

Clerk of the Circuit Court of Cook County

Employee Handbook

(effective 2025)

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IMPORTANT NOTICE

To the extent that any rules and policies in this Employee Handbook (Handbook) deviate from the provisions of federal, state, county, or municipality laws and ordinances, the governing rule must be adhered to. In the event that provisions of this Handbook vary from the terms of applicable collective bargaining agreements (CBA), the terms of those collective bargaining agreements shall govern for affected members of the collective bargaining unit.

Please be advised that the Employee Handbook does not constitute a contract, and its language is not intended to create or to be construed as a contract or promise of continued employment. The Handbook sets forth general information and guidelines and does not purport to address every situation or contingency. The policies set forth herein represent the standards governing the conduct of employees of the Clerk of the Circuit Court of Cook County ("Clerk's Office"). Employees should direct questions about policies, programs or other applications of the Handbook to Human Resources or General Counsel. The Handbook may be revised and/or amended from time to time. Any modification will be posted for thirty (30) days prior to implementation for purposes of notifying employees. Employees should consult the Intranet or Human Resources to familiarize themselves with any revisions or additions to the Handbook.

All employees are reminded that they are bound by the policies, procedures, and obligations set forth and referenced in the Clerk's Employment Plan, Supplemental Policies Manual, the CBA (for Union members) and this Handbook. This handbook and the policies within supersede all other handbooks or policies.

The policies and procedures found in this Handbook are adopted to promote an efficient and effective personnel system for the Clerk's Office that is free from all forms of unlawful discrimination, including unlawful political discrimination, harassment, and retaliation. The Handbook sets forth in detail those policies and procedures which ensure equal treatment for employees and define the obligations, rights and privileges, benefits and prohibitions placed upon Clerk's Office employees.

This Handbook applies to all Positions and employees of the Clerk's Office, except as expressly provided therein.

The Handbook does not create an explicit or implicit employment contract or promise of employment. If a provision of any applicable Collective Bargaining Agreement ("CBA") conflicts with a provision of this Handbook, the CBA controls. To the extent this Handbook, the CBA, or the Employment Plan does not expressly limit the Clerk's Office's rights, management retains authority and discretion to carry out its obligations, statutory duties, and operations.

The Clerk and their designee(s) retain the authority to determine and manage the Human Resources policies, procedures and functions of the Clerk's Office including, but not limited to, the hiring, termination, suspension, promotion, demotion, transfer, layoff, or evaluation and discipline of employees; the development, implementation and enforcement of policies, rules, regulations and standards of conduct; the allocation, assignment, composition and size of the work force; the maintenance of employment records; the classification of employees including

the organization of departments and divisions of the Clerk's Office; the elimination, relocation or transfer of work; negotiate and enter contracts for work; job training; the setting of hours of operation; and the enforcement of occupational safety and health regulations.

Human Resources Bureau

Phone: (312) 603-5040

Fax: (312) 603-5043

Email: HR@cookcountycourt.com

DEFINITIONS

For purposes of this Handbook, the terms set forth herein shall have the meanings ascribed to them below unless otherwise set forth in a particular Article or Section.

- A. "ACDC" means the Assistant Chief Deputy Clerk of a Department.
- B. "ADA" stands for the Americans with Disabilities Act. Defined as amended, 42 U.S.C. § 12101, et seq., requires employers with 15 or more employees to provide reasonable accommodations to the known disability of job applicants and employees who are qualified for a job, with or without a reasonable accommodation, to perform the essential job duties of the position. The ADA also prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.
- C. "Applicant" means an individual who has submitted an application for a position pursuant to the terms set in the Employment Plan.
- D. "Bargaining Unit Position" means a Position in the Clerk's Office that is covered by the Collective Bargaining Agreement (CBA).
- E. "Candidate" is an applicant who after review and validation of his/her application materials, has been found to possess the Minimum Qualifications required by the position description.
- F. "CBA" means the Collective Bargaining Unit
- G. "CDC" means the Chief Deputy Clerk of a Department.
- H. "CHRO" means Chief Human Resources Officer
- I. "Clerk" refers to the Clerk of the Circuit Court of Cook County, a non-judicial officer of the judicial branch of state government.
- J. "Clerk's Office" refers to the Office of the Clerk of the Circuit Court of Cook County.
- K. "Confidential Information" means information, in any form whatsoever, that is acquired by an employee of the Clerk's Office in the course of the employee's official duties and in which the Clerk's Office or other source of the information has a reasonable expectation that the information will not be disclosed to any entity outside of the Clerk's Office except as necessary to conduct the business of the Clerk's Office or as required by law.

- L. "Department" means an operational department established within the Clerk's Office as set forth in the Clerk's Office organizational chart.
- M. "Deputy" means the individual appointed as a substitute to act when the Chief is unavailable or unable to perform their duties.
- N. "Designee" or "designee" means the Employee selected and assigned to perform duties set forth in this Handbook on behalf of another Employee, typically subordinate to and in the same Department.
- O. "Director" means the individual assigned to assist a Deputy in heading or directing a Department and whose position description has the "Director" title.
- P. "Discipline" means an action taken by the Clerk's Office in response to an employee's conduct or performance that is determined to be in violation of the Handbook. This includes verbal or written reprimands, suspensions or terminations, as defined here or in the CBA.
- Q. "Dual Employment" refers to when a Clerk's Office employee is engaging in or is employed by another entity or individual in return for compensation, including but not limited to self-employment or work as a consultant.
- R. "Earbuds" refers to AirPods (all versions), Beats, blue tooth headsets, or any brand consisting of in-ear, on-ear, over-ear, or clip on headphones.
- S. "Employee" or "employee" refers to any full-time, part-time, probationary, or temporary employee of the Clerk's Office including a paid or unpaid intern of the Clerk's Office.
- T. "Employment Action" means any action (positive or negative) related to any aspect of employment, including, but not limited to, hiring, training, temporary assignment, transfer, reclassification, layoff, assignment of overtime (and other benefits of employment), discipline, and termination, as defined in the Employment Plan.
- U. "Employment Plan" means the Clerk's Office Employment Plan as amended from time to time in accordance with the terms set forth therein.
- V. "Exempt List" means the number and identity of Exempt positions, and the employees assigned to them, may change from time to time as the operational and organizational needs of the Clerk's Office require, Notwithstanding, the status of a position as Exempt is determined by the duties and responsibilities of the position set forth and is not related to the specific job performance of any individual employee. All employees assigned to positions designated as Exempt whether on a permanent or temporary basis, are "at-will" employees see, *Rutan v. Republican Party of Illinois*, 110 S.Ct. 2729 (1990).

- W. “Exempt Position” means a Position included on the Exempt Positions 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. Includes employees who are assigned to such positions in an acting or temporary capacity. The position's responsibilities include the direct or indirect meaningful input of ideas, concepts, fact gathering, or recommendations related to the implementation or development of the Clerk's operational goals, policies and directives.
- X. “FLSA Exempt” means salaried employees who, because of their compensation and/or duties, are not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, 29 USC 201, *et seq.*, or the Illinois Minimum Wage Law, 820 ILCS 105/1, *et seq.*, as determined by Human Resources.
- Y. “FLSA Non-exempt” means employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, 29 USC 201, *et seq.*, or the Illinois Minimum Wage Law, 820 ILCS 105/1, *et seq.*, as determined by Human Resources.
- Z. “FMLA” The Family and Medical Leave Act (FMLA), 29 USC § 2601, *et seq.*, entitles eligible employees to take up to twelve (12) weeks of unpaid, job-protected leave in a leave year, for any of the following reasons:
1. The birth of a child and to bond with a newborn child within one (1) year of birth;
 2. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one (1) year of placement;
 3. To care for the employee’s immediate family member with a qualifying serious health condition;
 4. For the employee’s own qualifying serious health condition that makes the employee unable to perform the essential functions of the employee’s job; or,
 5. For any qualifying exigency related to the foreign deployment of a military member who is the employee’s immediate family member (Qualifying Exigency Leave).
 6. Additionally, the FMLA entitles eligible employees to take up to twenty-six (26) weeks of unpaid, job-protected leave in a single leave year to care for a covered service member with a serious injury or illness, if the service member is the employee’s immediate family member or next of kin (Military Caregiver Leave). During the single twelve (12) month period described herein, an eligible employee is limited to a combined total maximum of twenty-six (26) weeks of leave for any FMLA-qualifying reasons.
- AA. “HR” means Human Resources
- BB. “Non-Exempt Position” means any Position that is not included on the Exempt Positions List.
- CC. “Official” means any person holding any elected office in Cook County or any

appointed position.

DD. “Position” means any probationary, temporary, part-time, full-time, or any other category of employee constituting common law employment, other than intern/extern, available with the Clerk’s Office.

EE. “Position Description” means 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).

FF. “Probationary Period” means the period during which an employee is on probation pursuant to the CBA.

GG. “PWFA” The Pregnant Workers Fairness Act requires covered employers to provide “reasonable accommodations” to worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.”

HH. “Relative” means a person who is related to an Official, Officer or employee as spouse or as any of the following, whether by blood, marriage, or by adoption: parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, step-daughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law or sister-in-law.

II. “Social Media” is defined broadly to include online platforms that facilitate activities such as professional or social networking, posting commentary or opinions and sharing pictures, audio, video, or other content. “Social media” includes personal websites and all types of online communities (e.g., Facebook, LinkedIn, Yelp, YouTube, X, Instagram, TikTok, Snapchat, Threads, mobile games, and chat rooms).

JJ. “Supervisor” means the individual to whom the employee reports as indicated in the employee’s Position Description and who, among other duties, has the authority to authorize, execute or recommend any Employment Action.

KK. “Unlawful Political Discrimination” means 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.

Any term not defined herein shall have the meaning ascribed to it in the Employment Plan.

I. Equal Employment Opportunity

Section 1 - Policy

The Clerk's Office is an Equal Employment Opportunity ("EEO") employer. As an EEO employer, the Clerk's Office 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, gender identity, sexual orientation, marital status, parental status, military service or discharge status, source of income, housing, or any other protected category established by law, statute, or ordinance. 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.

The Clerk's Office is also committed to creating a workplace that is free from discrimination against, or harassment of, any employee, taxpayer, vendor, contractor, or any persons with which the Clerk's Office conducts business. The Clerk's Office wants to ensure that all employees have the freedom and ability to reach their own potential in an atmosphere of mutual respect, value and opportunity. If at any time an employee experiences possible discrimination or harassment, the employee should advise: their Supervisor, Director and/or CDC, the Human Resources unit, or any other appropriate County, State, or Federal agency. Employees' identities may remain confidential to the extent permitted by law and to the extent feasible in view of any necessary investigation.

Section 2 - Retaliation

The Clerk's Office prohibits retaliation for reporting any instance of discrimination or harassment in accordance with applicable laws, statutes, or ordinances including any and all whistleblower protections under applicable law.

Section 3 – Reasonable Accommodations

The Clerk's Office provides reasonable accommodations to enable qualified individuals with disabilities to perform the essential functions of their Positions in accordance with applicable law, provided that the individual is otherwise qualified to perform the essential functions of the job safely and provided that any accommodations made do not require significant difficulty or expense. An employee or applicant who believes they need a reasonable accommodation should review the American with Disabilities Act (ADA)(Part XVII, Section 4) and contact Human Resources to discuss. .

II. Prohibition of Political Activity

The Cook County Ethics Ordinance section 2-583 and the Clerk's office code of ethics (insert page number) prohibit political activity on county property and the use of county resources.

Specifically, the Cook County ordinance states “county employees shall not engage in political activity during any compensated time (other than vacation, personal, or compensatory time off) and shall not use any county property or resources for political activities for the benefit of any candidate or political organization.”

Also prohibited, but not limited to:

- A. Requiring any employee to support any candidate in any way including political fundraising;
- B. Compelling or coercing any county employee into performing prohibited political activity during county work hours, compensated time off, or as a condition of employment;
- C. Use of any county property or resources, like computers, for prohibited political activity.

In order to ensure that the law and policies are followed, all employees, regardless of whether they hold exempt or non-exempt positions, have a duty to report any contact they have with any politically related person or organization - or with any individual acting on behalf of such person or organization - if that contact involves an attempt to inquire about or to affect an employment action involving an employee who holds a non-exempt position or is an applicant applying for such a position.

The reporting form may be found here: [Confidential Political Contact Log Reporting Form](#)

Violations of this policy may result in discipline up to, and including, termination. To report prohibited activity please contact the office of Inspector General, Human Resources, the Director of Compliance or the Cook County Board of Ethics.

Inspector General
oig@cookcountycourt.com
(312) 603-3424

Human Resources
countyclerk.hr@cookcountycourt.com
(312) 603-3300

Director of Compliance
compliancedirector@cookcountycourt.com
(312) 603-6908

Cook County Board of Ethics
cookcounty.ethics@cookcountyil.gov
(312) 603-4304

III. Ethics Policy

Section 1. Purpose and Applicability

The employees and officers of the CCC hold their positions to carry out the mission of the Office as set forth herein and under the Clerk of the Courts Act, 705 ILCS 105/0.01 et seq, the rules of the Illinois Supreme Court, applicable Administrative Orders of the Cook County Circuit Court, and applicable Cook County ordinances. Such actions are undertaken in accordance with these parameters for the benefit of the public. Employees and officers do not hold their positions to obtain unwarranted personal or private gain in the performance of their official duties.

This Order applies to all CCC employees and officers and shall supersede any prior ethics orders. The provisions of this Ethics Order apply in addition to applicable state and local laws relating to conflicts of interest and ethics including, but not limited to, the Cook County Ethics Ordinance of the Cook County Code of Ordinances, and all rules, regulations, policies and procedures of the County of Cook.

Section 2. Definitions

This Order incorporates the definitions of the words, terms, and phrases set forth in Section 2-562 of the Cook County Ethics Ordinance. In the event of a conflict between terms in Section 2-562 and those within this Order, this Order shall govern its own terms. A violation of the Cook County Ethics Ordinance shall be considered a violation of this Order.

Whenever used in this Order, the following terms shall have the following meanings:

- A. "CCC" means Office of the Clerk of the Circuit Court of Cook County
- B. "County" means the County of Cook.
- C. "Economic interest" means any interest valued or capable of valuation in the monetary terms.
- D. "Employee" means an individual employed by the CCC, whether part-time or full-time or by a contract of employment. Employee also includes any individual who is paid, whether from the County treasury or pursuant to County ordinance or federal grant, for full-time services to the CCC, regardless of the nature of the relationship of such individual to the County for purposes other than this Order. For purposes of this Order, employees are not vendors or sole source contractors.
- E. "Officer" means any person employed by the CCC who is considered a Shakman-exempt employee under the terms of the CCC Employment Plan.

- F. "Political contribution" means any gift, subscription, loan, advance, deposit of money, allotment of money, or any tangible item of value given or transferred by one person to another, including in cash, by electronic transfer from one account to another, by check, by draft, through a payroll deduction or allotment plan, by pledge or promise, whether or not enforceable, or otherwise, for purposes of influencing in any way the outcome of any elections. For purposes of this definition, a political contribution does not include a loan made at market rate by a lender in its ordinary course of business.
- G. "Political fundraising committee" means any fund, organization, political action committee or other entity that for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund political party candidate organization, political action committee, or other entity.
- H. "Relative" means a person who is related to an employee or officer as spouse or as any of the following, whether by blood or by adoption: parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, step-daughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law or sister-in-law.

Section 3. Prohibition on misuse of the Court Record

- A. Employees and officers shall use official time in an honest effort to perform official duties in a fair and responsible manner.
- B. An employee or officer of the CCC shall not use their access to court records for his or her own personal gain or for their personal interest; access to the court record will be used only to perform the duties of their position.
- C. Should an employee or officer become aware of another employee or officer accessing court records for personal gain or interest, said employee must immediately report this to their supervisor and to the Inspector General.
- D. As the official keeper of the court record, employees and officers have a duty to:
 - 1. protect all court records, and the privacy of those court records mandated as confidential.
 - 2. refrain from using or allowing its use for purposes other than those for which it is made available to the public or for purposes authorized in accordance with state law or court order or county ordinance, to carry out the purposes of the Office.

Section 4. Gift Ban

- A. No employee or officer shall solicit, accept, or receive a gift in violation of Section 2-574 of the Cook County Ethics Ordinance, as interpreted in this section.
- B. No employee or officer shall accept any gifts, regardless of value or kind, from a judge, an attorney, or self-represented litigant participating in judicial proceedings.
- C. No official, officer or employee may accept or receive any gift, or multiple gifts from the same source who does business with the CCC, having an annual aggregate value of one hundred dollars (\$100) or more. Does or Doing Business with the CCC means any one or any combination of sales, purchases, leases or contracts to, from or with the CCCC during the current or prior year, or an entity that is engaging in a process to obtain such business from the CCC.
- D. The provisions of (b) and (c) shall not apply to gifts from relatives of the employee or officer provided that there has been proper notification.
- E. The provisions of (b) and (c) shall not apply to gifts provided on the basis of personal friendship as set forth in Section 2-574 of the Cook County Ethics Ordinance.
- F. Any attempt to bribe or offer of a bribe for any act or failure to act within the scope of an employee's or officer's official duties within the CCC shall be promptly reported by the employee or officer to the Inspector General (IG) and the appropriate law enforcement agencies and such officer or employee shall fully cooperate and assist law enforcement agencies and personnel in investigating and prosecuting such bribe or bribery attempt.

Section 5. Limitation on Political Contributions to the Clerk of Court

It is the intent of this Order that CCC employees should be protected against any potential pressure to make a financial contribution to the Clerk or her political fundraising committee. Therefore, the Clerk and her political fundraising committee will not accept any financial contribution from a CCC employee.

Section 6. Political Activity

- A. No employee shall be hired with regard to political preference, contributions, activities or sponsorship.
- B. No employee or officer shall compel, coerce, intimidate or require any employee to make, refrain from making or solicit political contributions or to engage in any political activity.
- C. No employee or officer shall intentionally perform any prohibited political activity during any compensated time.

- D. No employee or officer shall intentionally use property or resources belonging to Cook County or the CCC in connection with any prohibited political activity.
- E. Nothing in this Article prohibits activities by an employee or officer conducted on a voluntary basis, outside of the CCC that are not prohibited by this Order.

Section 7. Disclosure of Economic Interests

- A. All employee or officer shall file all financial disclosures required under state law or county ordinance in the manner prescribed.
- B. All employee or officer shall provide proof of filing financial disclosures required in subsection (a) to the Ethics Officer.

Section 8. Nepotism

Except as otherwise required by law:

- A. Neither the Clerk of Court nor any employee or officer of the CCC may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the CCC.
- B. Neither the Clerk of Court nor any employee or officer of the CCC may supervise a relative in the performance of the relative's official powers or duties. If, at the effective date of this Order, there is a violation of this section, the subordinate employee shall be transferred to another section or department of the CCC not under the relative's supervision.

Section 9. Prohibition on Discrimination, Harassment and Sexual Harassment

Discrimination, harassment and sexual harassment in any form are strictly prohibited. Employees or officers in the CCC who believe they have been subject to discrimination, harassment or sexual harassment are encouraged to file a complaint with the Human Resource Department and the Inspector General. When an employee or officer raises a concern about alleged harassment, the Human Resources Department and/or the Inspector General shall conduct a prompt and thorough investigation.

Any form of retaliation directed against an individual who complains about discrimination, harassment or sexual harassment or who participates in any investigation concerning discrimination, harassment or sexual harassment is strictly prohibited and will not be tolerated.

Section 10. Outside Employment

- A. It is the duty of every employee or officer of the CCC to report outside employment or activities that may conflict with the work of the CCC.
- B. Employees or officers shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with their official duties, hours of work or responsibilities in the CCC.

Section 11. Revolving Door Rules

Any person who serves as a supervisor, manager, director, department head or officer of the CCC, is prohibited from lobbying or conducting business before the CCC for a period of one year after leaving the position.

Section 12. Ethics Officer

The Clerk of the Circuit Court shall designate an Ethics Officer who shall be responsible for the administration and enforcement of this Ethics Order except where enforcement is provided elsewhere via court order, state statute, or ordinance.

The Ethics Officer may have other duties, titles, or jobs within the CCC. The Ethics Officer shall provide a copy of this Ethics Order to all new officers and employees of the CCC and may, from time to time, provide ethics training to all employees or officers of this Office.

Section 13. Sanctions for Violation

Any employee or officer found to have violated any provision of this Order, or furnished false or misleading information in any investigation, hearing or inquiry held pursuant to this Order, shall be subject to employment sanctions, up to and including discharge. The provisions of this Order shall not limit the power of the Clerk of Court to otherwise discipline employees in accordance with applicable law and governing agreements.

IV. Drug and Alcohol Policy

Section 1 - Purpose

The primary purpose of this policy is to promote the safety, health, and well-being of all employees. The Clerk's Office is committed to providing a workplace that is free from alcohol abuse, unlawful drugs, or any other unlawful substance as classified under local, state, or federal laws while employees are working for the Clerk's Office, whether on or off its premises.

Section 2 – Policy

The Clerk's Office expects all employees to report for work in a condition that allows them to complete their duties in a timely, complete and professional manner. **Use of illegal drugs, marijuana, or alcohol during work is prohibited.** No employee may be under the influence of illegal drugs, marijuana, or alcohol during work hours. For purposes of this policy, "under the influence" means any mental, emotional, sensory, or physical impairment due to the use of drugs, marijuana, or alcohol.

Any employee that uses a CDL license as part of their daily job functions must abide by all Department of Transportation (DOT) guidelines

Section 3 – Scope

This policy is applicable to all full-time, part-time, intern, and seasonal employees within the Clerk's Office. This Drug and Alcohol Policy is non-discriminatory and shall be applied in a uniform manner.

Section 4 – Reasonable Suspicion

If an employee's Supervisor or any member of management in the Clerk's Office has a reasonable suspicion that an employee's performance or behavior indicates that the employee is violating the Drug and Alcohol policy, the Clerk's Office reserves the right to have the employee undergo drug and/or alcohol testing and/or undergo an immediate medical evaluation to determine fitness for duty, and the employee shall remain clocked in. The Supervisor must complete the Reasonable Suspicion Fitness for Duty Evaluation Request Form as soon as they observe the employee having difficulty performing their duties and contact Human Resources immediately by calling (312) 603-5040.

Employees who suspect that a coworker is under the influence of drugs or alcohol while on duty or engaged in work-related activities have a responsibility to report their concerns promptly to their immediate Supervisor, Chief, Assistant Chief or Human Resources directly. Reports should be made based on observed behavior, such as slurred speech, erratic movements, the smell of alcohol or drugs, or other signs of impairment.

If an employee refuses to submit to a drug or alcohol test, that refusal will be treated the same as having failed the test. For purposes of this policy, "reasonable suspicion" means a belief that an employee may be under the influence of drugs, marijuana, or alcohol. Such belief must be based on some objective indicia, which may include but are not limited to, the following:

- A. erratic or unusual behavior by an employee, including, but not limited to:
 - 1. noticeable imbalance, incoherence, and disorientation, which would lead a person of ordinary sensibilities to conclude that the employee is under the influence of drugs, marijuana, and/or alcohol;
- B. observation of possible ingestion or use of drugs, marijuana, or alcohol;
- C. involvement in an accident, fight, or other circumstances that could lead a reasonable person to believe that the use of drugs, marijuana, or alcohol may have been involved.

To the extent permitted by law, an employee may be required to undergo drug and alcohol testing if the individual is involved in an accident that results in an injury requiring medical attention or property damage while at work, on Clerk's Office property, or on Clerk's Office business. In this case, testing may be required without regard to whether the Clerk's Office has reasonable suspicion of drug, marijuana, or alcohol use. Employees are responsible for reporting such accidents to their Supervisor immediately and submitting to testing as soon as possible after the accident.

Section 5 – Testing Procedure

The Clerk's Office will refer the applicant or employee to an independent, certified medical clinic or laboratory, which will administer the appropriate test. The Clerk's Office will pay the cost of the test and reasonable transportation costs to the testing facility. The applicant or employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that they have taken that may affect the outcome of the test. All drug testing will be performed by urinalysis and/or breathalyzer. The clinic or laboratory will inform the Clerk's Office as to whether the applicant passed or failed the drug test.

Any applicant or employee subject to testing under this policy will be asked to sign a form acknowledging the procedures governing testing and consenting to: (1) the collection of a urine sample or a breathalyzer test for the purpose of determining the presence of alcohol or drugs; and (2) the release to the Clerk's Office of medical information regarding the test results. To the extent permitted by law, refusal to sign the agreement and consent form or to submit to the drug test will result in the revocation of an applicant's job offer or will subject an employee to discipline, up to and including termination.

To reiterate, an employee who tests positive for illegal drugs, marijuana, or alcohol use or refuses to submit to a drug test or comply with test procedures may be subject to immediate discipline up to and including termination.

V. Smoke and Vape Free Workplace

Section 1 - Purpose

The Clerk's Office is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As such, the following policy has been adopted and applies to all employees, contractors, vendors, guests, sub-contractors and visitors of the Clerk's Office.

Section 2 - Policy

Smoke-free Illinois Act went into effect 1/1/2008, making Illinois the 22nd state to be smoke-free. The Smoke-free Illinois Act requires that public places and places of employment must be completely smoke-free inside and within 15 feet of entrances, exits, windows that open and

ventilation intakes. Effective January 1, 2024, the definition of “smoke” or “smoking” is now updated to include the use of electronic cigarettes. Public places and buildings, offices, elevators, restrooms, theatres, museums, libraries, educational institutions, schools, commercial establishments, enclosed shopping centers and retail stores are included under this policy. 2007 ILL. ALS 17

Smoking and vaping are prohibited on all Clerk’s Office premises to provide a safe and healthy work environment for all employees. Smoking is defined as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs, and e-cigars.

This policy covers all uses of tobacco including both smoking (e.g., cigarettes, pipes, cigars) and oral applications (e.g., chew or snuff). Electronic delivery devices and products (e-cigarettes) and similar delivery devices and products (vape machines) are also prohibited.

Section 3 - Scope

This policy applies to:

- A. All areas of buildings occupied by Clerk’s Office employees;
- B. All Clerk’s Office-sponsored offsite conferences and meetings;
- C. All vehicles owned or leased by the Clerk’s Office;
- D. All Clerk’s Office employees;
- E. All visitors (customers and vendors) to Clerk’s Office premises;
- F. All contractors and consultants and/or their employees working on Clerk’s Office premises;
- G. All temporary employees; and
- H. All student interns.

Employees who violate this policy may be subject to disciplinary action up to and including termination. If an employee is aware of a violation of this policy, they should report the violation to their Supervisor. The Clerk’s Office will investigate the complaint and take remedial action, if necessary. Retaliation against employees who report violations of this policy is prohibited.

VI. Workplace Violence Policy

Section 1 - Policy

The Clerk's Office is committed to providing a safe and healthy workplace for its employees and the public. The Clerk's Office expects all employees to treat each other and our customers, vendors, and others with whom we do business with courtesy and respect. Employees are expected to refrain from physical conduct such as fighting, bullying, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited on the Clerk's Office premises or Clerk’s Office sanctioned outside events without

proper authorization, and employees should not have these items in their possession at any time while working, even if off premises.

Section 2 - Scope

This policy is applicable to all full-time, part-time, intern, and seasonal employees within the Clerk's Office. This policy also protects employees from workplace violence by third parties, including patrons, volunteers, vendors, contractors, partners, visitors, or any member of the public. Any Clerk's Office customer, volunteer, vendor, contractor, partner, visitor, or any member of the public on Clerk's Office property who is subjected to workplace violence by a Clerk's Office employee is also covered by this policy.

Section 3 - Examples of Workplace Violence

Violence in the workplace is prohibited and will not be tolerated. Workplace violence includes, but is not limited to:

- A. Use of physical force against a person or persons or the person's property;
- B. Direct or implied threats that create a reasonable fear of harm to a person or the person's property;
- C. Bullying or threatening an individual or the individual's family, friends, associates, or property with harm;
- D. Making harassing or threatening contact through phone calls or other means; Any communications by any means, including but not limited to those made verbally, electronically, or in writing, that create a reasonable fear of harm to a person or persons or the person's property;
- E. Use or possession of any weapon, unless the specific weapon is authorized by the Clerk's Office for a particular work assignment; and,
- F. This list is illustrative only and not exhaustive. No form of workplace violence will be tolerated.

Section 4 - Definitions

For purposes of this policy, "**possession**" means on or in a person's body, in a person's personal effects, or otherwise within the person's control or intent to control.

For purposes of this policy, "**weapon**" means any legal or illegal weapon or any object or substance utilized to threaten or cause harm to another person.

For purposes of this policy, "**bullying**" means the repetitive, intentional hurting of one person or group by another person or group where the relationship involves an imbalance in power. Bullying can be physical, verbal, or psychological.

Section 5 - Retaliation

It is a violation of this policy to retaliate against any employee who asserts their rights by engaging

in the following protected activities:

- A. Making a good faith complaint of violence in the workplace or;
- B. participating in an investigation of violence in the workplace under this policy

Section 6 - Complaint Policy and Procedure

All threats of (or actual) violence, both direct and indirect, that occur during work or that may affect an employee at work should be reported as soon as possible to their immediate Supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the report should be as specific and detailed as possible. The Clerk's Office will provide a complaint form currently called Discrimination/Harassment/Sexual Harassment Complaint Form. All suspicious individuals or activities should be reported to a Supervisor as soon as possible. If more immediate action is needed, call 911. No employee should place themselves in peril.

Supervisors shall assist any employee who wishes to make a workplace violence complaint by directing the employee to the Human Resources Department. Supervisors shall respond to any aggressive or inappropriate behavior that could lead to violence by notifying Human Resources or law enforcement authorities, as warranted. Human Resources shall notify Supervisors of the appropriate Department about the conduct and employee (s) subject to the complaint to implement any necessary operational changes to prevent the creation of a hostile work environment that could perpetuate further prohibited conduct.

The Clerk's Office will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The Clerk's Office will use discretion and take all reasonable steps to protect the confidentiality of the individual making a report. To maintain workplace safety and the integrity of its investigation, the Clerk's Office may suspend employees, either with or without pay, pending investigation.

If the Clerk's Office receives information that alleges or suggests that an employee has committed or is a victim of an act of workplace violence, then the matter shall be immediately referred to the Inspector General for the purpose of investigating the information or allegation, who shall conduct an investigation of the information or allegation as soon as practicably possible. Human Resources will also determine if an employee transfer is necessary. At the conclusion of the investigation, the Inspector General will report findings to Human Resources. If the investigation concludes that there is significant evidence that an employee has engaged in workplace violence, then that employee shall be subject to disciplinary action up to and including termination. The employee might also be required to participate in counseling or other remedial measures. Human Resources will provide written notice to the complainant and the accused employee informing them of the outcome of the investigation.

Anyone whom the Clerk's Office determines has engaged in threats of (or actual) violence or other conduct that violates these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

VII. Workplace Visitor Policy

For the safety and security of employees, visitors, and office facilities, and to avoid interruptions during work hours, employees are expected to use discretion and limit inviting visitors to the Clerk's Office. Visitors (including children, friends and other family members) of an employee may not visit the office when their presence interferes with the employee's ability to perform his or her duties or the productivity of the office and may not be left unattended.

VIII. Personal Cell Phone Policy

Minimal and incidental use of personal cell phones for brief calls, limited text messaging, or minimal personal emailing is permitted as long as such use does not interfere with an Employee's work-related duties and does not disrupt other employees, or the public at the Clerk's Office. Employees may not use personal cell phones for personal use during their work schedule to play games, video chat, use FaceTime or other video conferencing, or engage in other forms of personal entertainment, unless the employee is on his/her scheduled break. Employees who routinely conduct personal calls during business hours while not on a scheduled break shall be subject to discipline, up to and including termination.

Employees, during or after work hours, including scheduled breaks, shall not audio and/or video record or photograph in the Clerk's Office work environment, unless authorized by a supervisor.

Employees must set their cell phones to mute or vibrate during work hours and while on Clerk's Office premises.

Employees of the Clerk's Office may not use personal phones or other personal electronic devices (e.g., tablets, laptops, smart watches) to access and/or electronically capture or share Clerk-related documents, files or emails that are not publicly available (such as through the Clerk's public facing website) or to conduct Clerk-related business at any time, unless authorized by the Chief Deputy Clerk, Chief Information Officer or unless authorized to do so pursuant to the Telework Policy.

IX. Electronic Communications, Technology, and Social Media Policy (Tech Policy)

Section 1 - Intent

This Electronic Communications and Technology Usage Policy ("Tech Policy") is intended to govern and provide guidance with respect to the use of electronic communications and various other technology resources controlled by the Clerk's Office.

Section 2 - Purpose

The purpose of this policy is to establish the policies, standards, and procedures to ensure that employees understand the guidelines governing the usage of Electronic Communications and Technology Resources.

Section 3 - Scope

This policy is applicable to all full-time, part-time, intern, and seasonal employees within the Clerk's Office. This Tech Policy is non-discriminatory and shall be applied in a uniform manner.

Section 4 – Definitions

"Electronic Communications" include equipment and systems which include, but are not limited to, electronic mail (e.g., "Outlook" or other e-mail programs that may be installed), Teams, the Internet, Intranet, fax, and voice mail.

"Technology Resources" include various technology resources such as computer software, hardware, databases, or online services, computers, laptops, electronic notebooks, cell phones, smartphones, and printers purchased, leased, owned, or otherwise controlled by the Clerk's Office.

Section 5 - Technology

Computers, computer files, Clerk's Office e-mail, inter- and intra-office networking systems, and software furnished to employees are intended for business use only. Employees may not use a password, access a file, or retrieve any stored communication without authorization. Employees are prohibited from downloading any software without the approval from the Chief Information Officer or designee.

The systems used to provide Internet access, e-mail, and voice mail are all property of the Clerk's Office and may be monitored. Emails must comply with the Cook County Ethics Ordinance, including refraining from using vulgar language, vulgar/inappropriate pictures, threats, disparaging language, and racially insensitive or sexual comments. Unacceptable Internet and email use while on the job includes, but is not limited to:

- A. Sharing confidential Clerk's Office information;
- B. Non-work-related uses, including, but not limited to:
 - 1. Games;
 - 2. wagering or gambling of any kind;
 - 3. junk mail and chain letters;
 - 4. private business activities;
 - 5. raffles;
 - 6. fundraisers;
 - 7. political activities and lobbying;
 - 8. personal social media; and

- 9. promoting religious activities.
- C. Soliciting or distributing information with the intent of using such information to cause personal harm or bodily injury;
- D. Soliciting, viewing, listening to, or distributing information which contains or may contain sexually explicit images or information;
- E. Distributing statements that could be considered to be harassing or disparaging of others on the basis of race, national origin, sex, sexual preference, gender identity, sexual orientation, color, marital status, age, disability, religion, ancestry, parental status, military discharge status, lawful source of income, or any other legally-protected characteristic;
- F. Knowingly and intentionally spreading computer viruses. Users may not develop programs to harass others, create programs that loop repeatedly, infiltrate a computer system without authorization, or damage or alter without authorization the software components or a computer or computer system;
- G. Distributing statements likely or intended to incite violence, or describing or promoting the use of weapons or devices associated with terrorist activities;
- H. Using materials that are subject to copyright protection or proprietary information without permission of the author; and
- I. Users are not allowed to harass or spam an individual via Electronic Communications.

Section 6 - Privacy

Employees have no expectation of privacy in their use of the Clerk's Office technology resources. To properly operate, manage, audit, and secure Clerk's Office technology resources, the Clerk's Office may at any time capture, monitor and disclose information regarding any employee's use of Clerk's Office technology resources. The Clerk's Office may do so at its discretion and without notice. Employees have no expectation of privacy when using Clerk's Office MIS Resources nor do users have a personal privacy interest in anything created, received, or stored on Clerk's Office Internet or email systems. The Clerk's Office does not regulate how employees use their personal electronic communication devices when they are off duty, but The Clerk's Office does protect the integrity of the Office in what is discussed over the internet or other electronic channels as permitted by federal and state law. Off duty social media activity is covered by all the Clerk's Office policies where there is a nexus between the social media activity and the Clerk's Office.

X. Dress Code Policy

Section 1 – Purpose

The purpose of this Dress Code Policy is to establish guidelines for employees of the Clerk's Office regarding proper attire and appearance while at work. As employees of the Clerk's Office are a point of contact between the Circuit Court and the public, it is imperative that employees present themselves as competent, efficient, and professional. Accordingly, every employee of the Clerk's Office is expected to maintain the minimum standards of dress and appearance contained within this Dress Code.

Section 2 – Scope

This policy is applicable to all full, part-time, intern, and seasonal employees within the Clerk's Office. This Dress Code Policy is non-discriminatory and shall be applied in a uniform manner.

Section 3 – General Provisions

Clerk's Office employees are expected to dress appropriately for a business environment. Clothing must be neat, clean, and without rips or tears.

- A. Examples of appropriate business attire include suits, blazers, khakis, slacks, polo, blouses, blazers, button-down shirts, pants, dresses, and skirts of an appropriate length.
- B. Hair should be neat and clean.
 - 1. This policy is meant to align with the IL Human Rights Act, specifically the amended CROWN (Create a **R**espectful and **O**pen **W**orkplace for **N**atural hair) Act, which prevents discrimination against traits associated with race, including, but not limited to, hair texture and protective styling such as braids, locs, and twists.
- C. Employees should avoid excessive use of cologne, perfume, and other scented personal hygiene products, as such products can irritate or distract other employees. If employees report allergies or sensitivities to such fragrances, the Clerk's Office may institute a fragrance-free workplace.
- D. Department heads will establish dress and grooming standards unique to their departments and tailored to employees' job duties, for example, as appropriate due to health and safety concerns.
- E. If an employee has been issued a uniform, the uniform is to be always worn while the employee is at work and may not be altered or modified. Footwear for uniformed employees should be proper and corresponds to the nature of the work assignment. Gym shoes may be worn, provided they are clean and well maintained.
- F. The Clerk's Office has the right to determine whether an employee's clothing or grooming is appropriate and in compliance with the Clerk's dress code and grooming standards. The Clerk's Office may ask employees who fail to comply with these standards to leave the workplace and take the steps necessary to comply.

Section 4 – Prohibited Workplace Attire

The following clothing items are prohibited in the workplace:

- A. Clothing that is too revealing, such as tank tops, miniskirts, bare-midriff shirts, sweatpants, sweatshirts, and shorts;
- B. Slippers, Uggs, house shoes, Crocs, and sandals/flip flops;
- C. When approved, jeans may be worn, however may not be ripped, overly faded, excessively tight/baggy, frayed or fringed; and
- D. Leggings, in place of pants, with oversized tops.

This list is not intended to be all-inclusive, and the Clerk's Office may prohibit other items that it determines to be inappropriate in the workplace.

Section 5- Earbuds

Earbuds are prohibited in any circumstance that includes an actual or potential personal customer interaction. This includes but is not limited to:

- A. Clerks that service customers face to face at a counter;
- B. When there is potential for a customer to see you while on duty;
- C. Employees whose duties include monitoring phones to assist customers with telephonic inquiries; or
- D. Walking around the office while on duty.

Earbuds may be worn when you are working outside the purview of customers' vision or may be reviewed on a case-by-case basis with your Manager and Human Resources.

(Double Check) When you are wearing earbuds they must be at a reasonable volume so no one can hear what's playing and visible so that coworkers can clearly see you are wearing them.

Section 6 – Religious Accommodations

Employees seeking an exemption/accommodation from the Clerk's Office dress code and grooming standards should complete the Religious Accommodation Request Form and submit the completed form to HR@cookcountycourt.com. The Clerk's Office will grant exemptions or accommodations on a case-by-case basis at its discretion and in accordance with federal, state, and local law. For more information, refer to Article IX, Religious Accommodation Policy, in this Handbook.

Section 7 - Violations

Violations of the Clerk's Office dress code and grooming standards may result in discipline, up to and including termination from employment.

Section 8 – Administration

Any concern raised regarding an employee's attire or appearance should be brought to the attention of a Supervisor within the Office, the Chief Deputy Clerk of the Division/District, an Associate Clerk, the Director of Personnel Services, or the Director of Labor Relations. For more information, please contact Human Resources at (312) 603-5040 or HR@cookcountycourt.com. Employees that violate this policy will be subject to progressive discipline.

XI. Dual Employment Policy

Section 1 – Scope

This dual employment policy governs employees who perform outside work for, or who are seeking outside employment with, an employer other than the Clerk's Office. Please note that this Policy also applies to Clerk's Office employees who are self-employed.

Section 2 – Introduction

The Clerk's Office expects that an employee's employment with this Office will be their primary source of income from work. However, the Clerk's Office recognizes that for financial or other reasons, employees may need, or want, to work for another employer, or be self-employed while employed by the Clerk's Office. This Dual Employment Policy applies to all Clerk's Office employees.

Section 3 – Reporting Dual Employment

A Dual Employment Form must be completed and submitted to Human Resources within 60 days of any of the changes listed below:

- A. Persons entering employment with the Clerk's Office;
- B. Any person who, after entering the service as an employee, becomes engaged in any other gainful employment;
- C. Any employee engaged in any outside employment, whose work schedule in the Clerk's office service or work schedule in any other gainful outside employment has changed;
- D. Any employee whose dual employment has been discontinued.

Section 4 – Parameters for Dual Employment

Dual employment for Cook County employees is permissible only within the following considerations:

- A. The type of work is approved by Human Resources;
- B. The outside employment may not exceed 20 hours per week;
- C. The specific hours of outside employment are not in conflict with the employee's normal duty hours with the Clerk's office;
- D. Dual employment will also include self-employment, and practices or services rendered by professional persons; and
- E. No employee shall engage in a business, profession, trade, or occupation while actually employed by Cook County, which will:
 - 1. Impair the employee's efficiency;
 - 2. Seriously interfere with such employee's ability to satisfactorily perform their

- duties;
- 3. Impair or reflect poorly upon the reputation of the Clerk's Office;
- 4. Impair an employee's independence of judgment and/or constitute a conflict of interest as defined by the Cook County Ethics Ordinance.

Employees may not use Clerk's Office property, including, but not limited to, its facilities, equipment, and supplies, while working for another employer. Employees cannot perform work for their secondary employer while clocked in as a Clerk's Office employee.

Any employee accepting outside employment must make arrangements with the outside employer to be relieved from his or her outside duties if and when called for emergency service by the Clerk's Office.

Illinois service members are entitled to the protections prescribed in the Illinois Service Member Employment and Reemployment Rights Act, 330 ILCS 61, *et seq.*

For employees who are on sick leave, medical leave, FMLA leave, or duty disability leave due to his or her own illness or injury, approval to work outside employment will be suspended for the period of the leave. Employees who have been approved for FMLA intermittent leave will not be allowed to work outside employment during the period for which the intermittent leave is taken. The Clerk may grant an exception to this subsection in writing if the employee submits a written request and can demonstrate that the nature of the outside employment is not inconsistent with the reason for the leave, and that the application of this subsection would result in an undue hardship to the employee.

The Human Resources Department shall include any information regarding an employee's outside employment in the employee's personnel file, which will be available for and subject to audit.

Each employee, for whom an outside/dual employment request has been approved, must re-submit to Human Resources such request on the anniversary of such approval (and each anniversary thereafter, if applicable) for review by the CHRO or designee. If the request is re-approved, the employee must comply with the terms for such outside/dual employment as set forth above. If the request is denied due to the employment creating a conflict of interest with the Clerk's Office, the employee must terminate the outside/dual employment.

No outside employment will be granted or denied, including any initial or re-submission of outside employment, based on any Political Reasons or Factors.

XII. Notification of Pending Litigation

Section 1 - Definitions

For purposes of this policy, "**close relative**" means mother, father, husband, wife, children, grandparents, grandchildren, mother/father-in-law, sister/brother-in-law, sister/s, brother/s, aunts, uncles, nephews, nieces, and/or cousins.

For purposes of this policy, "**litigation**" means any civil or criminal action where the employee is a named party.

Section 2 – Policy

Employees shall notify Human Resources within 14 days of receiving notice that they are a party to any pending litigation in the Circuit Court of Cook County. Notification will be submitted via the Disclosure of Pending Litigation Form found here: **[insert]** Employees shall also notify Human Resources within 14 days of the time they become aware that a close relative is a party to any pending litigation in the Circuit Court of Cook County.
employees.

XIII. Sexual Harassment Policy

Section 1 - Purpose

It is the purpose of this policy to establish protection for employees of the 'Clerk's Office against sexual harassment. This policy also protects members of the public seeking the services of the Clerk's Office, or using the facilities of the Clerk's Office, as well as those working for other companies or agencies that work with or for the Clerk's Office, from sexual harassment. This policy against sexual harassment shall apply to all employees under the direct authority of the Clerk's Office, as well as Clerk of the Circuit Court of Cook County agents or representatives (i.e., third parties, including patrons, volunteers, vendors, contractors, partners, visitors, or any member of the public). All divisions, districts, branches, and departments are required to post and maintain, in a conspicuous place, a copy of this policy.

The purposes and goals of this policy are to:

- A. Promote a safe workplace;
- B. Provide notice to all employees that sexual harassment is illegal and will not be tolerated, and that violators will be held accountable;
- C. Create and enforce policies and procedures to assist employees who are impacted by sexual harassment, including providing training on this policy for employees and management;
- D. Support a thorough workplace education and training program to prevent sexual harassment and promote a safe workplace for all employees and management; and
- E. Provide immediate assistance and support to victims of sexual harassment – such as information and referrals to community resources – to help ensure safety and support for victims and fellow employees.

Nothing in this Policy is intended to nor shall be construed to create a private right of action against the Clerk's Office or any of its employees. No part of this Policy shall be construed to create contractual or other rights or expectations. Nothing herein is intended to affect the right of any person to make a charge of discrimination at any state or federal agency with jurisdiction over such claims, raise a grievance under a collective bargaining agreement, or consult a private attorney.

Section 2 - Scope

This policy is applicable to all full, part-time, intern, extern and seasonal employees within the Clerk's Office. This policy also protects employees from harassment by third parties, including patrons, volunteers, vendors, contractors, partners, visitors, or any member of the public. Any Clerk's Office customer, volunteer, vendor, contractor, partner, visitor, or any member of the public on Clerk's Office property who is subjected to sexual harassment by a Clerk's Office employee is also covered by this policy.

Section 3 – General Guidelines

Sexual harassment is illegal and will not be tolerated by the Clerk's Office. All employees, members of the public who use the services and facilities of the Clerk's Office, as well as those working for other companies or agencies that work with or for the Clerk's Office, shall have the right to be free from all forms of sexual harassment.

Anyone can be a victim of sexual harassment regardless of their gender, gender identity, sexual orientation, race, age, or other factors. It can occur inside or outside the workplace, between supervisors and their staff, coworkers, customers, and others. Therefore, the Clerk's Office will take every measure within its power to prevent and address acts of sexual harassment.

No employee of the Clerk's Office, member of the public seeking the services of the Clerk's Office, or the use of facilities of the Clerk's Office, as well as those working for other companies or agencies that work with or for the Clerk's Office, should be subject to unsolicited and unwelcome sexual overtures or conduct. Sexual harassment refers to behavior that is not welcome, is personally offensive, debilitates morale, and therefore can interfere with work effectiveness and compromises the quality of services or affects the use of facilities of the Clerk's Office. Complaints of sexually harassing conduct will be examined from the perspective and experience of the person complaining of the harassment. Any person covered by this policy who has experienced or witnessed an incident of sexual harassment can file a complaint which will be forwarded to the Inspector General for a formal investigation.

It is the responsibility of the Clerk of the Circuit Court, Chief of Staff, Executive Clerk, Associate Clerk, Chief Deputy Clerk, Director, department head, manager, or supervisor to ensure that his or her department or work area is in full compliance with this policy and associated definitions and guidelines.

Section 4 - Definition and Examples of Sexual Harassment

“Sexual harassment” means any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature; or (ii) requests for sexual favors or conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or (iii) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position.

Sexual harassment includes, but is not limited to, the following examples and can be conduct of a sexual nature regardless of gender:

- A. Verbal harassment (e.g., lewd or sexually suggestive remarks, pranks, epithets, jokes, threats, or slurs);
- B. Physical harassment (e.g., touching, patting, pinching, or intentionally brushing against another's body);
- C. Visual harassment (e.g., leering, making sexual gestures, or displaying or sending lewd or sexually suggestive posters, cartoons, pictures, drawings, or objects);
- D. Sexual innuendo and demands for sexual favors (e.g., unwelcome sexual statements or advances, soliciting contact information, flirting); or
- E. Any form of unwelcome sexual advances, 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 social media, or by some indirect form of communication.

Sexual harassment can occur in many ways. It may involve unwelcome romantic or sexual advances, requests for sexual favors, visual materials, social media posts, verbal comments, and/or physical contact of a sexual nature, regardless of gender or gender identity. Involved parties, either victim or harasser, could be a co-worker, subordinate, manager/supervisor, contractor, or even a customer.

Such conduct is a violation of this policy, even in instances where the offending employee believed they were acting jokingly. Such communications, comments, actions of a sexual nature, or unwelcome advances are prohibited at the Clerk's Office whether or not other employees were offended.

The most obvious examples of sexual harassment involve physical behavior or physical contact. The following list provides examples of physical behaviors that may be considered offensive:

- A. Touching an individual by massaging their back, neck or shoulders, hugging, kissing, patting, pinching, fondling, or touching/pulling an individual's clothing or hair.

- B. Physical gestures that imply a sexual act or sexual anatomy, touching oneself in a sexual manner.
- C. Brushing up against another person, standing too close, or lingering.

However, sexually harassing behavior does not always involve physical contact. The following list provides examples of verbal and non-verbal/visual and visible behavior that may be considered offensive:

- A. Suggestive behavior such as “elevator eyes” (looking a person up and down), leering, staring, sexual gestures, whistling, catcalls, winking, throwing kisses, making kissing sounds, howling, groaning, or smacking/licking lips.
- B. Sexual comments or innuendoes about clothing, anatomy, appearance, or sexual jokes or stories, or playing or singing sexually suggestive songs.
- C. Discussions or inquiries about sexual fantasy, preferences, history, or sex life about self or others.
- D. Displaying pictures, objects, reading materials, or other materials that are sexually suggestive or demeaning. This includes any sexual materials on personal devices including a smart phone or tablet, company-owned computers, or devices shared in the workplace.
- E. Repeated invitations and/or pressuring/coercion for dates or sexual favors; harassing phone calls, emails, texts, social media posts, or other communication.
- F. Giving personal gifts that imply an intimate relationship.
- G. Sending sexually suggestive communications (such as e-mails, texts, instant messages, notes, etc.); displaying or transmitting suggestive visual materials (such as pictures, calendars, and posters).
- H. Stalking, following, or blocking an individual’s path.

In addition, it is a violation of this policy, and the law, for any employee to ever state, imply, or suggest that dating or engaging in sexual conduct with another employee could result in a workplace benefit such as a promotion, a raise, or better terms and conditions of employment – or that a refusal to date or engage in sexual conduct will negatively affect a person’s career or conditions of employment.

Finally, employees should understand that sexual harassment can occur in the workplace which includes, but is not limited to, the Clerk’s Office facilities, work sites, vehicles, and equipment, or while on work-related travel. However, sexual harassment can also occur outside of the workplace and even outside of work hours, such as at a social event (including, but not limited to, a co-worker’s wedding, or at a bar or restaurant after work hours).

Section 5 - Prohibition

The Clerk's Office prohibits any unwelcome sexual advances, whether manifested verbally or physically, and will constitute any such behavior as sexual harassment when:

- A. Submission to such conduct is either an explicit or implicit term or condition of employment, or is a prerequisite to obtaining services of the Clerk's Office, or use of the facilities of the Clerk's Office; or
- B. Submission to or rejection of the conduct is used as a basis for making employment decisions or affects the quality of the services of the Clerk's Office, or the use of facilities of the Clerk's Office; or
- C. The conduct has the purpose or effect of substantially interfering with an individual's work performance; or creating an intimidating, hostile, or offensive work environment; or the conduct has the purpose or effect of substantially interfering with access to the services or facilities of the Clerk's Office; or the conduct creates an intimidating, hostile, or offensive environment for members of the public.

Section 6 - Duty to Cooperate

Every employee shall have a duty to cooperate with an investigation. Failure to do so may result in disciplinary action. Additionally, every employee has the duty to be truthful and must disclose all information known to the employee when requested to do so by an appropriate person in the organization or the person designated by the organization to investigate an alleged incident of sexual harassment. Any employee who fails to be completely truthful or who withholds information shall be subject to disciplinary action up to and including termination.

Section 7 - Retaliation

The Clerk's Office prohibits any retaliation against any employee or member of the public who complains of sexual harassment or who participates in an investigation. Retaliation includes, but is not limited to, taking disciplinary action against the employee, reassigning duties or workspace, imposing adverse employment actions, removing job responsibilities, denying service, and/or denying requests for leave, etc. Allegations of retaliation will be investigated, and appropriate remedial action will be taken. Any retaliatory action is illegal and a violation of this policy, and any individual engaging in retaliatory behavior will be subject to disciplinary action, which may include termination of employment. For any suspected retaliation concerns, contact a supervisor, any manager, or the Human Resources Bureau. Any such person reporting an allegation of sexual harassment or who assists in the investigation of an allegation is protected under the State Officials and Employees Ethics Act, the Illinois Whistleblower Act, the Illinois Human Rights Act, the Cook County Ethics Ordinance, and any other applicable City, County, State, or Federal law.

Section 8 - Witnessing Sexual Harassment

In addition to having a duty to cooperate with an investigation of sexual harassment, employees who have information about or who witness an act of sexual harassment against an employee, are required to report all information to the designated employee at the Clerk's Office. The Clerk's Office will not retaliate against, terminate, or discipline any employee for reporting information

about alleged incidents of sexual harassment that may have been committed by any other employee, including a member of management. Any employee who believes they have been subjected to adverse action as a result of making a report pursuant to this policy should contact the Labor Relations Department or the Inspector General.

Section 9 - Investigation

If the Clerk's Office receives information that alleges or suggests that an employee has committed or is a victim of an act of sexual harassment, then the matter shall be immediately referred to the Inspector General for the purpose of investigating the information or allegation, who shall conduct an investigation of the information or allegation as soon as practicably possible. Human Resources will also determine if an employee transfer is necessary. At the conclusion of the investigation, the Inspector General will report findings to Human Resources. If the investigation concludes that there is significant evidence that an employee has engaged in sexual harassment, then that employee shall be subject to disciplinary action up to and including termination. The employee might also be required to participate in counseling or other remedial measures. Human Resources will provide written notice to the complainant and the accused employee informing them of the outcome of the investigation.

Section 10 - Confidentiality

The Clerk's Office recognizes and respects an employee's right to privacy and the need for confidentiality and the freedom to make their own decisions.

When information must be disclosed to protect the safety of individuals within the workplace, the Clerk's Office shall limit what information is disclosed as necessary to protect the safety of the disclosing employee and others, and to comply with the law. The Clerk's Office shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The Clerk's Office shall also provide the employee with the name and title of the person to whom the Clerk's Office intends to share the employee's statements and shall explain why the information must be disclosed.

The Clerk's Office supervisors and managers should keep information in complaints confidential, except where disclosure to a superior or Human Resources or the Inspector General is required to allow the Clerk's Office to address the concern or where confidentiality would result in physical harm to any person, and/or jeopardize safety within the workplace. Supervisors and managers also are responsible for ensuring the complainant and anyone who participates in an investigation is not subject to any retaliation.

Section 11 - False Accusations

False accusations regarding sexual harassment can have serious effects on the person or persons accused. Therefore, any verified, knowingly false accusation made by employees covered under this policy will result in disciplinary action, up to and including termination.

Section 12 - Training

The Clerk's Office requires that all employees participate in:

- A. Sexual harassment prevention training annually.
 - 1. Employees shall participate in a minimum of one hour of sexual harassment prevention training annually.
 - 2. Anyone who supervises or manages employees shall participate in a minimum of two hours of sexual harassment prevention training annually.
- B. One hour of bystander training annually.

The above training will follow and comply with applicable local, city, county, state and federal laws, including but not limited to 5 ILCS 430/5-10.5 and Chicago Municipal Code §6-10-040.

Section 13 - Discipline

The Clerk's Office will take whatever action is needed to prevent, stop, correct, or discipline behavior that violates this policy. Anyone who is found, after an investigation, to be in violation of this policy will be subject to disciplinary action. Discipline may range from a verbal or written warning to demotion or discharge, or any combination thereof. In addition, counseling for the parties involved may be required.

Section 14 - Additional Resources

In addition to internal Clerk's Office reporting methods, employees have the right to file charges of sexual harassment with the government agencies listed below. All external charges of discrimination in which Clerk's Office is identified as a Respondent, should be immediately directed to Human Resources Bureau.

U.S. Equal Employment Opportunity Commission (EEOC)

Chicago District Office
230 South Dearborn St., Suite 1866
Chicago, Illinois 60604
321-872-9744
866-740-3953 (TTY)
<https://publicportal.eeoc.gov/Portal/Login.aspx>

Illinois Department of Human Rights

555 W. Monroe Street, Suite 700
Chicago, IL 60601
312-814-6200

XIV. Anti-Harassment and Anti-Discrimination Policy

Section 1 - Purpose

The Clerk's Office is committed to providing a workplace free from discrimination and harassment. Harassment or unlawful discrimination against individuals on the basis of one's race, color, sex, age, religion, creed, physical or mental disability, pregnancy, national origin, ancestry, gender identity, sexual orientation, genetic information, marital status, parental status, military discharge status, source of income, housing, political affiliation, or any other classification protected by local, state, or federal laws is illegal and is prohibited by Office policy.

Section 2 – Scope

Any employee, including seasonal, part-time, and full-time, along with volunteers and interns, are covered by this policy. This policy also protects employees from harassment by third parties, including patrons, volunteers, vendors, contractors, partners, visitors, or any member of the public. Any Clerk's Office customer, volunteer, vendor, contractor, partner, visitor, or any member of the public on Clerk's Office property who is subjected to harassment or discrimination by a Clerk's Office employee is also covered by this policy.

Section 3-Prohibited Conduct

A. Discrimination

The Clerk's Office strictly prohibits unlawful discrimination and has zero tolerance for such discrimination. Prohibited unlawful discrimination is adverse treatment of any employee, as defined in this Handbook, or an applicant based on the employee's or applicant's actual or perceived membership in any protected class pursuant to applicable law or based on Political Reasons or Factors.

B. Harassment

The Clerk's Office strictly prohibits harassment and has zero tolerance for such harassment. This form of prohibited conduct consists of any unwelcome and offensive conduct against any employee or applicant, whether verbal, physical or visual that is based on a person's race, color, sex, age, religion, creed, physical or mental disability, pregnancy, national origin, ancestry, gender identity, sexual orientation, political affiliation, genetic information, marital status, parental status, military discharge status, source of income, housing, or any other legally protected classification 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 a basis for decisions concerning that individual's employment; or

3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating a hostile or offensive work environment.

Prohibited harassment may include epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, sex, national origin, age, physical or mental disability, sexual orientation, gender identity, marital status or other legally protected classifications.

Harassment is unacceptable in the workplace itself and in other work-related settings such as business trips, off-premises events organized by the Clerk's Office (examples include communications outreach, townhall meetings, or meetings with other officials, or members of the public related to official duties of the Clerk's Office), in email, social media, or through other electronic communications. While harassment is unlawful and therefore unacceptable in any setting, this prohibition does not apply to off-premises events organized on the basis of personal friendship with another employee or applicant.

C. Retaliation

Retaliation is an adverse Employment Action that is taken in an effort to punish an individual for having opposed or reported a harassing or discriminatory practice; or an adverse action taken in an attempt to deter an individual from opposing or reporting a harassing or discriminatory practice.

The Clerk's Office strictly prohibits retaliation in any form against an employee or job applicant who in good faith reports incidents of harassment or discrimination or who participates in the investigation of a complaint of harassment or discrimination.

Section 4- Reporting Prohibited Conduct

Employees who feel that they have been harassed, discriminated against, or retaliated against, or who witness an incident of harassment, retaliation or discrimination, should immediately report such conduct to their Supervisor, Human Resources or any other supervisory level employee.

A Supervisor who receives a complaint or becomes aware of a situation that may involve harassment and/or discrimination should immediately notify Human Resources. This is required whether or not an actual complaint has been made by a specific individual. Supervisory-level employees who fail to report complaints of discrimination or harassment to Human Resources when the Supervisor is aware of such conduct are also subject to disciplinary action. A supervisory-level employee who hears or receives information of prohibited conduct shall immediately notify Human Resources about the information the Supervisor heard or received.

All complaints will be kept confidential to the extent possible while allowing the Clerk's Office to conduct a prompt, thorough and fair investigation. If the initial complaint was verbally reported, Human Resources shall memorialize the complaint in writing. Human Resources may ask the individual reporting the incident to provide additional details in writing to inform the Clerk's Office of specific details as to exactly what happened so the complaint can be adequately

investigated and remediated. The nature and extent of an investigation will depend on the nature of the complaint and the circumstances presented. During an investigation, Human Resources may notify management of the appropriate Department about the conduct and employee(s) under investigation or recommend the implementation of any necessary operational changes to prevent the creation of a hostile work environment that could perpetuate further prohibited conduct. Upon completion of an investigation by the Inspector General's Office, the Inspector General shall determine whether there has been a violation of this policy and submit a report to the Clerk, Chief of Staff, CHRO, Executive Clerk of the Bureau where the offense occurred. Depending on the nature and severity of a violation, disciplinary action may be taken, up to and including termination of employment.

Reporting prohibited conduct and commencing an internal investigation does not preserve or toll any rights employees and Supervisors may have to file charges with entities like the Equal Employment Opportunity Commission, Illinois Department of Human Rights, Cook County Commission on Human Rights, Cook County Board of Ethics, or others. Nor does it waive any other rights employees, Supervisors and managers may have under federal, state, and local laws.

Section 5- Duty to Cooperate

All employees and agents of the Clerk's Office are required to cooperate fully in any investigation under this policy. Any employee who fails to report and/or cooperate as required shall be subject to disciplinary action, up to and including termination. No person shall be compelled to respond to any request for information in violation of their constitutional rights.

Section 6- Employee Assistance Program

Any person requesting rehabilitation assistance or counseling will be referred to the Employee Assistance Program (EAP). While participation in EAP is voluntary and confidential, if the employee agrees, the EAP may advise the Clerk's Office as to the employee's compliance/non-compliance with EAP recommendations.

If the Clerk's Office receives information that alleges or suggests that an employee has committed or is a victim of harassment or unlawful discrimination, then the matter shall be immediately referred to the Inspector General for the purpose of investigating the information or allegation, who shall conduct an investigation of the information or allegation as soon as practicably possible. Human Resources will also determine if an employee transfer is necessary. At the conclusion of the investigation, the Inspector General will report the findings to Human Resources. If the investigation concludes that there is significant evidence that an employee has engaged in harassment or unlawful discrimination, then that employee shall be subject to disciplinary action up to and including termination. The employee might also be required to participate in counseling or other remedial measures. Human Resources will provide written notice to the complainant and the accused employee informing them of the outcome of the investi

XV. Discipline Policy

Section 1 – Application of Disciplinary Action Policy

Disciplinary action may be taken when an employee commits an infraction of a rule, regulation, policy, or other recognized standard of conduct of the Clerk's Office, written or unwritten, including those listed in these General Rules and Regulations, the Clerk's Code of Ethics and Cook County Ethics Ordinance or as implemented by separate action of the Clerk or his/her designee.

Section 2 – Disciplinary Action Procedures

Whenever disciplinary action is imposed on an employee, a disciplinary action correspondence (such as an email, letter, Personnel Action Report (PAR) or incident report) shall be prepared by the Human Resources Department and/or appropriate department or division manager. The disciplinary correspondence will contain a detailed description of the action resulting in discipline and shall be served on the employee in person along with their union representative (if the employee's position is covered by CBA) and/or by certified mail to the last address indicated in the Clerk's Office records.

Prior to any disciplinary action becoming final, an employee shall be given an opportunity to respond to the disciplinary correspondence. It is recommended that such responses be made in writing either on the disciplinary correspondence or on a separate document. Such responses must be submitted within seven (7) business days of receipt of the notification for employees covered under CBA or two (2) days for non-exempt employees. Responses should be submitted to Human Resources.

Following notification and the response period, a disciplinary action will become final and appealable in accordance with the Grievance Procedures set forth herein or pursuant to CBA.

Section 3 – Steps of Discipline/Corrective Action

Disciplinary action, except for major infractions, will include the following steps:

Step 1: Verbal Warning

Step 2: Written Warning, including a Performance Improvement Plan

Step 3: Suspension

Step 4: Termination

Section 4 – Major Cause Infractions

Disciplinary action for major cause infractions need not be progressive and may result in immediate termination. Such major cause infractions include, but are not limited to, the following categories:

- A. alcohol or drug related incidents which occur while an employee is on duty including the possession, use or acting under the influence of alcohol, a controlled substance, un-prescribed drug, or prescribed drug for an improper purpose;
- B. verbal or physical altercations with another employee or a member of the public including the use of, abusive or offensive language, yelling, fighting, pushing, or other physical contact;
- C. sexual harassment or discrimination of another employee or a member of the public;
- D. the unauthorized or illegal possession of a weapon, including registered weapons which are not otherwise necessary for the performance of the employee's work assignment;
- E. the theft, misappropriation, or destruction of property belonging to another including the property of Cook County, the Clerk's Office, the Circuit Court, an employee or a member of the public;
- F. insubordination including the failure to follow the instructions or directives of the Clerk or Clerk's Designee or Supervisor, including but not limited to Human Resources, the Director of Compliance, and the Office of the Inspector General, or purposefully failing to satisfactorily perform the duties of a work assignment or refusing their duty to cooperate;
- G. the misuse or falsification of timekeeping or payroll records;
- H. making a false statement on an employment application including the failure to fully or accurately disclose personal history, past employment references, or criminal record;
- I. making a willfully false statement about a fact material to the incident under investigation;
- J. violation of the attendance policy or leave of absence policy including excessive tardiness or absenteeism, or falsification of any related documentation;
- K. job abandonment or the unauthorized leave from a work area or an assignment;
- L. negligence in the performance of duties;
- M. a violation of the Code of Ethical Conduct, the conviction of a crime evidencing by moral turpitude, or any other conduct demonstrating a disregard for the best interest of the Clerk's Office.

Section 5 – Temporary Suspension or Transfer

Under certain circumstances an employee may be placed on "temporary suspension with pay" (commonly called APL, administrative paid leave) status or transferred to another work location on a temporary basis.

An employee may be temporarily suspended with pay or transferred to another work location on a temporary basis any time the presence of the employee in the workplace is considered dangerous or likely to disrupt the normal operations of the Clerk's Office. Such action is

appropriate when an investigation is needed to determine the merits of an alleged infraction of the rules, regulations, or policies of the Clerk's Office, or when criminal charges have been filed against the employee which reflect on the employee's integrity or ability to successfully function in his/her present work assignment or otherwise interferes with the operation of the Clerk's Office. An employee placed on temporary suspension with pay or transferred to another work location on a temporary basis may not appeal such action under the Grievance Procedure.

The Clerk reserves the right to temporarily suspend without pay under appropriate circumstances.

While on suspension, employees are required to remain available for any inquiries related to the investigation and must not engage in any work-related activities or be found on County property unless directed otherwise. Employees are also reminded not discuss the matter with coworkers or any external parties.

Section 6 – Reduction in Force

The Clerk reserves the right, and nothing in these General Rules and Regulations shall be considered to limit the authority of the Clerk or their designee, to permanently or temporarily layoff an employee due to budgetary or financial concerns, the elimination of a position, or for a material change in the organization or operation of the Clerk's Office.

XVI. Grievance Policy and Procedure- Collective Bargaining Agreement Employees Only

Section 1 - Grievance Policy

It is the policy of the Clerk's Office to provide an opportunity for employees to receive fair and equitable treatment during the term of their employment. It is therefore the purpose of this grievance policy to provide employees with a standard procedure for resolving certain workplace differences.

All Collective Bargaining Unit employees of the Clerk's Office have the right to submit grievances and appeals from grievance responses for consideration according to the procedures set forth herein.

This grievance policy, and the procedures contained herein, are an internal dispute resolution process, and all matters pending, or resolved through this process shall be considered confidential and not subject to public inspection or review.

Section 2 - Grievance Procedure

All grievances and appeals of grievance responses must be made in writing and must be submitted to the appropriate authority in a timely manner. The grievance policy shall function in a progressive manner except when there is disciplinary action of a suspension in excess of five (5) days, a demotion in pay, or termination. Failure to properly follow the grievance procedures shall result in dismissal of the grievance without further recourse.

A grievance is initiated with the filing of a written statement, including the facts and circumstances of the alleged difference, and the specific remedy requested. All grievances shall be in writing and contain a statement of the facts, the provision(s) of the agreement which the Employer is alleged to have violated, and the relief requested. Failure to provide all of the above shall not be grounds for denial of the grievance. The Union will send copies of grievances appealed or submitted at Steps One and Two to the Clerk of the Circuit Court or his/her designee.

The filing of grievances and appeals will be considered timely only if submitted according to the following steps:

an initial written grievance ("Step One") must be filed within 30 calendar days of the incident or notification of disciplinary action which forms the basis of the grievance, and must be submitted to the employee's Department head, Chief Deputy Clerk, or Associate Clerk.

an appeal ("Step Two") from the response to a Step One grievance must be filed within 10 calendar days of the employee's receipt of the step one response and must be submitted to the Human Resources Department. The response to a step two appeal will constitute the final determination of the grievance.

At each step of the grievance procedure, the appropriate employer representative shall meet with the grievant. The primary purpose of the meetings shall be to resolve the grievance. When the meeting does not result in a resolution of the grievance, the employer representative shall respond in writing.

If the Union is not satisfied with the Step Two answer, the Union may follow additional steps as outlined in the CBA.

XVII. Time and Attendance Policy

Section 1 - Definition

For the purpose of this Article, the following terms shall have the meanings ascribed to them as set forth below:

"Immediate Family" means the employee's mother, father, husband, wife, civil union partner, brother or sister (including blood, step or half), son or daughter (including blood, step or adopted), father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents or grandchildren, court appointed legal guardians, and a person for whom the employee is a court appointed legal guardian.

Section 2 - Attendance

General Policy

Punctuality and regular attendance are of vital importance and compliance with the Time and Attendance policy is important to the functioning of the Clerk's Office. Every employee is expected to be productively engaged in Clerk's Office business at their assigned work area during their entire scheduled shift, excluding approved breaks, lunch, and Excused Absences. Employees are required to report for work on time each day and maintain regular attendance. Violations of this Section 2 shall subject an employee to Discipline, up to and including termination.

Regular office hours are from 8:30 a.m. to 5:00 p.m. and generally are comprised of two standard work shifts, 8:30 a.m. to 4:30 p.m. and 9:00 a.m. to 5:00 p.m. The Clerk reserves the right to create, change, or modify the standard work shifts for the Office as dictated by operational need and in accordance with the law and applicable Collective Bargaining Agreements.

1. The standard for hourly CBA Employees work week is scheduled for five (5) consecutive days from Monday through Friday and consists of an eight (8)-hour workday (including two paid fifteen (15)-minute breaks and a paid one (1)-hour lunch break). Other work schedules may include weekends based on operational need. The regular work week consists of 40 hours and any five consecutive work days. Assigned hours that are not worked must be documented and approved in accordance with the leave policies set forth in this Handbook.
2. For FLSA Exempt employees, the standard work shifts shall not strictly apply. FLSA Exempt employees (a) typically work at least 40 hours per week, (b) often work more than 40 hours a week, and (c) will not receive additional pay based on working more than the usual eight (8)-hour work day and 40 hour work week, as required in the scope of their normal job requirements. This work might include, but is not limited to, evening meetings, extended travel, or working additional hours to meet a deadline. As such, FLSA Exempt employees are expected to work, as necessary, within and outside of the standard workday to perform their job duties, which includes being available outside of standard work hours to respond to work related calls and requests. FLSA Exempt employees are required to use accrued paid time off to cover an absence of four hours or more in a workday.

FLSA Exempt employees are required to have a schedule (shift) in CCT except for employees in Exempt Positions. The Office may change an FLSA Exempt employee's shift based on the functions of the Position, the operational needs of the Clerk's Office, or at the employee's request, on a temporary or permanent basis. The CDC/Supervisor shall send notice of such shift change to Human Resources.

Supervisors may require all employees, including FLSA Exempt employees, to be present at work during the Clerk Office's standard work hours, as necessary to perform the employee's duties. Any employee who, without reasonable justification, fails to comply with a Supervisor's directive to be present at work when needed may be disciplined. FLSA Exempt employees are required to provide appropriate notice to their Supervisor when they expect to be off-site for any length of time during the standard work shifts of the Clerk's Office.

Work Breaks for FLSA Non-Exempt Employees

Lunch Breaks for FLSA Non-Exempt Employees

A FLSA Non-exempt employee has one hour for lunch. Supervisors shall schedule lunch times for employees in their Department. An employee who works half a day or less will not receive a lunch break. Lunch must be taken during the day and cannot be cancelled or taken at the beginning or end of an employee's work shift, unless approved by the employee's Supervisor, or designee in writing. If the employee has mandatory training, the employee shall take lunch in accordance with the training schedule. The lunch break cannot be combined with either of the two (2) fifteen (15)-minute work breaks unless the Employee receives prior written approval from their Supervisor or Designee. Employees shall not work through lunch without prior written approval from their Supervisor or Designee.

Shift Changes and Modified Work Schedules

A temporary or permanent change to an FLSA Non-exempt employee's shift/work hours may be made by the Office, (1) on the Clerk's/CDC's initiative and based on the functions of the Position, the operational needs of the Clerk's Office, or (2) at the employee's request, subject to the requirements of this Section. An employee's schedule shall not be changed in CCT unless and until the employee's schedule is changed and documented pursuant to Sections 2.D.1 through 2.D.2 below. Changes in an employee's work schedule may be either permanent (shift changes) or temporary (modified work schedules) as follows:

1. Shift Changes. Where the operational needs of the office permit a permanent change in hours of work for a particular Position (shift change) outside the regular work shifts set forth in Section 2.A above, the CDC and/or Human Resources shall send an email and/or form setting forth this information to all employees in the Position for which there is the shift change opportunity. The shift change shall be granted based on the seniority of the employees responding to the email. If there are no volunteers, the CDC shall mandate the shift change based on inverse seniority. In either event, the CDC shall send notice of the shift change to Human Resources. Human Resources shall provide notice of the shift change to the DOC, in accordance with Article X in the Supplemental Policy. All shift changes for members covered under the CBA shall comply with the terms set forth in the CBA.

2. Non-ADA Modified Work Schedules. Requests for a temporary modified work schedule deviating from the regular office hours described above may be made at the CDC's initiative or at the request of a non-probationary employee. Modified work schedules are temporary in nature and subject to the operational needs of the Clerk's Office. Modified work schedules may be in effect for no more than three months, unless extension is needed during a public health emergency, in which case such reason shall be included on the notice required in Sections 2.4.b.(i)-(iii) (need to check document) below. Advance notice to the union along with justification shall be provided in the event of revocation of a modified work schedule (whether that modified schedule is employer assigned or requested by the employee) in the event of revocation of the modified work schedule of a union employee.

Prior to the expiration of a modified work schedule, the employee may submit a written request to their supervisor for an extension of up to three (3) months. The written request must explain why the extension is needed. The Supervisor shall forward the request to the CDC and Human Resources. The CDC shall approve or deny the extension and shall document the decision in writing. The CDC shall send a copy of the decision to the employee's Supervisor, the employee, and to Human Resources to be placed in the employee's personnel file. Human Resources shall send a copy of the decision to the DOC in accordance with Article X in the Supplemental Policy, and, if applicable, the Union.

A modified work schedule may be revoked, subject to applicable law, if the Office determines that it is negatively affecting the employee's productivity or efficiency, or that it no longer is feasible based on operational needs. If the Office revokes an employee's modified work schedule, the CDC shall document the date the revocation is effective and the reason(s) for the revocation. The Office shall send a copy of the decision to the employee's Supervisor, the employee, and to Human Resources to be placed in the employee's personnel file. Human Resources shall send a copy of the decision to the DOC in accordance with Article X in the Supplemental Policy, and, if applicable, the Union.

A. Deputy-Assigned Temporary Modified Work Schedule

A CDC with a need for one or more employees to work a temporary modified work (follow up with labor) schedule in excess of two weeks to meet operational needs shall solicit volunteers to work the temporary modified work schedule. If there are multiple volunteers, the temporary modified work schedule shall be awarded based on seniority. If there are no volunteers, the CDC or Designee shall mandate the assignment of employees to the temporary modified work schedule based on inverse seniority, which shall be rotated equitably. In either event, the CDC or Designee shall provide written notice of the temporary modified work schedule(s) to Human Resources. The notice shall include (1) the beginning and end dates of the temporary modified work schedule(s); (2) the operational needs that required the temporary modified work schedule; (3) the bases for employee selection; (4) the last prior notice of temporary modified work schedule indicating those employees previously assigned in those instances where the assignment was mandated based on inverse seniority; and (5) an NPCC and NEA signed by the CDC or Designee making the decision.

Human Resources shall provide a copy of the notice to the DOC in accordance with Article X in the Supplemental Policy.

B. Employee Request for Temporary Modified Work Schedule

An employee requesting a modified work schedule shall submit a written request to his or her Supervisor or other management within their Department, describing (a) the reason for the requested modified work schedule; (b) the days/hours of the requested modified work schedule; and (c) the anticipated duration of the requested modified work schedule. A CDC has discretion to reasonably construe the terms of the request, to the extent a request may lack specificity. The employee may be required to provide documentation to support the request. Acceptable reasons for a modified work schedule include, but are not limited to:

1. Childcare issues - the employee needs a modified schedule to pick up or drop off a minor child at day care or school or to provide after school care;
2. Family care issues – the employee needs a modified schedule to aid in the care of an Immediate Family member;
3. Educational issues - the employee needs a modified schedule to attend a class during work hours; and
4. Transportation issues - the employee needs a modified schedule due to limited access to transportation (without reasonable alternatives) or due to other unique challenges regarding transportation.

Requests for Medical issues will fall under an ADA accommodation request (see Article XVII, Section IV). After receiving a written request for a modified work schedule, the employee's Supervisor or the management staff to whom the request was directed shall consult with the CDC and the CHRO or Designee who shall collectively review the request in light of factors including: (a) the employee's assigned duties; and (b) whether those duties can be performed outside of regular office hours and the operational needs of the Department. If approved by the CDC, the modified work schedule shall be approved only for the period set forth in the request (subject to the six-month maximum, unless applicable law requires a longer period of time). The approval of a modified work schedule does not create any ongoing right to work such a schedule and may be revoked at any time by the CDC upon one week's (7 calendar days) written notice to the employee, as set forth below, subject to applicable law. The CDC shall document the approval or denial in writing, include the reason(s) for the approval or denial, and sign an NPCC. The CDC shall provide the written approval or denial and NPCC to the employee's Supervisor, the employee, and to Human Resources to be placed in the employee's personnel file. Human Resources shall send a copy of the approval or denial to the DOC, in accordance with Article X in the Supplemental Policy, and, if applicable, the Union.

C. Temporary Modified Work Schedule of Five Days or Less (check w/ updated CBA)

A Supervisor may assign an employee to work a temporary modified work schedule of five (5) days or less on a case-by-case basis due to verified operational needs. No particular forms nor an NPCC shall be required for a temporary modified schedule under this subsection. The Supervisor

shall notify the employee and Human Resources in writing at least one day in advance of any such assignment. Human Resources shall provide the DOC with the Supervisor's written notification within three (3) business days of receipt. A Supervisor shall not extend a temporary modified schedule under this subsection beyond the initial five days. For any extension beyond five (5) days, the Supervisor shall provide Human Resources with an NEA, including an NPCC.

A Supervisor may grant an employee's written request for a temporary modified work schedule provided that the request is for no more than five days (5) and is made at least one day in advance. The Supervisor shall send notice of the employee's request and the Supervisor's written decision to Human Resources prior to the commencement of a temporary modified work schedule under this subsection. Human Resources shall provide the DOC with the employee's written request and the Supervisor's written decision within three (3) business days of receipt. So long as the temporary modified schedule under this subsection is five days or less, no particular forms nor an NPCC shall be required. A Supervisor shall not extend a temporary modified schedule under this subsection beyond the initial five days. For any extension beyond five days, the Supervisor shall provide Human Resources with an NEA, including an NPCC.

Absence from Work

1. Excused Absence

An excused absence is an absence, either paid or unpaid, based on one of the following reasons ("Excused Absence"):

- a. Supervisor approved Floating Holiday, vacation leave, personal day, or compensatory time scheduled in accordance this policy;
- b. Sick leave approved in accordance with this policy;
- c. FMLA leave authorized in accordance with this policy;
- d. Approved leaves of absence in accordance with this policy;
- e. Jury duty in accordance with this policy;
- f. Authorized union business pursuant to the CBA;
- g. Disciplinary suspension; or
- h. Other leaves of absence to which the employee is entitled pursuant to the CBA or the policies of the Clerk's Office, federal statute, state statute, or local ordinance.

2. Unexcused Absence

An unexcused absence ("Unexcused Absence") is:

- a. a scheduled workday for which an employee does not report and which does not qualify as an Excused Absence;
- b. when an employee is absent from work and does not have sufficient accrued time to cover the absence and the absence does not qualify as an Excused Absence;

- c. when an employee arrives more than one hour after his/her scheduled start time without notifying the Supervisor or Designee of an exceptional circumstance;
- d. when an employee departs more than ten (10) minutes before his/her scheduled end time without notifying the Supervisor or Designee of an exceptional circumstance;

All Unexcused Absences shall result in disciplinary action, up to and including termination of employment, consistent with this Handbook and Time and Attendance Policy.

A Supervisor may approve the use of Compensatory Time to offset an employee's Unexcused Absence for payroll purposes only but the employee shall be subject to Discipline pursuant to this Time and Attendance Policy. Supervisor approval of Compensatory Time to offset an Unexcused Absence for payroll purposes must be noted in CCT and initialed by the Supervisor.

Electronic Attendance

For daily timekeeping purposes, all employees who are permanently assigned to a location with an electronic time clock must use CCT. Every employee is issued an identification card to be used for this purpose.

All employees (except the Executive Staff as determined by the Clerk) shall record their work hours by swiping in at a wall mounted station at the beginning of their workday and swiping out at the end of their workday via CCT. This procedure must be followed no matter what time of the day the employee arrives or leaves the workplace, job location, or assigned field duties. An FLSA Exempt employee need not swipe or call in or out for work breaks, lunch breaks, or approved work-related activities. If an employee must leave during the day for any other reason, the employee must swipe out when he or she leaves, and swipe in upon return. Union business is not a work-related activity.

The Clerk's Office requires all employees to accurately record their work hours by swiping in and out of CCT each day in order for the Clerk's Office to properly pay employees for the time they worked. CCT time records must be accurate with respect to both the time an employee begins and ceases work and the location(s) at which an employee begins and ends the workday. All discrepancies with respect to time in CCT must be resolved before the end of each pay cycle so that each employee's CCT record is an accurate reflection of their work schedule.

Time worked is recorded in 15-minute increments with rounding down to the nearest 15 minutes for time worked less than eight minutes and rounding up to the nearest 15 minutes if eight or more minutes are worked in a 15-minute increment.

FLSA Non-exempt Employees are prohibited from swiping in more than ten (10) minutes prior to the start of their shift or swiping out more than five (5) minutes after the end of their scheduled shift unless overtime hours were pre-approved by the employee's Supervisor. If an employee swipes in more than ten (10) minutes before his/her scheduled shift or swipes out more than five

(5) minutes after his/her scheduled shift without pre-approval for overtime, the employee must report to his/her Supervisor. The Supervisor shall note in CCT that the swipe is outside of the employee's authorized grace period was not authorized and initial the CCT entry. Regardless of when an employee swipes in, if the employee is not approved for overtime, the employee is prohibited from performing any work until the start of the employee's scheduled work hours or after the conclusion of his/her shift. If an employee does not believe that his/her hours worked were properly recorded in CCT, it is the employee's obligation to report the issue to his/her Supervisor or Human Resources. Failure to comply with these swiping requirements may subject the employee to counseling or discipline, up to and including termination. Supervisor failure to note and initial the reason for CCT clarification shall subject the Supervisor to additional training, counseling or discipline.

1. Identification Card Information

An employee who forgets or loses his/her identification card shall notify the Supervisor or designee immediately upon arrival at work. Only work time that is documented will be credited in the electronic attendance system.

(Check BHR about fee) An employee will be provided one replacement identification card free of charge if a card is lost. A fee will be assessed for any additional identification cards that must be replaced due to loss. If a lost identification card is later found, the lost identification card must be returned to Human Resources. Identification cards that malfunction or become worn will be replaced free of charge.

In the case of an Employee title change, employees must reach out to BHR to request an updated identification card. Please email: BHRIDRequests@cookcountyil.gov

No employee may swipe in or out for another employee. Any employee violating this rule is committing time fraud and shall be subject to Discipline, up to, and including termination.

CBA Covered Employees

Attendance Discipline

Attendance Discipline utilizes a one-year (12-month) rolling calendar and accumulation of points. Consequently, on the one-year anniversary of any given incident where points are accumulated, those points will fall off an employee's record.

No points will be given for tardies, absent without pay ("AWP"), early leaves, or No Call/No Show ("AWX") if the cause was a bona fide emergency (e.g., car accident, medical emergency, outpatient surgeries, overnight hospital stays, etc.) where documentation for verification is provided to Human Resources. Proof must be provided no later than two days after the tardy/AWP/early leave/AWX. Bona fide emergency does not include maintenance or treatment of a preexisting medical condition.

Employees who are absent, AWP or AWX, on the last scheduled workday before or the first scheduled workday after a holiday shall receive double the points for that incident.

Falsification of time records or falsification of other documents in an attempt to subvert this policy is grounds for immediate termination.

Tardiness

An employee shall not receive any attendance points for arriving late to work or late from lunch for up to ten (10) minutes after his/her scheduled starting time provided that the employee makes up the tardy by working beyond his/her scheduled ending time the number of minutes the employee was tardy. An employee may utilize this provision twice a month in any calendar year.

An employee who calls-in to his or her Supervisor by his/her scheduled starting time and signs in prior to four (4) hours after their scheduled start time shall be considered tardy.

- a. An employee who calls-in to his or her Supervisor by his/her scheduled starting time and signs in up to one (1) hour late shall receive one (1) point.
- b. An employee who calls-in to his or her Supervisor by his/her scheduled starting time and signs in, or attempts to sign in, after one (1) hour, but before four (4) hours late, shall receive one (1) point. However, that employee shall only be allowed to work the last four (4) hours of their scheduled shift.
- c. An employee who calls-in to his or her Supervisor by his/her scheduled starting time and signs in, or attempts to sign in, four (4) or more hours late shall not be permitted to work that day and shall be treated as AWP thus resulting in two (2) points.

Early Leave

An employee who leaves his or her work location without prior approval from his or her Supervisor and does not return for the day shall be considered an unapproved Early Leave.

- a. An unapproved early leave will result in an AWP and the employee will accrue two (2) points.
- b. An employee shall receive one (1) point for an approved early leave when the employee has no accrued time, unless otherwise approved by Human Resources
- c. An employee shall receive no points for an approved early leave when the employee has accrued time on the record. Accrued time will be used automatically in the following order: sick, comp, vacation. However, if the employee has no accrued time on the record, the employee shall

receive no points if he/she is leaving for a bona fide emergency.

Absent Without Pay (“AWP”)

An employee shall receive two (2) points when he/she calls in by his/her scheduled starting time to notify his or her Supervisor of an absence, and does not have accrued time. One (1) point shall be given for an absence without pay of one-half day.

No Call/No Show (“AWX”)

An employee who fails to call-in to his or her Supervisor by his/her scheduled starting time shall be considered a No Call/No Show or “AWX.” An employee considered being a no call/no show shall receive three (3) points and will not be able to work the remainder of the day. Three (3) consecutive AWXs shall be grounds for immediate termination.

Points Schedule and Explanations

Incident	Points
Tardy	1 point
Unexcused Early Leave	1 point
Unexcused Absence (AWP)	2 points
No Call/No Show (AWX)	3 points

The levels of discipline under this policy are as follows:

Point Level	Level of Discipline
6-9 points	Verbal Warning
10-12 points	Written Warning
13-17 points	1-Day suspension without pay
18-20 points	3-Day suspension without pay
21-24 points	5-Day suspension without pay
25 or more points	Termination

Maternity/Paternity and Disability Leave

With respect to Maternity/Paternity Leave and Disability leave approved by the County of Cook, the employee, for a period of two (2) months after his or her return, will not receive any points or AWP's (excluding tardiness and no call/no show) for illnesses of a family member, provided further that;

1. The employee must first utilize any accrued time; and
2. For any such absence for three (3) days or longer; the employee must submit a doctor's verification of the illness on the day of his or her return.

Non-CBA Covered Employees

Employees not covered by a CBA will be disciplined for attendance issues in accordance with the regular discipline process (See Article XV).

XVIII. Paid Time Off

Section 1 - Holidays

The following days are holidays for all Clerk's Office employees:

- 1) New Year's Day - January 1
- 2) Martin Luther King's Birthday - Third Monday in January
- 3) Lincoln's Birthday - February 12
- 4) Washington's Birthday - Third Monday in February
- 5) Casimir Pulaski Day - First Monday in March
- 6) Memorial Day - Last Monday in May
- 7) Juneteenth - June 19
- 8) Independence Day - July 4
- 9) Labor Day - First Monday in September
- 10) Columbus Day - Second Monday in October
- 11) Veteran's Day - November 11
- 12) Thanksgiving Day and the Day After - Fourth Thursday and Friday in November
- 13) Christmas Day - December 25
- 14) Floating Holiday - one day which may be used at employee's discretion, subject to Supervisor approval

Should a listed holiday fall on Saturday, the preceding Friday shall be set as the holiday; should the holiday fall on a Sunday, the holiday shall be observed on the following Monday. In addition to those listed, any other day or part of a day shall be considered a holiday when so designated by the Board of Commissioners or the Chief Judge of the Circuit Court of Cook County.

An employee may request to use their accrued Floating Holiday by sending a time off request to his/her Supervisor or designee through CCT. An employee's one annual Floating Holiday must be scheduled for an increment of one (1), eight (8)-hour workday; it cannot be broken into smaller increments. The Floating Holiday, if unused by November 30 of each year, may not be carried over into the next year.

An employee subject to the CBA will receive holiday pay, *provided* that such employee, if scheduled, works his or her regular workday on both the workday preceding, and the workday following the recognized holiday. Use of the Floating Holiday before or after a scheduled holiday without notice by an employee covered by the CBA will result in the loss of holiday pay.

The procedures that control the determination of whether an employee has worked his or her regularly scheduled shift for purposes of holiday pay are found in Exhibit A to the CBA.

Note: During a federal election year the Clerk's Office may grant employees election day as a paid holiday.

Section 2 - Vacation Leave

The amount of vacation leave earned each pay period is based upon the number of years of continuous service to the Clerk's Office and Cook County. An employee accrues a specific amount of vacation leave per pay period, based on his or her years of service:

Years of Service	Pay Period	Annual Vacation Days	Accumulation Limit
0 - 4	4.62 Hours	120 Hours	240 Hours
5 - 9	6.16 Hours	160 Hours	320 Hours
10+	7.7 Hours	200 Hours	400 Hours

Vacation leave may be allowed to accumulate but not beyond the accumulation limit in this section. Any unused vacation leave shall be carried over into the next year provided that any applicable accumulation limit noted above has not been reached. Employees must be in pay status for a minimum of (5) five days in a pay period to accrue vacation leave for that pay period. Vacation leave shall not be used in increments of less than one-half day.

Employees must use CCT to request time off for vacation. An employee must seek and receive approval from their Supervisor or Designee before using vacation leave. Vacation leave must be requested at least one business day prior to the anticipated vacation for requests fewer than five (5) days and ten (10) business days prior to the anticipated vacation for all other requests. The employee's Supervisor may waive advance notice requirements for vacation leave requests if operational needs allow. Supervisors shall not approve vacation requests that are made after 4:30 p.m. one business day prior to the anticipated use without written approval from the CDC. In these circumstances the employee's Supervisor shall specify in CCT why the failure to request time off in advance was excused and initial that CCT entry. Supervisors who fail to comply with the approval and notation requirements in this section shall be subject to additional training, Counseling or Discipline. Employees may only use vacation leave that has been earned and accrued as of the date the vacation leave is used by the employee.

A CDC may establish intervals of time ("blackout periods") when vacation leave cannot be taken in his or her Department. The CDC or his or her Designee shall notify employees in his or her Department via email of the dates of any blackout periods. A request to use vacation leave may be denied due to scheduling and seasonal staffing needs of the Clerk's Office. Vacation leave that is requested and approved prior to the notice of any blackout periods will be honored.

In the event an employee has not used all earned and accrued vacation leave at the time of separation of service from the Clerk's Office, the employee, or in the case of death, the employee's spouse or estate, shall receive the employee's prevailing wage for such unused vacation leave.

If an employee's vacation is interrupted by a death in the immediate family, any days within the vacation leave that qualify as bereavement leave shall not be charged as vacation leave.

Section 3 - Sick Leave

For purposes of this Section, immediate family members include an employee's child, spouse, civil union partner, sibling, parent, parent-in-law, grandchild, grandparent, or stepparent.

An employee accrues 0.4616 days of paid sick leave per pay period, equaling one day of sick leave for each month of service per year. An employee must be in paid status for a minimum of five (5) workdays per pay period to accrue paid sick leave during such pay period. An employee may accumulate no more than 175 workdays (1,440 hours) of paid sick leave. An employee may use accumulated sick leave when the sick leave begins and shall accumulate additional sick leave while using sick leave previously accrued. Sick leave may be utilized in one-hour increments.

An employee may use sick leave due to illness or injury if the employee is unable to perform his/her assigned duties or if the employee's presence at the workplace would jeopardize the health of his/her co-workers. An employee also may use paid sick leave for (1) non-occupational personal illness or injury and disability incidental to the employee's pregnancy; (2) appointments with physicians, dentists, or other recognized practitioners for himself/herself, or an immediate family member of the employee; (3) maternity or paternity leave; or (4) leave related to an illness, disability, or injury in the immediate family of the employee.

Paid sick leave shall **not** be used for vacation purposes or to cover a Late Arrival to work under any circumstances. If the employee's health condition warrants prolonged absence from duty, the employee's Supervisor may permit the employee to combine vacation, sick leave, and comp time.

An employee may pre-schedule sick leave in advance with his/her Supervisor for the purpose of attending scheduled appointments with physicians, dentists, or other recognized practitioners; maternity or paternity leave; or for leave related to an illness, disability, or injury in the immediate family of the employee. Such employee shall notify his/her Supervisor of the pre-scheduled sick leave by email prior to taking such leave and by submitting a time off request through CCT. A doctor's note may be requested to validate the employee's use of sick leave in these circumstances. If requested, a copy of the doctor's note must be provided to Human Resources.

Should an employee be unable to report to work because of illness or emergency, the employee shall notify his/her Supervisor (by phone, text message, email, or voicemail) as soon as possible and, except where the emergency or the illness precludes the notice, **no later than thirty (30) minutes before** the employee's scheduled start time. The employee shall enter his/her sick leave into CCT. If the employee informs his/her Supervisor that the employee is unable to enter his/her sick leave into CCT, the Supervisor shall make the notation in CCT, and shall initial the entry. If the employee's absence continues, the employee shall notify his/her Supervisor of his/her absence (by phone, text message, email, or voicemail) on a daily basis. The employee remains responsible for entering his/her sick leave into CCT. If the employee informs his/her Supervisor that the

employee is unable to enter his/her sick leave into CCT, the Supervisor shall make the notation in CCT, and shall initial the entry.

An employee with a disabling condition and/or one who is hospitalized may satisfy the notification requirement with a physician's written statement of the nature of the employee's condition, the reason why this condition prohibits work, and the expected duration of absence provided by the next scheduled workday upon return. In emergency situations, notification may be made on behalf of the employee by any responsible person. The notification must be made in person, by email, or by telephone. When someone other than the employee is or has been requested to make the required notification, the employee will be solely responsible for the notification being made.

In the event the employee does not request sick leave or notify the Supervisor of absence due to illness within the time period required, the absence will be without pay, unless the employee can later substantiate and document that it was impossible to request or provide such notification.

If an employee is on paid or unpaid sick leave for more than five (5) consecutive calendar days, the employee's personal healthcare provider must complete and sign a release form which must be transmitted and returned pursuant to the instruction on the form. The release form is available from Human Resources and is also available on the Human Resources page on the Intranet.

For health-related absences of less than five consecutive calendar days, an employee may be required to provide a diagnostic report from a physician or practitioner as proof of the personal or familial illness or injury when the circumstances suggest that the employee did not have a valid health reason for the absence. Human Resources shall notify the employee if such documentation is required.

If an employee is off work for more than thirty (30) days, the employee may be required to complete a drug screening test as part of the release to return to work. The employee must contact Human Resources to discuss the return to work and to schedule return to work. Additional medical documentation may be required from the employee's healthcare provider, as determined by Human Resources. An employee should contact Human Resources at least one week before the actual return to work date to avoid a delay in returning to work.

Severance of employment shall terminate all rights to accrued sick leave.

For information on the requirements and eligibility pertaining to disability, employees should contact the Cook County Pension Board at (312) 603-1200.

Section 4 - Compensatory Time

An employee must use Compensatory Time in 15-minute increments. All requests for the use of Compensatory Time are subject to the approval of the employee's Supervisor. An employee must request use of a full day of Compensatory Time in CCT at least one business day prior to use. The employee's Supervisor may waive advance notice requirements for Compensatory Time requests for verified exigent circumstances. Compensatory Time may be used in lesser increments to offset

an employee's Late Arrival for payroll purposes only. Compensatory Time earned in one week cannot be counted toward that same week's forty hours' workweek.

Section 6 - Accrued Time Information

An employee may access his or her accrued time information using CCT on the intranet. An employee should report any discrepancies to (their timekeeper). Unless otherwise approved by the Chief Deputy Clerk and the Chief Administrative Officer, employees may only use accrued time after it is posted in CCT.

XIX. Leave of Absence

PERSONNEL SERVICES

The Clerk's Office permits employees to request various types of leaves of absence from the office. All requests pursuant to this section must be made in writing to Human Resources. The different types of leaves of absence are described below.

An employee may request a leave of absence by submitting his or her request in writing on an appropriate form, if applicable, to Human Resources and by otherwise complying with the procedure governing the type of leave requested. Requests for Bereavement Leave must be made to the employee's Supervisor (or designee) pursuant to Section 4.1 below. An employee's request for a leave of absence may be denied if the employee's absence from employment during the period requested would interfere with the operational needs of the Clerk's Office, unless the employee has the right to such leave under federal or state law.

An employee who is on a leave of absence must use any and all accumulated Compensatory Time before using any other form of elective time. If an employee exhausts his or her accumulated Compensatory Time, he or she shall use other forms of available elective time, including vacation days, and Floating Holiday prior to going into unpaid status for the remainder of the leave of absence.

To the extent an employee is granted a leave of absence and goes into unpaid status at the time of or during such leave, such employee shall be eligible, when such leave expires, to receive the salary he or she received at the time the leave of absence was granted.

Section 1 - Bereavement Leave

A. Paid Bereavement Leave

Bereavement leave is excused leave with pay for up to three consecutive days granted to an employee for the funeral of a member of the employee's immediate family. If the funeral is held beyond 150 miles of the Clerk's Office, the Employee may receive excused leave with pay for up to five consecutive days. For purposes of this Section, immediate family members include an employee's child, spouse, civil union partner, sibling, parent, parent-in-law, grandchild, grandparent, or stepparent.

The employee shall request bereavement leave in advance (if possible) by contacting his or her Supervisor by phone, text message, email, or voicemail and by entering the request into CCT with information regarding which member of the immediate family is covered. If it is impossible to give advance notice, the employee must contact his or her Supervisor as soon as reasonably possible by phone, text message, email, or voicemail to inform the Supervisor of the number of days the employee expects to be absent from work as a result of bereavement leave.

Upon returning to work, the employee must provide appropriate documentation (such as an obituary, funeral program, letter from funeral home, etc.) to his or her Supervisor, who must forward to Human Resources.

B. Illinois Family Bereavement Leave

Under Illinois Law, Family Bereavement Leave (FBLA) entitles eligible employees to up to two (2) weeks (10 workdays) of unpaid bereavement leave to attend the funeral (or alternative to a funeral) of a covered family member, make arrangements necessitated by the death, or to grieve following: the death of a covered family member, stillbirth, miscarriage, unsuccessful reproductive procedure, failed adoption match or unfinalized adoption agreement, failed surrogacy agreement, or diagnosis that negatively impacts pregnancy or fertility.

An employee is eligible for FBLA leave after working for an employer for at least 12 months prior to requesting FBLA and working at least 1,250 hours of service with their employer during the prior 12-month period. All employers covered by the federal Family and Medical Leave Act (29 U.S.C. 2601 et seq.) must comply with the leave time requirements of the FBLA. In other words, if an employer provides employees with FMLA leave, then their employees are eligible for FBLA leave.

Under the FBLA, a "covered family member" is a child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. Under the FBLA, "child" means an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*.

Eligible employees are entitled to up to two (2) weeks (10 workdays) of unpaid bereavement leave time following any of the events listed under the FBLA. Employees are entitled to up to six (6)

weeks of leave in the event of multiple qualifying events in a twelve (12)-month period. In other words, an employee is entitled to enough FBLA to cover three (3) qualifying events in a twelve (12)-month period. FBLA leave must be completed within sixty (60) days after the date on which the employee receives notice of the death of a covered family member or event that qualifies the employee for FBLA leave.

Paid Bereavement Leave and FBLA will run concurrent.

Section 2 - Personal (Unpaid) Leave of Absence

A personal leave of absence without pay is intended to take care of emergency situations and is limited to one month for every full year of continuous employment with the Clerk's Office and/or Cook County, with a maximum of one year of leave.

A personal leave of absence must be approved by the CHRO or designee who shall document in writing the reason(s) for approving or denying the leave. This documentation shall be maintained in the employee's personnel file.

An employee must pay both the County portion and the individual portion of his or her health care plan premium to remain enrolled while on personal leave. Upon return from a personal leave of absence, an employee is entitled to the salary received at the time the personal leave of absence was granted; the title and/or location may not be guaranteed.

Section 3 – FMLA

Purpose

The Family and Medical Leave Act (FMLA) entitles eligible employees of the Clerk of the Circuit Court of Cook County to take unpaid, job-protected leave for qualified family and medical reasons while maintaining health benefits. This policy ensures compliance with federal FMLA regulations, state laws, and Cook County policies.

Employee Eligibility- To be eligible for FMLA leave, an employee must:

1. Have worked for Cook County for at least 12 months
2. Have worked at least 1,250 actual hours in the 12 months preceding the leave
3. Be employed at a worksite where 50 or more employees work within a 75-mile radius

Qualifying Reasons for FMLA Leave

Eligible employees may take up to 12 weeks of FMLA unpaid leave in a 12-month period for:

1. The birth, adoption, or foster placement of a child

2. A serious health condition that prevents the employee from performing essential job duties
3. To care for a spouse, child, or parent with a serious health condition
4. A qualifying exigency arising from a family member's military deployment
5. Military caregiver leave, allowing up to 26 weeks of leave to care for a covered service member

Requesting FMLA Leave

Employees must provide at least 30 days' notice when leave is foreseeable. If leave is unforeseeable, employees must notify Human Resources as soon as possible. A Certification of Health Care Provider form may be required to substantiate the need for leave.

To request a leave, an employee must do the following:

1. Employee must email loa@cookcountycourt.com to initiate the leave process;
 1. The employee's request will be reviewed by the Leave Manager, an eligibility determination will be made, and the eligibility form will be issued to the employee.
 2. Backdating for Leaves:
 - A. Intermittent: The employer will allow an employee to back date an intermittent leave request by ten (10) calendar days.
 - B. Continuous: The employee will permit an employee to back date a continuous leave request by fifteen (15) calendar days.
 - C. Any time requested outside of the backdating policy will be denied. The time may be reviewed on an individual basis to determine any extenuating circumstances that may permit this policy to be waived.
2. If an employee is deemed eligible for FMLA, the Leave Manager will send the employee the provider's certification for completion;
 1. The employee has 15 calendar days from the date of issuance of the certification to have the provider complete the certification.
 2. Failure to return a completed and sufficient certification may result in the employee's FMLA leave request being delayed or denied.
3. Once the certification is completed and received, a decision will be made by the Leave Manager and the employee and supervisor will be notified of the decision.

Job Protection & Benefits During Leave

1. The employee's health insurance benefits will continue under the same terms as if they were actively working.
2. Upon return, the employee will be restored to the same or an equivalent position with the same pay and benefits.
3. Failure to return to work after FMLA leave may result in termination of employment, unless further accommodations are required under the ADA.

Intermittent Leave & Reduced Work Schedule

FMLA leave may be taken intermittently or on a reduced schedule when medically necessary. Employees must work with Human Resources and their supervisor to coordinate leave arrangements that minimize workplace disruption.

Bonding Leave for Spouses that both work for the Clerk Return to Work from Continuous Leave

When an employee is on continuous leave for their own serious health condition, they will be required to submit a return to work clearance at least two (2) weeks prior to their scheduled return. Employees should reach out to loa@cookcountycourt.com to submit their completed return to work paperwork.

If an employee requires an extension at the end of their approved continuous leave, they must reach out to loa@cookcountycourt.com to request that extension at least two (2) weeks prior to the end of their approved leave.

Prohibited Retaliation & Compliance

Employees cannot be disciplined, terminated, or retaliated against for taking FMLA leave. Any suspected violations should be reported to Human Resources or the Office of the Inspector General.

Section 4 - American's With Disabilities Act

B. Policy Statement

The Office of the Clerk of the Circuit Court of Cook County is committed to providing equal employment opportunities for all employees and applicants, including individuals with disabilities, in accordance with the Americans with Disabilities Act (ADA), the ADA Amendments Act (ADAAA), and all applicable state and local laws. The Clerk's Office prohibits discrimination against qualified individuals with disabilities and will provide reasonable accommodations to enable employees to perform the essential functions of their job,

unless doing so would cause undue hardship to the Office.

C. Reasonable Accommodations

Employees who require a reasonable accommodation to perform the essential functions of their position must submit a written request to the Human Resources Department by reaching out to the Leave Manager at loa@cookcountycourt.com. The request should include:

1. The specific accommodation being requested.
2. Medical documentation (if necessary) supporting the need for the accommodation.

The Human Resources Department will engage in an interactive process with the employee and relevant departments to evaluate the request and determine an appropriate accommodation. Requests will be reviewed on a case-by-case basis, and accommodations will be granted unless they impose an undue hardship on the operations of the Office.

D. Confidentiality

All information related to an employee's disability and accommodation request will be kept confidential and maintained separately from the employee's personnel file. Access to such records will be restricted to authorized personnel on a need-to-know basis.

E. Employee Responsibilities

Employees who require an accommodation are responsible for:

1. Notifying the Human Resources Department in a timely manner.
2. Providing any necessary documentation to support their request.
3. Participating in the interactive process to identify an effective accommodation.

Supervisors and managers are required to:

1. Cooperate with Human Resources in evaluating and implementing reasonable accommodations.
2. Maintain confidentiality regarding an employee's disability or accommodation request.
3. Ensure that employees with disabilities are treated fairly and equitably in the workplace.

F. Complaint and Grievance Procedure

Employees who believe they have been discriminated against based on a disability or have been denied a reasonable accommodation may file a complaint with the Human Resources Department. Complaints will be investigated promptly, and appropriate corrective action will be taken if necessary. Retaliation against an employee for requesting an accommodation or filing a

complaint is strictly prohibited.

Section 5 - Victims' Economic Security and Safety Act

The Victims' Economic Security and Safety Act (VESSA) prohibits employers from discharging, discriminating, or retaliating against a person taking leave from work as a result of a crime of violence (domestic, sexual, or gender violence) to seek medical attention or counseling for injuries or psychological trauma, obtain victim services, relocate, seek legal assistance, or participate in a related court proceeding.

In compliance with VESSA, the Clerk's Office does not discharge or discriminate against an employee who is a victim of a crime of violence or who has a family or household member who is a victim of a crime of violence, for taking up to a total of twelve (12) work weeks of unpaid protected leave from work during any twelve month period to address the crime of violence. The Clerk's Office requires that the employee provide certification of eligibility. The employer is not required to provide paid leave under this Act and will not suspend group health plan benefits during the leave period.

Section 6 - Military Leave

In accordance with the law, any employee who is a member of any reserve component of the United States Armed Forces shall be granted leave for any period actively spent in military service, including: annual training or active duty required by the United States Armed Forces.

Any employee who is called for annual training shall continue to receive his or her normal Clerk's Office salary in accordance with the Illinois Service Member Employment and Reemployment Rights Act, 330 ILCS 61/1-1 *et seq.*

Any employee who is called to active duty may receive the difference between his or her military pay and his or her normal Clerk's Office salary and is entitled to the continuation of family health care plan premium coverage during the period of Military Leave. For details on how to apply, please contact Human Resources.

To request paid Military Leave, the employee shall provide Human Resources with official military orders or a signed memorandum by the commander, deputy commander, or the Army personnel management section setting forth the details of the leave (including start and end date).

Any employee who is a member of the Illinois National Guard or any of the Reserve components of the Armed Forces of the United States, is entitled to the benefits and basic protections outlined in the Illinois Service Member Employment and Reemployment Rights Act, 330 ILCS 61/1-1 *et seq.*

Section 7 - Jury Duty

Any employee called for jury duty will be granted leave with pay. An Employee is eligible to be paid his or her regular salary for any days spent on jury duty. To receive his/her salary, compensation received for jury duty, exclusive of any travel allowance, must be submitted to Human Resources for submission to the Cook County Comptroller.

Section 8 - School Visitation Rights Act

An employee who is a parent or guardian and who is otherwise unable to meet with educators because of work conflicts, has the right to eight hours of unpaid time off (no more than four hours on one day) during the school year to attend necessary education or behavioral conferences at his or her child's school. Time under the School Visitation Rights Act can only be taken if the employee has exhausted all accrued leave time, except sick leave, or disability leave. The employee must provide his or her supervisor with a written request for leave at least seven (7) days in advance. In an emergency situation, twenty-four hours' advance notice is required.