses. Employees are eligible to enroll in the FLEX Plan on the first working day following successful completion of their initial probationary period and uninterrupted

county employment. Copies of the complete FLEX plan policy are available in the Personnel Department.

**E) HEALTH CARE SAVINGS PLAN FOR EXEMPT STAFF.** Pursuant to M.S. 2001, Chapter 352.98 and action by the Cook County Board of Commissioners on June 14, 2005, FLSA-exempt employees shall be enrolled in the Minnesota State Retirement System's Health Care Savings Plan (HCSP). Participation shall be effective upon satisfactory completion of the employee's probationary period in the FLSA-exempt position. Cook County shall contribute 1% of an employee's gross salary into each employee's HCSP account. Upon termination, employees who have reached a pension eligible age will have 100 % of the remaining paid leave converted to the HCSP. Employees who have not yet reached a pension eligible age upon termination, will have 25% of their remaining paid leave converted to the HCSP.

Some unions have also negotiated a HCSP benefit for its members.

Money accumulated in an HCSP account is used to pay for medical expenses and/or health insurance premiums after an employee has separated from employment with Cook County. In certain situations, HCSP money can also be accessed by an employee who is on an extended leave of absence from work.

### **RETIREMENT BENEFITS**

**A) PERA RETIREMENT PLAN.** Employer and employee contributions to the Public Employee Retirement Association (PERA) for eligible employees shall be made in accordance with State PERA requirements. The employee's contributions are automatically withheld from each paycheck.

**B) FICA.** Employer and employee contributions to FICA (Social Security and Medicare) for eligible employees shall be made in accordance with Federal requirements. The employee's contributions are automatically withheld from each paycheck.

**C) DEFERRED COMPENSATION PLANS.** Regular employees are eligible to participate in various deferred compensation plans sponsored by the County. These plans allow an employee to plan for retirement by setting aside a part of his/her gross salary and postpone the income tax liability on it until the year(s) in which it is withdrawn. Deferrals are automatically withheld from an employee's paycheck. Following successful completion of their initial probationary period with the County, the County will match a maximum of 3% of an employee's gross salary into approved Deferred Compensation Plans, (commissioner's get a flat \$3,000) on a payroll-by-payroll basis for non-union employees and as may be negotiated for union employees. Employees who choose not to enroll in a Deferred Comp Plan will forfeit the 3% County match. Further information regarding deferred compensation options is available from the HR Generalist.

### **HIRE AND ANNIVERSARY DATES**

An employee's initial hire date is the first day of employment in a regular position for the County. Initial hire dates determine over-all length of service with the County.

An employee's position anniversary date is the hire date for a particular position within the County. It is used to determine eligibility for merit step increases. If an employee has only held one position, the initial hire date and position anniversary date will be the same. If an employee has held more than one position, the initial hire date remains unchanged but the position anniversary date will be the date he/she began employment in the most recent position.

### **COMPENSATION**

The County has established salary schedules for various groups of regular employees. Adjustments and/or cost-of-living changes to salary schedules are made at the discretion of the County Board. The salary schedule lists the pay grade level for each job classification, as well as the merit step increases within each pay level. Employees who are hired for a new position are generally placed on the Step 1 level of the pay grade level for the position, though the County Board has discretion to make a higher step placement at the request and recommendation of the Department Head. Subsequent step increases within a pay grade are given based on employee performance and anniversary date. Step increases can be withheld or postponed due to unsatisfactory job performance, at the sole discretion of the Department Head following consultation with the Administrator's Office. For purposes of calculating step increases, a "year" of work is based upon a calendar year, not hours worked.

In addition to the base pay on the salary schedules, the County Board has established the following additional compensations which can affect certain positions in the county: working conditions pay, on call pay, call-out pay, shift differential pay, break pay, and market contingency pay. Working Conditions and Shift Differential pay for eligible non-union employees shall be the same as for union employees with equivalent positions.

There is no set salary schedule for temporary employees. The rate of pay for each temporary position is determined on a case-by-case basis by the Department Head prior to hire.

The County pays its employees every other Friday. If a holiday falls on Friday of a payroll week, payday will be on Thursday. All paychecks will be paid by direct deposit.

### **NOTICE OF RIGHTS AND REMEDIES-WAGE DISCLOSURE PROTECTION**

While wage and salary information is generally public data under the Minnesota Government Data Practices Act, employees are advised that Minnesota law gives employees the right to disclose their own wage and another employee's wages that have been disclosed voluntarily. Employees may not, without written consent of the County Administrator, disclose proprietary information, trade secret information or information that is otherwise subject to a legal privilege or protected by law, such as the Government Data Practices Act, or to disclose wage information of other employees to a competitor.

### **PERFORMANCE EVALUATIONS**

Performance evaluations should be conducted by Department Heads or their designees prior to the completion of an employee's probationary period, and on a regular basis thereafter. The completed evaluation form shall be discussed with the employee, signed by both parties, and given to the

Administrator's Office for placement in the employee's personnel file. Signature by the employee does not necessarily indicate his/her approval of the evaluation. An employee who disagrees with an evaluation has the right to submit a written rebuttal to the evaluation, which shall be attached and become a permanent part of the evaluation.

### **DISCIPLINE**

All employees are subject to potential disciplinary action as determined by the County. Responsibility for initiating and administering disciplinary action lies with Department Heads or their supervisory designees, the Administrator's Office and/or the County Board. Disciplinary actions may include, but are not limited to, such actions as verbal reprimands, written reprimands, suspensions with or without pay, demotions, and termination of employment, not necessarily in that order or including all forms.

Grounds for such actions include, but are not limited to the following examples:

- Falsification of application for employment
- Carelessness, negligence, incompetence, or inefficiency in the performance of essential job duties
- Insubordination
- Violation of county or departmental rules, regulations, procedures, or directions
- Unauthorized absenteeism and tardiness; falsification of work time records
- Dishonesty or misrepresentation
- Theft of public property, pilferage, or other unauthorized taking of public property for private use
- Use of job-related public authority or status for private or personal gain
- Gross negligence or willful conduct causing damage to property
- Unauthorized personal use of County telephone, fax, computer, copier, or mailing system, vehicle, or other public property.
- Improperly obtaining, using, or releasing private data
- Sexual or other unlawful harassment
- Actual or threatened violence in the workplace
- Using or being under the influence of intoxicants, narcotics, or other illegal or controlled substances during working hours
- Possession of a weapon, firearm, chemicals, or explosives on county premises or in vehicles used for employment, other than as may be necessary for legitimate business purposes, and except as provided or permitted by law
- Rude, uncooperative, or offensive behavior to supervisors, co-workers, and the public, whether in person, on the phone, or via other means
- Violation of accepted standards of behavior for the organization

All county property, including computers, desks, and lockers may be searched at the employer's discretion to retrieve work-related materials or when there is a legitimate reason to believe that county rules have been violated. Examples may include, but are not limited to, suspected cases of theft, possession of drugs, or concealment of weapons.



Written disciplinary measures including written reprimands, and notices of suspension, demotion, and discharge, shall become part of an employee's permanent personnel file.

Action to suspend, demote, or discharge shall include the reasons for the action taken and the date of the time period, if appropriate, for which the action shall be effective. For eligible veterans, such notices shall also inform the employee of any veteran's preference rights they may have.

### **CHANGE OF EMPLOYMENT STATUS**

**1) PROMOTIONS.** Employees may voluntarily apply for and be hired for vacant positions in the County where the pay range for the new position is greater than the employee's current pay range, following a competitive recruitment/selection process. Such employees shall serve a probationary period for the position. The anniversary date for the employee shall be the first day of work in the new position. The starting salary for an employee hired into a new position is subject to County Board approval, though a promotion would normally be accompanied by some increase in pay for the employee.

**2) VOLUNTARY TRANSFERS.** Employees may voluntarily apply for and be hired for vacant positions in the County where the pay range for the new position is the same as the employee's current pay range, following a competitive recruitment/selection process. Such employees shall serve a probationary period for the position. The anniversary date for the employee shall be the first day of work in the new position. The starting salary for an employee hired into a new position is subject to County Board approval, though a lateral transfer would not normally be accompanied by any pay increase for the employee.

**3) INVOLUNTARY TRANSFERS.** A Department Head may transfer an employee from one position to another within the same department without posting if both positions are assigned to the same job classification and salary range. The anniversary date for employment in the job classification would not change. Such a lateral transfer would not be accompanied by any pay increase for the employee.

Consenting Department Heads may transfer an employee from a position in one department to a position in another department without posting if both positions are assigned to the same salary range. Such transfers shall be made upon consultation with the Administrator's Office and when deemed to be in the best interest of the county. If the two positions are in the same job classification, the employee's anniversary date in the job classification will not change. If the two positions are in different job classifications, the anniversary date for the employee shall be the first day of work in the new position. Such a lateral transfer would not be accompanied by any pay increase for the employee.

**4) VOLUNTARY DEMOTIONS.** An employee may voluntarily apply for and be hired for vacant positions in the County even if the pay range for the new position is less than the employee's current pay range, following a competitive recruitment/selection process. Such employees shall serve a probationary period for the position. The anniversary date for the employee shall be the first day of work in the new position. The starting salary for an employee hired into a new position is subject to

County Board approval, though a voluntary demotion would normally be accompanied by some decrease in pay for the employee.

**5) INVOLUNTARY DEMOTION.** A Department Head may demote an employee into a position in a lower job classification, following consultation with the Administrator's Office. Reasons for demotions shall include, but not be limited to: disciplinary actions, elimination of positions or programs, department restructuring, staffing changes resulting from an election, or other reasons deemed by the County to be in its best interests. A demoted employee will be placed in the new (lower) classification's pay range at whatever step is just below his/her current rate of pay in the old (higher) classification's pay range. The anniversary date for the employee shall be the first day of work in the new position.

**6) OUT-OF-CLASS APPOINTMENTS.** A Department Head may assign a regular employee to work in a higher job classification on an interim basis not to exceed six months that is renewable by Board approval. Upon completion of the "out-of-class" assignment, the employee will return to his/her regular position and pay. If an employee working out-of-class applies for and receives appointment to the position on a regular basis without any break in service, his/her anniversary date and probationary period shall be retroactive to the date of the out-of-class appointment.

**7) LAY-OFF.** Employees may be temporarily or permanently laid off from work due to abolishment of their position, lack of funds, shortage of work, or other reason beyond the control of the employee. Decisions to lay off personnel shall be made by the County Board after consultation with the affected Department Head and the Administrator's Office. Employees shall be given as much notice of layoff as feasible. A laid-off employee shall be paid for all time worked up to the point of departure, as well as for all accrued, unused compensatory and Paid Leave, if eligible to receive such benefits. No other severance benefits are provided by the County.

In the event that lay-offs will lead to or result from a reorganization of duties and functions within a department, the Department Head and Administrator's Office shall develop a proposal for the numbers, types, duties, and classifications of positions that will allow the department to function as efficiently and effectively as possible. The resulting position(s) shall be filled by the best qualified, regular, non-probationary employee(s) within the department based on, but not limited to, job-related factors such as experience, education, and demonstrated ability to perform the new set of duties assigned. The proposal will be presented to the County Board for approval.

The Administrator's Office shall maintain a re-employment list of regular county employees who are on lay-off status. Such employees shall be considered eligible for reinstatement to their former classification for a period of 12 months following the lay-off. Such employees may also be considered for noncompetitive appointment to comparable positions, as determined by the county, for which they may be qualified. The employee may be tested as appropriate to determine qualifications and abilities. If qualified, the appointment shall be made unless the Department Head and/or Administrator's Office can demonstrate that such action would have significant adverse effects on departmental operations.

An employee who returns to his/her former position shall retain his/her former hire and anniversary dates, with the employee's total length of service adjusted due to time spent on lay-off. An employee who returns to a new position shall retain his/her former hire date, with the employee's total length of

service adjusted due to time spent on lay-off. His/her anniversary date shall be the first day of work in the new job classification.

**8) RETIREMENT.** Employees may voluntarily retire pursuant to Public Employee Retirement Association (PERA) provisions.

**9) RESIGNATION.** All employees who voluntarily resign or retire from County employment shall submit written resignations to their Department Heads. To resign in good standing, employees should give at least a two weeks' notice of their intention to resign and Department Heads should give a four week's notice. The Department Head and/or Administrator's Office may agree to a shorter notice period in certain circumstances. A terminating employee shall be paid for all time worked up to the point of departure, as well as for any banked compensatory time. Upon resignation in good standing, an employee shall also receive compensation for accrued, unused Paid Leave time. Paid Leave and/or comp time cannot be used to extend an employee's last day or work, unless it is deemed by the County Board to be in the County's best interest to do so. No other severance benefits are provided by the County.

**10) DISMISSAL.** Employees may be involuntarily dismissed from County service by action of the County Board. A dismissed employee shall be paid for all time worked up to the point of dismissal, as well as for any banked compensatory time. As a dismissal is not considered a resignation in good standing, the employee shall not receive compensation for accrued, unused Paid Leave.

### **JOB CLASSIFICATION**

The Administrator's Office has a job description on file for each county job classification. Job descriptions provide an outline of job duties, lines of authority, the minimum qualifications and requirements needed for the job, and any other special licenses that may be required.

In accordance with the Minnesota Pay Equity Act, each job description is rated on the basis of skill, effort, responsibility, and working conditions. These ratings are used to assign a job classification to a specific pay grade level on the appropriate salary scale.

Job description review may be initiated by any of the following:

- automatic for a new position/vacancy
- as part of a county-wide job classification study
- following major changes in the duties and/or responsibilities of a position
- upon request of the employee, Department Head, or Administration

The Administrator's Office shall work with the affected employee(s) and/or Department Head to develop or revise a job description. Department Heads must approve the final draft prior to submission to the Personnel Committee. Position employees can present additional verbal and/or written information to the Personnel Committee, if desired, prior to review and rating. The County Board approves all job descriptions and ratings.

Should a job description's rating cause it to be reclassified to a lower pay grade level, the employee's current base rate of pay will be frozen. The employee will then be placed in the new (lower) grade at the step below his/her current base rate of pay. The employee will remain frozen until the pay in that step

on the new pay grade level equals or exceeds the base rate of pay at which the employee was frozen. An employee's anniversary date for a position is not changed or affected by a job reclassification.

### **SAFETY**

All employees are expected to work according to proper and conscientious safety practices. They are to use all safety devices provided for protection of self and others. Employees can operate only those tools and equipment for which they have authorization and training, and shall perform scheduled and continual inspection of tools, equipment, protective devices, and materials as directed. Employees shall maintain a clean and safe work area and immediately report any unsafe condition or act to a supervisor. Employees shall report all accidents and 'near misses' to their supervisor, even if injuries did not result. Violation of safety rules and requirements is a serious offense. Copies of the Cook County Safety "AWAIR" (A Workplace Accident and Injury Reduction) policy are available in the Administrator's Office.

### **WORKER'S COMPENSATION**

All employees are covered by worker's compensation insurance. Employees must report any injuries or occupational illnesses that may be work-related to their supervisors as soon as possible, and complete a First Report of Injury Form, even if no work time was lost nor medical treatment required. Employees needing first aid or medical treatment should obtain such immediately. Employees involved with an ongoing worker's compensation claim will be contacted by and receive further information from the county's worker's compensation claims administrator. Workers Compensation may run concurrent with medical leave under the Family Medical Leave Act.

If an employee is injured on the job, Workers' Compensation will pay the employee two-thirds of his/her normal gross pay for any lost time, subject to certain laws, rules, and procedures. The injured worker will receive a check directly from the county's Workers' Compensation Administrator every two weeks for lost time. Workers' compensation benefits are not taxable. Employees may elect to have the County pay approximately 1/3 of their compensation from pre-injury Paid Leave and compensatory time accruals. Paid Leave/comp time is taxable income. The employee must provide a copy of his/her workers' compensation check to the County Auditor's Office. The County will calculate the deductions from the employee's benefit accruals and make out a payroll check for that amount. The total of an employee's workers' compensation check and Paid Leave/comp time benefits cannot exceed the employee's average weekly compensation. If an employee exhausts all pre-injury benefit accruals or elects not to use benefit accruals, he/she will not receive the 1/3 salary continuation.

An elected official who receives workers' compensation payments without having access to Paid Leave, shall be paid an additional, taxable wage by Cook County, so that the combination of workers compensation payments and county wages will approximately equal the official's average net salary

### **LIABILITY COVERAGE**

The County provides general liability coverage including, but not limited to, bodily injury and property damage liability, personal and advertising injury liability, public officials' liability, employee benefits

liability, employers' liability, as well as medical payments, automobile, uninsured and underinsured motorists, and garage keeper's coverage to its employees. Employees should notify their supervisor or the Administrator's Office immediately if a situation or issue arises that may involve the County's general liability coverage.

### **COMMUNICATIONS, MEDIA RELATIONS and SOCIAL MEDIA**

Cook County strives to facilitate communications that are coordinated and consistent, as well as, open and responsive to its employees and the public. Policies that guide the County's communications, media relations, and social media use exist and are located on the Employee Intranet Sharepoint site under Communications Central. All employees should review these policies. If you have any questions regarding public communications, working with the media, the County's branding and logos or communication planning, contact the Director of Emergency Management & Public Information.

### **DATA PRACTICES**

In accordance with the Minnesota Government Data Practices Act, Cook County is required to inform you of your rights as they pertain to information collected from you. If you have questions or wish to exercise your rights under the Minnesota Government Data Practices Act, contact the Cook County Administrator. Cook County Minnesota Data Practices Policy for Data Subject, Policy and procedures required by Minnesota Statutes, sections 13.025 and 13.03 (2016)

### **TRAINING POLICY**

Employees may occasionally or regularly be asked or assigned by their Department Heads to attend classes, in-services, seminars, workshops, conventions, and other meetings as a part of their regular job duties. These events may be held locally or out-of-the county and may require overnight stays. Attendance at such events shall be considered work time. Registration, tuition, fees, and cost of materials for such training events shall be paid by the County. Other expenses incurred by the employee in attending such training events will be reimbursed pursuant to the County's Travel Policy.

Employees may request County financial assistance and/or paid/unpaid time off to voluntarily participate in other educational courses offered by specialized schools or institutions of higher learning. Such requests shall be considered by the County Board on a case-by-case basis, with consideration given to the relationship of the training to the employee's current job responsibilities and the benefit such training may provide to the County.

### **TRAVEL POLICY**

The County shall reimburse employees for reasonable travel expenses incurred in the performance of their duties, including but not limited to: meals, mileage, lodging, and parking. Typically travel time on behalf of the county shall be considered work time. Travel and expense reimbursement requests must be approved by Department Heads for their employees, and must be approved by the Auditor-Treasurer for Department Heads. Reimbursement rates are set by the County Board. Reimbursements must be in

compliance with the Cook County Travel Policy. Copies of the policy and travel reimbursement forms are available on the County intranet.

A limited number of county-owned vehicles are available to transport people for county-related purposes. Only county employees, officials, and County Board-authorized volunteers and committee/commission members are allowed to drive county vehicles. Drivers of county vehicles must possess a valid driver's license (without driving restrictions), drive in a safe and courteous manner, and obey all traffic laws including the use of seat belts. There is no smoking in county vehicles. Employees are expected to notify their supervisor if they are involved in an on-duty or off-duty accident or receive a traffic citation or are charged with a driving-related offense. The Maintenance Department is charged with maintaining and scheduling vehicles for use. Cars will be reserved based on availability, notice, priority of travel event, destination, and other factors. Employees should clean the car of litter upon return.

County employees can use privately owned or leased road-licensed vehicles, other than motorcycles, for business use and receive mileage reimbursement. Employees must possess a valid driver's license (without driving restrictions), drive in a safe and courteous manner, obey all traffic laws including the use of seat belts, possess proof of insurance coverage that complies with the minimum auto liability limits required by Minnesota Statutes, and maintain the vehicle in a safe and satisfactory manner. County employees should use a county vehicle rather than personal vehicle when transporting clients. Employees are discouraged from borrowing someone else's private vehicle for business use.

Minnesota State law prohibits all drivers from sending or reading text messages while driving. In addition, county employees should refrain from using their cell phones while they are being paid to drive on County business, as it can be distracting and unsafe. If a phone call needs immediate response, employees should pull over and stop their vehicle at the next available spot so that they can give their full attention to the call. Employees whose jobs require them to use phones and radios to communicate while driving are encouraged to keep their conversations as short as possible. For more details see the county travel policy.

### **EMPLOYEE ASSISTANCE PROGRAM**

The County offers an Employee Assistance Program for use by all employees. The program provides voluntary, short term, no cost counseling services to employees and/or members of their household when faced with relationship, parenting, finance, alcohol, drug use, work, stress, or other personal problems. Employees can access the program directly and discreetly. No names or identifying information are conveyed back to the County. Brochures outlining the program are available on county bulletin boards, in break rooms, or by contacting the Administrator's Office.

### **EMPLOYEE BREAK ROOMS**

Break rooms are provided for the convenience and comfort of employees to use during their scheduled break periods. Employees are responsible for cleaning up after themselves, including cleaning of table tops, counters, cabinets, sinks, appliances, utensils, and discarding left-over food.

## **PARKING**

Employees at the Courthouse are allowed to park in the main lot, in the overflow lot, and on the streets surrounding the building. Employees are encouraged to leave the more convenient spaces in the main parking lot for use by the public, particularly during busy times such as Court or Election days. Employees working in other buildings can park in the areas designated for public use near their work site.

## **SEVERE WEATHER**

Based on consultation with the Highway Engineer and/or Sheriff, a member of the County Board shall be responsible for closing County offices due to severe weather. In such cases, employees scheduled to work can either come in and/or continue to work as usual without interruption by the public, or will be allowed to use Paid Leave and/or Comp Time to account for their absence.

## **TOBACCO-FREE WORKPLACE**

Cook County maintains a tobacco-free, including E-cigarettes, workplace and environment. Tobacco use is not allowed in county offices, buildings, vehicles, or facilities. Employees shall dispose of tobacco residue in a safe and clean manner. Employees smoking outside of county buildings are encouraged to stand away from entrances and windows to reduce the amount of smoke that filters into the building

## **DRUG AND ALCOHOL-FREE WORKPLACE POLICY**

The County's Drug and Alcohol-Free Workplace Policy is applicable to all Cook County employees, elected officials, independent contractors, volunteers or any individual representing the County in any fashion, in accordance with the Drug Free Workplace Act of 1988.

Cook County prohibits the use, possession, sale or transfer of alcohol or controlled substances on county-owned property or wherever work for the county is being performed, other than for law enforcement officials or rental agreements involving use of a county facility for a private function that involves the serving of alcohol.

No individual subject to this policy shall report to the workplace while impaired or influenced by alcohol, controlled substances or other mood-altering drugs, nor consume or use alcoholic beverages or controlled substances during work or on breaks. Employees should report to their supervisor any situation on the job in which they observe another staff member functioning under impaired circumstances due to suspected drug and/or alcohol abuse or have information indicating that a violation of this policy has occurred.

Employees and elected officials must notify their supervisors within 5 days if they are convicted of a criminal drug violation in the workplace.

Copies of the complete Cook County Drug and Alcohol-Free Workplace Policy are available from on the county intranet.

## **DRUG AND ALCOHOL TESTING POLICY**

The County has adopted a Transportation Employee Drug and Alcohol Policy under the Omnibus Transportation Employee Testing Act for commercial drivers. All commercial drivers are strictly prohibited from using, possessing, selling, transferring, or being under the influence of drugs or alcohol while working or performing job duties or while on the County's premises or while operating county vehicles, machinery or equipment. No employee shall perform safety-sensitive functions within four hours after using alcohol. Any employee found to be in violation of this policy is subject to discipline up to and including termination of employment.

Circumstances under which drug and/or alcohol tests shall be required or requested include during the application process, for reasonable suspicion, post-accident, random testing, and return-to-duty and follow-up testing.

Copies of the complete Cook County Transportation Employee Drug and Alcohol Policy under the Omnibus Transportation Employee Testing Act are available from the Administrator's Office.

## **SEXUAL HARASSMENT POLICY**

It is the policy of Cook County to maintain a work environment free of sexual harassment, a form of sex discrimination in employment prohibited by Title VII of the Civil Rights Act of 1964 and by the Minnesota Human Rights Act. Sexual harassment is unacceptable and will not be permitted. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action which may include discharge.

Federal law defines sexual harassment as: "Unwelcome sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature constitute sexual harassment when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

Employees are responsible for conducting themselves in a manner consistent with the spirit and intent of this policy. Any employee who feels that he/she is being sexually harassed should contact his/her supervisor or the Administrator's Office. A prompt and confidential investigation will be conducted by the Administrator's Office, and fair consideration will be given to all the facts presented. If a sexual harassment allegation is made against the Administrator's Office, the employee shall bring the complaint to the County Attorney for investigation. The County prohibits retaliation against an employee for reporting harassment or for participating in an investigation. Any alleged retaliation shall be reported in the same manner as harassment would be reported under this policy.



Copies of the complete Cook County Sexual Harassment Policy are available on the county intranet

### **OTHER UNLAWFUL HARASSMENT**

Cook County is committed to preventing and addressing harassment of county employees by other county staff as well as by officials, commissioners, agents, contractors, vendors, or other persons that county staff may encounter while performing work-related duties.

Any employee who feels that he/she is being unlawfully harassed in any manner, including on the basis of the employee's protected class status such as race, color, creed, religion, national origin, marital status, familial status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, veteran status, or age, should contact his/her supervisor or the Administrator's Office. A prompt and confidential investigation will be conducted by the Administrator's Office, and fair consideration will be given to all the facts presented. Any employee found to have acted in violation of this harassment policy shall be subject to appropriate disciplinary action which may include discharge. If a harassment allegation is made against the Administrator's Office, the employee shall bring the complaint to the County Attorney for investigation. The County prohibits retaliation against an employee for reporting harassment or for participating in an investigation. Any alleged retaliation shall be reported in the same manner as harassment would be reported under this policy.

### **CONFLICT OF INTEREST POLICY**

County employees may experience a conflict of interest when their employment, position, or influence with the County could potentially affect or benefit them as private individuals.

Some conflict of interest examples are:

- When an employee has the power to make or influence a decision in the course of county employment that may personally affect or advantage him/her.
- When an employee uses County time, facilities, equipment, confidential information, or supplies, or the badge, uniform, prestige, or influence of County office or employment for private gain or advantage.
- When an employee receives or accepts any money or other thing of value from anyone other than the County for the performance of an act which the employee would be required or expected to perform in the regular course or hours of county employment or as part of his/her duties as an employee.
- When a business employing or owned by a County employee is subject to the direct or indirect control, inspection, review, audit, or enforcement by the employee in the course of his/her county employment.

- When an employee commits an act in other than the employee's official capacity which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement by the employee.

Employment with the County shall be considered an employee's main work priority. Outside employment is acceptable as long as it does not present a conflict of interest, does not cause job performance to deteriorate, and is not inconsistent or incompatible with an employee's public duties.

If an employee foresees or discovers that a conflict of interest may exist, it is the employee's duty to report it to his/her supervisor. If the supervisor or other county administrative representative determines that a conflict of interest exists, the work or matter shall be assigned to another employee who does not have a conflict of interest. If it is not possible to assign the work or matter to another employee, all interested persons shall be notified of the conflict and the employee may proceed.

Copies of the complete Cook County Conflict of Interest Policy are available from the County Attorney.

### **INTERNET INFORMATION TECHNOLOGY/ APPROPRIATE USE POLICY**

Internet access is provided to most employees for business purposes. The County reserves the right to monitor all electronic transmissions originating from or coming to county facilities. No assumption of privacy should be made. Prohibited uses of the internet include, but are not limited to: commercial use, use that violates copyrights, the purchase of personal items, using the Internet for harassment or political purposes, releasing of untrue, distorted, or confidential information regarding county business, and viewing entertainment-related information such as entertainment sites, sports, or pornography.

Incidental personal use of the worldwide web, e-mail, and other electronic services can contribute to an employee's overall computer proficiency and is allowed if it is kept to a minimum and conducted during breaks and non-business hours. Personal use is subject to the same rules and regulations as business use, and no assumption of privacy should be made.

Violations of County policy regarding Internet use may result in disciplinary action. Copies of the complete Cook County Information Technology/Internet Appropriate Use Policy are available on the county intranet.

### **DEPARTMENT POLICIES**

Department Heads have the authority to establish rules, policies, and procedures that are pertinent and specific to their individual departments, operations, programs, and positions. Such department policies are in addition to, but cannot replace or supersede, the County policies and rules as outlined in this employee handbook.

### **SOLICITING**

No employees or other persons shall solicit sales, or political or charitable contributions, or petition signatures of county employees during working hours. Such activities are allowed before and after

work, and in the break rooms during the scheduled break periods. Occasional collections of money and signatures for employee gifts and greeting cards are allowed.

Commercial advertising, solicitation notices, or materials from outside businesses shall not be posted or displayed in county-owned buildings. Postings and sale advertisements by employees shall be limited to the non-public areas of a building such as lunchrooms or locker rooms.

### **POLITICAL ACTIVITIES**

Employees shall have the right to freely express their views as citizens and to cast their vote. During business hours, employees shall not, directly or indirectly, solicit or receive funds or at any time use their authority or official influence to compel anyone to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription, or contribution, or to take part in any political activity or endorsement.

### **PERSONAL APPEARANCE**

Personal appearance should be appropriate to the nature of the work and the employee's contacts with other people and should communicate professionalism and competence to the public. An employee's personal appearance and cleanliness should not distract from the ability and willingness of other employees and the public to work with him or her. Department Heads may establish standards of dress that are reasonable and appropriate to their departments.

### **SCENTED PRODUCTS IN THE WORKPLACE**

It is Cook County policy to strive to control scented products in County buildings and vehicles. The County's philosophy supports a healthful environment for the public, County officials, and County employees. The County recognizes that exposure to strong scents and fragrances in the environment can cause discomfort and can directly impact the health of certain individuals. For the comfort and health of all, use of scents and fragrant products, other than minimally scented personal care products, by County employees and officials is discouraged, particularly in close-spaces and public visiting areas. The policy applies to all County officials and employees.

Restrictions on scents under this policy addresses any product that produces a scent that is strong enough to cause health related reaction by others.

Scented Products that are perceived by others in addition to the user should not be worn or used in County buildings or vehicles, particularly in closed areas and areas visited by the public. Air fresheners and room deodorizers that are intended to mask other objectionable odors for improved environmental comfort and that have been approved by the Safety Committee may be used as directed.

Any employee with concerns about Scented Products or other odors while performing job duties should contact his/her department or office head to determine if there is an appropriate product substitution

available. Any employee with concerns about potential symptoms caused by exposure to Scented Products should be referred to the Public Health Nurse for evaluation. Department and office heads are responsible for encouraging staff to comply with this policy. It is the responsibility of all employees to support this policy for the benefit of everyone.

### **WORK AREAS**

Employees are allowed to personalize and decorate their own individual offices or work areas as long as the areas remain professional and neat. Ornamentations shall not be offensive, distracting, unsafe, or in poor taste. Care should be taken when mounting items to walls, ceilings, windows, or other surfaces. The Maintenance Department is to be contacted if there is any question regarding the mounting or installation of items. Department Heads shall oversee the general appearance of individual work areas.

Department Heads are responsible for approving accessories, furniture, posters, pictures, and displays for the shared areas within their own departments. The County Board is responsible for approving decorations and furnishings in the common areas outside of individual departments, such as general meeting rooms, foyers, and hallways.

### **RESOLUTION OF DISAGREEMENTS, DISPUTES, OR COMPLAINTS**

It is the policy of Cook County to provide regular employees a means of communicating disagreements, disputes, or complaints (hereinafter called the "dispute") involving the interpretation or application of the policies, procedures, and information contained in the Cook County Employee Handbook. However, the following actions cannot be disputed:

- The Cook County Employee Handbook itself, or subsequent changes made to it by the County Board
- Extension of probationary periods
- Performance evaluations or verbal reprimands
- Adjustments to salary schedules
- Investigations into disciplinary issues, prior to action
- Any action which was already voted on by the County Board
- Any action which was already grieved or litigated in another administrative or judicial proceeding

All regular employees may pursue a dispute through Step 3 of the following procedures. The right to pursue a dispute beyond Step 3, except for judicial review, is reserved for non-probationary employees. The following procedures are to be used:

#### **Step 1**

An employee having a dispute shall present such dispute to his/her immediate supervisor within 5 working days after awareness of the event causing the dispute. The employee may be accompanied by representation or counsel of his/her choice. The dispute can be presented in either oral or written form. It shall be the responsibility of the supervisor to investigate the dispute, discuss the dispute with the

employee, and give an oral response to the employee within 10 working days from the time the dispute was initially presented. In instances where the organizational structure does not provide a level of supervision between the employee and the Department Head, the dispute shall be presented directly to the Department Head at Step 2.

### **Step 2**

A dispute not resolved in Step 1 may be appealed to Step 2. The dispute shall be set forth in writing and presented to the Department Head within 10 working days from the time of the supervisor's response. The Department Head shall provide a written response to the employee within 10 working days following the receipt of the written dispute.

### **Step 3**

A dispute not resolved in Step 2 may be appealed in writing to Step 3. The Step 3 grievance shall be set forth in writing and presented to the Administrator's Office within 10 working days from the time of the Department Head's response. The Administrator's Office shall provide a written response to the employee within 10 working days following the receipt of the written dispute.

### **Step 4**

A dispute not resolved in Step 3 may be appealed in writing to Step 4. The Step 4 dispute shall be set forth in writing and presented to the Administrator's Office within 10 working days from the time of the Administrator's Office response. The Administrator's Office shall present the Step 4 dispute notice to the Cook County Board of Commissioners at its next regular meeting. The Board will then set a subsequent date at which to conduct a Dispute Hearing, and will notify the employee of the date, time, and place of said Hearing.

The County Board Chair or Vice-Chair shall preside over the hearing. Both the employee and the County may rely on counsel to present their case, and both parties may present evidence and call witnesses to testify at the hearing. The employee, as the aggrieved party, shall present testimony first. The County may introduce testimony at the close of the employee's case. Both parties may cross-examine as in a civil law suit. The County Board may itself investigate the circumstances surrounding a dispute for the purpose of resolving such issue.

Testimony shall be tape recorded and preserved at least until the time for further appeal has expired. Employees and their witnesses, if also county employees, may pursue the dispute process during their regularly scheduled hours at their regular rate of pay. No employee or witness shall be subject to harassment or disciplinary measures as a result of participating in a dispute process or testifying at a hearing.

The County Board shall provide a written notice of its decision to the employee within 10 working days of the hearing. The decision of the Board shall be final. The employee may seek legal counsel and pursue his/her dispute through judicial processes. If an employee initiates such action prior to completion of the dispute process as herein described, he/she shall be precluded from completing the dispute process.

If a dispute is not presented within the time periods for each step as set forth above, it shall be considered waived. If a dispute is not appealed to the next step within the specified time limit, it shall be

considered settled on the basis of the last answer. If the proper county representative does not answer a dispute within the specified time limits, the employee shall consider the dispute as denied and may immediately appeal the dispute to the next step. The time limit in each step may be extended by agreement of the employee and authority involved in the next step. Such extensions should be documented in writing.

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