



COOK COUNTY BUREAU OF HUMAN RESOURCES

POLICY TITLE: TELECOMMUTING POLICY

Effective: June 1, 2021

**Supersedes: July 6, 2020;
March 16, 2020**

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A. Overview

Telecommuting is a work arrangement in which employees are allowed to work remotely, at an Alternate Worksite, for all or part of their workweek. Cook County considers telecommuting to be a practical, flexible work option when both the employee and their position duties are suited to such an arrangement. The work schedule also supports the County's position on reducing their carbon footprint on the environment. Telecommuting reduces the overall greenhouse gas emissions and in turn, decreases air pollution in Cook County. Telecommuting aligns with Cook County's Policy Roadmap's goal to attract and support a diverse and high-quality workforce, to improve service.

B. Purpose

The purpose of this policy is to authorize employees to Telecommute and perform their work duties during any part of their regularly scheduled work hours at an approved Alternate Worksite. Cook County reserves the right to require the use of Telecommuting to ensure its operations or pursuant to the County declaring a state of emergency. Additionally, Cook County reserves the right to refuse to make Telecommuting available, barring a request for a reasonable accommodation.

C. Intent

This policy is intended to be interpreted consistent with and subject to applicable law. It supersedes all earlier policies and/or memoranda that may have been issued from time-to-time on subjects covered in this policy. This policy is not intended to supersede or limit the County from enforcing programs or provisions in any applicable collective bargaining agreement. Should any provision in this policy conflict with a specific provision(s) in the Time and Attendance Policy, the provision(s) in this policy shall take precedence.

D. Jurisdiction

The Bureau of Human Resources ("BHR") is authorized to develop and issue policies for the effective management of Cook County employees, pursuant to section 44-45 of the Cook County Code of Ordinances.



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E. Severability

If any section or provision of this document should be held invalid by operation of law, none of the remainder shall be affected.

F. Areas Affected

This policy applies to all County employees in Departments in the Offices under the President (“OUP”) and/or covered by the Cook County Employment Plan.

G. Nondiscrimination

Cook County prohibits the discriminatory application, implementation, or enforcement of any provision of this policy on the basis of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity or housing status, or any other protected category established by law, statute, or ordinance.

H. Definitions

For purposes of this policy, the following terms shall be given the following meanings as set forth below:

Alternative Worksite – An employee’s work location other than the County employee’s Official Worksite.

Cook County Time and Attendance Policy – Policy that details the rules and procedures to be followed by employees in regard to the recording of hours worked and attendance.

Cook County Time System – The County’s time and attendance system to which employees gain access through Time clocks, an IVR Clock, or the web-based Dashboard.

Collective Bargaining Agreement (CBA) – Any current collective bargaining agreement between the County and any legally-recognized collective bargaining representative of employees of the County.



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Confidential – The act of or the duty of an individual to refrain from sharing other’s information except with the expressed consent of the other party.

Department Head – The individual assigned to head or direct a Department.

Emergency Telecommuting – A short term telecommuting schedule approved on a case-by-case basis. Usually used to address inclement weather, special projects, special circumstances or national, State and/or local emergencies. To the extent possible, approved Emergency Telecommuting shall include the dates and hours of Telecommuting and the reason for Telecommuting schedule.

Fair Labor Standards Act (FLSA) Exempt – Salaried employees who, because of their compensation and duties, are not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, 29 USC 201, *et seq.*, as determined by BHR’s Workforce Strategy Division.

Fair Labor Standards Act (FLSA) Non-Exempt – Employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act, 29 USC 201, *et seq.*, as determined by BHR’s Workforce Strategy Division

Official Worksite – The Cook County worksite(s) where an employee is regularly assigned to work during their scheduled work hours.

Personally, Identifiable Information – Any information that enables the user to identify an individual, directly, or indirectly, by reference to an identifier such as their name, identification number, location data, online identifier or one or more factors specific to that individual. It includes "sensitive Personal Information" and "pseudonymized Personal Information" but excludes anonymous information or information that has had the identity of an individual permanently removed.

Routine Telecommuting – Part of an ongoing arrangement with prescribed schedule days of the week, hours work and official worksite.

Telecommute or Telecommuting – Refers to a flexible work arrangement whereby an employee performs the duties and responsibilities of their position, and other authorized activities from an approved Alternate Worksite other than the location from which the employee would otherwise work.



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Telecommuting Acknowledgement – A required written agreement signed by the eligible employee, their Department Head, and Bureau Chief (or Designee) that specifically outlines the terms and conditions that must be met by the employee and the suitability of their position for Telecommuting. In the event Emergency Telecommuting is activated or authorized, a Telecommuting Acknowledgement may not be required.

Telecommuting Arrangement – The telecommuting schedule, documented on the Telecommuting Acknowledgement, that is requested by an eligible employee and approved by their Department Head, and Bureau Chief (or Designee).

I. Equity Assessment

Pursuant to Cook County’s Policy Roadmap, each time OUP creates, reviews, or updates a policy or practice an equity assessment will occur to assess equity implications. Using the equity assessment tool will build capacity throughout OUP to apply an equity lens to all initiatives.

J. Eligibility

1. Position Eligibility

- a. In order to be eligible to Telecommute, the position must be assessed by the Bureau Chief (or Designee) as a position whose duties can be performed from an Alternate Worksite with little to no disruption of department operations.
- b. An eligible position for Telecommuting should have minimal requirements for direct supervision with little to no need for specialized equipment, and the work goals and tasks must be clearly defined.
- c. Emergency Telecommuting may be authorized for Department Heads, supervisors, management, or positions with direct supervision and/or positions that need specialized equipment on a case-by-case basis.
- d. In the event Emergency Telecommuting is authorized or activated, eligible positions for Telecommuting may be expanded.



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2. Employee Eligibility

- a. Employees whose essential job functions require them to remain at their official work location due to the need to access or use specific equipment or software or are required to perform an on-site job function may not be eligible to Telecommute.
- b. The employee must satisfactorily perform their job duties.
- c. The employee must be self-motivated, able to work independently, manage distractions, meet deadlines and demonstrate other work habits evidencing the employee can perform job duties effectively from an Alternative Worksite.
- d. The employee has an Alternative Worksite equipped to execute their job duties.
- e. The employee should not have received any disciplinary actions beyond an oral warning for twelve (12) months prior to applying for the Telecommuting Program.

In the event Emergency Telecommuting is authorized or implemented to address business continuity, employees eligible to Telecommute may be expanded.

K. Employee and Management Responsibilities

1. Bureau Chief Responsibilities (or Designee)

- a. Review the job duties of all position titles in the department to determine whether the duties can be performed at an Alternative Worksite without disruption to other employee or departmental operations.
- b. Provide the Department Head a list of eligible positions that are approved positions that may be authorized to Telecommute.



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2. Department Head Responsibilities

- a. Assess the need for having all employees or positions present daily at the official worksite to have a productive department, taking into consideration the likelihood that productivity may increase if there is greater flexibility in the work schedule.
Determine if the operational needs of the department can continue to be met if an employee or position is allowed to work at an Alternate Worksite.
- b. Determine the equipment needed by the employee or position in order to perform duties at an Alternate Worksite.
- c. Determine department, ability in consultation with the Department of Budget and Management Services, to accept responsibility for cost associated in authorizing Telecommuting.
- d. Review and execute the Telecommuting Acknowledgement prior to its submission to Department's Bureau Chief for final approval.

3. Supervisor Responsibilities

- a. To the extent offered, attend training provided by the Bureau of Human Resources on the incorporation of Telecommuting into a department.
- b. Determine whether the employee's past work behavior demonstrates that they are able to work at an Alternate Worksite and can meet all project deadlines with minimal supervisory oversight.
- c. Complete and execute the Telecommuting Request Form with justification, if applicable.
- d. Complete, review and ensure the Telecommuting Acknowledgement is signed by the employee.
- e. Transmit the Telecommuting Acknowledgement along with the Telecommuting Request Form to the Department Head for review and signature.
- f. Participate in the Telecommuting training if the employee is approved to participate in the Program, if not attended in the previous twelve (12) months.



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4. Employee Responsibilities

- a. Submit a Telecommuting Request Form to the Supervisor.
- b. Review and sign the Telecommuting Acknowledgement.
- c. Accept responsibility for cost associated with the setup of a home office.
- d. Attend training on the rules and responsibilities regarding Telecommuting once implemented, if not attended in the previous twelve (12) months.

The Department Head, the employee, and the Department's Bureau Chief must sign the Telecommuting Acknowledgement. The Acknowledgement will include the Alternative Worksite, the Department Head's expectation as to the goals to be accomplished by the employee in a set period and the assurance that the employee will make themselves available to respond to telephone, teleconference, and emails during County business hours. All fully executed Telecommuting Acknowledgments shall be submitted to BHR to be placed in the employee's personnel file.

A Department Head may deny, change, or terminate an Acknowledgement if they later learn the arrangement is not compatible with the County's mission and/or operational needs. A Telecommuting Acknowledgement shall not be required in the event Emergency Telecommuting is authorized or activated.

L. Supplies and Equipment

All applicable cybersecurity policies and rules apply to equipment supplied to the Telecommuter. The Telecommuter is responsible for managing their worksite, including but not limited to any desk, chair, lighting, and file cabinet. They are responsible for ensuring that the location is free from distractions and hazards.

Restricted-access materials, including, but not limited to, confidential records and materials having Personally Identifying Information, shall not be taken out of the official worksite, or accessed through the computer unless otherwise approved by the Department Head. If approved, all materials must be kept securely. Materials



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containing Personally Identifying Information must be returned to the Official Worksite for proper storage and/or destruction in accordance with the applicable Record Retention Policy.

Products, documents, and records used and/or developed while Telecommuting shall remain the property of the County and must be treated as confidential material in accordance with Personnel Rules, the Ethics Ordinance, and the Record Retention Policy. The mandated data repository for County files will be the employee's web-based data storage.

The Telecommuter must comply with all County policies for use of computer hardware and software, including:

- Acceptable Use Policy for Information Technology Resources
- All Information Security Office Policies; and
- All Best Practice Security Information Training

On a case-by-case basis, Cook County Bureau of Technology (BOT) will assist the Department Head to determine the appropriate equipment needs for each Telecommuting Arrangement provided such equipment is available.

Cook County will supply the Telecommuter with hardware and software. The Telecommuter must only use County issued equipment in the performance of their duties while Telecommuting unless the Telecommuter has prior approval from his or her Supervisor and the Bureau of Technology to use their personal hardware. Cook County will neither install nor maintain equipment at an Alternate Worksite. All County equipment must be returned to the employee's official worksite for repair or replacement. Cook County accepts no responsibility for damage or repairs to employee-owned equipment and Cook County Bureau of Technology reserves the right to make determinations as to proper equipment, subject to change at the County's discretion. The Telecommuter must sign an inventory of all Cook County property received and agree to take proper action to protect the items from damage or theft. Upon termination of employment, all Cook County property will be returned to the employee's Department Head, unless other arrangements have been made.

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M. Policy and Procedures

The primary considerations in authorizing Telecommuting is its support of the mission and operational needs of Cook County Offices Under the President.

1. Terms of Employment

- a. Conditions of employment for an employee authorized to Telecommute or Emergency Telecommute shall remain the same as those for non-Telecommuting employee. The employee’s salary and benefits shall not change because of Telecommuting.
- b. County policies, rules and practices shall apply to the Telecommuter at all Alternate Worksites, including those governing communicating internally and with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, and safety. Failure to follow policies, rules and procedures may result in termination of the Telecommuting Acknowledgment Form and/or disciplinary action consistent with County Personnel Rules.
- c. Ordinary and necessary expenses incurred for the expressed purpose of performing an employee’s job duties will be reimbursed.

2. Work Schedule and Accessibility

- a. An employee may Telecommute no more than 2 days per workweek. Requests to Telecommute more than 2 days per week must be approved by the Bureau Chief of Human Resources or Designee.
- b. The number of hours worked will not change due to an employee’s participation in Telecommuting or Emergency Telecommuting. A consistent schedule of Telecommuting workdays and hours must ensure regular and predictable contact with County staff. For some positions, more flexibility in work hours and days may be possible at the discretion of the Supervisor.



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- c. The Telecommuting Arrangement must allow adequate time at the official worksite for meetings, access to facilities and supplies, and communications with other employees and personnel.
- d. Periodically, employees may be required to attend in-person meetings on approved Telecommuting days.
- e. The Telecommuter will attend meetings, trainings, and conferences, as requested by their Supervisor.
- f. While Telecommuting, the employee must be reachable via telephone, teleconference and/or e-mail during agreed-upon work hours.
- g. Should an emergency occur at the Alternate Worksite, the Telecommuter will notify their Supervisor as soon as possible and follow instructions as given by their Department Head.

3. Employee Performance

Employees are expected to maintain the same level of productivity while at the Alternate Worksite as they do at their official worksite. Telecommuters and Department Heads must have clear expectations for work product requirements. The Telecommuter's performance will be evaluated in accordance with County's Performance Management System, if applicable.

4. Time Worked

Employees working at an Alternate Worksite are expected to accurately record their work hours in accordance with the County's Time and Attendance Policy. For employees that are FLSA Non-Exempt, hours worked more than those scheduled per day and per work week require advance approval of the Telecommuter's Department Head. FLSA Exempt employees are required to work the normal work week of 40 hours but may be required to work beyond such hours in order to satisfactorily fulfill the responsibilities of their position. Failure to follow this requirement may result in the immediate termination of the Telecommuting Acknowledgement and/or disciplinary action. Supervisors of FLSA Non-Exempt employees may not contact them outside of their agreed upon work hours, unless due to an emergency.

Employees working at an Alternate Worksite should clock in and clock out through



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the CCT Dashboard or may be authorized to use a time clock or the Interactive Voice Response (IVR) system. Pursuant to the Time and Attendance Policy, the Department Head has the discretion to authorize the Department Timekeeper to enter the employee’s time in the CCT System. Failure to follow this requirement may result in immediate termination of the Telecommuting Acknowledgement and/or disciplinary action.

5. Method

a. Routine Telecommuting

Occurs when an employee is part of an ongoing arrangement with a prescribed schedule of days, hours of work and an official worksite pursuant to an Acknowledgement as defined in Section J of this Policy.

b. Emergency Telecommuting

Telecommuting that is authorized during inclement weather, to account for special projects, special circumstances or national, State and/or local emergencies. Should Cook County declare a state of emergency due to natural disaster or outbreak of illness, the rules of this policy may be suspended, and employees may be required to Telecommute at the direction of the President’s Office or the Bureau Chief of the Bureau of Human Resources (or Designee).

6. Denying, Changing, or Terminating a Telecommuting Arrangement

A Department Head may deny, change, or terminate a Telecommuting Acknowledgement for any articulable work-related reason, including but not limited to the arrangement not being compatible with the County’s mission and/or operational needs. However, the reason to deny, change or end a Telecommuting Acknowledgement cannot be based upon unlawful discrimination or Political Reasons or Factors. Department Heads shall give employees at least forty-eight (48) hours notification when changing or ending a Telecommuting Acknowledgement. There may be occasional instances when a Department Head needs an employee to report to the office on a regularly scheduled Telecommuting workday. In those instances, the Department Head will provide advance notice and this will not be considered a change in the Telecommuting Acknowledgement. An employee may request to change or end the Telecommuting Acknowledgement prior to the agreed upon end date by notifying their Department Head seven (7) days prior to the requested change or end date. If the request to end the Telecommuting Acknowledgement is based on an emergency, the Telecommuter should contact



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their Department Head immediately.

N. Penalties

Failure to follow the provisions of this policy may subject an employee to discipline, up to and including termination of employment in accordance with the Personnel Rules and/or applicable CBA.

O. Acceptable Use Policy for County Information Technology (IT) Resources and Communication

Nothing in this Policy should be interpreted to conflict with the current Acceptable Use Policy. All Telecommuters must be familiar with and follow all provisions of the Acceptable Use Policy. Failure to do so may result in rescission of the Telecommuting Acknowledgement

P. Safety

Employees are expected to operate in a safe manner at any Alternative Worksite. Telecommuting employees must notify their Department Head (or Designee) of any on-the-job injuries as soon as practical. The Department Head (or Designee) must notify Risk Management of any such injuries using the standard workers compensation process, forms, and instructions.

Appendix A

TELECOMMUTING REQUEST FORM

TELECOMMUTING REQUEST FORM

Employee	Title
Supervisor	Department
Alternative Worksite Address	Employee's home phone
	Employee's Contact Number
	Proposed Start Date:
Telecommuting Days of the Week	
Purpose for Telecommuting Request:	

TO BE COMPLETED BY EMPLOYEE

I understand that this request does not guarantee that I will receive approval to Telecommute. I also understand that I will not be permitted to Telecommute until I have signed a Telecommuting Acknowledgement, and that Acknowledgement has been approved and signed by my supervisor and Bureau Chief (or Designee). The terms and conditions of an approved Telecommuting arrangement, including the hours to be worked, will be solely governed by the Telecommuting Acknowledgement, and not by this request or any verbal agreements. If changes are to be made to the Acknowledgement, they must be made with sufficient amount of notification as detailed in the Telecommuting Policy. Additionally, pursuant to the Telecommuting Policy, my Department Head may deny, change, or terminate the Telecommuting Acknowledgement for any articulable reason as long as the reason is not based upon unlawful discrimination or Political Reasons or Factors. I will abide by the terms of the Telecommuting Policy.

Employee's signature _____

Date ____ / ____ / ____

TO BE COMPLETED BY SUPERVISOR

- 1. Do you expect to be able to communicate effectively with the employee at the Alternative Worksite, if necessary? Yes No

- 2. Are the employee's knowledge, skills, abilities, and work habits conducive to telecommuting? Yes No

- 3. Will the proposed Alternate Worksite enable the employee to adequately perform his or her job duties? Yes No

- 4. Will the proposed telecommuting arrangement result in a savings to, or other positive impact on, the department? Yes No

If you answered "no" to any of the above questions, please explain below. You may also address the employee's concerns, express your own concerns, or add any other comments or recommendations regarding the proposed telecommuting arrangement.

DEPARTMENT HEAD CERTIFICATION

With respect to all County jobs under the jurisdiction of the Cook County Board President that are not exempt under *Shakman*, I certify that I am aware that I am strictly prohibited from conditioning, basing or knowingly prejudicing or affecting any term or aspect of County employment or hiring upon or because of any political reason or factor or knowing inducing, aiding, abetting, participating in, cooperating with or threatening any act which is proscribed above. I certify, under penalty of perjury, as provided by the law that, to the best of my knowledge, Political Reasons or Factors did not enter into any County Employment Actions taken with respect to the above Telecommuting Program or the employment or hiring process. I understand that failure to comply with the above prohibitions may result in sanctions, including disciplinary action up to and including termination and may subject me to criminal prosecution.

Department Head/ Print Name _____ Title _____

Signature _____ Date _____

Approve Deny

(If approved, please meet with the employee, draft and complete a Telecommuting Acknowledgement, then submit the Acknowledgement and this Request to the Bureau of Human Resources. If not approved, please explain the reason below and submit a copy of this Request to the Bureau of Human Resources to be placed in the employee's file. If you would consider approving the employee's request if appropriately modified, you may meet with the employee to discuss the modification.)

Reason for denial:

Supervisor's signature _____ Date ____ / ____ / ____

Appendix B

TELECOMMUTING ACKNOWLEDGEMENT

TELECOMMUTING ACKNOWLEDGEMENT

Download this form to complete digitally.

The County considers telecommuting to be a viable alternative work arrangement in cases where individual and job characteristics are suited to such an arrangement. It is not an entitlement; it is not a County-wide benefit; and it in no way changes the terms and conditions of employment.

GENERAL WORK ARRANGEMENTS

This document specifies the terms and conditions of the Telecommuting Acknowledgement between **[Employee Name]**

and **[Department Head Name]**

of Cook County Bureau/Department of **[Department Name]**

beginning on **[Date]**

and ending on **[Date]**

The maximum duration of this Acknowledgement cannot exceed a 6-month period. After a 6-month period, a new Acknowledgement must be entered.

The days and hours when the employee is expected to be present in the office or department are **[List days]**

between the hours of **[List hours]**

and additional times designated by the Department Head for office or for department meetings, etc.

1. The Alternative Worksite is **[Address]**
2. The days and hours when the employee is expected to Telecommute **[List days]**

and **[List hours]**

3. The employee's duties and responsibilities:
 - a. Will remain the same as when working at the Official Worksite (regular County worksite); OR
 - b. The specific duties and assignments authorized to be conducted at the Alternative Worksite are **[specify duties or indicate to see attached description of duties and expectations on the next page]**.

4. Effective communication is essential for this arrangement to be successful. The employee agrees to remain accessible during their assigned work schedule. The following methods and times of communicating are agreed upon: **[specify contact methods, contact individuals, and required frequency of communication]**.

5. The Department Head may change or terminate the Acknowledgement with forty-eight (48) hours prior notification for any articulable reason as long as the reason is not based upon unlawful discrimination or Political Reasons or Factors. The employee may request to change or terminate the Acknowledgement with seven (7) days' notice given to their Department Head.

PERSONNEL POLICIES & PROCEDURES

1. All applicable Personnel Rules and County Policies shall apply.
2. Non-Exempt Employees:
 - a. Must track and record their hours worked pursuant to Cook County time and Attendance Policy.
 - b. Requests to work overtime, use sick leave, vacation, or other leave must be approved by the employee's Department Head in the same manner as required when working at the Official Worksite.
3. The employee agrees to, and understands that all obligations, responsibilities, terms, and conditions of employment with the County remain unchanged, except those obligations and responsibilities specifically addressed in this Acknowledgement.
4. The employee agrees to and understands that management retains the right to modify this Acknowledgement at its discretion.

SAFETY, EQUIPMENT, & INFORMATION SECURITY

1. The employee agrees to maintain a work environment that is clean, safe, and free of obstructions and hazardous situations.
2. The employee agrees to use County-owned equipment, records, and materials for purposes of County business only, and to protect them against unauthorized or accidental access, use, modification, destruction, theft or disclosure. The precautions described in this Acknowledgement apply regardless of the storage media on which information is

recorded, the locations where the information is stored, the systems used to process the information, or the processes by which the information is handled.

3. The employee agrees to report to their Department Head any instances of loss, damage, or unauthorized access at the earliest reasonable opportunity.
4. The employee agrees to report work-related injuries to the Supervisor as soon as practicable.
5. The employee has received a copy of the Acceptable Use Policy and agrees to abide by its provisions. The employee understands that failure to do so may result in rescission of this Telecommuting Acknowledgement as well as any other penalties provided in the Acceptable Use Policy.

EQUIPMENT, FURNITURE, & SUPPLIES

1. The employee agrees that the Cook County Bureau of Technology will supply the following equipment and software: **[Specify items provided]**.
2. The employee understands that all equipment provided by Cook County, records, and materials produced in the performance of the employee's duties shall remain property of Cook County.
3. The employee agrees to return County equipment, records, and materials within **[Number]** days of termination of this Acknowledgement.
4. All County equipment will be returned to the Bureau of Technology by the employee for inspection, repair, replacement, or repossession with **[Number]** days' written notice.
5. All equipment, furniture, and/or supplies not listed in item one will be supplied and maintained by the employee.
6. If the equipment is damaged, stolen or lost, the employee will be held responsible and may be liable for replacement cost.

NO POLITICAL CONSIDERATION CERTIFICATION

With respect to all County jobs under the jurisdiction of the Cook County Board President that are not exempt under *Shakman*, I certify that I am aware that I am strictly prohibited from conditioning, basing or knowingly prejudicing or affecting any term or aspect of County employment or hiring upon or because of any political reason or factor or knowing inducing, aiding, abetting,

participating in, cooperating with or threatening any act which is proscribed above. I certify, under penalty of perjury, as provided by the law that, to the best of my knowledge, Political Reasons or Factors did not enter into any County Employment Actions taken with respect to the above Telecommuting Program or the employment or hiring process. I understand that failure to comply with the above prohibitions may result in sanctions, including disciplinary action up to and including termination and may subject me to criminal prosecution.

Department Head's Name/Signature

Date

Employee Acknowledgement: I have received a copy of the Cook County's Telecommuting and Acceptable Use Policies. I have read and understand these policies. I have been provided the opportunity to ask questions regarding this policy. I understand that violations of these policies may result in disciplinary action up to and including termination of employment.

Employee's Name/Signature

Date

Department Head's Name/Signature

Date