

**Personnel and Salary Committee
Tentative Minutes
February 13, 2019**

1. Call Meeting to Order: Chairman Kenney called the meeting to order at 8:00 a.m. Present: Heuer, McKinney, Smith, Finfrock, Corbitt and McLester (8:09). Others: Coroner Lou Finch, County Clerk Laura Cook, Health Department Administrator Kyle Auman, Court Services Director Cindy Bergstrom and Typer. Absent: none.
2. Approval of Minutes – January 8, 2019 - Motion by Finfrock to approve the minutes as presented, 2nd by McKinney. Motion carried.
3. New Business
 - Coroner Assistant Request - Coroner Lou Finch informs the committee his office is very busy and they are in need of an additional Deputy Coroner. He had a situation where an autopsy was being conducted and he had 2 calls; he needed to be at the autopsy, but had to leave. Finch states they have ad 66 calls as of January 1st. His plan is to bring the night Deputy Coroner onto day shift and hire a night Deputy Coroner. Finch distributed information to the committee for review. This Deputy Coroner would be brought in at \$28,282.50 annually. Motion by McKinney to make the recommendation to the Finance Committee to hire a Deputy Coroner at \$28,282.50, 2nd by Corbitt. Motion carried.
 - Inclement Weather – Office Closing Policy (Personnel Policy Handbook)

Chairman Kenney stated he has been asked by 2 people to have this item placed on the Agenda for discussion. Kenney asks County Clerk Cook to elaborate as to what transpired a couple of weeks ago. Cook states she was at a conference when she received notification from the Sheriff that the Judicial Center will be closed on Wednesday, January 28, 2019, due to the extreme cold weather conditions. I notified the County Clerk and Recorder Staff, Treasurer Linda Beck and Interim-Supervisor of Assessments Carol Magnusson of the closure. Then there was confusion since the Closing stated “Judicial Center” it did not mention the Courthouse or Ogle County Offices, I explained to the Clerk and Recorder Staff that the office will be closed and I sent an e-mail to the Sheriff stating this. There were several calls to the Clerk’s Office inquiring about the closure as some departments had not been contacted. There was discussion about the policy in place. The Committee would like to see that the Website Administrator is contacted and the closure information be posted in a timely manner. The committee decided that there would not be any changes made.
 - Handbook review – Sikich recommendations

Chairman Kenney states this information was e-mailed to the committee members. This information will need to be incorporated into the Personnel Policy Handbook – Lactation Accommodation – Expense Reimbursement - IHRA (Illinois Human Rights Act) – Illinois Service Member Employment & Reemployment Rights Act. Heuer states with new legislation these items will need to be incorporated, however, the medical cannabis/marijuana we will wait. It is recommended we wait since the law is not very clear and have the State’s Attorney work with Sikich.

Finfrock states there is a bill where an employee called Sikich for an 800 number to call for

advice. Chairman Kenney states employees of the county do not have access to Sikich, it is for Department Heads Only. The Personnel Policy Handbook has a procedure set up that employees should follow.

Corbitt asks how the Department Heads are informed of changes to the Personnel Policy. Kenney and Heuer state in the past the Department Heads have been notified of changes.

4. Old Business

- Sikich Staff Study Draft Report (June 1, 2018) – Chairman Kenney states County Board Chairman Gouker is waiting to hear back from a couple of other Chairmen with their correct information.
- Substance Abuse Contact for Employees – This is to meet the needs of the Personnel Policy Handbook. Health Department Administrator Kyle Auman has been in contact with Sinnissippi Centers as to a generic contract. This contract states 3 sessions are paid by the employer and after that the employee pays. As of today, they are considered “out of network” but they are working on becoming “in network” providers. There was discussion since Probation and Sheriff Department employees work with Sinnissippi and there are concerns of privacy.

Chairman Kenney says he discussed with Sikich about EAP (Employee Assistance Program) and employers are not obligated to provide an EAP as it is considered a unique employee benefit. The EAP can be an effective addition to the employers overall benefit package according to Sikich.

Chairman Kenney asks County Clerk Cook how much it costs to train an employee. Cook states at least a year to year and a half. Court Services Director Cindy Bergstrom agreed it takes about 1 to 1 ½ year. Tyler states it is about three years in the Circuit Clerk’s Office.

Kenney suggests we recommend the County look into this and tie this into the Health Benefit Program.

McLester states there are other agencies out there and mentions the Greg Lindmark Foundation for law enforcement.

Heuer states this information is located in the Personnel Policy Handbook. This would be 1 source for remediation according to the Personnel Policy Handbook, comments Heuer. The committee would like to forward this information onto the Finance and Insurance Committee to review.

5. Closed Session - Review of Closed Minutes 5ILCS 120/2(c)21, Collective Negotiating Matters 5ILCS 120/2(c)(2) & Employment Matters 5ILCS 120/2(c)(1): None

6. Public Comment:

- Bergstrom states as a new Director she is working on updating the Internal Office Policy for the Probation Department and she has multiple documents to incorporate. There are many questions as she non-union and union employees and would like assistance from the committee.

7. Adjournment: With no further business, Chairman Kenney adjourned the meeting. Time: 8:58 a.m.

Respectfully submitted,
Laura J. Cook
County Clerk and Recorder

**Coroner's Office
Personnel
Duties/Salaries
Night Deputies**

Coroner Deputy Duties:

- On call hours 4:00 p.m. to 4:00 a.m. Monday – Sunday every other week
- Investigate unexpected, natural, and unnatural deaths /Determine if Natural, Accidental, Suicide, Homicide, or Undetermined
- Assist in autopsies/Clean and Disinfect Autopsy Room after each use
- Handle blood, needles, urine, feces, medications, etc... as situations arise
- Work closely with Law Enforcement, Fire and Ambulance, Funeral Homes, Nursing Homes, - --- Doctors/Nurses, Hospice Agencies, Attorneys, Insurance Offices, Clergy, IEMA
- Complete all required paperwork for each individual death
- Inventory and secure all deceased property
- Attend additional training as needed or directed by Coroner
- Grief counseling for families at time of death and beyond
- Interview witnesses/relatives related to the deceased
- Participate or speak and Community Events (Mock Car Crashes, Rockford Airport, etc...)
- Make notification to families of death of a loved one/Also notification for other Counties
- Other duties that may arise
- Do not leave county when on call

**Coroner's Office/Personnel
Duties/Salaries
Chief Deputy : Jeanette Bennett**

Secretarial Duties:

- Perform all aspects of the IVRS (Illinois Vital Records System) for Ogle County deaths
- File all state mandated reports: SIDS, Boating Accidents, OSHA, Secretary of State, IL. Law Enforcement Training and Standards Board, Office of State Fire Marshall, and Illinois Dept. of Transportation.
- Organization of office bills and monies generated by the office/Petty Cash
- Hospice records, Inquest records, Permanent typed ledgers, Filing, Phone assistance
- Budget preparation
- Assist Insurance Companies, Law Offices, and Families in getting the appropriate paperwork needed to finalize affairs
- Ordering all supplies for office and the Morgue building (needles, body bags, gloves, etc...)
- All other Clerical duties as needed

Coroner Deputy Duties:

- On call hours
- Investigate unexpected, natural, and unnatural deaths /Determine if Natural, Accidental, Suicide, Homicide, or Undetermined
- Assist in autopsies/Clean and Disinfect Autopsy Room after each use
- Handle blood, needles, urine, feces, medications, etc... as situations arise
- Work closely with Law Enforcement, Fire and Ambulance, Funeral Homes, Nursing Homes, Doctors/Nurses, Hospice Agencies, Attorneys, Insurance Offices, Clergy, IEMA
- Complete all required paperwork for each individual death
- Inventory and secure all deceased property
- Attend additional training as needed or directed by Coroner
- Grief counseling for families at time of death and beyond
- Interview witnesses/relatives related to the deceased
- Participate or speak at Community Events (Mock Car Crashes, Rockford Airport, etc...)
- Make notification to families of death of a loved one/Also notification for other Counties
- Participate in Nuclear Exercises
- Unofficially on 24 hours, ie..Called in
- Other duties that may arise

**Coroner's Office
Personnel
Duties/Salaries
Coroner's Deputy - Aaron Brown**

Coroner Deputy Duties:

Shift: Monday – Friday 4:00 AM to 4:00 PM

- On call for weekends and vacations/secondary person for calls

- Attend, investigate, report unexpected, natural, and unnatural deaths
- Determine if natural, accidental, suicide, homicide or undetermined
- Make notification to families /loved ones of deceased
- Work with state, county, and local officials to make death notifications
- Interview witnesses, relatives, etc..related to nature of death
- Provide grief support for families at time of death and beyond
- Work closely with many other agencies/funeral homes/police/fire, etc.
- Often work in arduous, grotesque, dangerous, and unsettling environments
- Heavy lifting, exposure to rodents, insects and pets
- Working in unclean environments/driving in all weather conditions
- Handle blood, needles, urine, feces, and medication
- Inventory and secure deceased property
- Remain in county when on duty
- Complete and submit paperwork relative to each death call
- Prepare and assist in autopsies
- Arrange for monthly dep cleaning/sanitizing of autopsy room
- Participate in continuing education/training
- Attend annual firearm qualification

2019 Wages for Ogle County Coroner's Office

Coroner - \$68,289.00

Chief Deputy Bennett - \$39,627.58

Deputy Aaron Brown (Days) - \$35,385.82

Deputy Horner (Nights) - \$28,282.50

Deputy (Nights) – New Hire - \$28,282.50

Total Salaries : \$199,867.40

and placed on authorized leave without pay for the period absent from work, depending on their exempt/non-exempt status.

When an employee's dress does not comply with established standards, the normal response should be to discuss the matter with the employee. If continued counseling fails to bring the desired response, the supervisor may initiate disciplinary action.

Repeated violations of the dress policy will result in disciplinary action in accordance with the County's progressive discipline policy. Discretion and professional judgment should always be exercised when dressing for casual days.

Some departments may have uniforms where the cost of such are budgeted within each department. As such, departmental policies or collective bargaining agreements related to dress code would supersede this policy.

7-E. Inclement Weather

In an effort to provide for the safety of Ogle County employees, the following procedures related to office closings shall be followed. The intent of the policy is to address how decisions will be made for the closing of County offices related to inclement weather or building security issues. This policy also addresses employee compensation during office closings.

Overnight Weather Events:

- In the event of a weather emergency, the Sheriff, County Engineer, Presiding Judge and County Board Chairman will jointly make the decision regarding the closing of County Offices. The decision will be made no later than 6:30 a.m.
- The decision regarding the closing of county offices will be conveyed to the listed Department Heads as quickly as possible.
- The Sheriff's Office shall notify the County Clerk, Health Department Administrator and Coroner.
- The Presiding Judge shall notify the States Attorney, Circuit Clerk, Probation Director and other judges.
- Upon notification by the Sheriff's Department, the County Clerk shall notify the County Assessor, Treasurer and Animal Control Department.
- Upon notification by the Sheriff's Department, the Health Department Administrator shall notify the Zoning Administrator and Solid Waste Department Director.
- Each Department Head or designated contact shall have the responsibility of notifying their respective staffs.
- Sheriff's Department shall be responsible for notifying the local media.
- The following media will be contacted: Rockford Televisions stations 13, 17, 23, and 39. Radio Stations WRHL (1060 AM - Rochelle) and WIXN (1460 AM - Dixon).

Daytime Closings:

- In the event the offices need to be closed during the work day from weather conditions or a security issue, this information will be communicated to the Judicial Center and Old Court House Department Heads by the Bailiffs. The Sheriff's Department will notify the Pines Road Department Heads.
- Announcements regarding the cancellation of County Board meetings, committee meetings or other related county functions will be at the call of the Board Chairman.
- Each Department Head or designated contact shall have the responsibility of notifying their respective staffs.

Compensation

- In the event the County Offices are closed (or closed early) for weather or security issues, non-represented employees shall receive their normal pay and will not be required to use accumulated leave time. Employees who are part of a labor contract shall follow the terms of the labor contract. Non-represented employees that are required to continue work, as part of their job descriptions, shall receive personal time equal to the number of hours the County Offices are closed, to be used during the calendar year, at the discretion of the Department Head.

7-F. Use of County Motor Vehicles, Equipment and Property

County vehicles, equipment, and supplies may be used only for authorized County purposes. No County equipment or supplies may be removed from County premises for personal use.

Accidents can occur in any work environment. Employees are expected to use any County equipment or property with care. Make sure to review instructions for use before using a piece of equipment. Should County equipment be damaged it is expected that employees will immediately report the situation to a supervisor.

Intentional or negligent damage to equipment, furniture, or structures – regardless of one's state of mind – may result in disciplinary action, up to and including, termination.

7-G. Cell Phones and Similar Electronic Devices While Driving

As of January 1, 2014, the State of Illinois prohibits the use of hand-held devices while driving. Talking is allowed as long as the driver is using a hands free device, such as a headset or speaker phone built into the car. Drivers violating this law are subject to State fines.

Cellular phone usage applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to email whether the device is County-supplied or personally owned.

Ogle County: Handbook Review

Lactation Accommodation: need to modify to reflect changes from 8/21/2018

- Effective August 21, 2018, the Act was amended to explicitly provide that an employer may not reduce an employee's compensation for time used to express milk or nurse a baby. The Act was also amended to provide that break time need only be provided for up to one year after the child's birth. See 820 ILCS 260. Updated by HB 1595.

Expense Reimbursement:

- Effective January 1, 2019, the Illinois Wage Payment and Collection Act has been amended to impose an affirmative duty to reimburse employees for all "necessary expenditures ... incurred by the employee within the employee's scope of employment and directly related to services performed by the employer." The amendment defines "necessary expenditures" to mean "all reasonable expenditures ... required of the employee in the discharge of employment duties and that inure to the primary benefit of the employer." In general, an employee need not be reimbursed if the employee fails to comply with his or her employer's written expense-reimbursement policy. However, an employer's policy may not require employees to submit expenses less than 30 days after incurring them. An expense reimbursement policy may not require a receipt or other supporting documents to substantiate the expense incurred. If an employee has lost or cannot otherwise produce a receipt or other documentation, the employer must accept the employee's own "signed statement" in lieu of a receipt. Finally, an employer may deny reimbursement if the employee's purchase exceeds the guidelines set by the employer's expense reimbursement policy, though the policy may not provide for *de minimis* reimbursement or no reimbursement at all. Moreover, an employer may not deny reimbursement if the employer already "authorized" or "required" the particular expenditure, even if the reimbursement would otherwise violate or exceed the employer's policy. See 820 ILCS 115/9.5.

IHRA: Revisions effective 8/24/2018

- Effective August 24, 2018, the IHRA was amended to explicitly prohibit employers from imposing conditions of employment that would require an employee or job applicant to "violate or forgo a sincerely held practice of his or her religion," including clothing or facial hair requirements, unless the employer demonstrates that it is unable to reasonably accommodate the individual's sincerely held practice without creating an undue hardship on the employer's business. However, an employer is not prohibited from enacting a dress code or grooming policy that may include restrictions on attire, clothing, or facial hair in order to maintain workplace safety or food sanitation. Under the IHRA, the only basis for not providing the requested accommodation is if the employer can show that the accommodation would impose an undue hardship on the "ordinary operation of the business." "Undue hardship" is an action that is "prohibitively expensive or disruptive." Like the Americans with Disabilities Act (ADA), the IHRA requires that both the employer and the employee engage in a "timely, good faith, and meaningful exchange to determine effective reasonable accommodations." The law prohibits employers from requiring

that an employee or applicant accept an accommodation he or she did not request or from requiring that an applicant or employee accept the employer's preferred accommodation.

- The law also requires employers to post notice of employees' rights under the IHRA in a conspicuous location where notices to employees are customarily posted. The law further requires employers to include in any employee handbook information concerning employees' rights under the IHRA. Effective September 18, 2018, state employers, employers with federal contracts, and any employers with 15 or more employees must also update their employee handbooks to provide information regarding employees' rights under the IHRA, including information regarding how to file a charge of discrimination. *See 775 ILCS 5/2-101 et seq.*

Filings Under the IHRA: Effective 8/24/2018

- **Venue Options**

The Illinois Human Rights Act provides a complainant the following venue options:

- a) If the Illinois Department of Human Rights (IDHR) does not complete its process by the 365-day time limit, the complainant may file a complaint either with the Illinois Human Rights Commission (IHRC), or the Circuit Court in the county in which the alleged discrimination occurred, with or without a jury demand;
- b) If a charge is dismissed or a respondent defaulted because it failed to appear at a fact-finding conference and could not show good cause, the decision is appealable only to the IHRC, not the IDHR's Chief Legal Counsel;
- c) If a charge is dismissed for lack of substantial evidence, the complainant may file a complaint with the IHRC (within 30 days of the dismissal) or in Circuit Court (within 90 days) – there is no option for review by the Chief Legal Counsel;
- d) If the IDHR finds substantial evidence, the complainant has two options: either request (within 14 days) that the IDHR file a complaint with the IHRC (which the IDHR must then do within 90 days), or file a complaint in Circuit Court (within 90 days);
- e) If the IDHR finds substantial evidence, conciliation is at the IDHR's option; and
- f) If the IDHR orders conciliation, the deadlines for filing a complaint with the IHRC or Circuit Court are not tolled.

- **Notice and Response to Charge**

Pursuant to an amendment to the IHRA that became effective on August 24, 2018, the IDHR has discretion to require the respondent to file a response to the allegations contained in a charge of discrimination. If the IDHR decides to request a response, the respondent must file it within 60 days and serve a copy on the complainant or the complainant's representative; if the IDHR does not request a response, the respondent can still elect to voluntarily file a response within 60 days of receipt of notice of the charge, provided the respondent serves a copy on the complainant.

Any allegation contained in the charge that is not denied by the respondent within 60 days of the IDHR's request for a response may be deemed admitted, unless the respondent states it is without sufficient information to form a belief with respect to the allegation. The IDHR may also issue a notice of default

directed to any respondent that fails to file a required response to a charge within 60 days of receipt of the IDHR's request, unless the respondent can demonstrate good cause as to why such notice should not issue.

- **Investigations**

The IDHR shall conduct an investigation sufficient to determine whether the allegations in a charge of discrimination are supported by substantial evidence. The IDHR need not first notify the respondent before conducting an investigation. However, pursuant to the amendments to the IHRA that became effective on August 24, 2018, employees may now opt out of the IDHR's investigative process and can instead immediately request a notice of right to sue. *See 775 ILCS 5/1 et seq.*

Illinois Service Member Employment & Reemployment Rights Act: 01/01/2019

- Effective January 1, 2019, the Illinois Service Member Employment and Reemployment Rights Act (ISERRA), consolidates and strengthens various Illinois laws that provide protections for Illinois service members. ISERRA provides the same protections as its federal counterpart, the Uniformed Services Employment and Reemployment Rights Act (USERRA), including the right to reinstatement following military service, the continuation of employee benefits, and protection against discrimination for covered service members. ISERRA protects all members of the Armed Forces of the United States, whether active duty or reserve, including the National Guard when performing state duty; all members of Military Auxiliary Radio System, United States Coast Guard Reserve, Civil Air Patrol, and the Merchant Marines when performing official duties in support of an emergency; and members who are released from military duty with follow-on care by the Department of Defense. Importantly, ISERRA mandates that during the performance review process, employers must credit a service member on military leave with the average of his or her performance rating received over the previous three years, but in no case can the average rating be less than the last rating the employee received during the rating period immediately preceding the leave. In addition, the ISERRA mandates that public employers provide full salary continuation for annual training service for up to 30 days per calendar year. Finally, ISERRA requires employers to post notice of employees' rights and benefits under the ISERRA.
- A link to the required posting can be found at:
http://www.illinoisattorneygeneral.gov/rights/mvrb_iserra_poster_0818.pdf.
- ISERRA provides a private right of action for covered employees and allows enforcement by the Illinois Attorney General. The Act allows prevailing plaintiffs to recover attorneys' fees and up to \$50,000 in punitive damages. *See 330 ILCS 61/1 et seq.*

Drug and Alcohol-Free Workplace (Non-CDL Employees):

- Recommend adding wording for medical cannabis/marijuana. Including:
 - Adopting regulations concerning the consumption, storage or timekeeping requirements related to the use
 - Updating the drug testing policy to reflect this wording and how it will be enforced as related to the drug free workplace policy
 - Discipline of a registered qualifying patient for violation of the workplace drug policy
 - Discipline of an employee for failing a drug test