



AGENDA – Administration Committee

Thursday, May 18, 2023 6:15 P.M.

Committee Members

N. Cuzzone
J. Healy – Chair
K. Rush
D. Van Vooren
J. Zay

-
- I. Roll Call
 - II. Approval of the April 20, 2023 Administration Committee Minutes

RECOMMENDED MOTION: To approve the Minutes of April 20, 2023, Administration Committee Meeting of the DuPage Water Commission.

- III. Resolution R-21-23: A Resolution adopting Personnel Policies for Compensatory Time, Parental Leave, and Tuition Reimbursement.
- IV. Resolution R-22-23: A Resolution Authorizing a short-term extension of the IUOE 399 Collective Bargaining Agreement.
- V. Old Business
- VI. New Business
- VII. Other
- VIII. Adjournment

Minutes of a Meeting
of the

ADMINISTRATION COMMITTEE

DuPage Water Commission
600 E. Butterfield Road, Elmhurst, Illinois

April 20, 2023

- I. Commissioner Broda called the meeting to order at 5:44 PM.

Commissioners in attendance: J. Broda, K. Rush, D. Van Vooren

Commissioners absent: J. Healy

Also in attendance: P. May, D. Mundall

- II. Commissioner Van Vooren moved to approve the Minutes of the March 16, 2023, Administration Committee Meeting, seconded by Commissioner Rush, unanimously approved by a voice vote. All aye, motion carried.

- III. Commissioner Rush made a motion to approve the R-15-23, a Resolution authorizing and ratifying the disposal of certain personal property owned by the DuPage Water Commission, at no cost. A brief discussion ensued with Commissioner Van Vooren requesting information on where the property was going. Seconded by Commissioner Van Vooren, unanimously approved by a voice vote. All aye, motion carried.

- IV. Commissioner Van Vooren made a motion to approve Resolution No. R-16-23, a Resolution Suspending the Purchasing Procedures and Authorizing the Execution of a Consulting Agreement with IT Savvy LLC for IT Cyber Security Services (Fire Eye) at a cost of \$123,293.64. Commissioner Rush inquired why it wasn't a multi-year agreement, General Manager May informed the Committee that the scope of the contract has changed, and this contract was favorable to the Commission. Commissioner Van Vooren asked why the same vendor is being utilized. General Manager May replied that this vendor offers additional support to the Commission, and this provides continuity with other integrated services provided by the same vendor. Seconded by Commissioner Rush, unanimously approved by a voice vote. All aye, motion carried.

- V. Old Business

No Old Business was offered.

- VI. New Business

Decennial Committee on Local Government Efficiency Act - General Manager May briefed the Committee on this new statute. Mr. May noted that the Commission already abides by the majority of the requests and the Commission does not levy a tax. Since the Commission does not levy a tax, it is the opinion of staff and legal counsel that it is not necessary for the Commission to file annual paperwork for this item. The Committee members concurred.

VII. Other

VIII. Adjournment

Commissioner Van Vooren moved to adjourn the meeting at 5:53 PM, seconded by Commissioner Rush, unanimously approved by a voice vote. All aye, motion carried.

Meeting adjourned until May 18, 2023.



Resolution #: R-21-23

Account: N/A

Approvals: *Author / Manager / Finance / Admin*

PDM - - PDM

REQUEST FOR BOARD ACTION

Date: 5/9/2023
Description: **Approval and Update of Personnel Policies**
Agenda Section: Administration Committee
Originating Department: Administration

As a function of the 2022 Human Resources Assessment, the Employee Handbook/Personnel Manual was reviewed and compared to industry standard as well as existing DWC operational protocols to identify any policies which were missing, ambiguous, or not current with industry standard. Presented for consideration at the May 18 meeting are three policies for consideration, as described following and in the attached documents. Following approval, these documents will be formalized in the Employee Handbook/Personnel Manual, along with an update of the entire document.

Compensatory Time Policy: DWC has in effect permitted compensatory time for quite a while, however a distinct policy did not previously exist. The absence of a policy could generate confusion and/or inconsistent application of requests for compensatory leave. The proposed policy permits exempt employees to utilize compensatory time in an amount not to exceed four hours per pay period, and with approval of their supervisor and contingent upon satisfactory completion of all required tasks.

Parental Leave Policy: DWC did not previously have a parental leave policy and the Employee Handbook does not currently address parental leave. Sikich HR consultants reviewed industry standards as well as the policies of our municipal customers, and the attached policy was developed to be utilized for parental leave occasions following board approval.

Tuition Reimbursement Policy: DWC has in effect permitted tuition reimbursement for quite a while, however a distinct policy did not previously exist. The absence of a policy could generate confusion and or inconsistent application of requests for tuition reimbursement. The proposed policy permits employees to request funding for tuition reimbursement with General Manager approval, for an amount of 90% of eligible costs, not-to-exceed \$5,000 per fiscal year, and with repayment required if the employee leaves their DWC position within 24 months of the last reimbursement payment.

Recommended Motion:

Approval of Resolution R-21-23 adopting Personnel Policies for Compensatory Time, Parental Leave, and Tuition Reimbursement

DUPAGE WATER COMMISSION

RESOLUTION NO. R-21-23

A RESOLUTION AUTHORIZING PERSONNEL POLICY UPDATES

WHEREAS, the Commission was formed and exists pursuant to the Water Commission Act of 1985, 70 ILCS 3720/0.01 et seq., and Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 et seq., for the purpose of securing an adequate source and supply of water for its customers; and

WHEREAS, the Commission desires maintain Human Resources policies which are distinct, unambiguous, and which comply with industry standards, to ensure an effective, efficient, and consistent workplace; and

WHEREAS, the Commission Employee Handbook/Personnel Manual did not previously include a policy for utilization of Compensatory Time; and

WHEREAS, the Commission Employee Handbook/Personnel Manual did not previously include a policy for Parental Leave; and

WHEREAS, the Commission Employee Handbook/Personnel Manual did not previously include a policy for Tuition Reimbursement; and

WHEREAS, the Commission further desires to adopt a formal policy so that employees, supervisors and administrators have clear direction and understanding of the policies and procedures of the Commission relative to these personnel activities;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are hereby incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Personnel Policies for Compensatory Time, Parental Leave, and Tuition Reimbursement, including any forms attached thereto are authorized and effective as of this date, 5/18/2023, and will be incorporated in following updates of the Employee Handbook/Personnel Manual.

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption.

	Aye	Nay	Absent	Abstain
Bouckaert, D.				
Cuzzone, N.				
Fennell, J.				
Healy, J.				
Novotny, D.				
Pruyn, J.				
Rush, K.				
Russo, D.				
Saverino, F.				
Suess, P.				
Van Vooren, D.				
Zay, J.				

ADOPTED THIS _____ DAY OF _____, 2023.

James Zay, Chairman

ATTEST:

Danna Mundall, Clerk

EXHIBIT 1

DELETE PAGE IF NO ATTACHMENT



Compensatory Time Off Policy: Exempt Employees

It is the policy of the Commission to permit exempt employees who work more hours than regularly scheduled to receive compensatory time off on a pro-rata basis. Compensatory time is equivalent time off for exempt employees required to work irregular, occasional, or pre-scheduled extended hours work - only when working conditions and the satisfactory completion of work duties permit and approved by their supervisor.

It should be noted that exempt employees are compensated with a salary rather than hourly pay with the understanding that work requirements may occasionally require emergency work, extended hours, response to e-mail and phone calls during non-working hours, and general flexibility to respond to work requirements in a professional and timely manner. In this regard, the Commission wishes to recognize this effort by providing limited flexibility relative to working hours per day, so long as 1) the employee coordinates compensatory time with their supervisor and the General Manager, 2) the employee completes no less than 80 hours of work during every pay period (excepting approved time off) and completes all expected work duties and priorities during the work period. It should be understood by all exempt employees that there will be occasions in which the adequate fulfillment of work duties will require work in excess of 8 hours per day, and/or in excess of 40 hours per week and/or 80 hours per pay period. In such cases, the employee is not entitled to compensatory time; it is expected that exempt employees work the necessary hours to fulfill their job duties.

While there is no legal requirement or obligation for the Commission to grant compensatory time off to exempt employees, under this policy compensatory time off may be granted to exempt employees who are required to work more than 8 hours per day while fulfilling their required work duties. Compensatory time will be granted on an hour-for-hour basis and must be reconciled within the same pay period. Compensatory time may be taken in increments no greater than 4 hours, unless otherwise approved by the General Manager.

The General Manager, in their sole discretion, has the authority to grant compensatory time off to exempt employees only. Under the Fair Labor Standards Act (FLSA), all non-exempt employees are entitled to overtime pay and must be compensated for any hours worked over 40 hours in a workweek and by Commission policy are not eligible for compensatory time off.

An eligible employee who has accrued compensatory time off and requests use of the time will be permitted to use the time off within the same payroll period as the offsetting hours. Correct hours worked should be populated in the timesheet database, providing hours worked each pay period of no less than 80 hours (excepting approved time off). In any case, the General Manager or Department Supervisor may deny a compensatory time off request if the use of compensatory time will unduly disrupt the Commission's operations, or if additional hours are necessitated to satisfactorily complete the employee's job duties within the subject payroll period.

All employees with accrued compensatory time must receive department supervisor and General Manager approval prior to taking any compensatory time off. The Commission reserves the right to amend or end this policy at any time without advanced notice.



Parental Leave Policy

The purpose of this policy is to (a) enable the employee to care for and bond with a newborn or newly adopted or newly placed child, and (b) to define the Commission's Parental Leave Policy and procedures, which provides eligible employees with a period of paid time off related to their recovery from the birth of a child and also for the care of their newborn and adopted child. This policy will be in effect for births, adoptions, or placements of foster children occurring on or after May 1, 2023.

Eligibility

Eligible employees must meet the following criteria:

- Have been employed with the Commission for at least 6 months.
- Be a full-time, regular employee (temporary employees, contractors, and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner of a woman who has given birth to a child.
- Have adopted a child or been placed with a foster child – in either case, the child must be no older than 6 years of age). The adoption of a new spouse's child is excluded from this policy.

Amount, Time Frame, and Duration of Paid Parental Leave

Eligible employees will receive a maximum number of hours as described below for paid parental leave per birth, adoption, or placement for a child/children. The fact that a multiple birth, adoption, or placement occurs (e.g., twins or adoption of siblings) does not increase the allowable total amount of paid parental leave as outlined below. Additionally, no employee will receive more than eight weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or foster care placement event occurs within that timeframe.

- Birthing (maternity) – 4 weeks of paid parental leave and up to an additional 4 weeks off using paid time off (vacation, sick, personal days) in accordance with the Commission's policy on requesting time off. Additional unpaid time off may be requested by the employee and will be determined on a case-by-case basis. The Commission will maintain all benefits for employees during the paid parental leave period just as if they were taking any other Commission approved paid leave such as paid vacation leave or paid sick leave. Employees taking unpaid time off for parental leave are solely responsible for their portion of health insurance benefit premiums and must make a payment arrangement with the Financial Administrator.
- Adoption, Foster Care, or New Parent (paternity) – 1 week of paid parental leave and up to 1 additional week off using paid time off (vacation, sick, personal days) in accordance with the

Commission's policy on requesting time off. Additional time off may be requested in accordance with the Commission's sick time policy.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates. Approved paid parental leave may be taken at any time during the 8-week period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 8-week time frame.

Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 8-week time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 8-week time frame. If a company holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement. Upon termination of the individual's employment at the Commission, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Requests for Paid Parental Leave Under this Policy

Any eligible employee requesting paid parental leave under this policy will provide his or her supervisor and the General Manager's office with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary leave form(s) and provide all documentation as required by the Commission to substantiate the request.

The Commission reserves the right to amend or end this policy at any time without advanced notice.



Educational & Professional Development Assistance Policy

The Commission supports and encourages the professional development of its employees. When adequate funds have been budgeted, and upon approval from their supervisor and the General Manager, the Commission will offer educational assistance to eligible employees up to a maximum reimbursement of \$5,000 non-taxable per calendar year, for continuing education through an accredited program that offers growth in an area related to his or her current or potential future position within the Commission. This education may include college credit courses, continuing education unit courses, seminars and certification tests that are job-related.

The purpose of this program is to encourage employee/professional development through education to achieve an increased level of effectiveness in current (and possible future) work assignments. The Commission deems this program an important element in fostering employee growth within the Commission. All course work related to this program should be conducted outside of an employee's regular work schedule, and the employee will not be compensated for time associated with the program outside of normally scheduled work hours. Additionally, the Commission reserves the right to approve or deny reimbursement requests for specific classes on a case-by-case basis, and will not reimburse for any courses that are eligible for reimbursement from other sources (i.e. GI Bill, scholarships, financial aid, etc.).

An employee must secure a passing grade of "B" or its equivalent or obtain a certification to receive any reimbursement. Expenses must be validated by receipts and a copy of the final grade or certification must be received.

Eligibility

- Full-time, regular employees who have completed six (6) months of employment.
- Employees must be actively employed by the Commission for the duration of the course(s) and when requesting reimbursement.
- Employee's performance must be in good standing with the Commission with a rating of "competent" level of performance, as determined through the most recent performance review process.
- All courses must be submitted and approved prior to the start of the program for which reimbursement is being requested. In the case of a degree program, the syllabus of required classes and any selected elective courses can be authorized at the beginning of the program, or otherwise as approved by the General Manager. When course work includes electives, the employee should strive to choose electives as pertinent to their work activities as possible.

Procedures

To receive reimbursement for educational/professional development expenses, employees should follow the procedures listed here:

- Prior to enrolling in an educational course, the employee must provide his or her manager with information about the course for which s/he would like to receive reimbursement and discuss the

job-relatedness of the continuing education. Course information may include official course description, program outlined for degree/certification, tuition cost and fee information, etc.

- The employee should provide an anticipated schedule for degree programs which are expected to extend over more than one year, and should identify a target, non-binding date for completion of the program. If it becomes necessary to modify or extend the schedule, the employee should advise the General Manager so that budgeted funds can be adjusted accordingly.
- A tuition reimbursement request form should be completed by the employee, and the appropriate signatures obtained from the supervisor as well as the General Manager.
- A copy of the tuition reimbursement request form must be submitted to the employee's direct supervisor. The employee will maintain the original until s/he has completed the approved educational course.
- Once the course is successfully completed, the employee should resubmit the original tuition reimbursement request form with the reimbursement section filled out within 60 days of course completion.
- Reimbursement will be at the rate of 90% for grades of A or B, not to exceed \$5,000 during any calendar year. No reimbursement will apply for grades of C or below or for a "Fail" in a Pass/Fail course.
- The finance department will coordinate the reimbursement on a subsequent payroll date.

Reimbursable Costs:

- Course tuition.

Non-Reimbursable Costs:

- Lab fees
- Textbook costs
- Transportation
- Parking fees
- Student activity fees
- Late registration fees
- Pre-admission/pre-enrollment review course and exam fees

Neither the reimbursement of tuition nor the successful completion of any qualifying course work is an automatic precursor to a change in job function, job pay, or job promotion. Any advancements and salary changes are the result of job performance, performance reviews, job qualification and increased level(s) of responsibility.

Repayment of Reimbursement

Repayment of reimbursement upon an employee's resignation, retirement, or termination from the Commission after receiving reimbursement will be based on a graduated scale and expected as outlined below:

- 1 year: 100% reimbursement of last and current fiscal year's reimbursement.
- 2 years: 50% reimbursement of last and current fiscal year's reimbursement.
- 3+ years: 0%

TUITION REIMBURSEMENT REQUEST FORM

To apply for Tuition Reimbursement, please complete the following steps:

1. Complete Pre-approval and Acknowledgement sections below.
2. Present to the General Manager to obtain signature prior to enrolling in course.
3. Upon course completion, submit this form and copy of grade and receipts to Financial Administrator within 60 days.

PRE-APPROVAL

Employee Name: _____

Hire Date: _____

Position: _____

Select type of Education:

College Course Continuing Education Seminar Certification

Course Name(s): _____

Course Dates: From _____ To _____

Development Objective: What goal is this program/course intended to help you reach, and what is the value for the DuPage Water Commission? _____

Attach paid receipt, course outline program from catalog or brochure and a copy of your passing grade of "B" or its equivalent or credit for certification.

Course(s) Expenses – amount not to exceed \$5,000 per calendar year for job-related continuing education through an accredited college program:

Tuition: \$ _____

Registration/Fees: \$ _____

Total: \$ _____

TUITION REIMBURSEMENT REQUEST FORM

EMPLOYEE ACKNOWLEDGEMENT AND AGREEMENT

I acknowledge that I have received a copy of the DuPage Water Commission Tuition Reimbursement Policy. This benefit creates no contract of employment between DuPage Water Commission and myself. I may terminate employment with DuPage Water Commission at any time, with or without cause, and DuPage Water Commission may terminate my employment at any time, with or without cause.

I understand that if this request is approved, reimbursement will be contingent upon successful completion as per the Tuition Reimbursement Policy and submission of all receipts and paid bills within sixty days thereafter.

If I voluntarily resign before one year after receiving tuition reimbursement, I agree to refund the entire amount to DuPage Water Commission. If I voluntarily resign between over one year but before two years after receiving reimbursement, I agree to refund 50% of the amount to DuPage Water Commission .

If DuPage Water Commission brings any action to enforce provisions of this Agreement, I agree to pay all costs associated with the action as well as any costs of litigation, including all reasonable attorney fees.

Employee Name (Print)

Employee Signature

Date

General Manager:

Verification: Employee is full-time Completed 90 days of service
 Request Approved Request Not Approved

Comments:

General Manager Signature

Date

TUITION REIMBURSEMENT REQUEST FORM

REIMBURSEMENT AUTHORIZATION

To be made after successful completion of course(s)

Date: _____

Employee submitted tuition expense receipts

Employee submitted final grade card/certification and attained grade B or equivalent.

Reimbursement in the amount of \$ _____ is approved.

NOTE: amount not to exceed \$5,000 per calendar year for job-related continuing education through an accredited college program

Expenses should be charged to: _____

Accounting

Date Processed: _____

Tuition Reimbursement tracked

Financial Administrator

Date



Resolution #: R-22-23

Account: N/A

Approvals: *Author / Manager / Finance / Admin*

PDM - - PDM

REQUEST FOR BOARD ACTION

Date: 5/9/2023
Description: **Approval of Extension Agreement with IUOE Local 399**
Agenda Section: Administration Committee
Originating Department: Administration

The Collective Bargaining agreement with the International Union of Operating Engineers Local 399 expired on April 30, 2023. While both parties did commence preliminary discussions prior to the end of the current contract, the IUOE remains engaged with current and prospective bargaining unit members and has not yet presented initial positions to the DWC Administration. It is our understanding that IUOE intends to complete this process in June and commence negotiations with DWC at that time, with a meeting tentatively scheduled for the first week of June.

DWC did receive the notice of contract reopener in compliance with the agreement and has reviewed this matter with our labor legal counsel. The proposed extension will permit the existing agreement to remain in effect to allow more time to negotiate a new contract.

Recommended Motion:

Approval of Resolution R-22-23 providing a short-term extension of the Collective Bargaining Agreement with the International Union of Operating Engineers, Local 399.

DUPAGE WATER COMMISSION

RESOLUTION NO. R-22-23

A RESOLUTION AUTHORIZING A SHORT-TERM EXTENSION OF THE IUOE 399
COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the Commission was formed and exists pursuant to the Water Commission Act of 1985, 70 ILCS 3720/0.01 et seq., and Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 et seq., for the purpose of securing an adequate source and supply of water for its customers; and

WHEREAS, a collective bargaining agreement between the IUOE 399 and the DuPage Water Commission expired on April 30, 2023; and

WHEREAS, the Commission has received a notification of contract reopener from IUOE 399 in accordance with the agreement; and

WHEREAS, IUOE is currently in discussions with current and prospective bargaining unit members, and has not yet presented initial bargaining positions to the DWC Administration; and

WHEREAS, a meeting between IUOE 399 and the DWC Administration has tentatively been scheduled for the first week of June, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are hereby incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Collective Bargaining Agreement between the IUOE 399 and the DuPage Water Commission is hereby extended through July 20, 2023 if its previously approved form.

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption.

	Aye	Nay	Absent	Abstain
Bouckaert, D.				
Cuzzone, N.				
Fennell, J.				
Healy, J.				
Novotny, D.				
Pruyn, J.				
Rush, K.				
Russo, D.				
Saverino, F.				
Suess, P.				
Van Vooren, D.				
Zay, J.				

ADOPTED THIS ___ DAY OF _____, 2023.

James Zay, Chairman

ATTEST:

Danna Mundall, Clerk

Board/Resolutions/2022/R-22-22.docx

EXHIBIT 1

DELETE PAGE IF NO ATTACHMENT



INTERNATIONAL UNION OF OPERATING ENGINEERS • AFL-CIO

LOCAL 399

2260 S. GROVE STREET • CHICAGO, ILLINOIS 60616 OFFICE (312) 372-9870 FAX (312) 842-1590
WWW.IUOE399.ORG

EXTENSION AGREEMENT

BETWEEN

DUPAGE WATER COMMISSION

AND

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 399, AFL-CIO

DuPage Water Commission and International Union of Operating Engineers, Local 399, (the "Union") agree to extend all the terms and provisions of the current Collective Bargaining Agreement (dated May 1, 2020, through April 30, 2023) until July 20, 2023.

INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 399

DUPAGE WATER COMMISSION

PATRICK J. KELLY
PRESIDENT & BUSINESS MANAGER

VINCENT T. WINTERS
RECORDING/CORRESPONDING SECRETARY