

Agenda Item # 42

Distribution:
County Board
County Administrator
Human Resources

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS
ADJOURNED REGULAR MARCH, A.D., 2008 SESSION
APRIL 8, A.D., 2008

MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Financial and Administrative Committees presents herewith an ordinance adding Section 11.5 At-Will Employment and Severance Pay to the Lake County Employee Policies and Procedures Ordinance and requests its adoption.

Respectfully submitted,

	Aye	Nay	
<u>[Signature]</u> Chairman	X	—	
<u>[Signature]</u> Vice-Chairman	✓	—	
<u>[Signature]</u>	X	—	
<u>[Signature]</u>	✓	—	
<u>[Signature]</u>	✓	—	
<u>[Signature]</u>	✓	X	no
Financial & Administrative Committee	—	—	

ORDINANCE

WHEREAS, the County of Lake established the Employee Policies and Procedures Ordinance to serve as a clear policy statement, providing for the equitable treatment of employees as the terms, conditions and benefits of the Lake County employment relationship; and

WHEREAS, the County of Lake establishes policies and procedures to define the employment relationship of Department Heads and certain direct reports of the County Administrator classified in pay grade 18 and above of the current pay plan; and

WHEREAS, the County of Lake is committed to establishing a relationship with certain employees that is in the best interest of the County and is also responsive to the individual needs of the employees holding the affected positions; and

WHEREAS, the Finance and Administrative Committee of the County Board has reviewed the policy recommended for adoption by the County Administrator and the Director of Human Resources.

NOW, THEREFORE, BE IT ORDAINED, by this the County Board of Lake County, Illinois, that the Lake County Employee Policies and Procedures is hereby amended to include Section 11.5 as attached hereto and made part of this ordinance.

DATED, at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 8th day of April, A.D., 2008.



11.5 At-Will-Employment and Severance Pay

Effective Date: April 8, 2008

Policy

Lake County shall have an "at will" employment relationship with Department Heads and all other direct reports to the County Administrator classified in pay grade 18 and above hired after April 8, 2008. The employment relationship between the County and the specified employees may be terminated at any time by the County Administrator with or without cause, and with or without notice. The affected employee shall have no recourse to the grievance procedure or any other internal appeal process.

Department Heads and the affected direct reports hired prior to April 8, 2008 shall have the option of becoming an employee at will or remaining a just cause employee. This choice shall not be an option of the Director of the Department of Transportation and the Lake County Assessor; the separation of these employees is subject to state statute. Eligible employees shall be given a date certain to choose one of the options.

Employees choosing an at-will status shall be eligible for the Severance Pay provisions listed below. Conversely, employees who do not choose the at-will option shall not be eligible for the conditional guarantee of severance pay in accordance with the Severance Pay provisions listed below and shall remain just cause employees. In addition, failure to choose an option within the time period specified will result in the employee remaining a just cause employee.

Severance Pay

An "at will" staff member who has at least one year of continuous employment, working a minimum of 37.5 hours per week, shall be eligible for severance pay when the County Administrator initiates their separation for issues that are not related to a felony conviction. The employee may be offered the option of resigning in lieu of termination. Severance pay shall be an amount equal to one month of the staff member's base salary for every full year of continuous employment in an eligible position but shall not exceed six months. Severance pay shall be paid in addition to any other termination pay the employee may be eligible to receive. Eligible employees shall also be allowed to maintain health insurance coverage at the same level and premium rate as active employees for the period of time their severance pay covers. However, upon mutual agreement by the parties the amount and/or the period of severance pay may be different than specified above but shall not exceed the equivalent of six months base pay.

Procedure

The County Administrator will meet with the affected employee and inform them that their employment will be terminated. The affected individual may be asked, at the discretion of the County Administrator, to submit a letter of resignation and sign a separation agreement acknowledging their acceptance of the severance pay described above. Failure to submit a letter of resignation will result in the involuntary termination of the employee. Whether the employee resigns in lieu termination or is involuntarily terminated that individual shall have no right to appeal the termination through any internal process and shall be provided severance pay as described in this policy.