

APPROVED
March 18, 2026

Melissa Bealon
Board Secretary Melissa Bealon

Item #H-5
March 18, 2026

**CONSIDERATION AND APPROVAL OF EMPLOYEE HANDBOOK UPDATES
FOR BOARD OF HIGHER EDUCATION**

Submitted for: Action.

Summary: Updates to the Employee Handbook for the Board of Higher Education.

Action Requested: That the Board of Higher Education approve the proposed changes to Employee Handbook.



ILLINOIS BOARD OF HIGHER EDUCATION

Receipt and Acknowledgement of Employee Handbook

This Employee Handbook is an important document intended to help you become acquainted with the Illinois Board of Higher Education (IBHE). It ~~will serve as a guide~~ is intended to serve as a guide and ~~is~~ not the final word in all cases as individual circumstances may call for individual attention.

-The contents of this Handbook may be changed at any time at the discretion of IBHE. No changes in any benefit, policy, or rule will be made without due consideration of the mutual advantages, disadvantages, benefits, and responsibilities such changes will have on you as an employee and on IBHE.

Please read the following statements and sign below to indicate your receipt and acknowledgement of the Employee Handbook.

- I understand that nothing in this Employee Handbook is intended to or creates an employment agreement, express or implied. I understand that nothing contained in this Employee Handbook is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period.

I have received and reviewed the IBHE Employee Handbook and I understand the policies, rules, and benefits described in it.

- I understand that, should the content of this Employee Handbook be changed in any way, IBHE may require an additional signature from me to indicate that I am aware of and understand any new policies.
- I understand that my signature below indicates that I have read and understood the above statements and that I will comply with the policies and procedures contained in the Employee Handbook.
- I understand that this Receipt and Acknowledgement of Employee Handbook will be placed in my personnel file.

Employee's Printed Name

Employee's Signature

Date

Table of Contents

Receipt and Acknowledgement of Employee Handbook 5

Table of Contents i

CHAPTER 1 EQUAL OPPORTUNITY AND COMMITMENT TO DIVERSITY..... 5

1.1 Equal Employment Opportunity, Nondiscrimination, and Anti-Harassment Policy 5

1.2 Reasonable Accommodation Policy 11

1.3 Gender Identity Policy 12

1.4 Whistleblower Protection Policy 15

CHAPTER 2 GENERAL POLICIES AND PROCEDURES..... 17

2.1 Reporting Structure Policy..... 17

2.2 Personal Use of Social Media Policy 17

2.3 No Salary History Policy..... 18

2.4 Employee Performance Evaluation Policy 18

2.5 Employee Separation Policy..... 19

2.6 Record Retention Policy..... 20

2.7 Secondary Employment Policy..... 20

2.8 Required or Authorized Deductions Policy 21

2.9 Minors in the Workplace Policy 22

2.10 Charity and Fundraising Policy..... 22

CHAPTER 3 WORKPLACE SAFETY..... 23

3.1 Drug and Alcohol-Free Workplace Policy 23

3.2 State Employee Assistance Program Policy..... 23

3.3 Commitment to Safety and Workplace Violence Prevention Policy..... 24

3.4 Victims Economic Security and Safety Act (VESSA)..... 25

3.5 Illinois Occupational Safety and Health Act 28

3.6 Smoke-Free Workplace/Tobacco Use Policy 29

CHAPTER 4 ETHICS POLICIES 30

4.1 General Ethics Policies 30

4.2 Political Activities Policies 33

4.3 Conflict of Interest Policy..... 34

IBHE EMPLOYEE HANDBOOK

4.4 Statement of Economic Interest Policy 34

4.5 Discounts, Gifts or Honoraria Policy 35

4.6 Revolving Door Prohibition Policy 36

CHAPTER 5 STANDARDS OF CONDUCT 38

5.1 Professional Conduct Policy 38

5.2 Personal and Workspace Appearance Policy 38

5.3 Signature Authority Policy 38

5.4 Cheating/Compromising Examinations/Falsifying Employment Applications Policy 39

5.5 Reporting Criminal Convictions Policy 39

5.6 Work Areas Policy 39

5.7 Employee Identification Policy 39

5.8 Workplace Visitor Policy 40

CHAPTER 6 EMPLOYEE DISCIPLINE 41

6.1 Official Investigations Policy 41

6.2 Discipline Procedure Policy 41

6.3 Civil Service Grievance Procedures 41

CHAPTER 7 HOURS OF WORK 44

7.1 Standard Work Week Policy 44

7.2 Absenteeism Policy 44

7.3 Timekeeping Policy 44

7.4 Overtime Policy 44

7.5 Hybrid Work Policy 45

CHAPTER 8 TIME OFF OF WORK 49

8.1 Paid Holidays 49

8.2 Sick Time Policy 49

8.3 Bereavement Leave Policy 50

8.4 Vacation Time Policy 51

8.4 Personal Time Policy 52

8.5 Earned Equivalent Time (EET) Policy 53

8.6 Inclement Weather Policy 53

8.7 Other Paid Time Off Policies 54

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CHAPTER 9 LEAVES OF ABSENCE 56

- 9.1 Family Medical Leave Act (FMLA) Policy56
- 9.2 Parental Leave Policy58
- 9.3 Non-Occupational Disability Leave Policy58
- 9.4 Family Responsibility Leave Policy.....60
- 9.5 Leave to Take an Exempt Position Policy.....61
- 9.6 Bone Marrow and Organ Donor Leave Policy61
- 9.7 Other Leaves of Absence Policy62

CHAPTER 10 EMPLOYEE BENEFITS..... 63

- 10.1 Medical, Dental, Vision and Life Insurance Policy63
- 10.2 Injury on Duty Policy63
- 10.3 Retirement Benefits Policy64
- 10.4 Health Insurance Portability and Accountability Act (HIPAA) Policy.....65
- 10.5 Genetic Information Nondiscrimination Act (GINA) Policy66

CHAPTER 11 USE OF STATE RESOURCES..... 68

- 11.1 Appropriate Use of State Resources Policy68
- 11.2 Use of State Equipment Policy68
- 11.3 Information Technology (IT) Security Policy68
- 11.5 Mobile Communications Policy.....73
- 11.6 Purchase of State Property Policy75

CHAPTER 12 CONTACTS 76

- 12.1 Personnel Files Policy76
- 12.2 Public Records/FOIA Requests Policy76
- 12.3 Media Inquiries Policy76
- 12.4 Legal Inquiries Policy77
- 12.5 Legislative Inquiry Policy77

CHAPTER 13 TRAVEL POLICIES 78

- 13.1 General Travel Policy78
- 13.2 Use of State Vehicles Policy.....79
- 13.3 Commuter Savings Program Policy.....83
- 13.4 Documentation for Reimbursement for Travel83

CHAPTER 14 PROFESSIONAL DEVELOPMENT	87
14.1 Repayment of Student Loans	87
14.2 Tuition Reimbursement	88

**CHAPTER 1
EQUAL OPPORTUNITY AND COMMITMENT TO DIVERSITY**

1.1 Equal Employment Opportunity, Nondiscrimination, and Anti-Harassment Policy

IBHE is committed to creating a diverse workforce that is representative of the residents it serves. This commitment includes fostering and maintaining a workplace where ~~everyone~~ **each individual** is valued for their skills, experience, and unique perspectives and all employees have an opportunity to participate and contribute.

DISCRIMINATION AND HARASSMENT POLICY STATEMENT

IBHE is an equal opportunity employer. IBHE prohibits all forms of unlawful employment discrimination or harassment on the basis of an individual's actual or perceived protected characteristic which includes race, color, religion, sex, age, sexual orientation, gender identity or expression, national origin, ancestry, physical or mental disability, veteran status, unfavorable discharge from military service, citizenship status, work authorization status, pregnancy, childbirth or medical and common conditions related to pregnancy or childbirth, marital status, order of protection status, criminal conviction record, or any other characteristic protected by federal, state, or local laws. These protections extend to all employment and personnel decisions, including but not limited to, recruitment, hiring, promotion, compensation, transfer, evaluation, training, discipline, benefits, and all terms and conditions of employment.

Discrimination means any different or adverse treatment related to the terms, conditions, or privileges of employment based on an individual's actual or perceived protected characteristic rather than based on job-related merit and/or other lawful considerations.

Discriminatory Harassment means any unwelcome verbal, non-verbal, or physical conduct that disparages, insults, or offends a person or group based on a protected characteristic when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of such conduct is used as a basis for any employment decision; or (3) the behavior has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment. A witness to discriminatory harassment may be the subject of harassment if the conduct witnessed has the effect of creating a hostile work environment.

Examples of discriminatory harassment include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, degrading, or ridiculing another person;
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes or innuendo, epithets, or demands; and
- Using, displaying, or communicating words, objects, pictures, cartoons, articles, letters, e-mail or text messages, computer programs, videos, social media, or other material from the Internet that disparage, insult, offend, or ridicule based on a protected characteristic.

SEXUAL HARASSMENT POLICY STATEMENT

Sexual harassment is strictly prohibited. It is the responsibility of each individual employee to refrain from

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sexual harassment, and it is the right of each individual employee to work in an environment free from sexual harassment.

The Illinois Human Rights Act defines sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. 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.

For purposes of this policy, the phrase "working environment" is not limited to the physical location an employee is assigned to perform their official duties and does not require an employment relationship. Sexual harassment can involve "nonemployee" contractors or consultants directly performing services for IBHE and/or the State of Illinois.

Normally the effect that conduct has on the working environment depends upon its pervasiveness over a period of time. However, a single incident of unwanted conduct may be sufficiently severe to be harassment.

Examples of sexual harassment include, but are not limited to:

- **Verbal:** Sexually suggestive or offensive remarks or innuendos, insults, humor or jokes about sex, anatomy, or gender-specific traits; subtle or direct propositions or pressure for sexual favors, unwelcome flirting, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
- **Non-Verbal:** Sexually suggestive or insulting sounds (e.g., whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking" or "kissing" noises, sexually suggestive or offensive memos or messages.
- **Visual:** Sexually suggestive pictures, posters, signs, pin-ups, or slogans of a sexual nature.
- **Physical:** Touching, unwelcome hugging or kissing, pinching, brushing, or rubbing the body, coerced sexual intercourse, or actual assault.

Courts have determined that sexual harassment is also a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. Specific examples include awarding employment opportunities and benefits to an individual who voluntarily or under coercion submits to sexual advances or requiring an individual to submit to unwelcome sexual conduct in order to receive employment opportunities.

Any person can be a victim of sexual harassment. The harassing behavior may be by someone of a different gender or by someone of the same gender.

Sexual harassment can also involve more subtle conduct such as use of endearments or compliments that can be interpreted as sexual in nature and that undermine the ability of an individual to be treated on an equal and professional level.

RETALIATION POLICY STATEMENT

IBHE will not tolerate retaliation against any employee who makes a good-faith report of discrimination, harassment, or sexual harassment, or who participates in an investigation, even if, after the investigation, it appears that there has been no violation of this policy.

Retaliation occurs when an employer takes a materially adverse action, including reprimand, discharge, suspension, denial of promotion, demotion, transfer, or change in the terms or conditions of employment, because an individual has engaged or may engage in protected activity. A person engages in protected activity if the person:

1. Opposes that which the person reasonably and in good faith believes to be unlawful discrimination, harassment, sexual harassment, or retaliation;
2. Makes a charge, files a complaint, testifies, assists, or participates in an investigation, proceeding, or hearing related to discrimination, harassment, sexual harassment, or retaliation; or
3. Reports discrimination, harassment, sexual harassment, or retaliation to a direct supervisor or a supervisor within their direct chain of command, IBHE's Equal Employment/Affirmative Action Officer, the Office of Executive Inspector General ("OEIG"), the Illinois Department of Human Rights, the U.S. Equal Employment Opportunity Commission, or any other state or federal agency with jurisdiction over such claims.

No employee shall be discouraged from reporting alleged discrimination, harassment, or sexual harassment or be intimidated by threats or pressure when making a report of alleged discrimination, harassment, or sexual harassment. The State Officials and Employees Ethics Act, the Illinois Human Rights Act, Title VII of the U.S. Civil Rights Act of 1964, and the Workplace Transparency Act prohibit retaliatory action against a State employee who discloses what they believe is a violation of a law, rule, or regulation. The Whistleblower Act provides that an employer may not retaliate against an employee from disclosing information they have reasonable cause to believe discloses a violation of a State or federal law, rule, or regulation.

Persons interfering with the attempted reporting of discrimination, harassment, or sexual harassment or those retaliating against individuals reporting such conduct are subject to discipline, up to and including discharge.

REPORTING PROCEDURES

An employee who either observes, becomes aware of, or believes themselves to be the subject of discrimination, harassment, retaliation, or sexual harassment should promptly report this conduct to their immediate supervisor or another supervisor within their chain of command, IBHE Human Resources, [IBHE](#) Ethics Officer, [IBHE](#) EEO/AA Officer, [IBHE](#) Chief Compliance Officer, if applicable, and/or the OEIG. These complaints may be made confidentially. It is not necessary for inappropriate conduct to be directed at the person making the complaint.

IBHE EMPLOYEE HANDBOOK

Supervisors must immediately report to the Ethics Officer all allegations of sexual harassment received, whether directly or indirectly.

All State employees are required to report misconduct, including sexual harassment and discrimination, to the Agency Ethics Officer and/or the OEIG. The Ethics Officer acts as the Agency's liaison to the OEIG and must promptly notify the OEIG of any allegations of misconduct after receiving such information. After making the referral to the OEIG, IBHE must take whatever investigatory or disciplinary actions it deems to be appropriate, unless the OEIG has specifically requested, in writing, that ~~the~~ IBHE refrain from taking any further action. The OEIG may also specifically request that ~~the~~ IBHE conduct an internal investigation into the allegations and require the IBHE to provide a written outcome of the investigation.

For further details regarding misconduct reporting obligations, refer to Section 4.1 of this Handbook.

OTHER CONSIDERATIONS

All complaints will be investigated promptly and thoroughly in accordance with applicable law. The investigation will be kept confidential to the greatest extent possible. All employees have an obligation to cooperate with an investigation.

Disqualification from employment on the basis of a criminal conviction is only permitted if the employer conducts an interactive assessment to ensure there is a sufficient relationship between (1) the specific job, (2) the criminal history, and (3) the surrounding circumstances such that one may reasonably think that (a) the same or similar offense may happen again or (b) the applicant/employee will be an unreasonable risk to property or people.

The failure of any State employee to report known discrimination, harassment, sexual harassment, or retaliation, a State employee knowingly providing false information, or a State employee's failure to cooperate with and provide assistance to the OEIG and/or IBHE's Ethics Officer during an investigation is subject to disciplinary action up to and including discharge.

State employees may also choose to file a charge of discrimination, harassment, or sexual harassment with the Illinois Department of Human Rights ("IDHR") or the U.S. Equal Employment Opportunity Commission ("EEOC") within three hundred (300) days from the alleged incident. Although individuals are not required to file an internal complaint before filing a charge with IDHR and/or the EEOC, employers can only be found responsible for harassment by non-managerial and non-supervisory employees if it was made aware of the conduct and failed to take reasonable corrective measures to address it. Filing an internal complaint will not preclude an individual from also filing a charge with IDHR and/or EEOC and will not extend the time limits for filing such charges. Contact information for these agencies is provided below.

If an investigation confirms that a violation of this policy has occurred, IBHE will take prompt corrective action reasonably designed to end the violation and to prevent further violations. Such corrective action may include disciplinary action against anyone found to have violated this policy, up to and including immediate discharge of employment.

Given the seriousness of consequences for the accused, employees who report deliberately and demonstrably false or frivolous allegations in bad faith are subject to discipline, up to and including discharge. Filing a false or frivolous complaint does not include complaints made in good faith which cannot be proven or are determined to be unfounded.

IBHE EMPLOYEE HANDBOOK

Every State of Illinois officer, member, and employee must complete harassment and discrimination prevention training, at least annually. Every individual who fills a vacancy in an elective or appointed position must complete an initial harassment and discrimination prevention training program within thirty (30) days after the commencement of their employment.

Failure to adhere to this policy is a serious offense and may result in disciplinary or other corrective action, up to and including discharge. All executive, managerial, and supervisory staff are required to support in the implementation of this policy.

Administrative Contacts

IBHE
1 N. Old State Capitol Plaza, Suite 333
Springfield, IL 62701

General Counsel/Ethics Officer
217-866-1428

Human Resources Director/EEO Officer/ADA Coordinator
217-782-2551

Illinois Department of Human Rights

Chicago
555 West Monroe Street, Suite 700
Chicago, IL 60661
Phone: 312-814-6200 or 866-740-3953 (TTY)
Fax: 312-814-1436 (Administration)
Fax: 312-814-6251 (Charge processing)

Springfield
524 S. 2nd Street, Suite 300
Springfield, IL 62701
Phone: 217-785-5100 or 866-740-3953 (TTY)
Fax: 217-785-5106

U.S. Equal Employment Opportunity Commission
800-669-4000 Toll Free
800-669-6820 TTY
844-234-5122 (ASL)

Chicago
JKC Federal Building
230 S. Dearborn Street, Suite 1866
Chicago, IL 60604
Phone: 312-872-9744 or 866-740-3953 (TTY)
Fax: 312-588-1260

Office of Executive Inspector General
866-814-1113 Toll Free
888-261-2764 TTY

Chicago
Office of Executive Inspector General for the Agencies of the Illinois Governor
69 West Washington Street, Suite 3400
Chicago, Illinois 60602
Phone: 312-814-5600 or 888-261-2734 (TTY)
Fax: 312-814-5479

Springfield

Office of Executive Inspector General for the Agencies of the Illinois Governor
Illinois Building - 607 East Adams Street, 14th Floor
Springfield, Illinois 62701
Phone: 217-558-5600
Fax: 217-782-1605

1.2 Reasonable Accommodation Policy

POLICY STATEMENT

In accordance with federal and state laws, it is the policy of ~~the~~ IBHE to provide reasonable accommodations to qualified individuals with disabilities, individuals who are temporarily limited in their abilities to perform their work functions because of pregnancy, childbirth, or conditions related to pregnancy or childbirth, and individuals who request an accommodation in accordance with a sincerely held religious belief, practice, or observance.

Reasonable accommodations will be provided in all aspects of employment including but not limited to, examination, pre-screening, interview processes, employment transactions (hiring, transfer, promotion, etc.), and benefits. The determination of what accommodation is appropriate in a particular situation will be made on a case-by-case basis.

IBHE is not obligated to comply with an employee's preferred accommodation request, one that will impose an undue hardship on the employer, one that creates a direct threat or one that prevents the employee from performing the essential functions of their job.

DEFINITIONS

Reasonable accommodation - actions taken that enable qualified applicants or employees to be considered for a position, to perform the essential functions of a position, and/or to enjoy the equal benefits and privileges of employment.

Reasonable accommodations include but are not limited to making existing facilities readily accessible; job restructuring; part-time or modified work schedules; reassignment of equipment or devices; more frequent or longer breaks; appropriate adjustment or modification of examinations, training materials or policies; technological accommodations and assistive devices; interpreters; and other similar accommodations.

Undue hardship - a significant difficulty or expense in, or resulting from, the provision of the accommodation. It refers to any accommodation that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business of the office. Whether an accommodation will impose an undue hardship will be analyzed on a case-by-case basis after considering all the required factors such as the nature and costs of the accommodation in relation to the size, resources, nature, and structure of IBHE's operations.

REASONABLE ACCOMMODATION REQUEST PROCEDURES

An employee may initiate a request for a reasonable accommodation by completing a Reasonable

IBHE EMPLOYEE HANDBOOK

Accommodation Request Form and/or contacting the IBHE EEO/ADA Coordinator. Once the completed Reasonable Accommodation Request Form is received, the EEO/ADA Coordinator shall review it for completeness and determine, in consultation with the employee's chain of command, whether medical documentation is needed to establish either the presence of a disability or to determine an appropriate accommodation. When necessary, the employee is to provide documentation to address any outstanding questions or issues.

Provided the appropriate documentation has been submitted, the EEO/ADA Coordinator shall engage with the requesting employee to determine if an accommodation is required and, if so, to what extent an accommodation could be granted. The EEO/ADA Coordinator will inform the employee and the employee's supervisor of the decision to grant or deny the request for reasonable accommodation within thirty (30) working days of receipt of the original request and necessary medical documentation. If the request is approved, IBHE shall take appropriate action to comply with the accommodation and the accommodation shall be implemented as soon as possible. IBHE is permitted to offer alternative accommodation suggestions provided they are equally effective at removing the workplace barrier.

If the request is denied, the employee is permitted to ask the Director of IBHE, or the Director of IBHE's designee to reconsider the denial. A written request for reconsideration should be addressed to the Director of IBHE, or the Director of IBHE's designee, within ten (10) working days of receiving the notification of the decision. The Director of IBHE, or the Director of IBHE's designee's, decision in response to a request for reconsideration shall constitute the final action on the accommodation request.

An employee who has been denied an accommodation has the right to file a complaint with the Illinois Department of Human Rights or the U.S. Equal Employment Opportunity Commission within 300 days of the denial of the request, or to any other appropriate government agency pursuant to their timeframe.

1.3 Gender Identity Policy

Purpose

IBHE does not discriminate in any way ~~based on~~ the basis of sex, gender identity, or gender expression. The goal of this Gender Identity Policy is to ensure an inclusive, respectful, safe, and productive workplace for all, including transgender, nonbinary, and gender nonconforming employees, applicants, and contractors.

Although this policy sets forth guidelines to address the needs of transgender, nonbinary, and gender nonconforming individuals, it does not anticipate every situation that may arise. The needs of ~~everyone~~ each individual must be assessed on a case-by-case basis. The goal of this policy is to ensure that IBHE is creating an affirming workplace for transgender, nonbinary, and gender nonconforming employees.

Policy

All employees, applicants, and contractors must be treated with dignity and respect, regardless of gender, gender identity, or gender expression. State employees may not harass, discriminate, or retaliate against anyone based on their gender, gender identity, or gender expression.

Definitions

The definitions below are intended to assist in the understanding of this policy. Individuals may or may

not use these terms to describe themselves. Furthermore, these terms may change as our understanding evolves.

Cisgender describes someone whose gender identity corresponds with their sex assigned at birth.

Gender expression refers to an individual's characteristics and behaviors (such as appearance, dress, grooming, mannerisms, voice or speech patterns, activities, and social interactions) that may be perceived as masculine, feminine, both, or neither.

Gender nonconforming describes someone whose gender expression or identity falls outside traditional, societal, or stereotyped expectations based on sex assigned at birth. Gender nonconforming individuals may identify as male, female, some combination of both, or neither.

Nonbinary describes someone whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

Pronouns are the set of words used to refer to someone without using their name. Common examples include, "she/her/hers," "he/him/his," "they/them/theirs," and "ze/zir/zirs."

Transgender is an umbrella term that can be used to describe individuals whose gender identity is different from their sex assigned at birth. Being transgender is not dependent on appearance, body parts, or medical procedures.

Transition refers to the process of changing one's gender expression, body, and/or identity documents to match their gender identity. Transition can be social (e.g., changing gender expression, using facilities, using a different name/pronouns), medical (e.g., hormones and/or surgeries), and/or legal (e.g., changing name/gender marker on identity documents). Each person's transition is individualized. It is common for gender transition to be an ongoing process and is unique to each person.

Transitioning on the Job

Employees who undergo a gender affirming transition on the job can expect the full support of management and Human Resources staff. Management and Human Resources will work with each transitioning employee individually to ensure a successful workplace transition, including developing a workplace gender affirming transition plan, if one is requested by the transitioning employee.

Confidentiality and Privacy

Individuals have the right to openly discuss and display their gender, gender identity, and expression, or keep that information private. They decide when, with whom, and how much of their private information to share. Medical, personal, or intimate details about someone's gender identity, transgender identity, or transition are personal and can constitute confidential information under federal and state privacy laws. Personal information related to protected categories should only be disclosed by and with the consent of the individual employee.

Names and Pronouns

All individuals must be addressed by the names and pronouns that they have chosen and shared with their colleagues. A court-ordered name or gender marker change is not required. The deliberate and/or persistent refusal to respect an individual's gender identity or gender expression (e.g., use of the incorrect

name or pronouns when referring to a person) can constitute harassment and is a violation of this policy.

Records and Work-Related Documents

Individuals can request that personnel records, such as e-mails, phone directories, office identification card, and name plates be changed to reflect the individual's chosen name and gender identity. Certain types of records, like those related to payroll, insurance documents, and retirement, may require a legal name change before the person's name can be changed. Most records, however, can be changed to reflect a person's chosen name without proof of a legal name change.

An individual may also request to update the photograph on their identification card, so their gender identity and expression are represented accurately.

Personal Attire and Grooming

All employees have the right to dress in a way that corresponds with their gender identity and/or gender expression or not.

Restroom and Facility Accessibility

Individuals shall have access to the restroom, locker room, and changing facilities that correspond with the individual's preference. The determination as to which facility is the most appropriate and safest for that individual belongs only to them. IBHE employees may not harass or question individuals about their facility choices.

Anyone who has a need or desire for increased privacy, regardless of the underlying reason, will be provided with reasonable alternative arrangements upon request. Any alternative arrangements will be provided in a way that protects the individual's privacy. Under no circumstances should an individual be required to use an alternative facility.

Discrimination/Harassment

It is unlawful and violates IBHE policy to discriminate in any way (including, but not limited to, failure to hire, failure to promote, or unlawful termination) against an individual because of their actual or perceived sexual orientation or gender-related identity or gender expression, whether or not traditionally associated with the person's designated sex at birth. Additionally, it is unlawful and contrary to this policy to retaliate against any person objecting to or supporting the enforcement of legal protections against gender identity or gender expression discrimination in employment.

IBHE is committed to creating a safe work environment for transgender, nonbinary and gender nonconforming individuals. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, and providing employees and staff with appropriate resources. If substantiated, any incident of discrimination, harassment, or violence based on gender identity or expression, is considered a serious offense and shall be subject to corrective action, up to and including discharge.

Individuals who experience or witness discrimination or harassment based on the basis of gender identity or expression are encouraged to report the conduct to any of the following:

- Any supervisor in their chain of command
- Human Resources

IBHE EMPLOYEE HANDBOOK

- IBHE Ethics Officer
- IBHE Equal Employment Opportunity Officer
- The Office of Executive Inspector General (“OEIG”)

Aside from IBHE’s internal reporting process, you may choose to file a charge of discrimination or harassment with the Illinois Department of Human Rights or U.S. Equal Employment Opportunity Commission.

Health Insurance Benefits

Employees who have questions about their medical coverage, including questions about gender-affirming health care, should contact their insurance provider for assistance.

Workplace Gender Affirming Transition Plan

When the individual deems it appropriate, they are encouraged to notify a Human Resources representative or the IBHE EEO/AA Officer to develop a workplace gender affirming transition plan that supports the individual’s needs and ensures a successful workplace transition. Such a plan should clearly delineate responsibilities and expectations of the transitioning employee, their supervisors, colleagues, and other staff. The workplace gender affirming transition plan should be tailored to the specific needs of the transitioning employee and can assist the employee in making changes to their personnel identity-based records, scheduling time off for gender affirming care, and any other inclusive assistance needed within the workplace.

A workplace gender affirming transition plan is optional and should only be completed with the agreement and participation of the transitioning employee. Under no circumstances should a workplace transition plan be used to hinder or delay an employee’s workplace transition.

1.4 Whistleblower Protection Policy

The State Officials and Employees Ethics Act (5 ILCS 430) prohibits retaliatory action against State employees when they:

1. Disclose or threaten to disclose an activity, policy, or practice that is reasonably believed to violate a law or regulation;
2. Provide information to or testify before a public body investigating, inquiring, or conducting a hearing concerning a violation of a law or rule by a state officer or employee; or
3. Assist or participate in proceedings to enforce the State Officials and Employees Ethics Act.

“Retaliatory action” means reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any State employee, that is taken in retaliation for a State employee’s involvement in protected activities.

Retaliation against a State employee for reporting or providing information of wrongdoing is strictly prohibited by the State Officials and Employees Ethics Act, Executive Order 4 (2003), the Illinois Human Rights Act, and may result in a violation of the Whistleblower Act (740 ILCS 174/20.2). The Whistleblower Act prohibits retaliatory action against employees for refusing to participate in an activity that would result in a violation of a law or regulation. The Act also prohibits threats of acts or omissions if those acts or omissions would constitute retaliation against the employee. Any employee who violates the provisions

IBHE EMPLOYEE HANDBOOK

of the State Officials and Employees Ethics Act, Whistleblower Act, Illinois Human Rights Act, or Executive Order 4 (2003) shall be subject to disciplinary action, up to and including discharge.

Please visit the webpage for the Office of Executive Inspector General for additional information regarding the Whistleblower Act.

CHAPTER 2 GENERAL POLICIES AND PROCEDURES

2.1 Reporting Structure Policy

With a few exceptions, IBHE employees are expected to respect their established reporting structure. The organizational chart of IBHE provides a visual representation of the established reporting structure. Employees should regularly communicate with their direct supervisor on work-related matters and other matters requiring supervisory attention. Generally, it is the responsibility of the supervisors to escalate matters up their established reporting structure, as warranted, in order to keep the next level supervisor or proper authority informed. Employees may contact IBHE Human Resources at any time for any reason.

Employees may escalate matters to their next level supervisor when a matter remains outstanding after first discussing it with their direct supervisor or if their direct supervisor is unable to address the issue. Next level supervisors should confirm that the employee previously discussed the matter with their direct supervisor before becoming involved. All employees are strongly encouraged to work in good faith to resolve matters with their direct supervisor before escalating any issue outside of the established chain of command.

Employees wishing to report complaints and/or concerns about matters such as safety violations, discrimination, sexual harassment, violence in the workplace, fraud, or other wrongdoing, may do so outside of their established chain of command. Employees may also contact Human Resources, the IBHE EEO/AA Officer, the Office of Executive Inspector General, and/or any other appropriate authority to report such complaints or concerns. Employees are encouraged to adhere to any and all policies and procedures for reporting such complaints or concerns.

2.2 Personal Use of Social Media Policy

Purpose and Definitions

The purpose of this policy is to establish standards for the personal use of social media by IBHE employees, not related to their official duties. For purposes of this policy, social media covers any online, electronic, or Internet media, tools, communities, and spaces for social interaction, sharing user generated content or public or semi-public communication. Social media can take many forms, including Internet forums, blogs, microblogs, online profiles, wikis, podcasts, pictures and video, email, text, instant messaging, discussion boards, automated data feeds, music-sharing, and chat. Examples of social media outlets include, but are not limited to, Facebook, Instagram, LinkedIn, Reddit, Tumblr, Twitter, WhatsApp, and YouTube.

Permitted Speech

IBHE employees' personal use of social media is subject to certain constitutional and statutory protections. Nothing in this policy shall prohibit employees from engaging in their constitutional right to express their views under the First Amendment but this policy prohibits IBHE employees from disseminating certain content not protected by the First Amendment. Nothing in this policy should be construed as limiting the right of employees to engage in protected concerted activity, or any other conduct deemed to be protected activity under state or federal law.

Guidelines

1. Unless otherwise authorized by the Executive Director of IBHE or the agency's Communications lead, employees shall not suggest or imply that they are speaking or acting on behalf of ~~the~~ IBHE or representing or presenting the interests or views of the IBHE.
2. Employees shall not use proprietary or confidential information of IBHE or the State of Illinois in relation to their personal social media use without the specific authorization of the Executive Director of IBHE.
3. Employees shall not use IBHE property, including, but not limited to, desktop computers, laptop computers, cell phones, handheld digital or electronic devices and digital media storage, to engage in personal use of social media.
4. IBHE employees shall not use social media to harass, threaten, discriminate, or disparage employees or others affiliated with IBHE in violation of state law, federal law, or State of Illinois ethics mandates. This includes, but is not limited to, hate speech, discrimination, harassment, retaliation, or disparaging content aimed at a person or group based on race, religion, sexual orientation, gender identity or any other protected class under federal or state law. IBHE harassment, discrimination, confidentiality, ethics, conduct, and workplace violence policies are all applicable to personal social media usage.
5. Unless ~~it is~~ necessary to perform their job duties and responsibilities, IBHE employees are prohibited from the personal use of social media on State time.
6. IBHE may require employees to remove social media usage that violates this policy or applicable law. IBHE employees who violated this policy may be subject to corrective action.
7. IBHE prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination.

2.3 No Salary History Policy

In compliance with the Illinois Equal Pay Act, and to promote equitable pay regardless of gender or race, the State of Illinois does not seek, request, or require a job applicant's wage or salary history as part of the hiring process or as a condition of employment. The Illinois Equal Pay Act does not prohibit employers from discussing a candidate's salary expectations, provided that the expectation is not based on current wage or salary history. Candidates should be explicitly told not to disclose their current wage or salary history. Agencies may not consider current wage or salary history information that is voluntarily or inadvertently disclosed by a candidate when developing and making an offer of employment. Pay at the State of Illinois is based on the value of the work being performed and each candidate's specific qualifications.

2.4 Employee Performance Evaluation Policy

Performance evaluations are important for both IBHE and its employees. Evaluations ~~can~~ help to

IBHE EMPLOYEE HANDBOOK

establish challenging yet realistic goals and provide necessary feedback. The supervisor should work with the employee to develop appropriate objectives and define criteria for evaluation of performance towards those objectives. Participation in the evaluation process is a requirement for IBHE employees, pursuant to Illinois Personnel Rule 302.270.

For civil service employees serving a probationary period, two performance evaluations shall be completed: (1) at the halfway point of the probationary period, and (2) prior to the conclusion of the probationary period ~~(completed 15 days or more in advance of probationary period end).~~ =

For all full-time staff, performance evaluations should be conducted at least once every twelve (12) month period ~~for all employees. Each evaluation shall be conducted within four (4) months after the end of the twelve (12) month period covered by the evaluation.~~ Supervisors are encouraged to use the performance evaluation process more frequently to reflect outstanding, markedly improved, or deteriorating performance.

An employee will receive a copy of the performance evaluation after completion for review and discussion with their supervisor. An employee shall sign the performance evaluation as recognition of having received and reviewed it, but such signature shall not constitute agreement with the evaluation. An employee will also receive a copy of the performance evaluation once all final signatures have been affixed. The evaluation becomes part of the official documentation of employee performance and may be used to support a personnel or disciplinary action.

2.5 Employee Separation Policy

For employees separating employment, IBHE expects that proper and timely notice will be provided of such intent. Employees voluntarily separating from State employment shall give advance notice of intent not less than fifteen (15) calendar days before the effective date. Employees are expected to be at work during their notice period (not use benefit time) as to aid in transition. Employees resigning from State employment must set forth their reason(s) for resignation in writing. If the employee is leaving the State to work for a private or another public sector employer, IBHE recommends that the employee become familiar with the rules that may govern such separation, including the rules governing an employer who is regulated by or does business with the State of Illinois. In particular, e~~E~~employees should review the State Employees Ethics Act and the Revolving Door Policy to ensure compliance with the rules governing separation of State employees.

Supervisors are responsible for notifying IBHE Human Resources if an IBHE employee will be separating from employment.

Human Resources will prepare an Exit Form for the employee and provide it to the employee for completion. Human Resources will also process separation forms and notify the payroll office to process accrued leave time and deduction discontinuance forms where applicable. If the employee is moving to another State Agency, IBHE Human Resources will coordinate the transfer with Human Resources at the new Agency.

As referenced in the Exit Form, the supervisor is responsible for collecting from separating employees all State property, including but not limited to credit cards; door, file, cabinet, and desk keys; parking lot stickers; identification badges; vehicles; cell phones; laptops; docking stations, and any other State-issued technology devices; and any other State property, including but not limited to files, notes, documents, and correspondence, in the employee's possession while employed with IBHE. This property can be collected before or on the final day of employment.

Upon receiving notice of an employee's separation, as soon as possible but not less than forty-eight (48) hours before the final day of employment, the employee's supervisor shall notify the Agency's systems administrator designated to remove the employee's access and rights to all systems. This process may be expedited in the case of an emergency termination.

2.6 Record Retention Policy

Policy Statement

Records management is an important part of state government. Government records are a form of property whose ownership lies with the residents and with the State of Illinois. It is the policy of IBHE to comply with the regulations set forth in the State Records Act (5 ILCS 160) and to work with the State Records Commission in ensuring that all IBHE records are properly governed by a records retention schedule.

Guidelines

- Government records must be retained for specific amounts of time as determined by a records retention schedule that is developed by the IBHE Records Officer, the Secretary of State's Records Management staff, and the Illinois State Records Commission.
- A listing of current Department of Central Management Services ("CMS") Applications for Authority to Dispose of State Records (record retention schedules) can be found at <https://cms2.portal.illinois.gov/manuals/Pages/RecordsManagement.aspx>. These approved retention schedules grant continuing authority to dispose of the listed records in accordance with procedures established by the Illinois State Records Commission.
- Government records may be disposed of if (1) the individual retention period is complete; (2) all federal and state audits requirements have been met; (3) no litigation is pending or anticipated; and (4) the records are correctly listed on a Records Disposal Certificate submitted to and approved by the appropriate State Records Commission thirty (30) days prior to the intended destruction date.
- Employees must strictly comply with the State Records Act and all related rules and regulations. Failure to do so may result in severe penalties, including discipline up to and including discharge.
- For more information, consult the Record Management Reference Manual for State Agencies and seek guidance from the IBHE Records Officer.

2.7 Secondary Employment Policy

An employee of IBHE is not precluded from holding secondary employment, provided the employee complies with this policy. Secondary employment (or alternative employment) is defined as the performance of any service that may result in payment or receipt of money, goods, services, or something else of value and/or the exercise of control of an enterprise, either public or private, paid by a source other than the State of Illinois while the employee is employed by the Agency.

Limitations to holding secondary employment, include but are not limited to the following:

IBHE EMPLOYEE HANDBOOK

1. An employee shall not engage in secondary employment if it interferes with the employee's performance of their normal job duties and responsibilities.
2. An employee's secondary employment shall not create a conflict of interest or the appearance of a conflict of interest.
3. An employee shall not compete with services provided by IBHE through secondary employment.
4. An employee shall not hold secondary employment if such employment involves the use of information secured ~~because as a result~~ of working at IBHE.
5. An employee shall not use equipment issued or available to the employee from IBHE in any secondary employment, nor conduct secondary employment on IBHE premises or during IBHE work hours.
6. An employee shall not hold secondary employment that could cause embarrassment to the employee or to IBHE.
7. An employee shall not hold secondary employment if such employment causes physical or mental exhaustion that would demonstrably impair the employee's efficiency or capability to carry out IBHE duties.

Any employee wishing to secure secondary employment must submit a completed Request for Secondary Employment Form to their immediate supervisor. The Form requires review and approval by the employee's supervisor, Ethics Officer, and Executive Director. Secondary employment shall not commence prior to approval. The employee will be provided with a fully signed copy of the request form and a copy shall be maintained in the employee's personnel file by the HR Director. An employee must submit a completed Request for Secondary Employment for every secondary position and/or each new contract if secondary employment is contractual in nature.

Approval is typically limited to one (1) request for secondary employment at a time. If an employee's attendance and/or work performance deteriorates because of secondary employment or if the operational needs of IBHE change, approval may be rescinded. When an employee is on a leave of absence from their state employment due to physical and/or mental restrictions, and those restrictions should also prevent them from engaging in secondary employment, the employee's secondary employment approval may be rescinded.

Employees may never make use of State-owned equipment or property for any secondary employment or volunteer activities, and they may not conduct secondary employment or volunteer activities on State property or during normal State business hours.

2.8 Required or Authorized Deductions Policy

IBHE will make only required or authorized deductions from employees' wages in compliance with applicable law and court orders.

~~The~~ IBHE will make the following deductions, if applicable, from employees' gross wage payments:

- Deductions to pay the employee portion of local, state, and federal taxes.

IBHE EMPLOYEE HANDBOOK

- Deductions required pursuant to a withholding order for support, an earnings assignment order, earnings withholding order, or other similar court order.
- Deductions required pursuant to a wage garnishment order.
- Deductions to pay for the employee's contribution into the State Universities Retirement System.
- Other deductions authorized in advance in writing by the employee, including deductions to cover insurance premiums or payments for other employee benefits.

All deductions will be itemized on employees' paycheck stubs. [Employees may request to receive their paystubs via email. Employees may also access their paystub through the Illinois Electronic Pay Stub System \(ePass\).](#) Employees with questions regarding any deductions taken from their paychecks should immediately contact IBHE Payroll.

2.9 Minors in the Workplace Policy

As a general rule, minors are not permitted at IBHE worksites due to insurance obligations, productivity, and safety concerns. Under no circumstances are minors permitted on construction sites, vehicle maintenance garages, or vacant facilities. Employees are permitted, to the extent necessary, to bring minors to visit administrative office areas on occasional, infrequent, and short visits. Minors must be directly supervised by the parent or other responsible adult at all times. If the frequency, length, or nature of the visit becomes problematic, the employee will be advised of the situation and will be expected to take corrective action.

Aside from the exceptions stated above, employees are prohibited from bringing minors to work. Employees are provided paid time off that should be used in accordance with the appropriate leave policy for personal reasons, including care for an ill minor or emergency childcare.

2.10 Charity and Fundraising Policy

IBHE permits and encourages employees to participate in charity, community involvement, and fundraising activities for organizations that service or represent the public at large and are recognized by the Internal Revenue Service. The Executive Director of IBHE must approve all fundraising or charitable activity prior to such activity occurring in the workplace. No fundraising or charitable activity allowed by this policy shall be for the personal gain of a State employee. Charitable solicitations shall not disrupt normal business activity. Use of meeting rooms, common areas, and/or reasonable use of copy machines for charitable or fundraising activities may take place on State time, with prior approval. Even with prior approval, only minimal State time should be expended on fundraising or charitable activities. Additionally, ~~except for~~ [with the exception of](#) the reasonable use of copy machines with permission, State resources should not be expended on fundraising or charitable activities. All fundraising and charitable activities permitted by this policy must comply with applicable laws, including but not limited to, the Illinois Raffle and Poker Runs Act.

CHAPTER 3 WORKPLACE SAFETY

3.1 Drug and Alcohol-Free Workplace Policy

It is the policy of the State of Illinois that the unlawful manufacture, distribution, possession, or consumption of a controlled substance, cannabis, or alcohol in the workplace or while performing the duties of a state job is strictly prohibited. An employee violating this policy may be subject to discipline up to and including discharge. All employees are expected and required to report to work on time and in a mental and physical condition fit to appropriately perform the duties of their job. An employee reasonably suspected of being under the influence of alcohol, cannabis, or drugs at work shall not be permitted to remain at work and may be subject to discipline up to and including discharge. Also, an employee who possesses or is under the influence of drugs and/or alcohol during non-work hours in such a manner that brings adverse criticism to IBHE may be discharged.

3.2 State Employee Assistance Program Policy

The Employee Assistance Program (“EAP”) provides professional and clinical assistance to employees with alcohol or drug abuse problems, emotional, financial, family/marital, or other personal issues for which the employee desires help. These personal issues may impact job performance and cause problems such as absenteeism, declining work competencies, or poor personal relationships on the job.

The primary goals of the EAP are to provide help to employees who experience problems so that job performance decline can be prevented or corrected and to help employees deal with life’s challenges. EAP specialists can direct employees to appropriate counseling services or community-based resources depending upon the nature of the problem.

An employee may self-refer to the EAP or be referred by a supervisor. All EAP referrals and counseling sessions are strictly confidential, except when disclosures are required by law, and the acceptance of a referral will not jeopardize the employee’s job. No information will be disclosed without written consent from the employee.

All calls and counseling sessions are confidential except in instances required by law or when an employee signs a consent for release of information with the EAP counselor. EAP counseling services are provided at no cost to employees and their covered dependents unless they are referred for additional services beyond the scope of the EAP. If an employee elects to accept such a referral, resulting fees and co-payments are the employee’s responsibility.

Active employees covered under the State Employees Group Insurance Program are eligible for EAP benefits administered privately by a vendor selected through the procurement process by the CMS Bureau of Benefits. Employees may call the toll-free EAP number listed in the Benefits Choice Options Booklet for more information.

Self-Referral

Any employee may call the appropriate toll-free EAP number listed in the Benefits Choice Options Booklet to speak with a trained service representative and/or EAP licensed clinician. The EAP may be used to help an employee deal with a variety of concerns or challenges, not just problems related to the workplace. The EAP is a life management tool designed to help an employee sort through issues, identify options, and make informed choices.

Supervisory Referral

Supervisors are responsible for ensuring that the job performance of their subordinate is satisfactory. Declining job performance should be documented while attempts are made to resolve the problem through standard supervisory methods. Declining job performance for which the supervisor cannot identify a job-related cause may be related to a variety of personal issues. Although it is not a supervisor's role to diagnose personal problems, supervisors may wish to consult with HR and/or an EAP counselor to determine whether a referral to the EAP may be appropriate. When deemed appropriate, supervisors and HR should meet with the employee, document the declining performance, and refer the employee to the EAP. The employee has the right to accept or reject such a referral.

Supervisors should become familiar with the EAP and utilize it appropriately. A referral to the EAP may be made before the application of discipline has been deemed necessary. However, a referral to the EAP in no way exempts an employee from progressive discipline for less-than-acceptable job performance.

Time Off

Appointments with counselors, legal, medical, social service, or other assistance professionals during regular work hours must be taken as vacation, personal, sick, or other officially authorized leave time.

3.3 Commitment to Safety and Workplace Violence Prevention Policy

Commitment to Safety

The safety and security of its employees and the public it serves is of the utmost importance to IBHE. IBHE is committed to providing a work environment free from violence and will respond promptly and appropriately to all acts or threats of violence made by or against its employees or the public. All employees are responsible for maintaining a safe environment by taking reasonable steps to prevent and report workplace violence.

Violence Prevention Policy

Workplace violence will not be tolerated. The "workplace" includes State offices, work sites, vehicles, and any other location where State business is being conducted. Threats, threatening behavior, disruptive conduct, intimidation, abusive or offensive language, gestures, or similar conduct, or acts of violence against employees, visitors, guests, or other individuals by anyone on State premises is strictly prohibited. A State employee may not threaten or attempt to inflict bodily harm on another individual. A State employee shall not hit or push another person or have hostile or unwelcomed contact with another person. Violations of this policy will lead to disciplinary action, up to and including discharge.

Any person who makes threats, exhibits threatening behavior, attempts to inflict bodily harm, or engages in violent acts in the workplace shall be removed from the premises as quickly as safety permits, and shall remain off State premises pending the outcome of an investigation. IBHE will initiate an appropriate response to such conduct. This response may include, but is not limited to, discipline up to and including discharge, and/or criminal prosecution of the person(s) involved.

All State personnel are responsible for notifying their immediate supervisor or management of any threats they have witnessed, received, or have been informed of. Even without an actual threat, personnel should report any behavior they have witnessed that they regard as threatening or violent, when that behavior is job-related or might be carried out in the workplace or is connected to State employment. If a situation arises that involves violent or threatening behavior that presents an immediate danger to a person or

property, employees should call the Illinois State Police, 911, or any other appropriate emergency contact for the facility, particularly if the situation requires immediate medical and/or law enforcement attention.

Employees are instructed to take threats seriously and to report them immediately to the proper authorities outlined above to help prevent a potential incident from occurring. Additionally, employees should report all warning signs of actual or potential violent or hostile behavior that they observe or are informed about. Employees are responsible for reporting violence or threats of violence regardless of the relationship between the individual who initiated the threat or threatening behavior and the persons who were threatened or were the focus of the threatening behavior. Any State employee may be required to submit a written statement regarding a specific incident or threat. Retaliation against an employee who makes a good faith report of violence or other disruptive behavior is strictly prohibited and may result in discipline.

All individuals who obtain a temporary or permanent protective order or restraining order that lists State locations as being a protected area, must provide their immediate supervisor or management with a copy. IBHE understands the sensitivity of the information contained within protective orders and restraining orders and has confidentiality procedures in place that recognize and respect the privacy of the reporting employee(s).

Pursuant to the Workplace Violence Prevention Act, the State may obtain a restraining order against any individual who carries out violence or makes a credible threat of violence against any of its employees. A credible threat of violence is a statement or course of conduct that causes a reasonable person to fear for the person's safety, the safety of the workplace, or the safety of others in the workplace.

Weapons/Explosives

No IBHE employee is allowed to carry, retain, possess, or bring to State premises or workplaces any explosives, firearms, or other dangerous weapons or any parts thereof, nor are employees allowed to transport dangerous weapons while on duty or while utilizing a State vehicle.

Any violation of this policy will result in discipline, up to and including discharge.

3.4 Victims Economic Security and Safety Act (VESSA)

IBHE has an interest in promoting the health and safety of its workforce and serving as a source of support and empowerment for victims/survivors of domestic violence, sexual violence, gender violence, or any other crime of violence. In an effort to advance this interest and in compliance with the Illinois Victims Economic Security and Safety Act ("VESSA")(820 ILCS 180), State employees are legally entitled to an allotment of unpaid leave, certain job protections upon returning from leave, continued health insurance benefits, reasonable accommodations, and protection against discrimination and retaliation when they or their family or household member is a victim/survivor of domestic, sexual, or gender violence, or any other crime of violence.

VESSA Protected Leave

VESSA grants up to twelve (12) weeks of unpaid leave within a twelve (12) month period to employees who are victims/survivors of domestic, sexual, gender, or any other crime of violence or who have family or household members who are victim/survivors of domestic, sexual, gender, or any other crime of violence.

IBHE EMPLOYEE HANDBOOK

A leave under VESSA can be taken for the following purposes that are a result of domestic, sexual, or gender violence, or any other crime of violence:

1. To seek medical attention, or to recover from physical and/or psychological injuries to the employee or the employee's family or household member;
2. To obtain services from a victim services organization for the employee or the employee's family or household member;
3. To obtain psychological or other counseling for the employee or the employee's family or household member;
4. To participate in safety planning, temporarily or permanently relocating, or taking other actions to ensure the safety or economic security of the employee or the employee's family or household member;
5. To seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member;
6. To attend the funeral or alternative to funeral or wake of a family or household member who was killed in a crime of violence;
7. To make arrangements necessitated by the death of a family or household member who was killed in a crime of violence; or
8. To grieve the death of a family or household member who was killed in a crime of violence.

A leave under VESSA may be taken in a block of time, on an intermittent basis, or as a reduced schedule. Appropriate paid benefit time may be substituted for unpaid leave. The substitution of paid leave does not increase the twelve (12) week VESSA leave allotment.

The entitlement to leave under VESSA is not in addition to the twelve (12) weeks of leave provided by The Family and Medical Leave Act of 1993 ("FMLA"). Leave taken pursuant to VESSA that also qualifies for an FMLA leave shall run concurrently under VESSA and FMLA. These leaves will be counted against an employee's twelve (12) week allotment under both VESSA and FMLA. Not all VESSA absences will also qualify for FMLA leave.

If an employee is entitled to take unpaid leave under the Family Bereavement Leave Act, VESSA does not create a right for the employee to take unpaid bereavement leave that exceeds, or is in addition to, the unpaid bereavement leave the employee is entitled to take under the Family Bereavement Leave Act.

Notice and Certification

Absent extenuating circumstances, employees must provide notice to HR forty-eight (48) hours in advance of any leave taken pursuant to VESSA. When forty-eight (48) hours' notice is not practicable, notice must be provided as soon as possible.

Employees requesting a VESSA leave or accommodation may be asked to provide certification to verify eligibility. Certification can be provided in the following ways:

1. A sworn statement by the employee;

2. A sworn statement or documentation from a victim services organization, attorney, member of the clergy, or a medical professional from who the employee or the employee's family or household member sought services from;
3. A police report or court documents;
4. A death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency, documenting that a victim was killed in a crime of violence; or
5. Other corroborating evidence.

In addition to a sworn statement by the employee, other documentation may be provided only if the documentation is in the possession of the employee. The employee can determine which type of document listed above will be submitted to the employer and the employer shall not request or require that the employee produce more than one (1) document during the same twelve (12) month period when the leave requested or taken is related to the same incident(s) of violence or the same perpetrator(s) of the violence.

Employment Protections

Health insurance benefits shall continue for the duration of a VESSA leave. Employees taking a leave pursuant to VESSA are responsible to continue paying their portion of the insurance premiums normally deducted by payroll if the employee is taking an unpaid VESSA leave for a block of time.

Upon returning to work after a VESSA leave, the employee is required to be returned to the same position the employee was employed in prior to the leave or to an equivalent position with equal pay, benefits, and other terms and conditions of employment.

Confidentiality

All files pertaining to VESSA shall remain confidential and shall be kept in the strictest confidence. This includes an employee's request to take VESSA leave, notice of an employee's intention to take VESSA leave, any documentation or certification provided by the employee, or any information regarding an accommodation related to VESSA. These files must be kept separate from employee personnel files and retained in confidence except to the extent that disclosure is requested and consented to by the employee, in writing, or as otherwise required by applicable law.

Reasonable Accommodations

An employee may request a reasonable accommodation under VESSA for known limitations resulting from domestic, sexual, or gender violence, or any other crime of violence, unless such accommodation would impose undue hardship on the employer. The State of Illinois understands that reasonable accommodations may be necessary not only for the safety and comfort of a victim/survivor of domestic, sexual, or gender violence, or any other crime of violence but also for overall workplace safety. Examples of reasonable accommodations for a victim/survivor of domestic, sexual, or gender violence, or any other crime of violence include, but are not limited to, adjustments to workplace location, a modified schedule, a changed telephone number and/or email, and implementation of a safety plan. All reasonable accommodation must be made in a timely manner.

Non-discrimination and Non-retaliation Policy

It is unlawful for an employer to interfere with, restrain, or deny an employee's right to exercise or attempt to exercise any rights provided under VESSA and such behavior will not be tolerated. It is unlawful to discriminate, harass, or retaliate, with respect to compensation, terms, conditions, or privileges of

employment, against any employee who is a victim/survivor of domestic, sexual, or gender violence, or any other crime of violence, or who is perceived to be a victim/survivor. Any violation of this policy will be subject to discipline, up to and including discharge.

Definitions

Domestic, sexual, and gender violence - stalking is included within this definition under VESSA.

Crime of Violence – any conduct proscribed by Articles 9, 11, 12, 26.5, 29D, and 33A of the Criminal Code of 2012 or a similar provision of the Criminal Code of 1961, in addition to conduct proscribed by Articles of the Criminal Code of 2012 referenced in other definitions enumerated within VESSA.

Family or Household Member - a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, or other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household.

Parent – the biological parent of an employee or an individual who stood in *loco parentis* to an employee when the employee was a son or daughter.

Child – a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is under eighteen (18) years of age or is eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability.

Gender Violence – includes:

1. one or more acts of violence or aggression satisfying the elements of any criminal offense under the laws of this State that are committed, at least in part, based on a person’s actual or perceived sex or gender, regardless of whether the acts resulted in criminal charges, prosecution or conviction;
2. physical intrusion or physical invasion of a sexual nature under coercive conditions satisfying the elements of any criminal offense under the laws of this State, regardless of whether the intrusion or invasion resulted in criminal charges, prosecution, or conviction; or
3. a threat of an act described in item (1) or (2) causing a realistic apprehension that the originator of the threat will commit the act.

3.5 Illinois Occupational Safety and Health Act

IBHE takes the health and safety of its employees seriously and complies with all occupational safety and health standards established by the Illinois Occupational Safety & Health Act (820 ILCS 219) (“Illinois OSHA”). It is the responsibility of all IBHE employees to keep the workplace free from recognized hazards. IBHE employees must comply with all occupational safety and health standards issued under the Illinois OSHA that are relevant to their specific job duties and responsibilities.

Any workplace hazards should be immediately reported to a direct supervisor or a member of management. IBHE employees also have the right to confidentially notify the Illinois Department of Labor about a workplace hazard. Retaliation, harassment, or discrimination against an individual who files a complaint with the Illinois Department of Labor regarding a recognized workplace hazard is strictly

prohibited and will be subject to corrective action, up to and including discharge.

IBHE Human Resources will make all necessary reports to Illinois OSHA. All work-related fatalities must be orally reported to Illinois OSHA within eight (8) hours. All work-related in-patient hospitalizations, amputations, and losses of an eye must be orally reported to Illinois OSHA within twenty-four (24) hours of the injury. Each report requires the following information:

1. The establishment/employer's name;
2. The location of the incident;
3. The time of the incident;
4. The number of fatalities or hospitalized employees;
5. The names of any injured employees;
6. The reporter's contact person and his or her telephone number; and
7. A brief description of the incident.

Illinois OSHA can be contacted at their confidential telephone number of (800) 782-7860 or at (217) 782-7860 during normal business hours.

3.6 Smoke-Free Workplace/Tobacco Use Policy

In accordance with the Smoke Free Illinois Act (410 ILCS 82), smoking is prohibited in all State of Illinois facilities, buildings, or other structures, within fifteen feet of their entrances, and in State-owned vehicles. Smoking (including tobacco and cannabis) and the use of all non-combustible tobacco or cannabis products and non-FDA approved nicotine or cannabis delivery devices and products is prohibited in all IBHE work locations, including employee workstations, in open office areas, in conference rooms, in waiting rooms or hallways, in restrooms, and in employee offices. All smoking, tobacco, and cannabis restrictions apply to members of the public as well as employees and contractors. Failure to follow the requirements of this policy and state law may result in progressive disciplinary action.

“Non-FDA-approved nicotine delivery devices and products” means any product or device containing or delivering nicotine, cannabis or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes e-cigarettes, e-cigars, e-pipes, e-hookahs, and vape pens.

“Tobacco products” means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the body by inhalation. The term “tobacco products” does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

CHAPTER 4 ETHICS POLICIES

4.1 General Ethics Policies

In order to maintain the confidence of the people of Illinois, employees of the State of Illinois must adhere to the highest standards of honesty, integrity, and impartiality in their conduct and in the performance of their official duties. Adherence to such standards will promote the courteous, efficient, professional, and lawful delivery of services to the residents of Illinois.

Courtesy

State employees shall:

- treat all members of the public and other employees promptly, fairly, impartially, and with equal dignity; and
- not discriminate against or harass any person ~~based on~~ the basis of race, creed, color, sex, sexual orientation, gender identity, religion, age, national origin, disability, or any other protected criteria.

Efficiency

State employees shall:

- perform the assigned duties to the best of their abilities;
- perform the duties during working hours as scheduled;
- cooperate with other employees in the performance of required duties; and
- not be intoxicated, consume alcohol, cannabis, or drugs prohibited by law during working hours.

Professionalism

State employees shall:

- act with honesty and preserve confidentiality in the performance of their duties;
- not participate in political activity during working hours, coerce others to engage in such activity, or use state resources for political activity;
- not advocate or promote specific professional or commercial services to the public in matters under the jurisdiction their employing Agency;
- not engage in outside employment or volunteer activities that conflict with the performance of their official duties.

Lawfulness

State employees shall:

- obey government laws, ordinances, rules, and regulations;

- cooperate with other governmental agencies, and cooperate in any official investigations within or outside of their employing Agency;
- treat government property with due care; and
- not use for personal gain their respective official positions or knowledge acquired through such official positions.

Ethics Officers

All Agency Ethics Officers provide guidance to officers and employees of their Agency related to the interpretation and implementation of all ethics regulations found in the State Officials and Employees Ethics Act, Executive Orders, the Illinois Procurement Code, and any other provision under federal and state law. Officers and employees may, in good faith, generally rely on the opinion of their officially designated Ethics Officer. Opinions of the Ethics Officer shall be based, whenever possible, on legal precedent in court decisions, opinions of the Illinois Attorney General and findings and opinions of the Executive Ethics Commission.

In addition to providing ethics-related opinions, the Ethics Officer acts as the Agency liaison to the Office of Executive Inspector General and the Executive Ethics Commission. The Ethics Officer is also responsible for reviewing Statements of Economic Interests and Supplemental Disclosure Forms required of certain Agency employees.

Agency Ethics Officers shall maintain an open-door policy for employees who seek guidance concerning their ethical obligations. Should any State employee have questions related to their ethical obligations under the State Officials and Employees Ethics Act, Executive Orders, or other laws, rules, and regulations, they should contact their Ethics Officer. The current IBHE Ethics Officer is the General Counsel.

Reporting and Investigating Allegations of Employee Misconduct & Legal Protections

Executive Order 2016-04 and Executive Order 2018-02 establish procedures for reporting and investigating allegations of employee misconduct. These procedures apply whenever it is alleged that an official, member, or employee of any executive agency, board, or commission under the jurisdiction of the Governor may be engaged in misconduct, waste, abuse, mismanagement, corruption, conflicts of interest, nonfeasance, malfeasance, misfeasance, or violation of law, rules, regulations, or court orders. These procedures similarly apply to alleged vendor misconduct. State employees are required to read and follow all requirements delineated in Executive Order 2016-04.

Suspected employee or vendor misconduct must be reported to the Agency Ethics Officer and/or the Office of Executive Inspector General (“OEIG”). The Ethics Officer acts as the Agency’s liaison to the OEIG. After making the required referral to the OEIG, Agencies may take whatever investigatory or disciplinary actions they deem to be appropriate, unless the OEIG has specifically requested, in writing, that the Agency refrain from taking any further action. The OEIG may also specifically request that the Agency conduct an internal investigation into the allegations and require the Agency to provide a written outcome of the investigation.

Information related to reports of misconduct shall be restricted to a need-to-know basis. Subsequent determinations by the Agency Ethics Officer and/or Office of Executive Inspector General are also considered confidential and restricted to a need-to-know basis. Each Agency and State employee shall

cooperate with and aid the OEIG in any investigation and failure to do so may be subject to disciplinary action. Failure to report misconduct or providing false information to the OEIG is subject to disciplinary action up to and including discharge.

No employee shall be discouraged from reporting alleged misconduct or intimidated by threats or pressure when making a report of alleged misconduct. Retaliation is prohibited against employees who report, in good faith, alleged misconduct, even if the allegation is determined to be unfounded. The State Officials and Employees Ethics Act and Executive Order 2016-04 prohibit retaliatory action against a State employee who discloses what they believe is a violation of a law, rule, or regulation including sexual harassment. The Whistleblower Act further states that an employer may not retaliate against an employee for disclosing information they have reasonable cause to believe discloses a violation of a State or federal law, rule, or regulation. Persons interfering with the attempted reporting of misconduct or retaliating against those reporting misconduct are subject to discipline, up to and including discharge. Employees who report deliberately and demonstrably false and/or frivolous allegations in bad faith are subject to discipline, up to and including discharge.

Reporting Criminal Conduct and Emergency Situations

The Ethics Officer acts as the Agency's liaison with the Illinois State Police; therefore, the Ethics Officer will handle any applicable referrals to the Illinois State Police outside of emergency situations. Executive Order 2016-04 provides that "[c]ertain incidents involving potential criminal conduct and other emerging situations must be reported immediately to the appropriate law enforcement agencies. In the event of an emergency requiring immediate police response, the Illinois State Police, county, or municipal police agency that can provide the fastest response should be contacted." If another law enforcement agency has been contacted, the Illinois State Police Division of Internal Investigation (ISP DII) should also be contacted promptly. Executive Order 2016-04 details the procedures to be followed in relation to specific criminal conduct and emergency situations.

Annual Ethics Training

All State Employees are required to complete annual ethics training. New to the State employees must complete their initial ethics training within thirty (30) days after commencement of their employment. The Executive Ethics Commission and the OEIG oversee annual ethics training for all State employees.

Cybersecurity Awareness Training

Cybersecurity training is mandated for all IBHE Staff annually during a predetermined period set by IBHE Human Resources and Technology staff and approved by the Executive Director. This period is referred to as the training period and is inclusive of all required state trainings (e.g., Ethics, Harassment and Discrimination Prevention, and Diversity, Equity, Inclusion and Accessibility). The training may occur through OneNet, or through other means as long as the training material is the same as what is provided through OneNet and the staff member provides a scanned/signed copy of the certificate attesting that they completed the training.

New IBHE Hires starting outside of the predetermined training period will be required to complete cybersecurity training (and other mandatory state trainings) as part of their orientation and within seven days of their start-date. ~~The IBHE HR director~~Supervisors will ensure that this training occurs within ~~this~~ the required time period. If new IBHE employees can provide written documentation that they have completed the required cybersecurity training for the given year through another employer, this requirement is waived. All certifications of training outside the training period are to be maintained ~~by the HR director~~in the personnel file by Human Resources.

IBHE EMPLOYEE HANDBOOK

All temporary help and contractors are required to complete cybersecurity training within seven days of their start-date and on an annual basis and/or during the regular training period.

Supervisors are responsible for working with ~~the Director of~~ Human Resources and the ~~Director of~~ Information Technology & ~~Systems~~ department to determine if their direct reports have successfully completed the required training during the training period.

The Director of Information Technology & Systems ~~or designees is to~~ may provide IBHE Senior Staff with a report by July 31st of each year regarding agency compliance with these procedures.

4.2 Political Activities Policies

Political Activity

State employees are permitted to participate in political activities if they comply with the limitations set forth in the State Officials and Employees Ethics Act (5 ILCS 430), the Federal Hatch Act, and any other federal or state statute, rule, or regulation. State employees are prohibited from participating in political activities, or compelling or coercing others to engage in such activities, while on State property, during working hours and while using State resources. This prohibition does not apply to an employee's use of vacation, personal, compensatory time off. Some Agencies, Boards, and Commissions place stricter restrictions on the ability of certain employees and appointees to participate in political activities during and outside of work hours.

Examples of political activities prohibited by Section 5-15 of the State Officials and Employees Ethics Act include, but are not limited to:

1. Distributing, preparing for distribution, or mailing campaign literature, signs, or materials.
2. Preparing for, organizing, or participating in political events or meetings.
3. Managing or working on a campaign for elected office or for or against any referendum question.
4. Soliciting contributions or votes on behalf of a candidate for office or a political organization.

A full list of "prohibited political activities" can be found within the definition section of the State Officials and Employee Ethics Act. All inquiries seeking guidance about a State employee's participation in political activities should be directed to their appropriate Ethics Officer. If a State employee is aware of any violations of the laws pertaining to the political activities of another State employee or official, they are required to report it to the Office of the Executive Inspector General and/or their Ethics Officer.

Political Contributions

Section 5-35 of the State Officials and Employee Ethics Act prohibits State employees, appointees, and candidates for elected office from intentionally soliciting, accepting, offering, or making contributions on State property. Additionally, the Illinois Criminal Code regulates solicitation misconduct which prohibits State employees and appointees from soliciting or receiving campaign contributions from anyone over whom they have authority to inspect, license, investigate, or regulate, even outside of State working hours or on State property.

State employees, appointees, and candidates for elected office are further prohibited from offering or promising anything of value in exchange for a political contribution. Anything of value includes, but is not limited to, positions in state government or on a board or commission, promotions, salary increases,

favorable treatment in an official or regulatory matter, the award of a public contract, or any action or inaction on a legislative matter.

The State Officials and Employees Ethics Act requires that State employees who are requested or directed to engage in activity that may constitute a prohibited offer or promise to report such request or directive to the Office of Executive Inspector General or their appropriate Ethics Officer.

4.3 Conflict of Interest Policy

~~To~~ In order to maintain the public trust, State employees must avoid conflicts of interests and the appearance of such conflicts. In order to avoid a conflict-of-interest, State employees must not engage in conduct that conflicts with the interests of the State or with the performance of their official duties. Additionally, State employees, their family members, or their friends should not receive personal or financial advantages because of an employee's employment with the State.

Conflicts of interests, or the appearance of such conflicts, often arise when an employee is making hiring decisions, contractual decisions, when recommending State grants, in the granting or renewal of business licenses or insurance, when expediting a license, when making regulatory decisions or vendor payments, or through holding outside employment.

State employees are required to review the conflict-of-interest laws and rules that apply to their specific positions and must take the necessary and appropriate actions to identify, disclose, and avoid potential conflicts of interests, or the appearance of a such conflicts. In the event a conflict of interest is unavoidable, the employee must disclose the conflict to their appropriate Ethics Officer. All questions or concerns regarding conflicts of interests should also be directed to the appropriate Ethics Officer.

4.4 Statement of Economic Interest Policy

The Illinois Governmental Ethics Act requires some State employees and appointees to file Statements of Economic Interests with the Illinois Secretary of State on an annual basis. (5 ILCS 420/4A). The purpose of Statements of Economic Interests is to disclose specific financial interests of certain State employees.

Executive Order 2015-09 requires the same employees to make additional disclosures related to certain interests in real property in which the state has a beneficial interest, non-governmental positions held by the employee whether compensated or not, and the employee's involvement in litigation with the State as a party or where the employee has a financial interest in the litigation.

If you are required to submit a Statement of Economic Interest you will be notified by the Illinois Secretary of State and/or your Agency Ethics Officer of this requirement no later than April 1 of each year. You are responsible for completing and submitting the filing as directed before May 1 of each year. Agency Ethics Officers review all Statements of Economic Interests completed by their Agency's employees within the Illinois Secretary of State filing database.

Executive Order 2018-12 requires the same employees to file a Supplemental Statement of Economic Interests ("Supplemental Statement") directly with the Illinois Executive Ethics Commission ("Commission"). This Supplemental Statement requires disclosures related to an employee's relative(s) who are employed by or serving as an elected officer or member of a Governmental Body and the employee must notify the Commission of any change in that relative's position within thirty (30) days. These employees are also required to notify the Commission, in writing and without delay, of any material change in circumstances that might alter their original disclosure.

State employees will receive notice of this Supplemental Statement directly from the Commission in electronic format on or before April 1 of each year. This Supplemental Statement must be filed electronically with the Commission on or before May 1 of each year.

4.5 Discounts, Gifts or Honoraria Policy

State employees shall not intentionally solicit or knowingly accept any gift, gratuity, reward, or other thing of value from a prohibited source in violation of any federal or state statute, rule, or regulation, including the State Officials and Employees Ethics Act (5 ILCS 430/10-10) and Executive Order 2015-09. State employees must also comply with all rules regarding gifts issued by the Governor's Office of Management and Budget. This ban applies to all State employees, their spouses, and any immediate family member residing with the employee.

Prohibited sources include:

1. Individuals seeking official action from a State employee, their superiors, or the Agency they are employed by.
2. Individuals doing business, or seeking to do business, with a State employee, their superiors, or the Agency they are employed by.
3. Individuals who conduct activities that are regulated by the State employee, their superiors, or the Agency they are employed by.
4. Individuals with interests that may be substantially affected by the performance or nonperformance of the employee's official duties.
5. Individuals registered as a lobbyist or who are required to register as a lobbyist with the Illinois Secretary of State.
6. Individuals who are an agent of, spouse of, or an immediate family member living with a prohibited source.

Under the State Officials and Employees Ethics Act, gifts include, but are not limited to, entertainment, hospitality, loans, discounts and any other tangible or intangible item having monetary value. Grants and monetary or in-kind donations from any source to the State of Illinois are excluded from this statutory gift ban.

A prohibited source is not prohibited from paying for the cost of registration fees, travel, lodging, or meals provided that: (a) the prohibited source makes payments or reimbursements of such costs directly to the employing Agency, (b) the trip is approved, in writing and in advance, by the Director of the Illinois Executive Ethics Commission, and (c) the prohibited source complies with all other applicable laws and regulations, including Section 1620.700 of the Illinois Administrative Code.

Additionally, if an employee receives a prohibited gift, they do not violate the law if they take prompt, reasonable action to return the gift to its source, gift it to a non-profit organization or give an amount equal to the value of the prohibited gift to a non-profit organization.

There are some exceptions to this statutory gift ban, such as accepting *de minimis* meals or refreshments provided at a business meeting or reception attended by a State employee in the course of their official

duties. A complete list of exceptions can be found in Section 10-15 of the State Officials and Employees Ethics Act (5 ILCS 430/10-15) and Executive Order 2015-09.

4.6 Revolving Door Prohibition Policy

A number of revolving door restrictions are placed on current and former State employees that limit non-State employment immediately following State employment. Prior to accepting an offer of employment, or other forms of compensation, State employees should review the revolving door restrictions outlined in the State Officials and Employees Ethics Act, the Illinois Procurement Code, and Executive Order 2015-09. Employees may also reach out to their Agency's Ethics Officer with any questions or concerns about revolving door restrictions.

The revolving door restrictions found in the State Officials and Employees Ethics Act apply to State employees, their spouses, and immediate family members who, during the year immediately preceding termination of state employment:

1. Participated personally and substantially in the award or fiscal administration of State contracts or contract change orders with a cumulative value of \$25,000 or more to their prospective non-state employer, its parent entity, or its subsidiary entity; or
2. Participated personally and substantially in making a regulatory or licensing decisions that directly applied to their prospective non-state employer, its parent entity, or its subsidiary entity.

These employees are prohibited from accepting an employment offer from these prospective non-State employers for one (1) year after leaving state employment (5 ILCS 430/5-45).

High Ranking Employees and Appointees

The State Officials and Employees Ethics Act prohibits certain high-ranking employees and appointees from knowingly accepting employment or compensation from certain individuals or entities for one (1) year after leaving state employment regardless of whether the State employee or appointee was involved in regulatory, licensing, or contract decision making. These restrictions apply to the following high-ranking employees and appointees:

1. Individuals whose appointment to office is subject to the advice and consent of the Illinois Senate;
2. The head of a department, commission, board, or other administrative unit within State government;
3. Chief procurement officers, State purchasing officers, and their designees whose duties are directly related to State employment;
4. Chiefs of staff, deputy chiefs of staff, associate chiefs of staff, assistant chiefs of staff, and deputy governors or any other position that holds an equivalent level of managerial oversight;
5. Employees of the Illinois Racing Board;
6. Employees of the Illinois Gaming Board;
7. Members of a commission or board created by the Illinois Constitution; and
8. Members of the General Assembly or executive branch constitutional officers.

The above referenced high-ranking employees and appointees are specifically prohibited from accepting employment or compensation for one (1) year after leaving State employment, if the prospective employer, its parent, or subsidiary entities, during the year immediately prior to the employee's separation from state employment:

1. Was a party to a State contract or contracts with a cumulative value of \$25,000 or more involving the State employee's Agency; or
2. Was subject to a regulatory or licensing decision involving the State employee's Agency.

Additional Requirements for C-List Employees

Employees delineated in Section 5-45(c) of the State Officials and Employees Ethics Act ("C-List employees") who want to accept an offer of employment or compensation, during or for one (1) year after State employment, must notify and seek a determination from the Office of Executive Inspector General ("OEIG") before accepting the offer. The forms required for seeking a determination from the OEIG can be found on the OEIG's website. The agency will notify any employee of the C-List designation upon hiring, promotion, or transfer into the position, or at the time the employee's duties are changed in such a way to qualify the employee. The employee must certify in writing that the employee was advised of the prohibition and the requirement to notify the Office of Inspector General. Failure to notify and seek a determination from the Office of the Executive Inspector General of this prospective employment or compensation may result in a fine up to \$5,000. Additional details regarding the restrictions on C-List Employees can be found on the Office of the Executive Inspector General's website.

Illinois Procurement Code Revolving Door Restrictions

The Illinois Procurement Code provides that State employees, whose principal duties are directly related to State procurement for at least six (6) months and executive officers confirmed by the Illinois Senate, are prohibited from engaging in any procurement activity on behalf of a post-State employer that relates to the State Agency they were most recently employed by. This prohibition is in place for two (2) years after the employee leaves the State Agency. Additionally, a State employee with an offer for employment or contract for work for a State vendor, may not negotiate with that vendor on behalf of the State at any time in the future. These employees should review Sections 50-15 and 50-30 of the Illinois Procurement Code and/or consult with their appropriate Ethics Officer for further guidance.

Penalties for Revolving Door Violations

If a State employee or appointee accepts employment or compensation in violation of revolving door provisions, it may result in fines in an amount up to three (3) times the annual compensation that the individual would have obtained in violation of the provisions.

Executive Order Revolving Door Restrictions

Executive Order 2015-09 provides State employees, while employed by or serving as an appointee of a State Agency, are prohibited from negotiating employment or compensation from any person or entity registered as a lobbyist or a lobbying entity and has identified the State Agency on its current lobby registration filed with the Illinois Secretary of State. Additionally, all State employees are prohibiting from accepting compensation from any person or entity for lobbying any State Agency for one (1) year after leaving their employment with the State Agency

CHAPTER 5 STANDARDS OF CONDUCT

5.1 Professional Conduct Policy

State of Illinois employees are public servants working on behalf of the people of Illinois. While serving in their official capacity, each State employee has a responsibility to the people of Illinois to act with integrity and to treat all members of the public, clients, colleagues and other parties with dignity and respect. State employees hold a position of public trust and are expected to conduct themselves in a responsible and professional manner. IBHE's Professional Conduct Policy is mandatory and is to be followed by all employees.

It is the responsibility of each IBHE employee to be aware of this ~~Professional Conduct Policy~~ and its application. Violations of any portion of this policy may be grounds for disciplinary action up to and including discharge. For serious violations of this policy, an employee may be suspended pending discharge, but formal charges for discharge of a certified and/or probationary employee must be approved, and notice served on the employee by the Executive Director of IBHE.

Incorporated into this policy is the State of Illinois Code of Personal Conduct that was created pursuant to Executive Order 2016-04. See Attachment A. The Code of Personal Conduct contains a non-exclusive list of standards of conduct and disciplinary action that may result from instances other than what is specifically listed within. Additionally, the Code of Personal Conduct is supplemental to all other rules set forth in Agency manuals, directives established by other appropriate authorities or laws.

5.2 Personal and Workspace Appearance Policy

An employee of IBHE will dress appropriately for the type of work they are performing. Each supervisor is responsible for supervision of this personal appearance policy.

It is IBHE's policy to keep all areas of the agency neat, clean, and professional in appearance. Each employee is responsible for keeping their personal work area clean. It is the practice of IBHE to allow employees to display personal decorations or items in their work area within the restrictions of this policy. Inappropriate or objectionable pictures, posters, or calendars are not permitted on IBHE property. Individual supervisors are responsible for determining if personal items are or are not appropriate in the workplace.

IBHE assumes no liability for personal property including, but not limited to, personal decorations, electronic equipment, tools, etc. brought onto agency premises or parking lots. Personal property is the sole responsibility of the employee.

5.3 Signature Authority Policy

IBHE employees are not authorized to sign documents on behalf of IBHE or the Executive Director of IBHE unless specifically authorized to do so. IBHE employees are also not permitted to commit IBHE or the State of Illinois to any specific obligations without being authorized by a written document that is appropriately approved under the IBHE authorization procedure. Any employee who is authorized to sign on behalf of IBHE or the Executive Director of IBHE shall only do so within the limited scope of the written authorization granted to such employee by IBHE or the Executive Director of IBHE.

5.4 Cheating/Compromising Examinations/Falsifying Employment Applications Policy

IBHE employees shall not cheat on or compromise any exam for hiring or advancement purposes. IBHE employees shall not make a materially false statement or knowing misrepresentation on an application for State employment or any other document pertaining to their qualifications or official records.

Violations of this policy shall be considered a serious offense and shall be subject to corrective action, up to and including possible suspension or discharge. Additionally, the employee may be disqualified for the position applied for when a materially false statement or knowing misrepresentation has been made.

5.5 Reporting Criminal Convictions Policy

Purpose

IBHE is committed to maintaining a safe environment for its employees and the public it serves. In order to facilitate this commitment, IBHE employees have an ongoing obligation to report all criminal convictions that take place during their term of employment to ensure that the employee does not pose an unreasonable safety risk. The intent of this policy is to protect the safety and reputation of IBHE. It is not the intent of this policy to adversely affect any employee's employment with IBHE. Not every non-violent criminal offense reported will require action by IBHE. Factors in determining if action will be taken include, but are not limited to, if the conviction or act(s) leading to the conviction negatively affect the employee's ability to complete the essential functions of their position, create an unreasonable safety risk, or establish a pattern of illegal and concerning conduct violating the State Officials and Employees Ethics Act or an applicable Code of Conduct.

Reporting Requirements

IBHE employees must report all criminal convictions to Human Resources within five (5) calendar days of the conviction or plea, or at the first possible opportunity if the employee is incarcerated. A criminal conviction includes all findings of guilt or acknowledgments of criminal responsibility that result from a bench trial, jury trial or by the employee entering a plea of guilty or no contest, no matter what sentence or fine has or may be imposed. Routine traffic-related convictions or moving violations (such as speeding) are not required to be reported unless driving is a required part of the employee's job duties, or such reporting is specifically required by the employing Agency. If driving is part of the employee's job duties, all traffic convictions must be reported as described herein. A willful failure to comply with this policy will be cause for discipline, up to and including discharge.

5.6 Work Areas Policy

Recognizing that good housekeeping is essential for safety and maintaining pleasant and efficient working conditions, employees are responsible for keeping their work area clean, orderly, and free from anything that may pose a safety hazard or nuisance. Accordingly, items such as burning candles, hot plates, and potpourri devices are prohibited.

As a courtesy to co-workers, perfumes, colognes, air fresheners, electric scent warmers or other strongly scented items should not be applied or dispensed in common work areas.

5.7 Employee Identification Policy

Employees will be issued photo identification badges at the time of hire and should be prepared to display

their badges visibly or upon request while in any State facility. These badges shall not be used by employees to misrepresent their authority or to grant access to State facilities to unauthorized persons.

5.8 Workplace Visitor Policy

To ensure safety and security for all employees and State property, only authorized visitors are allowed to enter areas that are not accessible to the public. Visitors must comply with all facility security regulations upon arrival and must adhere to all facility “sign-in” and “sign-out” procedures, if applicable.

Employees are responsible for the conduct and safety of their visitors. If employees need to bring a minor into areas not accessible to the public, they must first notify their supervisor of such a need and receive prior approval. Management reserves the right to deny visitation requests based on operational need.

**CHAPTER 6
EMPLOYEE DISCIPLINE**

6.1 Official Investigations Policy

It is the duty of IBHE employees to fully participate and cooperate in any official investigation conducted internally by IBHE or by any other lawful authority, including but not limited to the Office of Executive Inspector General and the Illinois State Police. All IBHE internal investigations shall be coordinated through ~~Human Resources, labor relations, legal services~~ the Ethics Officer, or any other specific unit designated by IBHE.

IBHE, and any other lawful authority, has the right to require an employee to answer all questions relating to the investigation and to obey all reasonable orders of the superiors within their chain of command related to cooperating with an official investigation. IBHE employees may not interfere with or obstruct an investigation by:

- A. Refusing to testify or cooperate in a properly authorized inquiry or investigation, without legal justification;
- B. Interfering with or improperly influencing, or attempting to interfere with or improperly influence the testimony of any witness or participant in an investigation; or
- C. Improperly influencing or attempting to improperly influence any investigatory official.

IBHE employees must not knowingly or intentionally make a false or deliberate misrepresentation or omission of material fact during an investigation. No IBHE employee shall retaliate against, punish, or penalize another employee in any way for complaining to, cooperating with, or assisting with any internal or external investigation or inquiry. IBHE and the State of Illinois do not tolerate retaliation against employees who raise genuine concerns about unethical, inappropriate, or illegal behavior. Any violation of this policy may be subject to discipline up to and including termination.

6.2 Discipline Procedure Policy

The purpose of discipline is to correct the behavior or action of an employee. Except in cases warranting a higher level of action, discipline shall be imposed in a progressive and corrective manner using counseling, warnings, and/or suspension prior to discharge. A supervisor contemplating disciplinary action should work with the Human Resources Director on all disciplinary matters.

6.3 Civil Service Grievance Procedures

Policy

Each supervisor and each employee have an obligation to make every reasonable effort to resolve employment-related problems and/or complaints as they arise. In those instances where these efforts prove unsuccessful, IBHE has established the following procedure whereby grievances may be resolved, except for those matters specifically excluded. Only ~~active Civil Service~~ employees covered under the State Universities Civil Service System ("Civil Service") have access to this grievance procedure.

A grievance is defined as any dispute or difference between the employer and the employee with respect to the meaning, interpretation, or application of IBHE policy. The following matters are not subject to this grievance procedure: (1) violations of the Equal Employment Opportunity, Nondiscrimination, and Anti-

Harassment Policy; (2) Board of Trustees Regulations and By-Laws, their meaning and/or interpretation; (3) statutory powers granted the State Universities Civil Service System Merit Board; and (4) State University Civil Service Act and Rules and their meaning and/or interpretation, including but not limited to matters related to demotion, discharge, and dismissal.

Procedure

Any grievance filed by a Civil Service employee shall be filed in accordance with the procedures below. If grieving a decision issued directly from Human Resources, the grievance will be initiated in writing at Step 3 of the procedures below using the standard grievance form. For purposes of this procedure, workdays are Monday through Friday.

An employee-selected representative may be involved as an advisor ~~only~~ at any step within the grievance procedure. The time limits set forth may be extended by mutual written consent of both parties. If at any step within the grievance procedure the employer fails to respond within the time limits herein set forth, the employee(s) may advance the grievance to the next step within five (5) workdays. If at any step within the process the employee fails to advance the grievance to the next step within the specified time frame, the employer may consider the grievance null and void.

Step 1:

Within five (5) workdays after the first occurrence, or within five (5) workdays after the employee, with reasonable diligence, should have been aware of the circumstance(s) or condition(s) causing a grievance, the employee(s) must orally present the grievance to the immediate supervisor. The immediate supervisor will provide an oral response within five (5) workdays after such a presentation.

Step 2:

If the grievance is not settled in Step 1 and the employee wishes to advance the grievance to Step 2, they must do so in writing to the Director of Human Resources or Ethics Officer within five (5) workdays after the supervisor's oral response outlined in Step 1. The written grievance must be submitted on a standard grievance form available from Human Resources, must be signed by the employee, and must contain a complete statement of the facts, the provision or provisions of IBHE policy which the employer is alleged to have violated, and the relief requested. The Director of Human Resources or Ethics Officer will investigate, as necessary, to resolve the grievance with the employee at a time mutually agreeable to the parties. If no settlement is reached, the Director of Human Resources will provide a written response to the grievance within five (5) workdays following the meeting.

Step 3:

If the grievance is not settled in Step 2 and the employee wishes to advance the grievance to Step 3, they must do so in writing to the Executive Director, within five (5) workdays after the written response outlined in Step 2.

If the decision being grieved was issued directly by ~~the Office of~~ Human Resources, the written grievance must be submitted within five (5) workdays after the occurrence they are grieving on a standard grievance form available from Human Resources, must be signed by the employee, and must contain a complete statement of the facts, the provision or provisions of IBHE policy which the employer is alleged to have violated, and the relief requested.

A meeting between the Executive Director or her/his designee, the immediate supervisor and/or the Director of Human Resources, and the employee will be held at a time mutually agreeable to the parties. If no settlement is reached, the Executive Director, or her/his designee will provide a written answer to the grievance within five (5) workdays following the meeting.

Appeal

The employee may appeal the outcome of the grievance following Step 3 to the Chair of the Board of Higher Education within five (5) workdays following the written answer from Step 3. This appeal must be done in writing. No new documentation or evidence may be presented or considered in this appeal. A written decision will be issued within ten (10) workdays following the receipt of the appeal letter. This decision is final and binding.

CHAPTER 7 HOURS OF WORK

7.1 Standard Work Week Policy

IBHE has a standard work week consisting of 37.5 hours per week. Employees are expected to work 7.5 hours per day with the further expectation that employees will be working during normal business hours. Supervisors may set hours based on operational need.

7.2 Absenteeism Policy

Whenever possible, employees shall provide advance notice of absence from work and all time away from work must be approved in advance by the employee's supervisor, or the supervisor's designee. Failure to report to work without proper authorization will result in unauthorized absence(s) and potential disciplinary action. Failure to report to work for five (5) consecutive days without notifying a supervisor may be cause for discharge.

7.3 Timekeeping Policy

To comply with the State Officials and Employees Ethics Act (5 ILCS 430/5-5 (c)), all employees are required to correctly report their time spent on official State business. Employees shall complete an accurate, daily time report in the Agency's online timekeeping system. All time spent on official State business must be recorded daily, to the nearest quarter of an hour. Employees must submit their weekly time report to their supervisor in a timely manner, but no later than ~~Tuesday~~ two weeks after the close of the work week being reported.

Each employee and supervisor are responsible for proper compliance with IBHE timekeeping rules and procedures. Failure to comply with this policy may result in disciplinary action up to and including discharge. IBHE must maintain accurate, daily attendance records for its employees for a minimum of two (2) years. An employee has the right to review their attendance records on file.

7.4 Overtime Policy

Summary

The purpose of this policy is to establish standards and procedures to determine the need, use, distribution, and management of overtime for employees of IBHE. It is IBHE policy to provide the highest level of public service possible to its customers and ultimately the residents of Illinois in the most efficient manner, within the provisions of applicable state and federal law.

Employees who are exempt under the Fair Labor Standards Act and in positions not eligible for overtime, may earn Equivalent Earned Time (EET) after working the assigned hours in a workweek. Employees with EET may not request cash payment and will not be paid for unused EET. EET is earned at straight time only and must be approved in advance by the employee's supervisor and recorded in applicable time records. Employees may only accumulate up to two weeks (75 hours) of EET. For further details regarding the accrual and use of EET, refer to Section 8.5 of this Handbook.

7.5 Hybrid Work Policy

Objective

Hybrid work is a work arrangement that allows employees to work at an alternate location, most often the employee's home. Although not all jobs can be performed satisfactorily from other locations, the Illinois Board of Higher Education recognizes that, in some cases, these arrangements can provide a mutually beneficial option for both the agency and the employee when a thoughtful plan is in place. IBHE considers hybrid work to be a viable, flexible work option when both the employee and the position are suited for such an arrangement. Hybrid work may be appropriate for some employees and positions but not for others.

Policy Statement

Hybrid work is not an employee's right or benefit, but rather is permitted in accordance with the policies and procedures set forth herein. Establishment of a hybrid work agreement in no way changes the employee's obligation to observe all applicable rules, policies, and procedures. All existing terms and conditions of employment including, but not limited to, the job description, wages, benefits, vacation, leave, and time reporting remain the same as they would be if the employee worked in the office. Employees will be held to the same job performance standards as those established for the employees working on-site.

Eligibility Considerations for Remote Work

Hybrid work is not an entitlement and can only be approved through a voluntary agreement between supervisor and employee. Supervisors have discretion in deciding whether an employee is a candidate for hybrid work. Some employees may not be eligible for hybrid work arrangements due to specific job requirements, impact on a team, or the supervisor's assessment of the employee's ability to be successful in this arrangement.

IBHE has the right to cancel, suspend or alter employee hybrid work privileges at any time for any reason.

Position Eligibility for Hybrid Work:

- Has job functions that can be performed at a remote site without diminishing the quality of the work or disrupting productivity.
- Does not require an employee's presence in the office on a daily or routine basis.
- Allows for an employee to be as effectively supervised as they would be if the job functions were performed in the office.
- Does not impact overall operations of the division and the agency and in-person interactions required with colleagues or constituents is minimal.
- Involves measurable or quantifiable work product.
- Has minimal or flexible need for specialized materials or equipment available only in the office.

Request Process

Employees requesting to work a hybrid shall submit a Hybrid Work Application to their supervisor. The employee and supervisor will evaluate the work habits of the employee and job responsibilities to determine suitability for hybrid work. Employees requesting hybrid work should provide an overview of technology services, equipment, and software resources that will be necessary to support the proposed remote work arrangement.

The request form must be completed and approved by the supervisor and Executive Director. The

approved application shall be forwarded to Human Resources and placed in the employee's personnel file. If approval is denied, the employee is not authorized for hybrid work and the request form is placed in the personnel file.

Expectations

It is important that expectations regarding productivity/volume of work, quality of work, and timelines must be clearly communicated with the employee in writing and that communication strategy and expectations are outlined in advance as part of the Hybrid Work Agreement.

When working in a location other than IBHE offices, an employee's job duties and expectations do not change. The employee will be held to the same job performance standards as those established for the employees working on-site.

Supervisors

Supervisors are responsible for administration of the hybrid work policies and procedures within their respective areas of responsibility. In doing so, supervisors are responsible for:

- Determining if hybrid work arrangements are mutually beneficial prior to submitting request to the next higher level of approval. Supervisors should consider whether hybrid work will contribute to program objectives, while maintaining or improving efficiency, productivity, and customer service.
- Overseeing the day-to-day performance of hybrid employees, as they would on-site employees, including communicating general office updates and related information to remote employees.
- Providing hybrid employees with specific, measurable, and attainable assignments, just as they would non-remote employees. These expectations shall be reviewed with the employee on a quarterly basis.
- Ensuring employees who remain in the office are not negatively impacted by handling the hybrid worker's regular assignments (answering telephone calls, dispensing information, etc.)
- Ensuring hybrid employees indicate the hours they worked in accordance with the established policy and procedures.

Supervisors may need to adjust division and individual meetings to ensure hybrid employees are included and involved.

Employees

While working off-site, employees must be available to supervisors and co-workers during regularly scheduled work hours. Employees are expected to attend scheduled meetings and participate in other required office activities when practical to do so or when required by their supervisor. Upon reasonable notice of the need to report to the workplace, a hybrid employee must forgo hybrid work when their physical presence is required in the office on regularly scheduled hybrid workdays.

Employees are not permitted to meet with third-party representatives at their place of residence to conduct agency business. All in-person meetings should be scheduled for the IBHE office or other office or public location.

Employees that are working off-site are responsible for:

- Establishing a dedicated, appropriate workspace and maintaining a healthy and safe environment at their remote worksite
- Arranging childcare during their work hours. Hybrid Work is not intended to serve as a substitute

for child or adult care. If children or adults in need of primary care are in the alternate work location during employees' work hours, another person must be present to provide the care

- Keeping personal disruptions, such as non-business phone calls and visitors to a minimum
- Submitting vacation, sick, or personal leave according to policy and procedure when unable to maintain regular business hours or availability. Employees cannot use hybrid work in place of sick leave, FMLA, Workers' Compensation leave, or other types of leave
- Reporting security incidents immediately to their supervisor
- Determining any tax or legal implications under IRS, state, and local government laws, and/or restrictions for working out of a home-based office
- Completing the Hybrid Work Agreement and having the agreement approved prior to engaging in any regularly scheduled remote work

Evaluation

A system of evaluation of the employee's performance during hybrid work shall be established. This evaluation may include regular interaction by phone and e-mail between the employee and the supervisor, as well as weekly face-to-face meetings to discuss work progress and problems.

Equipment & Supplies

If an employee is not otherwise provided with a state-issued cell phone, internet hot spot, or laptop, IBHE will not provide an employee a state-issued cell phone, internet hot spot, or laptop for the sole purpose of participating in hybrid work.

Desks, chairs, and other furniture for the hybrid work location will not be provided by IBHE.

Employee Expenses

The IBHE will not compensate employees for expenses incurred because of hybrid work, such as cell phones and internet. Employees' personally owned equipment maintenance and repairs remain the responsibility of the employee. IBHE does not assume any liability for loss, theft, damage, or wear of employee's personally owned equipment because of remote work-related activity.

Employees will not be reimbursed for out-of-pocket expenses for materials and supplies that are normally available in the office.

Equipment Policy

IBHE equipment located at the hybrid work site is subject to all policies and restrictions related to the management and use of agency property. If agency equipment is lost, stolen, or damaged, the employee agrees to participate in any investigation and follow all other requirements.

Equipment Malfunctions

If equipment malfunctions, the employee must notify their supervisor immediately.

- The supervisor, in consultation with IT, will determine if equipment down time warrants the employee to report to the office
- IT will provide telephone service and assistance for state-owned network and connections. IT will not provide any at home service

Health and Safety

IBHE expects hybrid employees to maintain the same safe working environment at home as they would have at the office.

- Employees shall have a fire extinguisher and smoke detector in the home
- Employees shall have pre-established evacuation plans and first aid supplies
- In-home offices shall be clean and free of obstructions and hazards

IBHE retains the right to make inquiries as to the status of the in-home office work environment. Failure to maintain a safe work environment, in accordance with this policy, is cause for discontinuing employee participation in the Hybrid Work Program.

Workers' Compensation

If a hybrid work employee sustains an injury arising out of and in the course of employment, workers' compensation laws and rules apply in the same manner as if such injury occurred at the office. An injured employee should notify human resources and complete the necessary paperwork within 24 hours of the incident as well as follow all other requirements related to returning to work.

Data and Information Security

Consistent with the IBHE's expectations of information security for employees working at the office, employees will be expected to ensure the protection and confidentiality of colleague, student, and any other information accessible from their remote worksite.

Copies of all records and correspondence must be safeguarded by the employee to protect them from unauthorized disclosure, loss, or damage. No original documents should be taken home and original records shall remain in the office. Release or destruction of any records shall only be done at the office according to policy and procedure.

Public Records Disclosure

The work employees complete while hybrid working remains subject to IBHE and other applicable regulations including the Illinois Freedom of Information Act. Employees who use their personal computing equipment for work purposes subject their hard drive, software, and/or any other type of electronic storage media, to the possibility of subpoena or lack of privacy through legal action taken against, or by, the State (Electronic Communication Privacy Act).

Termination of Agreement

The Hybrid Work Agreement is a bilateral voluntary arrangement between IBHE and the hybrid employee that can be discontinued by either the agency or employee. Violations of the Hybrid Work agreement or IBHE policy and procedures will be subject to discipline up to and including termination for serious misconduct.

The employee may terminate participation in the Hybrid Work Program, without cause, at any time, for any reason, by written notice to his or her supervisor. The IBHE may terminate an individual employee's participation in the Hybrid Work Program at any time, for any reason, by written notice to the employee.

CHAPTER 8 TIME OFF OF WORK

8.1 Paid Holidays

~~IBHE recognizes certain holidays each calendar year as “paid holidays”. The list of holidays to be observed annually is published by the Department of Central Management Services (“CMS”) and is based on Illinois Personnel Rule 303.190. Paid holidays may also include any other days proclaimed as holidays or non-working days by the Governor of the State of Illinois, the Illinois General Assembly, or by the President of the United States. All full-time IBHE staff are eligible to receive pay for observed holidays.~~

~~Eligible employees not in prevailing wage rate groups will be excused with full pay, except for necessary operations, on New Year’s Day, Martin Luther King Day, Lincoln’s Birthday, President’s Day, Memorial Day, Juneteenth National Freedom Day, Independence Day, Labor Day, Columbus Day, General Election Day in Election years, Veterans Day, Thanksgiving (Thursday and Friday), and Christmas Day. Paid holidays may also include other days proclaimed as holidays or non-working days by the Governor of the State of Illinois, the Illinois General Assembly, or by the President of the United States.~~

8.2 Sick Time Policy

Accumulation

An eligible employee working at least half-time or more shall earn credit for Sick Leave with full pay at the rate of one workday for each month. The amount of leave accumulated at the time when illness or injury begins shall be available in full, and additional leave shall continue to accrue while an employee is using that already accumulated.

There shall be no limit in the amount of Sick Leave which may be accumulated. Accumulated sick leave may be credited towards an employee’s pension benefits. Please contact the State University Retirement System for more information.

A former employee who separates in good standing and returns to employment within two years, shall have formerly accrued Sick Leave restored.

Use of Sick Leave

Sick Leave may be used in increments of not less than one-quarter hour. An eligible employee may use accumulated Sick Leave for the illness, injury, or medical appointment of the employee, employee’s children, spouse, civil union partner, same-sex domestic partner, siblings, parents, grandchildren, grandparents, or members of the employee’s household. “Children” include biological, adopted, foster, stepchildren, legal wards, children for which an employee is standing In loco parentis, and children who are members of the employee’s household. “Parent” is defined as a biological parent, stepparent, parent-in-law, or an individual who stood In loco parentis to the employee. Sick Leave may also be used for pregnancy or following the birth or adoption of a child to care for that child, not to exceed 12 weeks. ~~The use of allowable sick leave utilized for those listed above, except an employee. Additionally, IBHE has the right to~~ require request acceptable evidence of disability, illness, or injury.

Sick Leave Bank

IBHE has established a Sick Leave Bank that may be used by eligible IBHE employees who have a

personal or family medical emergency and who have exhausted their available paid leave.

For purposes of this policy, a “medical emergency” is defined as a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all available paid leave. “Family member” includes the employee’s spouse, parent, civil union partner, child, or any 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.

Eligibility Requirements for Sick Leave Bank

An employee must have a minimum of five (5) days of accrued sick time to enroll in the Sick Leave Bank and must have donated at least one (1) day of sick leave to become a member of the Sick Leave Bank; however, an employee may donate additional days as desired at the time of enrollment or any time thereafter. Once donated, sick leave is removed from the donating employee’s accrued sick leave.

A participating employee must be a full-time IBHE employee with a minimum of six (6) months of service and must have exhausted all available leave time.

An employee may use up to 25 days from the Sick Leave Bank per calendar year. Sick time withdrawn from the Sick Leave Bank may be used only for the purpose of the approved medical emergency. Any sick leave withdrawn from the bank and not used before the termination of the medical emergency must be returned to the bank.

An employee may voluntarily enroll at any time pursuant to eligibility requirements but must wait 60 calendar days after enrollment before utilizing the Sick Leave Bank.

A participating employee who transfers from one agency to another shall thereby transfer the employee’s participation in the Sick Leave Bank, if applicable. The days donated do not transfer.

No employee shall be permitted to withdraw the sick leave time the employee has contributed to the bank.

Abuse of the use of the Sick Leave Bank will be investigated by the IBHE and upon a finding of wrongdoing on the part of a participating employee, that employee shall repay all sick leave days drawn from the Sick Leave Bank and shall be subject to other disciplinary action.

Upon separation, retirement, or death, neither a participating employee nor the participating employee’s estate shall be entitled to payment for unused sick leave donated or acquired from the Sick Leave Bank.

An employee who has an injury/illness that is being compensated under the Workers’ Compensation Act or Workers’ Occupational Diseases Act shall not be eligible for Sick Leave Bank use.

8.3 Bereavement Leave Policy

Approval, with pay, will be granted to an eligible employee for a leave of up to three workdays for the death of a member of the employee’s immediate family, household, in-laws, and/or grandparents of immediate family; and of one day to attend the funeral of a relative outside the employee’s immediate family or household.

Immediate family is defined as: father, mother, sister, brother, spouse, and children. In-laws are defined as: mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. Additional family members considered “immediate family” may be further determined by IBHE.

Relationships existing due to marriage will terminate upon the death or divorce of the relative through whom the marriage relationship exists. Similarly, relationships existing due to a domestic partnership will end upon termination of the domestic partnership.

Under the Illinois Family Bereavement Leave Act (FBLA), employees otherwise eligible for Family and Medical Leave are eligible for up to ten workdays of unpaid leave following: the death of a covered family member, stillbirth, miscarriage, unsuccessful reproductive procedure, failed adoption match or unfinalized adoption agreement, failed surrogacy agreement, or diagnosis that negatively impacts pregnancy or fertility. Employees are entitled to up to 6 weeks of leave in the event of the death of more than one covered family member in a 12-month period. A “covered family member” is a child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.

FBLA leave time may be used to attend the funeral or alternative to a funeral of a covered family member, make arrangements necessitated by the death, or to grieve. FBLA leave must be completed within 60 days after the date the employee receives notice of the event.

The Act does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time available under FMLA; therefore, employees who have exhausted their 12-week FMLA entitlement may not take the additional ten days under this Act.

A designated supervisor may grant additional leave to an employee who cannot, because of special circumstances, return to work at the completion of the allowable funeral leave days. Such leave will be taken without pay, or accrued vacation time may be used.

8.4 Vacation Time Policy

Accumulation

A full-time employee earns vacation days at a rate based upon the employee’s length of service with the State of Illinois. The employee must be in pay status at least one-half of the workdays in a month to earn vacation for the month.

IBHE-Eligible IBHE staff will accrue vacation time at the following rate:

Years of State Service	Rate of Accrual
5 years or less	13.750 hours per month
More than 5 years but not more than 10 years	15.625 hours per month
More than 10 years	17.500 hours per month

When an employee has had an interruption in continuous service, for the purpose of computing earned vacation, previous state service will be counted as continuous with current service.

An employee may accumulate unused vacation time, however, vacation time accrued after January 1, 2025, will not exceed the total of twenty-four (24) months accrual.

Use of Vacation Leave

An employee shall request and obtain their supervisor's approval for the use of vacation time in advance of the date(s) it is planned to be used. In certain circumstances, and on a limited basis, supervisors may grant verbal approval until such time as the employee can make the appropriate online timekeeping submission(s). In approving use of vacation time, supervisors shall consider both the employee's preference and operating needs.

Vacation time may be used in increments of not less than one-quarter hour.

Upon separation of employment, and provided the employee is not employed in another position in state service within four (4) calendar days of their separation date from the IBHE, an employee is entitled to receive a lump sum payment for the equivalent value of vacation time earned but not used with a maximum amount of accrued vacation to be paid out at separation of employment equivalent to two times the annual vacation earned (see table above) at the time of separation, provided the employee has at least six months of continuous service. However, if the employee returns to employment in any capacity with the IBHE within thirty (30) calendar days of separation, the employee must repay the lump sum amount within thirty (30) calendar days after employment commences. The amount repaid shall be deposited into the fund from which the payment was made or the General Revenue Fund, and the accrued vacation leave upon which the lump sum payment was based shall be credited to the account of the employee.

No person may enter into an agreement to reemploy an employee in the same Agency after resignation for the purpose of receiving payment for accumulated vacation, overtime, sick leave or personal leave and refund of retirement monies.

8.4 Personal Time Policy

All full-time IBHE employees are granted 49.00 hours of work time without loss of pay during each calendar year. Unused personal hours expire on December 31 of each year and are not compensable.

In accordance with the Paid Leave for All Workers Act (PLAWA), part-time IBHE employees earn one (1) hour of paid personal leave for every 40 hours worked. IBHE will provide written notice to the employee informing the employee of how many paid leave hours that employee is receiving on or before the first day of initial employment, and every 12 months thereafter.

Personal hours are granted on January 1 each year and are prorated for new hires who start later in the calendar year as follows:

Hire Date Between:	Personal Hours Earned:
Jan. 1 – March 31	49.00
April 1 – June 30	36.75
July 1 – Sept. 30	24.50
October 1 – Dec. 31	12.25

Personal Time may be used for any personal reason.

Whenever practicable, an employee's use of Personal Time requires advance approval of the employee's

IBHE EMPLOYEE HANDBOOK

immediate supervisor. Requests to use Personal Time will be approved when consistent with operating needs.

IBHE employees shall not be entitled to payment of unused Personal Time upon separation from State employment.

8.5 Earned Equivalent Time (EET) Policy

Accrual-Eligibility and Accrual of EET

All IBHE positions considered to be FLSA-exempt are eligible for EET.

Employees eligible for EET shall request such time ~~accrue~~ before working more than their regularly scheduled workweek, and management may grant these requests based on the agency's operational needs. Paid benefit time (sick, personal, vacation and holiday time) will count towards meeting the employee's regularly scheduled workweek. EET shall accrue at straight time only and cannot exceed a balance of seventy-five (75) hours of EET at any given time without explicit written approval by employee's supervisor. EET balances will not expire and may be carried over from one fiscal year to the next. EET will accrue in no less than one- quarter hour increments.

Pre-Approval of EET

Employees must obtain pre-approval before working more than their regularly scheduled hours to accrue EET. The employee's immediate supervisor must review and approve the employee's request in advance of the time to be worked. If emergency situations prevent submission in advance, the employee must request and secure supervisor's approval as soon as possible. Reference to the emergency should be made in the submission.

Use of EET

An employee who wishes to use accrued EET must request through the time-keeping system in advance and obtain supervisor approval. EET may be used in one-quarter hour increments. IBHE employees shall not be entitled to payment of unused EET upon separation from State employment.

8.6 Inclement Weather Policy

The Executive Director, with permission of the IBHE Board Chair, has the authority to shift all personnel to remote work in view of unsafe conditions. If the IBHE office is closed before the beginning of the workday, all employees shall work remotely until the IBHE office reopens. If the IBHE office is closed during the workday, employees will be allowed to return home to work remotely without loss of pay.

If the work site remains open, but weather prevents some employees from reaching their work sites, these employees must account for such absences by use of accrued time such as vacation, personal leave, or ~~accrued compensatory time earned~~EET. If an employee does not have such available time or chooses not to use it, the employee ~~will may~~ be docked. Sick leave may not be used to cover absence due to inclement weather.

In situations where weather conditions arise during a work period creating safety issues for certain employees at the work site (such as those living outside the work site area), those employees may be released early, and the release time ~~shall may~~ be charged against vacation, personal leave, or ~~accrued compensatory time~~EET. In the absence of such available time, employees ~~will may~~ not be paid for the

time.

In all instances, an employee who has made prior arrangements to be absent on a day their work site is closed for part or all their scheduled shift, the employee will be charged in accordance with the arrangements previously made for the shift.

8.7 Other Paid Time Off Policies

Time Off for Blood Donations

IBHE provides employees up to one (1) hour off work to donate blood, up to one and a half (1 ½) hours to donate double red cells, and up to two (2) hours to donate blood platelets, with their supervisor's prior approval and subject to the operational needs of the Agency. The frequency of any blood, blood cell, and/or blood platelet donations must be made in accordance with appropriate medical standards established by the American Red Cross or other nationally recognized standards. IBHE employees may be required to submit medical documentation to support their request for time off to donate blood or blood platelets.

Time Off for Court Attendance

Any non-probationary employee called for jury duty or subpoenaed by any legislative, judicial, or administrative tribunal, shall be allowed paid time off for such purposes. IBHE will not ask an employee to be excused from jury duty except in cases of necessity. Supervisors should request that an employee be excused from jury duty in those instances where the employee's services are required to meet essential work schedules and where public interests are better served by the employee remaining on duty.

Upon receiving a payment for jury service or a witness fee, the employee shall submit the check, or its equivalent, to IBHE to be returned to the fund in the State Treasury from which their original paycheck was drawn. An employee may elect to serve on a jury or appear as a witness on accrued time off and personal leave. In such circumstances, the employee may retain the full amount of pay received for such service.

If an employee is named as a defendant in a civil lawsuit in connection with their employment with IBHE, the employee may request representation by the Office of the Illinois Attorney General. The Office of the Illinois Attorney General may decline representation if the employee's actions are willful, wanton, or outside the scope of their employment. An employee may also be asked to testify in a lawsuit in which IBHE is named as a plaintiff or defendant. Such court appearances may be made without loss of pay or benefits.

Time off work related to litigation that is not work-related, in which the employee is either the plaintiff, defendant, or a witness, must be charged to the employee's accrued vacation, personal, or ~~Equivalent~~ Earned Time EET.

Time Off to Vote

IBHE employees may have up to two (2) hours of paid time off work to vote in any municipal, general, or special election if the polls are not open two (2) hours before their scheduled work hours begin or two (2) hours after their scheduled work hours end, in compliance with 10 ILCS 5/17-15(a). If the employee

requires time off to vote, the employee must provide notice to the employee's supervisor prior to the day of election. Such time off to vote shall be scheduled based on operational needs.

Disaster Service Relief

IBHE may grant an employee, except those in temporary, emergency, or per diem status, a paid leave for up to twenty (20) working days in any twelve (12) month period to serve the American Red Cross or the Illinois Emergency Management Agency. This leave needs to be approved by the employee's agency for the purpose of participating in specialized disaster relief services.

CHAPTER 9 LEAVES OF ABSENCE

9.1 Family Medical Leave Act (FMLA) Policy

Policy Statement

IBHE provides eligible employees with unpaid, job-protected leave as provided by the federal Family and Medical Leave Act ("FMLA"). Time off from work shall be approved in accordance with state and federal laws, rules, and regulations. This policy is not intended to be the sole source for the rights, responsibilities, and obligations of both the employee and the Agency for leaves covered by FMLA.

Eligibility

If an employee has been employed by the State for at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) month period preceding the start of the leave, the employee is eligible for up to a total of twelve (12) work weeks of unpaid FMLA leave during any twelve (12) month period for one or more of the following reasons:

- a. The birth of a child and to bond with the newborn child;
- b. The placement of a child with the employee for adoption or foster care and to bond with ~~the~~ newly placed child;
- c. To care for the employee's spouse, child, or parent who has a serious health condition;
- d. A serious health condition, including incapacity due to pregnancy and for prenatal care, that makes the employee unable to perform the functions of their job; or
- e. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty.

The twelve (12) months of employment with the State are not required to be consecutive for an employee to qualify for FMLA leave. If the employee's spouse also works for the State and both become eligible for an FMLA leave under paragraph (c), the two employees together will be limited to a combined total of twelve (12) work weeks of FMLA leave in any rolling twelve (12) month period for the placement of a child for foster care or the care of either employee's parent. In addition, eligible employees may be granted up to twenty-six (26) workweeks of FMLA leave in a single twelve (12) month period to provide care for a covered service member with a serious injury or illness.

Coordination with Other Policies

Federal law provides for FMLA leaves of absence to be unpaid. The ability to be compensated for an FMLA-related absence is dependent upon an agency's policies regarding the use of paid leave, which apply equally to all absences and employees regardless of their FMLA status. When FMLA leave is taken for a reason that also qualifies for the use of paid sick leave, the employee will be required to use any

available paid sick benefit time prior to taking an unpaid FMLA leave. All time missed from work, either paid or unpaid, that qualifies for both FMLA leave and any other type of leave, including Workers' Compensation and Parental Leave, will be counted against the employee's twelve (12) week FMLA leave allotment.

Medical Certification or Other Documentation

Requests for medical-related FMLA leaves must be supported by a certification completed by the applicable health care provider. Medical certification documents will be provided to the employee by IBHE Human Resources or pursuant to an employee's request. IBHE may require a second medical opinion, at IBHE's expense or recertification to support the need for FMLA leave or the continuation of an FMLA leave. In addition, if the reason for FMLA leave is not medical in nature, appropriate documentation, as defined by the federal regulations, supporting the need for such FMLA leave must be provided.

Intermittent Leave and Reduced Leave Schedule

FMLA leave may be taken in a block of time or, if medically necessary or otherwise permitted, intermittently, or on a reduced schedule. Intermittent FMLA leave after the birth of and bonding with a healthy child or for the placement of a healthy child for adoption or foster care and for bonding with that child are not permitted.

Notification and Reporting Requirements

All requests for leaves of absence pursuant to the FMLA must be submitted to the employee's supervisor in writing at least thirty (30) days in advance of the start of the FMLA leave, except when the FMLA leave is due to an emergency or is otherwise not foreseeable. A delay in submitting this request could result in a delay of the start of the employee's FMLA leave. The employee's supervisor will forward the request to Human Resources for the determination of both eligibility and qualification. The employee will receive written notice advising whether the request for FMLA leave has been approved or denied within five (5) business days, absent extenuating circumstances. When FMLA leave is needed for planned medical treatment, the employee should make a reasonable effort to schedule their FMLA leave so as not to unduly disrupt business operations. During the FMLA leave, the employee may be required to report periodically on their status and intention to return to work.

Any extension of time for the employee's FMLA leave of absence must be requested in writing prior to the scheduled date of return to work unless the need for the extension is unforeseeable. Failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date may result in discipline up to and including discharge. Employees on FMLA leave for their own serious health condition must provide a release from their health care provider ~~consistent with applicable Illinois Personnel Rules and collective bargaining agreement requirements~~ before they will be permitted to return to work.

Employee Benefits During Family and Medical Leave of Absence

The original date of employment remains the same for seniority purposes regardless of an employee's FMLA leave. However, the employee will not accrue any benefits during a period of unpaid FMLA leave. The employee will be permitted to maintain health insurance coverage for the duration of the FMLA leave under the same conditions that coverage would have been provided if the employee had remained actively at work. However, the employee must arrange for the continuation of and payment of their portion of insurance premiums before the employee goes on unpaid FMLA leave status. If the employee does not return to work after the FMLA leave, or if the employee fails to pay their portion of the premiums, the employee will be required, in most cases, to reimburse the State for its portion of the premiums paid to

insure the employee during the FMLA leave.

Return from Family and Medical Leave

Upon return from FMLA leave that has extended no longer than a total of twelve (12) work weeks in a rolling twelve (12) month period, the employee will be restored to the same or to an equivalent position as the one held when the FMLA leave started. The employee has no greater right to reinstatement or to other benefits and conditions of employment than if they had been continuously employed during the FMLA leave period.

An employee shall not be granted an FMLA leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on FMLA leave will result in disciplinary action, up to and including discharge.

9.2 Parental Leave Policy

~~All full-time~~ IBHE employees will be eligible for twelve (12) work weeks (sixty (60) workdays) of paid parental leave per twelve (12) month period. ~~This leave begins~~ Absent unique circumstances, parental leave is required to be taken consecutively, beginning on the date of birth-upon birth, for each pregnancy resulting in birth or multiple births. Any request to deviate, must be presented to Human Resources for review prior to the birth of the child. ~~The IBHE State~~ shall require proof of the pregnancy at least thirty (30) days prior to the expected due date, as well as proof of the birth. In addition, employees will be required to provide proof of a parent-child relationship, such as a birth certificate or other appropriate documentation.

All full-time employees will be eligible for twelve (12) work weeks (sixty (60) workdays) of paid parental leave per twelve (12) month period for a new adoption. If the adoption occurs after foster placement, the leave is permitted only if the child or children have not resided with the employee for more than three (3) years. The twelve (12) month period begins either: (1) when physical custody of the child or children has been granted to the employee, provided that the employee must show that the formal adoption process is underway; or (2) in cases of adoption following foster placement, upon filing of the Petition for Adoption. The employee must: (1) notify Human Resources of their intent to take leave as soon as the employee is aware of impending adoption; (2) submit proof of the legal status of the adoption, including proof of finalization; and (3) if applicable, documentation from a child welfare agency regarding the length of the child's residency with the employee.

Employees using parental leave under this policy must use the leave benefit in week-long increments (five (5) consecutive working days).

If both parents are State employees, they shall each be eligible for twelve (12) weeks of paid parental leave, as set out in this policy, which may be taken consecutively or concurrently. The purpose of parental leave is for bonding with the employee's newborn child or child undergoing the adoption process.

9.3 Non-Occupational Disability Leave Policy

An employee who is unable to perform a substantial portion of their regularly assigned duties due to a temporary physical or mental disability shall, upon request, be granted a leave for the duration of such disability. A "substantial portion of regularly assigned duties" means those duties or responsibilities normally performed by the employee that constitute a significant portion of the employee's time or that constitute the differentiating factors that identify that particular position from other positions, provided the balance of duties can be reassigned by the Agency. If the disability does not arise out of or in the course

of employment, the leave is called Non-Occupational Disability Leave.

In granting a Non-Occupational Disability Leave, the following standards shall apply:

1. A request for Non-Occupational Disability Leave shall be in writing except when the Agency is advised by other appropriate means of the employee's temporary disability; and
2. The employee shall have exhausted all available sick leave prior to being granted Non-Occupational Disability Leave.

2. _____
SURS provides its members with disability benefits. Employees may be eligible for a disability benefit after they have met at least two years of service credit and they become unable to perform the duties of their position with a SURS-covered employer because of illness or injury. There is no minimum service credit required if an employee becomes disabled because of an accident. Questions regarding the SURS disability benefits should be directed to SURS (800) 275-7877.

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Required Medical Certification

During a Non-Occupational Disability Leave, the employee shall provide a Physician's Statement Form (CMS-95) with written verification by a person licensed under the Illinois Medical Practices Act, 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 at least every thirty (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, the employee shall notify the appropriate supervisor of such disability and provide a written statement by an appropriate medical professional of the approximate date(s) the employee will be unable to perform a substantial portion of their regularly assigned duties.

If IBHE has reason to believe that the employee is able or unable to perform a substantial portion of their regularly assigned duties, it may seek and rely upon the decision of an impartial physician chosen by agreement of the parties. Failure of an employee to provide verification of continued disability upon reasonable request shall, with due notice, result in the termination of the Non-Occupational Disability Leave.

Return from Non-Occupational Disability Leave

An employee who returns to work, without restrictions, from a Non-Occupational Disability Leave of six (6) months or less shall be returned to the same or similar position in the same class in which the employee was incumbent at the time the leave commenced.

When an employee returns to work, without restrictions, from a Non-Occupational 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, the employee may be laid off in accordance with any applicable rules, unless such leave resulted from a service-connected disability, in which case the employee shall be returned to employment as in the section above.

In determining whether to discharge an employee for failure to return from a Non-Occupational Disability Leave or for physical inability to perform the duties of a position, IBHE may seek and rely upon the advice

of SURS or other appropriate authority, including an impartial physician chosen by agreement of the parties. Prior to terminating an employee for their physical inability to perform the duties of a position, all reasonable accommodation requirements of the Americans with Disabilities Act (“ADA”), the ADA Amendments Act (“ADAAA”) of 2008, and the Illinois Human Rights Act (“IHRA”) must be met, pursuant to IBHE’s Reasonable Accommodation Policy.

9.4 Family Responsibility Leave Policy

An employee who wishes to be absent from work to meet or fulfill bona fide responsibilities, as defined below, arising from the employee’s role in the employee’s family or as head of the household may request an unpaid Family Responsibility Leave (“FRL”), for a period not to exceed one (1) year, if there is not a more appropriate form of leave. Such a request shall not be unreasonably denied. The IBHE [Executive](#) Director will consider whether the need for the FRL is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the circumstances prompting the request.

Any request for such leave shall be submitted in writing by the employee not less than fifteen (15) calendar days in advance of the leave unless such notice is precluded by emergency conditions. This notice shall state the purpose of the leave and the expected duration of leave.

Such leave shall be granted only to a permanent full-time or part-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 policy, is defined as the duty or obligation perceived by the employee to provide care, full-time supervision, custody, or nonprofessional treatment for a member of the employee’s immediate family or household under circumstances temporarily inconsistent with uninterrupted employment for the State. (20 ILCS 415/8c(5)).

“Family” for purposes of this policy, is defined as:

- A. A group of two (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 or civil union partner;
- B. The natural relation of the employee, even though not living in the same household, as parent, sibling, or child; or
- C. 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 persons living in the employee’s household who are financially and emotionally dependent on the employee when 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 of the above criteria.

Utilization of any accrued sick time before FRL commences is left to the discretion of the employee. Employees are not required to use any accumulated benefit time prior to taking FRL.

An employee may seek FRL for the following reasons:

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 member of the employee's family in extraordinary need of that guidance, care, or supervision;
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, when providing the exercise of these functions precludes the employee from working; or
6. To perform family responsibilities consistent with the intention of this policy but not otherwise specified.

IBHE shall require substantiation or verification of the need by the employee for FRL. The substantiation or verification shall be consistent with and appropriate to the reason cited in requesting the leave. Failure of the employee to provide such substantiation or verification when requesting leave is cause for termination of the leave, with due notice. If IBHE has reason to believe that the condition giving rise to the requested need for FRL no longer exists during the leave, it should require further substantiation or verification and, if appropriate, direct the employee to return to work on a date certain.

The State 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 FRL, if the employee seeks FRL for 1, 2, or 3 listed above and the federal Family and Medical Leave Act of 1993 (29 USC 2601 et seq.). If an employee seeks leave for 4, 5, or 6 above, the State shall not continue payment of its portion of employee and dependent health and dental insurance premiums.

FRL shall not be renewed. However, a new leave shall be granted at any time for any reason consistent with the standards listed above, other than for which the original FRL leave was granted.

9.5 Leave to Take an Exempt Position Policy

IBHE may approve leaves of absence for civil service employees who accept appointments in a position that is not a civil service position. Such leaves of absence may be for a maximum of one (1) year and may be extended for additional periods of one (1) year or less, at the discretion of the Executive Director of IBHE. At the expiration thereof, and upon making an application to IBHE, an employee shall be restored to the same or similar position in the same county from which the leave was granted.

9.6 Bone Marrow and Organ Donor Leave Policy

Purpose

IBHE provides eligible employees leave with pay, for up to thirty (30) days in a twelve (12) month period, to donate an organ or bone marrow to another person. IBHE prohibits retaliation against an employee for requesting or obtaining a leave of absence.

Eligibility

To be eligible, employees must have been employed with IBHE for a period of six (6) months or more immediately preceding the commencement of leave. An employee may use Bone Marrow and Organ Donor Leave only after obtaining approval from IBHE. Additionally, medical documentation of the proposed organ or bone marrow donation is required before leave is approved by IBHE. Employees are not required to use accumulated sick or vacation time before being eligible for Bone Marrow and Organ Donor Leave.

Procedures

Employees requesting leave under this policy should comply with the following requirements:

1. Employees should request leave under this policy with as much advanced notice as practicable;
2. In support of their request for leave under this policy, employees should complete a leave request form and provide it to their supervisor and Human Resources with medical documentation of the proposed organ or bone marrow donation;
3. An employee may use the Bone Marrow and Organ Donor Leave only after obtaining approval from IBHE;
4. During leave under this policy, IBHE will maintain coverage for employees and their family members who participate in the group health insurance plan on the same terms as if the employees had continued to work. Use of leave under this policy will not result in the loss of any employment benefit that accrued prior to the start of the leave. Employees should consult the applicable insurance plan documentation for all information regarding eligibility, coverage, and benefits; and
5. Upon returning from leave under this policy, employees will be restored to their positions or to equivalent positions, with equivalent pay, benefits, and other employment terms and conditions.

Employees with questions regarding this policy should contact IBHE Human Resources.

9.7 Other Leaves of Absence Policy

General Leaves of Absence Without Pay

IBHE may grant leaves of absence without pay to full-time employees for periods not to exceed six (6) months. Such leaves may be extended for good cause.

No temporary or part-time employee shall be granted this type of leave of absence.

Leave of Absence for Educational Purposes

The Executive Director of IBHE may grant an employee a leave of absence for educational purposes without pay, and any extension thereof, for the purpose of engaging in a training course that will benefit the State of Illinois by improving the employee's qualifications to perform the duties of their position or by qualifying the employee for advancement to another position with the State.

CHAPTER 10 EMPLOYEE BENEFITS

10.1 Medical, Dental, Vision and Life Insurance Policy

Employees, except those in temporary or emergency status, are eligible for health, dental, vision, and life insurance coverage under the State Employee's Group Insurance Program. An employee working half-time or more may elect insurance coverage but is responsible for a portion of the premium that corresponds with their hours. Insurance premiums are automatically deducted from employee paychecks.

During the annual Benefit Choice Period, employees may make benefit selections for the upcoming fiscal year. During the Benefit Choice Period, employees will be able to change health carriers, add or drop dependents, and increase or decrease optional life insurance coverage under optional plans.

An employee is allowed to opt out of the State Employee's Group Insurance Program if the employee can provide proof of comprehensive major medical health coverage provided by an entity other than the State.

Employees are responsible for notifying IBHE's Group Insurance Representative of any changes in name, telephone number, mailing address, marital status, number of dependents or beneficiaries, or if the employee's spouse becomes a State employee. Newborn infants or adopted minors are not automatically covered and must be enrolled within sixty (60) days of the child's birth or adoption. Failure to provide this information could result in incorrect employee benefit deductions, additional costs to the employee, or loss of benefits.

Additional information is available at MyBenefits.illinois.gov. Employees always have the option to call a customer service representative for further assistance or enrollment over the phone, Monday through Friday, 8 a.m. - 6 p.m. CST at 1-844-251-1777 or TTY at 1-844-251-1778.

10.2 Injury on Duty Policy

Purpose

The purpose of this Injury on Duty Policy is to ensure consistency and reliability in managing the process of reporting and managing workplace injuries for IBHE employees who are injured during and in the course of their employment.

Policy

The supervisor of an injured employee must gather all accident/injury reports, supplemental reports, photographs, and any other documentation associated with a work-related injury and forward them to the IBHE Workers' Compensation Coordinator (Human Resources Director) as soon as possible. All supervisors, managers and directors must be informed of the reporting requirements for work-related injuries. Failure of an injured employee or supervisor to report a work-related injury in a timely manner may result in appropriate corrective or disciplinary action.

Duties and Responsibilities of the Injured Employee

Injured employees must contact the State's Worker's Compensation Carrier, Gallagher Bassett Services, Inc., within twenty-four hours via the toll-free injury reporting hotline (1-833-891-1372) to initiate a claim. The injured employee should also report the injury to his/her supervisor as soon as

possible. If the employee requires medical treatment or does lose time from work, all necessary documentation must be forwarded to Gallagher Bassett Services, Inc. in a timely manner.

Duties and Responsibilities of Supervisors

Any supervisor who learns of a work-related injury should assess the nature of the injury if possible and facilitate the provision of appropriate medical care. Once the supervisor has determined that the injured employee is safe or being treated by a medical professional, the supervisor must fill out a Supervisor's Report of Injury or Illness and return it to the IBHE Workers' Compensation Coordinator. The injured employee's supervisor must collect all applicable witness reports, photographs, and any other documentation relevant to the work-related injury. Supervisors must report any discovered hazards or OSHA violations in a timely manner to the appropriate authorities. The IBHE must ensure that a complete investigation of the injury takes place, and that the relevant information is timely forwarded to the IBHE Workers' Compensation Coordinator. Failure of a supervisor to comply with these responsibilities may result in appropriate discipline.

Duties and Responsibilities of the IBHE Workers' Compensation Coordinator

The IBHE Workers' Compensation Coordinator oversees the reporting of work-related injuries, monitors off-duty injured employees, and serves as the primary source of communication for injured employees, supervisors, and the State of Illinois worker's compensation Third Party Administrator. Any questions related to work-related injuries should be directed to the IBHE Workers' Compensation Coordinator.

Service-Connected Leaves of Absence

An IBHE employee who is injured during and in the course of their employment and unable to perform their regular job duties due to the nature of their injury is entitled to a service-connected leave of absence. To be eligible, the injured employee must complete a Service-Connected Leave of Absence Request Form and a current CMS-95 Physician's Statement detailing their inability to work. These completed forms must be returned to the IBHE Workers' Compensation Coordinator.

While on a service-connected leave of absence, an injured employee must submit a completed and signed CMS-95 Physician Statement to the IBHE Workers' Compensation Coordinator at least every thirty (30) days unless the nature of the injury precludes the need for such frequency of verification. Failure to comply with this requirement may result in the expiration of the employee's service-connected leave of absence.

IBHE employees on a service-connected leave of absence may participate in their group insurance program but continue to be responsible for payment of their regular portion of the premium. All group insurance benefits should be coordinated through the Department of Central Management Services ("CMS") Bureau of Benefits.

Occupational Disability Benefits

~~SURS provides Occupational Disability Benefits for SURS members who become disabled because of a work-related injury. SURS Occupational Disability Benefits are separate from benefits pursuant to the Illinois Workers' Compensation Act. To receive SURS Occupational Disability Benefits, an injured employee must apply directly to SURS. Please contact SURS directly for more information.~~

10.3 Retirement Benefits Policy

The State Universities Retirement System (SURS) administers ~~the~~ retirement ~~program benefits~~ for IBHE employees. ~~New-to-SURS employees must choose their retirement plan within the first six months of employment. An employee who leaves State employment before becoming eligible for benefits may withdraw contributions to the system upon written request to SURS. General retirement questions may be addressed to Human Resources or the IBHE designated Retirement Coordinator. Detailed retirement questions should be directed to SURS.~~ SURS contributions are equal to 8 percent of gross earnings, including earnings for overtime. Contributions are deducted from the employee's salary by the employer and forwarded to SURS. Employees can access information regarding their SURS benefits at any time by logging into their SURS Secure Member Website or contacting SURS at 217-378-8800.

10.4 Health Insurance Portability and Accountability Act (HIPAA) Policy

The federally enacted Health Insurance Portability and Accountability Act of 1996, commonly referred to as "HIPAA," is designed to protect the confidentiality and security of health information and to improve efficiency in healthcare delivery. HIPAA protects the confidentiality of medical records and other personal health information, limits the use and release of private health information, and restricts disclosure of health information. To comply with all federal and state laws pertaining to privacy of protected health information, the State has adopted policies and procedures to provide protections to individuals whose information is retained, used, and disseminated to and from the State.

Protected Health Information ("PHI")

PHI includes, but is not limited to:

1. Information, including demographic data, that can be used to identify an individual, whether they are living or deceased;
2. Information that relates to the patient's past, present, or future physical or mental health condition; and
3. Information that relates to the provision of healthcare services provided to an individual and the past, present, or future payments related to those services.

Maintaining Privacy of PHI

State employees are only permitted to access and use PHI if it directly relates to the employee's job responsibilities. When requesting PHI from a covered entity, all reasonable efforts must be taken for the request to be limited to the minimum amount of information needed to accomplish the purpose of the request. Covered entities under HIPAA include health plans, health care clearinghouses, and health care providers.

State employees who use, disclose, or request PHI as part of their job responsibilities shall conduct themselves as if they are a HIPAA-covered entity and must comply with all rules and regulations set forth by HIPAA. These employees may not at any time, during or after employment with the State, access, use, or disclose in verbal, written, or electronic form any PHI to any person or entity except as required or permitted during that employee's official duties and/or responsibilities.

Unauthorized use or disclosure of PHI may result in disciplinary action, up to and including discharge. When employed by a HIPAA-covered entity, failure to comply with HIPAA privacy standards also subjects the employee to possible civil and criminal penalties. Civil penalties range from \$100 per violation, up to \$25,000 per person, per year for each requirement or prohibition violated. Criminal penalties can range

from \$50,000 to \$250,000 for violations by an individual. Criminal prison terms for HIPAA violations for individuals include up to one (1) year for negligent disclosure, up to five (5) years for obtaining or disclosing protected health information under false pretenses and up to ten (10) years for knowing and willful violations that involve malicious intent for personal gain. A mandatory two (2) year prison term can be applied for aggravated identity theft.

10.5 Genetic Information Nondiscrimination Act (GINA) Policy

In compliance with the Genetic Information Nondiscrimination Act (“GINA”), the State prohibits the use of an individual’s genetic information in connection with any employment-related decisions, including but not limited to, hiring, firing, promotion, pay, privileges, or terms of employment. IBHE will not tolerate any action by a State employee that would limit, segregate, classify, retaliate against, or otherwise mistreat an individual based upon their genetic information. Employees may raise any concerns or complaints related to this policy without fear of reprisal. Violations of this policy may lead to corrective action, up to and including discharge.

GINA generally prohibits an employer from requesting, requiring, or purchasing the genetic information of a potential or current employee unless the genetic information is acquired legally. Protected genetic information may not be requested, required, or used by the State to make decisions regarding an individual’s eligibility for health insurance, health insurance premiums, health insurance contribution amounts, or health insurance terms of coverage.

The State employee may be required to provide a medical certification from a physician or a medical professional for purposes of leaves of absence, occupational or non-occupational disability leaves or benefits, or other information relevant to work, safety, and leaves of absence. For these purposes, the State does not need and does not seek genetic information to be included within those certification documents.

As outlined by the Equal Employment Opportunity Commission (EEOC), genetic information includes information about:

1. An individual’s genetic tests, including those administered as part of a research study;
2. Genetic tests of an individual’s family members that includes dependents and up to and including 4th degree relatives;
3. Genetic tests of any fetus of an individual or family member who is a pregnant woman, and genetic tests of any embryo legally held by an individual or family member utilizing assisted reproductive technology;
4. Family history that is the manifestation of a disease or disorder in an individual’s family members; and
5. Any request for or receipt of genetic services or participation in clinical research that includes genetic services (genetic testing, counseling, or education) by an individual or an individual’s family members.

Pursuant to Section 210 of GINA, an employer, employment agency, labor organization, or joint labor-management committee shall not be considered to be in violation of GINA based on the use, acquisition, or disclosure of medical information that is not genetic information about a manifested disease, disorder, or pathological condition of an employee or member, including a manifested disease, disorder or

pathological condition that has or may have a genetic basis.

CHAPTER 11 USE OF STATE RESOURCES

11.1 Appropriate Use of State Resources Policy

State employees in the performance of their duties execute a public trust that requires appropriate use of State resources. State employees must protect and conserve State resources and must not use such resources for unauthorized purposes.

Except for *de minimis* personal use, State employees must use State resources only for official purposes. State employees may not use State resources for political activities or outside employment. When using or safeguarding State property, State employees may not knowingly or intentionally lose or damage such State property and may not knowingly or willfully use or authorize the use of State property other than for official purposes. Theft, misuse, or conversion of State property for personal use is strictly prohibited.

11.2 Use of State Equipment Policy

Telephone Use

The use of State telephone services is generally limited to official business calls. Official business calls are those in furtherance of State business, those in the best interest of the State, or emergency calls. IBHE employees are permitted to make reasonable personal use of State telephone systems. A personal call will be considered reasonable if it does not adversely affect the performance of official duties by the employee or ~~the employee's~~ IBHE and is of reasonable duration and frequency. Employees generally should make personal calls with their personal phones and during non-work hours.

Use of Photocopy and Facsimile (Fax) Machines

IBHE equipment, including photocopy and fax machines and their supplies, are the property of the State and are to be used only while conducting official business of IBHE, except for *de minimis* personal use. An employee who uses photocopy and/or fax machines and their supplies for personal use outside of official State business, beyond *de minimis* use, may be subject to discipline up to and including discharge and may be expected to reimburse the Department for monetary charges.

11.3 Information Technology (IT) Security Policy

Overview

State of Illinois employees have access to State information and State systems, technology, and other information resources, including State-owned hardware, software, and computer network access. This policy refers to all such information, data, systems, technology, and resources collectively as Information Technology Resources ("IT Resources"). Employees are responsible for protecting IT Resources.

Inappropriate use of IT Resources exposes the State and its Agencies to risks, including cyber-attacks, compromise of network systems and services, information breaches, and legal issues. Inappropriate personal use of IT Resources on State time also deprives the State of the employee's time and service for State business. To avoid these problems, every employee who accesses IT Resources ("Users") must know and understand the following guidelines and conduct their activities accordingly.

Goal

The goal of this policy is to establish appropriate and acceptable practices and responsibilities regarding the use of IT Resources, which will protect proprietary, personal, privileged, and otherwise sensitive data.

Scope

This policy requires statewide compliance, and it covers and applies to:

- Employees and contractors of all State Agencies, Boards, and Commissions under the jurisdiction of the Governor that use IT Resources. All such individuals are referred to as a “User” or “Users” in this policy; and
- All IT Resources, including systems and technology capabilities developed, acquired, or used as a service, whether the IT Resource is internally or externally developed, housed, or maintained.

Requirements

General Use and Ownership

1. Every User must avoid all activity that compromises the security, performance, or integrity of IT Resources, or that negatively impacts the IT Resources of other Users.
2. State employees, vendors, business partners, and other governmental agencies must first be authorized by IBHE designated staff before accessing IT Resources.
3. All individuals who access IT Resources may be required to undergo personnel screening. Such screening could include a background check, which shall be proportional to the data classification, business requirements, and acceptable risk, each based on the IT Resources being accessed.
4. Users must use IT Resources within the scope of their employment or contractual relationship with the State only and must agree to abide by the terms of this policy.
5. Users shall promptly report to ~~their supervisor~~[the IBHE IT department](#) all security incidents, disruption of service, actual or suspected theft, and loss and/or unauthorized disclosure of IT Resources.
6. The State audits IT Resources to secure its information systems and ensure compliance with this policy.
7. Limited, reasonable personal use of State IT Resources, in accordance with this policy, is allowed. Users should be aware that all usage may be monitored and there is no reasonable expectation of privacy in the use of IT Resources.

Security and Information

1. All Users must undergo Cybersecurity Awareness Training, pursuant to 20 ILCS 450/25.
2. Users may access, use, or share IT Resources only to the extent necessary to fulfill the employee’s job duties. All IT Resources must be handled with due care and confidentiality. Users who create, receive, process, edit, store, distribute, or destroy IT Resources that are confidential, sensitive in nature, and/or governed by federal or state laws, rules or regulations have an obligation to protect such information.
3. All computing devices, including personally owned devices, that connect to the State of Illinois internal network must first be authorized by IBHE.

4. System and user level passwords must meet IBHE's password length and complexity requirements.
5. Use of another User's password or any other authentication capabilities is strictly prohibited.
6. Computing devices must be secured with a password-protected screensaver enabled, as applicable. Users must lock the screen or log off/sign out of the device when the device is unattended.
7. Users must use caution when opening e-mail attachments received from unknown senders, as attachments may contain malware. Users must also use caution when clicking on hyperlinks in e-mail, as this could result in a successful cyber-attack.

Unacceptable Use

This section sets forth activities that are prohibited. Users may be exempted from these restrictions during the course of their job responsibilities (e.g., systems administration staff may have a need to disable the network access if it is disrupting production services).

Under no circumstances should any IT Resource be used to engage in any illegal activity. The examples listed below are by no means exhaustive but attempt to provide a framework for activities that fall into the category of unacceptable use.

Prohibited System and Network Activities

Employees may not do any of the following:

1. Violate any copyright, trade secret, patent, or other intellectual property protection, or any similar laws or regulations. This includes, but is not limited to, the installation or distribution of "pirated" or any other software products that are not licensed for use by the State.
2. Copy, share, or distribute copyrighted material without authorization.
3. Export software, technical information, or encryption software or technology, in violation of applicable laws. Prior authorization from IBHE is required prior to the export of any such material.
4. Introduce malicious programs into the network or server (e.g., viruses, worms, Trojan horses, and e-mail bombs) because of careless, reckless, or intentional conduct.
5. Reveal an account password to others or allow others, including family and other household members, to use an employee account. If the User loses control of their credentials, they should report this to their appropriate IBHE IT ~~or security~~ staff and immediately change their network/e-mail password.
6. Use IT Resources to obtain or transmit material that is a violation of any other policy contained in this Handbook or is in violation of sexual harassment or hostile workplace laws in the User's local jurisdiction, including but not limited to publishing, distributing, selling, displaying, or possessing obscene materials such as pornography, child pornography, cyberbullying, and threats of violence.
7. Effect a security breach or disruption of network communication.
8. Port scanning or security scanning is expressly prohibited unless prior notification to IBHE IT staff is made. Security scanning conducted by or with express authorization from the Chief Information Security Officer ("CISO") is excluded from this prohibition.
9. Execute any form of network monitoring that will intercept data not intended for the User's host unless this monitoring activity is a part of the User's job duties.

10. Circumvent User authentication or security features of any host, network, or account.
11. Install password crackers, denial of service tools, key loggers, or any other software or tools designed to acquire unauthorized access to data or IT Resources. Use of such tools can be acceptable, but only with express written authorization from the CISO.
12. Utilize tools such as unauthorized browsers to access the 'dark web' unless expressly authorized in writing by the CISO.
13. Introduce honeypots, honeynets, or similar technology on the State network unless expressly authorized in writing by the CISO.
14. Interfere with or deny service to any User (for example, a denial-of-service attack).
15. Use any program/script/command, or send messages of any kind, with the intent to interfere with, or disable, a User's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
16. Provide information about, or lists of, State employees to parties outside of State-established processes.
17. Send or share with unauthorized persons any information that is confidential by law, rule, or regulation, or that may compromise the security of the State, IT Resources, and/or State Agencies.
18. Install software that has not been authorized in writing by the requestor's manager and approved following an appropriate service request submitted to designated IBHE IT staff.
19. Attach devices that have not been authorized in writing by the requestor's manager and approved following an appropriate service request to designated IBHE IT staff for processing.
20. Use IT Resources to play or download games, music, or videos that are not in support of State business functions.
21. Use peer-to-peer or file sharing software without authorization by the CISO.
22. Utilize IT Resources for activities that violate policies established by State Agencies, Boards, or Commissions.
23. Move, add, or alter the security and/or security-related configurations of State-owned workstations, mobile devices, network equipment, software, or services.
24. Share or store IT Resources via unauthorized cloud services.

Prohibited E-mail and Communication Activities

The purpose of the State's e-mail system is for correspondence relating to the mission of IBHE. E-mail is a resource provided to IBHE and Users to enhance work performance and productivity, enable efficient communication, and to record and preserve the work performed in accordance with State law. The following are prohibited activities:

1. Sending "junk mail" or advertising material to individuals who did not specifically request such material (e-mail spam).
2. Any form of harassment via e-mail, telephone, or instant messaging.
3. Unauthorized use, or forging, of e-mail header information.
4. Solicitation of e-mail for any other e-mail address (other than that of the poster's account), with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
6. Sending unsolicited e-mail from within the State networks.
7. Users are not allowed to create or open archived .PST files unless first authorized in writing

by the requestor's manager and then approved following submission of appropriate service request to designated IBHE IT staff.

8. The Enterprise e-mail system includes a disclaimer notification at the bottom of every e-mail sent from the system. Additional disclaimers must be approved by IBHE senior management or its legal department.
9. Sending broadcast messages to all IBHE e-mail Users within the scope of the Enterprise e-mail system without appropriate authorization.
10. Misaddressed messages shall not be forwarded unless the User is familiar with both the sender and the recipient, and knows the message pertains to legitimate State business. In all other instances, the sender should be notified, if possible, that the message was misaddressed or misdirected, and the e-mail deleted.
11. Users may not create e-mail rules or other automated processes to forward any e-mail to external e-mail accounts, personal or otherwise. This includes carbon copying to personal accounts.
12. Users cannot retain or export a copy of e-mail when terminating employment with IBHE unless authorized by IBHE's senior management or its legal department.

Prohibited Activities When Using Collaboration Tools (Audio, Video, File Sharing, Group Chat, Remote Tools, and Online Meeting Tools)

1. Using Collaboration Tools (defined to include audio, video, file sharing, group chat, remote tools, and online meeting tools) for monetary gain or for commercial, religious, or political purposes not directly related to State business.
2. Capturing, opening, intercepting, or obtaining access to Collaboration Tools, except as otherwise permitted in the performance of assigned job responsibilities.
3. Giving the impression to others that the User is representing, giving opinions, or otherwise making statements on behalf the employee's Agency or the State of Illinois, unless in the performance of assigned job responsibilities.
4. Users will not directly or by implication use a false identity.

Internet Access

Internet access is provided to meet informational needs and support the mission and goals of the State. All Internet usage utilizing IT Resources falls under this policy, regardless of equipment ownership. Misuse of Internet access may result in loss of Internet access privileges, or discipline, up to and including discharge. Internet use is monitored by ~~the State~~IBHE. Suspected misuse of the Internet should be reported to the applicable Agency for review and determination of appropriate action.

Policy Compliance

To implement this policy, IBHE may establish supplemental policies, standards, procedures and guidelines and designate responsibility to specific personnel.

IBHE Cybersecurity Awareness Training Procedures: cybersecurity training is mandated for all IBHE Staff annually during a predetermined period set by ~~IBHE Human Resources and Technology staff~~the State and approved by the Executive Director. This period is referred to as the training period and is inclusive of all required state training (e.g., Ethics, Harassment and Discrimination Prevention, Diversity, Equity, and Inclusion). The training may occur through OneNet, or through other means as long as the training

IBHE EMPLOYEE HANDBOOK

material is the same as what is provided through OneNet and the staff member provides a scanned/signed copy of the certificate attesting that they completed the training.

New IBHE Hires starting outside of the predetermined training period will be required to complete cybersecurity training (and other mandatory state training) as part of their orientation and within seven days of their start-date. The IBHE IT Director will ensure that this training occurs within this period. If new IBHE employees can provide written documentation that they have completed the required cybersecurity training for the given year through another employer, this requirement ~~is~~ may be waived. All certifications of training outside the training period are to be maintained by the employee, with a copy in their personnel file.

All temporary help and contractors are required to complete cybersecurity training within seven days of their start-date and on an annual basis and/or during the regular training period.

Supervisors are responsible for working with the Director of Human Resources and the Director of Information Technology & Systems to determine if their direct reports have successfully completed the required training during the training period.

The Director of Information Technology & Systems is to provide IBHE Senior Staff with a report by July 31st of each year regarding agency compliance with these procedures.

Applicable Laws, Guidelines or Sources

Applicable laws, rules and regulations include, but are not limited to, those found in the State Enterprise Information Security Policy, and the State Officials and Employees Ethics Act, 5 ILCS 430 and 20 ILCS 450/25.

11.5 Mobile Communications Policy

Summary

IBHE ~~provides~~ may provide various electronic devices to employees, based on job requirements.

The purpose of this policy is to establish a set of guidelines and procedures for IBHE employees who have been issued State-owned mobile communication devices related to the performance of their duties. This policy establishes procedures for the acquisition, administration, and use of all State-owned mobile communication devices that use commercial cellular services.

For purposes of this policy, mobile devices are defined as any mobile computing and communications device with information storage capabilities and any portable cartridge/disk based, removable storage media including, but not limited to, notebook/laptop computers, tablets, public internet access devices, personal digital assistants, smart phones, cellular telephones, compact disks, USB flash drives, external hard drives, and memory cards/drives.

All IBHE employees with issued devices shall comply with the provisions of this Mobile Communications Policy and the guidelines and procedures established herein.

Policy and General Information

I. Business Requirement

Limit on Acquisition

- Only one (1) State-issued mobile telephone device is allowed per employee.
- Only devices on the IBHE approved device list can be requested.

II. Employee Responsibility

Appropriate Use

All use of mobile device equipment, service or an allowance is governed by the Statewide Policy: Appropriate Use of Electronic Communication and Technology. This policy is located at: <https://doit.illinois.gov/content/dam/soi/en/web/doit/support/policies/documents/2022/acceptable-use-policy.pdf>

Potential Disciplinary Action

Employees are expected to use State-owned mobile devices responsibly and in accordance with this policy and any applicable work rules, including but not limited to the social media and Information Technology (IT) Security policies. Use of a State-owned mobile device in violation of this policy or IBHE work rules may result in revocation of the mobile device assignment and possible disciplinary action against the employee. IBHE reserves the right to seek reimbursement for excessive personal use of any State-owned mobile device.

III. State-Owned Mobile Device

State-owned mobile device equipment and service is issued to employees for State business purposes only. Personal use of a State-issued mobile device is allowable only for emergency, incidental and reasonably necessary calls.

Call details (e.g., time, number called, date, duration) from a State-issued mobile device is public information, except when exempt by statute.

Employees are prohibited from making calls that result in additional usage charges unless permitted by ~~DoIT~~ **IBHE** in advance, such as international calls, calls requiring additional roaming charges, or calls for directory assistance. When traveling on State business, employees must check with the ~~telecommunications coordinator~~ **IT department** to see if roaming or long-distance charges will be incurred prior to any domestic or international travel.

Use of Mobile Communications Device

- State employees who are issued cell phones or other mobile communication devices for work-related use must follow State law and use hands-free devices while driving. Employees are strongly encouraged to safely park their vehicle in a secure location before placing or accepting communications, even with hands-free devices.
- This restriction applies whether the employee is engaged in work-related activities or is using a communication device for personal reasons. Under no circumstances are employees allowed to place themselves, other drivers, or pedestrians at risk for the purpose of using a mobile communication device.

IBHE EMPLOYEE HANDBOOK

- State employees are highly discouraged from using any mobile device while operating a motor vehicle during State business, except for the purpose of making a phone call to obtain or render emergency assistance

Lost, Stolen or Damaged Mobile Communication Device

- If a State-issued mobile communication device is lost, stolen or damaged, the user must immediately contact their department's designee to ensure appropriate precautionary steps are taken. The employee is responsible for notifying the IBHE ~~Telecommunications Coordinator~~ [IT Department](#) whenever a device is lost or stolen
- Employees who frequently make lost, stolen, or damaged claims may be responsible for the replacement cost of State-issued mobile device equipment. Additionally, these employees may be restricted from obtaining replacement equipment and/or from using another State-issued mobile communication device

IV. COMPLIANCE

Compliance with this policy and the guidelines and procedures it establishes is mandatory. Failure to comply with this policy may result in disciplinary action pursuant IBHE policies and procedures.

11.6 Purchase of State Property Policy

State employees and their family members living within the same household are not permitted to purchase surplus state property or vehicles at auctions or sales conducted by the Department of Central Management Services ("CMS") Division of Property Control.

State employees also are not permitted to purchase inoperable vehicles, scrap, or other equipment or commodities that may be sold by the CMS Division of Property Control.

No State employee should consult with or advise individuals or firms regarding the condition of surplus State property or vehicles being sold at auction or bid. State employees are also precluded from having a financial relationship with or interest in any firm that bids on State property.

If it is determined that an employee is in violation of this policy, disciplinary action may result, including but not limited to the return of the property or vehicle at the employee's expense.

CHAPTER 12 CONTACTS

12.1 Personnel Files Policy

IBHE Human Resources shall maintain an official personnel file for all IBHE employees. At a minimum this personnel file must contain the employee's name, gender, county of residence, date of birth, date of original appointment to the State service, date of promotions, demotions, transfers, and other transactions, present position title, status, salary, and the operational agency wherein the employee is assigned. An employee's supervisor may maintain an IBHE specific personnel file of their subordinate employees that shall contain only job-related information. All personnel files shall be in a secure environment to ensure appropriate security and confidentiality.

State employees and/or their authorized representative may request an appointment to review their official personnel file between normal business hours, Monday through Friday 8:00 a.m. through 5:00 p.m. IBHE reserves the right to charge a copying fee for requests for personnel files. State employees will be provided with advance notice if a copying fee is applied.

12.2 Public Records/FOIA Requests Policy

All requests for information under the Freedom of Information Act (FOIA) shall be referred to the IBHE Freedom of Information Act Officer (FOIA Officer), regardless of whether they are received verbally, in writing, or through other means.

All FOIA requests should be forwarded immediately to the IBHE FOIA Officer since Illinois law requires a response within five working days. The IBHE FOIA Officer will submit a request for Electronically Stored Information ("ESI") from IBHE IT staff and/or ask the appropriate unit or staff for all responsive documentation and then the IBHE FOIA Officer will respond to the request.

Questions regarding services provided by IBHE such as test dates, procedures for applying for a job, insurance coverage, or information immediately available on the IBHE website may be released directly without involving the FOIA Officer.

12.3 Media Inquiries Policy

All inquiries from members of the press should be immediately referred without comment to the IBHE ~~Senior Associate~~ Director ~~for of~~ Strategic Communications or equivalent ~~department~~. If a member of the news media arrives unexpectedly, the IBHE Office of Strategic Communications should be notified immediately.

~~Employees of the~~ The Director of the IBHE Office of Strategic Communications ~~are~~ is the designated spokespersons for responding to requests from the news media. Unless express written permission is granted by the Executive Director or the ~~Senior Associate~~ Director of Strategic Communications, employees should not respond to the press, give interviews, or provide statements to the press. This procedure is important to ensure that information released to the news media is accurate, complete, and representative of the State's position.

Photographs and filming by the press within IBHE offices shall not be allowed without prior approval of the IBHE Office of Strategic Communication. All news releases concerning IBHE activities shall be issued only by the Executive Director or the IBHE Office of Strategic Communications.

12.4 Legal Inquiries Policy

All requests for legal information from the public or outside attorneys or their staff, including representatives from the Illinois Attorney General, must be immediately referred to IBHE's General Counsel. State employees who have not been granted express permission to respond to legal inquiries are strictly prohibited from responding to such requests.

12.5 Legislative Inquiry Policy

All legislative requests, inquiries, and positions on legislation are to be coordinated by the IBHE Legislative ~~offices (sometimes referred to as Governmental Affairs)~~team or equivalent departments. These offices monitor activity of the General Assembly, coordinate testimony by State employees who appear before committees of the Illinois House of Representatives and State Senate and confer with members of the General Assembly or their respective staffs.

If a State employee receives a non-routine request for information by a legislator, a legislator's office, or the respective staffs of the General Assembly, the employee is to immediately contact their Agency's Legislative team, which will handle the response to the request in conjunction with appropriate staff.

If a legislator makes an inquiry to State employees regarding their personal confidential items such as group insurance or deferred compensation, staff may handle these items directly, but are to also inform their Agency's Legislative team of such inquiries.

CHAPTER 13
TRAVEL POLICIES

13.1 General Travel Policy

The following policies and practices managing travel are adopted by the Illinois Board of Higher Education (IBHE) to ensure accountability and maximize the impact of travel investments on IBHE's strategic priorities.

The Board encourages the use of virtual or other alternative modes of communication in lieu of travel whenever feasible and in the best interests of the Board.

Periodic travel by members of the Board, Executive Director and IBHE staff is necessary for the conduct of IBHE business, operations, and the advancement of higher education in the State of Illinois. However, the Board, Executive Director and IBHE staff are expected to use prudence, discretion, and good judgment to assure that all expenses incurred while in travel status for the IBHE are authorized, appropriated, and in accordance with this Travel Policy.

All travel must be conducted in accordance with state and IBHE budgets and regulations, including, without limitation, the Illinois Higher Education Travel Control Board (HETCB) rules and regulations, as amended from time to time. To the extent any provision of this policy or these practices conflicts with the HETCB rules and regulations, the HETCB rules and regulations will control.

Executive Director

The Board recognizes that the goals established by the Board for the IBHE Executive Director and the various positions that individuals hold by virtue of their role as Executive Director of the IBHE will require travel in and out of the state. The Board has made elevating the stature of the IBHE for both state and national stakeholders a priority for the position of Executive Director as well as engaging state and national partners in identifying and implementing effective practices that advance the Board's priorities for improving the performance of Illinois higher education.

The Ethics Officer will review travel requests for travel to be reimbursed by a third party to ensure compliance with the State Officials and Employees Ethics Act (5 ILCS 430), IBHE Personnel Policies, applicable Executive Orders, and other rules and regulations.

IBHE Staff

The Board recognizes that the goals established by the Board for the IBHE will require travel in and out of the state for various IBHE staff. All IBHE staff travel requests must be approved by the employee's supervisor. In addition, the Ethics Officer will review travel requests for travel to be reimbursed by a third party to ensure compliance with the State Officials and Employees Ethics Act (5 ILCS 430), IBHE Personnel Policies, applicable Executive Orders, and other rules and regulations.

Out-Of-State Travel

All out-of-state travel must be approved by the Governor's Office of Management and Budget (GOMB). Prior to being sent by the IBHE Executive Director to GOMB for approval, all other required approvals listed below must be received. Requests for out-of-state travel must also be approved in writing and in advance by the Executive Director. Out-of-state travel requests also must be approved by the Governor's Office of Management and Budget and require 30 days advance notice.

- If an outside entity is discounting or providing something of value free of charge (e.g., conference registration fees, meals, hotel rooms, etc.) the travel must be approved, in

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writing, in advance of the proposed travel by the Executive Director of the Executive Ethics Commission (“EEC”) to comply with Executive Order 15-09. Information regarding any sponsored travel should be submitted via email to the IBHE Ethics Officer who will request approval through the EEC.

- If the proposed travel includes a speaking engagement on behalf of IBHE and/or the state, employees must send an email detailing the travel, event, and topic of speaking engagement to the IBHE Communications Director for approval at least two (2) weeks prior to the travel date(s).
- Requests for out-of-state travel approval should be submitted via the Out-of-State Travel Request Form for agency approval at least five (5) weeks prior to the anticipated travel, except in the event of an emergency.

All out-of-state travel requires the IBHE Executive Director’s review and approval regardless of the traveler’s position. Out-of-state requests must be in compliance with the policies of the Governor’s Travel Control Board

Working While International

IBHE understands that staff may need to travel internationally while employed with IBHE, and as such, there may be times that the IBHE employee needs to work while abroad. IBHE staff requesting to work internationally, during IBHE employment, MUST request and obtain approval prior to performing any State work while abroad by completing the required request form (available the HR department). The request form includes information about the travel, with approval routings to the employee’s supervisor, the IBHE IT Director, the IBHE Ethics Officer, and the IBHE Executive Director.

The request form also requires the employee to complete a series of attestations, including

· hybrid work eligibility

· IBHE’s right to cancel, suspend or alter employee hybrid work privileges at any time for any reason

· Certain countries/locations may be INELIGIBLE for hybrid work due to the inherent security risks, as determined by the IBHE IT department

· If eligible to work while international, it is the employee’s responsibility to correctly report all time spent on official State business

· Due to the difference in time zones and operational differences, it is unlikely staff will be able to work all 7.5 hrs/day 37.5 hr/wk while abroad

Unless all approvers approve and HR receives a copy for the file, IBHE does not permit the employee to perform IBHE work on IBHE equipment during the requested travel time.

13.2 Use of State Vehicles Policy

Purpose

The purpose of this policy is to establish general standards, procedures and regulations governing the use of State vehicles by IBHE employees. It is IBHE policy to provide the highest level of public service possible in the most economically and efficient manner, within the provisions of applicable state and

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federal law. All IBHE employees shall strictly comply with the provisions and procedures established by this policy. Misuse of any State vehicle or failure to adhere to this policy may result in disciplinary action up to and including discharge.

The use of State vehicles is governed by Joint Committee on Administrative Rules, 44 Ill. Admin. Code 5040.300. More specific and comprehensive information related to State vehicle usage is contained in the Vehicle Operators' Manual, which is placed in each State vehicle, and the Vehicle & Driver Policy Guide. All questions regarding State vehicle usage should be directed to the IBHE Vehicle Coordinator/Use Officer.

Authorized Use of State Vehicles

State vehicles shall only be used in the performance of essential travel duties related to the completion of State business and for public purposes in the best interests of the State.

Authorized use of State vehicles includes, but is not limited to:

1. Travel to State Business – this includes between places of State business, locations necessary to perform official duties, temporary lodging, and places to obtain meals, medical assistance, including drug stores and similar places required to sustain the health, welfare, or continued efficient performance of the driver.
2. Transport of Others – this includes other State officers, employees or guests of the State who are on official State business, consultants, contractors, or commercial firm representatives when such transport is on behalf of or in the direct interest of the State, wards of the State, residents of State facilities or institutions, any person or item in an emergency and others, as authorized in writing by the IBHE Executive Director.
3. Transport of Materials – including supplies, parcels, luggage or other materials or items belonging to or serving the interests of the State.

Unauthorized Use of State Vehicles

Unauthorized use of State vehicles may result in immediate disciplinary action, up to and including discharge. Discipline may also include suspension of all privileges to operate a State vehicle. Unauthorized use of a State vehicle will result in the operator being responsible for reimbursing the State for each mile or fractional mile of unauthorized use equal to the amount reimbursed to State employees for the use of personal vehicles for State business.

Unauthorized uses of a State vehicles include, but are not limited to:

1. Shopping, meals (except while authorized on state business), entertainment, recreation, or vacation purposes unrelated to the performance of official State business;
2. Transportation of any person for any purpose that is unrelated to official State business;
3. Operation of a State vehicle beyond its rated capability;
4. Transportation of materials, equipment, supplies, tools, parcels, luggage, or other items unrelated to official state business or that may constitute an obstruction of safe driving or a hazard to pedestrians or other vehicles;

5. Transportation of hazardous or dangerous materials such as acids, explosives, weapons, ammunition, or highly flammable materials unless authorized in writing by Director of, IBHE or in an emergency;
6. Extending the length of time the operator possesses the vehicle beyond what is necessary to complete the official purpose of the travel; and
7. Any use in violation of applicable statute, rule, or executive order.

Operator Requirements and Responsibilities

Operators of State vehicles must:

1. Maintain a valid driver's license, permit, privilege, or endorsement appropriate for the type of State vehicle being operated;
2. Immediately submit a report to their supervisor if the operator's license is suspended or revoked describing the circumstances under which the suspension or revocation occurred and the duration of the suspension or revocation, if the employee's position requires a license;
3. Ensure that State vehicles are used only for official and authorized purposes;
4. Drive safely, obey all traffic laws, practice road courtesy, and always exercise reasonable diligence in the proper care, use, and operation of State vehicles;
5. Wear seat belts as provided in each vehicle and require all passengers to wear seat belts, except as otherwise required by law;
6. Maintain State vehicles in a safe operating condition and carefully secure any cargo;
7. Ensure that vehicles, keys, and vehicle credit cards and pin numbers are properly secured to prevent damage and/or theft;
8. When not in use, store State vehicles on State property, and if possible, within a secure area;
9. Maintain control over vehicle keys and credit cards in a manner to prevent unauthorized access;
10. Store State-owned supplies and equipment which must be left in a vehicle in an inconspicuous and secure area of the vehicle;
11. Comply with all instructions concerning the purchase of fuel, oil and repairs or maintenance services; and
12. Comply with all instructions concerning notification and repairs in the event of a breakdown or damage which presents further operation of the vehicle.

Possession and consumption of drugs or alcohol prior to and during operation of a State vehicle is prohibited. Driving under the influence of drugs or alcohol in State vehicles or in private vehicles being used on official State business is in violation of State law and is strictly prohibited. Operators are also prohibited from smoking in State owned or leased vehicles pursuant to the Smoke Free Illinois Act, 410 ILCS 82.

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IBHE Pool Vehicles

The IBHE Vehicle Coordinator/Use Officer is responsible for maintaining a current list of IBHE pool vehicles and the day-to-day assignments of those vehicles. IBHE pool vehicles are to be parked overnight at its designated State parking locations unless parking elsewhere is specifically authorized by the [IBHE Executive Director of IBHE](#). Without authorization, IBHE pool vehicles that are parked after hours at a non-State location will be an unauthorized take-home vehicle which may result in appropriate disciplinary action including, but not limited to the suspension of all State driving privileges and possible discharge.

Use of Personal Vehicle for Official State Business

The ~~Director of IBHE~~ [Executive Director](#) shall allow the use of a personal vehicle on official State business when a State-owned vehicle is not available or where it is in the best interests of or more economical for the State. For a personal vehicle to be used for State business, the vehicle must be insured for the appropriate minimum amount of auto liability insurance established by State travel regulations. Each IBHE employee shall provide a copy of their auto insurance to IBHE on an annual basis. Any compensation to an employee for use of a personal vehicle on official State business shall be in accordance with any State travel regulations established by the Illinois Higher Education Travel Control Board.

Accidents and Damage Involving State Vehicles

In case of an accident or the occurrence of any damage to a State vehicle, the operator, their direct supervisor and up through the respective Deputy Director must promptly comply with the following State-wide Accident and Damage Reporting Procedures ~~established by CMS~~:

1. Call 911 to notice Law Enforcement of the accident and, if necessary, request medical assistance for injured persons;
2. Do not assist with injured persons beyond calling for professional medical assistance, except if deemed necessary due to a life-threatening condition;
3. Remain silent on the issue of fault;
4. Contact CMS Division of Risk Management immediately at (217) 782-0202, (800) 442-1300 #2 or TTD# (800) 526-0844 if the accident results in severe injury, death, or substantial property damage;
5. Contact your Supervisor and IBHE Vehicle Coordinator/Use Officer as soon as possible to report an accident. Failure to report a motor vehicle accident within three (3) business days risks coverage;
6. Obtain a "Motorist Report of Illinois Vehicle Accident" from the Law Enforcement Officer or Agency that reports to the scene of the accident;
7. Complete and submit the SR-1 Form to the IBHE Vehicle Coordinator within three (3) calendar days from the date of the accident and to the CMS Division of Vehicles within seven (7) calendar days of the accident; and
8. Contact CMS Risk Management with or for any additional information.

Vehicle Maintenance and Emergency Roadside Assistance

A list of CMS State Garages can be found on the CMS State Garage and Fuel Locations website.

Call (217) 782-7860 when traveling within Illinois or (800) 782-7860 when traveling out-of-state if it is after-hours and/or you are unable to obtain vendor services.

13.3 Commuter Savings Program Policy

IBHE employees may elect to participate in the Commuter Savings Program (“CSP”). The CSP allows IBHE employees to use tax-free dollars to pay out-of-pocket, work-related commuting, and/or parking expenses. IBHE employees may enroll, cancel, or change deductions. CSP deductions are taken directly out of the employee’s paycheck before federal, state, and social security taxes are withheld.

The amount of deductions permitted under the CSP are regulated by the Internal Revenue Service. For more specific information on how to enroll in the CSP, please refer to the Bureau of Benefits, State Employee Benefits page on the Central Management Services website.

13.4 Documentation for Reimbursement for Travel

The Higher Education Travel Control Board (HETCB) has jurisdiction over travel by the Board, public universities, and other higher education institutions, boards, and commissions pursuant to the State Finance Act. (30 ILCS 105/12-1) The HETCB is a voting member of the Travel Regulation Council which is responsible for adopting the State Travel Regulations and Reimbursement Rates for personnel.

The IBHE incorporates herein the HETCB travel rules, reimbursements, and allowances as found on the HETB website at <https://www.stateuniv.state.il.us/travel/> (80 Ill. Adm. Code 2900) and Travel Control Council (80 Ill. Adm. Code 3000)

The Executive Director will designate the IBHE representative to the HETCB.

General

Claims for reimbursement shall be supported by original receipts for railroad, bus, airplane (passenger coupon), lodging, and all other items in excess, individually, of \$10. Receipts are not required for meals on the per diem or per meal basis.

Requests for reimbursement must be submitted on required Travel Voucher forms with necessary receipts and submitted to the IBHE Travel Coordinator within 30 days of the end of travel. Reimbursement provided after the 60-day period is considered taxable income. Employees are encouraged to submit Travel Vouchers within 30 days of the end of travel.

When travel is not required as a condition of employment and is a benefit to both the IBHE and the employee, the Executive Director or designee may approve partial reimbursement. The reimbursement may not in any case exceed the rates otherwise authorized.

All employee travel expenses incurred shall be reimbursed in accordance with the travel regulations of the Travel Regulation Council and the Higher Education Travel Control Board.

Prohibited Source Reimbursement

If IBHE Staff or the Executive Director seeks to attend a conference or meeting where a Prohibited Source, as defined by the State Officials and Employees Ethics Act, proposed to provide all or part of the

cost (including, but not limited to airfare and hotel accommodations), the Ethics Officer will consider approval in accordance with the Gift Ban provisions of the Ethics Act under the following conditions:

1. IBHE Staff Member has obtained approval in writing in advance by the Executive Director and Chief Financial Officer; or in the case of the Executive Director, has obtained approval in writing in advance by the Chair; and.
2. The Prohibited Source agrees to make or arrange payment or reimbursement of such costs directly with and to IBHE.

Third Party Reimbursement

If IBHE Staff seeks to attend a conference or meeting where the sponsor or other third party, excluding a Prohibited Source, proposes to provide all or part of the cost (including, but not limited to, airfare and hotel accommodations), the Ethics Officer will review and consider approval in accordance with the Gift Ban provisions of the Ethics Act. The Executive Director will make the final decision to seek approval from the Executive Ethics Commission for consideration of third party reimbursement for an Agency Staff Member. Any such third-party reimbursement shall be pre-approved and shall be documented to help ensure transparency and accountability.

Mileage

As a condition of employment, employees expect to incur commuting expenses between their residence and headquarters. These expenses are not reimbursable. Expenses associated with State business more than commuting expenses are reimbursable at headquarters and/or residence. An employee whose travel does not include travel through headquarters shall be reimbursed for all mileage. An employee whose travel does include travel through headquarters shall be reimbursed for all mileage more than commuting mileage. All travel must be by the most direct route.

“Travel through headquarters” is defined as: Any travel to or through the corporate city limits of the employee’s designated headquarters, regardless of whether the employee made a stop at the work site or changed vehicles or modes of transportation.

Examples of reimbursable mileage expenses are as follows:

1. Residence/Lincoln - Headquarters/Springfield
Employee drives from residence in Lincoln to Chicago and returns to residence. Reimbursement is for all mileage because the travel was not to or through headquarters.
2. Residence/Lincoln - Headquarters/Springfield
Employee drives from residence in Lincoln to Collinsville and back to residence. Reimbursement is for all mileage more than commuting mileage. The travel, by the most direct route, was through headquarters.

Mileage Rates

Employees using private vehicles while on State business must have insurance coverage in an amount not less than that required by Section 10-10(b) of the Illinois Vehicle Code. (625 ILCS 5/10.)

The current rate(s) can be found on the Higher Education Travel Control Board website (www.stateuniv.state.il.us/travel/allowances/).

Meal Allowance

The meal allowances are given when the traveler is not eligible to receive per diem. Receipts need not be submitted to support this allowance. Rates can be found at the Higher Education Control Board

website (<https://www.stateuniv.state.il.us/travel/>).

Modes of Transportation

1. All travel shall be by the most direct route. Expenses due to deviations for convenience shall be borne by the employee. Distances between destinations shall be as shown on the Illinois Highway Map published by the Secretary of State. Where no mileages are available, odometer readings shall be used. Mileage in and around a city of destination may be claimed as such.
2. All travel shall be by the most economical mode of transportation available considering travel time, costs, and work requirements. Modes of transportation authorized for official travel include automobiles, railroads, airlines, buses, taxicabs, and other usual means of conveyance.
3. State vehicles may be used when most economical. Specific instructions covering service and repairs of these vehicles are to be found in the glove compartment of each vehicle.
- 4 Arrangements on airplanes, trains, or boats shall be the least costly reasonably available alternative.
5. Chartered aircraft, boats, trains, buses, or other such conveyance, shall be used only as a last resort or if proven to be most economical for the circumstances.
6. The rental of an auto and use of ride sharing services while on travel status is allowed if circumstances require. The State of Illinois has a master contract with a rental car company. Employees are required to use the preferred rental car company or receive waiver from their supervisor with consultation of the IBHE travel coordinator. The most economical vehicle available that is suitable for the State's business shall be obtained. The collision damage waiver and personal accident insurance on rented vehicles are not reimbursable.
7. Privately owned vehicles may be used when authorized.
 - a. Employees using private vehicles while on State business must have insurance coverage in an amount not less than that required by Section 10-101(b) of the Illinois Vehicle Code [625 ILCS 5/10-101(b)].
 - b. Reimbursement for use of a private vehicle shall be on a mileage basis and shall be in accordance with the rate promulgated pursuant to 5 USC 5707(b)(2). However, in the event the rate set under federal regulations changes during the State's fiscal year, the effective date of the new rate shall be the effective date of the change in the federal rate. The current rate can be found on the Higher Education Travel Control Board website (www.stateuniv.state.il.us/travel/reimbursement/).
8. Agency Heads may authorize the use of privately owned aircraft on State business
 - a. Employees using privately owned aircraft on State business shall be duly licensed by the appropriate licensing body for the aircraft to be flown, shall carry insurance in at least the amount of \$500,000 combined single limit, and shall certify this to the Agency Head. Such certification shall be available for review and shall be noted on the travel voucher.
 - b. Reimbursement for the use of privately owned aircraft is set by the Higher Education Travel Control Board but shall not exceed the rate set by the Federal Government pursuant to 5 USC 5707(b)(2) and 41 CFR 301-4.2(a)(2), as revised September 8, 1998

(Federal Register, Vol. 63 #173, Government Printing Office). No later amendments or editions shall act to vary this rate. The current rate can be found on the Higher Education Travel Control Board website (www.stateuniv.state.il.us/travel/reimbursement/).

Lodging

It is the responsibility of each employee to request the lowest available lodging rate at the time of making reservations. However, a person who due to a disability may require special lodging consideration may be reimbursed for the actual cost of the least costly lodging that is substantially accessible.

The lodging allowances specified on the Higher Education Travel Control Board Website are the maximum amounts allowable per area. The amounts are based on the rates established by the U.S. General Services Administration (GSA) and can be found on the Higher Education Travel Control Board website (www.stateuniv.state.il.us/travel/allowances/). State of Illinois travel regulations allow for payments more than state rates when pre-approved by the Executive Director and approved by the Travel Control Board.

Advance approval of amounts more than the maximum amounts allowable is not required for conferences. To prevent confusion between an official meeting and a conference, a copy of a brochure or registration form which indicates the hotel in which the conference was held should be attached to the Travel Voucher for all conferences regardless of the room rate. If the conference is held somewhere other than the hotel, a list of the recommended hotels must be attached.

If hotel documentation is not available, a Lodging Exception form must be completed. A report of all lodging exceptions granted by an Institution shall be submitted for approval at the quarterly Higher Education Travel Control Board meeting. While the online marketing site Airbnb may at times offer lodging within or lower than the maximum lodging rate in certain areas, the IBHE will not reimburse employees who choose to obtain lodging through Airbnb while traveling on IBHE business.

The State has negotiated special rates with certain hotels in Illinois. Employees are required to contact preferred hotels first when seeking overnight accommodation and attempt to obtain the discounted rate before reserving a hotel room at the State's maximum allowed rate. The rates listed do not include applicable taxes. Identification as a State of Illinois employee may be required at check-in. The "preferred hotels listing" can be found on the Central Management Services (CMS) website (www2.illinois.gov/cms/Employees/travel/Pages/PreferredHotel.aspx).

Reimbursable / Non-reimbursable Expenses

The cost of business-related special expenses, if reasonable, shall be reimbursable. Examples are:

1. Hire of room exhibit space, set up, and such for official business.
2. Laundry and dry cleaning if on travel status for at least 7 consecutive days.
3. Storage and handling of baggage.
4. Taxis, including reasonable tips, and ride-sharing services.
5. Telephone calls on official business, including calls of 3 minutes or less to announce safe arrival or delay or change in plans.
6. Telephone calls to secure lodging.

7. Automobile tolls and parking fees.
8. Meals purchased for non-State employees while on travel status and in connection with State business. A statement specifying why, for whom, and certifying that the claim does not include alcoholic beverages shall be attached to the travel voucher.

An employee shall be considered “on travel status” while away from headquarters on authorized State business. Travel status shall begin when an employee leaves headquarters or, if reporting directly to their destination, from residence or other location. Travel status shall conclude when an employee returns to headquarters or if reporting directly from original destination to residence or other location at the completion of authorized State business.

9. Hotel internet charges when used for official business.

Examples of non-reimbursable expenses are:

1. Alcoholic beverages
2. Coat check
3. Entertainment
4. Late check-out and room guarantee charges
5. Meals for other State employees or officers
6. Parking tickets or other traffic tickets and charges associated with locksmith service
7. Tips incurred beyond those specifically provided in this Part
8. Transportation to procure meals except when the nature and location of work at a temporary duty station are such that suitable meals cannot be procured at that location
9. Commuting expenses. “Commuting expenses” means the cost of one round trip between residence and headquarters. Cost may include mileage, parking fees, tolls, etc. Mileage cost is determined by multiplying the commuting mileage by the mileage reimbursement rate located on the Higher Education Travel Control Board’s website

“Commuting mileage” means the actual round-trip mileage between residence and headquarters

CHAPTER 14 PROFESSIONAL DEVELOPMENT

14.1 Repayment of Student Loans

The Educational Loan Default Act, 5 ILCS 385, requires that all individuals entering State employment who have defaulted on a student loan, shall establish a repayment schedule within the first six (6) months of employment.

Should an employee fail to establish a satisfactory repayment arrangement prior to the completion of the sixth (6th) month of employment, the State is required to separate that individual's employment.

To confirm the establishment of the repayment plan, the employee must provide written certification from the loan maker or guarantor to IBHE prior to the expiration of the first six (6) months of employment with the State.

14.2 Tuition Reimbursement

IBHE is an employer agency under the State Universities Civil Service System and as such, civil service employees may be eligible for interinstitutional waiver of tuition at Illinois public universities.

To be eligible, an employee must be a full-time civil service employee who has completed six months of continuous service and is on active status at IBHE at the time the course commences and is completed. Employees must apply for the waiver at the institution they wish to attend. Waiver is granted at the discretion of the university.

The employee shall enroll in no more than two courses per semester (or limited by total number of credits as determined by the public university, e.g., 4 credits in summer).

Class attendance and completion of study is to be accomplished outside of the employee's regular working hours. If approved by the employee's supervisor, the employee may take classes during work hours as long as the work time is made up by the employee.

Participation should not interfere with the employee's job performance or responsibilities.

ATTACHMENT A – CODE OF PERSONAL CONDUCT

State of Illinois Code of Personal Conduct

Introduction

Employees of the State of Illinois are a team of public servants working on behalf of the people of Illinois. State employees perform critical services upon which our residents and businesses depend. State employees are entrusted with making important decisions and carry out responsibilities that affect the future of our communities.

The purpose of this Code of Personal Conduct (**Code**) is to:

- Ensure that State employees are conducting the business of the State in an honest and respectful manner.
- Promote accountability to the taxpayers and the people of Illinois.
- Promote honest and ethical conduct and fair dealing.
- Promote compliance with applicable laws, policies, rules, and regulations.
- Deter wrongdoing.

Authority and Applicability

This Code was prepared by the Department of Central Management Services, on behalf of the Governor, pursuant to Section IV of Executive Order 2016-04 and filed with the Executive Ethics Commission pursuant to Section 5-5(b) of the State Officials and Employees Ethics Act (5 ILCS 430) (**Ethics Act**).

This Code applies to all officers, employees (including without limitation full-time, part-time, and contractual employees), appointees (including without limitation paid and unpaid appointees), and persons holding similar positions (**State Employees**) in any office, department, agency, board, commission, or authority of the Executive Branch of the State of Illinois under the jurisdiction of the Governor for the purposes of Section 20-10(c) of the Ethics Act (**State Agencies**).

More detailed policies and procedures that apply to all State Employees or certain groups of State Employees are set forth in other documents. While these other policies are not part of this Code, each State Employee covered by this Code is expected to conduct himself or herself consistently with this Code and all other applicable policies, laws, and regulations. Nothing in this Code prohibits any State Agency from adopting or maintaining policies or rules of personal conduct that are more restrictive than those set forth in this Code, if such policies or rules comply with applicable law. To the extent any State Agency policy conflicts with this Code, the more restrictive policy will control.

State Employee conduct in violation of this Code may result in discipline, up to and including discharge. The principles of just cause shall apply to the extent required by law. In addition to any discipline imposed by a State Agency, any State Employee who knowingly violates this Code, with the intent to defraud the State of Illinois, is in violation of the Ethics Act and will be subject to disciplinary action

under the Ethics Act as set forth without limitation in Sections 20-15, 20-20, 20-50, 20-55, 50-5 and 50-10 of the Ethics Act and Title 2, Sections 1620.1100 and 1620.1110 of the Illinois Administrative Code.

This Code does not, and may not be interpreted to, create any rights for any person or entity other than the State of Illinois, the State Agencies, the Executive Ethics Commission, and the Office of Executive Inspector General for the Agencies of the Illinois Governor. Nothing in this Code may be construed as altering the employment relationship between the State of Illinois and any State Employee. Application of progressive discipline pursuant to this Code to State Employees who serve at-will is discretionary and does not affect the at-will status of any such State Employee. State Employees in supervisory positions or in positions with the ability to recommend employee discipline will comply with applicable law when imposing discipline pursuant to this Code.

This Code is effective as of July 1, 2016. Copies of this Code will be made available to all State Agencies and publicly posted on the Team Illinois website (<http://team.illinois.gov>). The Department of Central Management Services will provide training to all State Agencies regarding the implementation of this Code.

The Department of Central Management Services can amend or supplement this Code with the approval of the Office of the Governor. Any amendment of, or supplement to, this Code will be filed with the Executive Ethics Commission and made publicly available by the Department of Central Management Services, including through posting on the Team Illinois website (<http://team.illinois.gov>).

Principles of Public Service

While serving in his or her official capacity, each State Employee has a responsibility to the people of the State of Illinois to act with integrity and to treat the people we serve, our colleagues, and other parties with dignity and respect. State Employees hold a position of public trust and are expected to conduct themselves in a responsible and professional manner.

The following principles apply to every State Employee and form the basis for the standards contained in this Code. When a situation is not covered by the standards set forth in this Code or in other applicable policies, laws, or regulations, State Employees will apply the principles set forth in this section in determining whether their conduct is proper.

Public service is a public trust, not to be abused for private gain.

- Except as permitted by applicable law (including but not limited to the Ethics Act and Executive Order 15-09), State Employees may not solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the State Employee's State Agency or whose interests may be substantially affected by the performance or nonperformance of the State Employee's duties.
- State Employees may not use public employment or access to nonpublic State information for private gain.
- State Employees may not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with their official State duties and responsibilities.
- State employees must take appropriate action to identify, disclose, and avoid potential conflicts of interest with the performance of their official duties.

Public service requires honest and impartial performance.

IBHE EMPLOYEE HANDBOOK

- State Employees must put forth honest effort in the performance of their duties.
- State Employees may not give improper preferential treatment to any private organization or individual.

Public servants protect taxpayer resources.

- State Employees may not knowingly make unauthorized commitments or promises of any kind purporting to bind the State of Illinois.
- State Employees must protect and conserve State property and not use it for other than authorized activities.
- State Employees must disclose waste, fraud, abuse, and corruption to the appropriate authorities.

Public servants are good citizens.

- State Employees should avoid any action that creates the appearance of a violation of the law or the ethical standards set forth in this Code.
- State Employees must satisfy in good faith all personal financial obligations to the State and comply with all requirements of all governmental taxing authorities.

Public Service must be an equal opportunity for all.

- State Employees must adhere to all laws and regulations that provide equal opportunity for all.
- There must be no unlawful discrimination, harassment, intimidation, or retaliation in any employment practice based on race, color, national origin, religion, age, sex, marital status, disability, ancestry, sexual orientation, military service, political affiliation, or any other protected status or non-merit-based factor.

Specific Instances of Unethical Conduct

This section sets forth specific ethical standards for all State Employees. Violations of these standards are subject to discipline up to and including discharge. This section is applicable to all State Employees when on State-compensated time (other than vacation, personal, or compensatory time off, as defined in the Ethics Act), on State property, or carrying out the State Employee's official duties, or when there is a nexus between the State Employee's off-duty conduct and his or her official duties. As noted above, this Code does not preclude a State Agency from maintaining or establishing additional rules of personal conduct consistent with this Code, applicable law, and the requirements of any collective bargaining agreement. To the extent any State Agency policy conflicts with this Code, the more restrictive policy will control.

Insubordination: A State Employee (a) must execute the lawful instructions, whether oral or written, of a supervisor or member of management having authority over the State Employee, (b) may not be disrespectful in his or her conduct and communication, whether oral or written, directed toward a

supervisor or member of management, and (c) will comply with State and State Agency policy as directed.

Disruptive Conduct: A State Employee may not (a) engage in disruptive conduct or activities or horseplay that interrupts work or impedes the work of others, or (b) use abusive or offensive language, gestures, or similar conduct.

Unsatisfactory Work Performance: While on duty, a State Employee should dedicate his or her efforts to the performance of assigned work and other job responsibilities. A State Employee (a) will perform all work duties assigned to him or her, (b) will not perform any work duties in a negligent manner that results in a material delay or material financial loss to the State, and (c) will not engage in willful idleness while on the job.

Breach of Confidentiality: A State Employee will take reasonable measures to protect confidential information in his or her possession. A State Employee may not knowingly (a) fail to safeguard confidential information, (b) take actions which result in a breach of confidential information, or (c) violate confidentiality requirements inherent to the State Employee's position or his or her State Agency's mission.

Stealing: A State Employee may not steal or attempt to steal, with the intent to deprive, the property of another individual or entity or collude with another person to commit such acts.

Misuse or Abuse of State Property: Except for *de minimis* personal use, a State Employee will use State property for official purposes and not for personal benefit or political gain. When entrusted with safeguarding State property, a State Employee may not (a) intentionally lose or damage such State property, or (b) knowingly and willfully use or authorize the use of a State vehicle for an other-than-official purpose.

Conduct Unbecoming of a State Employee: A State Employee will conduct himself or herself (a) with integrity and in a manner that reflects favorably upon the State, (b) in compliance with all laws, policies, orders, and procedures that prohibit the solicitation or acceptance of any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the State Employee's State Agency or whose interests may be substantially affected by the performance or nonperformance of the State Employee's duties, and (c) in accordance with the State Officials and Employees Ethics Act (5 ILCS 430) and the Illinois Governmental Ethics Act (5 ILCS 420).

Conduct Unbecoming of a Supervisor: A State Employee in a position with supervisory authority may not (a) intentionally, negligently, or recklessly commit any illegal act or violation of State or State Agency disciplinary rules or code of conduct, (b) order State Employees to perform a task for other than an official purpose, or (c) exploit supervisory authority for personal gain or personal profit.

Threatening Words or Actions: A State Employee may not threaten or attempt to inflict bodily harm on another individual, unless otherwise authorized by State or State Agency policy or procedure.

A State Employee who witnesses, is a victim of, or becomes aware of any threatening words or actions must immediately report the incident to his or her supervisor or to the appropriate law enforcement entity in accordance with Executive Order 2016-04. Subject to applicable law and any contrary instructions by law enforcement, the State Employee will be required to submit a written statement regarding the incident.

Fighting: A State Employee may not hit or push another person or have hostile or unwelcomed contact with another person, unless otherwise authorized by State or State Agency policy or procedure.

A State Employee who witnesses, is a victim of, or becomes aware of any fighting must immediately report the incident to his or her supervisor or to the appropriate law enforcement entity in accordance with Executive Order 2016-04. Subject to applicable law and any contrary instructions by law enforcement, the State Employee will be required to submit a written statement regarding the incident.

Discriminatory Personnel Action: A State Employee may not (a) discriminate against another State Employee on any basis in violation of federal or State law with respect to any adverse employment or personnel action, or (b) if such State Employee is a supervisor, fail to prevent or curtail unlawful discrimination of a subordinate when, as a supervisor, the State Employee knew or should have known that discrimination was occurring.

Interference with or Obstruction of an Investigation: A State Employee may not interfere with or obstruct an investigation by (a) refusing to testify or cooperate in a properly authorized inquiry or investigation, without legal justification, (b) interfering with or improperly influencing, or attempting to interfere with or improperly influence, the testimony of any witness or participant in an investigation, or (c) improperly influencing, or attempting to improperly influence, any investigatory official.

Retaliation: A State Employee may not (a) intentionally interfere with a State Employee's exercise of, or retaliate against a State Employee for exercising, the right to grieve or file a complaint through established procedures, or (b) retaliate against a State Employee for filing a complaint, providing information to an investigatory official, or testifying in an official proceeding. To the extent this section conflicts with the Whistleblower Act (740 ILCS 174) or Section 15-5 of the Ethics Act, the applicable statute will control.

False Statement: A State Employee may not (a) make any materially false statement or knowing misrepresentation on an application for State employment or other document pertaining to qualifications or any other official record, (b) knowingly or intentionally make any false or malicious statement against a fellow State Employee (including a State Employee's co-worker, supervisor, and subordinate) with the intent of harming or destroying the reputation, authority, or official standing of that individual, (c) knowingly make any deliberate misrepresentation or omission, of a material fact, including perjury, making any false sworn statement, and lying to a supervisor, or (d) falsify or knowingly fail to correct false information contained in official documentation or in an official record related to the performance of such State Employee's job duties.

Unlawful Job Action: A State Employee may not participate in or promote an unprotected strike, work stoppage, slow down, sick-out, or other job action in violation of the Illinois Public Labor Relations Act, Illinois Education Labor Relations Act, or a no-strike agreement between the State or a State Agency and an exclusive representative.

Sexual Harassment: A State Employee will work to ensure that his or her workplace is free from sexual harassment. Conduct such as unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature constitute sexual harassment when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment related decisions affecting such individual, or (c) the conduct unreasonably has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, abusive or offensive working environment.

Any State Employee who witnesses, is subjected to, or becomes aware of such conduct should

immediately report the incident to his or her supervisor, a member of management, or the applicable State Agency Equal Opportunity Officer. All complaints of sexual harassment will be investigated thoroughly, and appropriate action will be taken when warranted.

Unauthorized On the Job Use of Alcohol, Drugs, or Controlled Substances: A State Employee may not (a) be under the unauthorized influence of alcohol, drugs, or other controlled substances to a degree that would interfere with proper performance of his or her job duties, would be a menace to safety, or would be prejudicial to the maintenance of discipline, or (b) be under the unauthorized influence of alcohol, drugs, or other controlled substances to a degree that results in injury to another individual or damage to State property.

Health and Safety Violation: A State Employee will maintain a clean and orderly work area and will follow all applicable safety rules and regulations, including (a) not smoking in any unauthorized area, (a) not possessing a lighter, match, or other flammable materials in any explosive or hazardous area, reporting to a supervisor any on-the-job personal injury or accident for which the State Employee had primary responsibility, (d) observing all precautions for personal safety, posted rules, signs, and written or oral safety instructions, (e) using appropriate protective clothing and equipment in any hazardous area, (f) following all material traffic regulations and not engaging in reckless driving or improper operation of a motor vehicle while on property owned or controlled by the State or while driving a State vehicle, and (g) not possessing any explosive, firearm, or other dangerous weapon on State property, or attempt to bring such explosive, firearm, or other dangerous weapon onto State property unless his or her State Agency requires such possession by the State Employee. A State Employee who wants to travel to and from work with a firearm and who possesses a lawful concealed-carry license or permit may secure the firearm in a vehicle parked on State property in accordance with the Firearm Concealed Carry Act (430 ILCS 66).