

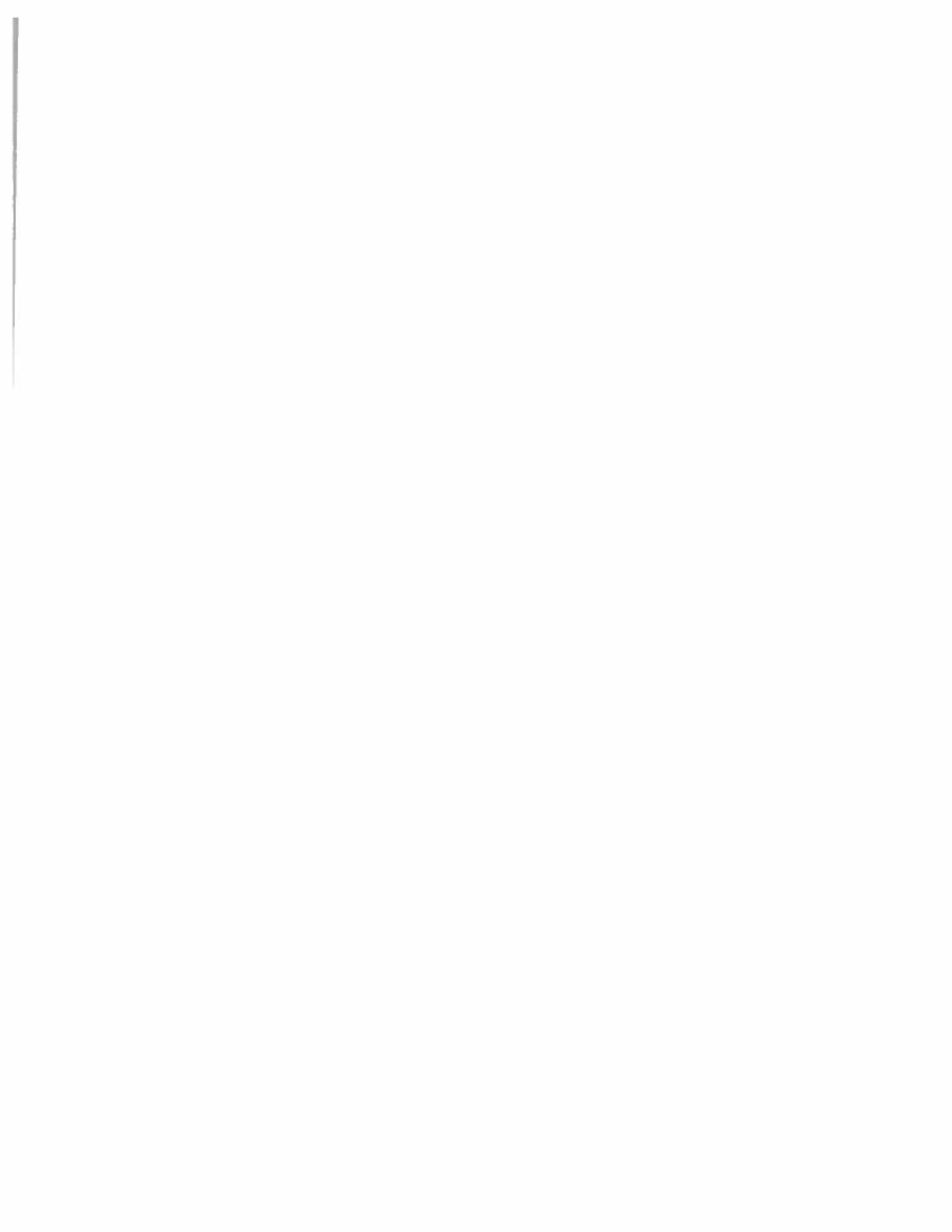
# Firefighters' Pension Investment Fund

## Meeting Agenda

Wednesday, February 12, 2020  
1:00 P.M.

Double Tree by Hilton Hotel  
Aspen Room  
3003 Corporate West Drive  
Lisle, IL 60532

- I. Call to order
- II. Taking of the roll
- III. Approval of January 31, 2020 Minutes
- IV. Ratification of actions taken at January 31, 2020 meeting
- V. By-Laws
- VI. Job Description, Executive Director
- VII. Retention of Executive Director (Expected closed section)
- VIII. Retention of outside counsel
- IX. Inter-Governmental Agreement with IFA
- X. D&O/Fiduciary/Business Liability Insurance
- XI. Employee Directives Manual
- XII. Signatures Resolution
- XIII. Budget
- XIV. Other Business
- XV. Schedule of upcoming meetings
- XVI. Public Comment
- XVII. Adjourn



- I. Call to order
- II. Taking of the roll
- III. Approval of January 31, 2020 Minutes (See Attached)



Minutes of the

## Firefighters' Pension Investment Fund

Friday, January 31, 2020  
1:00 P.M.

Double Tree by Hilton Hotel  
Cypress Room  
3003 Corporate West Drive  
Lisle, IL 60532

At approximately 1:00 PM Trustee Sullivan introduced himself to those gathered, announced that he had been appointed by Governor Pritzker as a Trustee to the Firefighters' Pension Investment Fund, and welcomed his fellow Trustees.

Trustee Sullivan invited Trustee Cole to act as Chairperson Pro Tempore for purposes of calling the meeting to order and to elect a Chairperson. Hearing no objection, Trustee Cole took the Chairperson.

### I. Call to Order

Chairperson Pro Tempore Cole stated that the agenda of the first meeting of the Transition Board of Trustees of the Firefighters' Pension Investment Fund had been duly posted and called the meeting to order at 1:02 pm.

### II. Taking of the Roll

Chairperson Pro Tempore Cole recognized Mr. Michael Moss, attorney with the Illinois Finance Authority, and asked Mr. Moss to take the roll for attendance.

Mr. Moss took the roll, and Trustees Bramwell, Chirico, Cole, Hunt, Kink, Rowitz, Schick, and Sullivan were in attendance.

Trustee Nichting was listening via telephone but did not participate in the meeting.

Mr. Moss noted that a quorum of members was physically present at the meeting.

### III. Election of Chairperson

Chairperson Pro Tempore Cole announced that the next order of business was the election of a Chairperson. He then opened the floor for nominations.

Trustee Chirico nominated Trustee Cole

Trustee Kink nominated Trustee Sullivan

The Chairperson Pro Tempore asked if there were any other nominees, and hearing none, announced the nominations closed

Chairperson Pro Tempore Cole asked for a Motion that Trustee Sullivan be elected Chairperson; Motion by Trustee Hunt, Trustee Schick seconded. The motion passed unanimously by roll call vote.

Chairperson Sullivan took the Chair, and announced the floor was open for the election of Vice Chairperson

Chairperson Sullivan asked for nominations. Trustee Chirico nominated Trustee Cole; Trustee Rowitz seconded. The motion passed unanimously by roll call vote.

### IV. Introduction to the Firefighters' Pension Investment Fund

Chairperson Sullivan recognized Mr. William Atwood, Vice President for Infrastructure and Institutional Investments for the Illinois Finance Authority, for purposes of delivering a presentation.

Mr. Atwood distributed a deck of slides entitled, "Illinois Firefighters' Pension Investment Fund" and made his presentation, which was followed by brief discussion.

### V. Approval of Indemnification

Chairperson Sullivan asked Mr. Atwood to distribute draft indemnification language to the Board and provide a brief explanation. Mr. Atwood advised that statute allowed the Board to indemnify its members, its staff, and its agents. The distributed language had been prepared by the law firm Mayer Brown at the request of the Illinois Finance Authority.

Following discussion, Trustee Cole moved for adoption of the resolution to indemnify the Board; Trustee Chirico seconded. The motion passed unanimously by roll call vote.

Chairperson Sullivan then advised the Board that there would be no other action taken by the Board at this meeting, but there were a number of items for distribution and discussion.

### VI. By-laws

Chairperson Sullivan distributed draft by-laws prepared by the Illinois Finance Authority. Mr. Atwood advised that the draft by-laws were based primarily on by-laws adopted by the Illinois

State Board of Investment. Discussion ensued. Trustee Chirico questioned the utility of the committees contained in the by-laws, and suggested instead that perhaps business should be conducted by Committee of the Whole, to which other Trustees agreed.

Chairperson Sullivan advised that the draft by-laws would be on the agenda for discussion and/or possible adoption at the next meeting.

#### VII. Executive Director Job Description

Chairperson Sullivan distributed a draft job description for an Executive Director. Trustees reviewed the document and discussed. Trustee Chirico suggested the proposed qualifications required for the position should be added to the job description. Following further discussion, Chairperson Sullivan stated the Executive Director job description would be on the agenda for discussion of possible adoption at the next meeting.

#### VIII. Retention of Executive Director

Chairperson Sullivan raised the next order of business, Retention of Executive Director.

The Chairperson recognized Trustee Cole, who read the following into the record, without objection:

*“Since everyone knows we are just now beginning this great task and establishing an entirely new organization, it is obvious that we will need assistance from some full time staff and some contractual staff, at some point. With regard to the possible hiring of an executive director, which we are required to do within 60 days of this Board’s appointment (that appointment date being today), I would like to state the following in this public meeting and on the public record:*

*On behalf of the Board of Trustees, we are hereby soliciting nominations, be they self-nominations or otherwise, from individuals or other parties interested in seeking the position of executive director or chief executive officer (alternatively: legal counsel) of this Firefighters’ Pension Investment Fund.*

*Materials should include a letter of interest or nomination, a statement of qualifications and experience (such as a resume or portfolio), applicable references and any other documentation that might support consideration of the individual. I would request these materials be provided in hard copy to both the Chairperson and Vice Chairperson at their respective offices, those being the Associated Fire Fighters of Illinois (927 South Second Street, Springfield, Illinois 62704) and the Illinois Municipal League (500 East Capitol Avenue, Springfield, Illinois 62701), both publicly located in Springfield, Illinois. All materials should be submitted as just stated to both the Chairperson and Vice Chairperson by no later than 12:00 noon on Monday, February 10,*

2020. They will then be distributed to the full Board of Trustees for review at the next meeting of the Board.”

IX. Retention of Outside Counsel

Chairperson Sullivan raised the next order of business, Retention of Outside Counsel.

The Chairperson recognized Trustee Cole, who read the following into the record, without objection:

*“On behalf of the Board of Trustees, we are hereby soliciting nominations, be they self-nominations or otherwise, from individuals or other parties interested in seeking the position of outside legal counsel of this Firefighters’ Pension Investment Fund.*

*Materials should include a letter of interest or nomination, a statement of qualifications and experience (such as a resume or portfolio), applicable references and any other documentation that might support consideration of the individual. I would request these materials be provided in hard copy to both the Chairperson and Vice Chairperson at their respective offices, those being the Associated Fire Fighters of Illinois (927 South Second Street, Springfield, Illinois 62704) and the Illinois Municipal League (500 East Capitol Avenue, Springfield, Illinois 62701), both publicly located in Springfield, Illinois. All materials should be submitted as just stated to both the Chairperson and Vice Chairperson by no later than 12:00 noon on Monday, February 10, 2020. They will then be distributed to the full Board of Trustees for review at the next meeting of the Board.”*

X. Appointment of Committees

Per the previous discussion, this item was not acted upon.

XI. FY2020 Budget

Chairperson Sullivan recognized Mr. Atwood who distributed an abbreviated draft budget, prepared by the Illinois Finance Authority. On behalf of the Authority, Mr. Atwood advised that the Authority had drafted a budget in acknowledgement that the Firefighters’ Pension Investment Fund was newly formed and had no staff, so the Illinois Finance Authority had prepared a draft budget to assist the new organization.

Discussion ensued. Trustee Chirico observed that the Trustees were in an awkward “chicken and egg” situation—there was no staff to prepare a budget, but it was difficult to retain a staff because there was no budget. He stated that this was an example of why they needed to move promptly and prudently to identify and executive director.

XII. Inter-Governmental Agreement with IFA

Chairperson Sullivan recognized Mr. Atwood who distributed a draft term sheet prepared by the Illinois Finance Authority, suggesting terms for potential financing provided to the Firefighters’ Pension Investment Fund. Mr. Atwood discussed the document, emphasizing the proposed rate



of interest of 150bps above the Fed Funds Rate, and a repayment schedule commencing at the conclusion of the thirty month transition period, with payments to be made quarterly over twenty four months.

### XIII D&O/Fiduciary/Business Liability Insurance

Chairperson Sullivan advised the Board that, consistent with the indemnification of the Board, at some point in the near future the Board would hear a proposal for the provision of D&O/Fiduciary/Business Liability Insurance.

### XIII. Other Business

The Trustees each introduced themselves and shared their previous experiences leading to this appointment.

### XIV. Schedule of upcoming meetings

Chairperson Sullivan proposed Wednesday, February 12, 2020 as a date for the next meeting, with the meeting to be held at 1:00 PM at the same location as the January 31, 2020 meeting. There were no objections, and Trustee Cole volunteered to make the necessary arrangements.

There was discussion about possible future meetings on both February 20, at 9:00 am and February 28 at 9:00 am, locations to be determined.

### XV. Public Comment

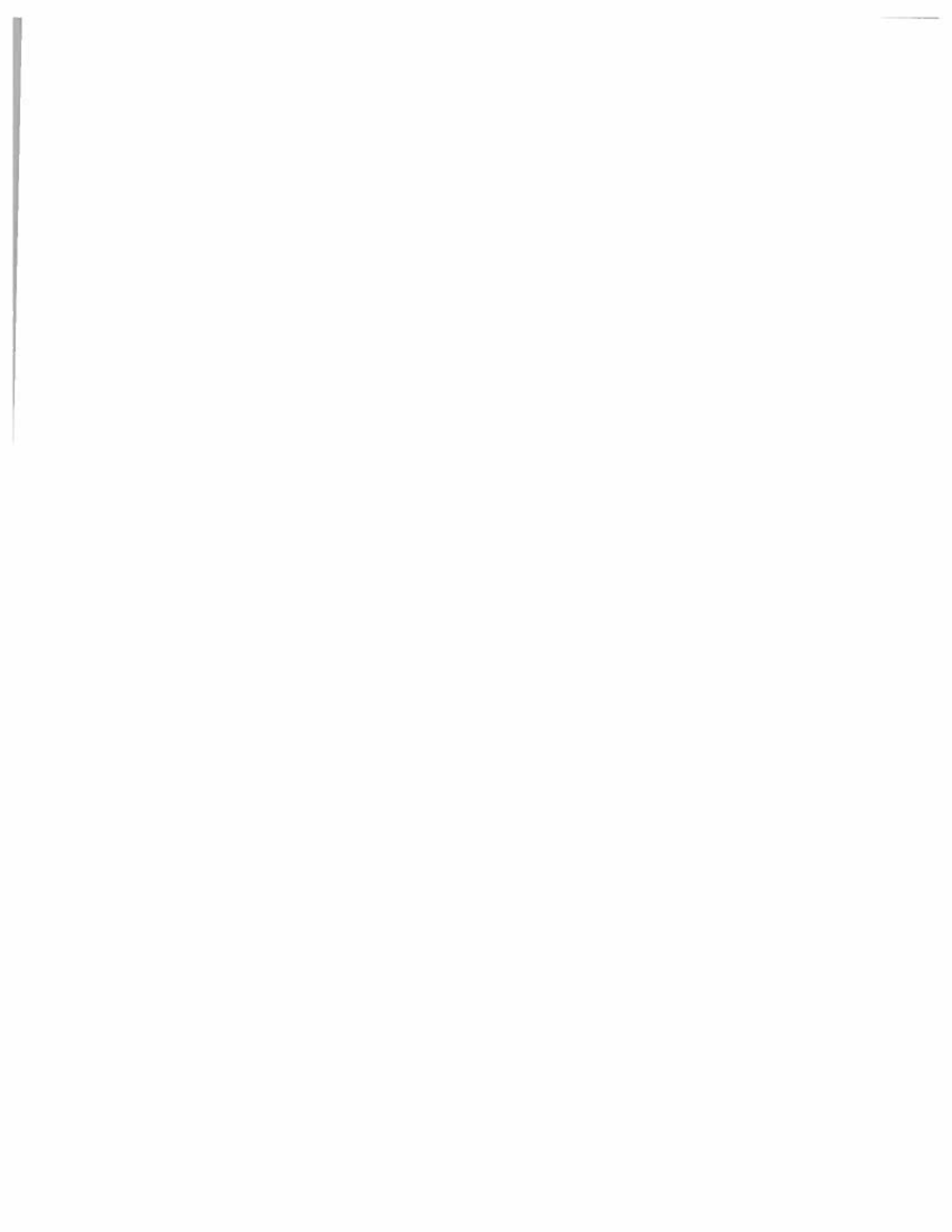
A question was raised by the public regarding where information about the Executive Director and External Counsel retention could be found. Chairperson Sullivan advised that the information would be posted on the AFFI website; Trustee Cole advised the information would be posted on the IML website.

A question was raised about whether there would be any other meetings prior to the February 12 meeting, and if so, how the public would be made aware. Chairperson Sullivan responded by saying that it was highly unlikely that there would be a meeting prior to February 12. Trustee Cole advised that, similar to the January 31 meeting, all meetings of the Firefighters' Pension Investment Fund would be publicly posted in a manner consistent with the Illinois Open Meetings Act, including at the site of the meeting, and on the websites of the AFFI, IML and IFA.

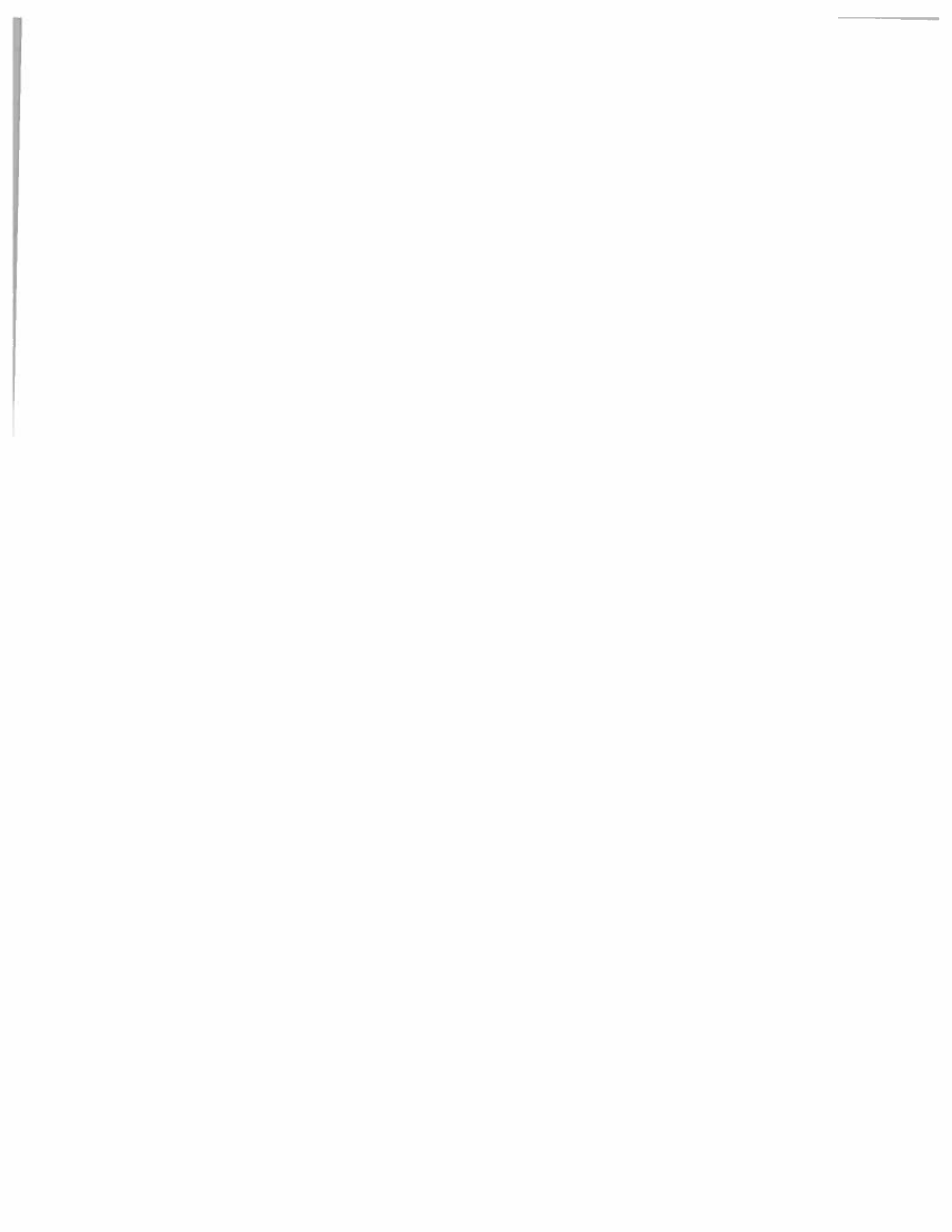
With no further business to come before the Board, a motion to adjourn was made by Trustee Chirico and seconded by Trustee Cole. The motion passed unanimously by roll call vote. The meeting was adjourned at 1:58 PM.

- I. Call to order
- II. Taking of the roll
- III. Election of Chairperson (action required)
- IV. Introduction to the Illinois Firefighters' Pension Investment Fund (discussion only)
- V. Approval of indemnification (action required)
- VI. By-Laws (discussion only)
- VII. Executive Director Job description(discussion only)
- VIII. Retention of Executive Director (discussion only)
- IX. Appointment of committees (discussion only)
- X. FY2020 Budget (discussion only)
- XI. Approval of outside counsel (discussion only)
- XII. Inter-Governmental Agreement with IFA (discussion only)
- XIII. D&O/Fiduciary/Business Liability Insurance (discussion only)
- XIV. Employee Directives Manual (discussion only)
- XV. Other Business
- XVI. Schedule of upcoming meetings
- XVII. Public Comment
- XVIII. Motion to Adjourn

IV Ratification of actions taken at January 31, 2020 meeting. (Motion will be made at meeting)



V. By-Laws (See Attached)



**DRAFT**  
**FEBRUARY 10, 2020**

# Bylaws

*of the*

## Illinois Firefighters' Pension Investment Fund

(January 31 Version)

**BYLAWS OF THE ILLINOIS FIREFIGHTERS'  
PENSION INVESTMENT FUND**

**TABLE OF CONTENTS**

<b>1.</b>	<b>Meetings.....</b>	<b>1</b>
1.1	Schedule.....	1
1.2	Procedures for Meetings .....	1
1.3	Quorum and Voting .....	1
<b>2.</b>	<b>Officers.....</b>	<b>2</b>
2.1	The Chair .....	2
2.2	The Vice Chair.....	2
2.3	The Secretary .....	2
<b>3.</b>	<b>The Executive Director.....</b>	<b>2</b>
<b>4.</b>	<b>Communications .....</b>	<b>3</b>
<b>5.</b>	<b>Standing Committees.....</b>	<b>3</b>
5.1	Investment Committee.....	4
5.2	Audit and Compliance Committee .....	5
5.3	Elections Committee.....	6
5.4	Emerging Manager Committee.....	6
<b>6.</b>	<b>Stakeholder Engagement .....</b>	<b>7</b>
<b>7.</b>	<b>Amendments to the Bylaws.....</b>	<b>7</b>



**BYLAWS OF THE ILLINOIS FIREFIGHTERS'  
PENSION INVESTMENT FUND**

These bylaws are adopted by the Board of Trustees (the "Board") of Firefighters' Pension Investment Fund ("IFPIF"), established under Article 22C of the Illinois Pension Code, to provide for the procedures of its meetings, election of officers, establishment of committees, and generally the conduct of its business. In the event of any inconsistency between these bylaws and the provisions of applicable law, including the Illinois Pension Code and the Illinois Open Meetings Act, the provisions of applicable law shall prevail.

**1. Meetings**

**1.1 Schedule**

The Chair, in consultation with other members of the Board, shall determine a schedule of dates for regular meeting of the Board for each upcoming calendar year. At least one regular meeting shall be scheduled each calendar quarter. The schedule shall be published as required by Section 2.02 of the Illinois Open Meetings Act.

The annual meeting of the Board shall be the regular meeting held in the month of September (or, if a regular meeting is not held in the month of September, then the regular meeting held during the third calendar quarter), unless otherwise agreed upon by the Board. Special or emergency meetings may be called by the Chair or by any three members of the Board. The Board will conduct its meetings in accordance with the Illinois Open Meetings Act.

**1.2 Procedure for Meetings**

Robert's Rules of Order shall govern the procedure for all meetings of the Board and its Committees, except to the extent otherwise provided in these bylaws or applicable law.

**1.3 Quorum and Voting**

The presence of six members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. A majority of the members of a duly authorized Committee of the Board shall constitute a quorum for the transaction of business at any meeting of that Committee. A smaller number of members of the Board or of a Committee may meet and adjourn to some other time or until a quorum is obtained; provided, however, that no motion, resolution or other action shall be effective unless a quorum is present. If a quorum of the Board or any Committee is physically present, a majority of those physically present may allow a member of the Board or the Committee to attend the meeting by other means (video or audio conference) consistent with the provisions of the Illinois Open Meetings Act.

Assuming a quorum is present, all actions taken by the Board shall require the affirmative vote of at least five members of the Board, except that the following actions shall require the affirmative vote of at least six trustees: the adoption of actuarial assumptions; the selection of a chief investment officer, fiduciary counsel, or a

consultant as defined under Section 1-101.5 of the Illinois Pension Code; the adoption of rules for the conduct of election of trustees; and the adoption of asset allocation policies and investment policies. Assuming a quorum is present, all actions taken by a Committee shall require the affirmative vote of a majority of members of that Committee.

Votes may be taken by voice vote, except a vote to close a meeting to the public must be taken by recorded roll call (as required by Section 2a of the Illinois Open Meetings Act) and except when a recorded roll call vote is otherwise required by law or requested by the Chair or any other member of the Board or Committee. In the case of a recorded roll call vote, the vote of each member in attendance shall then be recorded in the minutes of the meeting.

## **2. Officers**

The elective officers of the Board shall consist of a Chair, a Vice-Chair, and a Secretary. The elective officers shall be elected by the Board biennially at the annual meeting in each odd-numbered year from amongst the members of the Board. Any vacancy occurring during a biennial period shall be filled in like manner for the unexpired term of office.

### **2.1 The Chair**

The Chair shall preside at all meetings; announce the business before the Board; announce the question under consideration and the result of the vote taken; recognize members of the Board and others to speak; and ensure an orderly meeting. He or she shall appoint members of the Board to all Standing Committees (as provided in Section 5 of these bylaws), be a member of each Standing Committee, and see that Committee members perform their assigned duties

### **2.2 The Vice Chair**

The Vice-Chair shall preside at all meetings of the Board (and any Committee at which the Chair would otherwise preside) but from which the Chair is absent. The Vice-Chair shall assume all of the duties of the Chair if the Chair becomes statutorily ineligible to serve in that capacity or is legally incapacitated or in the event of a vacancy in the Chair position. The Vice-Chair shall relinquish those duties when a new Chair is properly qualified.

### **2.3 The Secretary**

The Secretary shall authenticate with his or her signature any resolutions of the Board, shall record minutes of meetings of the Board, and shall perform such other duties as may be proscribed by the Board.

## **3. The Executive Director**

The Executive Director shall act as Chief Executive Officer and Chief Investment Officer of IFPIF. He or she shall administer the affairs of IFPIF pursuant to the provisions of

Article 22C of the Illinois Pension Code and other applicable law, subject to and under supervision of the Board. Consistent with the budget approved by the Board, the Executive Director may employ such personnel, professional or clerical, as may be desirable and necessary, and fix their compensation. The Executive Director shall be in complete charge of all records, books, files, papers and documents belonging to the Board. The Executive Director shall present to the Board bills for expenses; shall request any information and reports that may be required during the course of operations to effectuate the objectives of the Board; and shall prepare periodic statements and reports to fully carry out the expressed and implied requirements of applicable law. He or she shall perform such other duties that are called for by the rules, orders, directives and resolutions of the Board. The Director shall prepare a budget for the fiscal year commencing July 1 and ending the following June 30 and present such budget to the Board for approval prior to the beginning of the upcoming fiscal year. The Director shall submit a quarterly report to the Board setting forth by designated categories the cumulative amount of expenditure for the fiscal year to date and the total amount budgeted for each such category.

#### **4. Communications**

The Executive Director shall generally serve as the spokesperson for IFPIF.

#### **5. Standing Committees**

The Board shall have the following Standing Committees: the Audit and Compliance Committee, the Investment Committee, the Elections Committee and the Emerging Manager Committee.

At the annual meeting of the Board each year, the Chair shall recommend to the Board, subject to approval by the Board, the appointment of Board members to the Standing Committees. The Chair shall be an *ex officio*, voting member of each Standing Committee. Each Standing Committee shall consist of not less than three members of the Board (including the Chair). Any member of a Standing Committee may resign at any time by giving written notice to the Chair and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. A vacancy on any Standing Committee may be filled at the next meeting of the Board in the same manner as the Standing Committee members are appointed at the annual meeting of the Board.

Each Standing Committee may fix its own rules and procedures, which shall not be inconsistent with these bylaws or applicable law, including the Illinois Open Meetings Act. Each Standing Committee shall keep regular minutes of its proceedings and shall report to the Board at the meeting of the Board following the Standing Committee's meeting of all actions taken by or recommended by the Standing Committee. The chair of each Standing Committee shall be appointed by a majority of the members of the Standing Committee at the first meeting of the Standing Committee after the annual meeting of the Board each year.

A majority of the members of the Standing Committee shall constitute a quorum. The act of a majority of the Standing Committee members in attendance at a meeting at which a quorum is present shall be the act of the Standing Committee.

The Standing Committees shall meet when necessary. The chair of the Standing Committee may call meetings of the Standing Committee consistent with the requirements of the Illinois Open Meetings Act. Each Standing Committee will have those purposes and responsibilities that are set out in, and otherwise be constituted in accordance with the following subsections of these bylaws.

### **5.1 Investment Committee**

In general, the Investment Committee shall assist the Board in the development of investment strategies and the review of prospective investments with the goal of supporting the Board in the prudent investment and expenditure of the IFPIF's assets. The Investment Committee provides investment oversight in support of the Board through the review of investment policies and practices and the performance of investment vehicles.

The Investment Committee shall undertake the following responsibilities, which are set forth as a guide. The Investment Committee is authorized to carry out these activities and other actions reasonably related to the Investment Committee's purposes or assigned by the Board from time to time. To fulfill its purposes, it shall be the responsibility of the Investment Committee:

1. To oversee the investment of assets of the IFPIF and to recommend investment policy to the Board in the judgment of the Investment Committee to be necessary or desirable for the IFPIF;
2. Review strategic asset allocation, and make recommendations for approval by the Board in relation to same;
3. Review asset allocation to ensure the market based, strategic and investment speculation risk is prudently managed;
4. Monitor the management of the assets of IFPIF to ensure compliance with investment policies and guidelines and the attainment of IFPIF's investment performance objectives;
5. Make recommendations for approval by the Board in relation to the selection and performance review of Board consultants, investment counsel, and investment managers who provide investment-related expertise and services to the Board;
6. Provide oversight of the cost effectiveness of the IFPIF investment program; and
7. Conduct any other duties as assigned by the Board.

## **5.2 Audit and Compliance Committee**

In general, the Audit and Compliance Committee shall assist the Board in providing oversight with respect its statutory responsibilities to audit constituent pension funds, and prepare actuarial statements for constituent pension funds. The Audit Committee shall also monitor the financial reporting process, the system of risk management, the system of internal controls, internal and external audit functions and ensure compliance with applicable laws, rules, regulations and policies.

The Audit and Compliance Committee shall undertake the following responsibilities, which are set forth as a guide. The Audit and Compliance Committee is authorized to carry out these activities and other actions reasonably related to its purposes or assigned by the Board from time to time. To fulfill its purposes, the Audit and Compliance Committee shall:

1. Monitor the work of retained audit and actuarial firms, as well as IFPIF staff, in meeting statutory obligations related to audits of constituent pension funds, and the preparation of actuarial statements for constituent pension funds;
2. Oversee processes to identify and retain audit and actuarial firms. Work with staff to evaluate the services provided by such firms;
3. Review and oversee the work of the audit, including review of all audit reports and management's follow-up activities, approval and completion of the annual audit plan, ensure compliance with professional standards and ensure that the audit unit's independence and objectivity are maintained;
4. Review audit findings and recommendations, management's responses and actions taken to implement the audit recommendations;
5. Review audit work completed by the auditors, including audit scope and approach, annual audit reports, accounting, compliance and financial reporting issues, difficulties encountered during the audit and all matters required to be communicated to the Board under generally accepted audited standards;
6. Review the effectiveness of IFPIF's system for monitoring compliance with laws, regulations, rules, policies and procedures and the results of management's investigation and follow-up of any instances of noncompliance;
7. Oversee responsibility for all matters relating to the IFPIF's Ethics Policy;
8. Work with IFPIF's legal counsel and the Executive Director to ensure all required IFPIF reporting has been completed in compliance with relevant laws, regulations, rules, policies and procedures;
9. Provide oversight of IFPIF fiscal operations; and
10. Conduct any other duties as assigned by the Board.

### 5.3 Elections Committee

In general, the Elections Committee shall generally assist the Board in conducting and administering the trustee elections in a manner consistent with 40 ILCS 5/22C-116.

The Elections Committee shall undertake the following responsibilities, which are set forth as a guide. The Elections Committee is authorized to carry out these activities and other actions reasonably related to the its purposes or assigned by the Board from time to time. To fulfill its purposes, the Elections Committee shall:

1. Assist the Board in reviewing and overseeing the construction and maintenance of a database of eligible voters;
2. Assist the Board in reviewing and overseeing the addition of eligible voters to the database;
3. Assist the Board in reviewing and overseeing the administration of trustee elections, including but not limited to the submission and counting of nominating petitions, the distribution of election materials to eligible voters, the election timeline, the acceptance and counting of ballots, and the selection and monitoring of any third party contracted to conduct the elections;
4. Make recommendations to the Board on appropriate election procedures, including but not limited to the submission of ballots; and
5. Conduct other duties as assigned by the Board.

### 5.4 Emerging Manager Committee

In general, the Emerging Manager Committee shall assist the Board in providing oversight of IFPIF's utilization of emerging investment managers, as such term is defined in 40 ILCS 5/1-109.1(4), and its utilization of minority-owned, women-owned, and person with a disability owned business enterprises (collectively referred to in this Charter as "MWDBE"), as defined in the Illinois Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

The Committee shall undertake the following responsibilities, which are set forth as a guide. The Committee is authorized to carry out these activities and other actions reasonably related to the Committee's purposes or assigned by the Board from time to time. To fulfill its purposes, the Committee shall:

1. Assist the Board in increasing access to and business with emerging managers consistent with IFPIF's Investment Policy;
2. Assist the Board to maximize utilization of MWDBE broker dealers by the Board's investment managers and MWDBE service providers consistent with IFPIF's Investment Policy;

3. Monitor the utilization of emerging managers, MWDBE broker dealers and MWDBE contracts and service providers and report such utilization to the Board;  
and
4. Conduct other duties as assigned by the Board.

**6. Stakeholder Engagement**

The IFPIF shall regularly elicit advice from stakeholder groups, public retirement systems, the investments industry, and the public on matters related to investments, operations, diversity, compliance and organizational best practices. These activities shall be strictly advisory in nature, and participants will not have any fiduciary responsibilities.

The Executive Director, in consultation with the Board, shall invite participants and coordinate their participation. Participants shall reflect the diversity of the State of Illinois.

**7. Amendments to the Bylaws**

These bylaws may be amended or repealed at any regular meeting or special meeting of the Board, provided that copies of the amendments and notice of repeal shall be submitted in writing to each member of the Board with the notice of such meeting.

**DRAFT**  
**JANUARY 7, 2020**

# Bylaws

*of the*

## Illinois Firefighters' Pension Investment Fund

(February 12 Version)



**BYLAWS OF THE ILLINOIS FIREFIGHTERS'  
PENSION INVESTMENT FUND**

**TABLE OF CONTENTS**

**1. Meetings.....1**  
1.1 Schedule.....1  
1.2 Procedures for Meetings .....1  
1.3 Quorum and Voting .....1  
**2. Officers.....2**  
2.1 The Chair .....2  
2.2 The Vice Chair.....2  
2.3 The Secretary .....2  
**3. The Executive Director.....2**  
**4. Communications .....3**

**BYLAWS OF THE ILLINOIS FIREFIGHTERS'  
PENSION INVESTMENT FUND**

These bylaws are adopted by the Board of Trustees (the "Board") of Firefighters' Pension Investment Fund ("IFPIF"), established under Article 22C of the Illinois Pension Code, to provide for the procedures of its meetings, election of officers, establishment of committees, and generally the conduct of its business. In the event of any inconsistency between these bylaws and the provisions of applicable law, including the Illinois Pension Code and the Illinois Open Meetings Act, the provisions of applicable law shall prevail.

**8. Meetings**

**8.1 Schedule**

The Chair, in consultation with other members of the Board, shall determine a schedule of dates for regular meeting of the Board for each upcoming calendar year. At least one regular meeting shall be scheduled each calendar quarter. The schedule shall be published as required by Section 2.02 of the Illinois Open Meetings Act.

The annual meeting of the Board shall be the regular meeting held in the month of September (or, if a regular meeting is not held in the month of September, then the regular meeting held during the third calendar quarter), unless otherwise agreed upon by the Board. Special or emergency meetings may be called by the Chair or by any three members of the Board. The Board will conduct its meetings in accordance with the Illinois Open Meetings Act.

**8.2 Procedure for Meetings**

Robert's Rules of Order shall govern the procedure for all meetings of the Board and its Committees, except to the extent otherwise provided in these bylaws or applicable law.

**8.3 Quorum and Voting**

The presence of six members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. A majority of the members of a duly authorized Committee of the Board shall constitute a quorum for the transaction of business at any meeting of that Committee. A smaller number of members of the Board or of a Committee may meet and adjourn to some other time or until a quorum is obtained; provided, however, that no motion, resolution or other action shall be effective unless a quorum is present. If a quorum of the Board or any Committee is physically present, a majority of those physically present may allow a member of the Board or the Committee to attend the meeting by other means (video or audio conference) consistent with the provisions of the Illinois Open Meetings Act.

Assuming a quorum is present, all actions taken by the Board shall require the affirmative vote of at least five members of the Board, except that the following actions shall require the affirmative vote of at least six trustees: the adoption of actuarial assumptions; the selection of a chief investment officer, fiduciary counsel, or a

consultant as defined under Section 1-101.5 of the Illinois Pension Code; the adoption of rules for the conduct of election of trustees; and the adoption of asset allocation policies and investment policies. Assuming a quorum is present, all actions taken by a Committee shall require the affirmative vote of a majority of members of that Committee.

Votes may be taken by voice vote, except a vote to close a meeting to the public must be taken by recorded roll call (as required by Section 2a of the Illinois Open Meetings Act) and except when a recorded roll call vote is otherwise required by law or requested by the Chair or any other member of the Board or Committee. In the case of a recorded roll call vote, the vote of each member in attendance shall then be recorded in the minutes of the meeting.

## **9. Officers**

The elective officers of the Board shall consist of a Chair, a Vice-Chair, and a Secretary. The elective officers shall be elected by the Board biennially at the annual meeting in each odd-numbered year from amongst the members of the Board. Any vacancy occurring during a biennial period shall be filled in like manner for the unexpired term of office.

### **9.1 The Chair**

The Chair shall preside at all meetings; announce the business before the Board; announce the question under consideration and the result of the vote taken; recognize members of the Board and others to speak; and ensure an orderly meeting. He or she shall appoint members of the Board to all Standing Committees (as provided in Section 5 of these bylaws), be a member of each Standing Committee, and see that Committee members perform their assigned duties

### **9.2 The Vice Chair**

The Vice-Chair shall preside at all meetings of the Board (and any Committee at which the Chair would otherwise preside) but from which the Chair is absent. The Vice-Chair shall assume all of the duties of the Chair if the Chair becomes statutorily ineligible to serve in that capacity or is legally incapacitated or in the event of a vacancy in the Chair position. The Vice-Chair shall relinquish those duties when a new Chair is properly qualified.

### **9.3 The Secretary**

The Secretary shall authenticate with his or her signature any resolutions of the Board, shall record minutes of meetings of the Board, and shall perform such other duties as may be proscribed by the Board.

## **10. The Executive Director**

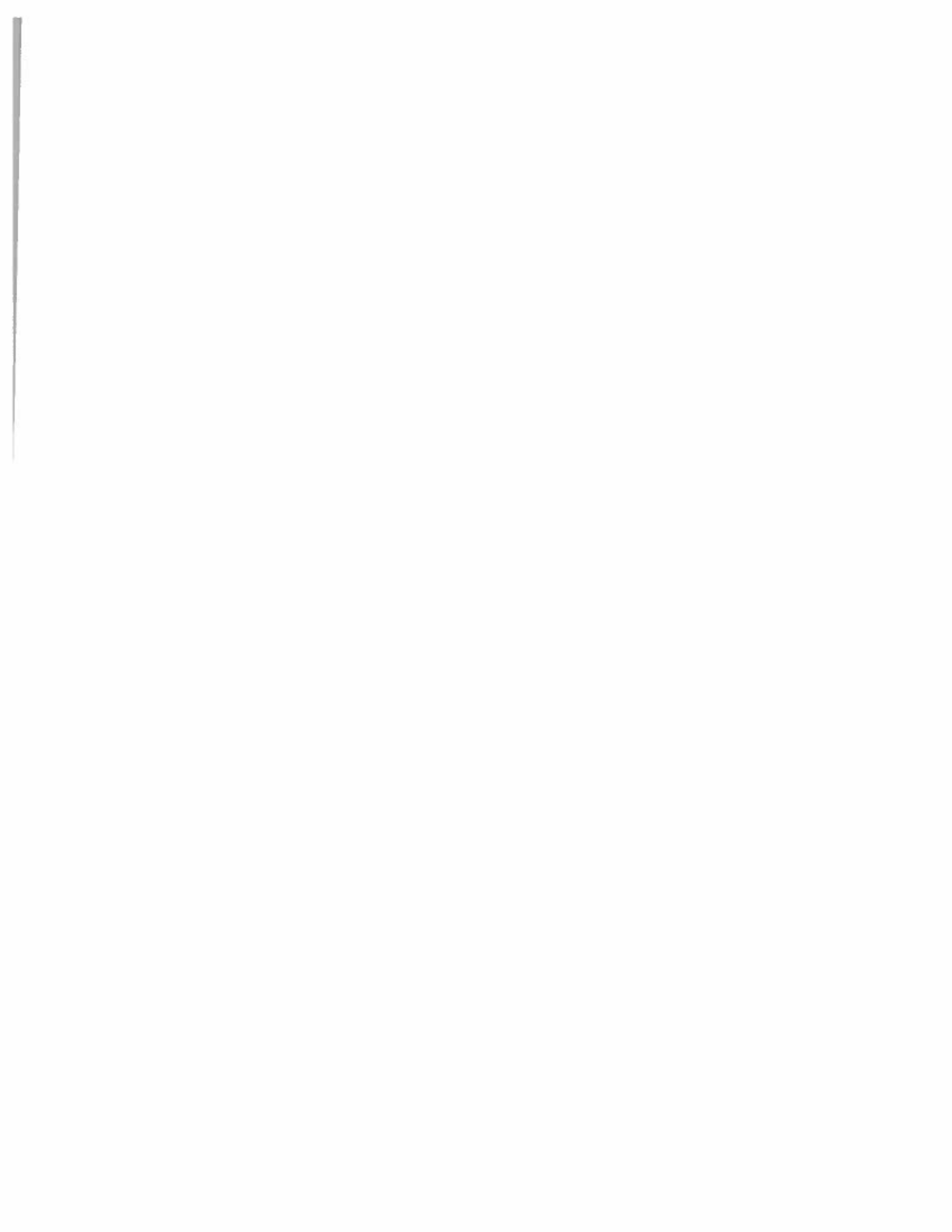
The Executive Director shall act as Chief Executive Officer and Chief Investment Officer of IFPIF. He or she shall administer the affairs of IFPIF pursuant to the provisions of

Article 22C of the Illinois Pension Code and other applicable law, subject to and under supervision of the Board. Consistent with the budget approved by the Board, the Executive Director may employ such personnel, professional or clerical, as may be desirable and necessary, and fix their compensation. The Executive Director shall be in complete charge of all records, books, files, papers and documents belonging to the Board. The Executive Director shall present to the Board bills for expenses; shall request any information and reports that may be required during the course of operations to effectuate the objectives of the Board; and shall prepare periodic statements and reports to fully carry out the expressed and implied requirements of applicable law. He or she shall perform such other duties that are called for by the rules, orders, directives and resolutions of the Board. The Director shall prepare a budget for the fiscal year commencing July 1 and ending the following June 30 and present such budget to the Board for approval prior to the beginning of the upcoming fiscal year. The Director shall submit a quarterly report to the Board setting forth by designated categories the cumulative amount of expenditure for the fiscal year to date and the total amount budgeted for each such category.

**11. Communications**

The Executive Director shall generally serve as the spokesperson for the IFPIF

## VI. Job Description, Executive Director (See Attached)



## Position Description

**JOB TITLE:** Executive Director  
**EMPLOYER:** Illinois Firefighters' Pension Investment Fund (IFPIF)  
**REPORTS TO:** The Board

### **I. SUMMARY:**

The Executive Director acts as the Chief Executive Officer, Chief Investment Officer and public face of the IFPIF. The incumbent reports directly to the Board and is responsible for the management of staff and the execution of Board policy.

### **II. DUTIES AND RESPONSIBILITIES:**

The Executive Director advises the Board on matters related to the development of policy and is responsible for the execution of policies adopted by the Board. The Executive Director has the following specific responsibilities, which shall include, but not be limited to:

1. Acts as Chief Executive Officer of the IFPIF
2. Advises the Board on matters related to development of policy, fiduciary duty, and investments.
3. Responsible for successful execution of policies and strategic decisions, including execution of the investment policy; monitoring of the portfolio; selection of external service providers; selection and retention of staff, and keeping Board apprised of same.
4. Manages day-to-day operations of the Board and its office.
5. Acts as public representative and advocate of the Board. Responsible for external communications with stakeholders, executive and legislative branches, other units of government, the public, and the media.
6. Manages the operation of IFPIF staff and reports to the Board on same
7. Manages the development of the Investment Policy. Ensures the Investment Policy is well maintained and continues to meet the Board's overall objectives.
8. Manages IFPIF staff and insures that that they fulfill their duties as defined by the Board. Coordinates and ensures the professional development of IFPIF staff.
9. Responsible for staffing meetings of the Board and coordinating the participation of relevant staff and external service providers. Supervise the preparation of all Board materials and agendas to be submitted at meetings.

10. Ensure compliance with the Board's policies including various diversity-related initiatives that are both investment and non-investment related.
11. Supervise the maintenance of the Board's books, accounts, and records and oversee the preparation of the Board's Annual Report and operating budget.
12. Meet with the Board and all committees of the Board.
13. Remain apprised of all policy and regulatory developments as it relates to the Board and the pension fund industry. Remains aware of current events and developments in the pension investment industry through publications, individual meetings, and seminars or conferences, and incorporate knowledge into policy recommendations.

#### Qualifications

##### Required

- Bachelor's degree
- Ten years leadership experience and fiduciary responsibility in institutional investments, public pensions, or related field
- Five years' experience managing public investment portfolios
- Five years' experience leading teams of public investment professionals
- Proven written and verbal communications skills

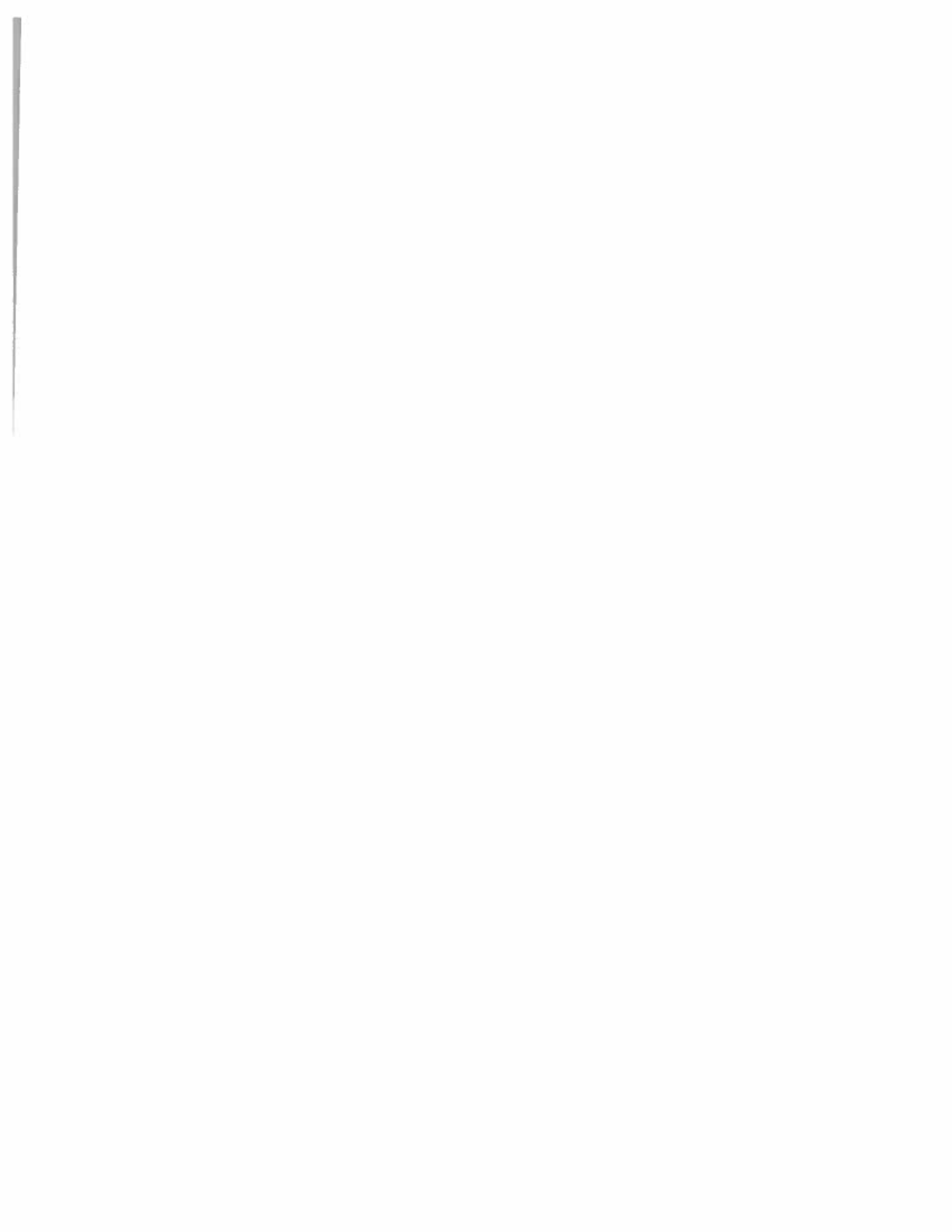
##### *Preferred*

- Graduate degree
- Leadership experience within Board governed organizations
- Applied experience working with the executive and legislative branches in Illinois.
- Experience testifying before legislative or other public bodies
- Experience and familiarity with public procurement of investment services
- Experience retaining and working with external financial professionals, including custodians, investment managers, and investment consultants.
- Experience and familiarity with local units of government and public worker stakeholder groups
- Experience and familiarity with execution of actuarial studies and utilization of actuarial rates of returns
- Development and application of investment policies and asset allocations
- Experience and familiarity with public audit protocols
- Experience and familiarity dealing with the media

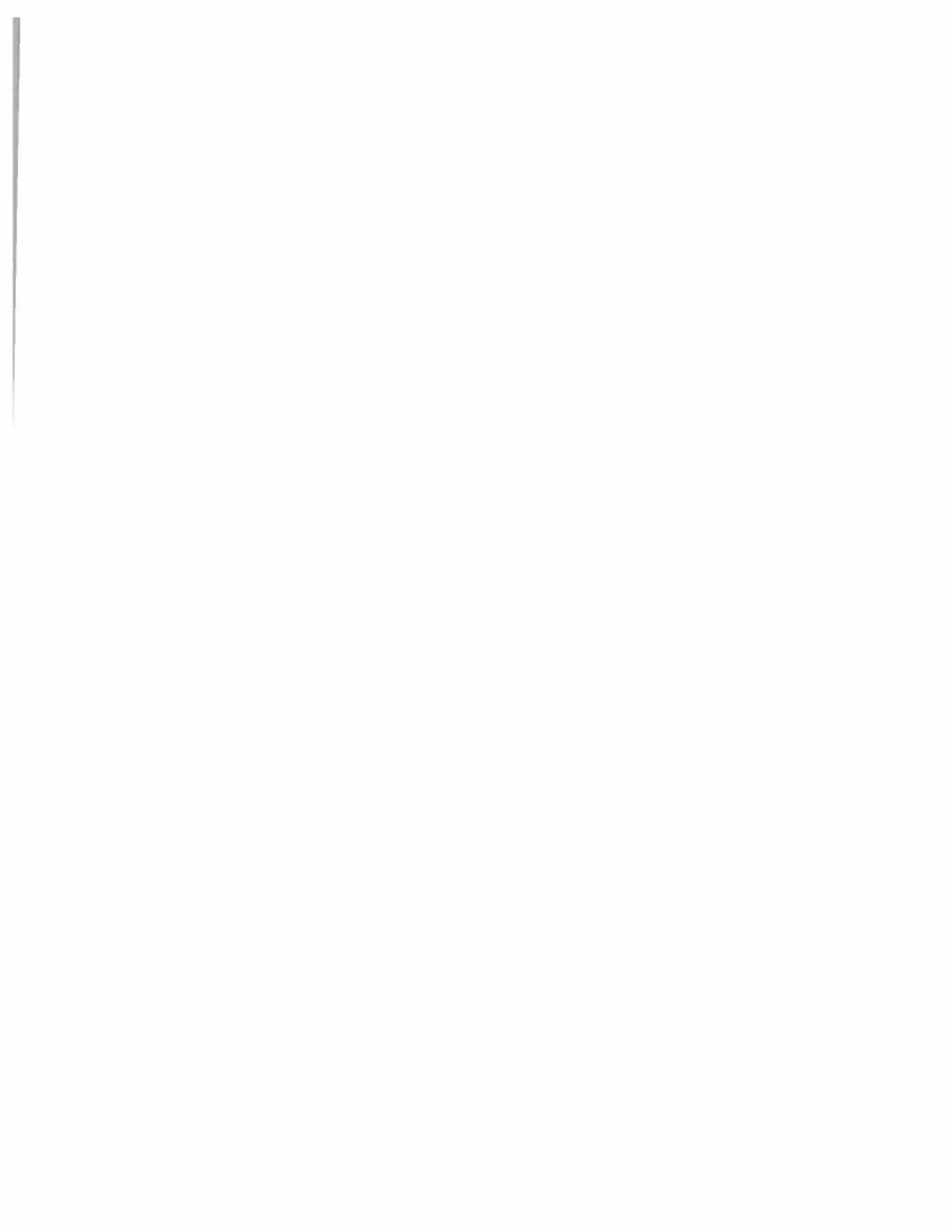


VII. Retention of Executive Director (Materials distributed in closed session)

VIII. Retention of outside counsel (Materials distributed in closed session)



- IX. Inter-Governmental Agreement with IFA (Update)
- X. D&O/Fiduciary/Business Liability Insurance  
(Update)
- XI. Employee Directives Manual (See Attached)



**DRAFT**

**AGENCY DIRECTIVES MANUAL**

**Illinois Firefighters' Pension  
Investment Fund**

# Table of Contents

<b>SECTION 1: GENERAL ADMINISTRATION.....</b>	<b>6</b>
1.1 OVERVIEW .....	6
1.2 EMPLOYEE RECEIPT AND ACCEPTANCE.....	7
1.3 CONFIDENTIALITY POLICY AND PLEDGE .....	7
1.4 ADMINISTRATIVE CHAIN OF COMMAND.....	8
<b>SECTION 2: EMPLOYMENT HOURS, PAYROLL AND REIMBURSEMENT .....</b>	<b>8</b>
2.1 OFFICE HOURS AND FLEX TIME.....	8
2.2 STAFF MEETINGS.....	8
2.3 DAILY ATTENDANCE RECORDS .....	9
2.4 PAYROLL AND DEDUCTIONS.....	9
2.5 EXPENSE REIMBURSEMENT POLICY.....	9
2.6 TUITION REIMBURSEMENT .....	11
<b>SECTION 3: PERSONNEL POLICIES .....</b>	<b>13</b>
3.1 WORK RULES.....	13
3.2 EMPLOYEE PERSONAL INFORMATION.....	13
3.3 PERFORMANCE REVIEWS .....	13
3.4 PERSONNEL RECORD REQUESTS.....	14
3.5 IT POLICY.....	14
<b>SECTION 4: EMPLOYEE BENEFITS .....</b>	<b>17</b>
4.1 HOLIDAYS.....	17
4.2 VACATION LEAVE .....	18
4.3 PERSONAL LEAVE DAYS .....	18

4.4	SICK LEAVE .....	19
4.5	HEALTH INSURANCE .....	20
4.6	RETIREMENT .....	20
4.7	WORKERS' COMPENSATION.....	20
<b>SECTION 5: EMPLOYEE ACCOMODATIONS .....</b>		<b>21</b>
5.1	REASONABLE ACCOMMODATION FOR PREGNANCY .....	21
5.2	ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES .....	22
5.3	ACCOMMODATIONS FOR RELIGIOUS BELIEFS .....	23
<b>SECTION 6: LEAVES OF ABSENCE.....</b>		<b>24</b>
6.1	DISABILITY LEAVE .....	24
6.2	PARENTAL LEAVE AND ADOPTION LEAVE.....	25
6.3	BREAKS FOR NURSING MOTHERS.....	26
6.4	FAMILY RESPONSIBILITY LEAVE .....	26
6.5	BEREAVEMENT LEAVE .....	28
6.6	CHILD BEREAVEMENT LEAVE ACT .....	29
6.7	LEAVE UNDER THE VICTIMS ECONOMIC SAFETY AND SECURITY ACT .....	29
6.8	ORGAN DONOR LEAVE .....	31
6.9	MILITARY LEAVE .....	32
6.10	VETERANS HOSPITAL LEAVE .....	34
6.11	DISASTER SERVICE LEAVE WITH PAY .....	34
6.12	JURY DUTY .....	34
6.13	VOTING LEAVE .....	35
6.14	LEAVE UNDER THE ILLINOIS SCHOOL VISITATION RIGHTS ACT .....	35
6.15	EMPLOYEE BLOOD DONATION LEAVE .....	35

6.16	LEAVE OF ABSENCE WITHOUT PAY.....	36
6.17	SEVERE WEATHER/EMERGENCY CLOSINGS/TIME OFF .....	36
<b>SECTION 7: SECURITY .....</b>		<b>36</b>
7.1	RECORDS MANAGEMENT .....	36
7.2	ACCESS TO PREMISES, RECORDS AND PROPERTY .....	36
7.3	OFFICE USE POLICY.....	36
<b>SECTION 8: STANDARDS OF CONDUCT.....</b>		<b>37</b>
8.1	HARASSMENT AND COMPLAINT PROCEDURE .....	37
8.2	POLITICAL ACTIVITY.....	43
8.3	OUTSIDE EMPLOYMENT .....	43
8.4	STATE GIFT BAN ACT .....	44
8.5	ATTENDANCE .....	44
8.6	SAFETY .....	44
8.7	WORKPLACE VIOLENCE .....	45
8.8	PRIVACY .....	45
8.9	TELEPHONES .....	45
8.10	CAMERAS AND VIDEO/AUDIO RECORDERS.....	46
8.11	EMAIL AND INTERNET SYSTEM .....	46
8.12	COPYRIGHT AND INTELLECTUAL PROPERTY POLICY .....	46
8.13	SOCIAL MEDIA POLICY .....	47
8.14	SOLICITATIONS AND DISTRIBUTIONS .....	48
8.15	SMOKING.....	49
8.16	LOSS PREVENTION .....	49
8.17	PROHIBITION OF FIREARMS IN THE WORKPLACE.....	49



8.18 DRUGS AND ALCOHOL ..... 50

8.19 DISCIPLINE ..... 56

**SECTION 9: SEPARATION OF EMPLOYMENT.....57**

9.1 TERMINATION ..... 57

9.2 RESIGNATIONS ..... 57

9.3 RETURN OF PROPERTY UPON SEPARATION..... 58

**SECTION 10: EXHIBITS.....58**

## **SECTION 1: GENERAL ADMINISTRATION**

### **1.1 OVERVIEW**

The Illinois Firefighters' Pension Investment Fund ("IFPIF"), including its Board of Trustees (the "Board"), and staff members (the "Staff") are responsible for managing, investing and reinvesting the assets of participating pension funds, as set forth in the Illinois Pension Code. (40 ILCS 5/22B et seq.) The Board and Staff have fiduciary responsibilities for managing and investing assets of participating pension funds.

IFPIF's Agency Directives Manual (the "Manual") has been developed to provide general guidelines about IFPIF policies and procedures for employees. It is a guide to assist you in becoming familiar with some of the privileges and obligations of your employment, including IFPIF's policy of voluntary at will employment. None of the policies or guidelines in the Manual are intended to give rise to contractual rights or obligations, or to be construed as a guarantee of employment for any specific period of time, or any specific type of work.

The personnel policies of IFPIF are established by the Board, which has delegated authority and responsibility for their administration to the Executive Director ("ED"). The ED may, in turn, delegate authority for administering specific policies to the Deputy Executive Director/Chief Operating Officer ("DED"). Employees are encouraged to consult the ED for additional information regarding the policies, procedures, and privileges described in this Manual. The Board or their designee may change any terms or conditions of employment, whether stated in the policies and procedures or established through employment practices, at any time. No employee is authorized to vary the provisions of these policies and procedures orally. Descriptions of employment, policies, procedures and benefits contained in these sections are prepared to provide the employee with an overview and are not intended to be complete in themselves.

IFPIF is an equal employment opportunity employer. We do not discriminate against applicants or employees on the basis of race, color, sex, religion, creed, marital status, sexual orientation, gender-related identity, pregnancy, childbirth or related medical conditions, national origin, age, military status, unfavorable discharge from military service, ancestry, citizenship status, physical or mental disability, genetic information, arrest record, order of protection status, or any other protected classifications. This policy of nondiscrimination extends to all terms, conditions, and privileges of employment and to all personnel actions.

IFPIF will provide each individual a copy of this Manual upon employment. All employees are expected to abide by it. The highest standards of personal and professional ethics and behavior are expected of all IFPIF employees. Questions about personnel matters also may be reviewed with the ED and DED. Further, IFPIF expects each employee to display good judgment, diplomacy and courtesy in their professional relationships with members of IFPIF's Board of Trustees, managers, vendors, staff, and the general public.

## 1.2 EMPLOYEE RECEIPT AND ACCEPTANCE

I hereby acknowledge receipt of the Illinois Firefighters' Pension Investment Fund ("IFPIF") Agency Directives Manual (the "Manual"). I understand that it is my continuing responsibility to read and know its contents. I also understand and agree that the Manual is not an employment contract for any specific period of employment or for continuing or long-term employment.

I have read, understand and agree to all of the above. I have also read and understand the IFPIF's Directives Manual. I agree to review the Manual once a year and to return the Manual upon termination of my employment.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date:

## 1.3 CONFIDENTIALITY POLICY AND PLEDGE

Any information that an employee learns about IFPIF, or the Board, as a result of working for IFPIF that is not otherwise publicly available constitutes confidential information. Employees may not disclose confidential information to anyone who is not employed by IFPIF or to other managers, vendors, agents, or consultants contracted by IFPIF who do not need to know such information to assist in rendering services.

The disclosure, distribution, electronic transmission or copying of IFPIF's confidential information is prohibited. Any employee who discloses confidential information will be subject to disciplinary action (including possible separation), even if he or she does not actually benefit from the disclosure of such information.

I understand the above policy and pledge not to disclose confidential information.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date:

## **1.4 ADMINISTRATIVE CHAIN OF COMMAND**

An essential ingredient of an effective administrative organization is a well-defined and properly executed chain of command. A copy of the IFPIF Organizational Chart is attached as Exhibit A.

At IFPIF, the chain of command originates with the Board and flows through the ED, to the ED. The DED acts for the ED in his/her absence.

The nature of our operation is such that the handling of transactions normally involves the activities of more than one person. It is imperative, therefore, that each person works in close cooperation with each other in transmitting activities from one area to another. It is the policy of IFPIF that all staff adheres to this procedure.

## **SECTION 2: EMPLOYMENT HOURS, PAYROLL AND REIMBURSEMENT**

### **2.1 OFFICE HOURS AND FLEX TIME**

The normal work schedule for all employees is 37 ½ hours per week with office hours being 8:30 a.m. to 5:00 p.m. Monday through Friday. Employees are allowed a 60 minute lunch period each day. Lunch hour should be scheduled so that there is monitoring at all times of incoming telephone calls and/or visitors to the office. Staffing needs and operational demands may necessitate variation in starting and ending times. Subject to IFPIF work assignments and ED approval, the employee's supervisor shall determine the hours of employment that best suits the needs of the work to be done by the individual employee.

Flexible scheduling (flex-time) is available upon ED approval so as long as the flex-time does not impede on the operation of IFPIF.

Attendance is an important factor in your job performance. Punctuality and regular attendance are expected of all employees. If you are absent or plan to arrive late or leave early, you must notify your supervisor, the ED, and Administrative staff.

For all absences extending longer than one day, please notify your supervisor, the ED, and Administrative staff on the expected length of your absence.

### **2.2 STAFF MEETINGS**

Staff meetings of IFPIF employees will be held as determined to be necessary by the ED. Staff is expected to attend all scheduled meetings, unless their absence is approved by the ED.

## **2.3 DAILY ATTENDANCE RECORDS**

Every employee shall complete timesheets covering each pay period and submit such timesheets to the DED or his/her designee within five (5) workdays of the end of the reporting period. The timesheets must document to the nearest quarter hour the time the employee spent each day on official IFPIF business. Timesheets may be maintained on paper or in electronic format. Contractual employees may satisfy the timesheet requirement by complying with the terms of their contract, which shall provide for a means of compliance with this requirement.

The DED is designated to maintain attendance records for all personnel. At the end of every month each employee's attendance is to show time earned and used during that month. Attendance reports are submitted and verified with employees quarterly. An employee shall have the right to review his/her attendance record.

## **2.4 PAYROLL AND DEDUCTIONS**

Paydays shall be on the 1st and 15th of each month. Paydays falling on weekends or holidays will be handled in the most equitable way possible according to the payroll system in effect.

IFPIF is required by law to withhold certain deductions from your paycheck. This includes deductions for federal income tax, state income and unemployment tax, and FICA contributions (Social Security and Medicare). IFPIF is also required to withhold deductions pursuant to legal orders, such as orders for child support, bankruptcy, tax levy, money owed to a state agency, or general creditor debts.

IFPIF will withhold certain deductions from your paycheck that you have voluntarily authorized. This includes deductions for health insurance premium contributions, retirement plan contributions, or other services. Voluntary deductions not required by law will only be made with written authorization signed by the employee.

All employees should routinely examine every paycheck and immediately report any inaccuracies to their immediate supervisor and/or the appropriate member of management.

## **2.5 EXPENSE REIMBURSEMENT POLICY**

IFPIF reimburses employees for all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for IFPIF in accordance with the provisions of the Wage Payment and Collection Act (820 ILCS 115/9.5). IFPIF is not responsible for losses due to an employee's own negligence, losses due to normal wear or losses due to theft unless the theft was a result of IFPIF's negligence.

## **Definitions**

"Necessary expenditures" means all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of, subject to the provisions of this policy.

## **Guidelines for Necessary Expenditures**

Authorized expenditures include: cell phone expenses, lap top, tablet, mileage, tools, equipment, Internet, meals, registration fees, training expenses, tolls and parking fees.

Unauthorized expenditures include: home Internet service, personal cell phone expenses; mileage incurred on personal vehicles, alcoholic beverages and entertainment expenses.

Any expenditure that is not requested and approved prior to purchase is deemed an unauthorized expenditure and reimbursement shall occur in the sole and exclusive discretion of IFPIF in accordance with applicable law.

## **Pre-Approval for Authorized Expenditures**

Employee shall submit a written request to purchase any authorized expenditures at least 3 business days prior to incurring the expense on the "Expense Reimbursement Form" attached to this Manual as Exhibit A. Following approval of the expense, the employee will be reimbursed as provided herein. If the expense is not approved following a written request, the employee will not be entitled to reimbursement.

In the event that an expense is not pre-approved, reimbursement will be subject to the discretion of IFPIF.

## **Reimbursement Procedure for Authorized Expenditures**

Employees shall submit the previously approved Expense Reimbursement Form and appropriate supporting documentation not later than 30 calendar days after incurring the expense. Where supporting documentation is nonexistent, missing or lost, the employee shall submit a signed statement regarding any such receipts. Employees may not be entitled to reimbursement if the employee has failed to comply with this policy.

## **Mileage Reimbursement Rate**

Reimbursement for miles driven by an employee driving a personal vehicle for IFPIF business shall be equal to the standard mileage rate for business use established by the Internal Revenue Service for the calendar year in which the travel occurred.

## 2.6 TUITION REIMBURSEMENT

Tuition reimbursement is intended to serve as a management tool for the development of employees and for the attainment of IFPIF's goals. It should be administered as a mechanism through which mutual advantages are gained by both the employee and the Fund. Tuition reimbursement is not an unconditional or unilateral employee right or benefit. Introduction of this policy will not alter, replace or diminish the content or use of Federal Grant in Aid, agency sponsored stipend or educational leave of absence programs. In administering this policy, other programs should be distinguished from tuition reimbursement programs and treated separately.

### Policy Guidelines

The following tuition reimbursement guidelines have been developed so as to provide maximum flexibility consistent with a decentralized administration of a uniform policy. These guidelines do not preclude IFPIF from imposing additional requirements or procedures with regard to tuition reimbursement in response to unique training requirements or budgetary restrictions.

Eligibility: Any full-time employee is eligible for reimbursement consideration. Employees hired on a temporary or emergency basis are not eligible for consideration.

Tuition and Lab Fees: Reimbursement will apply toward tuition and lab fees only. Additional costs such as for books, matriculation, activity and health fees will not be reimbursable expenses.

Reimbursement: Normally, this tuition reimbursement program is designed to support those courses taken from State supported schools. Reimbursement is not to exceed 100% of tuition and lab costs at public institutions, and 80% at private institutions (this includes on-line classes). Nonetheless, reimbursement for a member of IFPIF Staff of tuition at a private institution is not to exceed 100% of tuition for a comparable program at the University of Illinois.

Satisfactory Course Completion: Reimbursement for an approved course is contingent upon the employee submitting evidence of satisfactory completion (i.e. at least a grade of "C"), together with itemized receipts documenting the amount of tuition monies paid. Reimbursement will be granted by means of a standard invoice voucher. At no time shall tuition be paid or reimbursed prior to completion of the course.

Course Load: The employee and his/her supervisor should mutually agree upon course load. Ordinarily, no more than two courses should be taken simultaneously to avoid harm to an employee's on-the-job effectiveness.

Course Scheduling: Education and/or career development work should be scheduled as an off-duty activity. When a desired course is not available as an off-duty activity, an employee may use vacation or personal time, or in some cases may arrange a flexible

work schedule, provided this does not adversely affect the work load in the employee's assignment.

Full Participation: Priority should be given to those courses in which full participation is required on a regular basis and where final grades are issued. These conditions provide a reasonable basis against which satisfactory completion can be measured.

Degree Program: Reimbursement may be approved for work-related courses, which are taken to complete requirements for a grammar school certificate or high school diploma, and for courses that lead to the upgrading of skills for the performance of an employee's assigned work responsibilities. Reimbursement may also be approved for work-related courses toward completion of college or graduate level degree programs.

Enrollment: Applicants will be required to gain approval from their supervisors and the ED prior to course enrollment. Employees should give their supervisor a memo with the name and cost of the course prior to enrolling. Supervisors should approve or disapprove and forward to the ED.

Aid from Other Sources: In applying for tuition reimbursement, an employee will indicate whether he/she is or is not receiving aid from other sources (such as the G.I. Bill, Federal Grants, Scholarships, etc.) The fact that an employee is eligible for receiving aid from another source does not render him/her ineligible for participation in the Tuition Reimbursement Program. However, tuition reimbursement will be made only toward the balance between the outside aid awarded and the remaining tuition due.

Exclusions: Reimbursement is not intended to apply to in-service training conducted within the agency, nor is it intended to include workshops, professional conferences, seminars, or other short-term programs.

Work Commitment/Pay Back: Employees receiving tuition reimbursement shall incur a work commitment to the IFPIF. If IFPIF-paid training did not lead to a post-secondary degree, employees shall be obligated to continue in the employ of the Fund for a period of at least 18 months following completion of the most recent course. If IFPIF-paid training did lead to a post-secondary degree and the Fund paid for 50% or more of the required credit hours, employees shall be obligated to continue in the employ of the IFPIF for a minimum of four (4) years after receiving the degree.

If the employee voluntarily leaves IFPIF employment prior to fulfilling this work commitment, the IFPIF may recover payments in addition to interest at the rate of 1% per month from the time the IFPIF makes the payment until the time the Fund recovers the payment. The amount owed by an employee shall be reduced by 25% for each year the employee works for the Fund after the employee receives a post-secondary degree, or by 1/18th of the gross amount for each month the employee works for the Fund after completing the most recent course which course that does not lead to a post-secondary degree. The ED to meet the needs of IFPIF may approve exceptions to the work commitment/payback.



## **SECTION 3: PERSONNEL POLICIES**

### **3.1 WORK RULES**

The maintenance of an orderly and efficient work environment is the foremost responsibility of IFPIF management. A clean and uncluttered workplace is essential to proper IFPIF operation. The intent of these directives is the achievement of a professional level of operations and the provision of fair and equitable treatment for all employees.

Employees are expected to present themselves at work properly groomed and attired as appropriate for conducting business with the public. "Business Casual," which should be neat and clean, has become acceptable on a permanent basis. Employees may wear "casual" attire on Fridays of each week. "Casual" attire does not mean that employees may look sloppy or unprofessional. During Board Meetings or other events deemed important by the ED, employees are required to dress in Business Professional attire.

### **3.2 EMPLOYEE PERSONAL INFORMATION**

To ensure that personnel records are current, it is the responsibility of each employee to promptly notify the DED of any changes in personal data. Personal mailing addresses, telephone numbers, names and social security numbers of dependents, individuals to be contacted in the event of an emergency, etc. should be accurate and current at all times.

### **3.3 PERFORMANCE REVIEWS**

The work of each employee is reviewed on an ongoing basis with the supervisor to provide a systematic means of evaluating performance.

The annual performance review is a formal opportunity for the supervisor and employee to exchange ideas that will strengthen their working relationship, review the past year, and anticipate IFPIF's needs in the coming year. The purpose of the review is to encourage the exchange of ideas in order to create positive change within IFPIF. To that end, it is incumbent upon both parties to have an open and honest discussion concerning the employee's performance. It is further incumbent upon the supervisor to clearly communicate the needs of IFPIF and what is expected of the employee in contributing to the success of IFPIF for the coming year.

Both supervisor and employee should attempt to arrive at an understanding regarding the objectives for the coming year. This having been done, both parties should sign the performance review form, which will be kept as part of the employee's personnel record and used as a guide during the course of the year to monitor employee progress relative to the agreed upon objectives.

The ED shall conduct the performance review of all supervisory positions. Performance reviews for other staff are the responsibility of the appropriate supervisor, subject to review and approval by the ED.

Employees may request a review of a personnel action or an unsatisfactory performance review. Employees are expected first to discuss their concern with their immediate supervisor. If further discussion is desired, the employee may then discuss the situation with the ED. The decision of the ED is final.

### **3.4 PERSONNEL RECORD REQUESTS**

IFPIF maintains certain personnel records for each employee. These records may include, among other things, information regarding an employee's job status, pay, performance, disciplinary action, and attendance.

In accordance with the Employment Personnel Record Review Act (820 ILCS 40/0.01 *et seq.*), an employee may, upon request, inspect those records maintained by IFPIF which are, have been, or are intended to be used in determining the employee's qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action. Such records may not include those described in 820 ILCS 40/10 including, but not limited to, letters of reference, information of a personal nature about a person other than the requesting employee, documents related to employee testing (other than an employee's score), and certain records relating to a pending investigation or claim.

Employees shall be provided with the opportunity to inspect the above-described records within 7 working days after their request for inspection. However, if IFPIF can reasonably show that such deadline cannot be met, IFPIF shall have an additional 7 days to comply.

### **3.5 IT POLICY**

#### **Computer**

IFPIF will provide Staff with computers to use during their term of employment and Staff is required to abide by the Internet and e-mail policies stated within this document, in addition to the following:

- Staff will immediately notify IFPIF's DED or external IT Support ("IT Support") in the event an IFPIF computer is compromised in any way and follow the given instructions.

- Staff is prohibited to make any changes to any security setting preset by IT Support.

Each device is and shall remain the exclusive property of IFPIF. Users are expressly prohibited from using the device for any personal use. The device is to be used solely by the approved user only in connection with IFPIF business involving the utilization of the device as approved by the Board. Staff using laptop computers must maintain custody of the laptop at all times and keep it stored in a secure location when not in use. Staff is expressly prohibited from downloading, transmitting, storing or running any inappropriate content on their IFPIF-issued device. This includes pornographic or criminal materials, copyrighted media, illegal software, and any activities that would be prohibited under the Illinois State Officials' and Employees' Ethics Act.

Remote log in to the network is available to Staff using VPN on their IFPIF issued laptop. This may be set up by IT Support on an IFPIF issued laptop, with the understanding that all business-related data is the intellectual property of IFPIF.

Employment changes require Staff to return the IFPIF-issued computer in working condition, including all accessories, software, and data to IT Support prior to leaving. Users may take the device home with them for continued use if they so choose, however Users will be held liable for costs incurred if the computer is in need of any repairs or replacements due to misuse, loss, or theft during their possession. IT Support shall not be responsible for the transfer or removal of any items, programs, or documents that are not part of IFPIF's operations. Any personal data should be removed by Staff should remove any personal data prior to returning any and all devices.

To ensure the proper functionality and security, all IFPIF-issued computers will automatically update on a nightly basis. Updates include: all standard computer programs and any other third-party applications. If manual updates are required, Staff is permitted to update the installed software by themselves or request assistance from IT Support.

Staff should not have any expectation of privacy with respect to messages or files created, drafted, sent, received, or stored on IFPIF technology systems. IFPIF reserves the right to access all such data and communications for reasons including, but not limited to, (a) system administration and maintenance, (b) when there is an urgent business reason, (c) to ensure compliance with this policy, and (d) as required to comply with a court order or other legal obligation to produce records or information. Even if material is erased or deleted from these electronic systems, it often can be reconstructed and retrieved; assume, therefore, that every message you create might become public information.

Use of IFPIF's technology systems will be deemed to constitute Staff's consent to comply with this policy and recognition that any such data may be monitored or recorded.

## **E-mail**

All Staff and Board Members will be assigned IFPIF e-mail accounts. Once hired, the e-mail account will be set up on all IFPIF-issued devices, and by request, on non-IFPIF devices with the understanding that all business-related communications are the intellectual property of IFPIF.

Any unwanted, offensive, or harassing e-mails should be reported to the ED and/or General Counsel in accordance with the Sexual Harassment policy.

E-mail addresses of the Board and Staff who leaves IFPIF, will no longer be active and will be removed from system.

## **Passwords**

All Staff members are required to change their passwords every 90 days following industry standards in an effort to keep the network more secure. This applies to both Staff computers and e-mail accounts. The passwords must be at least 8 characters and have the following complexity requirements:

- 1) Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
- 2) Contain characters from three of the following four categories:
  - a) English uppercase characters (A through Z)
  - b) English lowercase characters (a through z)
  - c) Base 10 digits (0 through 9)
  - d) Non-alphabetic characters (for example, !, \$, #, %)
- 3) Complexity requirements are enforced when passwords are changed or created.

## **Internet**

During work hours, Staff may use the Internet for business-related purposes only. Utilizing IFPIF-issued property for any purpose other than that which relates to the company is prohibited. This includes anything deemed by the ED or the DED to be offensive, harassing, or inappropriate in any way.

Staff is permitted to use the Internet for non-business purposes during personal time only and must still abide by Internet rules stated herein.

Internet usage may be monitored at any time and without prior notice. Abuse of Internet privileges may be subject to denial of access, disciplinary actions, or termination. If connecting to the internet on a personal device or an IFPIF-issues device via Wi-Fi, Staff should avoid submitting any business material via an unsecure network, IFPIF provides secure Wi-Fi access for Board and Staff throughout the office; as well as a guest network for visitors.

## **Telecommunications**

IFPIF provides all Staff with desk phones, and if requested, mobile devices to conduct business-related work only.

Staff who are terminated or choose to leave IFPIF will be required to return device(s) directly to the IO, in proper working condition.

Personal devices are permitted for personal use only during personal time.

## **Inventory**

Prior to deployment, all major IT items must be marked with a "Property of IFPIF" sticker and reported to the Deputy Executive Director/Chief Operating Officer ("DED") Director of Operations, Accounting, and Audit ("DOAA"). In addition, all hardware and software should be assessed annually to track and record any changes that have been made, ensuring consistency between the records kept by the DED. Outdated equipment and other technology no longer in service will be sent to Central Management Services ("CMS") for proper recycling. Prior to recycling, all hard drives will be wiped using the program DBAN.

Upon completion of annual inventory processes, the budget will be assessed and revised as needed, to reflect any IT-related changes and future forecasted costs for the upcoming year.

## **Website**

The DED is responsible for maintaining and updating the IFPIF's website, including but not limited to, security, performance, web design, and graphics design. Updates by Board or Staff will be performed in a timely manner.

## **SECTION 4: EMPLOYEE BENEFITS**

### **4.1 HOLIDAYS**

Holidays are determined by IFPIF each year and will be announced to employees after they are set.

## 4.2 VACATION LEAVE

All employees earn vacation on the basis of total public employment, or other like employment approved by the Executive Director, in accordance with the following schedule:

- From the date of hire until the completion of five (5) years of continuous service – ten (10) work days per year.
- From the completion of five (5) years of continuous service to the completion of nine (9) years of continuous service - 15 work days per year.
- From the completion of nine (9) years of continuous service until the completion of 14 years of continuous service - 17 work days per year.
- From the completion of 14 years of continuous service until the completion of 19 years of continuous service - 20 work days per year.
- From the completion of 19 years of continuous service until the completion of 25 years of continuous service - 22 work days per year.
- From the completion of 25 years - 25 work days per year.

An employee may not have a negative balance in vacation time except as approved by the ED.

Employees will lose vacation time not taken within twenty-four (24) months after the calendar year in which it is earned. The amounts forfeited, however, will be the actual amounts credited for the particular months forfeited. Vacation preferences shall be granted on the seniority basis. Vacation time shall be scheduled sufficiently in advance in order to avoid disruption to IFPIF operations.

At the request of the employee and approval of IFPIF, absence due to illness may be charged against vacation leave if the employee has exhausted all available sick leave.

Vacation time shall be credited on each employee's creditable service date, in accordance with the eligibility schedule set forth above. In the event of employment termination, credited time will be prorated to allow for any unearned vacation time previously credited.

On each employee's creditable service date any vacation time accumulated in excess of two (2) year's vacation allowance, at the current rate, will be forfeited.

The Board may, from time to time, amend this vacation leave policy.

## 4.3 PERSONAL LEAVE DAYS

All employees shall be permitted three (3) personal days off each calendar year with pay. In the event an employee does not use sick leave in any calendar year, the employee shall

be awarded one (1) additional personal day on January 1 of the next calendar year. A part-time employee who works at least half time shall be awarded pro-rated additional personal leave on January 1 when the employee has not used sick leave during the previous calendar year. A calendar year for purposes of this provision is the period beginning January 1 and ending December 31 of each year. Such additional personal day shall be used in accordance with provisions for personal days. Such personal days may be used for such occurrences as observance of religious holidays, absence due to severe weather conditions, or for other similar personal reasons, but shall not be used to extend a holiday or annual leave except as permitted in advance by the operating agency through prior written approval. Employees entitled to receive such leave who enter service during the year shall be given credit for such leave at the rate of one-half (½) day for each two (2) months service for the calendar year in which hired. Such personal leave may not be used in increments of less than two (2) hours at a time. Except for those emergency situations that preclude the making of prior arrangements, such days off shall be scheduled sufficiently in advance to be consistent with operating needs of IFPIF. Personal leave may not be carried over from year to year, nor shall any employee be entitled to payment for unused personal leave upon separation from service.

#### 4.4 SICK LEAVE

All employees, excepting those in emergency, intermittent, per diem or temporary status, unless such status is the result of accepting a non-permanent working assignment in another class, shall accumulate sick leave at the rate of one day for each month's service.

Sick leave may be used for illness, disability or injury of the employee, appointments with doctor, dentist or other professional medical practitioner and also may be used in the event of serious illness, disability, injury or death of a member of the employee's immediate family.

It is the responsibility of the employee to report to his supervisor at the earliest possible moment that he/she is unable to report for work due to illness. Absence of an employee for five (5) consecutive workdays without reporting to IFPIF office may be cause for discharge.

Evidence may be required to substantiate that such leave days were used for the purpose herein set forth for periods of absence of ten (10) consecutive workdays, or less. For periods of absence of more than ten (10) consecutive workdays, the employee shall provide verification for such absence in accordance with the provisions established for Disability Leave. In the case of serious illness, IFPIF may require a release from the employee's physician to return to work.

Employees shall be allowed to carry forward from year to year of continuous service any sick leave allowed. In the event an employee does not use sick leave in any calendar year, the employee shall be awarded one (1) additional personal day on January 1 of the next calendar year. A part-time employee who works at least half time shall be awarded

pro-rated additional personal leave on January 1 when the employee has not used sick leave during the previous calendar year. A calendar year for purposes of this provision is the period beginning January 1 and ending December 31 of each year. Such additional personal day shall be used in accordance with provisions for personal days.

Sick leave benefits may be used by employees in one-half (½) hour increments. Employees are to be charged for use of sick leave for the amount of time away from work. Any part of a one-half (½) hour will be recorded as a one-half (½) hour. The only exception is one (1) day's sick leave will be recorded as seven and one-half (7 ½) hours.

An employee, whose personnel records warrant such, may be advanced sick leave with pay for not more than ten (10) working days with the written approval of the ED. Such advances will be charged against sick leave accumulated later in subsequent service.

An employee who is also a veteran shall be permitted four (4) days with pay per year to visit a veteran's hospital for examination of a military service-connected disability. The four (4) days shall not be charged against any sick leave currently available to the employee.

#### **4.5 HEALTH INSURANCE**

TBD

#### **4.6 RETIREMENT**

TBD

#### **4.7 WORKERS' COMPENSATION**

TBD



## **SECTION 5: EMPLOYEE ACCOMODATIONS**

### **5.1 REASONABLE ACCOMMODATION FOR PREGNANCY**

Public Act 98-1050 amended the Illinois Human Rights Act (775 ILCS 5/1 et seq.) to create additional protections for pregnant employees. The burden is on the employee to make the request. Once the employee makes the request, the burden shifts to the employer to grant the accommodation unless that employer can show that the accommodation would impose an undue hardship on the ordinary operation of the business of the employer. An accommodation would impose an undue hardship on the ordinary operation of the business of the employer if granting the accommodation would be prohibitively expensive or disruptive when considered in light of the following factors:

- The nature and cost of the accommodation needed;
- The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed by the facility, the effect on expenses and resources, or the impact otherwise of the accommodation upon the operation of the facility;
- The overall financial resources of the employer with respect to the number of its employees, and the number, type, and location of its facilities; and
- The type of operation or operations of the employer, including the composition, structure, and functions of the workforce of the employer, the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the employer.

A reasonable accommodation is a reasonable modification or adjustment to the job application process or work environment, or to the manner or circumstances under which the position desired or held is customarily performed, that enable an applicant or employee affected by pregnancy to be considered for the position or to perform the essential functions of that position. Examples include:

- More frequent or longer bathroom breaks;
- Breaks for increased water intake;
- Breaks for periodic rests;
- Private non-bathroom space for expressing breast milk and breastfeeding;
- Seating;
- Assistance with manual labor;
- Light duty;
- Temporary transfer to a less strenuous or hazardous position;
- The provision of an accessible worksite;
- Acquisition or modification of equipment;
- Job restructuring;
- A part-time or modified work schedule;
- Appropriate adjustment or modifications of examinations, training materials, or policies;

- Reassignment to a vacant position;
- Time off to recover from pregnancy; and
- Leave necessitated by pregnancy.

The employer and the employee must engage in a timely, good faith, and meaningful exchange to determine an effective, reasonable accommodation. An employer is not required to create additional employment that the employer would not otherwise have created unless the employer does so or would do so for other classes of employees who need an accommodation. An employer is not required to discharge any employee, transfer any employee with more seniority, or promote any employee who is not qualified to perform the job, unless the employer does so or would do so to accommodate other classes of employees who need it.

In response to a request for an accommodation, an employer can ask that the employee provide documentation from the employee's healthcare provider if:

- (1) The employer also requests similar documentation for conditions related to a disability;
- (2) The request is job-related and consistent with business necessity; and
- (3) The request is limited to information concerning:
  - (i) The need or medical justification for the requested accommodation;
  - (ii) A description of the reasonable accommodation medically advisable;
  - (iii) The date the reasonable accommodation became medically advisable; and
  - (iv) The probable duration of the reasonable accommodation.

If an employer requests documentation which documentation that it is entitled to under Public Act 98-1050, an employee requesting the accommodation must submit to the employer the documentation requested.

Nothing in Public Act 98-1050 prohibits an employer from requesting documentation from the employee's healthcare provider to determine compliance with other laws.

## **5.2 ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES**

In accordance with the Americans with Disabilities Act and other applicable law, IFPIF shall make reasonable accommodations for the known disability of an otherwise qualified individual to the extent required by law unless undue hardship would result.

Procedures for Requesting Reasonable Accommodations – Otherwise qualified employees and applicants who require a reasonable accommodation to perform the essential functions of a position should take the following steps:

- Make a request to your supervisor or the appropriate member of management for a reasonable accommodation. Requests can be oral or written, but employees and applicants should reduce their requests to writing.

- Once IFPIF has been notified of an employee or applicant's request or need for a reasonable accommodation due to a disability, the employee or applicant may be required to provide current documentation from a physician or other medical professional concerning the existence and extent of the disability. The employee or applicant shall be responsible for requesting the applicable medical documentation from their physician or other medical professional and ensuring it is provided to the appropriate member of management. IFPIF will generally not communicate with an employee's physician or other medical professional directly without first obtaining the employee or applicant's written consent for the release of medical information.
- After IFPIF has been alerted to an employee or applicant's request or need for a reasonable accommodation, an appropriate member of management will communicate with the employee or applicant regarding what accommodations, if any, would be reasonable under the circumstances. Accommodations will be made if they are reasonable and do not cause undue hardship. All employees must be able to perform the essential functions of their positions, with or without reasonable accommodations.
- Information and documentation related to accommodations, including medical information, will be maintained in a confidential file separate from other personnel records. Information and documentation related to accommodations will only be shared with those individuals who need to know in order to provide the accommodation. Such individuals may or may not include an employee's supervisor.

### **5.3 ACCOMMODATIONS FOR RELIGIOUS BELIEFS**

IFPIF will endeavor to accommodate the religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on operations. Employees who wish to request such an accommodation should make a written request to their supervisor and/or an appropriate member of management.

Accommodations for religious beliefs may include the use of voluntary substitutes and swaps, flexible scheduling, or temporary changes in job assignments. Employees should notify their supervisor in writing of any requested time off for religious observations at least 30 days prior to the requested absence.

## **SECTION 6: LEAVES OF ABSENCE**

### **6.1 DISABILITY LEAVE**

An employee who is unable to perform a substantial portion of the employee's regularly assigned duties due to temporary physical or mental disability shall upon request be granted a disability leave of absence for the duration of such disability. A substantial portion of regularly assigned duties means those duties or responsibilities normally performed by the employee which constitute a significant portion of the employee's time or which constitute the differentiating factors which identify that particular position from other positions, provided the balance of duties can be reassigned by IFPIF. A request for disability leave shall be in writing except when IFPIF is advised by other appropriate means of the employee's disability in which event the employee's signature is not required.

An employee who is injured on the job while performing assigned duties or who contracts a service-connected disease should report the injury or illness immediately to the ED and the General Counsel. Necessary accident report forms and instructions to file a claim will be provided.

The employee shall be permitted to utilize accumulated sick leave or other benefits unless the employee has applied for and been granted temporary total disability benefits in lieu of salary or wages pursuant to provisions of the Workers' Compensation Act (80 ILCS 305) or the IFPIF's insurance policy.

During a disability leave, the disabled employee shall provide written verification by a person licensed under the Medical Practice Act of 1987 (225 ILCS 60) 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 disability and shall be made no less often than every 30 days during a period of disability, unless the nature of the disability precludes the need for such frequency of verification.

As soon as an employee becomes aware of an impending period of disability, he/she shall notify the appropriate supervisor of such disability and provide a written statement by the attending physician of the approximate date the employee will be unable to perform his/her regularly assigned duties.

Failure of an employee to provide verification of continued disability upon reasonable request shall on due notice cause termination of such leave.

An employee's disability leave shall terminate when said employee is no longer temporarily disabled from performing his/her regularly assigned duties. An employee is no longer temporarily disabled when he/she is able to perform his/her regularly assigned duties upon advice of the appropriate authority or, in the absence of such authority, the attending physician.

An employee is no longer temporarily disabled when he/she is found to be permanently disabled and unable to perform a substantial or significant portion of his/her regularly assigned duties by the appropriate authority, or in the absence of such authority, by the attending physician.

An employee who returns from a disability leave of six (6) months or less shall be returned by IFPIF to the same or similar position in the same class in which the employee was incumbent at the time the leave commenced.

An employee who returns from a disability leave exceeding six (6) months and there is no vacant position available in the same class held by the employee at the commencement of such leave may be laid off in accordance with the Rules on Voluntary Reduction and Layoff, unless such leave resulted from service-connected disability, in which case the employee shall be returned by IFPIF to the same or similar position in the same class in which the employee was incumbent at the time the leave commenced.

## **6.2 PARENTAL LEAVE AND ADOPTION LEAVE**

All employees are entitled to paid parental leave following the birth, adoption or foster care placement of a child. All employees will be eligible for a minimum of 10 weeks (50 workdays) of paid parental leave per twelve (12) month period, which begins upon birth. The leave benefit must be taken in weeklong (5 consecutive working day) increments. Parental leave shall be limited to the following schedule of paid leave for each pregnancy/adoption/foster resulting in birth or multiple births or placement of a minor child(ren):

- From the date of hire until the completion of five (5) years of continuous service – ten (10) weeks of paid leave. This leave must be taken within a twelve (12) month period.
- From the completion of five (5) years of continuous service - twelve (12) week of paid leave. This leave must be taken within a twelve (12) month period.

All paid parental leave provided under this policy runs concurrently with any other legally required leave. While on paid parental leave, you will continue to receive employee benefits on the same terms as an active employee. The start date for the paid leave window must coincide with the date of birth or placement of the child(ren). The ED shall be notified at minimum eight (8) weeks prior to when an employee requires parental or adoption leave, absent unforeseeable circumstances.

### **6.3 BREAKS FOR NURSING MOTHERS**

Reasonable break times shall be provided each day to an employee who needs to express breast milk for the employee's infant child. The break time must, if possible, run concurrently with any break time already provided to the employee. Reasonable efforts will also be made to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee can express milk in privacy. Leave under this policy shall be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

### **6.4 FAMILY RESPONSIBILITY LEAVE**

An employee who wishes to be absent from work in order to meet or fulfill responsibilities, as defined below, arising from the employee's role in his/her family, as the term is defined herein ("Family"), or as head of the household will normally, upon request and in the absence of another more appropriate form of leave, be granted an unpaid Family Responsibility Leave for a period not to exceed one (1) year. Employees shall not be required to use any accumulated benefit time prior to taking Family Responsibility Leave. Such request shall not be unreasonably denied. The ED will consider whether the need for the family responsibility leave is substantial, whether the action is consistent with the treatment of other similar situations and whether the action is equitable in view of the particular circumstances prompting the request.

Any request for such leave shall be in writing by the employee not less than 15 calendar days in advance of the leave unless such notice is precluded by emergency conditions, stating the purpose of the leave and the expected duration of absence. Such leave shall be granted only to a permanent full-time employee, except that an intermittent employee shall be non-scheduled for the duration of the required leave. An employee in temporary, emergency, provisional, or trainee status shall not be granted such leave.

"Family Responsibility" for purposes of this Family Responsibility Leave is defined as, "The duty or obligation perceived by the employee to provide care, full-time supervision, custody or non-professional treatment for a member of the employee's Family or household under circumstances temporarily inconsistent with uninterrupted employment."

"Family" for purposes of this Family Responsibility Leave is defined as:

A group of 2 or more individuals living under one roof, having one head of the household and usually, but not always, having a common ancestry, and including the employee's spouse; such natural relation of the employee, even though not living in the same household, as parent, sibling or child; or an adoptive, custodial and in-law individuals when residing in the employee's household or

any relative or person living in the employee's household for whom the employee has custodial responsibility or where such person is financially and emotionally dependent on the employee and where the presence of the employee is needed, but excluding persons not otherwise related of the same or opposite sex sharing the same living quarters but not meeting any other criteria for Family, as defined herein.

Standards for granting a Family Responsibility Leave are:

- 1) To provide nursing (breastfeeding) and/or custodial care for the employee's newborn infant, whether natural born or adopted;
- 2) To care for a temporarily disabled, incapacitated or bedridden resident of the employee's household or member of the employee's Family;
- 3) To furnish special guidance, care or supervision of a resident of the employee's household or a member of the employee's Family in extraordinary need thereof;
- 4) To respond to the temporary dislocation of the Family due to a natural disaster, crime, insurrection, war or other disruptive event;
- 5) To settle the estate of a deceased member of the employee's Family or to act as conservator if so appointed and providing the exercise of such functions precludes the employee from working; or
- 6) To perform Family responsibilities consistent with the intention of this Family Responsibility Leave but not otherwise specified.

IFPIF shall require substantiation or verification of the need by the employee for such leave, the substantiation or verification shall be consistent with and appropriate to the reason cited in requesting the leave, such as:

- 1) A written statement by a physician or medical practitioner licensed under the Medical Practice Act of 1987 (225 ILCS 60) or under similar laws of Illinois or of another state or country or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means, such verification to show the diagnosis, prognosis and expected duration of the disability requiring the employee's presence;
- 2) A written report by a social worker, psychologist, or other appropriate practitioner concerning the need for close supervision or care of a child or other Family member;
- 3) Written direction by an appropriate officer of the courts, a probation officer or similar official directing close supervision of a member of the employee's household or Family; or
- 4) An independent verification substantiating that the need for such leave exists.

Such leave shall not be renewed; however, a new leave shall be granted for any reason consistent with "Standards for Granting a Family Responsibility Leave" other than that for which the original leave was granted.

If IFPIF has reason to believe that the condition giving rise to the given need for such leave no longer exists during the course of the leave, it should require further substantiation or verification, and if appropriate, direct the employee to return to work on a certain date.

Failure of an employee, upon reasonable request by IFPIF, to provide such verification or substantiation is cause on due notice for termination of the leave.

Such leave shall not be used for the purpose of securing alternative employment. An employee during such leave may not be gainfully employed full-time; otherwise the leave shall be terminated.

Upon expiration of a Family Responsibility Leave, or prior to such expiration by mutual agreement between the employee and IFPIF, the agency shall return the employee to the same or similar position classification that the employee held immediately prior to the commencement of the leave.

IFPIF shall continue payment of its portion of employee and dependent health and dental insurance premiums for up to six (6) months while an employee is on a Family Responsibility Leave consistent with the Federal Family and Medical Leave Act of 1993 and Standards 1-4 of this Family Responsibility Leave. For leaves defined by Standards 5-7 of this Family Responsibility Leave, IFPIF shall not continue payment of its portion of employee and dependent health and dental insurance premiums.

## **6.5 BEREAVEMENT LEAVE**

Except as otherwise provided in this Manual, IFPIF may grant up to 3 workdays of leave to regular full-time employees in the event of the death of an immediate family member to attend the funeral (or alternative to a funeral) of the employee's immediate family member, make arrangements necessitated by the death of an employee's immediate family member, or grieve the death of the employee's immediate family member. For purposes of this policy, an employee's "immediate family member" shall be defined as the employee's husband, wife, domestic partner, mother, father, brother, sister, children, grandchildren, grandparents, mother-in-law, father-in-law, step parents, or any other relative within the first degree living in the same household. An employee may also be granted 1 workday of leave due to the death of a relative outside the immediate family or household. This would include an employee's aunt, uncle, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and cousin (within the first degree).

This leave must be completed within 60 days after the date on which the employee receives notice of the death of the family member. IFPIF may require reasonable documentation to support any requested bereavement leave, which may include a death certificate, a published obituary notice, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.



Leave under this policy shall be unpaid unless otherwise approved by your supervisor and/or the appropriate member of management. Employees may use their accrued vacation days in lieu of taking otherwise unpaid leave under this policy. Nothing in this policy shall be interpreted as increasing the total amount of time off available to an employee under the Family and Medical Leave Act or any other policy.

## **6.6 CHILD BEREAVEMENT LEAVE ACT**

Employees shall be entitled to 10 workdays of unpaid bereavement leave to attend the funeral (or alternative to a funeral) of the employee's child, make arrangements necessitated by the death of the child, or grieve the death of the child. For purposes of this policy, an employee's "child" shall be defined as the employee's son or daughter who is the biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.

This leave must be completed within 60 days after the date on which the employee receives notice of the death of the child. In the event of the death of more than one child in a 12-month period, an eligible employee is entitled to up to six (6) weeks of child bereavement leave during the 12-month period. IFPIF will not discriminate or retaliate against employees who take this leave.

Leave under this policy shall be unpaid unless otherwise approved by your supervisor and/or the appropriate member of management. Employees may use their accrued vacation days in lieu of taking otherwise unpaid leave under this policy. Nothing in this policy shall be interpreted as increasing the total amount of time off available to an employee under the Family and Medical Leave Act or any other policy.

## **6.7 LEAVE UNDER THE VICTIMS ECONOMIC SAFETY AND SECURITY ACT**

The Victims' Economic Security and Safety Act (VESSA) provides an employee who is a victim of domestic or sexual violence, or who has a family or household member who is a victim of domestic or sexual violence, with up to 12 weeks of unpaid leave per any 12-month period.

VESSA leave may be taken intermittently or on a reduced leave schedule. VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA, which also qualifies under the FMLA, will be simultaneously designated as both VESSA and FMLA leave.

### **Qualifying Reasons for VESSA Leave**

Eligible employee may use VESSA leave for the following reasons:

- To seek medical attention for, or recovery from, physical or psychological injuries caused by domestic violence to the employee or the employee's family or household member;
- To obtain victim services for the employee or employee's family or household member;
- To obtain psychological or other counseling for the employee or the employee's family or household member;
- To 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; and/or
- To seek legal assistance to ensure the health and safety of the victim, including participating in court proceedings related to the violence.

Employees are eligible take this leave if the victim of domestic or sexual violence is: (i) the employee themselves; (ii) a covered family member (spouse, child, parent); or (iii) a person jointly residing in the employee's household (who is currently residing with the employee).

### **Notice Requirements**

Employees must provide their supervisors and/or the appropriate member of management with at least 48 hours' notice in advance of taking VESSA leave unless doing so is not practicable under the circumstances. If an unscheduled absence occurs which an employee desires to be covered under VESSA leave, the employee must, upon request and within a reasonable period of time after the absence, comply with the certification requirements below. Failure to do so may result in the absence being treated as unexcused and/or other disciplinary action.

### **Certification Requirements**

An employee requesting VESSA leave must be able to provide the following:

- A sworn statement by the employee showing that the leave qualifies for a purpose covered by VESSA; and
- Written documentation from the source from whom assistance was sought or who could otherwise verify the nature of the leave, such as documentation from:
  - A representative of a victim services organization, an attorney, a member of the clergy, or a medical or other professional, from whom the employee has sought services on behalf of a covered victim to address domestic or sexual violence or the effects of the violence;

- A police or court record; and/or
- Other corroborating evidence.

If an employee fails to produce adequate certification within a reasonable time period after it is requested, or if the certification does not confirm a VESSA-qualifying purpose, the employee's absence will be treated as unexcused and/or may result in disciplinary action up to and including termination.

### **Pay and Benefits**

VESSA leave is unpaid. However, employees may be required or permitted to use their accrued vacation days in lieu of taking otherwise unpaid leave under this policy. During an approved VESSA leave, an employee's health benefits will continue as if they continued to be actively employed. If an employee uses accrued vacation days in lieu of taking otherwise unpaid leave, the employee's portion of any applicable health plan premium will be deducted from their paycheck. If the leave is unpaid, the employee must pay its portion of any applicable health plan premium during the leave. Group health care coverage may cease if employees fail to make timely payments of their portion of the premium(s). Benefits, including vacation days and sick days, will not accrue while an employee is on unpaid VESSA leave. However, employees who take VESSA leave shall not suffer loss of seniority or any other benefits previously accrued.

### **Return from VESSA Leave**

Employees who timely return to work following approved VESSA leave will be restored to the same or an equivalent position. Employees who fail to timely return to work may be subject to disciplinary action up to and including termination. Employees will not be retaliated against for exercising their rights under VESSA. If you believe you have subjected to any unlawful discrimination or retaliation, you should promptly register a complaint with your supervisor or the appropriate member of management.

## **6.8 ORGAN DONOR LEAVE**

On request, a participating employee may be entitled to Organ Donor Leave with pay. An employee may use:

1) up to 30 days of Organ Donor Leave in any 12-month period to serve as a bone marrow donor; or

2) up to 30 days of Organ Donor Leave in any 12-month period to serve as an organ donor.

An employee may use Organ Donor Leave only after obtaining approval from the employee's agency. Medical documentation of the proposed organ or bone marrow donation shall be required before leave is approved by the employing agency.

## **6.9 MILITARY LEAVE**

IFPIF shall grant leave from employment to eligible full-time and part-time employees who are members of any active or reserve component of the Armed Services of the United States of America, any "military service" as defined in the State Guard Act (20 ILCS 1815/0.01 *et seq.*), or the National Guard of any state for any period actively spent in military service, whether voluntary or involuntary, including basic training, annual training, and special or advanced training.

Military leave shall be uncompensated, except to the extent required by Article 5 of the Illinois Service Member Employment and Reemployment Rights Act (330 ILCS 61/1-1 *et seq.*). Employees may use their accrued vacation days in lieu of taking otherwise unpaid leave under this policy.

### **Notice**

Employees shall provide their supervisor with advance notice of the need for military leave, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Unless otherwise provided by law, such leave shall not exceed a cumulative period of 5 years.

### **Health Benefits During Military Leave of Absence**

Unless otherwise provided by law, employees who are on military leave in excess of 31 days may elect to continue their employer-sponsored health insurance coverage for up to 24 months. Upon return from military leave, employees shall be entitled to reinstatement of health insurance benefits. Employees who take military leave shall not suffer loss of seniority or any other benefits previously accrued.

### **Military Leave for Training Purposes**

- Employees who are members of any reserve component of the United States Armed Services of the United States of America, any "military service" as defined in the State Guard Act (20 ILCS 1815/0.01), or the National Guard of any state, shall be granted leave for any period actively spent in military service, including:
  - Basic training;
  - Special or advanced training, whether or not with the state, and whether or not voluntary;
  - Annual training; and

- Any other training or duty required by the United States Armed Forces.
- During leaves for annual training, full-time employees who are in the Reserves shall continue to receive their regular compensation.
- During leaves for basic training, for up to 60 days of special or advanced training, and for any other training or duty required by the United States Armed Forces, full-time employees who are in the Reserves shall receive their regular compensation minus the amount of their base pay for military activities if their daily rate of compensation for military activities is less than their daily rate of compensation as a full-time employee. Calculations under this section shall be made in accordance with applicable law.
- During leaves for basic training, full-time employees who are in the Reserves shall continue to accrue seniority and other applicable benefits.
- IFPIF recognizes and fully complies with the provisions listed in the Illinois Service Member Employment and Reemployment Rights Act (330 ILCS 61/1-1 *et seq.*).

### **Employees in the Reserves Who Are Called to Active Duty**

Employees who are members of any reserve component of the Armed Services of the United States of America, any “military service” as defined in the State Guard Act (20 ILCS 1815/0.01 *et seq.*), or the National Guard of any state, and who are mobilized to active military duty as a result of an order of the President of the United States, shall continue to receive their compensation as an employee for the duration of their active military service, as well as any health insurance and other benefits they were receiving or accruing at the time they were mobilized to active military duty minus the amount of their base pay for military service.

### **Returning from Military Leave**

Employees wishing to return to their employment following military leave must report back to work or make a request for reemployment within the timeframe set by law. Employees who have been on leave for less than 31 days must report for work by the beginning of the first regularly scheduled work day that would fall 8 hours after the employee returns home from the place of military service. Employees who have been on leave for 31 – 180 days must make a request for reemployment no later than 14 days following the completion of their military service. Employees who have been on leave for more than 180 days must make a request for reemployment within 90 days following the completion of their military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible, unless otherwise provided for by law. An employee’s

failure to timely report for work or make a request for reemployment may be grounds for the denial of reinstatement and may result in discipline up to and including termination.

#### **6.10 VETERANS HOSPITAL LEAVE**

An employee who is also a veteran shall be permitted four (4) days with pay per year to visit a veterans' hospital or clinic for examination of a military service-connected disability. The four (4) days shall not be charged against any sick leave currently available to the employee.

#### **6.11 DISASTER SERVICE LEAVE WITH PAY**

Any employee, except those in temporary, emergency or per diem status, who is a certified disaster service volunteer of the American Red Cross or volunteers for assignment to the Illinois Emergency Management Agency in accordance with the Illinois Emergency Management Agency Act (20 ILCS 3305) or the Emergency Management Assistance Compact Act (45 ILCS 151) may be granted leave with pay for up to 20 work days in any 12 month period for disasters within the United States or its territories. The leave may be granted upon request of the American Red Cross or the Illinois Emergency Management Agency for employees to participate in specialized disaster relief services for the American Red Cross or for the Illinois Emergency Management Agency and are subject to approval by IFPIF in consideration of IFPIF's operating needs. This leave is limited to those disasters designated at a Level III or above in the American National Red Cross Regulations and Procedures (5 ILCS 335/2). The American Red Cross and the Illinois Emergency Management Agency shall coordinate requests for services outside of Illinois through the Illinois State Emergency Operations Center.

#### **6.12 JURY DUTY**

Employees selected for jury duty are expected and encouraged to participate fully in the judicial process. If work conditions demand, an employee may be asked to obtain a postponement of jury duty from the Jury Commission.

Any full-time employee called for jury duty or subpoenaed by any legislative, judicial or administrative tribunal, shall be allowed time away from work with pay for such purposes. Upon receiving the sum paid for jury service or witness fee, the employee shall submit the warrant, or its equivalent, to IFPIF to be returned to the fund. Provided, however, an employee may elect to fulfill such call or subpoena on accrued time off and personal leave and retain the full amount received for such service.

Emergency or temporary employees shall be allowed time off without pay for such purpose and shall be allowed to retain the reimbursement received thereof.

### **6.13 VOTING LEAVE**

Employee shall be permitted to take a 2 hour leave of absence from work to vote in a general or special election or at any election at which propositions are submitted to a popular vote in the event the employee's working hours begin less than 2 hours after the opening of the polls and end less than 2 hours before the closing of the polls. An employee's supervisor may specify the hours in which an employee may take this leave. All requests for voting leave must be made to the employee's supervisor and/or the appropriate member of management prior to the date the leave is taken. Leave under this policy shall be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

### **6.14 LEAVE UNDER THE ILLINOIS SCHOOL VISITATION RIGHTS ACT**

Employees who have worked for IFPIF for six (6) consecutive months shall be granted up to 8 hours of unpaid leave per school year, with no more than 4 hours being taken in one day, to attend school conferences or classroom activities related to the employee's child if the conference or classroom activities cannot be scheduled during nonworking hours. Employees are only entitled to leave under this policy if they have exhausted all accrued vacation leave. Employees must provide their supervisors with a written request for leave at least 7 days in advance of when the leave is to be taken, except for emergency situations in which case at least 24 hours' notice shall be required. Reasonable efforts will be made to accommodate an employee who wishes to make up any time missed after taking leave under this policy. Leave under this policy shall be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

### **6.15 EMPLOYEE BLOOD DONATION LEAVE**

Regular full-time employees who have been employed by IFPIF for at least six (6) months shall be entitled to up to 1 hour of blood donation leave, with pay, every 56 days. The employee shall submit a written request for leave before donating or attempting to donate blood. Medical documentation of the appointment to donate blood shall be provided at the time of said written request. The employee may be required to provide a written statement from the blood bank confirming that the employee actually donated blood.

## **6.16 LEAVE OF ABSENCE WITHOUT PAY**

Unless otherwise provided, IFPIF may grant leaves of absence without pay to employees for periods not to exceed six (6) months; such leaves may be extended for good cause by IFPIF for additional six (6) month periods.

## **6.17 SEVERE WEATHER/EMERGENCY CLOSINGS/TIME OFF**

The ED shall determine when IFPIF shall close its office due to severe weather or emergency, and the ED shall contact employees accordingly. When the office is closed, due to severe weather or emergency, all employees will be granted an excused absence. All other absence due to inclement weather will be charged with time off.

## **SECTION 7: SECURITY**

### **7.1 RECORDS MANAGEMENT**

IFPIF employees are required to follow and retain all records in accordance with the Illinois Local Records Act. .

### **7.2 ACCESS TO PREMISES, RECORDS AND PROPERTY**

IFPIF maintains the right to take control of or gain access to all IFPIF premises whether owned or rented. IFPIF maintains the right to copy or remove all or a portion of the contents of all IFPIF property including desks, file cabinets or other storage devices without the consent or knowledge of any individuals.

The ED and the DED have the authority to access all records and property.

### **7.3 OFFICE USE POLICY**

It is the policy of IFPIF that the meeting rooms and other office facilities are to be used for IFPIF business and that requests for use by outside organizations be limited. Scheduling of events for outside organizations will be done through the ED.



## **SECTION 8: STANDARDS OF CONDUCT**

### **8.1 HARASSMENT AND COMPLAINT PROCEDURE**

IFPIF is committed to maintaining a work environment free of harassment and discrimination of any kind, including sexual harassment. Accordingly, harassment of employees by anyone is strictly prohibited. Policies and procedures regarding complaints of harassment are included below.

#### **Prohibition on Harassment in the Workplace**

Harassment that interferes with an individual's work performance or that creates an intimidating, hostile, or offensive working environment is prohibited. Harassment consists of unwelcome conduct, whether verbal, physical, or visual that is based upon a person's race, color, creed, religion, sex, gender, ancestry, national origin, alienage, citizenship status, marital status, sexual orientation, medical condition, pregnancy, disability status, sexual orientation, gender identity or expression, protected veteran status, or any other characteristic protected by federal, state, or local law. No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any other employee or conduct themselves in a manner that has the purpose or effect of interfering with another employee's work performance or creating an intimidating, hostile, or offensive working environment. Any employee who fails to abide by this policy shall be subject to disciplinary action up to and including termination of employment.

#### **Prohibition on Sexual Harassment**

It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct that affects individuals of all genders and sexual orientations. It is the policy of the IFPIF to prohibit sexual harassment by any of its employees, volunteers, supervisors, managers, directors, agents, officials, board members, representatives, or other persons subject to IFPIF policies and procedures (for the purposes of this Section 6.1 of this Manual, all of the foregoing shall be known as "Employees") on the basis of sex or gender. All Employees are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof.

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

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

Sexual harassment can occur between men and women or between members of the same sex.

Sexual harassment can take a variety of forms ranging from comments of a sexual nature to physical contact. An individual may or may not be aware that their conduct is offensive or harassing to others. While it is impossible to list all conduct that may constitute sexual harassment, some examples include, but are not limited to:

- Verbal – sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other Employees, even outside of their presence, of a sexual nature;
- Non-verbal – suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, “catcalls”, “smacking” or “kissing” noises;
- Visual – posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites;
- Physical – touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault;
- Textual/Electronic – “sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter);
- Persistent and unwelcome sexual flirtations, propositions, requests for sexual favors, offensive touching, or commenting on a person's physical characteristics;
- Vulgar language or gestures and lewd or derogatory comments or jokes;

- Verbal abuse of a sexual nature, repetitive use of offensive words of a sexual nature describing body parts or the sexual act, telling suggestive (“dirty”) stories;
- Conversations or discussion between employees or between supervisors and employees about subjects that are sexual in nature and perceived (by a listener or participant) as offensive including, but not limited to, the following: invitations to spend the night, engaging in particular sexual acts, requests to start a sexual relationship between employees or a supervisor and employee and pressure on employees to have pre- or extra-marital affairs;
- Displaying in the workplace sexually suggestive objects, pictures, pornographic magazines, or representations of any actions or subject sexual in nature which can be perceived as offensive;
- Retaliation against employees for refusing a sexual advance or for complaining about an incident of possible sexual harassment;
- Requesting sexual favors as a condition to employment, favorable treatment, favorable evaluation, favorable assignment, or promotion;
- Comments regarding sexual behavior or the body of another employee;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, texts, posts, invitations, photographs, cartoons, articles, or other written or pictorial materials of sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Displaying in the workplace sexually suggestive objects, pictures, pornographic magazines, or representations of any actions or subject sexual in nature which can be perceived as offensive; or
- Any unwanted physical touching or assault or blocking or impending movements.

### **Procedure for Reporting an Allegation of Harassment**

An employee who observes harassment, sexual or otherwise (hereinafter collectively known as harassment) or believes themselves to be the object of harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating their position to the offending employee, and their immediate supervisor. It is not necessary for harassment to be directed at the person making the report.

Any employee may report conduct that is believed to be harassment to IFPIF through the following processes and procedures:

- Direct Communication – If there is harassing behavior in the workplace, the harassed employee should directly and clearly express their objection, indicate that the conduct is unwelcome, and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- Contact with Supervisory Personnel – At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the employee making the report, the employee's department head, the director of human resources, or other appropriate officer. A report by an employee should be made to the employee's immediate supervisor, except in circumstances when the immediate supervisor is the offending individual or employee reasonably determines, based on the circumstances that the report should be made to another IFPIF supervisor or officer. Reports may be made either orally or in writing, but oral reports should be reduced to writing before an investigation is initiated. The report should include a description of the incident(s), the name of the person accused of the harassment, the date(s) on which the incident(s) occurred, and the signature of the individual making the report. Reports should be made promptly after a suspected violation has occurred. Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including but not limited to written records such as letters, notes, memos and telephone messages.
- After a report has been reduced to writing, a member of management (or a third party when appropriate) will, within a reasonable amount of time, investigate the allegations by the reporting employee. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
- Upon completion of the investigation, the reporting employee shall be advised of the results of the investigation and the proposed resolution of the report. Appropriate disciplinary action will be taken against an offending employee.
- Individuals who submit a written report of harassment should maintain any relevant notes and documentation. IFPIF shall maintain records of reports and investigation materials for at least 2 years after the date of resolution of the report unless the circumstances are such that the records should be kept for a longer period of time.
- Reasonable efforts shall be made to keep reports of harassment confidential. In the event of a legal claim, records relating to reports of harassment and other legal violations may not be considered privileged from disclosure.
- The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be

identified and remedied by the IFPIF. However, all employees have the right to contact the Illinois Department of Human Rights (IDHR) (312-814-6200) or the Equal Employment Opportunity Commission (EEOC) (800-669-4000) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must also be filed within 300 days.

The employee experiencing perceived harassment must not assume that the IFPIF is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or officer, the IFPIF will not be presumed to have knowledge of the harassment.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to our attention. However, because of the serious implications of harassment charges, the difficulties associated with their investigation, and the questions of credibility involved, a reporting employee's willing cooperation is a vital component to any investigation.

### **No Retaliation**

The IFPIF and its employees shall not take any retaliatory action against any employee due to an employee's:

- Disclosure or threatened to disclosure of an any violation of this policy;
- The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy; or
- Assistance or participation in a proceeding to enforce the provisions of this policy.

For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any employee, that is taken in retaliation for an employee's involvement in protected activity established pursuant to this policy.

No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:

- Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, state agency, or other state employee that the state employee reasonably believes is in violation of a law, rule or regulation;
- Provides information to or testifies before any public body conducting an investigation, hearing or inquiry into any violation of a law, rule or regulation by any officer, member, state agency or other state employee; or
- Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a state or federal law, rule or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a state or federal law, rule or regulation. (740 ILCS 174/15(b)).

According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted or participated in an investigation, proceeding or hearing under the Illinois Human Rights Act.

An employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge – each due within 300 days of the alleged retaliation.

### **Consequences of a Violation of the Prohibition on Sexual Harassment**

In addition to any and all other discipline that may be applicable pursuant to IFPIF policies, this Manual, employment agreements, procedures, employee handbooks and/or collective bargaining agreements, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65 may be subject to a fine of up to \$5,000 per offense, applicable discipline or discharge by the IFPIF and any applicable fines and penalties established pursuant to local ordinance, State law or Federal law. Each violation may constitute a separate offense. Any discipline imposed by the IFPIF shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a State or Federal agency.

## **Consequences of Knowingly Making False Reports**

A false report is a report of harassment made by an accuser using the harassment report to accomplish some end other than stopping Harassment or retaliation for reporting harassment. A false report is not a report made in good faith that cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable IFPIF policies, this Manual, employment agreements, procedures, employee handbooks and/or collective bargaining agreements, up to and including termination of employment.

In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State's Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.

## **8.2 POLITICAL ACTIVITY**

In accordance with state and federal laws, employees are not prohibited from exercising their political rights to engage in political activities, including the right to petition, make speeches, campaign door-to-door, and to run for public office. However, employees are strictly prohibited from engaging in political activities on behalf of any political candidate or cause while they are being compensated by IFPIF, other than during paid time off. Employees are further prohibited from using any IFPIF property or resources for the benefit of any political organization, candidate, or cause.

Employees may not use their positions to attempt to coerce or influence others in relation to any political activity. Employees are strictly prohibited from requiring other employees to engage in political activities as part of their duties, and no employee shall be required to participate in any political activity in consideration for additional compensation or benefits.

## **8.3 OUTSIDE EMPLOYMENT**

Outside employment that creates a conflict of interest or which affects the quality or value of your work performance or availability at IFPIF is prohibited. Conflicts of interest shall be assessed by IFPIF in its sole discretion. IFPIF recognizes that employees may seek additional employment during off hours, but expects, in these cases, that any outside employment will not affect job performance, work hours, or scheduling, or otherwise adversely affect the employment relationship. Any conflicts should be reported

to your supervisor. Failure to adhere to this policy may result in disciplinary action up to and including termination.

#### **8.4 STATE GIFT BAN ACT**

All employees shall adhere to and understand their obligations under the State Officials and Employees Ethics Act (5 ILCS 430/1-1, *et seq.*) and any gift ban or ethics requirement implemented by IFPIF. Employees are not to provide any special services in exchange for gifts or other forms of compensation. Employees, their spouses, and any immediate family members living with an employee are prohibited from intentionally soliciting or accepting any gift from any source prohibited by law, ordinance, or policy. If an employee, employee's spouse, or immediate family member living with an employee receives any compensation, or offer of compensation, as a result of the employee's status as an employee of IFPIF, the employee must report this immediately to their supervisor or the appropriate member of management.

#### **8.5 ATTENDANCE**

Employees are expected to report to work promptly at their designated starting times. If you are unable to timely report to work, you must notify your supervisor in advance of your designated start time in accordance with the policies in this Manual and any other applicable department policies. If you are unable to reach your supervisor, you must notify your department head or another appropriate member of management. Notifying a fellow employee is not sufficient.

If you need to leave work prior to the end of your shift, you must first notify your supervisor and obtain permission to do so. If your supervisor is unavailable, you must notify and obtain permission from your department head or another appropriate member of management.

Failure to adhere to this policy shall subject an employee to disciplinary action up to and including termination of employment.

#### **8.6 SAFETY**

All employees are required to familiarize themselves with and adhere to any applicable safety rules and standards. Additionally, all employees are required to exercise caution and good judgment while performing their duties and during break and meal periods.

You have a responsibility to immediately report to your supervisor any accidents, injuries, or unsafe working conditions. This includes reporting unsafe equipment and/or procedures. If you become injured on the job, no matter how insignificant the injury may seem, you must report the injury to your supervisor.



Failure to comply with anything in this policy may subject an employee to disciplinary action up to and including termination.

## **8.7 WORKPLACE VIOLENCE**

Workplace violence is strictly prohibited. Workplace violence includes, but is not limited to, any act of physical violence, threats of physical violence, harassment, intimidation, or other threatening or disruptive behavior. Workplace violence can affect or involve employees, visitors, or other parties.

If an employee witnesses or experiences any form of workplace violence, the employee should immediately report the violence to their supervisor and/or the appropriate member of management. If an employee is found to have engaged in workplace violence, the employee will be subject to discipline up to and including termination.

## **8.8 PRIVACY**

IFPIF reserves the right to conduct searches of work areas for legitimate, work-related reasons when it has a reasonable suspicion that an employee has engaged in work-related misconduct or violated policies, laws, and/or procedures.

Property of IFPIF including but not limited to, lockers, phones, computers, desks, work spaces, vehicles, or machinery is subject to inspection at any time, without notice to the employee and without the employee's presence. Employees should have no expectation of privacy in any of these areas. IFPIF assumes no responsibility for the loss of, or damage to, any employee property maintained on the premises including property kept in lockers and desks.

IFPIF may utilize video surveillance in public areas for security reasons. The video surveillance will not be hidden. IFPIF may rely upon the surveillance in assessing employee misconduct and/or criminal activity.

## **8.9 TELEPHONES**

Employees should not make personal calls during working time and should ensure their family members and friends are aware of this policy. Exceptions may be made in urgent circumstances demanding immediate attention, subject to the discretion of an employee's supervisor.

Personal cell phones and other personal electronic equipment should be turned off during working hours and may be used during break and meal periods only. This includes sending and receiving text messages.

## **8.10 CAMERAS AND VIDEO/AUDIO RECORDERS**

Employees are prohibited from using camera phones, cameras, or video or audio recorders in the workplace for non-work-related purposes. All employees are prohibited from recording any meeting or conversation without the express written consent of all parties to the conversation.

## **8.11 EMAIL AND INTERNET SYSTEM**

Employees may be granted access to the IFPIF internet and email system (the system). The system and all data transmitted or received through the system are the exclusive property of IFPIF. No individual should have any expectation of privacy in any communication over the system.

IFPIF reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system. Any individual who is given access to the system is hereby given notice that this right will be exercised periodically, without prior notice and without the prior consent of the employee.

The interest of IFPIF in monitoring and intercepting data include, but are not limited to: protection of proprietary and classified data; managing the use of the computer system; preventing the transmission or receipt of inappropriate materials by employees; and/or assisting the employee in the management of electronic data during periods of absence. No individual should interpret the use of password protection as creating a right or expectation of privacy. In order to protect everyone involved, no one can have a right or expectation of privacy with regards to the receipt, transmission, or storage of data on the system.

Any employee who abuses the privilege of access to the system will be subject to disciplinary action up to and including termination of employment. If necessary, law enforcement officials will be advised of any illegal conduct.

## **8.12 COPYRIGHT AND INTELLECTUAL PROPERTY POLICY**

Employees must comply with all software licenses, copyrights, and all other laws governing intellectual property, online activity, and telecommunications. Employees are prohibited from copying any copyrighted material without the prior approval of the copyrighted individual or entity. Any violation of this policy is grounds for discipline up to and including termination.

## 8.13 SOCIAL MEDIA POLICY

At IFPIF, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established the following guidelines.

### Guidelines

In the rapidly expanding world of electronic communications, “social media” can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board, or a chat room, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects members, customers, suppliers, people who work on behalf of IFPIF its legitimate business interests may result in disciplinary action up to and including termination.

- **Know and Follow the Rules** – Carefully read these guidelines, as well as all other applicable written employment policies, procedures, notices, memoranda, and manuals and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.
- **Be Respectful** – Always be fair and courteous to fellow employees, customers, members, suppliers, or people who work on behalf of IFPIF. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage customers, members, or employees or suppliers, or that might constitute harassment by bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or policy.
- **Be Honest and Accurate** – Make sure you are always honest and accurate when posting information and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost

everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about IFPIF, fellow employees, members, customers, suppliers, or people working on behalf of IFPIF.

- **Post Only Appropriate and Respectful Content:**
  - Maintain the confidentiality of private or confidential information.
  - Do not create a link from your blog, website, or other social networking site to an IFPIF website without identifying yourself as an employee of IFPIF.
  - Express only your personal opinions. Never represent yourself as a spokesperson for IFPIF. If IFPIF is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of IFPIF, fellow employees, members, customers, suppliers, or people working on behalf of IFPIF. If you do publish a blog or post online related to the work you do or subjects employed with IFPIF, make it clear that you are not speaking on behalf of IFPIF. It is best to include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the view of IFPIF."
- **Using Social Media at Work – Refrain from using social media while on work time or on equipment, unless it is work-related as authorized by your supervisor or consistent with other applicable policies. Do not use any email addresses issued by IFPIF to register on social networks, blogs, or other online tools utilized for personal use.**
- **Retaliation is prohibited – Employees who in good faith report a possible deviation from this policy or cooperate in an investigation related to this policy shall not be retaliated against for doing so. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation related to this policy will be subject to disciplinary action up to and including termination.**
- **Media Contacts – Employees should not speak to the media on behalf of IFPIF without approval of their supervisor or the appropriate member of management.**

## **8.14 SOLICITATIONS AND DISTRIBUTIONS**

Solicitations for contributions, sale of merchandise, circulation of petitions, solicitations for membership in clubs or organizations, and all other forms of solicitation, including the distribution of handbills, flyers, or other similar materials, by or from employees, during working time is prohibited. "Working time" for purposes of this policy means those times during the workday when employees are required to be engaged in work-related tasks and does not include time before or after the workday, authorized break

times, or meal times. All solicitations and distributions will be limited to non-working areas.

Solicitations or distributions of any kind by non-employees is prohibited: (i) during the working time of any employee receiving the solicitations or distributions; (ii) at any time in areas not open to the public or in public areas where such activity is inconsistent with the intended or normal use of the area; or (iii) in a manner that disturbs working employees.

### **8.15 SMOKING**

In accordance with the Smoke Free Illinois Act (410 ILCS 82/1 *et seq.*), IFPIF maintains a smoke-free environment in all its facilities. Smoking is prohibited in all IFPIF buildings and vehicles. Smoking areas may be designated outside of facilities, provided the location is at least 15 feet away from any IFPIF building and will not reasonably affect non-smokers. For purposes of this policy, smoking includes the use of all tobacco products including, but not limited to, electronic cigarettes and chewing tobacco, as well as non-tobacco vaping products.

### **8.16 LOSS PREVENTION**

Employees shall exercise reasonable care to prevent loss or damage to IFPIF property. Employees are expected to use caution when using IFPIF property, vehicles, tools, and equipment.

### **8.17 PROHIBITION OF FIREARMS IN THE WORKPLACE**

Employees are prohibited from possessing or carrying firearms on or in IFPIF property (except in the parking lot for licensed conceal and carry owners) or during any period when the employee is actively working. A concealed carry license owner may not knowingly carry a firearm into any building or portion of a building under the control of IFPIF. 430 ILCS 66/65(3) Pursuant to state law, employees who possess a valid state concealed carry license may store a firearm locked in their car if the firearm or ammunition is concealed in a case or locked container out of plain view within the vehicle in the parking area. A licensed concealed carry holder may also carry a concealed firearm in the immediate area surrounding their vehicle, only for the limited purpose of storing or retrieving a firearm in the vehicle's trunk.

## 8.18 DRUGS AND ALCOHOL

### Drug Free Workplace

In order to ensure a safe work environment and compliance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101 *et seq.*), IFPIF maintains a drug-free workplace. Accordingly, the IFPIF prohibits employees from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, use of drugs, and use of alcohol in the workplace. The foregoing prohibition shall apply to IFPIF property, including in IFPIF vehicles and any private vehicles parked on IFPIF premises or worksites.

For purposes of this policy, the term “drugs” includes, but shall not be limited to: (i) any non-prescribed controlled substance that the employee is not authorized to possess or consume by law; (ii) any substance listed in the Controlled Substances Act (720 ILCS 570 *et seq.*); (iii) any substance listed in the and (iv) drugs or substances which may not be listed in the Controlled Substances Act but which have adverse effects on perception, judgment, memory, or coordination. A non-exhaustive list of applicable drugs includes, but is not limited to, the following:

Opium	Psilocybin-psilocin
Morphine	MDA
Codeine	PCP
Heroin	Chloral Hydrate
Meperidine	Methylphenidate
Barbiturates	Steroids
Glutethimide	Tranquilizers
Methaqualone	Amphetamines
Cocaine	LSD
Phenmetrazine	Amphetamines
Mescaline	

### Prohibited Conduct

The following conduct is prohibited:

- The unauthorized use, possession, manufacture, distribution, or sale of drugs, drug paraphernalia, or alcohol while on or in IFPIF property, while conducting work-related business, or during working hours.
- Being under the influence of drugs or alcohol while on or in IFPIF property, while conducting work-related business, or during working hours.

- Being under the influence of legal or prescribed drugs or chemicals used in excess of, or in non-conformity with, prescribed limits while on or in IFPIF property, while conducting work-related business, or during working hours.
- The illegal use, possession, manufacture, distribution, or sale of drugs or drug paraphernalia (while on or off duty).
- Storing any illegal drug, drug paraphernalia, marijuana, hash, hash oil or alcohol in or on IFPIF property.
- Failing to notify an employee's supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind that the employee is taking (or has taken) which might affect the performance of the employee's duties.
- Refusing to immediately submit to an alcohol and/or drug test when requested by a supervisor.
- Failing to provide, within one workday following a request, documentation confirming a valid prescription for any drug or medication identified by a positive drug test.
- Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled as a condition of continued employment.
- Failing to notify the employee's supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and *nolo contendere*) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two calendar days following the arrest, conviction, or plea.
- Tampering with, adulterating, altering, substituting, or otherwise obstructing any testing process required pursuant to this policy.
- Performing any safety-sensitive duties while having a blood-alcohol concentration of .02 or greater.
- Possessing or using drugs including marijuana, hash, hash oil or alcohol while on duty or while operating a commercial vehicle.
- Consuming alcohol during the eight-hour period following an accident requiring a drug and alcohol test before a post-accident alcohol test is given.
- Reporting for duty or remaining on duty requiring the operation of a commercial vehicle when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the

substance does not adversely affect the employee's ability to safely operate a commercial vehicle.

### **Required Conduct**

The following conduct is required of all IFPIF employees:

- Employees must notify their supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind that they are taking (or have taken) which might affect the performance of their duties or threaten the safety of the employee or any other person.
- Employees must notify their supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and *nolo contendere*) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two calendar days following the arrest, conviction, or plea. In accordance with federal law, IFPIF will notify any applicable federal contracting officer(s) of any relevant conviction(s) or plea(s) within ten days of receiving notice of the conviction or plea.
- Employees must submit to drug testing in accordance with this policy and applicable law.

### **Voluntary Treatment for Abuse of Drugs and/or Alcohol**

IFPIF strongly encourages employees who believe or suspect that they may be abusing drugs and/or alcohol to voluntarily seek treatment before their job performance is affected. Any employee who notifies IFPIF of alcohol or drug abuse problems will be treated in the same manner as any other employee with an illness. Information and communications regarding an employee's voluntary treatment or counseling due to actual or suspected drug and/or alcohol abuse shall remain confidential in accordance with state and federal law.

Employees who voluntarily seek treatment for drug and/or alcohol abuse shall not be subject to discipline, discharge, or discrimination based solely on such voluntary treatment if the treatment is sought prior to:

- The employee testing positive for illegal drugs and/or alcohol;
- The employee being notified of an upcoming drug and/or alcohol test;
- The occurrence of an event that gives rise to reasonable suspicion that the employee is under the influence of drugs and/or alcohol;
- Any return to duty or related follow-up testing for drugs and/or alcohol; and/or



- The occurrence of an accident that requires the employee to submit to drug and/or alcohol testing.

Employees who seek voluntarily treatment for drug and/or alcohol abuse shall continue to be subject to appropriate disciplinary action up to and including termination for substandard job performance, unexcused absences, abuse of drugs and/or alcohol, or any other violations of this Manual, whether such violations are directly or indirectly related to the employee's use of drugs and/or alcohol.

Furthermore, employees who voluntarily seek treatment for drug and/or alcohol abuse shall not be excused from required drug and/or alcohol testing in accordance with this policy even when voluntary treatment was sought prior to the testing in question. No employee shall be permitted to use voluntary treatment for drug and/or alcohol abuses to avoid otherwise legitimate disciplinary action for failure to comply with this policy or other provisions of the Manual.

Employees may request a medical leave of absence to obtain treatment for drug and/or alcohol abuse in accordance with the Family and Medical Leave Act of 1993 and other applicable law. Such leave requests shall be treated in the same manner as any other request for leave pursuant to this policy. IFPIF may also grant reasonable accommodations for employees being treated for drug and/or alcohol abuse so long as those employees are participating in a treatment program and are not currently abusing drugs and/or alcohol. IFPIF will not retaliate or discriminate against any employee for requesting leave or a reasonable accommodation to obtain treatment for drug and/or alcohol abuse.

### **Acknowledgement**

In accordance with applicable law, employees are required to acknowledge and agree to this policy as a condition of employment. Any employee violating this policy is subject to discipline, up to and including termination of employment.

### **Drug and Alcohol Testing of all Employees**

**Reasonable Suspicion** – All employees are required to submit to alcohol and/or drug testing if a supervisor determines that there is “reasonable suspicion” to believe that an employee has been using illegal drugs, abusing prescribed drugs, is under the influence of alcohol, or is consuming alcohol while working.

For the purposes of this policy, “reasonable suspicion” means a belief based on objective facts sufficient to lead a reasonable prudent person to find that an employee is using, or has used, drugs or alcohol in violation of this policy. Such a suspicion shall be drawn from specific, objective facts and reasonable inferences drawn from those facts in light of experience.

Some factors that may be considered in determining whether a finding of reasonable suspicion is appropriate may include, but are not limited to, any of the following, alone or in combination:

- Observable phenomena, such as direct observation of drug or alcohol use, the presence of the odor of drugs or alcohol on or about the employee and/or the physical symptoms or manifestations of being under the influence of drugs or alcohol;
- Abnormal conduct or erratic behavior;
- Excessive unexcused absenteeism, tardiness, or deterioration in work performance;
- Slurred speech or unsteady walking or movement;
- Illegal possession of drugs or controlled substances or an arrest for violation of a drug statute;
- Information obtained from a reliable and credible source with personal knowledge that has been independently corroborated.

Once reasonable suspicion has been determined, the employee shall be required to take the applicable drug and/or alcohol test. An order to submit to testing shall be in writing and signed by a supervisor. If an employee declines the test, it will be treated as a positive test and the employee will be subject to discipline up to and including termination. When an employee is ordered to submit to a drug and/or alcohol test as a result of a supervisor's reasonable suspicion, the employee will not be allowed to return to work pending the results of the drug and/or alcohol test.

Post-Accident Testing – All accidents, including those involving a vehicle, must immediately be reported to an employee's supervisor. The supervisor shall investigate the circumstances of the accident and determine if there is reasonable suspicion to require a drug and/or alcohol test. If it is determined that the employee caused or contributed to occurrence of the accident or the employee was otherwise "at fault," the employee may be required to submit to a drug and alcohol test regardless of the existence of reasonable suspicion.

If post-accident drug and/or alcohol testing is ordered, the employee involved must submit to a drug and/or alcohol test within two hours of the accident. An employee who fails to remain readily available for post-accident testing or leaves the scene of an accident without a valid reason or permission by his or her supervisor will be deemed to have refused to submit to testing. The employee to be tested shall not be permitted to drive him or herself to the collection site.

## **Types of Testing**

Any of the following methods may be utilized to test an employee for the presence of drugs and/or alcohol:

- o Urine testing;
- o Evidentiary breath testing device (Breathalyzer);
- o Blood testing;
- o Hair follicle testing; or
- o Saliva testing.

## **Licensed Clinical Laboratory Only**

IFPIF shall use only licensed clinical laboratories for drug and/or alcohol testing. Such laboratories shall be responsible for maintaining a proper chain of custody of any samples. If an employee tests positive for drugs and/or alcohol, a confirming test shall be conducted. The laboratory will not submit a positive test result to IFPIF unless the confirming test result is also positive for the same sample. The laboratory shall retain a portion of the tested sample so the employee can arrange for another confirming test to be conducted by a licensed clinical laboratory of the employee's choice and at the employee's expense. Once the portion of the tested sample is delivered to the clinical laboratory selected by the employee, the employee shall be responsible for maintaining the proper chain of custody for that portion of the sample.

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by a medical review officer. A medical review officer is a licensed physician responsible for receiving and interpreting laboratory results from applicable tests.

## **Records Relating to Drug and/or Alcohol Tests**

Records reflecting positive drug and/or alcohol tests will be kept in the employee's file and will be kept confidential in accordance with applicable law. Information regarding drug and/or alcohol tests and an employee's participation in a substance abuse rehabilitation program may be disclosed to supervisors only if such information relates to the employee's ability to perform his or her work duties or the employee's need for a reasonable accommodation under the Americans with Disabilities Act of 1990 or other applicable law.

## **Compensation**

If an employee is ordered to submit to an involuntary post-employment drug and/or alcohol test, the time spent by the employee traveling to and from the test and waiting for and undergoing the test will be considered compensable working time unless otherwise provided by law or contract. Pre-employment drug and/or alcohol tests will not be compensated.

## **Cutoff Levels for Drugs and Drug Metabolites; Blood Alcohol Exceedances**

Cutoff levels for all drug and drug metabolite testing shall be consistent with the guidelines established by the U.S. Department of Health and Human Services (HHS). An employee shall be deemed to be under the influence of alcohol if the applicable blood alcohol test demonstrates a level of .02 or greater.

## **Policy Violations**

Any employee testing positive for drug usage, blood alcohol levels greater than .02, or engaging in any other prohibited conduct concerning drug or alcohol shall be subject to disciplinary action up to and including immediate termination. Regardless of disciplinary action taken, all such employees will be advised of resources available to evaluate and treat problems associated with drug and/or alcohol abuse.

## **8.19 DISCIPLINE**

Employee supervisors and their superiors, as applicable, are responsible for administering disciplinary measures, when in the sole discretion of the appropriate supervisor, based on the facts and circumstances of the situation, discipline is warranted. Prior to the administration of any disciplinary action, the applicable supervisor may give the employee the opportunity to respond to the allegations made against the employee. The disciplinary procedures set forth in this section apply to all employees. These policies and procedures should not be construed as preventing, limiting, or delaying the IFPIF from taking appropriate disciplinary action, including immediate dismissal without prior warning or notice, as the facts and circumstances warrant.

All discipline issued will be based on the applicable facts and circumstances, and at the level applicable in the sole and exclusive judgment of the applicable supervisor.

In addition to any other reason that discipline may be administered, discipline may be administered for the following (in)actions by employees:

- Activities in conflict with hours of work;
- Activities in conflict with job performance;
- Activities in conflict with IFPIF obligations and responsibilities;
- Excessive absenteeism;
- Reporting late/leaving early from work;

- Untimely and/or inaccurate records or reports;
- Unsatisfactory work performance;
- Inappropriate appearance;
- Slander, verbal abuse or threats to others;
- Misuse or misappropriation of IFPIF property or funds;
- Intentional falsification of records, claims for reimbursement;
- Disclosure of any proprietary or confidential information, or inappropriate disclosure of any information;
- Disorderly conduct during working hours;
- Interruption of another employee's work;
- Harassment of other employees, constituents, or other individuals;
- Use of alcohol while on duty;
- Violations of the Drug and Alcohol Policy;
- Insubordination;
- Failure to return to work in accordance with applicable leave policies;
- Substantial misrepresentation of fact;
- Engaging in any political activity; or
- Any other similar conduct that is detrimental to IFPIF.

## **SECTION 9: SEPARATION OF EMPLOYMENT**

### **9.1 TERMINATION**

Your employment and seniority will be terminated on the date of your termination, resignation, or retirement.

### **9.2 RESIGNATIONS**

Employees who voluntarily resign from their employment with IFPIF, are expected to submit a written resignation letter to their supervisor or an appropriate member of management at least 10 working days' in advance of their last date of employment in order to leave in good standing. Your supervisor and/or the appropriate member of management under appropriate circumstances may shorten this period. Once employees have provided notice of their resignation, they shall not be entitled to utilize any paid time off within 10 workdays preceding their last date of employment unless otherwise approved by their supervisor or an appropriate member of management. Your resignation letter will become part of your permanent personnel file, and failure to provide proper notice under this policy may make you ineligible for re-employment.

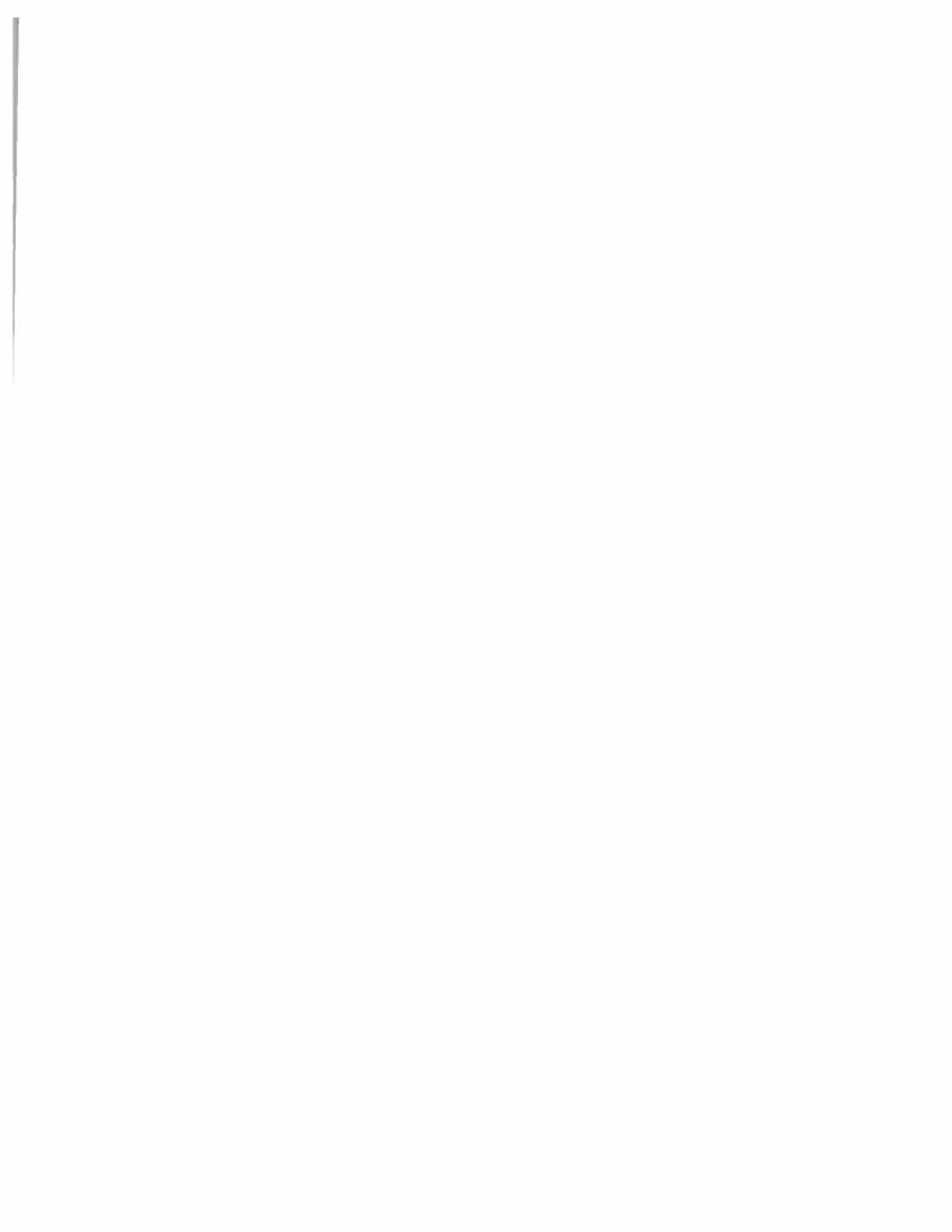
### **9.3 RETURN OF PROPERTY UPON SEPARATION**

Upon separation of employment, employees must return all IFPIF property in their possession or control to their supervisor or the appropriate member of management on or before their last day of work. Such property includes, but is not limited to, IFPIF apparel, cellular phones, keys, user names, passwords, access codes, key cards, documents, electronic files, badges, computers and/or other electronic devices.

## **SECTION 10: EXHIBITS**

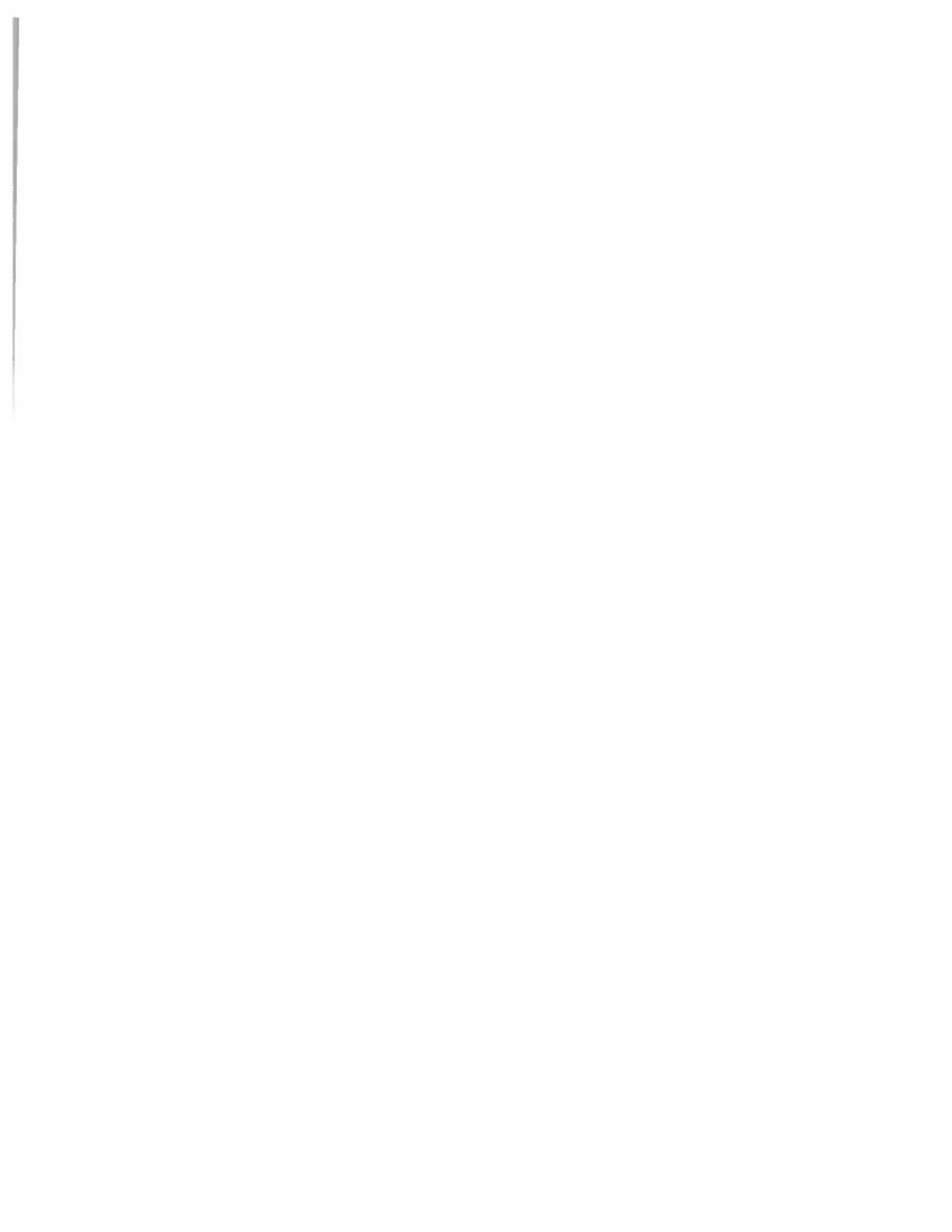
Exhibit A IFPIF Organizational Chart

- XII. Signatures Resolution (For Discussion)
- XIII. Budget (See Attached)









XIV. Other Business

XV. Schedule of Upcoming Meetings

XVI. Public Comment

XVII. Adjourn

