

CHAPTER V. - PERSONNEL

SECTION A. - PERSONNEL CODE

1. Office Established; Director

There is hereby created an office of the Park District known as the Human Resources Department. The director of the office shall be the Director of Human Resources, who shall be an Officer of the Park District. The Director of Human Resources shall report directly to the General Superintendent and the Personnel Board. The Director of Human Resources shall be a resident of the City of Chicago or establish residency after appointment in compliance with the residency requirements of this Code. The Director of Human Resources shall be appointed by the Board after a publicly announced search procedure. The Director of Human Resources shall be selected for appointment from among those persons who for the two years next preceding the appointment have not been members of any local, state or national committee of a political party, or Officers or member of Standing Committees of any partisan political group or organization.

2. Powers and Duties of the Director of Human Resources

The powers and duties of the Director of Human Resources shall be as follows:

- a. execute the powers and duties of his/her office as defined by statute and by this Code;
- b. develop rules and procedures for the handling of matters by the Human Resources Department, subject to the approval of the General Superintendent; and
- c. perform such other duties as required by law or ordinance and be subject to such other rules and regulations as the General Superintendent or the Board may from time to time prescribe.

3. Deputy Director of Human Resources

There is hereby created the office of Deputy Director of Human Resources. In the event of death, removal, resignation, or inability to act of the Director of Human Resources, the Deputy Director of Human Resources shall exercise all powers and duties given by this Code to the Director of Human Resources until such time as that inability to act shall end or until a new Director of Human Resources shall be appointed by the Board. The Deputy Director of Human Resources shall exercise such administrative duties as may be delegated to him/her by the Director of Human Resources.

4. Personnel Board: Appointment, Terms, Compensation and Removal

- a. There is hereby created a Personnel Board of three persons. Two members shall be Commissioners elected by the Board and the third member shall be the Director of Human Resources or, in the event the duties of that office devolve upon the Deputy Director of Human Resources, the Deputy Director of Human Resources.
- b. Within thirty days after the effective date of this Personnel Code, the Board of Commissioners shall elect two of its members to serve on the Personnel Board. The terms of office of these elected members shall be two years from the effective date of this Personnel Code. If, as of the date of expiration of a member's term, a person has not been elected for the subsequent term, the member whose term has expired shall hold over in office until his/her successor has been duly elected, but the term of office of the successor member, once elected, shall run from the date of expiration of the previous member's term. If an elected member ceases to be a member prior to the expiration of his/her term by virtue of death, removal, resignation, or inability to act, the Board of Commissioners shall promptly elect one of its members to fill the unexpired portion of the previous member's term.
- c. The elected members of the Personnel Board shall be reimbursed their reasonable expenses incurred in the performance of their duties.
- d. An elected member of the Personnel Board may be removed by vote of the Board of Commissioners during his/her term in office only for incompetence or malfeasance in office or inability to act that renders him/her unable for substantial periods to perform the duties of the office. Said removal shall occur only upon written charges and upon an opportunity for hearing before the Board of Commissioners.

5. Personnel Board: Powers and Duties

The Personnel Board shall have the following powers and duties:

- a. to make rules, consistent with the Chicago Park District Act and this Personnel Code, governing the appointment, promotion, demotion, transfer, layoff, evaluation, and discipline of Employees in all positions of employment under the Personnel Board's jurisdiction;
- b. to conduct hearings, or to appoint hearing officers to conduct hearings for it, for the purpose of considering appeals from disciplinary discharges or suspensions of more than thirty days of Park District Employees with career service status and for such purpose to administer oaths, compel the attendance of witnesses, and compel the production of books and papers and the giving of testimony;
- c. to render final administrative decisions on appeals by Employees with career service status of disciplinary discharges or suspensions of more than 30 days;

- d. to serve, if designated for that purpose in a collective bargaining agreement, as the decision-making body on appeals by Employees from disciplinary action, where such Employees' appeal rights derive from such collective bargaining agreement;
- e. to specify and make rules relating to the methods of competitive evaluation that may be used to fill positions of employment within the District;
- f. in cases where written civil service examinations and resulting eligible lists are used to fill vacancies, to approve prior to administration, the content and design of such examinations and to approve the method of scoring such examinations;
- g. to determine, in connection with the filling of any vacancy subject to the Board's jurisdiction, how to apply the Affirmative Action Plan of the Park District as passed by the Board of Commissioners;
- h. to adopt and amend from time to time a position classification plan for all positions of employment within the Park District based on similarity of duties performed, responsibilities assigned, and conditions of employment, so that the same schedule of pay may be equitably applied to all positions in the same class; (whenever a new position is created by the Personnel Board, the Director of Human Resources, with the approval of the Personnel Board, shall promptly add such new position to the position classification plan within its proper grade.).

6. Pay Plan

- a. The Board of Commissioners, from time to time, shall specify by ordinance and amendments thereto the rates, if any, applicable to each grade of the position classification plan that has been approved by the Personnel Board. The Board of Commissioners may, by ordinance or by duly approved collective bargaining agreements, further subdivide each grade into differently compensated "steps" and adopt rules for the periodic advancement of Employees who are promoted, demoted or reclassified to a new grade in the proper step of such new grade.
- b. Except in emergencies pursuant to Chapter XII, Section C.12. of this Code, no Employee or Officer of the Park District may be paid a salary or wage unless he/she occupies a position that has been duly classified in the position classification defined in this chapter, Section A.5.h., above, of this Personnel Code, and no Employee or Officer of the Park District may be paid a wage or salary different than the wage or salary corresponding to his or her position under the provisions of pay plan then in effect as defined in this chapter, Section A.6.a., above, of this Personnel Code. Furthermore, no Employee or Officer may be paid a wage or salary if the payment of that wage or salary would cause the total amount paid out of the appropriation for personal services during the fiscal year through that date to exceed the total amount of the appropriation as stated in the annual appropriation ordinance.

7. Validity of Prior Rules, Actions, and Classifications

- a.** All Civil Service examinations hereto approved and administered by the Civil Service Board pursuant to the "Act relating to the Civil Service in Park Systems" and the Rules of the Civil Service Board are hereby approved and ratified pursuant to the Chicago Park District Act and this Personnel Code, and no new approval or administration of such examinations need be made by the Department of Personnel or the Personnel Board prior to filling any position of employment pursuant to such examinations.
- b.** All persons heretofore lawfully holding Civil Service status in their positions of employment under the "Act relating to Civil Service in Park Systems" and the Rules of the Civil Service Board shall be treated, without further examination, as having "career service status" within the meaning of the Chicago Park District Act, in those positions under this Personnel Code and the Rules of the Personnel Board promulgated under this Personnel Code. This provision shall not be construed to prohibit the Personnel Board from amending or repealing its Rules in any manner consistent with said statute.

8. Affirmative Action

The Board of Commissioners shall have authority to pass and change from time to time an affirmative action plan that may contain such lawful provisions as it may deem necessary for encouraging the hiring, promotion, assignment, and transfer of persons without regard to race, sex, national origin, age, disability, sexual orientation, or other invidious factors, and for eliminating the effects on the Park District's work force of past discrimination on such grounds.

9. Consistency With Chicago Park District Act

All personnel transactions in the Park District shall be consistent with the substantive requirements listed in the Chicago Park District Act, as amended effective September 15, 1991 or as subsequently amended hereafter, and the rules hereafter prescribed by the Personnel Board shall likewise observe the requirements of that section.

SECTION B. - LEAVES

To the extent not governed by the terms of a collective bargaining agreement Employees, whose salaries are computed on a monthly basis, shall be entitled to leave from duty in accordance with the following provisions:

1. Vacation Leave

a. Earning Vacation Leave

From the date of hire until completion of five years of service, Employees shall earn 8.67 hours per month of vacation leave with full pay. After the completion of five years of service until the completion of ten years of service, Employees shall earn 10.00 hours per month of vacation leave with full pay. After the completion of ten years of service, employees shall earn 13.4 hours per month of vacation leave with full pay. For purposes of this section, "years of service" shall include the years an Employee served at another governmental entity in Illinois with which the Park District has a reciprocity agreement for recognizing years of service for purposes of calculating vacation time earned by an Employee. Employees on any form of unpaid leave of absence shall not earn vacation leave. Employees shall earn vacation leave at the rate of one-twelfth of the annual rate for each month of employment in which the Employee works or is paid at least seventy-five percent of the calendar days in the month. After an Employee's earned vacation leave has been so computed, if there remains a fractional balance of $\frac{1}{2}$ of a workday or less, the Employee shall be deemed to have earned vacation leave of $\frac{1}{2}$ of a workday in lieu of the fractional balance; if there remains a fractional balance of more than $\frac{1}{2}$ of a workday, the Employee shall be deemed to have earned a full workday of vacation leave in lieu of a fractional balance.

b. Taking Vacation Leave

Vacation leave may be taken only upon approval in advance by the office, department or division head (or, where leave is requested by an office/department/division head, the General Superintendent). Each office/department/division head shall develop regulations as to the appropriate advance notice to be required in that office/department/division for each position. Vacation leave may be taken in increments of not less than one-half workday after the Employee has been employed by the Park District for six months. In the event a Park District approved holiday occurs during the period when an Employee is taking approved vacation leave, such holiday shall be considered as a holiday and not counted as part of the Employee's vacation leave. Employees may not take vacation leave before it is earned. Employees shall request vacation leave as far in advance as reasonably possible. Request for vacation leave may be denied by the office/department/division head if such absence would adversely affect and interfere

with the orderly performance and continuity of Park District services. When it is determined that a previously approved vacation would adversely affect and interfere with the orderly performance and continuity of Park District services, the Park District may cancel and reschedule any or all approved vacation leaves in advance or in the course of their being taken. To the extent that sick leave may be exhausted, an Employee may request and use vacation leave for purposes other than taking a vacation.

c. Receiving Salary in Lieu of Vacation Leave

Upon termination of employment or an Employee's death, an Employee or his/her estate shall receive salary in lieu of any earned vacation leave which the Employee was entitled to take as of the date of termination or death. The effective date of an Employee's termination shall not be extended by the number of days represented by said salary in lieu of vacation leave.

d. Loss of Vacation Leave

For all Employees, any earned vacation leave in excess of 200 hours per calendar year shall be automatically forfeited at the commencement of the new calendar year. If an Employee exceeds the limits herein imposed as a result of having their vacation leave limited, denied, prohibited or canceled and did not have another opportunity to use the leave, the limits may be extended subject to the concurrent approval of the office, department or division head (or in the case of an office/department/division head, the General Superintendent) and the Director of Human Resources. Requests for extensions shall not be unreasonably denied.

2. Sick Leave

a. Earning Sick Leave

Employees shall earn sick leave with full pay at the rate of one workday for each month of employment. Employees on any form of unpaid leave of absence shall not earn sick leave.

b. Taking Sick Leave

Sick leave may be taken after the Employee has been employed by the Park District for six months. Employees may not take paid sick leave before it is earned. In order to qualify for sick leave, the Employee must notify his/her office/department/division head (or, where leave is requested by an office/department/division head, the General Superintendent) that the Employee will be taking sick leave in accord with the notice requirements implemented by the respective office/department/division head. Sick leave may be used for illness, disability (including disability due to pregnancy) or

injury of the Employee, their spouse or dependent child, or appointments with doctors, dentists, or other professional medical practitioners. For periods of absence of five consecutive workdays or less, the Park District may in its discretion require evidence to substantiate such leave days were used for the purposes herein set forth. For periods of absence for more than five consecutive workdays, the Employee shall provide written verification of the reason for such absence upon the Employee's return to work. The Employee shall furnish written verification by a person licensed under the "Illinois Medical Practices Act" or under similar laws of Illinois or of other states or countries or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means. Such verification shall show the diagnosis, prognosis and expected duration of the cause for the sick leave. Such verification shall be submitted immediately upon the lapse of more than five consecutive workdays taken as sick leave and shall be resubmitted no less often than every forty-five days thereafter. The Park District may require, in its discretion, that an Employee take a physical examination performed by a doctor of the District's choosing at any time during the period when an Employee is on sick leave or in connection with an Employee's request to return to work after an absence of five or more consecutive working days. Failure of an Employee to provide such verification or to submit to such a physical examination shall on due notice cause termination of such leave.

c. Abusing Sick Leave

Abuse of sick leave, including the furnishing of false information in connection with a sick leave request, failing to submit the appropriate documentation, failing to submit to physical examination, failing to return to work when such leave has been terminated, or using sick leave for a reason other than those outlined in 2.b. of this Code will result in disciplinary action up to and including discharge.

3. Leave of Absence Without Pay

The office/department/division head (or, where leave is requested by an office/department/division head, the General Superintendent) may, with the concurrence of the Director of Human Resources, grant an Employee a leave of absence without pay for a period not to exceed six months. An Employee desiring to take a leave of absence without pay shall file a written request with his/her office/department/division head, (or, where leave is requested by an office/department/division head, the General Superintendent) explaining the reasons for and length of the requested leave. After considering the circumstances, including the need of the Park District to have a person actively working in the Employee's job, the responsible official may, in his/her discretion and after receiving the approval of the Director of Human Resources, grant the requested leave and may specify the terms and conditions of the leave. Any decision of the responsible official to deny leave and any decision as to the terms of the leave may be appealed to the General Superintendent by filing a written notice of appeal with the Director of Human Resources within five days after

receiving notice of the denial or notice of the terms and conditions of the proposed leave. If an Employee fails to return from leave after the termination or expiration of the leave, the Employee may be subject to disciplinary action, including discharge.

4. Court Leave

Subject to a pay deduction of any juror's fees or witness fees received, an Employee shall be entitled to court leave with pay when called for jury duty, subpoenaed by any legislative, judicial or administrative tribunal, or directed by the Park District to provide service related to litigation involving the Park District. An Employee who is called for such service shall immediately notify his/her office/department/division head (or, where leave is requested by an office/department/division head, the General Superintendent). If an Employee is required or desires to attend court sessions other than those specified above, the Employee shall apply for vacation, personal, compensatory or administrative leave for said purpose.

5. Military Leave, Peace Corps Leave

- (a) Military and Peace Corps leave shall be granted in accordance with applicable law.
- (b) Park District employees who are members of the reserve force of the United States or State of Illinois, for purposes of this section, "reservists", who have been ordered or are ordered to active duty by appropriate authorities, shall be eligible for full Park District salary and benefits while on full active duty.
- (c) Receipt of Park District salary while on active duty shall be conditioned upon payment of military pay to the comptroller and shall terminate upon termination of active duty.
- (d) Employees on active military duty and their covered dependents shall continue to receive medical benefits at no cost above the applicable employee co-pay amount.

6. Temporary Disability

The office/department/division head (or, where leave is requested by an office/department/division head, the General Superintendent) may grant temporary disability leave without pay to an Employee who is unable to perform a substantial portion of his/her regularly assigned duties due to a temporary physical or mental disability or due to pregnancy. An Employee desiring to take temporary disability leave shall report the disability as soon as the disability is known. An Employee desiring to take time of for pregnancy shall notify the responsible office/department/division head (or, where leave is requested by a office/department/division head, the General Superintendent) four months prior to the commencement time of the proposed leave. He/she thereafter shall furnish to the Employee's office/department/division head a written application for leave together with a written verification by a person licensed under the "Illinois Medical Practices Act" or under

similar law of Illinois or of other states or countries or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means. Such verification shall show the diagnosis, prognosis and expected duration of the cause for the requested disability or maternity leave. Such verification shall be resubmitted no less often than every forty-five days during the period of disability or maternity leave. The Park District may require, at its discretion, that an Employee take a physical examination at any time during the period when an Employee is on disability or maternity leave or in connection with an Employee's request to return to work after said leave. Failure of an Employee to provide such verification or submit to a physical examination shall on due notice cause termination of such leave. After considering the circumstances, including the need of the Park District to have a person actively working in the Employee's job and the recommendations, if any, of the Director of Human Resources, the office/department/division head or General Superintendent may, in his/her discretion, grant the requested leave and may specify the terms and conditions of the leave. Any temporary disability or maternity leave shall terminate on the happening of one of the following events, whichever occurs first:

- a. said Employee is no longer temporarily disabled from performing his/her essential job functions; or
- b. said Employee is found by the Park District or by an appropriate administrative tribunal or court to be permanently disabled and thereby permanently unable to perform his/her essential job functions; or
- c. said Employee has been on temporary disability or maternity leave for one year. If an Employee fails to return from leave after termination of the leave, the Employee may be subject to disciplinary action, including discharge.

If an Employee continues to be disabled after the expiration of one year-the Employee is entitled to receive disability benefits from the Park Employees' Annuity and Benefit Fund related to that disability and such Employee will be placed on inactive Employee status until such time as he/she is no longer eligible for benefits. Employees placed on inactive status shall have no rights as Employees or rights to return to any position at the Chicago Park District, but only have the right to receive pension benefits as determined by the Park Employees Annuity and Benefit Fund Board.

7. Personal Leave

a. Earning Personal Leave

Employees shall earn four workdays per calendar year of personal leave with full pay. At the end of the calendar year, personal leave credited to an Employee in excess of four days shall be added to the Employee's sick leave. Employees on any form of unpaid leave of absence shall not earn personal leave. Employees shall earn one workday of personal leave at the commencement of every quarter.

b. Taking Personal Leave

Personal leave may be taken only upon approval in advance by the office/department/division head (or, where leave is requested by an office/department/division head, the General Superintendent). Personal leave may be taken in increments of not less than one-half workday after the Employee has been employed by the Park District for six months. Employees may not take personal leave before it is earned. Employees shall request personal leave as far in advance as reasonably possible. Request for personal leave may be denied by the office/department/division head if such absence would adversely affect and interfere with the orderly performance and continuity of Park District services. When it is determined that previously approved personal leave would adversely affect and interfere with the orderly performance and continuity of Park District services, the Park District may cancel and reschedule any or all approved personal leaves in advance or in the course of their being taken.

8. Family and Medical Leave Act (“FMLA”)

The Chicago Park District shall grant up to twelve (12) weeks of job protected, unpaid leave within a twelve (12) month period (calendar year) to an eligible Employee for one or more of the following reasons:

- a.** the birth of the Employee’s child and care for the newborn (expires twelve (12) months after delivery);
- b.** the placement of a child with the Employee for adoption or foster care (expires twelve (12) months after placement);
- c.** the care of the Employee’s spouse, son, daughter, or parent who has a serious health condition; or
- d.** a serious health condition that makes the Employee unable to perform his or her job.

The Park District requires that its Employees use all of their accrued sick (SP), personal (PD), vacation (V) time, and compensatory (F) time concurrently with their FMLA Leave. Employees on short term disability (S-time) or work-related injury (I-time) will have their leave run concurrently with their FMLA leave.

All requests for FMLA Leave should be directed to the Employee’s Region Human Resources Manager. The Park District requires that an employee provide certification that FMLA leave is being requested for one of the purposes enumerated above.

9. Victims' Economic Security and Safety Act ("VESSA")

In accordance with VESSA, the Park District will provide an eligible employee with up to twelve (12) weeks of unpaid leave per any twelve (12) month period for one or more of the following reasons:

- a. Seek medical attention for, or recovery from, physical or psychological injuries caused by domestic or sexual violence to the employee or the Employee's family or household member;
- b. Obtain victim services for the Employee or the Employee's family or household member;
- c. Obtain psychological or other counseling for the Employee or the Employee's family or household member;
- d. Participate in safety planning, including temporary or permanent relocation (subject to residency requirements) or other actions to increase the safety of the victim from future domestic or sexual violence; or
- e. Seek legal assistance to ensure the health and safety of the victim, including participating in court proceedings related to the violence.

The Park District requires that its Employees use all of their accrued sick (SP), personal (PD), vacation (V) time, and compensatory (F) time concurrently with their VESSA Leave, Employees on short term disability (S-time) or work-related injury (I-time) will have their leave run concurrently with their VESSA leave.

All requests for VESSA Leave should be directed to the Employee's Region Human Resources Manager. The Park District requires that an Employee provide certification that VESSA leave is being requested for one of the purposes enumerated above.

10. Administrative Leave

In recognition of exceptional time or work demands imposed on an Employee, the General Superintendent may grant administrative leave with pay to an Employee whose position is exempt from the compensatory time requirements of the United States Fair Labor Standards Act. No more than sixty days of administrative leave may be granted to an Employee each year. An Employee desiring to take administrative leave shall file a written request with the General Superintendent explaining the reasons for and the length of the requested leave. Prior to granting the requested leave, the General Superintendent shall ask for the recommendation of the responsible office, department or division head, if any.

11. Funeral Leave

An Employee shall be entitled to three consecutive days funeral leave with full pay for the purpose of attending the funeral of a member of the Employee's immediate family. "Immediate family" means spouse, child (including step or adopted), mother (including step), father (including step), mother-in-law, father-in-law, brother (including step or half), sister (including step or half), grandmother or grandfather, court-appointed guardian, and a person for whom the employee is a court-appointed legal guardian. Where death occurs and the funeral is to be held out of Illinois and beyond the states contiguous thereto, the employee shall be entitled to a maximum of five consecutive days of funeral leave. The Employee shall provide satisfactory evidence of death and attendance at the funeral, if requested by the Park District.

12. Holidays

The following are paid holidays for those Employees whose terms of leave are not otherwise governed by a collective bargaining agreement:

New Year's Day	Independence Day
Martin Luther King Day	Labor Day
Lincoln's Birthday	Columbus Day
Washington's Birthday	Veteran's Day
Floating Holiday*	Thanksgiving Day
Memorial Day	Christmas Day

*Floating Holiday - Effective January 1, 1998, Employees shall earn one workday with full pay as a floating holiday at the commencement of each calendar year. The floating holiday must be used during the calendar year in which it is earned. An unused floating holiday shall be forfeited at the commencement of the next calendar year. The floating holiday shall only be taken pursuant to the guidelines for taking personal leave as outlines in 7(b). Employees on any form of unpaid leave of absence at the commencement of the calendar year shall not earn a floating holiday.

SECTION C. - RESIDENCY

- 1.** No person shall be appointed to any office or position of employment in the Park District unless that person, at the time of appointment:
 - a.** resides on a full-time basis within the City of Chicago, or
 - b.** executes at the time of initial appointment to the Park District a written agreement to establish his/ her full-time place of residence within the City of Chicago within a thirty-day period. The General Superintendent may, upon good cause shown, extend this thirty-day period for a reasonable additional period.

- 2.** Any Officer or Employee of the Park District who resides outside of the City of Chicago shall be terminated from his/her office or position of employment, except for:
 - a.** persons who are in compliance with a written agreement pursuant to this chapter, Section C.1.b., above;
 - b.** persons who:
 - (1)** have been continuously employed by the Park District since July 22, 1976,
 - (2)** resided outside of the Park District on July 22, 1976, and
 - (3)** have resided continuously since that date on a full-time basis at the same address; or
 - c.** persons who are under the age of twenty-one if that person resides with a parent who is a full-time Employee of the Park District and who resides outside of the City of Chicago in compliance with this chapter, Section C.2.a. or b., above.

- 3.** All Employees must provide the Park District with a change of address form within one week of moving from the address last presented by the Employee to the Park District.