

## HUMAN RESOURCES - 400

### **Selection and Employment (400.1)**

Date Adopted: February 18, 1997

Revised: July 18, 2012

Revised: May 21, 2013

Revised: August 20, 2013

Revised: November 19, 2013

#### Full-Time Employees

Employees of the College District shall be employed by the Board of Trustees upon recommendation of the Chief Executive Officer/Chief Operating Officer. A recommendation for hire will be made only after completion and receipt of an acceptable criminal background check. Completion of a criminal background check for part-time employment will meet this requirement if done within 24 months of consideration for full-time employment.

EMPLOYEES OF THE COLLEGE DISTRICT SHALL BE AT-WILL EMPLOYEES AND EITHER THE BOARD OF TRUSTEES OR THE EMPLOYEE CAN TERMINATE THIS AT-WILL RELATIONSHIP WITH OR WITHOUT CAUSE, WITH OR WITHOUT NOTICE, AT ANY TIME, EXCEPT AS PROVIDED BY SPECIFIC CONTRACT TERMS AND ANY APPLICABLE LAWS. No supervisor, managerial employee, administrator or representative of Illinois Eastern Community Colleges has the authority to enter into any agreement with any individual for employment for any specified period or to make any promises contrary to the employment-at-will policy. Only the Board of Trustees has such authority. Resignations and retirements by full-time employees are deemed accepted by the employee's supervisor and Chief Executive Office at the time of receipt by the supervisor.

#### Part-Time Employees

The Board of Trustees designates only the Chief Executive Officer/Chief Operating Officer and the Director of Human Resources the authority to employ, dismiss, or terminate part-time employees on an as-needed basis. The Chief Executive Officer and Director of Human Resources may delegate authority to discipline part-time employees, and to accept letters of retirement or resignation upon their receipt by the supervisor. Within 30 days of initial hire, part-time employees shall have had completed an acceptable criminal background check.

Should a part-time employee have 24-months of inactivity between work assignments, an additional acceptable criminal background check is required prior to resuming part-time employment duties.

PART-TIME EMPLOYEES OF THE COLLEGE DISTRICT SHALL BE AT-WILL EMPLOYEES AND EITHER THE EMPLOYER OR THE PART-TIME EMPLOYEE CAN TERMINATE THIS AT-WILL RELATIONSHIP WITH OR WITHOUT CAUSE, WITH OR WITHOUT NOTICE, AT ANY TIME. No supervisor, managerial employee, administrator or representative of Illinois Eastern Community Colleges has the authority to enter into any agreement with any individual for employment for any specified period or to make any promises contrary to the employment-at-will policy.

#### Chief Executive Officer, College Presidents and Deans of Instruction

Each member of the Board of Trustees shall be directly involved in the selection process for the positions of the Chief Executive Officer and the four College Presidents. Board members shall be notified when position announcements are made, when individuals submit applications, and shall be provided the opportunity to review all applications for these positions. Board members shall be involved directly in the selection of candidates for interviews by the Board and shall interview the candidates at a regular or special Board meeting.

Board members shall be notified in writing as soon as appointments for interviews of candidates for Dean of Instruction at each college are made. The Board members shall be provided the name of the candidate and the time and place of the interview. Each Board member shall be provided application related materials upon request.

#### Annuitants Returning to Work

Annuitants of the State Universities Retirement System who return to work for Illinois Eastern Community Colleges may not work for another employer covered by the State Universities Retirement System.

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### **Evaluation Policy (400.2)**

Date Adopted: September 15, 1998

Revised: November 18, 2008

Revised: April 15, 2014

Procedures shall be established for the comprehensive evaluation of employee performance.

#### Faculty

1. Tenured faculty will be evaluated a minimum of every two academic years.
2. Full-time probationary faculty will be evaluated at least once an academic year.
3. Part-time faculty will be evaluated during the first semester of employment and a minimum of once every two academic years of teaching thereafter.

#### Staff

1. Full and part-time administrative, professional/non-faculty, technical, clerical/secretarial, and maintenance/custodial employees will be evaluated ninety days following their initial employment. The goal of the ninety-day evaluation is to ensure a high level of performance by promoting meaningful communication between the supervisor and the employee at first hire. A yearly evaluation will be conducted after the initial employment year.
2. Student workers do not need to be formally evaluated, but should be monitored appropriately during their employment.

## HUMAN RESOURCES - 400

### **Health Examination for Employees (400.3)**

Date Adopted: December 19, 1989

Revised: November 19, 2013

To help ensure that employees are able to perform their essential job duties, medical examinations may be required. After a conditional offer of employment has been extended, certain designated positions may require an applicant to undergo a medical or psychological examination by a health professional of the Board's choice and at the Board's expense. Further, at any time during the course of employment an employee may be required to undergo a physical or psychological examination by a Board designated provider where such an examination is job related and consistent with business necessity.

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**Leave and Benefit Policy - Administrative, Professional/Non-Faculty, Secretarial/Clerical, Technical, Custodial/Maintenance/Security, and Other Employees Not Covered by the Collective Bargaining Agreement (400.4)**

Date Adopted: May 20, 1997  
Revised: November 15, 2005  
Revised: June 20, 2006  
Revised: December 12, 2006  
Revised: August 18, 2009  
Revised: February 21, 2017  
Revised: March 17, 2020  
Revised: April 21, 2020  
Revised: June 16, 2020  
Revised: January 19, 2021

The purpose of the leave and benefit policy is to describe the Board-approved leave days and benefits. Unless otherwise noted, leave days described below are not paid out upon termination.

- A. Sick Leave. Each full-time employee shall, on the first day of employment of the employee's initial year, be granted a pro-rated share of working days up to a total of seventeen (17) sick leave days with pay.

After the initial year of employment and at the beginning of every fiscal year thereafter, each full-time employee will receive days of sick leave according to the following schedule:

<u>Years of Continuous Full-time Service</u>	<u>Sick Leave Days Per Year</u>
2-9	12
10-15	15
16-20	18
21-25+	21

Any unused sick leave days will be allowed to accumulate.

The Chief Executive Officer/Chief Operating Officer or a designee may require the employee on sick leave to provide a statement from the employee's physician. In addition, the Chief Executive Officer/Chief Operating Officer may require that the employee be examined by a physician determined by the Chief Executive Officer/Chief Operating Officer. In the latter case, the cost of the examination will be borne by the Board of Trustees.

Emergency Paid Sick Leave: Emergency Paid Sick Leave: In accordance with the Families First Coronavirus Response Act and the Consolidated Appropriations Act, the District has created emergency paid sick leave that is effective April 1, 2020 through March 31, 2021.

Eligibility: Per the act, all full and part-time employees are eligible.

Qualifying Reasons for Emergency Paid Sick Leave: The employee is unable to work because 1)The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19. 2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. 3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis. 4) The employee is caring for an individual who is subject to a quarantine or isolation order as described in (1) above, or has been advised as described in (2) above. 5) The employee is caring for a son or daughter whose school or place of care has been closed, or the child care provider is unavailable, due to COVID-19 precautions. 6)

The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Length of Leave: Full-time employees are eligible for up to 80 hours of emergency paid sick leave. Part-time employees are eligible for the average number of hours worked during a typical two-week period.

Pay During Leave: Employee's regular rate of pay up to \$511 per day (\$5,110 in aggregate) when leave is taken for reasons (1), (2), and (3) above. Employee's regular rate of pay up to \$200 per day (\$2,000 in aggregate) when leave is taken for reasons (4), (5), and (6).

Barring future extension of this legislations, the Emergency Paid Sick Leave section of this act shall expire at midnight on March 31, 2021. Illinois Eastern Community Colleges will remain in compliance with future extensions of this or comparable legislation directing the use of Emergency Paid Sick Leave.

Personal Emergency Leave. Employees may use a designated amount of sick time for personal emergency each year for things such as illness, injury, medical appointment of the employee's child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent or for other reasons of personal emergency. Advance approval for such leave shall be secured from the employee's immediate supervisor, as soon as possible. Employees may use the following days as personal emergency based on the following schedule:

Years of Continuous Full-time Service	Personal Emergency Days allowed per Year
Initial Year	Up to ½ of sick days awarded at time of employment
2-9	6
10-15	7.5
16-20	9
21-25+	10.5

B. Personal Leave. A full-time employee shall be granted, without loss of pay or benefits, two (2) leave days per fiscal year for personal reasons. Application for such leave should be made five (5) days prior to time said leave is desired to the employee's immediate supervisor. Unused personal days shall accumulate as sick leave to a maximum of fourteen (14) additional sick days.

C. Required Court Appearance Leave. Full-time employees shall be granted leave with pay to appear in court as a witness or a member of a jury. Compensation received for such court appearances shall accrue to the College District.

Part-time hourly employees: Part-time employees who 1) work 20 hours or more per week and 2) have been employed by IECC for 6 months or more will be eligible for required court appearance leave. Part-time employees who meet the above criteria will receive the equivalent of their average daily income. Average daily income will be calculated by the Director of Human Resources. Compensation received for such court appearance shall accrue to the College District.

Part-time faculty: Part-time faculty who 1) teach at least 3 hours for the semester and 2) have been employed by IECC for more than one semester will be eligible for required court appearance leave. Part-time faculty who meet the above criteria will receive the equivalent of

their average daily income. Average daily income will be calculated by the Director of Human Resources. Compensation received for such court appearance shall accrue to the College District.

- D. Funeral Leave. Full-time employees shall be granted funeral leave for the purpose of attending the funeral, without loss of pay, under the following terms and conditions.

Three Days of Leave at Full Pay – For a death within the immediate family, which means the full-time employee's spouse, child, parent, sibling, parent-in-law, or member of the immediate household of the employee.

One Day Leave at Full Pay. For a death of a near relative.

- E. Leave of Absence. The CEO may grant up to 2 weeks leave of absence without pay to a full-time employee. The Board may grant up to one year's leave of absence without pay to a full-time employee, and up to an additional year upon request and Board approval. Such leaves may be granted for advanced study, exchange teaching or assignment, travel, governmental service, or other personal reasons. Applications for leaves shall be filed with the President and then the Chief Executive Officer/Chief Operating Officer not later than 90 days prior to the beginning of the date that the leave would commence.

Vacation, sick, personal days, and other benefits shall not accrue during an employee's unpaid leave of absence. An employee may, however, elect to continue to participate in the District group insurance plan at the employee's sole expense, provided the employee makes acceptable arrangements to pay the premium during the term of his/her unpaid leave.

- F. Absences Due to Attendance at Educational Meetings and Conferences. Approved attendance at educational meetings and conferences may be granted without loss of salary. Attendance must be approved in advance by the employee's immediate supervisor in accordance with established guidelines. Employees authorized to represent the college or district shall be allowed expenses according to the regulations of the District.

- G. Accounting. An accounting of accumulated sick leave will be made semi-annually.

- H. Insurance Benefits. Major medical and dental insurance shall be made available for full-time employees.

Full-time employees electing to carry dependent coverage may have the premiums for this coverage deducted through payroll deductions.

- I. Modified-Time Employees. Leave policy provisions for modified-time employees shall be prorated according to time employed in relation to full-time employees.

- J. Holidays and Breaks. Paid holidays for all full-time employees include, Christmas, and New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Spring Holiday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving and the following Friday.

The administration establishes winter break for full-time employees in accordance with the academic calendar. Full-time employees who are required to work over winter break shall be given floating holiday leave equivalent to the time they were required to work over winter break. This floating holiday leave does not accumulate from year to year, and must be used prior to the end of the fiscal year during which it is acquired. Application for such floating leave should be made five (5) days prior to the time said leave is desired to the employee's immediate supervisor. Full-time employees shall be granted one (1) floating holiday per fiscal year. Floating holidays do not accumulate and must be used during the fiscal year. Full-time employees must have been

employed before March 1 to be eligible for the floating holiday. Application for such leave should be made five (5) days prior to time said leave is desired to the employee's immediate supervisor (effective July 1, 2003).



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**Leave Policy - Full-Time Faculty (400.5)**

Date Adopted: December 19, 1989

Leave policy for full-time faculty shall be as outlined in the applicable collective bargaining agreement for those covered by said agreement.

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**Outside Employment (400.6)**

Date Adopted: December 19, 1989

Outside employment by members of the bargaining unit will be governed by provisions of the appropriate collective bargaining agreement.

Outside employment by employees who are not members of the bargaining unit may be subject to review if circumstances warrant such review.

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**Ownership and Royalties of Inventions and/or Materials (400.7)**

Date Adopted: December 19, 1989

As a basic principle, Illinois Eastern Community Colleges, District No. 529 recognizes that ownership of inventions and/or materials and the royalties resulting therefrom, normally belong to the college personnel, except as otherwise provided in this policy.

College or joint ownership of inventions and/or materials developed or prepared by an employee exists when any one or a combination of the following conditions apply:

- A. When the invention and/or material bears a direct relationship to, or is made or developed in connection with, the employee's college and related duties.
- B. When the invention and/or material is made or developed with a contribution of college facilities, equipment, (owned or rented) materials, funds, information, or of time and services of college employees and/or students on college and related duties.
- C. When the invention and/or material is made or developed in performance of college commissioned projects including private or government sponsored grants received by the college.

It shall be the responsibility of the employee to obtain any copyrights or patents relative to joint ownership. It shall be the responsibility of the college to obtain any copyrights or patents for invention and/or materials made or developed under the auspice of a college commission. General principles of ownership and equity will be in accordance with the following guidelines:

<u>Involvement</u>	<u>Equity</u>	<u>Ownership</u>
No College Involvement Inventions and/or Materials	Individual	Individual
College Involvement (See Conditions A & B above) Inventions and/or Written Materials	College 20% Individual 80%	Individual
College Involvement (See Conditions A & B above) Recorded Materials	College 80% Individual 20%	College
College Commissioned (See Condition C above) Inventions and/or Materials	College	College

The distribution of equity under the general principles listed above are subject to modification by mutual consent of the employee and the college.

It shall be the responsibility of the employee to give written notification to the college of intent to make, develop, patent, or copyright inventions and/or materials as soon as possible.

Internal use of inventions and/or materials resulting from college involvement will be without charge to the college.

Employee(s) shall be responsible for obtaining appropriate written releases from individuals identifiable in or in some manner requested to participate in the creation of college support materials. Written statements shall also be obtained from appropriate college personnel indicating that to the best of their knowledge, any of the materials developed do not infringe on existing copyrights or other legal rights.

The following definitions apply under the terms of this policy:

**INVENTIONS** - All devices, discoveries, processes, methods, uses, products, or combinations, whether or not patented or patentable at any time under the Federal Patent Act as now existing or hereafter amended or supplemented.

**WRITTEN MATERIALS** - All instructional, literary, art, dramatic, and musical materials or works and all other materials, published or unpublished whether or not copyrighted or copyrightable.

**MATERIALS** - Written materials and recorded materials.

**EMPLOYEE** - Part-time and full-time members of the faculty, staff, all other agents and employees.

**STUDENTS** - Any person officially enrolled in one or more classes or activities offered by the college.

**COLLEGE** - Illinois Eastern Community Colleges, District No. 529, including Frontier Community College, Lincoln Trail College, Olney Central College, and Wabash Valley College.

## HUMAN RESOURCES - 400

### **Minimum Faculty Requirements/Qualifications (400.8)**

Date Adopted: December 19, 1989

Date Revised: November 15, 2011

Date Revised: June 16, 2015

Date Revised: December 8, 2015

Administration will determine the need for faculty personnel to fill vacancies or to meet changing enrollment or changing demands within each area of instruction and will follow the minimum qualification requirements as listed below:

Transfer Programs: Preparation shall include a master's degree with 18 graduate hours in the academic field, discipline, or subfield. The primary method of determination shall be by credentials, however other secondary methods may be considered when determining qualified faculty, such as tested experience, related training, and academic experience in the course and/or discipline area. Tested experience includes, but is not limited to, a breadth and depth of experience outside of the classroom in real-world situations relevant to the specific field, discipline or subfield to be taught; certifications or licensure in the field, discipline or subfield; and compliance with legal, governmental, and professional requirements, if applicable.

Basic Skills Courses: Preparation shall include a Bachelor's degree with course work in the academic area to be taught.

Career and Technical Education Programs: Preparation shall include a bachelor's degree in the field and/or a combination of education, training and tested experience. Tested experience includes, but is not limited to, one year (2,000 hours) employment experience in the specific occupational area to be taught; certifications or licensure in the field, discipline, or subfield; and compliance with legal, governmental, and professional requirements, if applicable. For those occupations which employment or preparation is regulated by law or licensure, such laws and licensing requirements shall take precedence.

#### Acceptable Coursework

- A. All undergraduate credit must be earned from regionally accredited institutions in courses associated with the discipline in which the instructor shall teach.
- B. All graduate credit hours must be earned at regionally accredited institutions in courses at the graduate level with the major emphasis in either professional educational studies or the discipline in which the individual shall teach.
- C. Credit for graduate work done at foreign universities may be given at the discretion of the Board.

The District shall work with current and new faculty, who are otherwise performing well, to ensure that they meet the above requirements/qualifications. In some instances, a written education plan may be established for a faculty member.

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**Review of Personnel Records (400.9)**

Date Adopted: December 19, 1989

All current employees and former employees, who are not members of the bargaining unit, and whose employment was terminated within the preceding year and/or their designated representative will have access to their personnel records as provided for in the Illinois Access to Personnel Records Act.

Members of the bargaining unit will have access to personnel records as provided in the applicable collective bargaining agreement and current law.

## HUMAN RESOURCES - 400

### **Suspension (400.10)**

Date Adopted: February 18, 1997

Revised: April 19, 2011

Any full-time employee may be temporarily suspended by the Chief Executive Officer/Chief Operating Officer for incompetency, physical or mental incapacity, unsatisfactory performance of duties, insubordination, misconduct, or for any other reason which in the opinion of the Chief Executive Officer/Chief Operating Officer is not becoming to any employee of the College District, or which indicates he/she is not qualified to perform his/her duties. Information gathered in the Behavioral Incident Report in connection with the District's Violence Prevention Plan may also be considered in determining appropriate suspension actions. The suspension, with or without pay, shall be for such time as may be necessary for investigation.

## HUMAN RESOURCES - 400

### **Tenure (400.11)**

Date Adopted: December 19, 1989

The purpose of this policy is to implement Chapter 122, Section 103-B, Illinois Revised Statutes.

#### Definitions

- A. "Faculty Member" means a full-time employee of the District regularly engaged in teaching or academic support services, but shall exclude administrators, professional non-faculty staff, and all supportive staff, including technical, secretarial/clerical, and maintenance/custodial/security employees.

Individuals in administrative and professional non-faculty positions shall be considered as supervisors and/or administrators, and/or not regularly engaged in teaching or academic support services.

- B. "Academic Support Personnel" means counselors and librarians, excluding administrators, professional non-faculty staff, and all supportive staff, including technical, secretarial/clerical, and maintenance/custodial/security employees.
- C. "School Year" means the fall and spring semesters which constitute the regular academic year and shall exclude the summer session.
- D. "Term" means the fall or spring semesters within a school year.
- E. "Notice" means a written notice delivered in person or deposited in the United States mail by certified or registered mail, postage pre-paid, addressed to the faculty member's last know address.
- F. "Tenure" means continuous contractual employment unless dismissed for adequate cause or due to a decision of the Board of Trustees to decrease the number of faculty members employed by the Board or to discontinue some particular type of teaching service or program.
- G. "Full-Time Employment" for the purpose of this tenure policy shall be defined as follows:
1. Faculty Members. Faculty members for all departments and programs must have an instructional load of at least thirty-one (31) equated semester hours for the 1988-89 academic year, and thirty (30) equated semester hours for subsequent academic years, i.e., fall and spring semesters. Instructional loads of less than the aforesaid equated semester hours shall not be considered full-time employment.
  2. Academic Support Personnel. Academic support personnel must have a normal workweek of at least forty (40) hours during the regular academic year, i.e., the fall and spring semesters, but excluding the summer session. A normal workweek of less than forty (40) hours per week during the regular academic year shall not be considered full-time employment.

#### Eligibility

Faculty members shall be eligible for tenure in accordance with the provisions of Chapter 122, Section 103-B2, Illinois Revised Statutes. The Board reserves the right to extend the probationary period to four (4) years in accordance with Chapter 122, Section 103-B2, Illinois Revised Statutes.

Because tenure confers special rights and privileges on the recipient, it is the policy of the Board to extend tenure to only the most qualified individuals who are otherwise eligible.



## Procedure

Tenure recommendations for eligible faculty members shall be initiated by the appropriate Dean. The Dean shall submit their recommendations in writing to the College President, who, in turn, shall make recommendations to the Chief Executive Officer for review and recommendation to the Board.

The Board shall, at its sole discretion, decide whether or not to grant tenure at least sixty (60) days prior to the end of the academic year in which the recommendation is made. The Board shall give written notice of its decision to any individual who has been recommended for tenure.

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**Vacation Leave Policy - Administrative, Professional Non-Faculty, Technical, Clerical and Maintenance Staff (400.12)**

Date Adopted: January 16, 1990

Revised: June 21, 2005

Revised: April 21, 2009

Revised: February 16, 2010

Revised: May 21, 2013

Revised: November 15, 2016

Revised: April 21, 2020

**COVID-19 Response:**

During the COVID-19 Response, any unused, accrued, vacation time as of June 30, 2020 greater than the allowable maximum accumulation by employee classification will be allowed to carry over until December 22, 2020. Any excess carryover from FY20 will expire at that time. This section shall apply to all employees covered by this policy, including grant employees. Should an employee leave employment prior to December 22, 2020 they are only eligible for payout of vacation time up to their maximum accumulation, and cannot have the excess carryover days paid out.

**Exempt (Administrative & Professional Non-Faculty Employees)**

Each full-time administrative and professional non-faculty exempt employee shall earn 20 vacation days per year. Administrative and professional non-faculty exempt employees may accumulate no more than 40 paid vacation days.

**Non-Exempt (Administrative & Professional Non-Faculty Employees)**

Effective December 1, 2016, those employed into this classification shall earn 15 vacation days per year. This class of non-exempt employees may accumulate no more than 25 paid vacation days. All employees in this classification prior to December 1, 2016 will be grandfathered in and earn 20 vacation days per year and may accumulate no more than 40 paid vacation days.

**Classified Employees**

Each full-time clerical, technical, and maintenance employee shall earn 10 vacation days per year. Clerical, technical, and maintenance employees with less than 7 years of employment may accumulate no more than 20 vacation days. After 7 years of employment, each full-time clerical, technical, and maintenance employee shall earn 15 vacation days per year. Effective July 1, 2009, clerical, technical, and maintenance employees with 7 or more years of employment may accumulate no more than 25 paid vacation days.

Employee's first year of vacation accrual is prorated based on hire date. Vacation time does not accrue during an employee's unpaid and/or workers compensation leave.

Upon retirement or voluntary resignation of employment with the District, an employee may choose one of the following alternatives:

- A. An employee may elect to receive pay at his/her current per diem rate for the number of accumulated vacation days following completion of his/her duties with the District.
- B. An employee may elect to take his/her accumulated vacation days just prior to completion of his/her duties with the District. In this situation, the last day of vacation would also be the last day of employment.

Voluntary and involuntary separation accumulation vacation day payments made pursuant to section 400.12 shall be subject to restrictions as set forth in Public Act 94-004, and as interpreted by the Board of Trustees.

The above section does not apply to involuntary separation. Employees who leave district service due to an involuntary separation will be paid their remainder of accumulated vacation days in a lump sum payment, following completion of his/her duties with the District.

Vacation for modified time employees shall be pro-rated according to time employed in relation to full-time employees.

#### Grant Employees

Employees in grant-funded positions who attempt to carry-over unused vacation hours at the end of a fiscal year, do so at the risk of losing unused vacation hours and pay for those hours if the grant funding is not renewed or cut and employment with the District is terminated. An employee in grant-funded position shall be advised to take all earned vacation hours prior to the termination date of a grant-funded position to eliminate possible forfeiture of pay for such remaining hours.

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**Wages (400.13)**

Date Adopted: December 19, 1989

Wages for faculty shall be in accordance with provisions of the applicable collective bargaining agreement covering faculty. Wages for all other employees of the College District, being those not covered in the said agreement, shall be reviewed annually and set by the Board of Trustees, upon recommendation of the Chief Executive Officer.

## HUMAN RESOURCES - 400

### **Definition of Full-Time Employment (400.14)**

Date Adopted: June 15, 1993

For purposes of the personnel policies of the Board of Trustees, "full-time employment" shall be defined as follows:

- A. Faculty Members. Full-time faculty members shall work 179 days of service during the regular academic year. A full-time instructional load shall be 31 equated semester hours for the 1988-89 academic year, and shall be 30 equated semester hours for subsequent academic years, for the fall and spring semesters. The academic year shall consist of the fall and spring semesters, excluding the summer session.

Coal Mining Technology Full-Time Faculty Members. Coal Mining Technology full-time 12-month faculty members shall teach 999 student semester hours per 12-month period/fiscal year and shall teach in each of the 12 months. Full-time 9-month Coal Mining Technology faculty members shall teach 756 student semester hours per 9-month period and shall teach in each of the 9 months. Student semester hours generated is determined by multiplying the number of students per section times the credit hour(s) of the section.

- B. Academic Support Personnel. Academic support personnel must have a normal workweek of at least 40 hours (exclusive of any unpaid lunch period) during the regular academic year, being the fall and spring semesters, but excluding the summer session. A normal workweek of less than forty (40) hours per week during the regular academic year shall not be considered full-time employment.

- C. Classified Personnel (all other employees).

1. Classified personnel have a normal workweek of at least forty (40) hours (exclusive of any unpaid lunch period) and must be employed on the basis of a twelve-month work year. A normal workweek of less than forty (40) hours per week or employment on the basis of less than a twelve-month work year shall not be considered full-time employment.

Example: A classified employee whose normal workweek is 40 hours but who is employed for only four months a year is not a full-time employee.

Example: A classified employee whose normal workweek is 30 hours per week and who is employed on the basis of a twelve-month work year is not a full-time employee.

2. Modified time classified personnel have a normal workweek of at least forty (40) hours (exclusive of any unpaid lunch period) and must be employed on the basis of at least a nine-month work year but less than a twelve-month work year. A normal workweek of less than forty (40) hours per week or employment on the basis of less than a nine-month work year shall not be considered full-time employment.

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**Full-Time Faculty Seniority List (400.15)**

Date Adopted: February 20, 1990

A seniority list for full-time faculty shall be established, in compliance with Ch. 122, par. 103B-5, Section 3B-5 of the Illinois Public Community College Act.

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**Oral English Language Proficiency (400.18)**

Date Adopted: May 19, 1992

Procedures shall be established to ensure that every full- and part-time faculty member is orally proficient in the English language prior to providing any classroom instruction to students.

This policy meets the requirements of Section 3-29.2 of the Illinois Public Community College Act.

**Drug-Free Workplace Policy (400.19)**

Date Adopted: November 20, 1990

Revised: April 18, 2017

Illinois Eastern Community Colleges has a duty to protect its employees, students and the public from dangers posed by the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and the abuse of legal drugs and/or alcohol while on IECC owned or supervised property, and while on IECC business. The College will take all reasonable steps to insure a drug-free workplace in its programs during the performance of any federal contract work. IECC policy strictly prohibits all employees engaged in performing federal contract work from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace.

I. NOTICE OF CONVICTION

As a condition of employment, all employees directly engaged in performing work under federal grants must agree to comply with this policy and must agree to notify the President or the Chief Executive Officer no later than five (5) days after any conviction for workplace violation of a criminal drug statute. IECC will report such convictions to the federal agency with whom IECC has contracted or from whom IECC has received the grant within ten (10) days.

Any employee who is convicted of such a crime is also subject to discipline up to and including discharge. Where appropriate, in the College's discretion, employees who are convicted of such crimes may be required to participate satisfactorily in a drug rehabilitation or counseling program.

II. DEFINITIONS

The term "controlled substances" means substances listed in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C., § 812. Among other substances, it includes such illegal drugs as marijuana, cocaine, crack, PCP, heroin, morphine and LSD. For the purpose of this policy, drugs are defined as any drug which is not legally obtainable and/or any drug which is legally obtainable, such as a prescription drug but which is not legally obtained, is not being used for prescribed purposes and/or is not being taken according to prescribed dosages.

The phrase "conviction for a violation of a criminal drug statute" means a finding of guilt, a no contest plea or an imposition of sentence by any judicial body for any violation of any state or federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance.

III. PENALTIES FOR VIOLATION

Compliance with this policy is a condition of continued employment. Consequently, a violation of any aspect of this policy will render College employees subject to disciplinary action, up to and including termination. Alternatively, if deemed appropriate by the College under the particular circumstances, any employee who violates this policy may be required to participate in and complete a drug abuse assistance or rehabilitation program to the satisfaction of the Agency.



## HUMAN RESOURCES - 400

### **Family and Medical Leave Policy (400.20)**

Date Adopted: December 14, 1993

Revised: October 21, 2003

Revised: April 15, 2008

Revised: September 15, 2009

Revised: April 21, 2020

Revised: June 16, 2020

Revised: January 19, 2021

Revised: November 16, 2021

**The Leave Policy.** Illinois Eastern Community Colleges complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of leave during a 12-month period to eligible employees or up to 26 weeks of military caregiver leave.

#### **Eligible Employees.**

- Have worked at least twelve (12) months for Illinois Eastern Community Colleges.
- Have worked at least 1,250 hours for Illinois Eastern Community Colleges over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

**Reasons for Leave.** To qualify as FMLA under this policy, the leave must be for one of the following reasons:

- the birth of a child and to care for the newborn child within one year of birth
- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for a spouse, son, daughter, or parent (“covered family member”) with a serious health condition;
- because of your own serious health condition which renders you unable to perform the essential functions of your position;
- any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty” or;
- to care for a spouse, parent, child or an individual for whom you are the nearest blood relative who has a serious injury or illness that was incurred in the line of duty while on active military duty, if the injury or illness may render the servicemember medically unfit to perform the duties of his military position. Leave for this reason may be taken only once and must be completed within one 12-month period.

**Amount of Leave.** An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. IECC will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, IECC will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the District will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the District may only take a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

You may not be granted an FMLA leave to gain employment or work elsewhere, including self-employment. If you misrepresent facts in order to be granted an FMLA leave, you will be subject to immediate termination.

**Notice of Leave.** If your need for family/medical leave is foreseeable, you must give the District at least 30 days prior written notice. Failure to provide such notice may be grounds for delay or denial of leave. Where the need for leave is not foreseeable, you are expected to notify the District as soon as practicable, generally within 1 to 2 business days of learning of your need for leave. The District has Request for Family/Medical Leave forms available on the Intranet or from the Human Resource Department. You should use this form when requesting leave.

**Certification.** If you are requesting leave due to being a covered military member you must supply notification of the call to duty order.

**Medical Certification.** If you are requesting leave because of your own or a covered family member's serious health condition or servicemember's serious injury or illness, you and the relevant health care provider must supply appropriate medical certification. You may obtain Medical Certification Forms from the Director of Human Resources. The medical certification must be given within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial or delay of leave until it is provided. The District, at its' expense, may require an examination by a second health care provider designated by the District, if reasonable doubt exists concerning the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the District, at its' expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The District may also require medical recertification periodically during the leave, and employees may be required to present a fitness-for-duty verification upon their return to work following a leave for the employee's own illness.

**Approval of Leave.** The Board grants authority to the Chancellor to approve Family and Medical Leave. FMLA Leave should only be approved if the request for leave is made timely, meets the requirements as set forth by the current federal statute, and is approved by both the Chancellor and the Director of Human Resources after a review of the application and certification materials, and the finding that such materials meet the current guidelines.

In June of each fiscal year, the Chancellor shall report to the Board of Trustees the number of FMLA leaves granted, a summary of the nature of the requests and the reasons for approval. This report shall not include the names of any individuals granted FMLA leave and all data reported to the Board of Trustees shall be such that it would not disclose the identity of any employee.

The Board of Trustees reserves the right to make inquiry to the Chancellor and Director of Human Resources at any time on the number of FMLA leaves granted, but the Board shall not request the specific name of any employee.

**Reporting While on Leave.** If you take leave because of your own serious health condition or to care for a covered family member, you may be required to contact your supervisor on a regular basis regarding the status of the condition and your intention to return to work. For leaves for other purposes, you may be periodically required to report on your status and intent to return to work.

**Leave is Unpaid.** An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal time, or sick leave prior to being eligible for unpaid leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the IECC's sick leave policy) prior to being eligible for unpaid leave. At the Board's discretion, the substitution of paid leave time for unpaid leave time will not extend the maximum leave allowed beyond the 12-week or 26-week maximum provided under the FMLA.

**Medical and Other Benefits.** During an approved family/medical leave, the District will maintain your health benefits, as if you continued to be actively employed. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums. If your leave is unpaid, you must pay your portion of the premium during the leave. Your dependent health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the District for the cost of the premiums paid by the District for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

**Exemption for Key Employees.** Certain "key" employees (i.e., the highest paid 10% of employees at a worksite or within a 75-mile radius of that worksite and who are salaried) may not be returned to their former or equivalent position following a leave if restoration of employment will cause substantial economic injury to the District. The District will notify you if you qualify as a "key" employee, if the District intends to deny reinstatement, and of your rights in such instances.

**Intermittent and Reduced Schedule Leave.** Leave because of a serious health condition or for an injured servicemember may be taken intermittently (in separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. For the birth, adoption or foster care of a child, the District and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of a child.

After all paid leave is exhausted, the District will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave for planned medical treatment, the District may temporarily transfer you to an available alternative position which better accommodates your recurring leave, and which has equivalent pay and benefits.

**Other Applicable Leaves.** FMLA leave will run concurrently with any other applicable leave. For instance, short-term disability or worker's compensation leave will be simultaneously designated as FMLA leave as well, if the leave is also FMLA qualifying.

**Returning from Leave.** If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment, subject to any applicable exceptions. However, you have no greater right to reinstatement or other benefits and conditions of employment than if you had not taken leave. You must return to work immediately after the expiration of your approved FMLA leave in order to be reinstated to your position or an equivalent position.

If you take leave because of your own serious health condition, you are required to provide medical certification that you are fit to resume work. You may obtain Return to Work Medical Certification forms from the Director of Human Resources. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

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### **Military Leave (400.21)**

Date Adopted: May 20, 1997

Revised: February 21, 2006

Revised: April 18, 2017

Revised: December 11, 2018

#### Employee Military Leave

In accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and the Illinois Service Member Employment and Reemployment Rights Act, employees shall be granted military leaves of absence for the performance of military service.

Employees are required to provide advance notice in order to be eligible for military leave. This requirement shall be excused for military necessity, which prevents employees from giving notice or circumstances whereby it is impossible or unreasonable for employees to provide notice.

Employees on military leave are entitled to group insurance coverage as provided by the Board of Trustees. The District will continue to pay the employers portion of the premium for reservists for period of “active duty” as defined by State Law. Employees who elect to continue on the group plan must make arrangements for payment of the employee’s share of premiums while on unpaid leave. Employees on military leave will continue to accrue seniority and other benefits (e.g., vacation) while on leave. Employees on military leave are also entitled to salary continuation under the following circumstances:

1. Annual Training leave: employee receives his or her regular compensation from employer for up to 30 days per calendar year.
2. Voluntary Active Service leave: employees in the reserves are entitled to receive compensation equal to the difference between his or her daily rate of military pay and regular compensation from employer for up to 60 work days, provided military pay is less than his or her regular compensation.
3. Involuntary Active Service Duty: An employee in the reserves who is ordered to perform involuntary active service is eligible to receive additional differential compensation in accordance with State law.

Employees will need to provide requested documentation of military pay in order to facilitate the administration of differential compensation. Differential compensation is only paid for those workdays where the employee would otherwise have been scheduled to work.

Employees may elect to receive payment for vacation days, personal days, or floating holiday in lieu of differential compensation or for periods of unpaid leave, in accordance with Board policy.

Employees may elect to continue contributions at their own expense to pension plans during unpaid military leave or to make up missed contributions over the lesser of five years or three times the length of the military service.

Upon satisfactory completion of military service and timely notice of intent to return to work, employees shall have reemployment rights applicable under state and federal law.

## Family Military Leave

In accordance with the Family Military Leave Act (Public Act 094-0589), employees shall be granted family military leave if they are the spouse, parent, child or grandparent of a person called to military service lasting longer than 30 days with the State or United States pursuant to the orders of the Governor or the President of the United States. To qualify for family military leave an employee must have worked for the District for at least 12 months and worked at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Employees who qualify for family military leave shall be allowed to take up to 30 days of unpaid family military leave during the time that Federal or State deployment orders are in effect, subject to the conditions set forth in this policy.

An employee may not take family military leave as provided in this policy until he or she has exhausted all accrued vacation, floating holiday, personal, compensatory time and any other paid leave that may be granted to the employee, except sick leave and disability leave.

Employees shall give at least 14 days notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days. When able, the employee shall consult with their supervisor to schedule the leave so as to not unduly disrupt the operation of the District. Employees who take family military leave for less than 5 consecutive days shall give their supervisor advanced notice as is practicable. The District may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

Any employee who takes family military leave, upon expiration of the leave, shall be entitled to be restored to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. This section does not apply if the District proves that the employee was not restored as provided in this section because of conditions unrelated to the employee's exercise of rights under this policy.

During any family military leave taken under this policy, the District shall make it possible for the employee to continue their benefits at the employee's expense. The employee will not accrue paid leave time during family military leave.

**Salary Basis Policy (400.22)**

Date Adopted: October 19, 2004

Revised: November 15, 2016

Revised: February 16, 2021

The Fair Labor Standards Act (FLSA) requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, and outside sales employees. Section 13 (a)(1) and Section 13(a)(17) also exempt certain computer employees. These exemptions are often called the “white-collar” or “EAP” exemptions. To qualify for exemption, employees generally must meet specific tests regarding their job duties, and be paid on a salary basis at not less than \$ \$684 per week. Job titles alone do not determine exempt status. An employee’s specific job duties and salary must meet all the requirements of the Department’s regulations for the exemption to apply.

**Salary Basis Requirement**

To qualify for exemption, employees generally must be paid at not less than \$684 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine, as outlined by the Department of Labor.

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a “salary basis.” If the exempt employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Employers may use nondiscretionary bonuses and incentive payments (including commissions) paid on an annual or more frequent basis, to satisfy up to 10 percent of the standard salary level. Additionally, if after the 52-week period, the employer has not met its financial obligation, the employer can make a final “catch-up” payment within one pay period after the end of the 52-week period to bring an employee’s compensation up to the required level. Any such catch-up payment will count only toward the prior year’s salary amount and not toward the salary amount in the year in which it is paid.

**Circumstances in Which Deductions May be Made from Pay**

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deductions is made in accordance with a bona fide plan, policy or practice or providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, the employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the

Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

#### Policy on Improper Deductions

It is our policy to comply with the salary basis requirements of the FLSA. Supervisors are prohibited from making any improper deductions from the salaries of exempt employees. Employees should be aware of this policy. Illinois Eastern Community Colleges does not allow deductions that violate the FLSA.

#### What To Do If An Improper Deduction Occurs

Employees, who believe that an improper deduction has been made to his/her salary, should immediately report this to the District Director of Human Resources.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly paid for any improper deduction.



**Dual Credit Faculty Assignment and Qualifications (400.23)**

Date Adopted: December 11, 2007

**Deleted by Board Action: November 15, 2011 (See Human Resources 400.8)**

For Assignment to transfer programs:

- A. A master's degree in the subject discipline and/or the appropriate Illinois teaching certification(s),  
or
- B. A bachelor's degree in the discipline or related field and documented progress toward a master's degree, three years related teaching experience, and the appropriate Illinois teaching certification(s).

For Assignment to a Career and Technical Education Field(s):

- A. A bachelor's degree with a major in the specific career field, or
- B. An associate's degree in the career field, or
- C. Combination of education, training and experience, with a minimum of three or more years' work experience in the specific career field, teaching experience, and national, state, or industry certifications or licensure if appropriate.

Acceptable Coursework

- A. All undergraduate credit must be earned from a regionally accredited institution in courses associated with the discipline in which the instructor will teach.
- B. All graduate credit hours must be earned from a regionally accredited institution in courses at the graduate level with the major emphasis in either professional educational studies or the discipline in which the individual will teach.

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**Part-Time Faculty Assignment and Qualifications (400.24)**

Date Adopted: December 11, 2007

**Deleted by Board Action: November 15, 2011 (See Human Resources 400.8)**

For Assignment to transfer programs:

- A. A master's degree in the subject discipline; or
- B. A master's degree with a minimum of 12 graduate hours in the subject discipline; or
- C. A bachelor's degree in the discipline and related teaching or work experience.

For Assignment to a Career and Technical Education Field(s):

- A. A bachelor's degree with a major in the specific career field, or
- B. An associate's degree in the career field, or
- C. Combination of education, training and experience, teaching experience, work experience, and national, state, or industry certifications or licensure if appropriate.

Acceptable Coursework

- A. All undergraduate credit must be earned from a regionally accredited institution in courses associated with the discipline in which the instructor will teach.
- B. All graduate credit hours must be earned from a regionally accredited institution in courses at the graduate level with the major emphasis in either professional educational studies or the discipline in which the individual will teach.

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**Electronic Device Usage (400.25)**

Date Adopted: July 15, 2008

Employees should not use district-owned or employee-owned electronic devices, including, but not limited to, cell phones and computers, while driving on district business. This policy prohibits talking, texting, and e-mailing while operating a district-owned motor vehicle or a personally-owned motor vehicle being operated for district purposes.

Should an employee need to make a district-related call while driving, they should locate a lawfully designated area to park and make the call. Regardless of the circumstances, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees are not expected to make calls and do other district work while driving. Under no circumstances are employees allowed to place themselves at risk while driving to fulfill district business needs.

**Victims Economic Security and Safety Act (VESSA) Policy (400.26)**

Date Adopted: January 20, 2009

Revised: April 18, 2017

In accordance with the Illinois Victims Economic Security and Safety Act (VESSA), leave shall be granted to an employee who is a victim of domestic or sexual violence or who has a family or household member who is a victim.

**Employee Entitlement**

All employees may take up to twelve weeks of unpaid VESSA leave during a twelve-month period. An employee may take VESSA leave to:

1. Seek medical attention for, or recovery from, physical or psychological injuries caused by domestic or sexual violence to the employee or employee's family or household member;
2. Obtain victim services for the employee or employee's family or household member;
3. Obtain psychological or other counseling for the employee or the employee's family or household member;
4. Participate in safety planning, including temporary or permanent relocation or other actions to increase the safety of the victim from future domestic or sexual violence; or
5. Seek legal assistance to ensure the health and safety of the victim, including participating in court proceedings related to the violence.

**Employee Eligibility**

To be eligible for VESSA benefits, an employee must:

- 1) currently be an employee in active status;
- 2) be a victim of domestic or sexual violence or have a family or household member (defined as spouse, parent, son, daughter and persons jointly residing in the same household) as a victim.

**Application Procedures**

Employees should complete the "employee" portion of the VESSA Leave Form and submit to Human Resources. The Director of Human Resources will complete the rest of the form and return a copy of the form to the employee.

**Certification**

Certification may be requested by the Director of Human Resources to verify eligibility for VESSA leave taken for reasons other than medical. The certification documentation may be in the form of (1) sworn statement of an employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy, or other professionals from whom the employee or the employee's family or household member has sought assistance; and (2) a police or court record or other corroborating evidence. Such certification shall be submitted to Human Resources to determine the acceptability of the certification provided. Any expenses associated with obtaining the certification shall be the responsibility of the employee. The Director of Human Resources may require an employee to obtain subsequent recertifications on a reasonable basis.

FMLA medical certification issued by the employee's or household member's health care provider shall be required to support a request for unpaid VESSA leave for a serious health condition in accordance with the District's Family and Medical Leave policy.

**Use of Paid and Unpaid Leave**

Employees have the option to take VESSA leave with or without pay. An employee may request to apply accrued vacation, personal, floating holiday, personal emergency or sick leave (sick leave may only be used for the employee's medical reasons) during the twelve-week period. Any portion of the twelve-week period to which accrued leave is not applied shall be without pay.

### Return from VESSA Leave

An employee who has been absent for VESSA leave shall be restored to the position of employment held by the employee when the leave commenced; or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. An employee on leave may be required to report periodically to Human Resources on his or her status and intention to return to work. If an employee does not return to work at the end of the leave, they will be considered to have voluntarily resigned from their position with the District.

### Effect of VESSA Leave Under the Family and Medical Leave Act (FMLA)

This Act does not create a right for the employee to take a leave that exceeds the leave time allowed under, or in addition to, the leave time permitted by the Family and Medical Leave Act. For employees on VESSA leave who are also eligible for FMLA leave, VESSA leave time is not in addition to the twelve-week FMLA entitlement when the reason for VESSA leave also qualifies under FMLA, but depletes the twelve-week FMLA entitlement when used. An employee who may have exhausted all available leave under FMLA for a purpose other than that, which is available under VESSA, remains eligible for leave under VESSA.

### Continuation of Benefits

Health and Dental Insurance: Coverage of group health and dental insurance shall be continued by the District at the same level that coverage would have been provided if the employee had remained in continuous employment. Employees are responsible for paying the employee-paid portion of any insurance premiums presently paid by payroll deduction. If required payments are not made by the employee during the leave period, insurance coverage may be discontinued, and the employee will be offered continuation of benefits through COBRA for the dependent coverage. Employees are encouraged to contact Human Resources immediately to arrange for billing which begins thirty days following the last day of paid employment.

State Universities Retirement System: To determine the effect of leave on the accumulation of service time for retirement and to assure continuation of contributions, the employee should contact the State Universities Retirement System.

Disability Benefits: In the case of an extended disability due to a serious health condition, an employee may qualify for disability benefits through the State Universities Retirement System. Employees may request an Application for SURS Disability Benefits from Human Resources.

### Nondiscrimination

The District will not discriminate or otherwise harass or retaliate against any employee with respect to the compensation, terms, conditions or privileges or employment because the individual is or is perceived to be a victim of domestic or sexual violence; attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the individual or family or household member was a victim; or requires an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic or sexual violence; or the workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic or sexual violence against the individual or the individual's family or household member.

Within the provisions of VESSA, a reasonable accommodation will be made for a qualified employee when there are limitations resulting from circumstances that related to being a victim of domestic or sexual violence of a family or household member being a victim of domestic or sexual violence.

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**Child Bereavement Leave Policy (400.27)**

Date Adopted: September 20, 2016

In accordance with PA 99-0703 the Child Bereavement Leave Act, employees shall be granted a leave of absence for the bereavement of a child.

Employees are eligible to take up to 2 weeks (10 work days) of unpaid bereavement leave to: attend the funeral or alternative to a funeral of a child; make arrangements necessitated by the death of a child; or grieve the death of a child. Such leave must be completed within 60 days after the date on which the employee receives notice of the death of the child.

A "child" under this policy means an employee's son or daughter who is a biological, adopted, foster child, legal ward, or a child of a person standing in loco parentis.

An employee can elect to take any applicable and available paid leave time during their unpaid bereavement leave.

In the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of 6 weeks of unpaid bereavement leave during a 12-month period.

## HUMAN RESOURCES - 400

### **Employment of Relatives (400.28)**

Date Adopted: March 16, 2021

Illinois Eastern Community Colleges permits the employment of qualified relatives of employees as long as such employment, whether full-time, part-time, or temporary, does not create actual or perceived conflicts of interest.

#### Definitions

- 1) *Relative* is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, or corresponding in-law or "step" relation.
- 2) Employee means anyone who works for the District full-time, part-time, or on a temporary basis.
- 3) Direct supervision means one family member being in the direct chain of command, functionally or administratively, over the other.

Relatives are not permitted to work in any position in which an inherent conflict of interest exists. Relatives are permitted to work for the District provided no direct supervisory relationship exists. No candidate and/or employee will be permitted to work within the "chain of command" of a relative such that one relative's work responsibilities, salary, or career progress could be influenced by the other relative.

This policy applies to all current employees and candidates for employment. No exception to this policy will be made without written consent of the Chancellor and Director of Human Resources.