

**REPORT TO THE CITY OF EVANSTON REGARDING ALLEGATIONS OF  
MISCONDUCT WITHIN THE PARKS AND RECREATION DEPARTMENT**

February 20, 2022



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## I. EXECUTIVE SUMMARY

In Summer 2020, over 50 women signed a petition raising an alarm that male lifeguards were subjecting their female colleagues to rampant sexual misconduct at the City of Evanston's lakefront. WBEZ Chicago broke news of the petition the following summer, prompting concern and questions about both the alleged misconduct and the actions the City had taken in response to the petition.

The City engaged us, Salvatore Prescott Porter & Porter PLLC, to conduct an impartial investigation into those questions, including the alleged misconduct by lakefront staff as well as the City's knowledge of and response to the petition. The City also asked that we make recommendations for any actions beneficial to the lakefront and the City's systems for processing and responding to employee misconduct. In conducting our investigation, we conducted about 60 witness interviews and reviewed the City's documents and communications.

### *Summary of Findings Regarding Misconduct at the Lakefront*

We find that the lakefront had a culture susceptible to abuses of power. The lakefront operated with limited oversight—both because the City took a largely hands-off approach to the beaches and because it was managed for years by a single full-time City employee who was overburdened, with little time to maintain close supervision over the lifeguards and other seasonal staff. Further, the lakefront staff was organized into a strict hierarchy. Supervisory staff, who were themselves almost always young adults, were vested with broad discretion over their subordinates, and lower-level staff were instructed to obey the chain of command. The supervisory staff's power included the ability to impose physical punishment on lifeguards at their discretion. In addition to this power structure, the supervisory staff's demographics posed additional challenges—women were underrepresented in leadership, and the narrow age gap between supervisors and subordinates made it more difficult to maintain professional boundaries. Blurred boundaries manifested in “guard parties,” which were off-the-clock, private parties in which lifeguards of all ranks and ages consumed alcohol and drugs together. On top of all this, lakefront staff received little to no Human Resources training before Summer 2020.

Our investigation yielded many stories of sexual misconduct that arose from these conditions, among them:

- *Sexual Commentary*: Male staff engaged in widespread sexual commentary about female lifeguards' bodies. Supervisory staff had sexual discussions with subordinates, including a practice of asking young lifeguards who their “beach crushes” were. Lakefront employees gossiped at work about rumors of sexual encounters their colleagues had at parties. Supervisors explicitly propositioned younger lifeguards for sex.

- *On-Duty Predatory Abuses of Power:* Beach managers asked that younger lifeguards to whom they were sexually attracted be assigned to work at their beaches. Male supervisors used their positions to isolate female lifeguards from their coworkers, including by approaching them in lifeguard chairs when the women could not leave due to safety rules. Male supervisors also favored women they found attractive and wanted to “hook up” with (or were hooking up with) by giving them better schedules and other benefits, which resulted in differential treatment to other women who they were not pursuing.
- *Supervisor-Subordinate Relationships:* It was common for supervisors to be in romantic relationships with their subordinates—in almost all instances, the supervisor was male and the subordinate was female. The women in these relationships often felt pressure to enter the relationship and pressure to continue it. They were worried about the professional ramifications of ending the relationships.
- *Nonconsensual Sex:* One male supervisor had sexual relationships with multiple female lifeguards who he supervised, and the women did not consent to at least some of the sexual interactions they had with him.

Despite its prevalence, the sexual misconduct was rarely reported. Lakefront staff lacked formal training about sexual harassment (including reporting protocols) and had concerns about reporting the misconduct to their supervisors, most of whom were the transgressors or close friends with them. When sexual misconduct was reported, it was often handled inappropriately. Investigations were conducted by untrained staff, and Human Resources had little involvement.

### *Summary of Findings Regarding the City’s Response to the Petition*

It was a poorly handled complaint that led four female lakefront staff members to create a petition in Summer 2020. The women were frustrated that complaints about a male supervisor’s misconduct in 2019 had not prevented the City from rehiring him the following season. They created a petition on Google Docs and circulated it to other women who worked or had worked at the lakefront. Women added to the petition accounts of sexual misconduct they had observed or endured, and in the end over 50 women signed the petition.

The four petition organizers set up a meeting with lakefront leadership—Adam Abajian, the Program Coordinator in charge of the lakefront, and Ray Doerner, Recreation Manager—to present the petition and communicate their concerns. Casey Solomon, a Human Resources employee, attended the meeting too. At this meeting,

Abajian, Doerner, and Solomon received hard copies of the petition. Additional meetings were held in Summer 2020 (as well as a follow-up meeting in February 2021), and the attendee list expanded to include Jennifer Lin, Human Resources Division Manager; Karen Hawk, Assistant Director of the Parks Recreation and Community Services Department; and Individual H, Assistant Lakefront Coordinator. Lin and Hawk came into possession of the petition during Summer 2020 too. During the meetings, the petition organizers and the City officials discussed ways to address the concerns raised in the petition.

While these City officials—Lin, Solomon, Hawk, Doerner, and Abajian—were meeting with the petition organizers in Summer 2020, other City officials had limited involvement with and knowledge of the petition and its contents:

- *Lawrence Hemingway, PCRS Director*: Hemingway does not recall seeing a copy of the petition, though Hawk credibly claims she showed it to him. Either way, Hemingway “recused” himself from the discussions due to his having been the subject of a prior claim of sexual harassment. Lin and Hawk kept him updated.
- *Erika Storlie, then City Manager*: Lin told Storlie about the petition organizers’ complaints and provided updates to her about conversations with them, but Lin did not provide Storlie with a copy of the petition. That same summer, Storlie received a document entitled “Lakefront Staff Demands,” which mentioned “sexual harassment in the workplace.” But unlike the petition, this document was not focused on sexual misconduct and included many other issues, like COVID-19 precautions and wage requests. There is no evidence that Storlie received a copy of the petition before Summer 2021.
- *Kelley Gandurski, then Corporation Counsel*: There is no evidence that Gandurski received a copy of the petition before Summer 2021. Lin contacted Gandurski to inquire about the legal feasibility of drug testing at the lakefront but nothing more.
- *Steve Hagerty, then Mayor*: Hagerty was generally aware of the issues at the lakefront, including that there were allegations of “inappropriate comments” and an “inappropriate” relationship, but was unaware of any allegations of sexual assault. Storlie kept Hagerty updated. There is no evidence that Hagerty ever received a copy of the petition until shown one during our investigation.
- *City Council*: The City Council was not made aware of the petition or its contents during Summer 2020.



Ultimately, in 2020 the City decided to institute mandatory sexual harassment training, eliminate the use of physical punishment, and appoint a Human Resources liaison for the lakefront. City officials considered requiring random drug testing of lakefront employees and outsourcing lakefront operations but decided against both measures. The City neither considered nor undertook an investigation into the petition's allegations. As for specific employment actions, the City declined to rehire a male supervisor with previous complaints against him after additional allegations were provided to the City. The City did not, however, discipline or terminate anyone else, including a male supervisor whose termination was specifically demanded in the petition.

In July 2021, WBEZ Chicago published an article about the petition, stating that the City had taken no substantive action in response to it. The article sparked an onslaught of personnel actions, including placing Jennifer Lin, all ALCs, and a lakefront supervisor on administrative leave.

We find that the City should have investigated the petition as soon as it was received in Summer 2020. The City officials who were aware of the petition's allegations offered justifications for the lack of investigation, including the petition organizers' request that they not, the lack of specific allegations with names and dates, a false assertion that the allegations were largely about actions that took place "off campus," and the perception that the misconduct was part of "beach culture" not limited to Evanston. We find none of these justifications persuasive, and we attribute the incorrect decision not to conduct an investigation primarily to Lin.

Additionally, we find that Lin and Hemingway should have elevated a copy of the petition to other key City officials, including Storlie, Hagerty, and Gandurski. Hemingway does not escape responsibility for the City's insufficient response just because he "recused" himself—as the Director of PRCS he maintained the obligation to recognize the severity of the circumstance and ensure that appropriate action was taken. And, finally, we determine that the City's personnel actions taken after the WBEZ article was published were inconsistent, both with each other and with prior decisions to refrain from adverse employment action based on similar allegations.

### *Summary of Findings Regarding Human Resources*

Our investigation also included review of the City's policies and practices with respect to the investigation of complaints submitted to HR. Although HR generally handles "formal" complaints according to written City policy, we learned that many complaints are treated as "informal concerns," and lack a coherent system. And HR's record-keeping practices are inadequate—employee complaints are not consistently tracked, and there is no apparent file-maintenance protocol. What is more, the City's HR Division generally handles its own investigations (as opposed to referring them to outside investigators), but HR staff lack the training and resources to undertake proper investigations. We observed examples of these shortcomings in the context of

serious employee complaints in several areas, including at the lakefront, in allegations against Hemingway, and in a random sample of investigations that we reviewed.

### *Recommendations*

Based on these findings, we recommend that the City take a number of actions to address the problems at the lakefront as well as within both the broader Parks Recreation and Community Services Department and the Human Resources Division:

- Recommendation No. 1: Increase supervision of the lakefront.
- Recommendation No. 2: Overhaul the system for hiring and training lifeguards that has historically favored male lifeguards, which downstream contributes to the abusive power dynamics discussed in this investigation.
- Recommendation No. 3: Standardize lifeguard beach assignments.
- Recommendation No. 4: Build clear Human Resources policies and consistently administered training for seasonal lakefront staff, with ongoing Human Resources involvement in the lakefront operation.
- Recommendation No. 5: Establish a clear application, hiring, and training process for managers, supervisors, and ALCs.
- Recommendation No. 6: Formally prohibit the use of physical training (“PT”) as discipline or punishment.
- Recommendation No. 7: Revise Human Resources investigation practices and ensure that investigations are handled by trained investigators with adequate capacity.
- Recommendation No. 8: Adopt stronger and more formal systems for documenting and tracking employee complaints.
- Recommendation No. 9: Consider disciplinary action against certain personnel.

\* \* \*

This report further details these findings. We begin in Section II with a description of our investigation, including its scope and the actions we undertook. In

Section III, we provide background about the City's leadership and lakefront operations necessary to understand our findings. Section IV is where we describe our findings with respect to the lakefront, and Section V contains our findings about the petition and the City's response to it. In Section VI we describe findings regarding the Human Resources Division's complaint and investigation process. We conclude with Section VII, in which we provide our recommendations for actions the City should take to address the issues raised in the report.

## II. OUR INVESTIGATION

On July 16, 2021, WBEZ Chicago reported on a petition signed by over 50 female employees from the City of Evanston's lakefront alleging that their co-workers subjected them to sexual misconduct. The article stated that City officials had received the petition in Summer 2020. Days after WBEZ published the story, the City stated it would retain an outside law firm to independently investigate the matter.

The City of Evanston publicly announced on July 27, 2021, that Salvatore Prescott Porter & Porter PLLC would conduct an independent and impartial investigation into all matters related to the allegations of misconduct by lakefront staff. More specifically, the City requested the following:

- An investigation into the petition's allegations of misconduct by lakefront staff and the lakefront's general culture;
- An examination of the City's knowledge of and response to the allegations of lakefront misconduct, including who at the City was informed, and when, about the petition;
- Recommended actions, if any, for the City to take moving forward with respect to lakefront operations and the City's processes for receiving, investigating, and responding to employee complaints, including any recommendations concerning discipline of individual City employees.

From the outset, SPPP and the City agreed that our investigation would be fully independent, meaning we would follow the facts wherever they led without influence from the City. SPPP had complete control over the means and direction of the investigation—we decided who to interview, what questions to ask, and what materials to review. The City did not dictate, interfere with, or manage our investigation. The City cooperated with our requests, providing access to documents and personnel contact information when we asked for it.

Our investigation included approximately 60 witness interviews. Many of these witnesses are current and former members of the lakefront staff who saw or experienced sexual misconduct during their employment. SPPP committed to protecting the privacy of these witnesses and we therefore do not use their names or other identifying information in this report.

We attempted to contact each of the petition's signatories. Some declined to be interviewed, and we were unable to speak with others after multiple rounds of outreach, both by phone and email. Ultimately, we were able to interview 19 women who signed the petition, as well as several other female former lakefront employees. Of the petition's four primary organizers, two agreed to participate in the investigation.

SPPP also interviewed seven male lakefront staff members, current and former, who did not sign the petition. We made outreach to six others from the lakefront staff who had not signed the petition, and none responded to our requests for an interview.

Nearly all members of City leadership who we contacted agreed to participate in the investigation. The only City official who declined to be interviewed was Deputy City Manager Kimberly Richardson. But we were able to interview the following:

- Adam Abajian (Recreation Program Coordinator for Lakefront Operations, PRCS);
- Daniel Biss (Mayor);
- Ray Doerner (former Recreation Manager, PRCS);
- Erika Doroghazi (Administrative Coordinator, PRCS);
- Kelley Gandurski (former Corporation Counsel, Interim City Manager);
- Steve Hagerty (former Mayor);
- Karen Hawk (former Assistant Director, PRCS);
- Lawrence Hemingway (Director, PRCS);
- Jennifer Lin (former Human Resources Division Manager);
- Casey Solomon (Human Resources Specialist);
- Mary Dankwa (Human Resources Specialist);
- Luke Stowe (Director, Administrative Services);
- Nicholas Cummings (current Corporation Counsel); and
- Erika Storlie (former City Manager).

In addition to conducting interviews, we obtained over 500,000 emails, attachments, and electronic chats to and from City staff members. We conducted key-term searches within the large volume of documents to identify those relevant to our investigation. The City also provided us with access to requested portions of its document-storage system to review and obtain additional relevant documents. We provide with this report an appendix that includes documents that we reference here.

### **III. BACKGROUND**

We begin by providing an overview of the City operations relevant to our investigation, including a brief description of the applicable reporting structures and how the lakefront works. This background is critical to understanding the lakefront's culture and the City's mobilization in response to allegations of misconduct.

#### **A. Relevant Leadership Reporting Structures**

The City of Evanston is led by a City Manager. Erika Storlie was the City Manager at all times relevant to this investigation—she came into the position in an interim capacity in 2019 before being formally appointed in October 2020. The City Manager is supported by Deputy City Managers; at various times in Evanston history there have been anywhere from one to three Deputy City Managers. A small number of employees report directly to the City Manager. These include the Deputy City Managers, Chief Financial Officer, Intergovernmental Officer, Economic Development Manager, and the Corporation Counsel. The heads of departments do not report directly to the City Manager; they report to the Deputy City Managers, who in turn report up to the City Manager.

The City's Human Resources Division is central to this investigation. Jennifer Lin served as its Manager until Summer 2021. During the time with which we are concerned, Lin reported to Luke Stowe, who was the head of the Administrative Services Division. And Stowe, in turn, reported to the Deputy City Managers. (This reporting structure has since changed, with HR reporting directly to the City Manager as of October 2021.) Although Lin formally reported to Stowe, she had a practice of reporting directly to the City Manager on certain sensitive personnel matters.

Another key department is the City's Parks Recreation and Community Services Department, referred to as PRCS. It oversees a wide range of areas, including youth engagement, cultural arts, forestry, parks, and others. The beaches and lakefront fall within its purview too. Since 2016, the Director of PRCS has been Lawrence Hemingway. During all times relevant to this investigation, Karen Hawk supported Hemingway as the Assistant Director until she departed City employment in approximately October 2021. There used to be two Assistant Directors, but one position was eliminated in 2018 so all divisions in PRCS, including the lakefront, reported up through Hawk. Ray Doerner was the Recreation Manager responsible for the lakefront during the times relevant to this investigation, and he reported to Hawk. And one step down on this reporting line was Adam Abajian—the Program Coordinator who has overseen the lakefront for about 20 years.

#### **B. Lakefront Operations**

Lakefront Operations is the division of PRCS responsible for maintaining and operating the City's lakefront areas. This includes five swimming beaches—

Lighthouse, Clark Street, Greenwood, Lee Street, and South Boulevard—in addition to the Church Street Boat Ramp and the Dempster Street Sailing Beach. The City’s sixth swimming beach, located on Lincoln Street, is operated by Northwestern University.

The Dempster Street Beach Office operates as the headquarters for all lakefront staff. All supervisory staff are based in this office, which contains desks for administrative work and a patron-facing window for sales of seasonal passes and boating permits. All lakefront staff present to this office at the start of each shift and check out at this office. A secondary office exists for beach token sales at Clark Street Beach. When we refer to the Beach Office in this report, we mean the Dempster Street Beach Office.

## **1. Staff**

Adam Abajian is the Recreation Program Coordinator who heads Lakefront Operations. He has served in this role for about two decades, and before then he worked as a lakefront supervisor. Until 2021, when a second full-time lakefront position was approved, Abajian was the only full-time lakefront employee.

Each year, Abajian hires a staff of around 140 to 150 people to assist with managing the lakefront during the beach season, which lasts from Memorial Day weekend to Labor Day weekend. It is an enormous undertaking. The operation of the lakefront extends from a few weeks before Memorial Day to a few weeks after Labor Day, to account for the work of setting up and breaking down the seasonal operation. With the exception of Abajian, these are all seasonal positions—staff members are hired anew each year and terminated at the conclusion of the season, and they must reapply the following year if they wish to return. Lakefront staff members tend to be high school or college students looking for summer employment.

Lakefront seasonal staff positions fall into two categories: aquatic staff and office staff.

### **a. Aquatic Staff**

All members of the aquatic staff are certified lifeguards. Lifeguard certification is only available to those at least 16 years old. Lifeguards fall into four general categories, listed in hierarchical order: line lifeguards, beach managers, lifeguard supervisors, and assistant lakefront coordinators.

#### *Line Lifeguards*

We use the term “line lifeguards” to refer to lifeguards who have not been elevated to the supervisory positions described below. The lakefront staff informally refers to first-year lifeguards as “rookies” and returning lifeguards as “formers.” Line

lifeguards are stationed at a beach to observe and protect patrons and maintain the beach. The beach to which a lifeguard is assigned changes from shift to shift.

Abajian oversees lifeguard hiring. Lifeguard positions are typically posted early in the calendar year. Applicants often learn of the postings through word of mouth—many applicants have older siblings who were City lifeguards in the past, and other applicants are athletes on the local high schools' swim or water polo teams. All applicants are invited to a swim test, in which their skills are tested in both skilled and timed events. Abajian then interviews those who pass the swim test and subjects them to a practical CPR test. New and returning lifeguards go through this same application process. All applicants who pass these threshold tests are invited to training at the beginning of the beach season.

First-time lifeguards attend “rookie school,” a 30- to 40-hour training conducted over one or two weeks. Rookie school includes both physical training conducted by lakefront supervisors and classroom lessons on the contents of the Lakefront Manual, usually taught by Abajian. Returning lifeguards undergo similar but more abbreviated training with more emphasis on classroom work.

Lifeguards must take a written test and a CPR test, in addition to physical skills tests. One such test is colloquially called the “Doug drag,” a timed test in which candidates do a 100-foot dash, grab a heavy dummy, and run back carrying the dummy. Performance on both written and physical tests is scored numerically, and those scores are added together to form a cumulative score. All lifeguards must meet a minimum cumulative score to be hired. The cumulative scores are also used to rank the lifeguards, and the lifeguards select their schedules for the season in the order of their ranking. There are more lifeguards hired than there are fixed schedules, so lifeguards toward the bottom of the rankings receive no regular schedule and serve only as substitutes for scheduled lifeguards as needed. Some witnesses reported that substitute lifeguards can work nearly as many hours as those regularly scheduled; others stated that substitutes work hardly any hours.

### *Beach Managers*

Beach managers are the lowest level of supervisor in the lakefront's operation, and they serve dual roles, as both manager and lifeguard. Unlike line lifeguards, beach managers are assigned to one beach for the entire season. They guard the beach like line lifeguards and are also responsible for training, directing, and supervising the lifeguards on their beach.

All beach managers have previous experience as City lifeguards. In recent years, beach managers have typically had two years' experience as a line lifeguard before promotion to beach manager. Beach managers must complete the same training and scoring process as other returning lifeguards, but they undergo an additional four hours of manager-specific training.



All returning third-year lifeguards are invited to participate in beach manager training. Beach managers are selected from the cohort that participate in this training, based not on test score but rather subjective qualities. Abajian described the criteria as requiring “good leadership skills.” Lakefront supervisors typically make recommendations for who to elevate to beach manager positions, but Abajian provides final approval of the selections. Abajian stated that he makes an effort to promote a variety of people to beach manager, and he added that he has made a concerted effort in the past several years to make sure that both male and female lifeguards get promoted to beach manager. According to Abajian, those efforts predate the petition.

### *Lifeguard Supervisors*

Lifeguard supervisors, informally called “blue shirts,” are responsible for overseeing all lifeguards and beach managers. They are not assigned to any particular beach but rather generally operate from the Beach Office. Their duties include handling roll call, checking staff in and out at the start of shifts, assigning lifeguards to beaches, and responding to emergencies.

Abajian selects lifeguard supervisors. No application process exists. Abajian only hires supervisors who have previous experience at the Evanston lakefront, and he explained that because supervisors must have pre- and post-season availability, the pool of candidates for the position is small. In addition to availability, Abajian considers candidates’ ages because the position involves rule enforcement.

In years past, supervisors have not received formal pre-season training but rather learned on the job. Abajian stated that historically, supervisors have had four or more years of experience as lifeguards and beach managers before becoming supervisors, so they have been both older (in their early to mid-20s) and familiar with the beach. This experience, Abajian explained, allowed them to pick up the supervisor role on the job. But in recent years, staff constraints have caused people with fewer years’ experience to be promoted to lifeguard supervisor positions, meaning supervisors may be both younger and greener than in previous years. Abajian said that for this reason a more formal training for supervisors occurred for the first time in 2021.

### *Assistant Lakefront Coordinators*

Assistant lakefront coordinators, or ALCs, are more senior supervisors. The position shares a name with the new full-time position mentioned above that was approved for the first time in 2021, but it is not the same—ALCs are seasonal employees, and we use ALC throughout this report to describe these seasonal supervisors. ALCs, among other things, open and close the Beach Office; run payroll; handle personnel documents; take the lead with lifeguard, manager, and supervisor scheduling; respond to requests for days off; assist with training; and complete

purchase orders. They also serve as stand-ins for Abajian when he is not present on the lakefront.

Abajian selects ALCs. The selection process for ALCs is similar to that for lifeguard supervisors, and, like other supervisors, is driven more by availability than merit. ALCs in particular must be available in the post-season because they assist with closing the lakefront—a process that continues several weeks past Labor Day.

Like lifeguard supervisors, ALCs have historically learned on the job, and only began formal supervisor training in 2021.

### *Other Aquatic Staff*

A small portion of the lakefront staff serve in aquatics camp and sailing roles. Aquatics camp staff run the summer aquatics camp for children; sailing staff monitor the Dempster Street Sailing Beach and rent vessels. In both cases, staff are certified lifeguards with experience as lakefront lifeguards, but the operation and supervision of those roles is separate from the operation and supervision of the lifeguards.

#### **b. Office Staff**

Office staff are not trained lifeguards but rather handle administrative tasks, like taking tickets at the beach, selling season passes, processing rentals, and other transactional activities. There are three positions within the office staff: gate attendants, beach office staff, and beach office supervisor.

Gate attendants are responsible for admitting patrons to the beaches by taking tokens or tickets. For this reason, gate attendants are stationed at the entrances to the swimming beaches. People in these positions historically have been as young as 14 years old, and some have served in the role because they are too young to be lifeguards. Some gate attendants are also hired through the Mayor’s Summer Youth Employment program; those gate attendants, who tend to be younger than 18, are considered participants in a “training program” and as such receive training program wages that are lower than the state’s minimum wage. Gate attendants are selected after an interview and basic math test. Their training lasts about an hour.

Another office position is that of office staff member. Beach office staff members are stationed at the Dempster Street Beach Office and Church Street Beach Office. They, among other things, sell season passes, answer phones, process transactions, and handle rentals. People in these positions are typically former gate attendants, and they are paid higher wages than gate attendants. They receive on-the-job training.

The Beach Officer Supervisor serves as the head of all beach office staff. This person has a desk in the Dempster Street Beach Office. The Beach Office Supervisor

assists with hiring the office staff and handles scheduling for office staff and gate attendants.

**c. Demographic Overview of Lakefront Staff**

The following charts outline the staffing numbers, gender demographics, and median ages for the above positions for the 2021 and 2020 beach seasons. These numbers are computed from data as of July 15, 2021, and July 15, 2020, respectively, that was provided by the City.

*2021 Season*

<b>Position</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Median Age</b>
Line Lifeguards	43	25	18	17
Beach Managers	23	13	10	19
Lifeguard Supervisors	10	7	3	22
ALCs	3	3	0	27
Gate Attendants	44	21	23	17
Beach Office Staff	11	9	2	18
Beach Office Coordinator	1	0	1	56

*2020 Season*

<b>Position</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Median Age</b>
Line Lifeguards	55	32	23	18
Beach Managers	21	14	7	19
Lifeguard Supervisors	13	9	4	22
ALCs	4	4	0	26
Gate Attendants	30	18	12	17
Beach Office Staff	10	4	6	20
Beach Office Coordinator	1	0	1	56

**2. In-Season Operations**

During the season, the City’s swimming beaches are generally open from 9:00 a.m. to 8:00 p.m. Lifeguards of all ranks are scheduled to cover three shifts—early, middle, and late—and shifts are about 7.5 hours long. Gate attendants and office staff are divided into fewer shifts and their weekly hours vary.

All lifeguard staff and gate attendants report to the Beach Office at the beginning of their shifts to punch-in. From there, supervisors conduct a rollcall of line lifeguards and beach managers, which includes an “in-service.” The rollcall in-service consists of physical conditioning exercises or rescue skills practice. Abajian provides the supervisors with a list of the type of in-service they should hold each day (for example, a skills practice or physical exercise) and then the supervisors have the

discretion to select the specific activity for that shift within that category. After in-service is complete, beach managers report to their assigned beaches, and a supervisor assigns line lifeguards to particular beaches for the day. This process of assigning lifeguards to beaches is done on the spot and is within the discretion of the supervisors on duty that day. Beach assignments temporarily changed in 2020 and 2021, when lifeguards were assigned in “pods” to a particular beach for the duration of the summer to mitigate COVID-19 risk.

Once on the beach, the beach manager functions as the primary supervisor for the lifeguards on duty there. The number of lifeguards at a given beach varies, depending on availability and need, but typically at least three lifeguards are present. Lifeguards, including the beach manager, rotate through various roles. One person is usually in the lifeguard chair, which requires them to remain standing, facing forward, and scanning the shoreline. Another role is the “ripper”—a lifeguard who is stationed at the gate, with the gate attendant, to rip patrons’ tickets. Other roles include rover, and clean-up, and lifeguards also receive breaks throughout the shift. Lifeguards rotate between roles every 30 minutes to keep the chair lifeguard’s eyes fresh. Beach managers dictate the rotations.

Additional in-services take place on the beach. Like those that occur during rollcall, on-beach in-services can be physical conditioning, skills training, CPR practice, and emergency drills. Beach managers are generally responsible for conducting these in-services.

Supervisors, including ALCs, are not stationed on a beach during their shifts but instead remain at the Beach Office in case of emergency. At their discretion, supervisors go to beaches to check in on staff. Supervisors may also conduct an in-service for beach staff while making rounds. Supervisors may also subject staff to mock drowning tests. According to Abajian, he expects supervisors to make rounds to the beaches throughout the day but that does not occur on a fixed or documented schedule.

#### **IV. FINDINGS REGARDING LAKEFRONT CULTURE AND OPERATIONS**

A primary purpose of our investigation was to discover the culture at the lakefront, including whether that culture included sexual misconduct. We found that facets of the lakefront’s culture—including limited oversight, a strict hierarchy, embrace of physical training as punishment, gender imbalances in leadership, social dynamics presenting challenges to professionalism, and lack of Human Resources training—made the beaches fertile ground for abuses of power. As a result, sexual misconduct was a part of the lakefront experience for many women who worked there. This misconduct ranged from rampant sexual commentary to nonconsensual sex. Despite the pervasiveness (and, in many cases, high visibility) of the conduct, it often went unreported. But on those rare occasions when lakefront women reported sexual

misconduct to upper management, the response was inadequate. What follows is a more detailed explanation of these findings.

It is worth noting at the outset that we focus our findings on lakefront conditions before the petition came to light. Some interviewees believed the culture at the lakefront got better in Summer 2020 after the petition came to light. Summer 2021 and in particular the weeks after the petition was publicized, brought changes to the lakefront's operations. As described in a later section, this included personnel changes to the supervisory staff. Some interviewees felt these changes made a noticeable difference in lakefront culture. Where notable, we mention these more recent cultural changes.

**A. The lakefront's culture was prone to abuses of power.**

Although the petition we were tasked with investigating contains descriptions of primarily sex-based discrimination, we learned through our many interviews that the culture from which those alleged incidents arose was inherently prone to abuses of power in general. In this subsection, we describe those general dynamics to provide context for the sexual misconduct.

**1. Limited Oversight**

Historically, Abajian has been the only permanent full-time City employee at the lakefront. Abajian's responsibilities during the season are substantial, including overseeing all of the lakefront's seasonal employees. Lakefront employees are spread across the City's lakefront at various beaches, but Abajian estimates that he spends about 80% of his in-season time at the Dempster Street Beach Office because he has a significant amount of administrative work to complete. Abajian therefore relies heavily on the ALCs and supervisors to run the on-the-ground operations of the lakefront during the season. Abajian regrets not having more time to spend on the beaches with the lifeguards.

[REDACTED]

Abajian has for years requested more full-time assistance. In 2021, the City added a new full-time position that reported to him. The position is titled Assistant Lakefront Coordinator, but it is not to be confused with the part-time seasonal ALCs, as it was approved as a full-time year-long role. Individual H was promoted internally to the position; he was put on administrative leave in Summer 2021, which is discussed below.

Relatedly, the lakefront lacked oversight from the rest of the City. Almost without exception, interviewees who worked as seasonal lakefront employees felt that the City neglected the lakefront and did not see them as “real” employees. We found this to be true in some respects. For example, seasonal employees, like those on the lakefront, do not have personnel files like year-round employees. This appeared to make it more difficult to track complaints or discipline. And no one from the City appeared to mandate Human Resources training for the lakefront. The City’s minimal involvement in managing the lakefront staff left Abajian, himself strained, with few checks and little assistance from other full-time personnel.

## **2. Strictly Hierarchical Organization**

Multiple interviewees described the lakefront staff hierarchy as a militaristic chain of command. The 2021 Lakefront Manual reflects this too:

The chain of command is important. The only time you want to breach the chain of command is if the issue has to do with your direct superior. Otherwise, all questions/comments should be directed to your beach manager; if a manager cannot answer your question, then refer to a lifeguard supervisor. Adam [Abajian] is **NOT** the first line of contact for questions, concerns, etc.

Many described rookie training as their induction into this strict hierarchy. In years past, the supervisors yelled at rookies during the physical component and punished them for mistakes. One person referred to it as “bootleg Navy Seal training.” A female interviewee called it the most terrifying experience of her life and reported that she and her friends would hide in the bathroom before the training sessions began to avoid running into the supervisors they feared. On at least one occasion, the City received complaints from Evanston residents who observed the training while walking along the lakefront and expressed concern about what they witnessed.

Training can also be physically grueling. An interviewee described the “Circle of Death,” in which lifeguards were required to run in a circle for a long time. This interviewee reported doing the run on an extraordinarily hot day. She became dizzy and almost fainted as a result.

Nor does the hierarchy end with training. One female supervisor acknowledged that the job “gets away from you sometimes,” likening it to the Stanford prison experiment. She opined that all staff end up on a “power trip” at some point, and that it is an engrained part of the culture. But some reported that the hierarchical stratification was lessened in Summer 2021 after personnel changes were made.

### 3. Physical Punishment

One way in which the hierarchy endures is through physical training, informally called “PT.” Physical training can be used to maintain lifeguards’ athleticism for the physical aspect of the job. For example, swimming in-services at the beginning of shifts help lifeguards keep up with those crucial skills. But another frequent use of physical training is to punish lifeguards for mistakes or indiscretions, including policy violations. Several witnesses identified tardiness as a common cause for physical-training punishment—a late lifeguard might have to do push-ups or run laps if they arrived late to work or were late to relieve a guard standing in the chair, for example.

Physical punishment is imposed by supervisory staff. Staff refer to it as “PT-ing” someone. The punishment itself comes in many variations, from simple conditioning exercises like swimming laps to more complicated routines. A common form is a “run-swim-run,” in which a lifeguard runs, swims, and then runs again. One interviewee described a punishment called “the Crucible”—a run-swim-run followed by 50 star jumps, then another run-swim-run followed by a swimming exercise, then another run-swim-run followed by 50 push-ups.

There is little to no standardization for the imposition of physical punishment. The punishments often have little relation to the indiscretions that they are meant to punish. One witness described a punishment imposed on a female lifeguard for forgetting to tell the supervisors when her last day of work would be. A male supervisor required the woman to jump in the water, roll around in the sand to coat her body, jump back in the water, and repeat. The punishment was done in front of other lifeguards.

Many interviewees reported feeling that physical training was abused. One female interviewee described a time supervisors required her to compete in a swimming-related obstacle course against a man known to be an excellent swimmer. When she lost, the woman had to do physical punishment. The woman believed that the supervisors, who were her friends, put her through this because they were angry at her for some reason.

Interviewees had different perspectives on whether any type of physical punishment should be permitted at the lakefront. Some see physical punishment as a useful tool, without which lifeguards have less incentive to abide by the rules and which provides physical conditioning for a job that requires physical fitness. Others see physical punishment as an unprofessional and ineffective way of responding to work-related issues, which are better handled through verbal correction and, when necessary, formal write-ups. Witnesses agreed that, either way, allowing supervisory staff full discretion over the imposition of PT created a problematic power dynamic.

#### **4. Gender Imbalance in Leadership**

A common refrain among female interviewees was the lack of women in higher-level supervisory positions. Abajian acknowledged this to be true. Interviewees did, however, report a marked improvement in the gender diversity of supervisors in Summer 2021. They believed this to be an intentional response to the petition.

Abajian attributed the general lack of gender diversity amongst leadership to the fact that he requires his supervisors and ALCs to have several years of experience as Evanston lifeguards before moving up. In his experience, female lifeguards generally elect to leave the lakefront for summer internships or year-round jobs sooner than their male counterparts. The result, he says, is that women depart before they can be promoted. This view was confirmed by several interviewees.

Some female interviewees described another theory related to the process for hiring and training lifeguards from the outset. As described above, lifeguards are awarded schedules based on the scores they receive during training. Those scores are based in large part on performance on physical tests. Multiple women, and some men, believed the physical components to be overweighted in the training score. And this was to the detriment of women because, they explained, men generally have a biological advantage. So, according to this theory, men are more likely to get the preferred schedules—or any schedule at all—and women are left behind. This results in fewer women in the leadership pipeline because women have little reason to stick around the lakefront under these conditions.

We also heard at least one woman state that she did not believe female leaders received the same treatment as their male peers. We heard stories of a female supervisor receiving what appeared to be unearned criticism and scrutiny from the men with whom she worked, with peer colleagues critiquing her performance on tasks that she performed identically to her male counterparts.

#### **5. Social Dynamic Challenges to Professionalism**

Most of the lakefront's supervisory staff had difficulty maintaining professional boundaries with those who they supervise. Many interviewees believed this resulted in part from the generally narrow age gap between them—often early twenty-something supervisors and ALCs managing lifeguards in their teens. The gap is even smaller for beach managers and lifeguards, many of whom attend high school together and may have friendships that predate their employment. The age range of lakefront staff has narrowed with time. This appears to be due in part to the combination of Abajian's practice of promoting exclusively from within and the shrinking pool of lifeguard applicants. The combination has caused Abajian to promote lifeguards with less experience than he has historically required.

And it is not just age. It is common for teens to follow their older siblings into employment at the lakefront, resulting in family ties between higher-level lifeguards



and rookies. Lifeguards of varying levels also sometimes belong to the same sports teams. Unsurprisingly, the lakefront is a popular employer for swim and water polo teams.

Some believed that these social dynamics encouraged supervisory staff to treat their charges more as peers than employees. As evidence, one could look to two former ALCs who were at least a decade or two older than their colleagues. By many accounts, these ALCs were better able to maintain a professional boundary with their supervisees.

It is not lost on us that this dynamic is particularly problematic when considered in combination with the lakefront's strict hierarchy. On one hand, supervisors were often only recently graduated from being guards themselves and had preexisting peer friendships with lifeguards. On the other hand, supervisors had a great deal of authority and autonomy over lifeguards. By several accounts, supervisors used the combination of their authority over and close familiarity with lifeguards to demand that guards do things—like answer personal questions—that fell well outside the bounds of an appropriate supervisor-subordinate relationship (and punish them if they refused to comply).

## **6. Parties**

Lifeguard parties are a key example of the boundaryless relationship between supervisory staff and their charges. Throughout the season, many members of the lakefront staff attend after-hours parties. Witnesses described this as a practice that has existed for many years; indeed, going back at least to the 1990s. Although these parties took place after hours and off site, they played a significant role in the beach's on-the-clock culture.

These lifeguard parties (sometimes colloquially called “guardies”) are distinct from smaller gatherings of friends who happen to work at the lakefront together. Lifeguard parties occur with some frequency; some estimated that before COVID-19 parties took place about every other week. The parties are often hosted by a higher-ranking lakefront staff member, like a beach manager or supervisor. Sometimes the party is held at a family home when parents are not present.

Invitations to these parties are spread by word of mouth and, more recently, via social media. Lifeguards of all ranks attend the parties, including supervisors and ALCs. Rookies as a group may be excluded from the parties at the beginning of the season, but individual rookies can be invited by more senior friends. As the season progresses, rookies are more likely to receive invitations. Sometimes office staff are invited, but the primary attendees are lifeguards and other aquatics staff.

By all accounts, alcohol use is widespread at lifeguard parties, including by minors. Some reported seeing marijuana and, more rarely, drugs like cocaine. Alcohol is often provided by the party's host and left in areas for attendees to serve

themselves. Interviewees reported instances of lifeguards, including rookies, becoming incapacitated from drinking too much at a lifeguard party.

Interviewees reported feeling, some in hindsight and others in the moment, that it was inappropriate or strange to see twenty-something-year-old supervisory staff at the same party as the teenaged lifeguards they manage. At least one person said the parties involved some pressure. The person said that, for example, a beach manager might instruct a rookie to be his or her partner in a drinking game, and it was difficult to decline the request.

We learned of a particular party that took place during the 2021 season. It was hosted by a male ALC in his mid- to late-20's at his home. Invitations were initially restricted to those over 18 years old, but lifeguards of all ranks ended up attending. The host asked two male rookies to help set up the party in exchange for an invitation. Reportedly, a sign was posted in the basement that said something like, "If police show up, all minors go in the closet."

Although lifeguard parties take place after hours, they influence the on-duty experience. For instance, a notable annual party is the Fourth of July party. An interviewee stated that the morning after the party, supervisors often hold an especially rigorous rollcall in-service because they know lifeguards are likely hungover. Party gossip also became the topic of conversation at the lakefront, both beforehand and afterwards. Several witnesses described experiences where party events became fodder for gossip and teasing at work. In one example, a witness stated that after she got a ride home from a supervisor, the talk at work was that she and that supervisor were having sex, even though nothing had happened. Several witnesses recounted similar stories of being asked about or teased at work about presumed "hookups" from parties.

Historically, the largest party of the season takes place after the annual banquet. The banquet is an end-of-the-season event for lifeguards and, sometimes, office staff. Abajian attends the event to hand out superlative awards. According to Abajian, the banquet is an unofficial event both organized and funded by the lifeguards themselves. It is held in a public space, like a restaurant. Interviewees stated that lifeguards tend to binge drink alcohol before, during, and after the banquet. We heard multiple reports of people being visibly drunk at the banquet itself, including one person who had to be carried out of the event, passing Abajian along the way. Abajian, who only attends the banquet and not any before or after party, admitted to having seen staff appear drunk. He stated that he sent those people home and has even canceled the banquet on occasion.

For his part, Abajian never attended a lifeguard party. He did, however, know that lifeguards were holding them, and he assumed alcohol and possibly even drugs were present. Abajian had misgivings about the parties, particularly because of the age differences amongst the attendees. Abajian said he asked Human Resources

about parties, but he was told that he cannot stop his employees' off-the-clock conduct. Nevertheless, Abajian did, on a couple of occasions in recent years, ask his staff to stop the parties.

## **7. Lack of Human Resources Training**

For years, the lakefront staff received little to no Human Resources training, including information about sexual harassment. Each summer the City holds a training for all seasonal staff that includes HR topics, but in recent years lakefront staff have not been in attendance. Abajian explained that is because the seasonal training was held at a time incompatible with the lifeguards' schedule. Some HR information is also included in a seasonal employee manual prepared by the City, which lakefront staff receive. Abajian said that, although lifeguards are required to certify their receipt of the document, they have not attended the training that accompanies it, and he does not believe most read it.

Abajian does typically include some HR information in his presentations to staff during training. But he characterized the information as a more general instruction regarding "respect." Abajian said he told the lifeguards to resolve issues directly with their managers if possible and, if not, to report it to supervisors or Human Resources. But few of the current and former lifeguards we interviewed knew where to report misconduct. Some supervisors said they would not know what to do if someone reported misconduct to them.

Even Abajian felt he did not receive as much Human Resources training as he would have liked. Since 2020, Abajian reports getting sexual harassment training that is specific to his duties and obligations as a supervisor. Abajian found the training informative and wished he had received it earlier.

In Summer 2020—after the petition was presented to the City—the lakefront staff received live sexual harassment training. Training continued by recording in 2021. Many staff members we interviewed appreciated the training, particularly the live version which permitted real-time questions. Notably, multiple male interviewees who had been accused of sexual misconduct stated that they found the training to be a learning experience.

### **B. Sexual misconduct was pervasive at the lakefront.**

The cultural conditions we just described made the lakefront a tinderbox for sexual misconduct. Witnesses were nearly unanimous in stating that sexual comments were a norm. We heard many stories of predatory abuses of power in which men in supervisory roles used their positions to pursue romantic relationships with junior women. Relationships between supervisors and subordinates were common, and we were told of the uncomfortable pressure some women in these relationships felt. Most egregiously, we learned of instances in which lakefront supervisors had nonconsensual sex with female subordinates.

It is in this section of our report that we take particular care to guard the anonymity of the women who shared their stories with us. Nor do we, in this writing, disclose the names of those who are alleged to have caused the harms. This is in part another measure to protect the identities of the women. It is also in recognition of the fact that these are only allegations (though we have found no reason to discredit them). We add, too, a point that the petition organizers made in raising the signatories' concerns—that the sexual misconduct at the lakefront was not confined to one or two bad actors but rather part of a broader systemic problem.

## **1. Sexual Commentary**

Most women we interviewed said that it was common to hear male lakefront employees comment on women's bodies. Many men agreed. Sometimes the discussion was about patrons on the beach. We were told that some men text messaged each other "Code Magenta" to signal when they spotted an attractive female customer. But many times the comments were directed to female lifeguards, both inside and outside of their presence. To recount just a couple of examples, a female rookie lifeguard was told by a male supervisor that she had a "cute face" and "nice body," and a beach manager told many of his colleagues how fond he was of a rookie's butt. In general, interviewees described these not as isolated comments but rather so frequent that it was difficult to recall particular instances.

Some suggested that the body remarks were a natural consequence of the lifeguards' uniform—swimsuits. Others were insulted by the insinuation that their work apparel caused the comments to any degree. We learned of one specific incident that highlighted the tension. During a training, Abajian instructed the female lifeguards to wear their uniform swimsuits properly and to avoid "hiking them up" to make more of their backsides visible, which he believed some women did intentionally. Abajian singled out a particular female lifeguard when making the instruction, though he meant it as a light-hearted remark. Some viewed this incident negatively, as an inappropriate body comment. But Abajian perceived it as a legitimate uniform matter (though he regrets singling out the lifeguard).

Supervisory staff also engaged their subordinates in sexual conversations. They held an in-service activity that they called "hot seat," in which a lifeguard would sit in a chair and be forced to answer personal questions, including about their intimate history. Multiple interviewees told us about one hot seat in which a female beach manager was visibly uncomfortable when questioned about a body part. An even more prevalent "game," also sometimes done as an in-service, was to ask young lifeguards who their "beach crushes" were. Some said that the questions upset them and made them feel awkward. Notably, multiple interviewees said that "beach crush" questions were more often initiated by female supervisory staff than by men.

And sexual gossip was part of the conversation that followed the lifeguards back to the beach the morning after a party. Lifeguards would talk among themselves

about who had “hooked up” with whom at the previous night’s gathering. Sometimes the gossip was inaccurate but no less damaging. Lifeguards were distressed to hear that their colleagues were talking about who they had supposedly had relations with, both when it was true and when it was not. One young employee was so embarrassed by the whispers about her and a supervisor that she quit. The gossip was also weaponized. In one instance, a supervisor put his hand on a lifeguard’s leg and stated, in the presence of others, that everyone thought the two of them were “fucking.”

Among the verbal harassment were explicit propositions, often from older supervisors to younger lifeguards. A male interviewee dismissively characterized these advances as men “shooting their shot,” slang for taking a chance at dating someone. But, unsurprisingly, the women on the receiving end, and others hearing about them, found the propositions troubling. Many advances were made at parties, and particular comments reported to us include a lifeguard asked whether she wanted to go upstairs with a male colleague, a supervisor telling a beach manager he could not wait until she turned 18 years old so that he could “fuck” her, and a beach manager asking a rookie if she wanted to have a threesome with him and another co-worker.

## **2. On-Duty Predatory Abuse of Power**

In addition to pervasive sexual remarks, the lakefront had a culture of male supervisory staff using the power that their positions gave them over female subordinates in an abusive manner. Both the verbal harassment described above and the inappropriate relationships described below also constitute predatory abuses of power. But this section focuses on the way supervisors used their job responsibilities as a cover for discriminatory and harassing behavior.

One clear example is exploitation of the beach-assignment system. Line lifeguards—including both rookies and formers—are assigned to different beaches throughout the summer, whereas beach managers generally report to the same beach for the entire season. Supervisors have unfettered authority to choose lifeguard assignments to beaches at the start of each shift. Many said that the assignments are supposed to be made based on the lifeguard’s mode of transportation (for example, a lifeguard who drove to the Beach Office can be assigned to a farther beach than one who walked) or considerations like giving a lifeguard the experience of working at a new beach.

The problem arose when beach managers made requests, asking supervisors to assign lifeguards to their beach because of a personal attraction. Multiple interviewees reported that such requests were made and that the supervisors often or even routinely granted them. We interviewed women who felt they were repeatedly assigned to the same beach because of a male manager’s interest in them, as well as women who observed a pattern in their friends’ assignments that seemed based on the same motives.

Interviewees said that supervisors and managers would also conspire to staff people together at a beach when they sensed a “crush.” In one reported instance, supervisors thought it amusing to assign a woman to a beach because she had “hooked up” with its manager. Abajian said that he knew beach managers sometimes requested their friends (a practice he generally disapproved of), but he was unaware of any inappropriate motivations behind the requests.

Similarly, male supervisors used their position to isolate younger women from their colleagues to gain one-on-one time with them. We learned that male supervisors would request female lifeguards to stay late to help clean the Beach Office or take a special assignment to assist with cleaning a boat. In one such instance, a male supervisor required a female lifeguard to stay afterhours to clean the Beach Office, during which time he made a comment about her body type.

Another form of isolation was to go “in-chair” with a lifeguard. Lifeguards spend significant time during their shifts in the lifeguard chair, actively scanning the scene for safety concerns. Because being “in-chair” is a critical function, the lifeguard is not permitted to leave or turn around during the allotted time. Interviewees reported male supervisors abusing this safety rule by joining a lifeguard in the chair, which made her a captive audience because she could not leave. It was sometimes permissible to be in the chair with a rookie lifeguard early in the season to assist him or her with learning the ropes, but otherwise it was generally not an accepted practice for supervisors to be “in-chair” with lifeguards. Interviewees said the instances they observed or experienced were not for legitimate professional reasons and instead because the supervisor was romantically interested in the lifeguard and wanted to spend time with her.

Some interviewees said that supervisors treated the women who they had romantic interest in differently than other employees. For example, the favored women would get better schedules. The reverse could also be abusive. At least one woman reported feeling that, because the male supervisors were not attracted to her, she and her friends were made to do unwanted tasks while the supervisors allowed the women they liked to socialize. Another woman believed that a male supervisory staff member would “PT”—require physical exercise from—a fellow female lifeguard because she rejected his advances.

And one woman could feel both sides of the spectrum. A female interviewee described to us how a male supervisor’s favor made her feel “cool” at first and she was flattered. But once she made it clear that she was not interested in the supervisor, his attitude toward her changed and she was treated like everyone else.

### **3. Supervisor-Subordinate Relationships**

With supervisors leveraging the power dynamic in this manner, it is not surprising that many interviewees said romantic relationships between supervisory

staff and their subordinates were common. We heard of at least one relationship between a female beach manager and a younger male lifeguard, but most supervisor-subordinate relationships were between an older man and a younger woman.

We pause to note that we describe these interactions between supervisors and subordinates as romantic relationships only for lack a better word, not to imply that they were fully consensual or appropriate. Some of the women who had intimate interactions with their supervisors had evolving understandings of whether, and to what extent, they consented to these interactions. Some witnesses described having relationships or interactions that at the time they viewed as consensual and came to recognize the problematic power dynamics only after the fact. We do not discuss in this report relationships between lifeguards of the same rank because we do not view them as categorically inappropriate.

Many at the lakefront knew of multiple relationships between male supervisors, including ALCs, and younger female lifeguards, including minors. This knowledge mostly spread through gossip and observations of unusual behavior at work. Several said that the relationships were intentionally kept quiet. At least one male supervisor instructed a female lifeguard he pursued to not tell anyone about them. When we interviewed some people alleged to be in one of these relationships, it was not unusual for at least one person in the pair—usually the man—to deny it.

Abajian's approach to staff relationships was to stay out of them. He stated he was unaware of any adults dating minors, but he did know that lifeguards dated each other. In Abajian's view, however, it was not his place—and indeed inappropriate—for him to inquire into his employees' personal relationships.

A theme among the subordinate-supervisor relationships was that the woman felt some amount of pressure to be in, or remain in, the relationship because of the supervisor's position of authority. This pressure was more visible to the women in retrospect. One woman remarked that she now sees that it was difficult to decline her supervisor's advances because of their respective roles. This also complicated the women's decisions to end their relationships with their supervisors. A woman said she was worried the supervisor would treat her unfairly if she broke it off with him, and another said the supervisor continued to make advances toward her during work hours after she ended the relationship.

#### **4. Nonconsensual Sex**

We also learned of instances in which an older male supervisor had nonconsensual sex with a female lifeguard. Again, we highlight the nuance of the women's experience. In some cases, the women did not fully understand their lack of consent until after the sex concluded, even months later.

Our interviews revealed one transgressor, referred to as Individual A throughout this report, who had sexual relationships with multiple female lifeguards.

The sexual conduct between them included sex to which the women did not consent, including because they were too drunk to consent. None of the nonconsensual sex took place at the lakefront or during work hours but rather occurred at private residences, sometimes after parties.

**C. Sexual misconduct was seldom reported, and when it was, it was often not handled appropriately.**

Having outlined the rampant sexual misconduct that occurred at the lakefront, we turn to what was done about it. The answer is that, by all accounts, the misconduct was rarely reported. Abajian and those above him in City management were therefore unaware of most of the conduct before receiving the petition in July 2020.

Misconduct went unreported for many reasons. To start, lakefront staff received minimal training in the City's Human Resources protocols. The lack of training was particularly detrimental for the lakefront employees because, for many of them, it was their first job, and the young people had no other sexual harassment training to draw upon. A common refrain was that interviewees did not realize how inappropriate the lakefront culture was until they learned more about workplace conduct, including at subsequent jobs.

Many interviewees also did not know how to report something or to whom they could report complaints. Some thought that they should report misconduct to the lakefront supervisors, who were often the very people committing the wrongs (or close friends with those who were). This obstacle was made express to one person who caught a supervisor in a transgression and was told by the supervisor that the person's job would become harder if the transgression was reported. One woman remarked that she did not report what happened to her both because the perpetrator was the person who she believed would receive the report and because he was a popular figure on the beach. Still others remained silent because they believed nothing would be done if they made a report. Regrettably, that belief was not entirely unfounded.

Although sexual misconduct did not often make its way to Abajian, his supervisors, or Human Resources, the reports that did were not handled appropriately. Investigations, when conducted, were done by non-HR staff who lacked professional training. And HR appeared to have little involvement in the matters. We provide specific examples of complaints and subsequent mishandled "investigations" below on Page 59.

**V. FINDINGS REGARDING THE PETITION AND THE CITY'S RESPONSE**

In Summer 2020, four women who worked at the lakefront in various seasonal positions took action to bring the sexual misconduct to light. They created and circulated a petition, to which dozens of women added descriptions of discrimination, harassment, and even assault that they suffered at the hands of their male co-



workers. The four women—who we call the petition organizers—presented the petition to City officials. This section of the report begins with our factual findings regarding the petition and the City’s response to it, followed by an analysis of the City’s actions.

## **A. Factual Findings**

### **1. The Petition and its Origins**

The petition was sparked by a City action, or rather inaction. In Summer 2019, the lakefront was ablaze with gossip about Individual B, a male lakefront supervisor in his 20’s who was allegedly spending time afterhours with a minor gate attendant. This was reported to City leadership, along with other instances in which Individual B had made other female employees uncomfortable. We discuss the specific complaints and the City’s response below beginning on Page 59. But we will spoil the narrative now with the upshot, which is that—after a short and incomplete investigation—Individual B was rehired as a lakefront supervisor in Summer 2020 despite the complaints.

Some women at the lakefront were shocked to see Individual B back on the beaches in Summer 2020. This was especially so because a few of them had been interviewed as part of the investigation into complaints about Individual B. Surely, they thought, their stories would be sufficient reason for the City to decline Individual B’s application for rehire. The women were upset to see that they were not. In particular, the women were concerned that Individual B remained in a position of authority over young female staff members.

So four women—including both office staff and lifeguards—came together to find a solution. They decided to draft a petition in the hopes that they could find strength in numbers. The idea was to show the City that the problem was not just Individual B or a couple of isolated incidents here or there but rather widespread harassment. We note that these four women occupied a difficult role. They were the petition’s organizers, and later its advocates in meetings with the City, but they did not see themselves as being in “control.” To them, all signatories shared ownership of the document.

The petition organizers created a petition on Google Docs, an online word processor that allows multiple people to collectively draft and edit a document in real time. The petition began with a brief statement, describing how “[f]or years, women working at the Evanston beaches have been disrespected, taken advantage of, and been made uncomfortable by their fellow staff members.” It went on to state, among other things, that “all of [the signatories] have experienced this unacceptable behavior.” The petition also alludes to Individual B (though not by name), stating that he was “given nothing more than a slap on the wrist.” That opening statement was followed by excerpts of the City’s sexual harassment policy and the Illinois

statute defining consent. From there, the draft petition had spaces for signatories to add their names, request specific actions from the City, and insert narratives of any harassment they suffered during their employment.

The organizers circulated the petition to all of the women they knew who had ever worked at the lakefront. They considered circulating the petition to men too, but they decided against it for fear that the men would send it to their friends who were perpetrators of the sexual misconduct. As responses began to pour in, many women thanked the petition organizers for taking on the task that, in their view, was overdue. In the end, over 50 women signed the petition.

One of the most moving, and disturbing, aspects of the petition was the long list of personal experiences that the signatories shared. The signatories recounted inappropriate comments they heard or received (like “[so and so] may be 16, but she could get it”), uncomfortable assignments to particular beaches just because the manager was attracted to them, propositions by supervisors, inappropriate relationships, abuse of physical training, and multiple accounts of sexual assault. All told, there were 45 accounts appended to the petition as it appeared in 2020. Some of these stories were previously unknown to the petition organizers, and they amplified the organizers’ understanding of how dire the circumstance at the lakefront was.

Notably, the petition did not name the men who had perpetrated these bad acts. This was a conscious decision. The petition organizers were worried that if they named the transgressors, the City would focus only on taking disciplinary action against those people and then consider the problem fixed. But the women wanted to convey a problem bigger than any one person—it was a culture that fostered sexual misconduct and had persisted for years. If they provided names of bad actors, the women feared the City would miss the forest for the trees. But among the petition’s list of demands—which included a public apology, a zero-tolerance policy for sexual harassment and assault, mandatory sexual-harassment training, and an established protocol for reporting sexual misconduct—was a request that certain employees be terminated. That section provided the names of one or two male supervisors who should be fired.

We say one or two because two iterations of the petition were presented to the City. Because the petition was prepared on Google Docs and many people had the link to it, changes could be made at any time. But, as far as we know, the City did not have a link to the online document and therefore relied on the petition organizers to give them copies. The first iteration we know of is the version the petition organizers initially presented to the City in July 2020, the receipt of which we describe in the following section. The second is a version given to Mayor Biss in 2021. The differences between the two are small—the second one had 56 signatories (versus 53 in the first) and included an additional anecdote of harassment. The key difference is that the first iteration demanded that Individual A be terminated, and the second iteration

added Individual B to that short list. We are not aware of any City official receiving the second iteration of the petition other than Mayor Biss.

## **2. The City's Receipt of the Petition**

On July 12, 2020, the petition organizers emailed Adam Abajian and Ray Doerner. They said that they had “created a petition for fair treatment of women at the lakefront” and asked for a meeting to discuss it. The women did not, however, attach the petition to the email. The organizers further said, “Absolutely no names were mentioned in our document—we are not pinning the blame on any one person.” This turned out not to be entirely accurate because the petition did seek the termination of at least Individual A. But the petition organizers’ broader point was that the petition was about an issue bigger than a few bad actors. It was about culture.

The petition organizers also asked that a Human Resources representative be present at the meeting. Doerner reached out to Casey Solomon, HR Specialist. Solomon informed his superior—Jennifer Lin, HR Division Manager—about the petition organizers’ email. From the beginning, Lin appeared skeptical of the petition. Solomon sent Lin the text of the organizers’ email via instant message, and Lin responded that she did not “want this to be some sort of concern that is based on stuff from last year, which hasn’t surfaced this year.” Lin went on to remark that “these millennials hold onto things.”

### **a. Meetings**

City officials first met with the petition organizers on July 15, 2020. Doerner, Abajian, and Solomon were the only officials in attendance, and all four petition organizers were present. It was at this first meeting that the officials received copies of the petition—the organizers handed them printed hard copies.

The organizers read the petition’s opening statement out loud and invited the City officials to review the rest. Because of its length, the officials skimmed it quickly during the meeting and retained copies to review in greater detail later. The organizers emphasized that they had promised confidentiality and anonymity to the people who shared stories in the petition and had removed any identifying information from the list of anecdotes. The organizers further stated they were not seeking to have particular individuals disciplined or fired but rather wanted to change the culture at the lakefront going forward. Solomon told the organizers that he would encourage the people who experienced these things to come forward so the allegations could be fully investigated.

The meeting ended with the parties agreeing that further meetings were necessary to discuss the matters raised in the petition. The proposed purpose of the subsequent meetings was to focus on “solutions” to the issues that had been raised in the petition and the meeting. Solomon also told the organizers that he would need to

elevate the matter to more senior personnel including Lawrence Hemingway, the Director of PRCS. The petition organizers bristled at that suggestion. They were concerned that Hemingway would not be a productive addition to their discussion because he was the subject of his own sexual harassment complaints.

The second meeting was supposed to happen on July 29, 2020. But the City started to take action before then. On July 23, Solomon had briefed Lin about the first meeting and given her a copy of the petition. Lin was alarmed, and she became involved from that point forward, though Solomon continued to attend meetings with the organizers along with Lin. Doerner also brought Karen Hawk, Assistant Director of PRCS, into the loop. Lin discussed the petition at length with Hawk and Hemingway, and in a separate meeting discussed possible solutions with Hawk, Doerner, Abajian, and Solomon. Among them was the imposition of random drug testing. This was based on the petition's anecdotes involving drug and alcohol use at after-hours parties. The City scheduled a mandatory meeting with ALCs and lakefront supervisors on July 27 to discuss sexual harassment training, changes to the use of physical training, and the possibility of drug testing. This last suggestion in particular was met with great resistance from the lakefront staff.

On July 28, the petition organizers emailed Lin, Hawk, Doerner, Abajian, and Solomon to say that the second meeting was off. The email was authored by one organizer, but all four names were signed to the end. And its content was focused on the meeting that City officials had with lakefront staff the night before, which some petition organizers had attended. The authoring organizer described feeling "disrespected, unheard, and offended" after the meeting and dismissed the proposed solutions as "band aid[s]" that would not stop sexual harassment and assault. The email asked that the organizers' second meeting with the City be rescheduled and that the City "reflect on [its] actions."

Lin responded to the petition organizers' email the following day. She assured them that "the City is committed to hearing you, protecting you, and ensuring your safety and well-being," but also stated that "[e]liminating sexual harassment in the workplace is a two-way street" and "combined effort of the employer and the employees." Lin pointed to the organizers' reference to sexual assault in their email and said that if employees were "sexually assaulted (i.e., sexually penetrated or raped)" then "this needs to be addressed immediately."

In reply, the organizers emphasized that they were "not asking for formal investigations" because "[the petition] [was] about creating lasting change, and investigations into a few individuals [would] not accomplish that." They also took offense to Lin's parenthetical description of sexual assault, saying that "[p]enetration and rape are forms of sexual assault, but the term encompasses more than just that."

Despite these contentious emails, a second meeting was eventually held on July 31. Two others took place in August 2020 and February 2021. Present at these

meetings were Lin, Hawk, Doerner, Abajian, and Solomon, as well as the four petition organizers. Individual H, an ALC, joined the August 2020 meeting. One dynamic in the meetings was a push and pull between the petition organizers and City officials in which the City sought details about who was perpetrating the sexual misconduct. The petition organizers resisted providing this information for the reasons already explained at length—they did not generally view their objective as focused on specific individuals but rather one of systemic change. They also did not view it as their responsibility to do the City’s investigative work for it. The organizers wanted the City to take action to address the issues raised in the petition.

### **b. Other Complaints**

The petition was not the only written complaint the City received in Summer 2020 about conditions at the lakefront.

On July 30, one of the petition organizers and Individual H (a male ALC), sent interim City Manager Erika Storlie an email with the subject line “Demands from the Evanston Lakefront Staff.” The email did not explicitly mention sexual misconduct and focused instead on support and safety measures related to COVID-19. It attached a document entitled “Lakefront Staff Demands.” Unlike the petition, this list of demands was not centered on sexual misconduct, though sexual misconduct was mentioned. The demands touched on topics including COVID-19 measures, pay, safety issues, anti-bias and anti-harassment training, rejection of drug testing, and “[a] system to protect employees from sexual harassment.” The preamble also mentioned that no “tangible action [had] taken place to remedy issues regarding sexual harassment in the workplace.” Storlie forwarded the email and attachment to Hemingway, Lin, and Solomon. Hemingway then forwarded it to Hawk.

On August 10, a former lakefront employee emailed Storlie, Hagerty and Abajian about “lakefront grievances.” She wrote that she was “concerned at [their] lack of action surrounding the current petition that is in circulation,” and suggested that the City should consider a “formal acknowledgement of the sexual misconduct.” Storlie and Abajian forwarded that email to Lin, who suggested they respond by saying that Human Resources was handling it. Storlie responded to the email saying she was “unaware of the petition [the email sender was] referring to,” but assured her that the City was “taking this extremely seriously and [would] continue to take all necessary action going forward.” For her part, Lin forwarded the email to the petition organizers and Individual H, asking that they “reach out to [the email’s sender] to give her an update of the City’s efforts to address the issues in the petition.” Lin also asked the petition organizers to tell the sender that she was welcome to report misconduct to HR.” and said the organizers should “give her the reporting options.”

### c. City Officials' Knowledge in Summer 2020

Before we turn to describing what the City did in response to the petition, we clarify who knew what about the petition during Summer 2020. A central question in this investigation is who knew about the petition before the media made it public in Summer 2021. The general answer is that while some high-level officials knew a vague outline of the petition's complaints, only a small handful of City staff—those who attended the meetings we just described—had a copy of the petition and knew the full extent of the allegations it contained. It was this latter group, with Lin at the helm, that led the City's response.

#### *Lawrence Hemingway, PCRS Director*

Shortly after receiving the petition on July 23, Lin met with Hemingway and Hawk to discuss how to proceed. Hawk also received a copy of the petition. According to Hawk, she also showed the petition to Hemingway, though Hemingway did not recall ever seeing the petition. Hemingway, who had himself been the subject of a prior sexual harassment claim, felt it best that he not be involved. (We examine prior complaints against Hemingway below, beginning on Page 61.) Therefore, he “recused” himself from the investigation and delegated Hawk as the primary PCRS representative for future meetings. In reality, Hemingway's “recusal” was in form, not substance. He did not meet with the petition organizers—a responsibility that any other Department head might have assumed in these circumstances. Nevertheless, Hemingway insisted that Hawk and Lin keep him in the loop going forward and Hemingway involved himself with the decisions made by the City to address issues raised by the petition organizers in 2020.

#### *Kelley Gandurski, then Corporation Counsel*

Lin told investigators that she did not share the petition with the Law Department. Kelley Gandurski, who was then the Corporation Counsel, told investigators that Lin contacted her to inquire about the feasibility and legal implications of conducting random drug testing on lakefront employees. Gandurski advised that such testing would be appropriate and consistent with City policies, but she did not hear anything further about it. Gandurski did not receive any information about the petition or its contents in the summer of 2020 other than the drug testing inquiry from Lin. Nor did we find any evidence that Hemingway shared a copy of the petition with Gandurski at any point.

#### *Erika Storlie, then City Manager*

In an email response to Solomon when he sent her the petition, Lin said she believed it was time to get the City Manager's Office and Corporation Counsel involved. Lin did not tell the Director of Administrative Services, Luke Stowe, about the petition, but instead went straight to Storlie about the complaints raised by the petition organizers. Lin did not, however, provide Storlie with a copy of the petition

itself. Storlie confirmed that she never received a copy of the petition. According to Storlie, Lin told her that the petition organizers had raised complaints about COVID protocols and patron behavior at the beach, and also raised concerns about sexual harassment, but refused to identify any perpetrators or details about specific incidents. For that reason, Lin told Storlie, the City's response was focused on implementing changes going forward, such as sexual harassment training.

Shortly after hearing from Lin about the organizers' concerns, Storlie received the "list of demands" email from one of the petition organizers and Individual H. The contents of the list of demands included the need for COVID protocols, increased park ranger presence, and sexual harassment training and reporting. The list of demands did not reference the petition itself, nor did it include any of the anecdotes of mistreatment and sexual harassment by supervisors that comprised the bulk of the petition.

Recall that Storlie also received an email from a former lakefront employee about the "petition that is in circulation." Storlie said the reference to a "petition" did not strike her as something unusual or requiring further inquiry, because petitions of all sorts were common in Evanston. Storlie told investigators that she was unaware until 2021 that there were two separate documents—the list of demands, which she received via email in 2020, and the petition itself, which she did not learn was a separate and more extensive document until after the WBEZ story broke.

Storlie was kept apprised by Lin as City personnel continued to meet with the petition organizers through the summer of 2020. Solomon recalled that while driving with Lin back to the Civic Center after one meeting with the organizers, Lin called Storlie to detail the meeting and discuss next steps. But the investigation found no evidence that Storlie ever received a copy of the actual petition, which was confirmed by Lin, who said she never shared the petition with Storlie. Lin did not provide an explanation for why she did not share the petition with Storlie. Nor did we find any evidence that Hemingway shared a copy of the petition with the City Manager or her deputies at any point.

*Steve Hagerty, then Mayor*

Mayor Steve Hagerty was made aware of issues at the lakefront in Summer 2020, though accounts of how vary. According to Hagerty, on or around August 2, 2020, he heard from a parent of a lakefront employee indicating that her child and other lakefront employees were planning a walkout. Through that parent, Hagerty was put in touch by phone with one of the petition organizers, who told him there was concern about a lack of protections for young female lakefront workers, including frequent "inappropriate comments." Hagerty said the "inappropriate" comments that were described did not include anything criminal. The organizer told Hagerty, in an apparent reference to Individual B, that another lakefront employee had made a complaint the previous summer about a supervisor who had an inappropriate

relationship with a young lakefront employee; the “man in question” was back at the beach the summer of 2020, which was uncomfortable. The organizer also told Hagerty about concerns around COVID precautions to protect lakefront staff. The organizer told Hagerty that lakefront staff had been in conversations with Human Resources, and that among their requests was the assignment of a dedicated Human Resources representative to the beach.

According to Hagerty, he communicated a summary of this call to Storlie, saying it needed investigation. Storlie responded that she was aware of the issues, and that the City had immediately begun an investigation into the concerns upon learning of them, and the investigation and response were ongoing.

Hagerty had also received the August 10 email from a former lakefront employee which made reference to the “petition,” and the culture of harassment and trauma at the lakefront. He, like Storlie, assumed that like so many things in Evanston there was some petition circling around, but he had not seen it. Knowing that Storlie was already looking into the issues, Hagerty forwarded the email to Storlie. Storlie responded to the individual who sent the email, saying that she was unaware of the petition but that the city was aware of concerns regarding the lakefront and was taking steps to address those concerns.

Storlie’s account differed somewhat. According to Storlie, she made Hagerty aware of the concerns about the lakefront during one of their weekly one-on-one meetings in the summer of 2020 after learning of it from Lin. Hagerty indicated that he wished to be kept apprised of further developments, which Storlie did during their regular meetings.

Hagerty asked Storlie to update him on the lakefront issues at their weekly meeting on September 14; at that meeting, Storlie told him that City staff had met with the lifeguards and found “bad judgment but nothing criminal;” she further told him that the City was beefing up sexual harassment training at the beaches.

By all accounts, no one shared a copy of the petition with Hagerty. When Hagerty was shown a copy of the petition during our interview of him, he indicated that it was the first time he had seen it. After reviewing its contents, Hagerty said he was “very concerned about what was happening at the lakefront,” and this was the first he learned about allegations of criminal activity including sexual assault. Hagerty stated that the petition and the allegations it contained would have rated as one of the most serious issues he encountered during his time as mayor, and he believes he should have been informed about them. He stated that it was a failure of judgment at the director level for it not to have been elevated to the City Manager and Law Department. Hagerty further stated that had he been made aware of the petition and its contents, he would have discussed it in an executive session of the City Council.



## *City Council*

Though Storlie and Hagerty discussed the lakefront amongst themselves several times, the lakefront concerns were not brought to the City Council in 2020.

### **3. The City's Response to the Petition**

#### **a. What the City Did**

##### *Instituted Sexual Harassment Training*

Among the concerns raised by the petition organizers was a lack of sexual harassment training for seasonal lakefront staff. According to one long-time lakefront staffer, such training had routinely been provided to lakefront staff in prior years as part of the City's seasonal employee training, but unbeknownst to Human Resources that training had not occurred for lakefront staff in the few years leading up to and including 2020.

The same day that Lin received the petition and Solomon's summary of the first meeting with the petition organizers, she reached out to a consultant the City had previously used about the need for sexual harassment training for lakefront staff. In her email to the consultant, Lin stated: "[W]e've just learned about some allegations of rampant sexual activity taking place among beach staff, including sexual relationships/activity between older supervisors and minor staff (15 and 16 year olds). YIKES." The consultant responded asking if the training should mention statutory rape, and Lin responded that it should, and also "the supervisor relationship dilemmas and the minor children relationship dilemmas."

Before City staff had their second meeting with organizers, they had already scheduled this new sexual harassment training. The training, which was mandatory for lakefront employees, was provided on August 5 and 6, 2020 via Zoom. One petition organizer emailed Lin afterward to say she thought the training was productive and that she was already seeing positive changes at the lakefront.

The City re-engaged the consultant who did the 2020 training to prepare a similar training for 2021. This training was met with mixed reception—several witnesses told investigators that it was basically identical to the previous year's training, when they had been hoping to build on and deepen that training. Indeed, while the 2020 training consisted of a live presentation over Zoom (which allowed for some interaction with the trainer), the 2021 presentation was a video recording. Witnesses described it as a video of the same training from 2020; the documentary evidence suggests it was a newly-recorded training for 2021 containing similar content as 2020. A few witnesses stated that using the same consultant and materials demonstrated a lack of care on the City's part. Lin, for her part, noted that every year there are new employees at the lakefront and emphasized the need for a consistent

baseline understanding of these issues, which was why they used the same consultant and materials.

### *Denounced the Use of Physical Training as Discipline*

In the meeting with lakefront supervisors held on July 27, prior to the second meeting with petition organizers, Doerner and Abajian told supervisors that physical training should not be used as discipline. This announcement was made in response to several of the anecdotes shared in the petition which involved inappropriate use of physical training as a tool for power games and abuse. For example, the petition contained a story of a supervisor punishing a female lifeguard with “loads of PT” if she didn’t answer personal questions while he stood in the lifeguard chair with her, and another story of a supervisor making a rookie lifeguard do solo physical training while yelling “you aren’t shit here” and “I own you” at her and making her perform pushups at his feet.

The reaction to the prospect of eliminating physical training as discipline was mixed. Doerner recalled that the petition organizers were angry about that change, which they said missed the point of what they were trying to achieve. Doerner was taken aback by that reaction; to him, the petition clearly described many instances of the practice being abused, and he wondered how the City could possibly achieve the “culture change” the organizers were seeking if they could not do something as basic as eliminating abuse of physical training.

It is possible that this reaction was attributable to confusion after the July 27 meeting about whether physical training was being eliminated altogether, or just discouraged when used as “punishment.” Many witnesses observed that lifeguarding is a physical job that requires strength and fitness, and supported the use of physical training to keep lifeguards fit to perform their jobs safely. And the email the petition organizers sent after the July 27 meeting that was critical of the City’s proposals refers to the suggestion of “eliminating PT,” not eliminating it as *punishment*.

Several people also told investigators that in some cases they viewed physical training as appropriate for discipline. For example, directing guards to perform pushups or run around the beach if they were tardy to work or late relieving someone from the lifeguard chair was seen by many as an effective way of ensuring timeliness of lakefront staff. But several witnesses also acknowledged that abuse of PT by supervisors has been a problem and it was appropriate to discontinue it, as punishment.

It is not clear that physical training as discipline was actually eliminated after the July 27, 2020 meeting. Several witnesses described its continued use throughout the 2020 season. Witnesses did indicate less use of physical training as discipline in the 2021 season, particularly for infractions like tardiness. Several noted that they

also noticed a decrease in lifeguard diligence and attention to things like timeliness since that change.

*Appointed a Lakefront-Human Resources Liaison*

Among the concerns raised by the petition organizers in the initial meeting with City personnel was a lack of understanding about whether and how they could report misconduct or other issues at the lakefront. This was echoed in our interviews with witnesses—since in many cases it was the supervisors themselves who perpetrated the improper behavior, it was unclear where employees could turn. Included in the “list of demands” provided to Storlie on July 30 was a demand that there be a dedicated Human Resources liaison assigned to the beach, to spend time in the beach office and build rapport with lifeguards. This suggestion was also raised during the organizers’ meetings with City personnel.

After internal discussion, Lin suggested Erika Doroghazi, an administrative employee in PRCS, to serve as HR liaison for the lakefront. Hawk observed that Doroghazi, while a likeable and approachable young woman, was not a Human Resources professional, and suggested that the organizers might prefer an actual HR Division representative as the designated liaison. Lin determined, however, that it should be Doroghazi, and Doroghazi assumed the role of lakefront liaison mid-Summer 2020.

According to Doroghazi, she visited the lakefront at least once per week after being assigned that task in 2020, and again once a week throughout Summer 2021. In that time, Doroghazi only received one complaint, in which a female employee said Individual B engaged in inappropriate conduct towards her at a party. Several witnesses told investigators that they did not believe the City had honored the request for a designated HR liaison in 2021 because they never saw Doroghazi there. Doroghazi stated that she diligently went once per week, but as she was usually in the Dempster Beach office during midday hours, she did not run into very many people.

*Declined to Rehire Individual B*

In 2019, Individual B had been the subject of an allegation [REDACTED]. Though a brief investigation by Doerner of that incident in 2019 did not lead to any discipline, Individual B’s return to the lakefront in 2020 was a clear flashpoint for the petition organizers. In 2020, Doroghazi received another complaint about inappropriate behavior from Individual B. [REDACTED]

[REDACTED] Doroghazi disclosed this allegation to Lin, who concluded that because there had now been several specific allegations regarding

Individual B, there was a basis to not rehire Individual B going forward. When Individual B presented himself for rehire at the lakefront in 2021, he was told that he would not be hired that year, and he did not work at the lakefront in 2021.

*Created an Additional Full-Time Lakefront Position*

For the first time in the 2021 season, the City hired a second full-time employee to serve as Abajian’s second-in-command. Individual H, who had been one of the allies of the petition organizers and who had also worked at the lakefront for many years, was elevated to the newly-created position of Assistant Lakefront Coordinator. According to City personnel, the decision to create this role was a practical one:

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██████████ in light of that, and everything that had happened in the previous year, a second senior presence at the lakefront was needed. This position was approved as a full-time position; however, when the job was offered to Individual H he was offered a contract through the end of calendar year 2021.

**b. What the City Did Not Do**

*Conduct an Investigation*

The petition presented by the organizers contained 45 anecdotes and stories about misconduct by lakefront personnel. This included conduct both on-time and on-premises, and conduct after-hours at off-premises parties.

City personnel met with the petition organizers throughout 2020 to talk about forward-looking changes, but by all accounts did not undertake any investigation of the allegations in the petition, either specifically or generally. For example, the City did not interview any lakefront employees, did not talk to supervisors, did not reach out to petition signatories, and did not perform any backward-looking review of training, hiring, or operations.

The City officials interviewed as part of this investigation, including Lin, Solomon, Hawk, Doerner, and Abajian, identified several reasons why they felt an investigation was inappropriate or impossible.

- Request of the Petition Organizers. Solomon, Lin, Doerner, and Hawk each characterized the decision not to pursue an investigation as an attempt to respect the expressed wishes of the petition organizers. The petition organizers told City officials in their first meeting they had promised confidentiality and anonymity to the women who participated in the petition by sharing stories or anecdotes, and all described the organizers as being very concerned about maintaining that confidentiality. In her email to organizers about scheduling a follow-up meeting,

when Lin made a passing reference to investigation, the organizers responded saying, among other things, that they had stated “repeatedly” that they weren’t seeking to have individual people investigated or disciplined, but rather to focus on changing the culture at the lakefront.

- Lack of Specificity to Allegations. Relatedly, Lin, Solomon, and Hawk all expressed to investigators their view that unless individual people came forward to say “person A did thing X to me on date Y,” there was nothing to do to investigate the allegations of past conduct. Abajian expressed a similar concern, saying when he first saw the petition he thought that they had not “gone about it the right way,” and that he had hoped the organizers would encourage people to share specifics, not anonymous stories like were included in the petition. Throughout their meetings with the petition organizers, and in emails, City personnel continued to encourage individuals who had experienced harm to come forward with specifics, but absent such information, took the position that no investigation could take place.
- “Off Campus” Nature of Allegations. Lin told investigators that most of the allegations in the petition involved incidents that occurred after hours, not on City property, primarily at parties. Lin said that she was concerned about drinking and drug use referenced at those parties, but asserted that the City lacked “jurisdiction” over conduct that occurred outside of work and off City property, and therefore there was no basis to investigate those allegations. Lin stated several times that she encouraged the petition organizers to urge anyone who had been the victim of a crime to report it to the police, but felt that the “off-campus” allegations were beyond her authority to review.
- Normal “Beach Culture”. Though not expressly cited as a reason there was no investigation, in several interviews City witnesses suggested or implied that the culture of parties, drinking, and drugs was not necessarily unique to Evanston, and might be common among beach and lifeguard staffs everywhere. In her interview with investigators, and in some of her contemporaneous emails, Lin noted that some of the young women complaining about the behavior they experienced had themselves “behaved badly.” Though none said it directly, the implication was that though they were now complaining about it, the petition signatories may have themselves been willing participants in the culture they were now complaining about.

In speaking with investigators in 2021, several employees, including Hemingway, Hawk, and Solomon, stated that in retrospect an investigation should have taken place. But all stated that based on some combination of the reasons identified above, they did not feel like an investigation in 2020 was feasible or advisable.

#### *Terminate or Discipline Individual A*

As discussed above, after Erika Doroghazi received an allegation regarding Individual B in the summer of 2020, Lin directed that he not be rehired in 2021.

Other than that, however, no hiring or discipline actions were taken against any lakefront employee in the wake of the petition and the list of demands. In particular, no action was taken against Individual A, whose termination was specifically requested in the petition as it was shared with City personnel in July 2020.

Here again, Lin, Solomon, and Hawk all told investigators that in their meetings and correspondence, the petition organizers were emphatic that they were not seeking discipline against particular individuals, but were focused on addressing the culture at the lakefront. Hawk characterized the allegations in the petition as “hearsay,” and stated that without specific names, dates, and identified victims, it would have been inappropriate to impose any discipline or decline to rehire anyone from the lakefront.

The City officials acknowledged that the petition itself stated that it was requesting that the City “terminate the employment of Individual A.” But Lin stated that absent any specific allegations regarding Individual A from any witness or victim willing to come forward, there was nothing they could do with respect to that individual. Individual A was hired back in Summer 2021; several witnesses told investigators that his conduct was also among the precipitating factors that led to the creation of the petition.

#### *Drug Test Lakefront Staff*

The petition included a few stories of assault and/or harassment involving alcohol and/or drugs during off-site after-hours beach parties. According to Lin, she became immediately concerned upon reading the petition that there were lakefront employees using alcohol and drugs in the evening in ways that could potentially impact the safety of the beaches. Like all City employees, lifeguards are drug tested upon hire; but no ongoing drug testing program exists for lakefront employees throughout the season. Accordingly, Lin asked then-Corporation Counsel Kelly Gandurski if the City had the authority to conduct random drug testing of lakefront employees. Gandurski replied that based on a City policy that applies to “safety sensitive” positions, which included lifeguards, such testing would be permitted.

At the supervisors meeting held on July 27, 2020, Doerner and Abajian mentioned the possibility that the lakefront would implement random drug testing. The response was immediate and very negative. The next day the petition organizers canceled their scheduled follow-up meeting with City personnel, citing in part the proposal for random drug testing. The “list of demands” sent to Storlie on July 30 also stated that the lakefront staff would not participate in random drug testing, and that if the City moved forward with that proposal, the lakefront staff would stage a walkout. Several City witnesses told investigators that they believe this response came in part from a belief that many lakefront employees might not pass a drug test if one was administered to them mid-season.

Lin, Doerner, Solomon, Hawk, and Hemingway all recalled the incredibly negative reaction to the suggestion of random drug testing, and all recalled that the proposal was quickly abandoned. On July 31, the day of the second meeting with the petition organizers, Doerner sent an email informing lakefront supervisors that the City would not proceed with random drug testing. But we heard wildly varied accounts of how that decision was made. According to Lin, the final decision was made by Hemingway, who believed that conducting random drug testing would be akin to “punishing” the victims who had come forward with the petition. Hawk recalled that it was Lin’s decision, driven by Lin’s concern that the organizers and lakefront staff would stop working with the City. Hemingway recalled discussing the possibility of random drug testing with Hawk and Doerner, who expressed concern that the plan might leave them with a significantly depleted lifeguard pool, but Hemingway stated he was not involved in the final decision, and did not know whose decision it was. Gandurski recalled being asked by Lin whether the City could implement the random drug testing and saying not only that they could, but that they should. According to Gandurski, she did not learn until 2021 that a decision had been made not to proceed with the drug testing, and she was frustrated that it had not been done.

### *Outsource Lakefront Operations*

In the wake of the petition and its allegations about supervisor misbehavior, several people, including Hawk, considered whether the City should consider outsourcing the operation of the lakefront, and lifeguarding services in particular. Some City personnel, notably including Hemingway and Abajian, told investigators that they did not think this was a good idea, and they preferred to keep control over the operation no matter the challenges. Hemingway observed that outsourcing the operation would not eliminate the City’s responsibility for it, it would just change from running the operation to supervising a vendor, and it would still fall at the City’s feet if anything went wrong. In mid-September, 2020, Hawk reached out to a Florida-based company to inquire about the possibility of contracting for lifeguarding services. In late September, after meeting with City personnel to discuss what they would be looking for, the company indicated it would not be submitting a proposal based on “the scope of work involved.” Hawk forwarded that response to Hemingway and Doerner, and the City did not pursue the idea further.

#### **4. Renewed Attention to the Petition in Summer 2021**

The petition organizers were skeptical but cautiously optimistic that conditions would improve in Summer 2021. Most did not return to work at the lakefront that summer, but one who did kept the others informed. The news was disappointing to them. To start, the petition organizers felt the City was not living up the spirit of its promises. The sexual harassment training in Summer 2021 was not the live session with a Q&A opportunity but rather a pre-recorded video. And the petition organizers had heard that the lakefront staff did not often see Doroghazi, the HR liaison, at the beach. Most concerning was the fact that Individual A—who the petition had identified by name and requested be terminated—had been rehired as one of the top supervisors at the lakefront.

This upset the petition organizers. They had considered going to the press in Summer 2020 but decided against it to give the City an opportunity to correct the conditions. But when Summer 2021 began with what the petition organizers saw as continued unacceptable practices, at least one woman felt it was time to go outside the City. WBEZ Chicago’s Dan Mihalopoulos—who had also covered allegations of misconduct on Chicago’s lakefront—took on the story.

##### **a. Mayor Biss’s Awareness of the Allegations**

Mayor Biss, who had taken office after the 2020 beach season, learned of the petition shortly before WBEZ came to his door. On or around June 19, 2021, Mayor Biss received outreach from a resident indicating that Evanston had a lifeguard problem similar to that experienced by Chicago that was currently in the news. The resident put Biss in touch with one of the petition organizers by phone, who recounted to him the events of the previous summer, and told him that she had left meetings with the City about response to the petition in tears. The organizer also provided Biss with a copy of the petition—this was the second iteration described above that included additional signatories, an extra anecdote, and the second name of someone who should be terminated.

Biss asked City staff—including Storlie, Lin, and Hemingway—about the petition. Lin told him that they had handled the situation the previous year and made changes based on the petition organizers’ requests. She noted that one of the organizers continued to be employed at the beach, as did Individual H, and they had reported that things were much improved. Lin suggested Biss talk to them; Biss said he’d be happy to if they were willing. Biss was not connected to those individuals prior to learning about the WBEZ story.

##### **b. WBEZ Article**

On July 14, 2021, Biss received an interview request from Mihalopoulos, who stated that he was working on a story about sexual misconduct allegations made by Evanston lifeguards. The reporter indicated that he had seen the petition and had



learned through interviews that the City was informed about the allegations but no substantive action had been taken against the perpetrators, and the young women who brought the concerns forward had instead been pressured to identify individuals who had made anonymous complaints.

Biss forwarded the interview request to Storlie and Patrick Deignan, the City's Communications Director, and requested that an executive session of the City Council be convened to discuss the matter. Storlie strongly disagreed that a special executive session should be called, telling investigators that she thought doing so would only draw more attention to the matter, and that could wait a few days for the next regularly scheduled council meeting. Biss disagreed, and insisted an executive session be called for the soonest possible date to accommodate required notice provisions.

That same day, July 14, Storlie forwarded the "list of demands" email she had received the prior summer to the City Council, stating that WBEZ had contacted the City and said they would be publishing a story about it. Storlie told the Council that they were working on a response to WBEZ and a memo to brief the Council. At Storlie's request, Lin began preparing a memo summarizing the City's response from the previous year. That memo was reviewed and contributed to by Gandurski, Deignan, Cummings, Hawk, Solomon, and Lin. The memo, dated July 15, 2021, was then provided to the City Council.

On Friday July 16, WBEZ published an article entitled "Female Lifeguards, Beach Workers Allege Rape and Sexual Harassment in Evanston." That same day, shortly after the article was published online, Individual A resigned his position as an ALC.

The following day, Saturday July 17, the City Council held an executive session to discuss the petition and the response. During that meeting, the Council authorized the engagement of an outside firm to conduct an independent investigation into the concerns raised about the lakefront, and the City's response.

In discussing the City's response to the WBEZ story and the special executive session, a clear tension emerged between City staff and City Council. Several City employees felt that City Council consistently failed to acknowledge and recognize the hard work of career City employees, who felt chronically overworked and overburdened. City personnel described significant demands placed on staff by City Council members, such as calling them directly with constituent requests and requiring their attendance at long Council or constituent meetings. The City staff we spoke to said they were willing to do these things, but found it highly demoralizing that the City Council did not seem to recognize or respect that effort, and several stated that it seemed Council members were happy to throw City employees under the bus if things went wrong. Put simply, the City staff we talked to consistently expressed a view that the City Council does not have their back.

The response to the petition in 2020 appears to have been influenced by this dynamic. Storlie said because she did not have the petition, she did not think the situation was serious enough to *require* her to bring it to Council, and absent that, she was not eager to do so because she saw significant downside risk with very little upside. This tension was also front of mind for City staff when it came to addressing the City Council about the WBEZ story and the lakefront concerns in 2021. These personnel felt the attention from the City Council and Mayor Biss was driven not only by a concern about what had happened at the lakefront, but a desire to score political points or get rid of City personnel they disliked for reasons unrelated to the lakefront. Storlie said her resistance to the special executive session in 2021 was informed by this dynamic. She told investigators that there had been repeated past instances where members of the City Council leaked information from executive sessions to the press for their own ends, and she was concerned that calling a special executive session was likely to result in the same outcome, for reasons that had nothing to do with a sincere desire to improve the lakefront situation.

### **c. Personnel Actions**

According to Storlie, it was during or shortly before the special City Council meeting that she first learned that there existed a petition that was different from the “list of demands” that had been emailed to her the previous summer. The next work day, Monday July 19, Storlie placed Lin on administrative leave. Storlie emailed the City Council to notify them of the leave and stated that the action was being taken because Lin had never provided Storlie with the petition back in 2020. To the email, Storlie attached a redacted version of the petition. The version sent to City Council redacted the signatory names, and the name of Individual A.

In the days following the WBEZ story, a male lakefront employee, Individual C, reached out to Abajian and said he was fostering a harmful work environment and needed to “get [his] house in order.” Individual C also contacted Abajian, Doerner, Individual H, and beach supervisors and said the beaches should be closed because the City had failed to address the issues in the petition. Individual C further said that it was a problem that the City was apparently asking the petition organizers and those harmed by the beach culture to be the ones to come up with solutions.

Abajian and Lin met with Individual C. During the meeting, Individual C made allegations of improper conduct against multiple supervisors—Individual A, as well as Individuals D, E, F, and H. A few days later a different lakefront employee came forward with an allegation that Individual H was having a relationship with a subordinate. Individuals D, E, F, and H were all placed on administrative leave.

A few weeks later, the City received a complaint about conduct of another supervisor, Individual G. By that point, Lin was on administrative leave, and the decision about what to do fell to Gandurski. Human Resources and PRCS suggested Individual G be put on leave like the other supervisors, but Gandurski felt there was

no need to put him on leave because he was an at-will employee, and directed he be terminated effective immediately.

The departure of Individuals A, D, E, F, G, and H dramatically decreased the number of available supervisors and ACLs to manage the lakefront. Accordingly, several beach managers, including several female managers, were hastily elevated into supervisor roles for the remainder of the summer.

We note that there were inconsistencies in the City's personnel actions with respect to lakefront complaints. When PRCS received complaints about several ALCs in the wake of the WBEZ story, it opted to put those men on administrative leave, where they rode out the remainder of the season on paid leave. Shortly after that, a complaint was made about Individual G, and he was summarily fired. We do not opine on which was the correct approach, but we found it notable that with similar fact patterns, the City's decision-making seemed to be driven largely by the accident of who was presented with the question (Lin and Cummings in the case of the group of ALCs, Gandurski in the case of Individual G.)

Further, that decision-making was markedly different—and much more severe—than actions the City had taken in earlier years when it received serious complaints about supervisors at the lakefront, including Individuals A and B. When previous complaints had been raised about Individuals A and B prior to the petition in 2020, no action had been taken beyond a conversation where PRCS employees urged them to “knock it off,” and each individual was subsequently hired back. Lin attributed that to the “informal” nature of the complaints and said there was nothing the City could do without a statement from a victim about on-site misconduct; by 2021 apparently those were no longer barriers to personnel action. In 2019 and 2020, no one in Human Resources appeared to consider that the City could simply decide not to hire the two individuals back as seasonal, at-will employees the following summer (despite doing just that in the run up to the 2021 season with respect to Individual B).

#### **d. Lakefront Supervisor Meeting**

On or around July 21, 2021, Hemingway hosted a meeting via Zoom for all supervisors, managers, and ALCs at the beach. The meeting was attended by Solomon, Doerner, Hawk, and Abajian, as well as deputy City Manager Kimberly Richardson and Director of Administrative Services Luke Stowe. Solomon said that this meeting had been in the works before Lin was put on administrative leave, but by the time it took place she was on leave so Solomon attended in her place. According to Hemingway and Solomon, the purpose of the meeting was to inform the supervisors about the engagement of an outside firm to investigate the lakefront concerns, and to encourage their participation and cooperation in the investigation.

The meeting did not go well. The attendees had several complaints about the meeting, including:

- The invitees did not include all lifeguards, only supervisors and above;
- They asked if the meeting could be recorded and were told it could not, which they found suspicious;
- Hemingway and other City personnel would not answer questions about the petition and lakefront concerns and what the City planned to do about it.

Hemingway, Doerner, and Solomon all described the meeting as difficult. Solomon characterized the reactions of many in the meeting as “visceral,” with a lot of finger-pointing. Hemingway encouraged any individuals who had personal experiences to share them with investigators or with Doroghazi, the lakefront HR liaison.

#### **B. The City made missteps in responding to the petition.**

As part of our investigation, we were asked to evaluate not only who knew what when, but whether any part of the City’s response to the petition was inadequate or should have been handled differently. We found that there was significant failure to fully consider the gravity of the petition’s allegations and respond accordingly.

##### **1. The City should have investigated the petition immediately upon receipt.**

In July 2020, the petition organizers brought PRCS and Human Resources a bombshell. The petition includes dozens of stories of young women being mistreated both on and off the beach by male supervisors. Everyone who read the petition has described it in similar terms: horrifying, disturbing, upsetting.

And yet, when the City responded to the petition, it did not undertake to investigate the allegations it contained in any way. The Human Resources and PRCS staff cited several reasons for that, chiefly (1) that the organizers stated that they did not want an investigation or discipline of individuals, (2) the allegations involved mostly off-site and after-hours activities, and (3) the allegations were anonymous, so there was nothing they could do to investigate. We are not persuaded by any of these rationales.

**a. The organizers' request for no investigation was not binding on the City.**

First, we address the petition organizers' expressed preference that the City not conduct an investigation or impose discipline. We found evidence that the organizers did repeatedly tell PRCS and Human Resources personnel, including in writing, that they did not want investigation of individual allegations, because they were not seeking discipline against individual employees, but rather to change the culture going forward. And according to City personnel, because the organizers said they did not want a formal investigation, the City could not undertake one.

We find this puzzling for several reasons. First, City personnel seemed to take as a given that the organizers were speaking on behalf of all of the signatories of the petition. But in fact, the petition itself contradicts that. The petition provided to PRCS and Human Resources in 2020 included among its demands that the City terminate the employment of Individual A, suggesting that whatever the four organizers may have said in their meetings, at least some people involved in the petition's drafting *did* believe there should be consequences for specific individuals. In his interviews with investigators, Solomon acknowledged that it may have been an error to assume that the four organizers spoke for all the signatories, and that error may have contributed to the blowup the following summer when the story went to the press.

Further, at least one of the organizers with whom we talked had a more nuanced view than the one City personnel heard. That organizer expressed the concern to us that if the City simply focused on investigating and punishing particular individuals, such an approach would not address the pervasive, deep seated abuses identified by the petition. To the organizer with whom we talked, the petition organizers were not necessarily trying to avoid an investigation like the one SPPP was now conducting, but they did want to give the City an opportunity to do the right thing. Nor did the petition organizers want to prevent the City from looking into the facts of what was occurring at the lakefront. In fact, given that Individual A was named in the petition, the organizer assumed that the City would look into it. The only thing they truly wanted to avoid was criminal investigations.

The organizers were frustrated that City personnel kept asking for specific names and allegations. The petition organizers did not feel it was their place to share stories and details that were not theirs. The organizers had made a promise of confidentiality to the petition contributors. And, again, the focus was on creating cultural change. Reflecting now, the organizer did not know whether their reluctance to request investigations was the right thing to do, but she felt strongly that the issue of investigations was not their call, it was the City's. The organizers were simply a group of young women who wanted to work at seasonal jobs and not be harassed. They did not feel it was their duty or responsibility to conduct an investigation on the City's behalf or provide the City evidence—that was the City's job.

Moreover, even assuming the organizers did speak for all signatories in expressing opposition to an investigation, the City was not obligated to follow that request. Here, the City—primarily through Jen Lin—appears to have applied a very formalistic approach to considering its options. Under the City’s Personnel Manual, discipline can only result after an investigation, and an investigation only occurs when there has been a “formal complaint” against a particular individual alleging particular misconduct. To Lin, the absence of specific names and dates meant there could be no discipline, so there was no basis for an investigation.

We accept that the City’s ability to discipline individual people for off-site actions may be limited. But we strongly disagree with Lin’s expressed belief that the City’s ability to investigate ends there. The petition presented a clear pattern of misconduct stretching back years, which the organizers described as a problem of “culture.” Nothing in the Personnel Manual precludes the City from looking further into this pattern and culture of abuse of power. On the contrary, given the serious nature of the allegations that described an environment causing meaningful harm to employees, the City had an obligation to investigate even over the organizers’ objection. The City’s own personnel policies state that all workplace harassment complaints “will be investigated promptly” by Human Resources. *See* Personnel Manual, Chapter VII, Section 3.6. When interviewed by investigators, Hawk, Doerner, Solomon, and even Lin agreed that in retrospect, this should have triggered an investigation. For the City to say that it chose not to pursue any investigation of these blockbuster allegations “because the girls didn’t want us to” abdicates the City’s responsibility to apply its own judgment and fulfill its own obligations as an employer—particularly an employer of minors.

In interviews, Lin also said she was worried the organizers would “walk away” and refuse to keep working with City officials on solutions if an investigation was undertaken. That may have happened. But even if the organizers had refused to meet with the City again, the City could have continued to investigate and respond to what was contained in the petition even without their ongoing involvement. Ultimately, it was not the young women’s responsibility to dictate what the City should do, which was how the City treated it. In fact, the organizers and signatories we spoke to resented that the City’s HR experts seemed to be asking *them* to come up with solutions to a complicated problem—a sentiment echoed in the August 10 email sent to Storlie and Hagerty by a former lakefront employee, and by Individual C’s emails in 2021 complaining about the City’s 2020 response. For reasons that remain unclear, the City appears to have prioritized ongoing conversation with the petition organizers over thorough review or investigation of a real problem that had been brought to their attention. Our best explanation is that the City was trying to mitigate risk of public exposure of these concerns by remaining in conversation with the organizers. That may well have worked short-term—for example, the threatened walkout that was discussed in the “List of Demands” sent to Storlie never materialized—but long term it resulted in a significant delay in looking into serious allegations that merited immediate attention.

**b. Investigating the allegations was not beyond the City’s “jurisdiction.”**

We are also unconvinced by the rationale that the City had no “jurisdiction” over the allegations in the petition because some of the stories involved off-site activities such as parties. This explanation featured heavily in Lin’s communications with Storlie and Hagerty. It is also the explanation that was cited for the inability to look into prior allegations involving Individual A. But it does not hold up. First, it is factually inaccurate. Of the 45 anecdotes contained in the petition, only three make allegations solely related to off-site parties. The others involve the lakefront culture and conduct that occurred at the beach and/or on the clock. It is true that the three clearest allegations of *criminal* conduct all occurred after hours; but the petition is replete with clear allegations of on-the-clock sexual harassment such as comments about women’s bodies, romantic overtures, and subjecting female guards to physical punishment and embarrassing questions and gossip about their sex lives.

Second, even if the after-hours party allegations were the bulk of the petition (which they were not) those parties had a clear connection to work at the lakefront. The petition describes parties hosted by supervisors, attended by other lakefront employees. Even if they were not formally sanctioned, they were clearly work-affiliated parties. And the parties followed people back to work; we heard many stories of female lifeguards being the subject of gossip and workplace actions stemming from what had happened at a party the night before. And at least a few of the allegations in the petition clearly describe criminal conduct by supervisors, including sexual assault, occurring at these parties. Any allegation of sexual assault by a City supervisor against a minor City employee is clearly serious, and to shrug and say “it was after hours” is surprisingly blasé.

**c. The anonymity of the petition may have presented challenges to an investigation, but it did not preclude one.**

This brings us to the third reason City personnel cited for the decision not to conduct an investigation: the anonymity of the petition. City employees we interviewed expressed frustration that the organizers refused to provide them with names and dates of specific incidents of harassment or assault, suggesting that refusal was unreasonable. Lin further suggested that the insistence on anonymity called the credibility of the allegations into question. And Lin, Solomon, Hawk, Doerner, and Abajian were all adamant that unless the petition organizers provided them with names and dates of the alleged activities, there was nothing they could do to look into the allegations. For their part, the petition organizers who met with the City did not feel it their responsibility to itemize specific incidents of harassment or assault—it was not their motivation in creating the petition, it was not their understanding of the signatories’ desires, and they did not believe it their job (as a

collection of young adults who simply wanted a harassment-free workplace) to conduct an investigation.

We disagree with the City’s reasoning. There are many things the City could have done. They could have interviewed every lakefront supervisor. They could have requested interviews with every named signatory, as we did. They could have called the individuals who had complained about Individuals A or B in previous years. They could have sent PRCS or Human Resources personnel down to the lakefront to observe physical training in action. While some of those efforts may not have been particularly fruitful without the cooperation of the individuals contacted, that does not mean the City was powerless to do *anything* to look into it.

It does seem clear that the City’s *capacity* to undertake some of these activities was limited. When asked, for example, whether the City could or should have interviewed all of the petition signatories, Solomon said it would have been impossible for Human Resources to do so on its own and at its existing staffing level, while also maintaining their day to day responsibilities.

Fair enough. But in that case, it would seem a natural next step might be to consider bringing in outside help—like this investigation. But we found no evidence that anyone who knew about the petition ever considered engaging outside investigators in 2020.

**d. Lin is responsible for the decision not to investigate the petition.**

These decisions—whether to investigate, whether to consider engaging outside assistance, whether the City was “allowed” to look into allegations about after-hours parties—were driven by Lin. When Lin became engaged, all of the City personnel involved—Solomon, Hawk, Doerner, and Abajian—considered Lin in charge, and deferred to her judgment about what the City could and could not do with respect to the petition. Lin was the Human Resources Division Manager, the person responsible for having the requisite expertise and experience to make those decisions. As PRCS employees, Hawk and Doerner said they had no basis to contradict her about how to run a Human Resources investigation. And Lin was Solomon’s boss, and he relied on her judgment of what the City could and could not do, both as his supervisor and as a person with a legal background.

**2. The petition should have been elevated to the City Manager, Corporation Counsel, and Mayor.**

Neither Lin nor Hemingway shared the petition in 2020 with the City Manager or her deputies, the Law Department, or others above them in the City’s government. To be clear, Hemingway told us that he did not recall ever receiving a copy of the petition in Summer 2020. Hemingway did not deny receiving a copy of the petition; he simply had no recollection of having received it. Hawk recalled specifically handing



a copy of the petition to Hemingway and talking to him about the allegations contained within it. We find Hawk's memory on this point credible.

Thus, while Storlie, Hagerty, and Gandurski were each aware that lakefront employees had raised concerns, none were provided a copy of the petition itself. They, too, relied on Lin, who represented to them that the petition included primarily anonymous allegations about after-hours behavior.

In our interviews, we provided each of these three individuals a copy of the petition to review. Each of them, after reviewing it, unequivocally stated that the allegations contained in it merited an investigation. Gandurski expressed significant frustration that the nature of the allegations had not been brought to her as Corporation Counsel because she would have insisted on an outside investigation immediately. Storlie stated that had she seen it, she would have immediately shared the petition with Gandurski and requested an outside investigation. Hagerty stated that none of his conversations with Storlie or concerned residents in 2020 in any way hinted at the sorts of serious abuse alleged in the petition. Had either Lin or Hemingway provided a copy of the petition to their superiors at City Hall, it is likely that the City would have conducted an investigation of the allegations in the petition much sooner.

### **3. Lawrence Hemingway's unilateral "recusal" from the City's petition response demonstrated an inability to effectively lead his department.**

In interviews with investigators, Hemingway repeated several times that he "recused" himself from the City's response to the petition due to his own prior history of sexual harassment complaints. Hemingway's primary concern appears to have been his own reputation and career—he repeatedly stated that he needed to do what was best for him, and after the "character assassination" he had experienced in the wake of a previous sexual harassment investigation of him (described below), he did not want to touch this situation "with a ten-foot pole."

Lin and Storlie each appeared to accept Hemingway's decision to "recuse" himself as appropriate under the circumstances, and neither pushed back on him about it. Storlie told investigators she did not put Hemingway on leave like Lin for failing to share the petition with her because she considered him removed from the situation as a result of his recusal, and thus shouldn't be punished for how it went wrong. Hemingway echoed that in his meeting with investigators, stating his belief that he "had nothing to do with" the City's response to the petition and thus should bear no responsibility for any missteps.

The evidence establishes, however, that Hemingway was not actually fully recused from the investigation. While he delegated Hawk as the PRCS representative to the meetings with organizers, Hawk, Lin, Solomon, Doerner, and Hemingway

himself all acknowledged that he was read in on developments throughout the summer and retained final control over Department decisions.

It is clear that Hemingway relied heavily on Lin and Hawk to handle the matter, and after seeing how badly things went, feels he should not be held to account because he wasn't driving the ship. But however much Hemingway may have wished to stay out of it for his own personal reasons, the fact remains that he is the Director of PRCS. The petition by all accounts created serious issues for PRCS to address. Having its Director unilaterally sideline himself because of a previous sexual harassment complaint raises questions about his ability to appropriately and competently oversee all aspects of the Department he was hired to lead. And even if he was not the primary driver of the HR response, his failure to ensure that his superiors in City Hall were fully aware of what was happening constituted a failure to effectively lead PRCS.

## **VI. FINDINGS REGARDING CITY'S HUMAN RESOURCES COMPLAINT AND INVESTIGATION PROCESS**

As part of our review of the City's response to the petition, we reviewed the City's Human Resources policies and practices, particularly with respect to receipt of and response to employee complaints, to consider the question of the City's response to the petition in broader context. The following is a summary of our findings regarding the City's Human Resources operation regarding these topics.

### **A. Background on Relevant City Policies**

The City's Personnel Manual includes provisions prohibiting sexual harassment. The City has also adopted several versions of a standalone sexual harassment policy, most recently in November 2021. Each of these, including the versions in effect at the time of the petition in 2020, includes a prohibition on gender-based harassment, and states that employees who witness or experience sexual harassment should report it to a supervisor or directly to Human Resources. The policy also includes a mandate that any manager or supervisor who becomes aware of or receives a report of sexual harassment report it directly to Human Resources.

The City has also adopted a "Healthy Workplace Strategy" that specifically identifies "workplace culture" as a key piece of a healthy work environment, and in July 2019 created a "Commitment to Maintaining a Healthy Work Environment" document that all employees are required to sign. (Because seasonal lakefront employees do not have personnel files, it is not clear from the record whether they were required to read and sign this policy.) The Human Resources Division colloquially refers to employee allegations of harassment, sexual harassment, race-based complaints, and unprofessionalism using the global term "Healthy Work Environment" complaints.

The process for investigating and responding to such complaints of workplace harassment is detailed in the Personnel Manual, as follows:

- Step One: Employee contacts Human Resources to discuss the incidents leading to the complaint and choose whether to file a formal complaint. The formal complaint must include “a clear statement (written or verbal) describing the incident(s) including dates, times and witnesses (if any) to the incident(s), and the identity of the person allegedly violating the policy in question.”
- Step Two: Human Resources informs the City Manager of the filing of a complaint.
- Step Three: Human Resources “promptly” conducts an investigation by interviewing the respondent and witnesses and reviewing documents.
- Step Four: Human Resources submits a report on the investigation, including findings of fact and conclusions drawn. The finding includes a statement of whether Human Resources has concluded the complaint has merit or no merit.
- Step Five: The City Manager discusses with the Department Director; if the complaint has merit, the Department Director takes appropriate remedial action.
- Step Six: Human Resources informs the complainant of the finding, though the specifics of any remedial or disciplinary action remain confidential.

A separate section of the Personnel Manual, regarding employee Discipline, states that a supervisor or manager may conduct their own investigation of alleged employee misconduct. However, the workplace harassment portions of the manual indicate that harassment complaints specifically must be investigated by Human Resources as described above.

**B. The process of investigating “formal” Healthy Work Environment complaints generally conforms to the policies in the Personnel Manual.**

In interviews, Lin and Solomon described the Human Resources Division’s practices largely as described in the Personnel Manual. The initial interview with a complainant is often initiated by HR upon learning of a complaint through a Department director or Supervisor. According to Lin, any time an employee made a complaint, HR would conduct an investigation. Lin and/or the HR Specialist assigned to that department would first interview the complainant and ask what the outcome

the complainant was seeking regarding the person they were complaining about. Solomon described the purpose of this initial interview as determining whether the individual wanted to “pursue a complaint” or whether they thought the issue could be dealt with through a mediation or a meeting.

If the matter proceeded to a “formal complaint,” Lin and the assigned HR Specialist would then undertake an investigation, including talking to witnesses, if any, and the accused. Investigations into complaints of unprofessionalism and race- and sex-based complaints—colloquially called “Healthy Work Environment” complaints—are tracked in a spreadsheet. Occasionally, HR receives anonymous complaints; if the allegations in an anonymous complaint are sufficiently specific to identify the alleged perpetrator and the alleged violation, HR would open an investigation in those cases as well.

After completing an investigation, Lin and the assigned HR Specialist would determine whether the complaint was “founded” or “unfounded.” Lin would inform the complainant if the outcome was “founded.” In case of a “founded” finding, Lin would prepare a memo to the City Manager describing the investigation findings, and the City Manager would make the final decision about any discipline to be imposed.

Sometimes, the investigation process would be outsourced to an outside investigative entity like a law firm. According to Lin, this was a case-by-case decision, and usually occurred when an employee requested that the investigation be handled by outside counsel or expressed that they did not want to talk to HR directly. Investigations have also been outsourced when a complaint is made against an elected official or high-ranking department official, or when an employee who has made a complaint is represented by a lawyer.

**C. The handling of “informal” Healthy Work Environment complaints or “concerns” is imprecise and poorly understood, and has undermined the credibility of the City’s Human Resources operation.**

According to Lin, the process above describes how Human Resources approaches an investigation of a Healthy Work Environment complaint, but not all reports rise to the level of a “complaint.” According to Lin, sometimes employees do not want to pursue a formal “complaint,” but seek instead to raise a “concern” more informally. Lin said there might be several reasons for this, including fear of retaliation. According to Lin, an employee might still want HR to take action with a “concern,” but in those cases she would handle things more informally. For example, she would not necessarily conduct a full investigation or prepare a report of all “concerns” that were brought to HR; instead, she might speak to the involved employees informally and move on.

According to Lin, occasionally concerns might also be handled internally by a department itself. Lin stated that she discouraged departments from conducting their

own investigations, but sometimes they did so anyway. According to Lin, if she learned that a department was conducting its own investigation, she would reach out to remind them that investigations are supposed to be performed by Human Resources.

The process for discussing whether or not to proceed with a formal complaint has been a source of dissatisfaction and distrust for employees. Lin typically conducted initial conversations with complainants by asking the employee “what they want to see” as the outcome of their complaint. Lin characterized this as an attempt to discern and honor an employee’s wishes, but to several witnesses it felt like Lin tried to talk them out of filing a formal complaint, suggesting that doing so would trigger a full-blown investigation that the employee might find embarrassing or stressful. In one case, a woman who made allegations of sexual harassment against her supervisor told investigators she felt that Lin was counseling her against taking action by stating from the outset that nothing could be done. Particularly in cases of race-based, sex-based, or other “protected class” complaints, any suggestion, however slight, that the City is seeking to dissuade a complainant from seeking an investigation into the matter is a significant concern.

Similarly, the petition organizers were offended by Lin’s “intake” questions asking them what they wanted to be done as a result of their complaints. Several witnesses described frustration that the City seemed to be looking to the petition organizers—themselves victims of this culture—to put forth the possible solutions. While the organizers might not have sought formal investigations of each individual petition allegation, they felt strongly that it was the City’s job, not theirs, to explore the culture problems raised in the petition and devise solutions to address them. Lin’s questions asking them what they wanted were interpreted not as an expression of care, but as a signal that Lin cared more about protecting the City or sweeping things under the rug than trying to fully investigate and address possible wrongdoing.

All of this confusion works to undermine the employees’ confidence in the system, which is critical to ensure that employees come forward when misconduct arises. One young City employee who joined the lakefront recently said that he understood that sexual misconduct should be reported to HR. But because he learned that “HR [is] a mess,” he was not sure where he would go if he had something to report.

**D. The Human Resources Division’s intake, tracking, and documentation systems are inadequate for the City’s size.**

On the whole, we found the City’s record-keeping for employee complaints and investigations inadequate. Human Resources does not have a uniform system for intake and tracking of employee complaints. It does maintain a “Healthy Work Environment” spreadsheet for complaints of unprofessionalism or “protected class”

matters, but that spreadsheet contains very little information, including on whether any discipline was imposed. Further, by Solomon's own admission, the spreadsheet may not include all of the complaints that were received by Human Resources because there was no formal process or training regarding its use.

Additionally, no system exists for maintaining files of Human Resources investigations. The Division's electronic documents do not contain any file organization or hierarchy that indicates any systematic process for maintaining records; rather the files are haphazard and stored all over the place, including in the personal drives of Human Resources employees. Our review of a sample of eight files (discussed in further detail below) found that only one included any notes of witness interviews, the rest included only the final memo to the City Manager. Two did not even have that. This absence of any file protocol is particularly concerning when one considers that for seasonal employees, the City also does not maintain personnel files—meaning that complaints involving seasonal employees may result in *no* file record whatsoever.

More concerning, the slim record-keeping systems that do exist are only used for matters that rise to the level of a “formal complaint.” In cases where an employee does not proceed with a formal complaint, or where a concern is raised by someone other than the victim, HR may mediate, or provide counsel, but those complaints are not tracked, nor is any HR response documented.

The failure to document or track *all* complaints, including informal, anonymous, or third-party complaints, is not only a major gap in the Human Resources operation, it limits the City's ability to enforce its own policies. For example, the Personnel Manual contemplates the concept of “progressive discipline,” with subsequent infractions treated more seriously:

Each time the same or similar infraction occurs, more stringent disciplinary action takes place. It is not necessary that the employee violate the same rule or have the same incident occur to draw upon previous corrective disciplinary actions. The employee's general behavior pattern will be used in determining the next level of discipline. If past behavior relates to the present problem, past action will be taken into consideration.

With no process for tracking or documenting complaints, it is unclear how the City expects to act on the concept of “progressive discipline.” This is not a hypothetical concern: in the case of Hemingway, at least three people raised concerns that did not result in any HR documentation or notation in Hemingway's file. The only repository of information appears to be the collective memory of Human Resources staff. This would be inadequate in any event but is particularly so because Human Resources does not make decisions about discipline in Healthy Work Environment cases—the

City Manager does. Without any documentation of prior incidents to inform the City Manager's decision-making, the ability to evaluate appropriate discipline is incomplete at best.

**E. Human Resources lacks the necessary training and capacity to handle employee complaint investigations entirely in-house.**

The City's default practice is to handle employee complaint investigations in-house, only referring them out to outside investigators if something unusual occurs. Lin cited several examples in which it has happened, including cases where the complainant has engaged an attorney and cases where the complainant has said they don't trust HR to complete the investigation. But no formal process exists for deciding when to engage outside investigators.

We do not presume that all investigations need to be referred to outside investigators. But the current practices around internal investigations are insufficient. The HR Specialists we spoke to confirmed they had not received any formal training in conducting investigations, and deferred largely to Lin, who typically took the lead. Lin, for her part, is a former prosecutor, and her approach to investigations was described as "prosecutorial" and "adversarial," and left many witnesses feeling like the purpose of the investigation was not to find the truth, but to "protect the City" or "sweep things under the rug."

We also recognize the very real capacity constraints in the Human Resources Division. Currently, there are only two HR Specialists, plus the Division Manager. With several hundred employees in Evanston, those personnel are plenty busy conducting the day-to-day human resources functions of a mid-sized city, and do not have a great deal of extra time to undertake investigations even if they had been trained in how to do them. When asked why HR did not try to look into the petition's allegations by, for example, reaching out to all the petition signatories, Solomon was quick to observe that such a large undertaking would have been virtually impossible for the division to do on its own, particularly with all the work they had to do with onboarding paperwork for hundreds of seasonal employees. We agree with him. But the City's capacity to investigate in-house cannot be the primary driver of whether an investigation takes place.

We note the City Council has previously considered whether to outsource Human Resources investigations. This was another place where City personnel expressed frustration with the Council, believing that some Council members have historically sought to meddle in personnel matters that were not their concern. In a memo from Lin dated October 2019, the HR Division recommended that investigations be kept in-house. Lin opined that outsourcing investigations would be costly and inefficient, particularly for allegations of "unprofessional" behavior, which often boil down to personality conflicts that can be effectively mediated by HR without a full-blown investigation. The memo also opined that employees were less likely to

trust outside investigators, who might lack the necessary context and relationships to conduct a “well-rounded” interview.

This last point is particularly striking in light of what we heard from several witnesses who reported just the opposite: that Human Resources staff’s familiarity with City employees made it difficult to view them as completely impartial or unbiased. In the case of Hemingway, for example, a complainant reported feeling like it might be futile to report him, since Human Resources was so aware of his issues and had done nothing to address them before. For what it’s worth, in our own dealings with City personnel, we generally found them quite comfortable speaking with “outside investigators.”

**F. Examples of Misconduct Investigations**

**1. Prior lakefront complaints were not handled according to the policies in the personnel manual.**

**a. Individual B**

As discussed above, at the end of the 2019 beach season a complaint about Individual B was brought to the attention of lakefront staff. A female lakefront employee reported to Doerner that Individual B had made inappropriate comments towards her several times when she was a younger lakefront employee that made her feel very uncomfortable. The female employee had not reported the incidents at the time, but was motivated to do so when she learned in 2019 that Individual B was engaging in similar conduct towards a minor female employee. [REDACTED]

[REDACTED]

By all accounts, Human Resources was made aware of this allegation involving Individual B, and by all accounts the only investigation of the matter was conducted not by Human Resources, but by Doerner, the PRCS Recreation Manager—who acknowledged that he had no training to do such investigations. Witness accounts of how that came to be vary. According to Abajian and Doerner, PRCS reached out to Human Resources to ask what they should do and were told that since the alleged conduct occurred off-campus there was little HR could do, but PRCS should look into it themselves. Abajian said he did not feel comfortable conducting an investigation because he had never been trained and he knew all the parties involved, so he asked Doerner to do it.

HR staff had a different recollection. According to Lin, she learned about the matter from Doerner after he had already “done his due diligence” and looked into the matter. Lin believed Doerner’s interviews had revealed that the interactions between Individual B and the young employee were innocuous. Solomon stated that



he was out of town when this occurred and upon his return he learned that Doerner had conducted an investigation himself; Solomon was surprised by this, as departments did not typically conduct investigations of that sort of allegation, but Solomon understood that to have occurred at Lin's direction, and since the investigation was already done he did not attempt to get involved.

Doerner's notes of the "investigation" show he spoke to five people about Individual B. Two of those witnesses reported seeing Individual B engage in conduct with the young woman that they found inappropriate or odd given their significant age difference. Two other witnesses stated that Individual B had directed comments towards *them* that made them feel uncomfortable, including invitations to hang out after work at his house when they were underage. [REDACTED]

[REDACTED]

[REDACTED]

Doerner reported on his investigation to Abajian and Hemingway. In an email to Hemingway, Doerner stated that he had talked to [REDACTED] who said nothing inappropriate had happened. Review of documents, however, indicates that while Doerner attempted to contact [REDACTED] he did not actually speak to [REDACTED] personally, but rather relied on an account from a witness who spoke [REDACTED] when [REDACTED] resigned in the middle of summer 2019. [REDACTED]

[REDACTED]

[REDACTED]

Doerner told Hemingway that he and Abajian planned to meet with Individual B to remind him of his obligations as a supervisor and the City's sexual harassment policies. Hemingway forwarded that email to Lin, who said she was "fine" with that approach and that the meeting should be followed with an email memorializing the conversation and setting forth what would be expected of Individual B going forward if he wanted to return to City employment in future seasons.

On September 16, 2019, Abajian and Doerner met with Individual B. In an email documenting the conversation, Doerner said the purpose of the meeting was to discuss "interactions you had with female staff members and making them feel uncomfortable." They reminded Individual B about the City's commitment to maintaining a safe and comfortable work environment, and the sexual harassment policy, and told Individual B that he needed to be "mindful" about how his invitations to hang out outside work could be perceived. The email stated that "future behavior that violates our workplace harassment policy could jeopardize your ability to work for the city in future seasons," and thanked him for his "honesty" in the investigation process. Doerner, Lin, Solomon, and Abajian all told investigators in one way or another that this counseling was all the City could do since the investigation did not clearly establish that Individual B had done anything wrong.

This investigation was not recorded in any formal way. As a seasonal employee, Individual B did not have an employee personnel file, so there was no file in which to place the email documenting the counseling session with Doerner and Abajian. Nor were the complaint and investigation recorded in the Human Resources spreadsheet of Healthy Work Environment complaints.

Individual B was hired back for the 2020 season. By several accounts, his return was part of what precipitated the drafting of the petition.

### **b. Individual A**

Individual A was a male lakefront supervisor. One season, a young female employee came to Abajian and told him that Individual A was hosting parties and “taking advantage” of young women. Abajian interpreted this a request to stop the parties, and he pulled Individual A aside to instruct him that the parties were not appropriate and could not be held. Individual A denied hosting any parties but agreed to tell others to stop. According to Abajian, he called Human Resources and was told that he had no power over his employees’ off-the-clock conduct. Our investigation revealed that the parties did not stop despite Abajian’s admonition.

Soon after, likely during the 2019 season, Individual A was under consideration for promotion. ALCs received a complaint from a former employee saying that Individual A should not be promoted, and they forwarded the complaint to Abajian. The precise contents of the complaint are unclear—the ALCs recalled it to be vague, with a dark insinuation upon which the complainant was unwilling to expand; Abajian recalled it to be an allegation of rape, either of the complainant or someone else. Abajian instructed the ALCs to tell the complainant that if a rape had occurred, she needed to report it to the police. In Abajian’s view, action could not be taken based on a mere allegation until a police report had been filed. Abajian believed that he discussed this with Human Resources too. Solomon does not recall ever receiving that call, and Lin stated that she was unaware of any issues with Individual A prior to receiving the petition in 2020. This resulted in Abajian having another stern conversation with Individual A to tell him to knock off the parties. No investigation occurred.

There is no record in HR spreadsheets of this allegation, and Individual A is also a seasonal employee who thus has no employee personnel file. Individual A was also rehired for both the 2020 and 2021 seasons. Indeed, he was promoted. The petition specifically requested that the City terminate his employment.

### **2. Prior to the petition, Human Resources had received several sexual harassment concerns regarding Lawrence Hemingway.**

As discussed above, Lawrence Hemingway “recused” himself from the investigation of and response to the petition because of his own history of sexual

misconduct complaints. We summarize these, and the City’s response to them, briefly here.

**a. Individual I**

In 2018, a PRCS employee we call Individual I made a complaint against Hemingway alleging sex-based and other harassment, which included using nicknames including “Pocahontas” and “Lil Bit” and making comments about pictures of her in a swimsuit that she posted on her personal social media accounts. Human Resources conducted interviews of the complainant, and Hemingway, and made a “founded” finding. Hemingway received a written reprimand.

The complaint became the subject of much public discussion. Another PRCS employee believed he had been the subject of unfair discipline from Hemingway, and made significant efforts to marshal public support for him and against Hemingway, including by focusing attention on the Individual I situation in social media posts and other public statements.

To investigators, Hemingway characterized this as a sustained and coordinated “attack” and social media “character assassination;” and he felt strongly that the City did not do enough to defend him. He told us that his comments to Individual I had been harmless and not sexual, but he understood he should not have made them, and he had learned his lesson about the need to be more “professional.”

Individual I did not have a good experience with the Human Resources investigation process. According to Individual I, when she first met with Lin, Lin asked her what she wanted done as a result of her complaint. Individual I found this question extremely off-putting, interpreting it to mean “what do you want me to do about it?” more than a sincere expression of intent to honor Individual I’s preferences. Individual I further stated that Lin told her that she could not be moved to another role that would not report to Hemingway, and repeatedly told Individual I that she was a “smart girl” who could “figure something out,” implying Individual I would be best off finding another job somewhere else. [REDACTED]

[REDACTED] said she never heard anything further from Human Resources. Individual I later learned that the investigation had been “founded” but felt Hemingway should have received more significant discipline than a written reprimand. Individual I later spoke at a City Council meeting about her experience, saying she felt like she was not protected throughout the process and the discipline on Hemingway was insufficient.

**b. Other Complaints about Hemingway**

[REDACTED] According to several witnesses, Hemingway has a very familiar demeanor—he hugs people, for example, or will rest a hand on their shoulder or back if he is looking over their shoulder at a computer screen, and he uses words like

“honey” and “baby” to refer to female employees. According to witnesses, Hemingway does this to “everyone,” not just women and not just a few people, but it has made several people uncomfortable. Prior to the incident with Individual I, Human Resources was approached by at least three women who expressed concerns about Hemingway’s style of communication or actions. In each instance, the employee said that Hemingway had done something that they found unprofessional or that made them feel uncomfortable, such as hugging, or commenting on the person’s body. Lin and Solomon spoke to Hemingway about these incidents, telling him he needed to watch his “overly friendly” communication style and make sure he acted professional as leader of the department.

None of these incidents, which all preceded the Individual I complaint, are recorded in the tracking spreadsheet discussed above. When asked why, Solomon stated that it was because these were not formal complaints, and thus would not have been formally recorded anywhere. Beyond the conversation with Lin and Solomon, no Human Resources action was taken with respect to any of those incidents.

Despite the “informal” nature of these prior complaints, they were widely known within PRCS, and several witnesses expressed frustration that “nothing had been done” to address these earlier complaints about Hemingway, which undermined their faith in HR to handle such matters. Individual I in her interview mentioned her frustration that more was not done to Hemingway in response to her own complaint given that he had a history and reputation of such conduct.

**3. Review of a random sample of Healthy Work Environment investigations shows inadequate documentation and inconsistent Human Resources response to employee complaints.**

As part of the review of documents in this investigation, we reviewed the spreadsheet documenting Healthy Work Environment complaints from 2015-2021. The sheet contains 43 entries. Nine are described as “race based,” 6 are “sex based,” 1 is “religion based” and the rest are described as “unprofessional.” There are 23 are described as “founded” or “sustained;” 13 as “unfounded” and 8 as “mediated.” One entry from a 2019 case did not include an outcome. The Individual I complaint about Hemingway does appear in the spreadsheet. The lakefront complaints and petition do not appear on the spreadsheet; nor do the complaints about Individual A, Individual B, or any of the supervisors and ALCs put on leave or terminated in 2021.

At our request, the City provided the files for a randomly-selected group of 8 complaints from the spreadsheet. Our review of these files confirms that there is very little file documentation maintained for the complaints tracked in the spreadsheet. Of the 8 we reviewed, 2 did not have any written report or memo, though one of these did result in an email to the complainant and the respondent counseling them on how to improve their communication with each other.

The other six cases included a written report in the form of a memo from Human Resources to the City Manager, summarizing the investigation and Human Resources' conclusions. Only one case contained any documents beyond the memo; in that case, the file included a few handwritten notes from a Human Resources interview with the complainant. A few of the sample cases found the allegations "founded," but none of the cases recommended that discipline be imposed.

One notable sample case involved an allegation that bears some similarities in form to the allegations raised in the petition. In that case, several City employees took offense to a Facebook post by a Black employee about white privilege, posted on the employee's personal Facebook page. A white employee filed a complaint alleging that the contents of the post created an unhealthy culture inside the department based on race, because it made white employees feel uncomfortable and like their Black colleague was biased against them.

HR conducted an investigation, including interviewing several witnesses. A memo summarizing that investigation found that the respondent created an unhealthy work environment with their off-duty post on their personal Facebook page, because it became widely talked about at work and adversely influenced morale and the culture of the workplace. The memorandum did not recommend discipline for the individual (who had already been exonerated from discipline through a different contract-designated process) but did encourage the head of that department to undertake efforts to improve department culture.

We find this case notable because of the contrast between Human Resources' response in that case and its response to the lakefront petition. In this sample case, Human Resources determined that the off-site conduct of an employee—a Facebook post on a personal page—merited an investigation and could support a finding of a hostile climate in the department because it was widely shared and discussed within the department. By contrast, in response to the petition, the City concluded it was beyond Human Resources' scope to investigate the complaints, in part because the allegations pertained to culture not specific misdeeds, and in part because much of the alleged conduct occurred off-site. We are unable to account for why, in the case of the sample file, Human Resources felt able to investigate complaints about culture and unhealthy work environment stemming from off-site conduct, but in the case of the petition, found those same characteristics to be prohibitive to an investigation.

## VII. RECOMMENDATIONS

### A. Recommendation No. 1: Increase supervision of the lakefront.

Until 2021, there was a single, full-time employee in charge of the lakefront, overseeing a large lakefront operation with only seasonal staff, most under 21 years old. By all accounts Adam Abajian, the Lakefront Manager, is a dedicated employee intensely committed to lakefront safety. Many of the lakefront seasonal employees

with whom we talked displayed a strong protectiveness and respect for him. But Abajian has also, after decades working at the lakefront, become almost the sole arbiter of lakefront operations, left largely to his own devices.

Through his decades of experience, Abajian has developed very strong views about the best way to run the lakefront. Some of the practices described above that contribute to the culture of abuse, such as the insistence on promoting from within and the emphasis on chain of command, stem from Abajian's need for strict systems and known quantities to be able to pull off such a huge operation largely on his own.

No one else in the City we talked to felt qualified to challenge (or even review) Abajian's assessment of the right way to run the lakefront. Non-lakefront PRCS staff are themselves extremely busy; many reported feeling overburdened, and all indicated they did not have capacity to provide greater oversight or be present on the beaches day to day. They seemed content to let Abajian do his thing. This hands-off approach from the City, coupled with Abajian's preference to run the lakefront his way, have contributed to the structures that have allowed the abuses of power against young female lifeguards to flourish.

Evanston is unique among North Shore communities in its choice to operate so many fully-staffed and lifeguarded swimming beaches all summer long. To the extent Evanston wishes to continue in this model, its staffing and operational plan would benefit from a thorough review. In particular, we recommend considering additional full-time PRCS staff, with deeper management experience and without close social ties to the lifeguards they oversee, to assist with lakefront operations and help dismantle structural patterns that have allowed problematic behaviors to thrive.

**Specific Points of Action:**

- Hire or allocate additional full-time staff to assist with lakefront operations and provide more consistent, seasoned management presence at all beaches, not just in the beach office, during the lakefront season.
- Evaluate the practice of promoting supervisors and ALCs exclusively from within, and consider whether lakefront would benefit from expanding the pool of eligible supervisors and ALCs to include "outside" individuals with management and lakefront skills.
- Evaluate whether Evanston's lakefront operations model, with 5 swimming beaches guarded full time all summer, remains the right model given staffing and operational capacities.

**B. Recommendation No. 2: Overhaul the system for hiring and training lifeguards that has historically favored male lifeguards, which downstream contributes to the abusive power dynamics discussed in this investigation.**

Both witness interviews and review of lifeguard staffing numbers indicate that male lifeguards consistently score highest on the start-of-season physical tests. We also heard from several interviewees, including Abajian, that some of the physical tests used in the training and hiring process can be performed in ways that demonstrate raw physical strength but are not consistent with proper form for a water rescue—meaning strong and fast individuals can achieve a very high score using techniques that would be improper to use in an actual rescue situation.

Under the current system, everyone must achieve a minimum score on both the physical and written tests to be eligible to become a lifeguard. From there, lifeguards are ranked according to their test scores. Over the years, Abajian has altered the allocation of physical and written test scores to try to address gender imbalance (according to him, female guards tend to perform better on the written test) but the end result is still that the top-ranking lifeguards are consistently disproportionately male. Lifeguards are then able to choose their schedules in order of their ranking, meaning more male than female lifeguards get their prime pick of schedules. We heard from many witnesses, including Abajian, that over time, women leave the beach sooner than men and don't return for a fourth, fifth, or sixth season—so the resulting universe of potential supervisors and ALCs is small and disproportionately male.

Although it is not certain that having more female guards with preferred schedules would undo that downstream dynamic, it certainly might help. And in any event, a system that consistently favors male lifeguards from the start does not build the kind of safe and equitable environment that the City purports to seek in its operations.

To be sure, lifeguarding is a physical job and ensuring a basic level of physical fitness and skill at lifeguarding-related physical tasks is necessary to ensure safety at the beach. But that objective is achieved by having the minimum passing scores a guard must attain in order to qualify. It is not clear that allowing highest-scoring lifeguards to choose schedules first meaningfully advances any safety objectives at the beach. The City would be better served by allocating its strongest lifeguards across the most crowded days, or assigning them to the busiest beaches—which may or may not be when the lifeguards themselves most prefer to work.

**Specific Points of Action:**

- Overhaul the system for scoring and ranking lifeguards at the beginning of the season to ensure male lifeguards are not favored in selection of schedules and shifts.
- Review the physical tasks that are included in the lifeguard training process to ensure that all are expressly linked to key lifeguarding skills and are graded based on performance in accordance with proper lifeguarding practice.
- Consider whether a ranking system is needed or helpful in choosing schedules or whether a different system (by seniority, by lottery, etc.) would better serve the lakefront’s objectives.
- If a ranking system is retained, assign the highest ranked lifeguards based on safety or operational needs, rather than allowing them to choose their most-preferred schedules with no link to operations.

**C. Recommendation No. 3: Standardize lifeguard beach assignments.**

In current practice, beach supervisors assign guards to beaches day by day at their discretion. This assignment practice is unnecessary and has allowed for many problematic practices such as assigning guards based on friendships, crushes, or a supervisor’s desire to play “matchmaker” among the guards.

**Specific Points of Action:**

- Adopt standardized practices for assigning guards to beaches. In doing so, consider the following priorities:
  - ensuring lifeguards work with a variety of beach managers over the course of a summer; and
  - staffing of beaches includes a mix of newer and more experienced lifeguards.



**D. Recommendation No. 4: Build clear Human Resources policies and consistently administered training for seasonal lakefront staff, with ongoing Human Resources involvement in the lakefront operation.**

By all accounts, seasonal lakefront training has focused nearly exclusively on lifeguarding skills and lakefront operations. No seasonal lakefront employees had participated in the City-wide seasonal employee trainings for several years prior to 2020. That means the lakefront employees, including many 16- and 17-year-old young people working their first jobs, did not receive basic onboarding training on matters such as workplace harassment and channels for reporting misconduct.

Further, until recently the City has had no formal policies governing many of the issues described in this report, including non-fraternization or other dating policies. By many accounts, male supervisors have routinely expressed romantic or sexual interest in their subordinates, and while obviously problematic and inappropriate, that has not, until recently, been formally prohibited by any City policy.

We understand that since the petition, the City has taken steps including implementing mandatory sexual harassment training for lakefront employees, and since the start of this investigation has taken further steps including a review of the lakefront policy manual and Healthy Work Environment policies. The City should continue to build on these important efforts to ensure that its policies and trainings match its expectations for a safe and healthy work environment for all employees.

**Specific Points of Action:**

- Maintain sexual harassment training for all seasonal lakefront personnel and ensure all lakefront employees receive basic employee onboarding training like other seasonal employees.
- Formalize a process for reporting misconduct, including sexual harassment, that does not require an employee to go through their “chain of command,” and create a formal process for promptly and consistently responding to such complaints.
- Conduct a comprehensive review of both the lakefront policy manual and the City’s Human Resources policies to address issues raised in this investigation that may not be squarely addressed, such as fraternization and supervisor-subordinate romantic relationships.
- Increase Human Resources involvement with lakefront operations, including by attending lakefront employee training and making regular visits to the beaches during the summer.

**E. Recommendation No. 5: Establish a clear application, hiring, and training process for managers, supervisors, and ALCs.**

Our investigation revealed that the process for selecting and hiring supervisors and ALCs has been informal and determined entirely by Abajian. With no application process, and no employee personnel files for seasonal employees that might track prior employee history, the lakefront has repeatedly rehired into supervisory positions individuals who had previously been the subject of complaints.

Additionally, until 2021 the only formal manager or supervisor training for lakefront supervisors was a four-hour supplement to the regular lifeguard training that focused on operational matters like scheduling and payroll. Particularly for a system that promotes from within and selects supervisors primarily based on prior lifeguarding experience, the lack of formal management or supervisory training on matters like City policies, management techniques, employee discipline, and healthy work environment is a significant gap.

We acknowledge that the City hires hundreds of seasonal employees every year, and that creating an employee file for every seasonal employee would represent a significant lift. But there are many fewer supervisors and ALCs, and those people assume supervisory authority over dozens of seasonal employees, including minors. The City needs a more formal system for applying, screening, training, and maintaining employee records for, at a minimum, those seasonal employees that it places in supervisory positions.

**Specific Points of Action:**

- Develop a more robust process for hiring supervisors and ALCs, including requiring candidates to formally apply.
- Provide management training for managers supervisors and ALCs that at a minimum addresses basic principles of effective management, patron relations, and human resources practices (not just lakefront safety).
- Create a system of employee personnel files for—at the very least—beach managers, supervisors, ALCs, and any other seasonal employee who has supervisory responsibility.

**F. Recommendation No. 6: Formally prohibit the use of physical training (“PT”) as discipline or punishment.**

The practice of “physical training,” or “PT,” is a meaningful and troubling contributing factor to the abusive power dynamics described in detail above.

We do not dispute the use of drills to evaluate lifeguards for employment and to keep them sharp. This is a physical job with lives on the line, and some uses of PT, such as in-service trainings performed by all guards at the start of a shift, or re-training on skills that a guard needs to practice, did not present particular concern.

But throughout both the petition and our interviews, there were repeated complaints about use of PT in ways that cross the line into improper. There is no valid purpose to imposing PT when lifeguards refused to comply with requests or whims of the supervisors—such as by talking about who they hooked up with, naming a crush, or doing a favor for a supervisor. We were also troubled by the widely described practice of PT as “discipline” for non-physical infractions such as being late to work. We question whether imposition of a physical penalty is appropriate for a non-physical infraction like tardiness—particularly where, as here, evidence exists that imposing PT as “discipline” was arbitrary.

**Specific Points of Action:**

- Formally discontinue the use of PT as punishment and adopt clear and consistent practices for appropriate use of PT.

**G. Recommendation No. 7: Revise Human Resources investigation practices and ensure that investigations are handled by trained investigators with adequate capacity.**

The City's Personnel Manual states that all complaints will result in investigation. In practice, however, many complaints are not investigated because Human Resources classifies them not as "formal" complaints but as "informal" complaints or "concerns."

The Personnel Manual contemplates that it is up to an employee to decide whether to proceed to a "formal complaint," and we credit Lin's observation that not all employees who call HR necessarily seek a full-blown investigation. We further recognize the value in providing the employee the opportunity to affirm that is what they seek before HR launches an investigation. But that conversation is a delicate one, and must proceed in ways that make clear that the purpose is not to dissuade or discourage, only to inform and support.

We do not presume that every report of one employee being rude to another merits a referral for a full investigation by a third party. But given the HR Division's limited capacity, the repeated issues we heard about mistrust of HR, and the clear error in judgment that caused the petition allegations not to be investigated until over a year later, the idea of a process for outsourcing some or all investigations of serious harassment or misconduct merits an additional look. At a minimum, all HR employees should receive training in how to conduct impartial and effective employee complaint investigations.

**Specific Points of Action:**

- Rework the intake process to standardize the initial conversation with complainants, with the goal of honoring employee agency while minimizing any impression that the City discourages formal complaints or does not want to investigate a matter.
- Consider referring the process of complaint intake and investigations (either in whole or as-needed based on the capacity) to an outside entity that will professionalize and track the process from start to finish.
- To the extent the City retains in-house complaint intake and investigation process, review Human Resources staffing levels to ensure adequate capacity to conduct prompt and thorough investigations as needed.

**H. Recommendation No. 8: Adopt stronger and more formal systems for documenting and tracking employee complaints.**

A review of the City’s systems for keeping records of employee complaints shows a wholly inadequate system, with no protocols for investigative files and no formal logging or tracking system for complaints received. What feeble systems do exist are used only for “formal” complaints, meaning there are no records whatsoever of informal complaints or concerns that do not result in a full-blown investigation; this impedes the City’s use of policies like progressive discipline, and robs the City Manager of potentially critical information when making disciplinary decisions. For a City of Evanston’s size, the Human Resources operation should have more formal processes and systems for maintaining files and keeping records.

**Specific Points of Action:**

- Implement a case management or tracking system to document *all* complaints brought to Human Resources, including those that may not result in a formal investigation, such as informal concerns, anonymous complaints, seasonal employee matters, and third-party complaints.
- Adopt a system for keeping files of formal investigations including interview notes, findings notifications to complainant and respondent, reports to City Manager, and any discipline imposed.

**I. Recommendation No. 9: Consider disciplinary action against certain personnel.**

As part of our investigation, the City asked us to evaluate the response of various City departments and divisions to the petition, including any recommendations concerning discipline of individual employees.

Many of the employees involved in the City’s response—including Lin, Storlie, Doerner, Hawk, and (to a much lesser extent) Richardson—no longer work for the City. We therefore do not consider recommendations with respect to those individual employees. But to ensure we are responsive to the City’s requests as part of this engagement, we offer the following findings with respect to the various City departments in response to the petition:

Human Resources: As discussed extensively above, we found serious issues with the Human Resources response to the petition. In particular, we find that Jennifer Lin failed to provide the petition to the City Manager, and that her explanation to Storlie of the issues raised in the petition was incomplete, in key ways inaccurate (such as the assertion that it was primarily related to off-site conduct,

which was not true), and failed to convey the gravity and breadth of the allegations. We further find Lin's conclusion that the matter could not be investigated erroneous. By all accounts, Lin was the primary driver of the Human Resource Division's response to the petition. We find credible Solomon's statements that he deferred to Lin as his supervisor, do not find that any of the above-identified issues are attributable to Solomon, and do not recommend any disciplinary action for Solomon. To the contrary, several interviewees spoke quite favorably about Solomon's demeanor, professionalism, and compassion.

PRCS: We find credible the statements from PRCS personnel including Hawk and Doerner that they did not view themselves as qualified or authorized to perform Human Resources investigations, and deferred to Lin on those matters. We also note that interviewees generally had quite positive things to say about Hawk and Doerner's professionalism, work ethic, and commitment to helping the City and its staff.

We also find, however, that as the Director of the Department, it was incumbent on Hemingway to ensure that his direct supervisors in the City Manager's office were aware of what was going on in his shop. Hemingway failed to elevate the petition's allegations or provide a copy to the City Manager. Hemingway told us that he does not recall ever seeing the petition; we credit Hawk's assertion to the contrary, that she provided a copy to Hemingway. But in any event, even assuming he did not see it, as the Director of the Department Hemingway should have asked to see a copy, and should have alerted the City Manager about the petition and its grave allegations. Those actions may have been redundant, if Hemingway also believed Lin was sharing the same information, but Hemingway's apparent reliance on Lin to handle all communications to the City Manager was an oversight and contributed to the failure to investigate these matters in 2020. We consider these findings sufficiently serious to merit disciplinary action with respect to Hemingway.

Corporation Counsel: Our investigation indicates that the only information shared with Corporation Counsel Gandurski in 2020 was a discrete question from Lin about whether the City had the authority to conduct drug testing of lakefront employees. Gandurski responded that they could. Based on the information that was provided to Corporation Counsel at the time, we do not find any infirmity in the Law Department's response in 2020; nor did we find any issue with the subsequent actions of the Law Department as the petition became the subject of further discussion in 2021. We find that, when consulted, the Law Department performed its function professionally and competently. We therefore do not recommend any disciplinary action with respect to any Corporation Counsel employee.

City Manager: The evidence indicates that City Manager Storlie did not receive a copy of the petition in 2020. Lin did inform Storlie that there were issues at the lakefront and stated that Human Resources was handling it. Storlie received the list of demands and appears to have assumed those were the same concerns that Lin was

addressing, a misunderstanding that Lin did not correct even though she too received the list of demands and clearly could see it was different than the petition. Storlie also received the email from a former employee that made a passing reference to the petition, and responded that she did not know what petition was being referred to. In hindsight, this was a clear missed opportunity—Storlie could have followed up with Lin to ask what petition the employee was talking about, for example. Had Storlie done so, she might have seen the petition much sooner than July of 2021. But we find no basis to conclude that Storlie had complete information about the petition and failed to act in 2020. As no member of the City Manager’s office at the time still works for the City, we do not make any recommendation regarding discipline.

**Specific Points of Action:**

- Consider taking disciplinary action against Lawrence Hemingway.

**VIII. CONCLUSION**

The City of Evanston’s lakefront staff is tasked with significant duties that are essential for keeping beach visitors safe. All agree that the employees performing this crucial function, and indeed all employees, are entitled to safe and healthy working conditions and to Human Resources processes that detect and competently handle threats to those conditions. When the HR processes failed at the lakefront, dozens of young women stepped forward to raise the alarm. It was the City’s obligation to take it from there—to elevate the serious allegations to City leadership, to see that the claims of misconduct were properly investigated, and to make changes to correct the wrongs they found. That is not what happened here. We encourage the City to consider the recommendations we offer in this report to avoid such a circumstance going forward.

## **IX. APPENDIX**

Our report refers to and relies on several documents. Because of their cumulative length, we do not append copies of the documents directly to this report but provide them to the City as a separate appendix. We list the documents, along with a brief description, below. Unless otherwise stated, all policy documents and manuals are the versions that were in effect at the time the petition was shared with City officials in July 2020.

### **Exhibits**

- Exhibit A: 2021 Lakefront Manual
- Exhibit B: Petition as shared with City personnel in July 2020
- Exhibit C: Email correspondence between petition organizers and PCRS personnel to set up initial meeting
- Exhibit D: Electronic chat messages between Lin and Solomon re: petition
- Exhibit E: Email correspondence between petition organizers and Lin
- Exhibit F: “List of Demands” sent to Storlie
- Exhibit G: August 10, 2020 email to Storlie and Hagerty and email correspondence discussing same
- Exhibit H: Email correspondence between Lin and Solomon re: petition
- Exhibit I: Lin email engaging consultant to perform sexual harassment training
- Exhibit J: Email correspondence between Lin and Gandurski re: drug testing
- Exhibit K: Email correspondence documenting inquiry re: outsourcing lifeguards
- Exhibit L: Memo to City Council dated July 15, 2021
- Exhibit M: Documentation of Lin leave
- Exhibit N: Individual C emails to Abajian
- Exhibit O: City Personnel Manual
- Exhibit P: Sexual Harassment Policy
- Exhibit Q: Commitment to Maintaining a Healthy Work Environment form



**REPORT TO THE CITY OF EVANSTON REGARDING  
ALLEGATIONS OF MISCONDUCT WITHIN THE PARKS  
RECREATION AND COMMUNITY SERVICES DEPARTMENT**

February 20, 2022

**APPENDIX OF EXHIBITS**



This appendix contains exhibits to a report to the City of Evanston regarding allegations of misconduct at the Evanston lakefront, which has been provided to the City as a separate document. Unless otherwise stated, all policy documents and manuals are the versions that were in effect at the time the petition was shared with City officials in July 2020.

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# Exhibit A

# Evanston Lifeguard Service



Lakefront Operations Manual 2021



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Dear Staff,

Congratulations to all of you who have made it this far. For the rookie applicants, this will be the hardest and most rewarding summer of your life. For the returning guards, this is another opportunity to prove and improve your abilities. This will be an interesting season, with the lake getting bigger and beaches getting smaller we will have new challenges to face. At the end of this training, you will be the best that The City of Evanston has to offer. As an employee of The City of Evanston, you will be expected to conduct yourselves accordingly (both on and off duty). Remember that lifeguards save people every day whether they know it or not and that **you are ALWAYS on duty**. Good luck and have a safe summer.

Sincerely,

Adam A. Abajian  
Recreation Program Manager  
Lakefront Operations





## **The USLA CODE OF ETHICS**

The City of Evanston Lifeguard Service is a United States Lifesaving Association certified agency, and as such all COE lifeguards will conduct themselves accordingly.

In recognition of the fundamental responsibilities of a professional open water lifeguard, the trust and confidence placed in the lifeguard, the unwavering devotion to duty required of the lifeguard, and the dignity commensurate with the lifeguard's position, the United States Lifesaving Association recognizes the following ethical principles.

Lifeguards will:

- Maintain an unwavering dedication to the safety of those they are assigned to protect.
- Recognize and accept that heightened personal dangers are an unavoidable aspect of the job.
- Maintain high standards of fitness, recognizing that their strength, stamina, and physical skill may mean the difference between life and death.
- Make every reasonable effort to prevent accidents before they occur.
- Avoid any undue distraction which may deter them from their primary responsibility.
- Proudly carry out the duties they are assigned, providing the highest possible levels of courtesy, respect, and assistance to those whom they watch over.
- Take proactive steps to educate the public about the hazards of the aquatic environment and ways to safely enjoy aquatic recreation.
- Promote their profession through personal actions which serve to demonstrate that lifeguards everywhere are deserving of the trust placed in them by the public they serve.
- Diligently follow established policies and procedures set forth by their employing agency to promote the best possible public service.



## **Chapter 1: Introduction to the Lakefront**



## Section 1 - Swimming Beaches

Evanston's five clean and sandy beaches are summer recreation facilities operated for the public's enjoyment by the Parks, Recreation, and Community Services Department. Daily pass or season tokens (beach tokens) are required for each person to enter to the beach (Title 7, chapter 11, section 3 of the Municipal Code). The beach is open for pre-season swimming starting on Saturday, May 29th from 11:00am to 6:00pm through June 11<sup>th</sup>. The beach officially opens, Saturday, June 12<sup>th</sup> (as conditions permit) through Monday, September 6<sup>th</sup>. The hours will be 9:00am to 8:00pm Monday through Sunday.

### 1.1 Lighthouse Beach (2611 Sheridan Rd - Just north of Central St. on Sheridan Rd.)

It is named for the "Grosse Point Lighthouse" that stands just west of the beach. Lighthouse is the furthest north of the five Evanston beaches. Lighthouse is average in size with three guard chairs and is handicap accessible. Surrounding the beach includes private residences to the north and south ends of the beach, has dunes that seem to spawn insects and is also a spot where many children get lost. The beach patrons are typically families, so expect lots of little kids and large groups. Lighthouse was the busiest of the swimming beaches in 2018.

### 1.2 Clark St. Beach (1811 Sheridan Rd - Clark St. and Sheridan Rd.)

Clark Street is the second beach from the north and is directly south of the Northwestern campus. Clark is known to guards as the "Desert" since it has the largest sand area which can produce sandstorms. NU students often believe, in error, that Clark Street is Northwestern's Beach (referred to them as South Beach); they are required to have a City of Evanston token or daily ticket for admission. NU's sailing beach is located on the North end of Clark St. which helps to add in the confusion of NU students. On the south end, there is a break-wall that separates Clark St. Beach from the Evanston Dog Beach. Near the break-wall on the South end of the beach there is a small pond that forms after rainstorms that should be monitored. On the West side of the beach, there are multiple volleyball courts, and a budding bird sanctuary. Since it is so large in size, guards are required to station their break area in the center of the beach for emergency situations. Typical patrons will include Northwestern students, small groups, and numerous camps. The Fourth of July fireworks are launched from the sand on Clark St. Beach which is why Clark Street is the only beach closed on July 4th.

### ~~1.3 Greenwood Beach (1401 Sheridan Rd - Greenwood St. and Sheridan Rd)~~

~~Greenwood Beach is the most central beach in Evanston, which shows in both its attendance and variety of patrons. Greenwood is the smallest, but also the most hectic of the Evanston beaches due to heavy boat traffic, and the parks surrounding it. To the North of the beach is the Church Street Boat Ramp, to the South is the Dempster Street Sailing beach and to the West is Dawes Park. Greenwood is the only beach where scuba divers are allowed to enter the water. Divers use Greenwood to gain access to the George W. Morley shipwreck which is approximately 300 Yards east of the swimming area. Greenwood is the weekday home to many of Evanston's camps, including its greatest, Aquatics Camp. Greenwood is mostly a commuter beach and beachgoers are often unfamiliar with the Evanston Lakefront's rules and regulations.~~

### 1.4 Lee St. Beach (1111 Lake Shore Blvd - Lee St. and Greenleaf St)

Lee Street beach is the second southernmost beach. Surrounding the beach is a break wall to the south, and rock line and wooded area to the north from which all sorts of people and animals will try to enter the beach and a neighborhood street to the west. Lee Street's patrons are typically families and unsupervised pre-teen and teenage kids. Lee St. is the beach of choice for the Evanston Special Rec Camps. The Guard Shack and bathrooms are located far to the north of the beach entrance.

### 1.5 South Boulevard Beach (525 Sheridan Square – near Sheridan square and off of Sheridan road)

South Blvd. Beach or "South B" is the southernmost and least busy of the Evanston Beaches. Patrons are typically people who live nearby and include families, individuals, and people who prefer a quieter beach. It

has a rock line to the north which has many private beaches and a few private boat launches. Over the break wall to the south, there is a rock line that leads to Chicago's Juneway Beach.

### 1.6 Beach Fees

All Evanston beaches require either a token or daily pass or "Ticket" for admittance. This is not exclusive to swimmers but applies to anyone wishing to step foot on the beach and includes City of Evanston employees. Tokens or daily passes are required of all persons one year of age or older. Daily passes and tokens are non-transferable and non-refundable. The admission fees are used to supervise the beaches and for general maintenance and cleaning. The "use-fee" concept places the operating cost responsibilities on the users of the facilities, limiting the general tax revenue required. In this program, by paying the admission fee, patrons help to defray the beach operating costs.

#### 1.6a Beach Token

A beach token is a seasonal pass to the Evanston Beaches. Tokens are sold at the Dempster St. Beach Office, the Clark St. Beach Office, all City of Evanston Recreation Centers and the Evanston Civic Center during their operating hours. Residency must be proven in order to obtain a season pass token at resident rate.

Date	Resident	Non-Resident
Preseason (April 1 – June 5)	\$30	\$46
Season (June 12 – July 31)	\$38	\$62
End-Season (August 1 – Labor Day)	\$19	\$31

#### 1.6b Daily Pass "Ticket"

If a patron does not have a beach token, they can buy a daily pass. Daily Passes are good for the duration of the day that they are purchased and may be used at any of the five beaches during that day.

Person	Fee
Infant (Under 1 year)	Free
Everyone else (ages 1+)	\$10

#### 1.6c Viply

Viply is an app used for electronic beach passes. Patrons can download Viply on their smartphones and search Evanston or use their location to find Evanston. Viply users can purchase non-resident season passes, resident season passes, and daily beach passes. Once purchased the user will be able to scan a QR code at the front entrance held by the Gate Attendant. Gate Attendants should not allow patrons to scan the QR codes until they are immediately entering the beach. The app will flash a green check if they have valid pass to enter.

## Section 2 – Lakefront Offices

The City of Evanston Lakefront has two physical locations for the general sales and information of the lakefront patrons. Patrons can also purchase daily and seasonal passes electronically through the Viply App.

### 2.1 Dempster St. Beach Office (1251 Lakeshore Blvd - All the way East on Dempster)

The Dempster St. Beach office or "Beach Office" is the primary base of all lakefront operations. The Lakefront Manager, The Lifeguard Supervisors, the Aquatic Camp and Sailing Programs operate here on a

daily basis. The Beach Office is also the primary location for all sales of seasonal passes, ~~dog beach passes~~, and Dempster and Church St. boating permits.

## **2.2 Clark St. Beach Office (1811 Sheridan Rd - Clark St. and Sheridan Rd.)**

The Clark St. Beach Office is located at the entrance of Clark Street Beach This building houses a lifeguard shack, , restroom, and secondary beach office. This office sells daily beach passes and will also sell ~~dog beach passes~~, Church St. Launch passes, and season tokens.

## **Section 3 – Launch Facilities and the Dog Beach**

The City of Evanston operates three additional lakefront-access facilities.

### **3.1 ~~The Dog Beach~~**

~~Located between Greenwood St. Beach and the Church Street Boat Ramp – The Dog Beach is a small beach where patrons can let their dog off leash and allow them to swim. People are not allowed in the water at the dog beach beyond knee depth. The dog beach is open from 7 am to 8 pm, April through November, weather permitting. Admission is restricted to dog owners or handlers with a dog beach pass. Occasionally, dogs may escape and run through the park or swim from the Dog Beach onto Clark Street.~~

### **3.2 The Church St. Boat Ramp**

The Church St. Boat Ramp is for launching boating vessels that need a trailer. Vehicles pulling boats enter from a drive at the intersection of Sheridan Road and Clark Street. The boat ramp harbors Evanston Lifeguard 1 and various other Evanston recreation boats during the day, and the Evanston Fire Department Jet Skis. It has an “L” shaped pier jutting into Lake Michigan where people can walk and fish. Families sometimes try to use the small sand area to set up camp and let their kids swim in the water, this is not allowed.

### **3.3 The Dempster St. Sailing Beach**

Located directly south of Greenwood beach - This is a sailing/launching only beach and swimming is not allowed! Separate launch passes are required for entry and beach passes are not be accepted as a form of entry. This facility is used for the launching, retrieval, and storage of non-motorized boats such as small sailboats, catamarans, windsurfing boards, canoes, stand-up paddle boards, kayaks, and surfboards. Facility hours are 9:00am - dusk. Launch permits are required, daily and seasonal permits can be purchased at the Dempster St. Beach Office. On extremely wavy days surfers might frequent the beach as well. The Dempster St. Sailing Beach is the only beach they can surf at. City of Evanston rescue and camp motor boats are moored daily directly north of the break wall. Attendants working the windsurfer gate are expected to watch the fence line as the Greenwood beach is right next to the Dempster Beach allowing easy access for patron crossover.

## **Section 4 – Unguarded Waterfront Areas**

Surrounding the five Evanston beaches is a variety of parks, bike and pedestrian paths, picnic spots, and private property. It is the duty of the lakefront staff to keep a watch of these public areas for potential problems or situations that might require action or the assistance of the EPD, EFD, or EMS.

### **4.1 North of Lighthouse**

This area is private property and since we have no authority in this area, we have little control over it. If you see anyone leaving a beach and entering the private property they should be stopped.

### **4.2 South of Lighthouse**

The lakefront directly south of the break wall is also private property and we have no authority in this area.



### **4.3 Northwestern University Swimming Beach (Lincoln Street Beach)**

Northwestern University operates a private beach. It is located a few hundred yards south of Lighthouse. We are not responsible for guarding it. Evanston beach token holders can gain access to this beach by using that token with no additional cost.

### **4.4 Northwestern University Sailing**

Northwestern University also runs a sailing program on a small strip of beach on the northeast end of Clark Street Beach. The main concern is their boaters entering our swimming area. People may also attempt to walk onto Clark St. from the sailing beach, which is not allowed.

### **4.5 South of South Blvd.**

Just south of the break wall at South Blvd there is a long stretch of rock-line and during some seasons a sandy area. This is not an acceptable place for anyone or their dogs to lay-out, play, or swim. If you see anyone here, you should inform them that this area is off limits and is City of Evanston property. It should be checked frequently by guards.

### **4.6 Rock-lines**

Much of the Evanston shore has a rock-line at the edge of the water. This is a restricted area where people will attempt to enter the water or beach. They should be stopped and sent back from where they came. Due to the rising lake levels the rocks have become unstable and are extremely dangerous. People are no longer allowed on the rocks at all. Lifeguards should instruct people to stay off the rocks.

## **Section 5 – Park Areas**

There are multiple park areas in the City of Evanston along the Lakefront. These park areas are managed by City staff. In many cases, lifeguards have been asked to respond to emergencies that have taken part in the park areas themselves. All staff should be familiar with the different park locations.

### **5.1 Lighthouse Landing**

The City of Evanston became the agency responsible for issuing year-round park permits for the Lighthouse Landing park and picnic shelter. Permits are issued from the Civic Center (847) 448-4311, not the Dempster St. Beach Office.

### **5.2 Centennial Park**

This park located just to the west and south of Clark. St. Beach ~~is the home to the Evanston Arts Festivals~~

### **5.3 The Arrington Lagoon**

The Arrington Lagoon is located just south of Church St at the Lake. The Arrington Lagoon & Picnic Shelter which was renovated in 2014 sits on the north end of Dawes Park.

### **5.4 Dawes Park**

Dawes Park is just north of Greenwood Beach. People will attempt to either sit on the rocks or climb over the rocks north of Greenwood in order to get onto the beach to avoid the daily fee. If you see anyone doing this, inform them that they should exit the beach immediately and enter the beach through the gate area with the required token or daily ticket.

### **5.5 Elliot Park**

Elliot Park is located between the Dempster St. Beach office and Lee St Beach. Elliot Park is one of our busiest parks, and we constantly have people trying to enter the water over the rocks. Lifeguards at Lee St. and the Lifeguard Supervisory Staff work in conjunction to keep this area clear of trespassers. Being a busy park between busy beaches, there have been many cases where missing kids have been found in Elliot park.

## 5.6 Clark Square Park

Clark Square Park is located between Main Street and the Lakefront. This is a small grassy park located between Lee St. and South Blvd.

## 5.7 Garden Park

Garden Park is located north of South Blvd. Like the rocks North of Greenwood, people will sit and play on the rocks North of South Blvd. This is dangerous and not allowed. If you see anyone doing this, inform them that they must exit the rocks immediately.

# Section 6 – Lakefront Programs

## 6.1 Aquatic Camps

The City of Evanston runs numerous lakefront summer camps operated from the Dempster Street Sailing Beach.

### ~~6.1a Youth Aquatic Camp~~

~~Children aged 8 to 13 attends either the morning or afternoon session Monday through Friday for three weeks. Campers sail, water ski, tube, canoe, kayak, SUP, snorkel, Ork, and swim.~~

### ~~6.1b Parent Child AquaAction Camp~~

~~Parents and their children attend camp one day a week at night and water ski, tube, sail, kayak, SUP, and canoe.~~

### ~~6.1c Teen Aquatic Camp~~

~~Teenagers attend camp one day a week at night and water ski, tube, sail, kayak, SUP, and canoe.~~

### ~~6.1d Adult Aquatic Adventures~~

~~Adults attend camp one day a week at night and water ski, tube, sail, kayak, SUP, and canoe.~~

## 6.2 Non-Lakefront Camps

Various summer camps from both the City of Evanston and other organizations will visit the Evanston beaches. Upon their arrival, Beach Managers should check with the Camp Director and make sure they are aware of beach rules. The Camp should be placed in an allotted section of the beach adjacent to the swimming area where there is the fewest patrons. Separating the camp will help them stay organized and safe. When in the water, there must be at least one counselor for every 10 campers swimming, and the camp should keep to one section of the swimming area. Counselors should form a box around the campers while in the water. Counselors should also watch all of the campers and keep them together in the camp's area.

### ~~6.2a City of Evanston Recreation Camps~~

~~We have many City of Evanston camps that schedule times at the beaches; supervisors will alert beach staff of camps. City of Evanston Recreation camps are allowed on our beaches for free at any time.~~

### ~~6.2b Other Camps~~

~~Other camps or large groups may buy tokens or half price daily passes. It is possible they will do so at the beach office. If a camp or large group arrives unexpectedly at the beach, the beach office should be notified in order to better arrange lifeguards to make sure beaches are staffed correctly.~~

## 6.3 Lakefront Programs

### ~~6.3a Rentals~~

~~The City of Evanston's Dempster Street Sailing Staff rents kayaks, SUP's and sailboats during Beach hours when Aquatic Camp is not in session.~~

**6.3b Lessons**

The sailing staff gives one on one sailing and group kayak lessons to participants of all backgrounds and abilities.

**6.3c Kayak Historical Tour**

ERD and Wateriders are offering a tour of the history and architecture of Evanston from the lakefront on a kayak.

**Section 7 - Miscellaneous Information**

**7.1 Parking**

Most of the beaches have limited street parking and for that reason, it is in your best interest to avoid driving if possible. Be aware of parking regulations at the beach you are stationed at.

**7.1a Employee parking**

You may request a parking pass while at work. It must be returned at the end of the day. This parking pass will allow you to legally park longer than the limited time areas (2 or 3 hour zones). It will also allow you to park without a resident sticker in those areas that a resident sticker is required. If you receive a ticket for any of those reasons, please write a letter explaining the situation and make a copy of your pass (at the beach office) and we will try to negate the ticket. The parking pass does not allow you to park illegally (handicap area, fire lane, no parking zone etc.) If you receive one of these tickets, they are your responsibility. When at South Blvd. you should be aware of the street cleaning schedule since parking is not allowed on those days.

**7.1b Other Parking**

Through cooperation with Northwestern University, the Norris Center Parking lot on the South end of the campus (just north of Clark Street Beach) is available for weekend parking. Also, to ease traffic congestion at Lighthouse Beach, Northwestern’s North Beach Parking lot at the foot of Lincoln Street is available for weekend parking. Parking in the boat ramp lot is by permit only! Autos without the proper decal will be ticketed and may be towed.

**7.2 Fire Pit**

The Cement Fire Ring is located at the Lakefront area next to the Harley Clarke Mansion, just south of the entrance to Lighthouse Beach. In order to request a permit for the use of the bonfire ring, telephone the Ecology Center at 847-448-8256 to schedule an available date for the use of the ring. Only one fire permit is issued per day.

**7.3 Contact Numbers**

Lakefront Headquarters (Dempster Street Beach Office).....	<b>(847) 866-4167</b>
Emergency.....	911
Non-Emergency Police.....	(847) 866-5000
Clark Street Beach.....	(847) 448-8054
Greenwood Beach.....	(847) 864-0141
South Blvd. Beach.....	(847) 570-6520
City of Evanston 311 call center.....	(847) 448-4311
Beach Office Landline (for power failures/emergencies).....	(847) 869 6572

\*The beach telephones are not for personal use and should only be used to take incoming calls or to make outgoing calls to the Beach Office, 911 or non-emergency police.

## Section 8 - Weather

The weather at the beach is constantly changing and you need to be aware of these changes and the forecast for the day. Weather such as thunderstorms, fog, seiche, wind, and waterspouts all carry their own particular problems which lifeguards must deal with. Specific emergency action plans should be developed to deal with each type. Similarly, temperature and sun exposure are a continual problem for beachgoers. Lifeguards should be aware of the impact of the sun, its harmful rays, and how adverse temperature, both high and low, can affect the beach populace.

### 8.1 Sun

As we all know, the sun is a very powerful source of energy. On all days be sure to wear sunscreen with minimum SPF 30 as it will reduce your chances of burning or developing sun-related skin cancer. Even on cool days the sun still has a high degree of potency. It is important to drink plenty of water when exposed to the sun for long durations. In addition, be alert to the possibility of patrons on your beach suffering from either heat exhaustion or heat stroke. See the First Aid section (Section 7.5.3) of this manual for symptoms and how to treat such conditions.

### 8.2 Thunderstorms

Thunderstorms often pop up late in the afternoon during summer but can and will occur at any time. If you hear thunder or see lightning notify the beach office immediately. The City of Evanston uses the Thorguard lightning detector system which notifies the lifeguard supervisors if there is lightning within a 12 mile radius of the Dempster St. Beach Office. The beach office will then contact all beaches and inform them to close the water and sand. If the lightning detector is triggered, we will close the beach until the lightning detector determines that the area is once again safe.

#### 8.2a Lightning

- Lightning most frequently occurs within 10 miles of a thunderstorm
- Determine the distance of lightning from a location by using the "flash-to-bang rule"
  - Begin counting at the sight of the lightning flash. Stop counting at the sound of related thunder. Divide the count by five (5) to determine the proximity in miles of the lightning strike (5 seconds = 1 mile; 50 seconds = 10 miles, etc.).
- Locations that offer protection from lightning:
  - Fully-enclosed buildings that have grounded wiring and plumbing
  - Fully-enclosed metal vehicles (no soft top convertibles)
- Locations that do not offer protection from lightning:
  - Beaches
  - Water
  - Open-sided pavilions (such as picnic areas)
  - Restrooms, changing facilities, and showers
  - Lifeguard stands that are not fully enclosed and compliant with NFPA 780 lightning guidelines
  - Tents or umbrellas
  - Boats that are not designed or retrofitted to be compliant with NFPA 780 lightning guidelines
  - Small personal watercraft (e.g. Jet Skis®)

### 8.3 Seiches

A seiche (sometimes deemed meteotsunami's) is a standing wave in an enclosed or partially enclosed body of water. The term seiche comes from a word meaning "to sway back and forth." If a storm system moves fast enough across the lake out of the west, it can pull water with it, enough to drop the water level. Typically, the amount is very small, often too small to notice, however, on occasion the level can drop multiple feet. When a large seiche occurs and there is a rapid drop in water level, the water will then rapidly

and dangerously rush back, often bringing more water than before. If you notice a large drop in water level, notify the beach office.

#### 8.4 Waterspouts

Waterspouts are basically tornadoes over water. Winds in excess of 40 mph are possible. The primary danger is flying debris, so shelter and protection should be sought if it appears that a waterspout may come ashore. Waterspouts may form during severe thunderstorm events, but waterspouts can also develop on relatively calm, partly cloudy summer days off the beach, over warm water. They can pose a direct threat to beachgoers, fishers, boats, and aircraft. They can sometimes come ashore and threaten beach patrons. The best way to avoid a waterspout is to move at a 90-degree angle to its apparent direction. Never move closer to investigate a waterspout. Some can be just as dangerous as tornadoes. Lifeguards should report sightings to fellow lifeguards and also to the local NWS office, so that appropriate warnings can be issued.

#### 8.5 Wind

Strong winds are the biggest weather-related threat to boaters on lakes. Strong winds can also create large choppy waves in Lake Michigan making swimming conditions dangerous. Normally waves will be created from strong NE, SE, or E winds along the Northshore Lakefront. It is important for guards and staff to know the wind report in order to understand the potential dangers of the day. When the wind blows “off-shore” it is coming from the West. “Off-shore” winds pose dangers for boaters using paddle driven vessels because they can be blown away from shore and out of sight. Western winds can also blow the top-layer of the lake away from shore causing a drop in temperature which can lead to hypothermia.

Other dangers the wind can pose is the potential threat of flying objects hitting an unsuspecting patron. Many times a beach umbrella will catch the wind and roll across the sand and can result in blunt force trauma.

~~Most summer days enjoy light breezes from the SW or W. Occasionally westerly winds can be strong, blowing off the top layer of warm water, causing the temperature of shallow waters along the shore to drop dramatically, raising the risk of hypothermia in swimmers. Furthermore, westerly winds pose a risk to boaters especially paddle driven vessels since they tend to blow vessels offshore, which can pose a risk to weaker or less experienced paddlers. Sailboats that flip on westerly wind days will blow out as well and may get past our line of sight quickly. During cold water conditions it is important to keep a keen eye on all patrons in the swimming area, especially in deeper areas. When winds come from the NE, SE or E the lake turns ugly, and we often will experience winds over 30 mph and large waves over four feet in height. The reason for this is the wind grows stronger as it blows across the long stretch of lake towards our shore. On rough days, the water may be closed as a precaution when determined by the Supervisor staff.~~

~~Remember: A West wind will blow floatable objects out away from shore; an East wind will bring objects in. It is also important to watch for flying objects that can be blown around the beach such as Umbrellas or sun tents that can injure other patrons.~~

#### 8.6 Fog

Fog can severely limit visibility, to the point where you cannot see the buoys bordering the swimming area. If this happens the swimming area will be closed. Although not particularly dangerous, fog can play tricks on your eyes. Be aware of this and use your other senses (especially hearing) to alert you of potential problems. Fog can occur when a horizontal movement of warm moist air goes over a cold surface. Fog can happen more frequently in the morning and earlier in the summer season.

#### 8.7 Temperature

Cold water removes heat from the body 25 times faster than cold air. The immediate effects of sudden immersion in water below 60°F can be debilitating. In less than 30 seconds, it can cause uncontrollable rapid breathing and immediate constriction of blood vessels. After two to three minutes it can cause cold shock resulting in loss of reflex response. Prolonged exposure can lead to hypothermia (Section 7.5.3).

## Section 9 – Bathymetry and Structure

The weather effects previously mentioned will often change the layout of the sand under the water. Every beach has also other unique physical attributes which can also present specific issues. Some beaches have physical structures or objects such as steep berms, rock outcroppings, drop offs and man-made structures such as breakwalls/breakwaters and piers. These things create their own unique physical hazards to swimmers. Typically, the area surrounding these objects/structures is prohibited to swimming and boating activity.

### 9.1 Sandbars

Sandbars and troughs are found in areas where consistent lateral currents have cut a channel in the sandy bottom near the beach. The size, depth, and shape of these channels can vary greatly depending upon the type and consistency of the sand and the strength of the current. Sandbars may attract unsuspecting waders to the shallower area, but in order to get there, swimmers typically must traverse a section of deeper water which they might be unaware of (i.e. young children). Often the lateral currents that create these sandbars feed rip currents. Swimmers who don't pay attention can find themselves in water over their head or may fail to recognize a shallow depth change and upon diving head first into the water may hit their head on the bottom possibly causing severe cervical-spinal injuries.

### 9.2 Inshore Holes

Inshore holes are depressions in the sand caused by erosion and are fairly localized. These areas can be extremely hazardous to small children who walk over them and "fall" underwater. Inshore holes can also be a serious hazard to lifeguards who can sprain or fracture an ankle or knee during a response to surf rescues. Inshore holes can also be caused by swimmers digging underwater.

### 9.3 Breakwalls/Breakwaters

Breakwalls, or breakwaters, are large steel barriers that protect beaches from the effects of weather and longshore drift. They stand on the south end of every beach. Patrons are not allowed on or near them. Swimmers should never be in the water near them (they would be far outside of the swimming area) due to the fact that the breakwalls create extremely strong unpredictable currents, deep holes, and are often surrounded by large submerged rocks. Onshore, children should be kept away from them as there tend to be rocks, glass, and other hazards along their base on the sand.

### 9.4 On Land Dangers

The beach itself poses some potentially dangerous conditions. At beaches around the world, there have been several fatal and near-fatal incidents caused by large holes in the sand dug by beachgoers. In these cases, the victim fell into the hole and the hole subsequently caved in around them. This condition was only worsened by the would-be rescuers compressing the hole while standing next to the victim in an attempt to extract him/her. The sand is also great at hiding glass, metal, rocks, and other potential objects that can cause injury. On very sunny hot days the sand itself can become extremely hot and cause burns on uncovered skin (especially on children's feet). The same goes for the handicap access ramps on the beaches. There are also several native animal species that may present a danger and in the wrong situation. Any cornered or threatened animal is a potentially dangerous one.

## Section 10 - Water Conditions

Great Lakes waves are different than ocean waves. For example, they have a shorter wave period, which means they travel toward shore faster. As opposed to ocean waves which usually have 7-12 second periods, Great Lakes, wave periods can be as short as 2 to 4 seconds. This means waves will repeatedly hit a swimmer every 2 to 4 seconds, which leaves little time to recover or catch a breath and can quickly lead to exhaustion. The combination of a short wave period with strong currents can quickly turn dangerous even for the strongest swimmers. In this area when we experience northeast, east and occasionally southeast winds, there will be an

increase in wave action and dangerous currents can occur. The three most common dangerous currents on the Great Lakes include rip, structural and long-shore currents. Furthermore, swimmers in salt water environments have added buoyancy due to the density of salt water. When you take into effect the dangerous currents, the short wave periods, and the lack of buoyancy it can be argued that surf non-salt environments like those found on the Great Lakes are much more dangerous to swimmers than those of Ocean Beaches. These currents occur along the shoreline and can be powerful enough to knock someone off their feet, sucking them along the shore and possibly out. During high waves, keep people as far away as possible from the breakwalls. On wavy days when swimming is allowed swimmers should be limited to an area directly in front of the main chair and close to shore. Most fatalities and rescues on the Great Lakes have occurred when waves ranged from 3 to 5 feet.

## Section 11 - Wave Formation

Waves are normally formed by the force of wind on the water. Waves propagate when the wind grabs the water's surface and pulls the water on top of other water. The faster and longer the wind blows, the bigger these ripples get and the greater the transfer of energy, until proper waves are formed. Large waves can occasionally be created by strong local winds very nearshore, but most waves are formed by storms well offshore. Waves get their shape from the movement of this energy through the water. The water contained within the waves moves in circles underneath the passage of a wave. Water at the crest (top) of a wave will move forward, then as the trough (bottom) of the wave moves through the water will move backward. Even if the wind stops blowing, once waves are moving with energy, they can travel for long distances.

## Section 12 - Wave Propagation

Each wave contains a crest and a trough. They can be measured by:

- Wave Period — The time it takes two consecutive wave crests to pass a given point
- Wave Length — The horizontal distance between two wave crests (or troughs)
- Wave Height — The vertical distance between the crest and trough of a wave
- Wave Velocity — The speed at which the incoming set of waves advances

The speed of individual surface waves can be roughly calculated by multiplying wave period by 3.5, with the result expressed in miles per hour. For example, a wave with a period of ten seconds is traveling about thirty-five miles per hour

## Section 13 - Breaking Waves

As an open-water wave approaches the shoreline it becomes a *shallow water wave*. Wavelength decreases, wave height increases, and its velocity slows, but the period remains unchanged. As water depth lessens, the wave steepens, becoming higher and higher. Finally, upon reaching a depth approximately 1.3 times its height, the wave can no longer support itself and the crest falls forward, forming a *breaking wave*, which is commonly known as surf. Breaking waves cause an *uprush* of water, running up the slope of the beach. Once the uprush reaches its peak, gravity takes over and causes a *backrush* of water returning to the sea. Backrush, also known as *runback* or *backwash*, occurs wherever there is surf, but it is most powerful on steeply inclined beaches. Breaking waves can be classified into three primary forms:

- **Spilling Waves** - are formed by swells as they move over flatter, wider beaches where the sea floor ascends gradually beneath them, with the crest of the wave spilling onto the wave face until the wave itself is engulfed by foam.
- **Plunging Waves** - also known as *shore break*, formed when a swell suddenly strikes a steep beach, reef, or other obstacle and breaks with a flying spray, both expending most of its energy and transforming it into a spilling wave for its remaining distance to shore.

- Surging Waves - are created where water is deep adjacent to shoreline cliffs, reef, or steep beaches, with the waves keeping their rounded form until they crash against the shoreline barrier with very strong uprush and backwash.

## **Section 14 - Wave Measurement**

There is a smart buoy located east of Wilmette (buoy 45174) you can text it to receive real time data about wave height, speed, direction, and frequency. This can be done by texting 45174 to 734-418-7299.

Wave height may also be estimated by looking at the distance from the crest to the trough of a wave.

## **Section 15 – Wave Hazards**

Waves cause problems for beach visitors because of their tremendous power and energy. Wave energy is proportional to the square of the wave height, so small increases in wave height signal disproportionately greater increases in wave energy. (Basically bigger waves are stronger than smaller waves)

Breaking waves can violently thrust swimmers and surfers to the bottom, causing serious trauma to the head, neck, back, and other parts of the body. They can throw people into rocks or other fixed structures. Uprush and backrush may knock visitors down and injure them, or pull them into deep water. When surf is rough, backrush may be met by a second, forceful uprush, creating violent turbulence that is dangerous to the young and old, especially those who lack the strength to maintain their footing when caught up in this force.

Lifeguards typically enter shore break using “dolphin dives.” Dolphin dives are done by running and diving toward the middle of an incoming wave just before it breaks, swimming out on the seaward side. Returning to a beach with shore break requires timing and speed to get safely ashore before being hit by the next incoming wave.

## **Section 16 - Dangerous Currents**

When waves break in shallow water, the structure of the waves breaks down and the white water that you see associated with breaking waves physically moves towards the shore on the surface. The water level rises due to addition of incoming water. It is this wave breaking and moving water that ultimately creates strong currents in the surf zone and along the shoreline. Because underlying topography is typically irregular, wave breaking is uneven along the beach. Any bodies of water where breaking waves of significant size are present, whether the ocean or a large lake, may experience these currents, the most serious of these being rip currents.

### **16.1 Structural Currents**

While it can be difficult to predict when and where most currents will occur, the opposite is true for structural currents. The currents found alongside or as a result of structures like piers and breakwalls — called structural currents — are usually always present but can increase when the waves are high. Structural currents are dangerous on their own, but when paired with others like longshore or rip currents, the combination can create a washing machine effect or move the swimmer from one dangerous current area to another with no clear path to safety.

### **16.2 Longshore Current**

Longshore currents are also known as lateral currents or lateral drifts. As the name suggests, longshore currents move parallel to, or the 'long' way along the shoreline. These currents are created when waves come from an angle and push water along the beach as the waves break. These currents may be so strong that a swimmer is unable to retain their position relative to shore. Those who do not pay attention can be swept sideways into a rip current or structural current and then beyond the breakers or immovable objects such as promontory points, jetties, groins or piers. Keep patrons at least 100 feet away from any structure.



### **16.3 Rip Currents**

Rip currents occur when waves spill over sandbars and into troughs on the shoreward side between the sandbar and shore. Water over-accumulates in this trough and eventually breaks a hole in the sandbar holding it in. This causes a sudden rush of water out into the lake. Based upon USLA National Statistics, rip currents account for more than 80% of all surf beach rescues. Statistically, spring and early summer are the most hazardous times of year because of the unstable condition of the bottom created by winter storms and ice. These conditions are further aggravated by colder water temperatures which effect both swimmers and lifeguards alike. To escape a rip current, swim on an angle towards the shore perpendicular to the current. If you are unable to swim out of the current go with it until you are in calmer waters, then try again. If you are near the breakwall wait to swim out of the current just after you have reached the end of it, the current will be weaker here. Rip-Currents that are created in part due to sand-bars that can pop up instantaneously (flash rips) widen or move during the course of the day (transient rips and travelling rips) or be determined by a fixed object (structural rip).

### **16.4 Outlet Current**

Outlet currents can be found where rivers and streams empty into the Great Lakes. The flow of water from the river or stream can move quickly. As it enters the open water of a lake, it may take a while for that current to dissipate. Pair that with currents that are present in the lake and the situation can become dangerous.

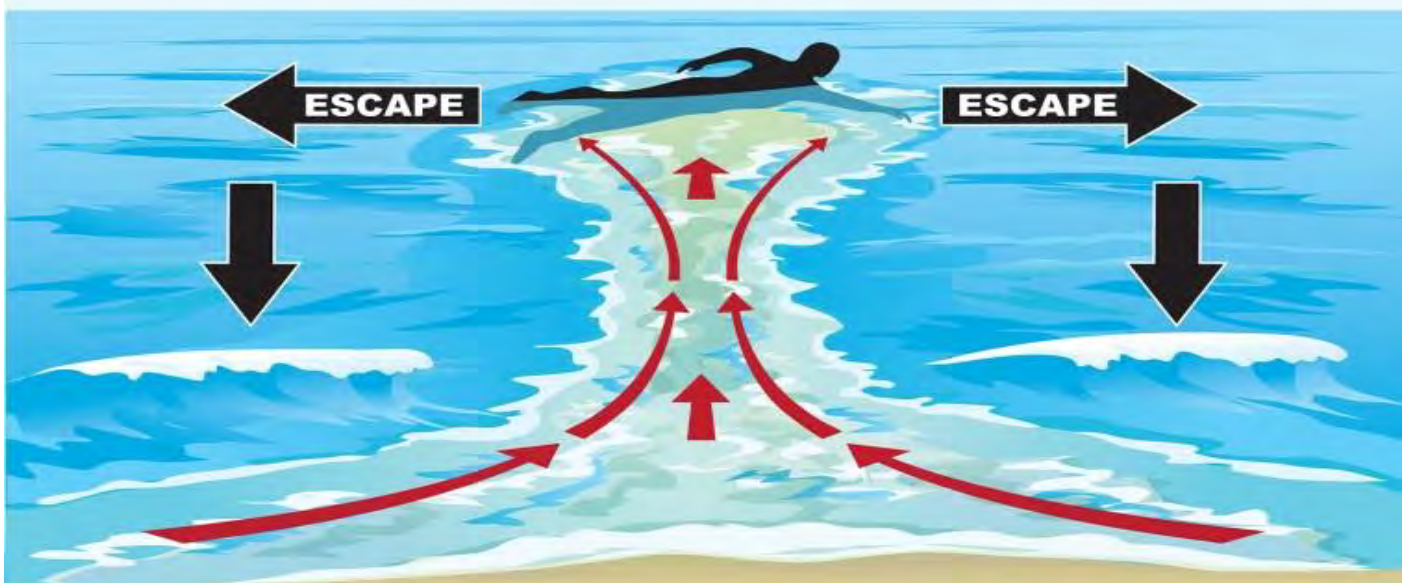
### **16.5 Channel Current**

A channel current is like a river running parallel to shore. With a channel current, typically there is an island or structure such as a large group of rocks not far from shore. A channel current forms when the flow of water speeds up as it goes between the island and shore, like a bottleneck. This is made worse by the presence of a submerged or partially submerged sandbar connecting the beach to the island, which allows pressure to build behind the water and waves until it breaks through. When the wind speed increases, the waves also increase in intensity, and this causes the current to become stronger and faster.

### **16.6 Identifying Rips**

The longer you work at the beach the easier it will get to identify rip currents. The most prevalent clues of a potential rip include. Rough or choppy waves; foam, waves that seem to be going the wrong direction or are shaped differently from the rest of the visible waves; a difference in color of the sand or detritus in the water; objects on the surface floating against the direction of the waves or wind; patrons moving in a different direction than the one they seem to be trying to move in or a calm and flat area surrounded by a wavy area. If you are in the water and you feel the pull or the wave's backwash or pull sideways you are experiencing a rip current.

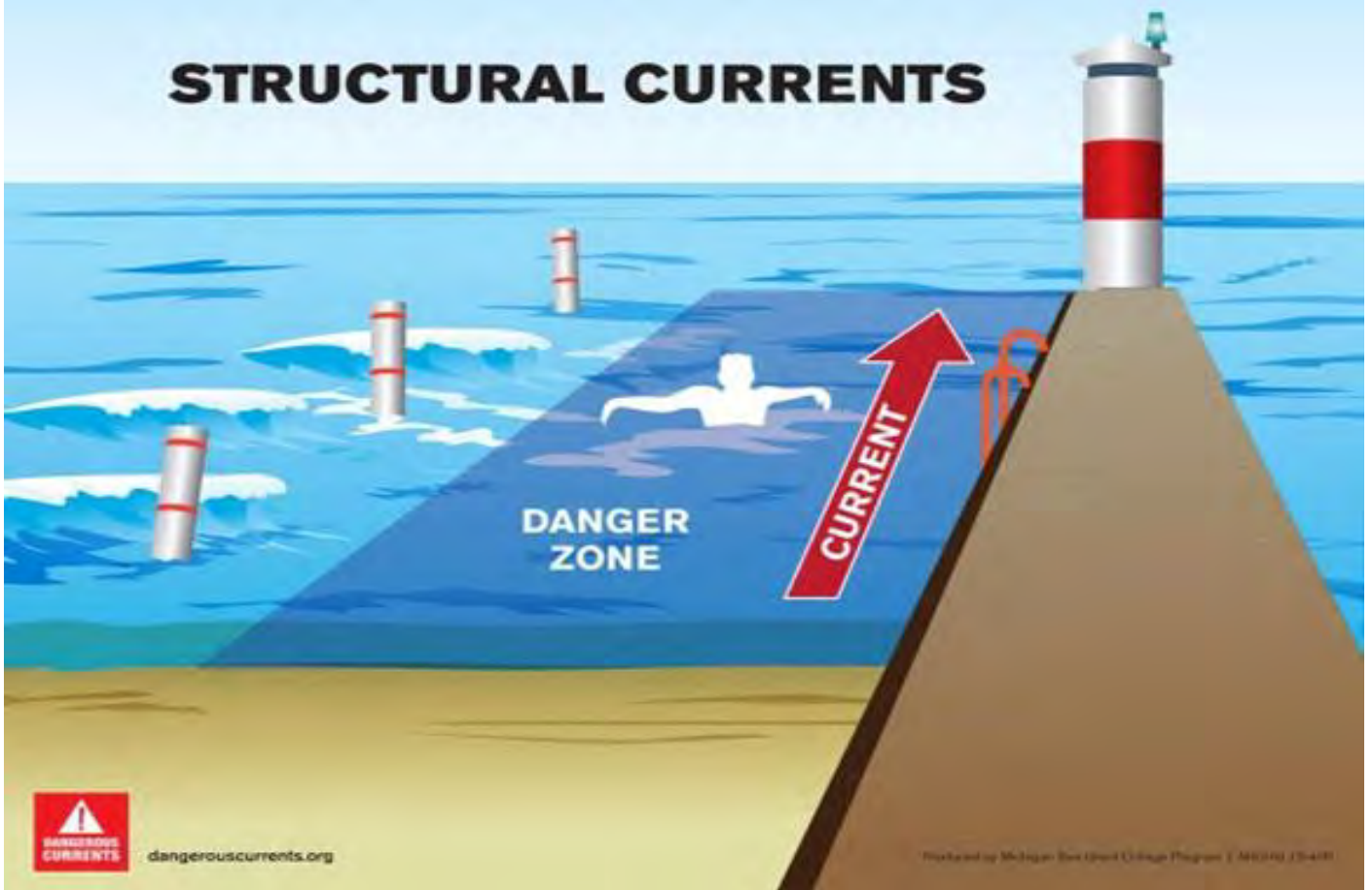
# RIP CURRENTS



[dangerouscurrents.org](http://dangerouscurrents.org)

Produced by Michigan Sea Grant College Program | MICHU-15-401

# STRUCTURAL CURRENTS



[dangerouscurrents.org](http://dangerouscurrents.org)

Produced by Michigan Sea Grant College Program | MICHU-15-401



## **Chapter 2: Equipment**



Since an emergency can occur at any time it is essential that you have the appropriate equipment and that it is in proper working order. Rescue equipment, your uniform, first-aid gear and other daily use equipment are essential for duty. Employees who fail to have their uniform and equipment will be sent home. All guards will be responsible for personal equipment as well as other guarding equipment on the way to, from, and at their beaches. Treat all equipment as if you paid for it yourself because if you break or lose anything the cost will be deducted from your next paycheck(s). Patrons are not authorized to use equipment or to sit on rescue boards, lifeguard chairs or boats. You should report any loss, theft, or damage of property promptly to the beach office. **Staff should never wear official lakefront clothing outside of the facility or on the way to and from the beaches, feel free to bring clothes to cover up your staff gear or flip your shirts inside out.**

## **Section 1 - Personal Equipment - All Staff**

The City of Evanston will provide all staff with their required uniforms (these items are yours to keep). Your uniform is important because it allows patrons to identify you as an employee of the City of Evanston; furthermore, you are required to wear the correctly colored and labeled shirt to each and every shift. Please do not modify your uniform in any way and do not wear your uniform to and from work. All staff should be prepared to bring the following items to each shift.

### **1.1 Sunglasses**

For your benefit you should purchase and use a good pair of Polarized sunglasses. Aside from protecting your eyes from the harmful UV rays, the lenses of polarized sunglasses reduce glare reflected at some angles off shiny non-metallic surfaces such as water. They are popular among watermen because they allow wearers to see into water when normally only glare would be seen. **Remember your eyes are your most valuable asset therefore you need to protect them.**

### **1.2 Cold Weather Gear**

The Lakefront's weather can vary throughout the day bringing some extra warm weather clothing is suggested for all staff. All Staff are entitled to a windbreaker. This is the only warm top that can be worn while on duty. Lifeguards can purchase a pair of easily removable pants such as "tear always" or wear thin thermal compression tights and shirts **under** their uniform. While on break you will want a sweatshirt or jacket for cold days that is not part of the official uniform. You can turn your guard windbreaker jacket inside out so long as the logo is not visible while on break.

### **1.3 Water**

Hydration is essential especially when working outdoors a reusable water bottle is preferred. Keep it green.

### **1.4 Food**

As you may not have time or the option to get food, it is important to have food with you to eat during breaks.

### **1.5 Sunscreen**

Sun-block, use at least SPF 30 and make sure its waterproof/sweat proof, reapply frequently.

### **1.6 Protective Equipment - Lifeguard Related Positions**

The following items will help keep rescuers safe in emergency situations.

#### **1.6a Gloves**

Included in your First Aid supplies are Nitrile (non-latex) gloves. Gloves are used in any situation involving first-aid care, blood, or picking up hazardous materials. To remove your gloves, begin by partially removing one glove. With the other gloved hand, pinch the first glove at the wrist, being certain to touch only the outside of the first glove-and start to roll it back off the hand, inside out. Leave the exterior of the fingers on the first glove exposed. Use the still-gloved fingers of the first hand to pinch

the wrist of the second glove and begin to pull it off, rolling it inside-out toward the finger-tips as you did with the first glove. Continue pulling the second glove off until you can pull the second hand free. With your now-ungloved second hand, grasp the exposed inside of the first glove and pull it free of your first hand and over the now-loose second glove. Be sure that you touch only clean, interior surfaces with your ungloved hand.

### **1.6b Micro-shield/Pocket Mask**

Although there are no documented cases of disease transmission to rescuers as a result of performing unprotected mouth-to-mouth resuscitation on a patient with an infection, you should use a pocket mask whenever performing rescue breaths. This barrier device will limit exposure to body fluids. Your pocket mask should always be kept in your fanny pack.

### **1.6c BVM**

BVM or bag valve mask is a device with a facemask attached to a ventilation bag containing a reservoir. This device is used when there is more than one person present to help deliver air to the victim. The BVM resuscitator is used to manually provide mechanical ventilation in preference to mouth-to-mouth resuscitation (either direct or through an adjunct such as a pocket mask). A BVM has a reservoir which can fill with oxygen while the patient is exhaling in order to increase the amount of oxygen that can be delivered to the patient to nearly 100% as opposed to the much less percentage delivered from a rescuer's lungs.

All staff are required to bring a face mask to work, and are advised to wear when interacting with patrons.

## **Section 2 - Gate Attendant Specific Equipment**

### **2.1 Attire**

The following dress code must be adhered to at all times. All staff must wear the staff shirts provided by the City of Evanston for their entire shift. All staff must wear fitted (not excessively baggy or tight), clean pants or shorts.

### **2.2 Daily Equipment**

After you punch in a Supervisor will check out the equipment on a daily basis. Do not allow patrons to use equipment or allow anyone to loiter by the gate area (this includes guards). Any loss, theft, or damage of property should be promptly reported to the beach office. The gate area is your responsibility to keep it clean.

- A hole punch used for free teen passes
- A clicker (used to record the number of token users)
- QR codes for Vibly passes

## **Section 3 - Guards, Managers, Supervisors, Camp and Sailing Specific Equipment**

In addition to the equipment required by all the staff, the guards are required to bring certain items that will help them during their shift.

### **3.1 Attire**

The following dress code must always be adhered to. All staff must wear the staff shirts provided by the City of Evanston, whenever they are on duty. Conversely, lifeguard related staff should never wear their uniform when they are on break. All hair must be kept tied back if past shoulder to keep the hair out of the eyes.

### 3.2 First-Aid Fanny Pack

At all times, it is required that you carry a fully stocked, first-aid fanny pack. The fanny pack will contain equipment necessary for any emergency, where the lifeguard must provide direct care. The first aid fanny pack must include: **A Pocket Mask, Nitrile Gloves, Band-Aids, Alcohol Wipes, Gauze, and Roller Gauze** all enclosed in zip-lock bags to protect them from water and sand. While they are provided for you it is your responsibility to make sure you have all the items and they are in good condition. Your stock should be replaced anytime you use an item. A supervisor will provide you with new items from the beach office supply when needed.

### 3.3 Radios

Radios are provided for all beaches, camp locations, the Church St. boat ramp and supervisors. Any staff with a radio needs to make sure that it stays on their person and is kept on and functioning at all times. Never leave your radio anywhere unattended.

## Section 4 - Personal Property

Your stuff is your responsibility. Be smart about what you bring to the beach since emergency situations crop up all the time and it is likely that you may have to leave your personal belongings unattended. Nobody will steal your \$5.00 paperback, but they might take your Kindle. Never look at your cell phone in the chair. Never bring your phone in chair with you.

## Section 5 - Daily Equipment checked out at Beach Office

Each of the five beaches has its own dedicated equipment some of that equipment is checked out by supervisors and brought back into the beach office each day by the beach manager and/or a designated guard.

### 5.1 Radio

The two-way radio is the beaches first line of communication with the beach office.

### 5.2 Cellphone

South Blvd. and Lighthouse beaches are given cellphones as a second line of communication due to their distance from the beach office.

### 5.3 Shack Key

Used to open and lock the beach shack where the beach equipment is stored. Occasionally, when notified by the beach office these keys are used to open or lock the bathrooms.

## Section 6 - Beach Equipment

Beach equipment is locked in the beach shack each night. The setup of the beach is vital to the emergency response because in high-stress scenarios guards should know where all equipment is located.

### 6.1 Rescue Tubes

Rescue tubes are used in every water rescue situation. A minimum of three rescue tubes (more on busier days) should be tied in rescue ready formation on the east side of the primary chair. When secondary and tertiary lifeguard chairs are in use, they should have their own, additional rescue ready tube. This specific rescue ready position includes a slipknot and will be taught to each guard during beach training.

### 6.2 Spinal Board/Backboard

Used in emergency situations when an injury to the spine, neck, head, or back is suspected. During operational hours the backboard should be placed on the north side of the primary chair with the head facing east. The buckles should be buckled underneath the board, so they are easily accessible in emergencies.



### 6.3 Rescue Board & Rescue Paddle Boards

The rescue board is used in long distance water rescues. It is to be stored on the south side of the primary lifeguard chair with the nose pointing east.

### 6.4 Rescue Can

While individual beaches are not supplied with rescue cans, lifeguards may use them on rescue duty or for deep water rescues when swimming long distances is required. Rescue cans are basically rescue tubes, except they are a hollow and made of hard plastic. A rescue can is far more buoyant than a rescue tube. Swimming with them is easier as there is less drag, but rescuing passive and active victims becomes more difficult with them.

### 6.5 Signs

There are multiple types of signs placed on the beach each day. The first are the blank coverings which attach to the large "No swimming allowed" signs on the back of each lifeguard chair. When lifeguards are on duty, they cover the "NO" on this sign, thus alerting patrons that swimming is allowed. The second sign is a set which reinforce the boundaries of the swimming area. They are placed on the shore at the North and South end of the swimming area.

### 6.6 First Aid Box

The First-Aid Box is kept at each beach and from open to close should be located in a known, easily accessible spot, typically at the ripper station or gate area. In any emergency situation the First-Aid Box should be brought by one of the responders. Its contents include **a larger supply of the equipment found in the fanny pack as well as eye wash, hemostatic gauze pads, insect sting relief pads, medical tape, scissors, tweezers, ice packs, ammonia packs, a bag valve mask, and an AED.**

### 6.7 Logbook

Included in the logbook is a copy of the Lakefront Operations Manual, daily log sheets, first aid reports, jump reports, incident reports, missing persons reports, and employee progress reports. It is to be kept in a dry, protected place and is the manager's responsibility.

### 6.8 Cellphones

Cellphones are only given to Lighthouse and South. They are used for when radio transmission have too much interference. Cellphones should be held by the manager and on "loud".

### 6.9 Megaphone

The megaphone is used to inform patrons of rules, weather, beach and water closings, and emergency situations.

### 6.10 Binoculars

As our secondary and tertiary emergency response areas extend far out into Lake Michigan, binoculars are needed to see swimmers and vessels in distress at a distance.

### 6.11 AED

All beaches are given an AED or Automated External Defibrillator which will be kept in the first aid box at all times during the day.

### 6.12 Oxygen

All beaches will be given an oxygen tank that will be stored with the first aid box. The oxygen tank must be kept out of the sun, unless used during an emergency. The oxygen tank will be stored in the designated station inside of the equipment shack overnight.

### **6.12a Written Policy for Emergency Oxygen**

- Never use an oxygen cylinder without a functioning regulator that fits properly with the cylinder valve. When the tank is not in use, keep valves closed even if the tank is empty. Note, you must never store oxygen tanks anywhere that can rise above 125°F (51.6°C).
- If defibrillating, make sure that no one is touching or is in contact with the victim or the resuscitation equipment. And remember, due to the flammable nature of oxygen, you should never defibrillate someone when around flammable materials, such as gasoline or free-flowing oxygen.
- Never drag or roll cylinders. Carry a cylinder with both hands (never by the valve or regulator) or with a dolly or rolling rack approved for use with oxygen cylinders.
- When transporting oxygen cylinders, do not store them in the trunk of your car where they can roll around and damage the valve and/or the regulator. Since oxygen cylinders are high pressure devices, any sudden stop, acceleration or sharp turn could turn them into a projectile hazard that could cause significant injury. Rather than risk heat exposure which could cause a potentially hazardous release of gas, remove cylinders from vehicle if temperatures outdoors is expected to rise above 80°F (26.6°C).
- Regularly check cylinders for leaks, bulging, and defective valves. Also check for rust or corrosion on the cylinder or cylinder neck or regulator assembly. No adhesive tape should be put around the cylinder neck, oxygen valve or regulator assembly as it can hamper oxygen delivery. The primary use of supplemental oxygen will be for cardiac and breathing emergencies only.
- Make sure that oxygen is flowing before placing the delivery device over the victim's mouth and nose.
- DO NOT use oxygen around flames or sparks. Oxygen causes fire to burn more rapidly. Do not smoke or let anyone else smoke around oxygen in transport, in use or on standby. DO NOT use grease, oil or other petroleum products to lubricate or clean the pressure regulator or any fitting hoses, etc. This could cause an explosion.
- DO NOT stand oxygen cylinders upright unless they are secured in a rack or cart approved for such use. Note that if an oxygen cylinder falls, the regulator or valve could be damaged. Oxygen cylinders are under high pressure and any breakage can cause severe injury.
- DO NOT hold onto protective valve caps, valves or valve guards when moving or lifting cylinders.
- DO NOT alter or remove any labeling or markings on the oxygen cylinder or attached equipment.
- DO NOT attempt to mix gases in an oxygen cylinder or transfer oxygen from one cylinder to another.
- DO NOT store oxygen cylinders near flammables or hot water heaters, near electric or phone boxes, where they can have something heavy fall on them, where they could be tipped over or exposed to heat or direct sunlight.
- DO NOT store oxygen cylinders where temperatures may rise above 125°F (51.6°C).
- All equipment will be inspected monthly during the off season to ensure that the equipment has not been tampered with.

#### **Storage of equipment during season (overnight)**

- The equipment (in their protective cases) will remain at the beaches houses in a predetermined and marked location and secured with lock and key.
- The Lifeguard Supervisory staff will biweekly inspect the shacks at the end of the day to ensure that they are being secured properly.

#### **Storage of Equipment during operational hours**

- The equipment will be stored in its protective case on the beach with the first aid box and AED at the ripper station.
- During emergencies, the ripper will be required to bring it to the scene as is the current policy as is the first aid box.
- All equipment will be inspected before installed at the beach shacks in the preseason.
- The Beach Managers will be trained and required to inspect the equipment at the beaches upon removal from the shack daily.

- An extra tank with case and regulator has been purchased so that if any tank is used, damaged, or deemed faulty it can be immediately replaced.

### 6.13 Mask/Fins

All beaches will have a set of mask and fins. The masks and fins are to be used by either a manager or a strong swimmer in the event of a deep-water line search. The mask and fins will be stored in the shack and must be brought down to the main chair daily.

## Section 7 - Rescue and Recreational Motorboats

The City of Evanston has five motorboats used by Supervisors, Aquatic Camp, and Sailing Staff. All staff should be aware of their names and typical uses.

### 7.1 EL-1 (21' Guardian Whaler)

Evanston Lifeguard 1, or "E.L. 1," is the City of Evanston 21-foot Guardian Whaler rescue boat outfitted with two outboard 115 horsepower 4-stroke engines. This boat works as the primary rescue boat for the lakefront. It is the only vessel in the fleet that has enough room to easily perform CPR on a victim or to hold divers and gear for the Evanston Fire Department. On most days EL-1 is operated by the Lifeguard Supervisors and provides support to the staff by patrolling unguarded areas, responding to emergencies on the water, providing assistance to boaters (especially vessels too large for the other boats) and enforcing rules and regulations on the water.

### 7.2 445

445 is 17-foot Boston Whaler with a single 90 horsepower 4 stroke engine. It will be used by Aquatic Camp and Sailing Staff for recreational use and as a secondary rescue boat on a rotating basis with 436.

### 7.3 436

436 is a 17-foot Boston Whaler with a center console and single 90 horsepower 4 stroke outboard engine. Typically used by Aquatic Camp and Sailing Staff for recreational use, it is also the City's secondary rescue boat, and the workhorse of the Evanston Lakefront.

### 7.4 431

431, or the "Tahoe," is a 17-foot ski boat with a 115 horsepower 4 stroke outboard engine. Used by Aquatic Camp and Sailing Staff to pull tubers and water skiers, it is used in emergency situations only when completely necessary or no other boat is available.

### 7.5 429

429 is a 13-foot Boston Whaler with a 40 horsepower 4 stroke outboard engine. This boat is ideal for instructing paddlers and sailors

## Section 8 – Lifeguard Safety

You will learn that lifeguarding is an athletic profession and that lifeguards are therefore susceptible to athletic injuries. You will learn that exposure to the environment is a major aspect of lifeguarding. You will learn about ways to protect yourself and stay healthy, including protecting your skin, your eyes, your ears, as well as ways to protect yourself from infection.

### 8.1 Lifeguard Health

By nature, open water lifeguarding is an athletic profession. Lifeguarding involves several unique hazards. Although performing a rescue can require various skills like those involved in sports, such as jumping, running, swimming, paddling, and rowing; it is impossible to perform rescues the same prepared, controlled manner that one would do in a stadium or gym. There are a wide variety of injuries that can be sustained over the course of lifeguard activity. They include death by drowning trauma from the victim, trauma from equipment, such as rescue boards and boats; trauma from environmental hazards, such as rocks, surf,

inshore holes, aquatic life, and cold-water; trauma from the elements and a wide variety of orthopedic injuries to bones, joints, muscles, and ligaments.

## 8.2 Injury

Overuse injuries occur when the lifeguard has been trying to do something too often, too hard, for too long, or incorrectly, thus over-stressing or straining involved muscles and tendons, leading to inflammation, pain, and decreased function. Back injuries, for example, may occur because lifeguards must lift, push, or carry things, like removing a victim from the water or pushing a rescue boat off the beach.

Paddling and general use of rescue boards can cause shoulder tendonitis, but also neck and back strain, elbow problems — such as lateral epicondylitis (tennis elbow) — and trauma from being struck by the rescue board.

Since an integral part of lifeguard work involves running, lifeguards are susceptible to related injuries. These include runner's knee (kneecap discomfort), tendonitis, shin splints, plantar fasciitis (heel spurs), and numerous other injuries, mainly related to overuse. Lifeguard training necessarily involves running, and lifeguards en route to a rescue are usually attempting to keep their eyes on the victim, while running and donning rescue equipment. Due to the instability of the surface, irregularity of the contour, and lack of support, running on the sand can cause various injuries, including Achilles tendonitis, foot problems, sprains, and strains. Walking and running on the sand and beach environment can also lead to a significant number of lacerations and puncture wounds to the foot of a lifeguard. These can be due to natural (e.g. shells, rocks) and human-made (e.g. glass, needles) hazards.

Lifeguard equipment can also be a source of injury. While dismounting from towers or stands, lifeguards can strain their calf, sprain ligaments, or injure joints. A study of lifeguard injuries in the City and County of Honolulu Lifeguards found that paddleboards were the number one source of trauma there.

Rescue boats and emergency vehicles of all types can be an injury source. For example, a study of Australian lifesavers identified numerous serious foot and ankle injuries from IRB use.<sup>[1]</sup> A follow-up study found that impact forces and foot straps were a major source of the injuries. Injuries are also sustained by lifeguards in other types of boats and vehicles.

Even the public can also be a source of injury. Whether or not lifeguards are assigned to law or code enforcement duties, there is always the potential for confrontation.

## 8.3 Skin cancer

Skin cancer is the most common cancer in the United States. Skin cancer is highly curable if detected early and treated properly. Nevertheless, it is estimated that more than 17,000 people die of skin cancer in the U.S. each year.

The type of skin cancer that kills the most people is melanoma. It's the most common form of cancer (of all types) for young adults 25-29 years old and the second most common form of cancer for young people 15-29 years old. Skin cancer can and has killed lifeguards, even at a young age. Lifeguards are particularly vulnerable to skin cancer because of the high levels of sun exposure they sustain and because of the strength of the sun's rays at the beach.

There is no such thing as a safe tan. Even gradual tanning damages the skin. Sunburn greatly increases the risk of melanoma, doubling the risk for those who have had more than five sunburns.

Protecting yourself from skin cancer includes avoiding intense sunlight for long periods of time and practicing sun safety when you know you will be exposed. One element of sun safety is use of sunscreen. Sunscreen should be applied to dry skin, 20 to 30 minutes before sun exposure. It should be used even on

cloudy days because up to 80% of UV rays penetrate clouds. Attention should be paid to ensure an even distribution over all exposed areas. Particular heed should be paid to the lips, ears, nose, shoulders, and head, since these areas are highly susceptible to burning.

### **8.3a Skin Cancer Symptoms can include:**

- An existing mole which enlarges irregularly or takes on a notched border
- Red, blue, or white areas in a mole
- Itching or bleeding in a mole
- The appearance of a new mole in an adult
- A scaly or crusty raised area
- Raised hard red bumps with a translucent quality to their surface

### **8.4 Syringes/Medical Waste**

There will be many potentially dangerous items that might be found on the beach, in the sand, water or surrounding rock lines, and parks. It is particularly important to keep an eye out for any of these things and dispose of them safely and carefully. Always use gloves when handling and dispose of properly in a closed rigid container or biohazard bag, use care to never touch any needle. Contact Lifeguard supervisor to dispose of properly.

### **8.5 Personal hygiene devices/sexual protection/contaminated rubber gloves**

These items should be disposed of in a biohazard bag to be collected by a Lifeguard Supervisor. Always use gloves when handling.

### **8.6 Dead Animals**

Dead animals can carry disease. Birds are especially known for carrying West Nile Virus, a disease that is first seen in mosquitoes and usually transferred to birds in the wild. Remember to use protective gloves and a shovel to carry dead animals, birds, or fish, which often wash up on the shoreline. In these instances, it is important to quickly remove and dispose of them; contact a Lifeguard Supervisor for disposal techniques.

## **Chapter 3: Communication**



## Proper Communication

To be a successful Lifeguard, you must be able to effectively communicate with the public. You will need to get your message across in a manner that assures that the public will comply with your request. Proper communication is important as it will give you the best chances of success in achieving your goal of compliance in that it will reflect positively on you, the City of Evanston and even more importantly the Lakefront.

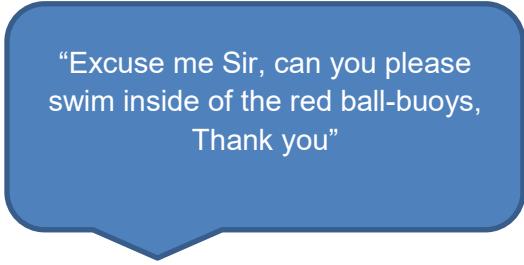
### Section 1 - Addressing the Public from the Chair

Most of your interaction with the public will happen while you are “in the chair” and due to the distance between you and the swimmers the intent of the lifeguard is often misconstrued. Using one of the four tools listed below and varying between them is often the best way to effectively communicate with beach goers.

#### 1.1 Using your Voice

Yes, yelling is probably the best way to communicate from the chair with the swimmers, but you need to be mindful of just how you are yelling in order to get the desired response from the public.

- Do not yell at them, yell to them
- Yell politely (the tone will be bad so make the words good)
- When necessary identify the person you are trying to inform
- Be brief, it’s hard to hear out there



“Excuse me Sir, can you please swim inside of the red ball-buoys,  
Thank you”

#### 1.2 Using your Whistle

In certain situations, you may be able to just use your whistle and gesture in a way that informs the person of what you need. For example, if you take the situation above you could also accomplish this task by blowing a two-whistle and either pointing where you want the person to go or by giving a short verbal instruction.

- Be mindful of overusing your whistle.
- If they are not responding, try something else

#### 1.3 Using your Megaphone

A megaphone can be used to amplify your voice which makes it easier to hear at farther distances but only when used effectively.

- Keep the microphone one to two inches from your mouth.
- If possible, make accommodations for the wind when speaking.
- Plan what you are going to say before you push the button for the microphone.
- Speak firmly into the megaphone

#### 1.4 Asking for help from another Guard or Manager

If you’ve attempted to whistle, yelled to and used your megaphone to communicate with a patron or if you just know that a patron will not be able to hear or respond, you can always ask another guard (who is on break duty) to come down and speak to a patron directly. While this is not the most convenient or efficient way of communicating with the public it is the most effective.



## Section 2 - Guarding Whistle signals

In all cases, use your whistle and megaphone only when necessary. Do not desensitize patrons to these communication tools.

<b>ONE</b> long, loud whistle-blast	<ul style="list-style-type: none"> <li>used to alert other guards and patrons of an emergency</li> </ul>
<b>TWO</b> rapid staccato whistle-blasts	<ul style="list-style-type: none"> <li>used to get a patron's attention when enforcing policy</li> </ul>
<b>THREE</b> rapid staccato whistle-blasts	<ul style="list-style-type: none"> <li>used to get attention of other guards in a non-emergency situation</li> </ul>
<b>A THREE-THREE</b> rapid staccato whistle-blast	<ul style="list-style-type: none"> <li>used in missing person situations, as well as in any first aid situation where assistance is needed.</li> </ul>
<b>A THREE-THREE ONE</b> whistle	<ul style="list-style-type: none"> <li>used for a missing person situation where the victim was last seen in the water and first aid situations where EMS is needed. Also used for a First Aid Emergency Code Blue. Adding a fist (see below) allows other guards to determine who is blowing the whistle</li> </ul>

## Section 3 - Hand Signals

When performing a rescue, hand signals are used to further communicate the type of rescue to assisting lifeguards and the Beach Manager.

<b>Holding one hand on the top of head</b>	<ul style="list-style-type: none"> <li>situation is under control.</li> </ul>
<b>A fist high overhead</b>	<ul style="list-style-type: none"> <li>physical assistance is needed to complete the rescue.</li> <li>also used to identify who blew the whistle when necessary</li> </ul>
<b>Waving one hand high overhead</b>	<ul style="list-style-type: none"> <li>911 should be called immediately, and further assistance from other lifeguards is needed.</li> </ul>
<b>Both arms up in an "X"</b>	<ul style="list-style-type: none"> <li>The initiation of a code "X" search</li> </ul>

## Section 4 - Addressing the Public Face to Face

While most of your communication with the public will take place from the chair, there will be some instance when you will need to approach the patrons in a one-on-one setting. Your goal in all interactions with the public is to get them to comply with the policies, rules and regulations for the City of Evanston Lakefront. The following chart provides you with a standardized step-by-step process to follow. Following the procedure will:

- Eliminate arguments between you and the patron.
- Reduce the likelihood of a phone complaint from the patron.
- Help to eliminate the stress of dealing with an unruly patron and make your job easier.

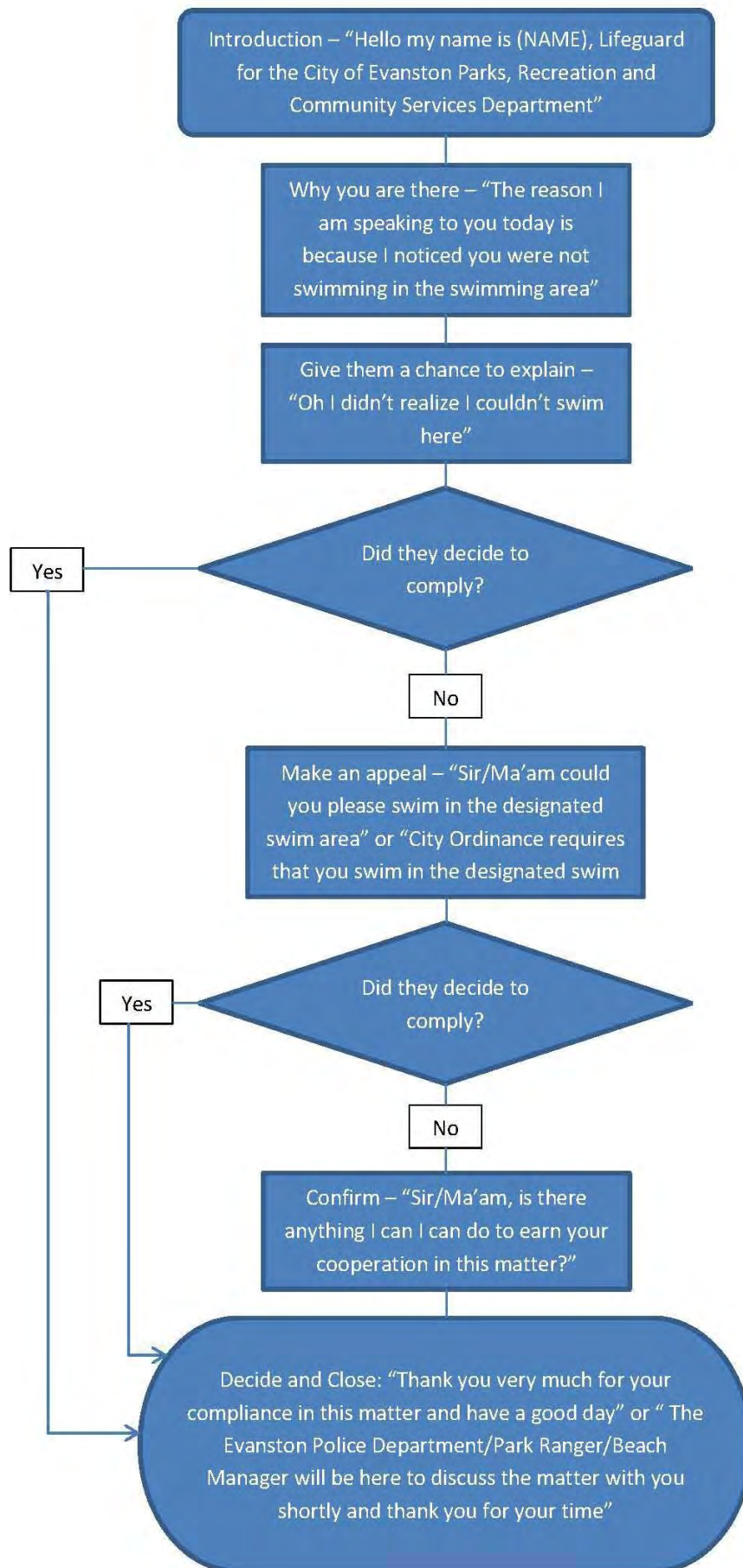
And, if they should call your supervisor and say all kinds of things about you, your supervisor will know that they are making it up, since he/she knows you followed the procedures.

### 4.1 Things to remember:

- Always address any adult as Sir or Ma'am these two words will save you many headaches.

- Never tell someone to “calm down.” Calm them down with your actions.
- End any conversation or request with "thank you."
- Always answer questions thoroughly (do not make up answers if you do not know, ask the Beach Manager or Supervisor on Duty).
- Always remember to show your “professional” face not your “personal” face.
- Always be courteous. (kill them with kindness)
- If it feels good to say, **DON'T SAY IT.**
- Watch what you say and how you say it. Only 7-10% of what you are saying will get through to that person. The tone of voice you use will be noticed 33-40% and other non-verbal signs 50-60%. So, the tone of voice you use, and your body language is more important than what you are saying! 93% of communication is delivery and presentation style.
- Every encounter is unique.
- Everyone has a “good reason” for what they are doing.
- Control the encounter, don't be the victim.
- Respond to what the person is saying, **DON'T REACT.**
- Follow the Golden Rule: always treat people as you would want to be treated in identical circumstances.
- Never inflate people with adrenaline. Arguing will only increase the person's adrenaline and make the situation worse.
- Let the person have the last word; you have the last act if you choose. So who cares if they get the last word, let it go.
- If you cannot control yourself, you will not be able to control the situation.

These procedures are not a suggestion. They are your standard operating procedure when talking to a patron about a problem. You are to know them and follow them. No exceptions!



**Note:** Following this procedure will help you quickly and accurately write up incident reports since you have followed this outline of how to handle every situation. When you have to write up a report, it is simple:

I came up to Mr. Figueredo in James Park. I identified myself as Olivia Everhart, Lifeguard for City of Evanston Recreation Division. I informed Mr. Figueredo why I was talking to him (he was naked). Mr. Figueredo started to argue, telling me he had a right to be naked and that it's a free country. I informed Mr. Figueredo that being nude in public was a violation of City ordinance. He then told me that he pays high taxes and I should find something better to do than harass him. I then asked Mr. Figueredo once again if he would put his clothes on so we both could go on with our day. Mr. Figueredo at this point again became agitated. I asked Mr. Figueredo one more time if there was anything I could say to get him to comply. He then uttered some profanities and I informed him that the Evanston Police Department was on their way to assist him with getting dressed” – quick, concise and easy!

## Section 5 - Hand-Held Radios

The radio should be handled by the Managers at all times unless the Manager is guarding or directly involved in an emergency, in which case the radio should be handled by the guard at the ripper position. **NEVER leave the radio unattended. NEVER leave the radio unattended. NEVER leave the radio unattended.** The radio is the beach’s first form of communication with the Supervisors. It is used in important daily issues needing prompt conclusion, and in all emergency situations. Remember, there is to be no non-essential radio use. The radio is on the city frequency, and our emergency communication line and this type of behavior will not be tolerated. **Radios should remain tuned to channel 1 unless instructed otherwise by the Beach Office.**

### Channel 1

- Public Works Channel - Primary Channel for lakefront

### Channel 3

- Marine 16 Hailing and Distress (Coastguard)

### Channel 2

- Aquatic Camp/Sailing channel and back-up channel for beaches

### Channel 4

- Marine 71 Inter-ship (General Communication)

### 5.1 Radio Checks

Radio checks should be completed by the Beach Manager and Church St. Attendant at 9:00 as they open their respective beaches in the morning and then again at 3:30 pm in the afternoon. These radio checks should start with South Blvd. Beach and move north, ending with Lighthouse Beach. If for some reason South Blvd. is not heard, Lee St. should start. The following is the script with which all radio checks should follow:

Beach Office, Beach Office, Beach Office this is \_\_\_\_\_

Beach for a (morning/afternoon) radio check.”

**Beach Manager**

“Roger that \_\_\_\_\_ Beach, we read you \_\_\_x\_\_\_. (See chart below)”

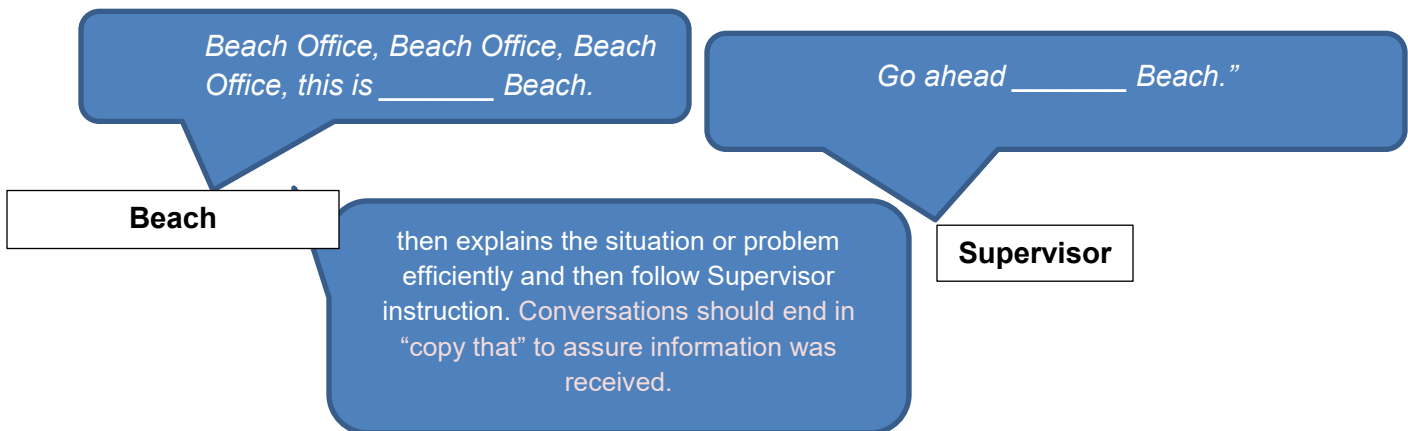
**Supervisor**

5 X 5	•Clear - Communication was succesful.
4 X 5	•Communication is slightly broken but imformation was received.
3 X 5	•Communication is broken up with static and interference, the entire message may not have been received.
2 X 5	•Unintelligible, message is mostly static. Communication was unsuccessful.
1 X 5	•Very little could be heard, or nothing at all. Communication was unsuccessful.

Based on the response the supervisor gives, if you received a low reading, retry the radio call. If unsuccessful again, check radio for possible problems (is it turned on, dead battery). Call the beach office via telephone.

### 5.2 Radioing in a non-emergency situation

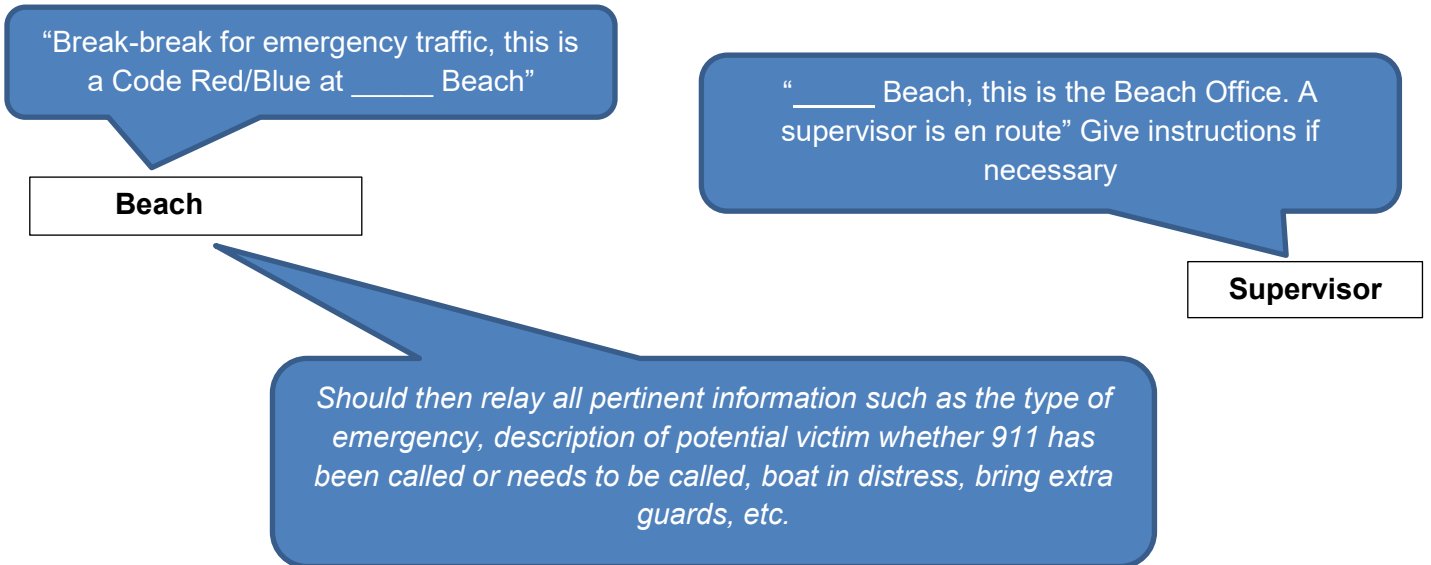
When radioing the beach office in a non-emergency situation maintain a calm, serious tone. Speak slowly and clearly. The following is the script that should be followed when radioing in a non-emergency situation:



Code Red	•Any emergency situation that needs possible assistance or reporting (jump, missing kid, etc).
Code Blue	•Any emergency that needs EMS (missing kid last seen in water, major first aid, acts of violence, passive victim).
Code White	•A non-emergency rescue for any vessel in distress where the patron can be identified and assistance would be helpful (holding paddle above head, waving or trying to right boat with limited success).
Code Black	•An emergency rescue for any vessel in immediate distress (anytime you cannot spot the boat operator, any catamaran that cannot right themselves or any vessel with visible damage - torn sail, broken mast, fire, etc).

### 5.3 Radioing in an Emergency

Calling a Code Red or a Code Blue is the primary way to notify the beach office of an emergency. Upon a Code Red or Blue being called the beach guards should immediately begin the proper EAP (see Chapter 5). Supervisors will rush to the scene to assist. The following is the script that should be followed when radioing in an emergency situation:



## Section 6 - Phone Procedures

In the event of an emergency (major first aid, rescue, violent incident, etc.) the Supervisor on duty needs to be notified. Ideally the radio will suffice, but in the case that there is no response on the radio, make a second attempt then follow the emergency phone procedures.

### 6.1 Emergency Phone Procedures

In the event of an emergency requiring EMS (a Code Blue) **call 911 before calling the beach office.** Answer all of the dispatcher's questions, and do not hang up until they do. When the radio is not working, you must use any telephone to notify the Beach Office of a Code Red or Blue. Often, a Supervisor will not be the staff member answering the phone at the Beach Office, if this happens let them know what beach you are, that you have an emergency and that you need to speak to a Supervisor immediately. Once a Supervisor is on the phone notify them of the code status (Red or Blue), whether 911 has been called, and give any other pertinent information about the emergency.

### 6.2 Further Phone Procedures

In the case of an emergency where the radio and beach telephone fail, use a cellular telephone; then call the Beach Office.

## Section 7 - Supervisors Radio protocol:

- Morning and Afternoon radio checks must be conducted twice daily
- The base station radios should be monitored and set to audible levels at all times
- These protocols are to be followed always as our radios are monitored by EPD and they may contact us using those.

## Section 8 - Supervisor Phone Procedures

- Answer the phone by saying "Dempster street beach office" and your name.
- This allows whoever is calling to know who they are speaking with.
- In the event that it is a patron it establishes a level of professionalism on the phone

## Section 9 - Marine Radio Protocol

At any given time, a supervisor must be within earshot of the marine radio and be aware of any emergencies that may require assistance. Listen for pan-pans involving Evanston, Wilmette, and other neighboring jurisdictions. All the boat radios and the base station radio should always be tuned to Channel 16 unless you are talking to one of the lakefront boats.

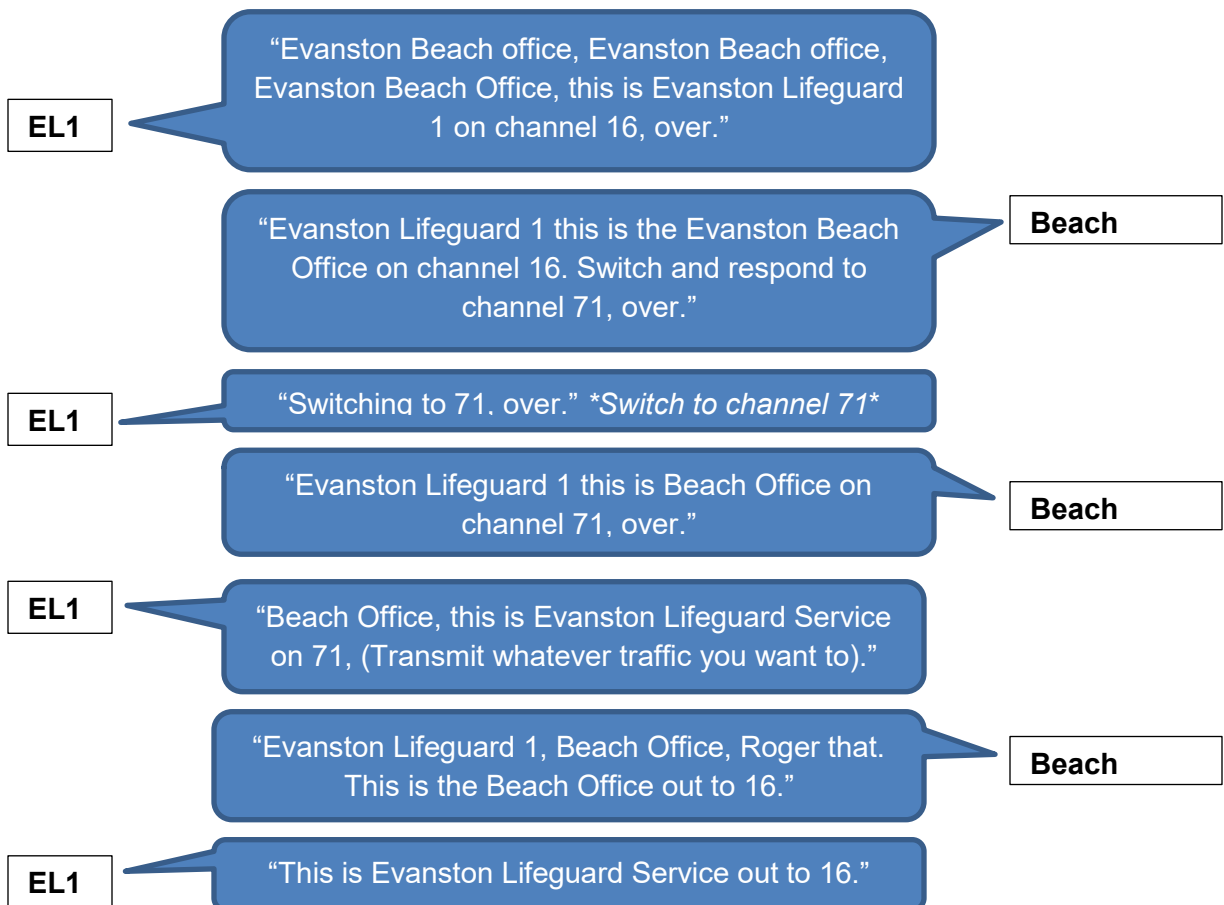
### 9.1 Procedure

1. Hail on channel 16
2. Switch to channel 71
3. Talk on channel 71
4. Switch back to channel 16
5. **Hailing formula:** “\_\_\_\_\_(x3) this is the Evanston Lifeguard Service on channel 16 over.”

### 9.2 Marine Radio Etiquette

- When you are ending a single transmission, the last word you say should always be “over.”
- When you are done with an entire conversation, the last word you say should always be “out.”
- When given a direction to switch to another channel always transmit a confirmation of the channel before switching.
- Once communications have been established always begin each transmission by first saying who you are talking to and then who you are.
- Keep your comments brief and professional because anyone with a marine radio can hear what you say. As a rescue service, we are expected to adhere strictly to protocol.

## Example



## **Chapter 4: Regulations**





## Regulations

As a staff member for the City of Evanston it is important that you know all the regulations which you will have to enforce (you cannot enforce what you don't know). When speaking to patrons it is important to be fair and consistent. It is also important to enforce regulations quickly to prevent confusion or give other patrons the idea that there is nothing wrong with what is being done.

### Section 1 – Regulations

#### 1.1 Patron Beach Regulations

The following beach rules are always to be observed by patrons. Failure to comply with these regulations may result in a loss of their beach use privileges without refund, and/or legal prosecution. City of Evanston Lakefront Staff must know, follow, and enforce all regulations and procedures as outlined in this manual.

1. Swimming is permitted only in those areas of the beach that are guarded and posted for swimming. (Swimmers may not swim beyond the marked buoys, which separate swimmers from boat traffic)
2. Swimming may be restricted or prohibited due to safety conditions (Examples include lightning, seiche warnings, rough water, etc.)
3. Season Token or Daily Ticket is required for admission for all patrons, age one and over.
4. Children must be properly supervised by an adult (Children under ten years of age must be accompanied by an adult (15 years or older). Persons 11-14 years old may supervise children ten and under when they have written parental permission.)
5. Use of inflatable objects or floatation devices except Coast Guard-approved lifejackets is not allowed. (This includes skim boards, innertubes, boogie boards etc.)
6. No alcoholic beverages allowed on beaches or in the parks.
7. Glass containers are not allowed on the beach.
8. Ball playing, Frisbee, kite flying, etc. is permitted only in areas designated by beach staff.
9. Specifically identified areas may be reserved for Recreation Division Programs.
10. The launching and retrieving of boats is prohibited.
11. Scuba Diving and the use of masks & snorkels is only permitted on Greenwood Beach but must enter through Dempster St gate and divers must be certified with required equipment (Required equipment includes: at least one other certified diver with them, a buoyancy vest, scuba certification card, diver down flag, and submersible pressure gauge to enter.)
12. Food and drink will be permitted on the beach only in those areas so designated.
13. Patrons are not allowed on the breakwall.
14. Sand or rock throwing and all other dangerous play is prohibited.
15. Loud music that may disturb beach patrons is prohibited.
16. Fires are not allowed on the beach, including barbeques.
17. Digging of large holes is prohibited – All holes must be filled in when leaving.
18. Animals (exception: service animals) are not permitted on the beach.
19. All commercial photography is prohibited without a permit from the City of Evanston Administrative Services Department
20. Smoking is not allowed on City of Evanston Beaches (This rule applies to both staff and patrons.)

#### 1.2 Dog Beach Regulations

- ~~1. The Dog Beach is open from April 1 through mid-November and the hours of operation are 7:00 a.m. to 7:30 p.m.~~
- ~~2. All dogs must have current rabies and other vaccines as required by the Cook County Department of Animal and Rabies Control regulation and wear a valid dog license, if applicable.~~
- ~~3. Access to the Dog Beach is limited to registered permit holders only. Owners/handlers must bring their permit each time they visit the Dog Beach and show their permit to staff, when requested.~~
- ~~4. Dog owners/handlers must be in control of their dog(s) at all times. If aggressive behavior is observed in a dog, it must be leashed and immediately removed from the Dog Beach.~~
- ~~5. Dog owners are solely liable and responsible for any damage or injury inflicted or sustained by their dog(s).~~

- ~~6. Owners/handlers/guests with dogs may enter the water to their knees and no further.~~
- ~~7. Owners/handlers are responsible for cleaning up after their dog and placing in appropriate receptacles.~~
- ~~8. Dogs must be leashed while entering and exiting the Dog Beach, and may be off leash only within the designated fenced area. Owners/handlers must have the leash in hand at all other times.~~
- ~~9. Dogs that are under 4 months old, in heat, ill or with contagious conditions/illness are not allowed on the Dog Beach.~~
- ~~10. Sunbathing is prohibited. No chairs, beach towels, or blankets are allowed on the Dog Beach.~~
- ~~11. No more than two (2) dogs per person will be allowed on any one visit.~~
- ~~12. Food, alcohol, and glass containers are prohibited on the Dog Beach.~~
- ~~13. Owners/handlers must stop their dog(s) from digging. Any holes created by a dog must be filled immediately by their owner/handler.~~
- ~~14. Children must be 10+ years old, over 50" tall, and supervised by an adult to be on the Dog Beach.~~
- ~~15. Any dog bite occurring to a person or another dog must be immediately reported to the Evanston Police Department.~~
- ~~16. For any concerns about the facility, please call or text 847-448-4311.~~
- ~~17. Any owner/handler who fails to comply with these rules and regulations may have their permit revoked.~~

### **1.3 Church St. Regulations**

1. A season launch permit, one per vessel, is required. It must be permanently affixed to your vessel on the front port (left) side.
2. If an attendant is present, you must stop and check with the attendant prior to launching your vessel.
3. Do not tie up for more than fifteen (15) minutes at the Church Street boat ramp.
4. No overnight docking is permitted at the Church Street boat ramp. Do not cause a wake when entering or leaving the launching area.
5. Vessels must stay at least one hundred fifty feet (150') east of the line of buoys designating the no wake zone, special use zone, swimming beaches and shoreline except for launching and retrieving of motorized watercraft. Passengers may not be picked up or dropped off at any beach or from the break walls adjacent to the beach.
6. It is unlawful to launch any vessel at any swimming beach or other public right of way within the borders of the City of Evanston.
7. Tubing or skiing is not allowed in the channel or boat ramp area; operators may not tow anything into the ramp unless they are towing another vessel in distress.
8. Swimming within 200 yards of the swimming beaches, shoreline and any marked buoy is prohibited.
9. Beware of scuba divers exploring the wreck of The Morley, just southeast of the ramp. Stay away from "diver down" flags.
10. To notify the Dempster St. Beach Office of a problem or emergency, call 847-866-4167 or hail our Evanston Lakefront staff on Marine Channel 16.

### **1.4 Dempster St. Beach Facility Regulations**

The Dempster Street Launch Facility is governed by regulations set by the Evanston Parks and Recreation Board and by City of Evanston ordinances. This facility is for the launching of non-motorized small craft and catamarans that can be launched without requiring a trailer to enter the water.

1. All craft using this facility must have either a season permit or daily pass. Storage permits must be permanently attached to your craft's starboard bow (front right). In order for the permit to adhere, it should be attached at least 24 hours before launching. Your boat sticker **MUST** be attached to your craft. Carry-in Vessels must have a season launch card per vessel and show you that card every time they enter the facility.
2. It is recommended that all persons on a vessel wear a Personal Flotation Device (PFD). It is a requirement that at least one PFD is either on the person or the vessel.
3. Children under age 14 years of age will not be allowed to launch a craft without written permission from a parent or legal guardian.

4. Food and drink may be brought onto the beach, but glass containers are not allowed. Alcohol is not allowed in any City of Evanston park or beach.
5. Swimming (this includes wading) is not allowed at Dempster Beach. You can only swim at the four swim beaches in Evanston.
6. Sunbathing is not allowed within 15 yards of any storage rack or within 5 yards of the shoreline in the launch area.
7. To notify the Dempster Street Beach Office of a problem or emergency, call 847-866-4167 or hail Evanston Lifeguard Service on marine radio channel 2.
8. Exiting your boat or board in the area with 150 yards east of all buoys and or the shoreline will constitute as swimming and is expressly prohibited.
9. Permits are NOT transferable and must be affixed to your craft; every craft must have a permit.
10. Craft returning to shore maintain the right-of-way over craft casting off from shore.
11. Sailboats and sailboards may not be used without their sails.
12. Storage rack renters are responsible for securing their craft to the racks.
13. Please store your craft stern first and wrap cable (front and back) across the entire craft and secure the locks on the opposite side.
14. Only one boat/board per rack or spot. Any extraneous vessels hidden on the rack or under your catamaran, etc. may be impounded!
15. Rack holders cannot chain craft, wheels, other vessels, etc. to the racks.
16. All craft must be stored on their proper racks overnight. Do not leave any boat out on the beach.
17. Use only your assigned rack and locker. Craft placed in incorrect racks or equipment stored in incorrect lockers will be removed and impounded. An impound fine of \$50.00 must be paid before equipment/craft will be returned.
18. Boat covers must be secured neatly and may not infringe, hang down, etc. onto other boats or into other racks.
19. Rack holders may not make any modifications to their racks.
20. Surfing is permitted, but only in designated areas. Surfers must have an actual surfboard (with an attached leash and must possess a launch permit).
21. Boogie-boarding, skim-boarding, kiteboarding, and parasailing are not permitted.
22. Inflatable canoes/kayaks/paddleboards are allowed only if they have a durable construction and possess at least three chambers for inflation. All other inflatable "vessels" are not allowed.
23. Boating or "boarding" is not permitted inside the buoys marking the swimming beach areas.
24. Stand-up Paddle Boards are intended to be used by only one paddler at a time. That paddler must wear a leash attached to their board. If a paddler wants to allow another person onto their board, that person must wear a USCG-approved lifejacket and remain in a seated position while on the water. No more than two persons are allowed on any paddle board at the same time.
25. If a stand-up paddler is unable remain on his/her board, he/she will be asked to leave the facility.
26. Please be aware of the wind conditions (high winds) and attempt to avoid congregating in large groups in the path on oncoming sailboats/boards. There have been a couple of occasions in which multiple paddle-boarders inadvertently acted as a "flotilla," making it difficult for sailors to pass and make it to shore. Remember, boats don't have brakes and high winds can cause sail-powered vessels to travel in excess of 30 miles per hour.
27. Failure to comply with the regulations listed here or any laws or other regulations that apply may result in loss of launching privileges (without refund) and/or legal prosecution.

### **1.5 Aquatic Camp Rules**

- ~~1. CAMPERS MUST ALWAYS WEAR LIFE JACKETS ANYTIME IN THE WATER EXCEPT FREE SWIM. All lifejackets must be worn properly, the right size, fitted correctly and all buckles buckled.~~
- ~~2. All campers must be checked in and out every day, campers must bring a note from their parent/guardian if they need to leave early.~~
- ~~3. Campers should never go in the water until a counselor is there and says that it is ok. We always use a buddy system.~~
- ~~4. Swimming is not allowed on the Dempster St. Beach, except when going to a vessel.~~
- ~~5. No throwing rocks, sand, or anything else.~~
- ~~6. No campers in the garage or office without a counselor or other staff person.~~
- ~~7. Everyone must help cleanup.~~

- ~~8. If campers fail to follow the rules, give them up to three warnings and then Beach them. This means no water activities. If a problem persists, call parents.~~
- ~~9. Tell your campers to let you know if they are having any problems with activities or other campers (being picked on, etc.)~~
- ~~10. No person swims out of the swimming area, camper or non-camper. The only time a camper is allowed outside the swim area is when they have a lifejacket on and you have told them to go wait for a boat.~~

#### **1.6 Sailing Rental Rules**

- ~~1. A parent or guardian must be present with all children under the age of 12.~~
- ~~2. No children under 6 allowed on a rental vessel.~~
- ~~3. Children under 8 years old must be accompanied by a parent or guardian on vessel.~~
- ~~4. Lifejackets must be worn at all times on vessels.~~
- ~~5. Renters must stay on the vessels.~~
- ~~6. Horseplay will not be tolerated.~~
- ~~7. Boaters must practice safe boating policies in order to rent vessels.~~
- ~~8. Only 1 person per paddle board.~~
- ~~9. Swimming is not allowed on Dempster St Beach.~~
- ~~10. Renter is responsible for lost or damaged gear.~~

## **Chapter 5: Employment Procedures**



## Employment

Employment at the lakefront is divided into three categories: full-time, part-time and substitute. Your written test and training scores as well as your availability determine whether you are eligible for full or part time status. All applicants who pass the pre-season testing and training will be eligible to work. At the lakefront, schedules are earned. All employees should expect to work July 4th. Furthermore, you may be asked to work more days, especially late in the season. None of your hours are guaranteed and during poor weather Supervisors may send guards home or call and notify you that you won't be working. You can check your payrate and hours logged by using this url: <https://myportal.cityofevanston.org/Websites.HR.Portal/Default.aspx>, follow the link that says Activate Your Account and enter your last name and SSN to get your employment information.

### Section 1 - Lakefront Positions

Position	Hours/Week	Days Off/Week	Max Days Off/Season	Notes
<b>Full-time Guards, Managers, and Gate Attendants</b>	30	3	17	Gate Attendants hours will vary
<b>Part-time Guards, Managers, and Gate Attendants</b>	22.5	4	17	Gate Attendants hours will vary
<b>Substitutes</b>	N/A	N/A	N/A	Must complete 20 days
<del><b>Aquatics Camp Counselor</b></del>	<del>38</del>	<del>2</del>	<del>17</del>	<del>Weekends Off</del>
<del><b>Sailing Instructor</b></del>	<del>30</del>	<del>2</del>	<del>17</del>	
<del><b>Supervisor</b></del>	<del>36</del>	<del>2</del>	<del>17</del>	

#### 1.1 Gate Attendants

The ticket takers or gate attendants are in charge of admitting patrons to the beach, by way of either the daily fee or seasonal token. Gate attendants are required to keep track of the number of patrons admitted. The Dempster St. Beach and Church St. Attendants are also considered Gate attendants. Gate attendants are typically the first in line to give information to the public so it is very important that gate attendants are involved in the daily beach operations for the day.

#### 1.2 Lifeguards

While all of the Aquatic Jobs at the lakefront are staffed by lifeguards the guards on the beach are tasked with protecting the patrons and maintaining the beach. Whether they are sweeping the boardwalk or up in the chair, the guards are responsible for making sure the beach is presentable and that each patron that enters the beach leaves the beach in good health.

#### 1.3 Beach Managers

Assigned to one beach for the season, the manager oversees scheduling, training, tasking, and teaching their guards every day, as well as partaking in the work themselves. Additionally, the manager documents the daily happenings at the beach. **You and your staff are on duty your entire shift**, when not guarding you will be responsible for seeing to the completion of non-guarding tasks (In-service exercises, clean-up, patrolling the fence-line, cleanliness of the washroom, rotations, the log sheet, etc.) (Never leave your beach, get another guard to pick up lunch.)

#### 1.4 Aquatics Camp Counselors

~~Responsible for engaging children in camp activities while ensuring their safety. The counselors provide a constructive environment for learning aquatic skills such as sailing, fishing, and water skiing.~~



### 1.5 Counselors in Training

~~C.I.T's are not staff, they are paid participants that are to shadow the Aquatic Camp staff in an effort to learn the skills that are to aide them in future employment as Aquatic Camp Counselors. Do not give them tasks or duties that should be reserved for qualified staff (lifeguarding, using the radio, driving a boat etc.)~~

- ~~• If you give them instructions, be specific~~
- ~~• Never discipline them in front of campers~~
- ~~• If they are out of line, talk to the Assistant Director or Director immediately~~
- ~~• Evaluated after second week of each session~~

### 1.6 Sailing Instructor

~~Instructors ensure patron safety at the Dempster Street beach as well as oversee rentals of all water craft. Furthermore, they conduct lessons in sailing and paddling and act as counselors for the various evening programs and camps.~~

### 1.7 Lifeguard Supervisors

The blue-shirts are responsible for training and the managing of staff as well as the overall supervision the Evanston beaches. They assist with Camp's daily duties, emergencies on the beaches, make marine rescues, and are in deal with any issues with the public. The supervisors oversee most of the logistics of the Evanston lakefront.

### 1.8 Substitutes

Subs can cover shifts for positions that they have already been trained in. Substitutes adhere to the responsibilities of whatever position they are covering for the day.

## Section 2 - Finding Substitutes

It is each staff's sole responsibility to find a substitute for all days on which they have a conflict. If need of a substitute, all staff must change their shift day/dates to "available" through the "Sling" application. Once it is marked as an available shift, someone else can request to take it. A supervisor will then approve/denied the request.

## Section 3 - Beach Hierarchy

The chain of command is important. The only time you want to breach the chain of command is if the issue has to do with your direct superior. Otherwise, all questions/comments should be directed to your beach manager; if a manager cannot answer your question, then refer to a lifeguard supervisor. Adam is **NOT** the first line of contact for questions, concerns, etc.

## Section 4 – Schedules

It is your responsibility to know your schedule and to find subs for days that you need off, failure to adhere to your schedule not only makes you a bad employee but it burdens your other guards and creates the potential for an unsafe lakefront since it may not always be possible to fill the spot you left vacant.

### 4.1 Gate Attendants (Ticket Takers, Dog Beach, Boat Ramp and Dempster Attendants)

All gate attendants will report to the Dempster Street Beach Office each day. You will show up on time.

Shift	Start	End	Total
Early	8:15 AM	2:45 PM	6.5 hours
Late	1:45 PM	8:15 PM*	6.5 hours

## 4.2 Guards and Managers

All guards will report to the Dempster Street Beach Office each day. You will show up on time for one of three shifts: Early, Middle or Late. Typically, Managers are not scheduled for middle shifts.

Shift	Start	End	Total
Early	8:15 AM	3:45 PM	7.50 hours
Middle	10:45 AM	6:15 PM	7.50 hours
Late	1:00 PM	8:30 PM*	7.50 hours

## 4.3 Supervisors

All supervisors will report to the Dempster Street Beach Office each day. You will show up on time for one of three shifts: Early, Middle, and Close.

Shift	Start	End	Total
Early	7:45 AM	3:15 PM	7.5 hours
Middle	10:30 AM	6:00 PM	7.5 hours
Close	1:30 PM	9:00 PM	7.5 hours

## 4.4 Aquatics Camp Counselors

All counselors will report to the Dempster Street Beach Office each day. You will show up on time for two shifts per day.

Shift	Start	End	Total
AM Session	8:30 AM	12:30 PM	4 hours
PM Session	1:15 PM	5:00 PM	3.75 hours

## 4.5 Sailing Instructors

All sailing instructors will report to the Dempster Street Beach Office each day. You will show up on time for one of four shifts per day: weekdays, weekend AM, weekend PM and weekend all day (AD).

Shift	Start	End	Total
Weekdays	2:30 PM	8:00 PM	5.5 hours
Weekend AM	10:00 AM	4:00 PM	6 hours
Weekend PM	2:00 PM	8:00 PM	6 hours
Weekend AD	10:00 AM	8:00 PM	10 hours

## Section 5 – Roll Call

Upon the start of each shift, staff will punch-in. You cannot punch-in until notified by the supervisor on duty. You will be using a cardstock timecard, which will have your name, position, and employee number at the top. The time clock automatically calculates your hours as long as you remember to punch in and out. Notify a supervisor of any discrepancies. **You cannot punch in more than five minutes before your shift.** When you punch in move your timecard from the left rack to the right rack in the appropriate spot, then when you punch out move your timecard back to the rack to the left of the time clock.

### 5.1 Gate Attendants

- All staff must be at the Dempster St. Beach Office and be ready to work when your shift starts.
- At the beach office you will receive your daily ticket box with clicker and skewers. You will then need to check out your box ensuring that you have;
  - The correct amount of cash (bank)
  - The appropriate number of singles (at least 25)
  - Correct starting ticket numbers on your daily sheet

- After checking these things you will promptly go to the beach you are assigned, the beach must be opened and you must be ready for business by 10:30am.
- If you are the first Gate Attendant of the day you must: **Check all patrons presently at the beach for tokens. If they do not have tokens they must either buy a ticket or leave.**
- Set up Gate Area (chair, ticket-box)
- Check in with the Beach Manager (tell him or her that you are all ready to work).

## 5.2 Lifeguards & Beach Managers

- Rollcall takes place at the beginning of each shift.
- You should be lined up with your guard suit on at the time rollcall takes place.
- A supervisor will take roll, conduct the Roll-Call In-Service, and then assign the day's beach assignments and provide pertinent information.
- Upon dismissal, early shift guards will retrieve their respective beach's Daily Equipment and go directly to their beach and begin opening tasks, middle and late shift staff should go directly to their beach.
- **Reminder: Do not arrive to work already wearing your uniform.**

## 5.3 Sailing Staff

- Clock in and change into uniform (guard suit and Sailing tank or T-shirt.)
- Check Camp/Sailing Daily log to see what boats are needed that day and what lessons are happening that day.
  - Mark off any boats that are not available for rental that day. If this adversely affects rentals or lessons, contact those individuals to inform them of the situation and possibly reschedule
  - If a Red flag day or no wind contact sailing lesson to reschedule for another day
  - If a Red flag day or no wind contact pre booked rentals to reschedule for another day or to cancel
- Rig/set up the appropriate amount of boats on the beach for the scheduled lessons and rentals that day.
  - Typically, 3 BARNETTS, 2 HOBIES, 6 SUP boards, 4 double kayaks and 2 single kayaks
  - Collect all necessary rigging and gear for boats from the Beach Office and bring to shore
  - Check for any damage to equipment and boats and if possible, replace or repair (if boat is not repairable replace with another boat and mark off in rental book)
  - Make sure all hulls are empty of water and that **drain plugs are securely screwed in**
  - Point all sailboats into the wind and make sure rudders are in the upright position
  - SUP boards should always be fin side up on the beach
  - Make sure lifejacket racks are accessible to renters
  - Kayak and SUP paddles are to be kept at Beach Office, not on the beach
- Meet with Director/Assistant Director for Pre-Shift Meeting
  - Radios will be checked in
  - Daily tasks and events will be talked about
- **BEFORE ANY RENTALS GO OUT MAKE SURE RESCUE BOAT IS AT THE MOORING BUOY OR CHURCH STREET BOAT RAMP**

## 5.4 Aquatic Camp Staff

- Punch in
- Check status of water and boats
- Pull/ready appropriate equipment for daily activities (i.e.: tubes, skis, paddles, life jackets etc.) and check EpiPens.
- 2-3 staff get 1 or 2 motor boats from Church Street (may have to go to the yard to pick up)
- Get ready for the day, sunblock, water etc. While we meet to discuss plans for the day (i.e.: whose driving, what groups start on Dempster vs. Greenwood, and any other important information.)
- AM Camp starts at 9:30am, be outside by the bleachers ready for check in
- Once check in is complete, give any updates (campers leaving early, forms) to Director and then bring backboard, tubes, med box/epi pens down to Dempster and Greenwood.

## Section 6 - Training – Lifeguards and Beach Managers

It is crucial that all staff practice and maintain the skills needed to perform their duties. Daily in-service training will be conducted under the direction of the Beach Manager and/or Supervisors. The purpose is to keep all guards in condition both mentally and physically for any emergency that may occur and to keep all guards thinking ahead of time how to handle a variety of situations. **IF ANY GUARD SHOWS INCOMPETENCY IN SKILL KNOWLEDGE OR ABILITY, THEY WILL BE RELIEVED OF GUARDING DUTY UNTIL THEY ARE CAPABLE OF FULFILLING THE JOB QUALIFICATIONS!!!**

### 6.1 Roll call in-service

Will include physical conditioning and rescue skills practice and will be conducted daily by a Supervisor. All guards will perform this in-service as a group; the roll call in-service will generally consist of physical conditioning. Roll call in-service will be completed every day at roll call by beach managers and lifeguards.

### 6.2 Daily In-services

At each beach, in-services will include emergency drills, role-play situations, rescue skills, CPR practice, and other training on an individual basis. The daily in-service will generally be conducted by the beach managers and or supervisors when checking in on beaches.

### 6.3 Beach In-Service

In-services include physical and mental conditioning, lifeguard skill training, and first aid/CPR practice. The in-services will be conducted by the beach managers and their purpose is to keep all guards rescue ready.

### 6.4 Skills Testing - Mock Drowning's ("Fakes") Supervisors

Throughout the beach season all lifeguard staff are subject to mock drowning tests. Mock drownings should only be performed when the appropriate number of staff is available and should always be approved by upper level management.

#### ***Mock Drowning Procedure:***

1. Select someone to act as a convincing active drowning victim. Choose your mock victims carefully, creating a believable drowning scenario is easier said than done.
2. Briefly explain to the person what he/she is supposed to do. (Begin by waving arms and looking back towards the shore with a frightened appearance) Eventually the person should know to go passive.
3. Have the person enter the swimming area and execute the drowning procedure.
4. Time the guard's performance as soon as the mock drowning begins.
5. Fill out the mock drowning report.
6. Follow up with the scenarios outcomes as necessary (debrief).

## Section 7 – Position Expectations

### 7.1 The Gate Attendant Position

The Gate Attendants position's primary responsibility is to ensure that the people entering the beaches either use a beach token or buy a daily pass.

#### 7.1a Primary Responsibilities

- Check beach goers for season passes (tokens)
- For those beach goers who do not have daily tokens they will need to buy a daily pass
- ~~Selling Daily Passes while providing correct change~~
- ~~Managing the money in the ticket box~~
- Recording the number tokens users who enter the beaches
- ~~Balancing out collected money accurately at the end of the shift~~

### 7.1b Miscellaneous Responsibilities

- Keep an eye on the whole fence-line for people trying to avoid the daily fee.
- Keep an eye out for people passing tickets or tokens to others.
- Report any such behaviors to Beach Managers or Supervisors.
- Theft will not be tolerated: anyone caught stealing will fully not only be fired but also prosecuted.
- The Gate Area is a work area; keep it clear of personal debris.
- Certain items are not allowed on the beach be aware of them.  
(These items include glass containers, alcoholic beverages, grills, inflatables, etc.)
- Ticket Guards should also pay attention to their surroundings.
- Do not listen to music while on duty an emergency can happen at any time, and your assistance may be required.
- Also, make sure you are sitting in an acceptable manner (i.e. not on top of the table, not lying down, or any position that might look as if you are not working.)

### 7.1c ~~Outside Agency Camps or Groups (Beach Days Requests)~~

- ~~• Half-price rates can be need at the individual beaches with prior approval from the Supervisors.~~
- ~~• If any camp that arrives without a camp sheet (given by the Supervisors that day), have the Beach Manager contact the Supervisors.~~
- ~~• All ERD camps are to be allowed on the beach at any time.~~
- ~~• All camps should be met by the Managers and they should take care of the appropriate paperwork.~~
- ~~• Don't forget to count camps on your clicker.~~

### 7.1d Miscellaneous Notes

~~When you are on shift at the beach when taking a washroom break, **only the Beach Manager can watch your box.** No one can sell tickets but the Gate Attendant. Make sure you hurry to and from the washroom. Lunch Breaks, no Gate Attendant may leave the beach at any time. You will stay at your beach your entire shift. Bring a lunch or get lunch when one of the guards goes for lunch.~~

## 7.2 Lifeguard Expectations

Lifeguarding demands an elevated level of commitment and on-the-job excellence. The City of Evanston expects that you always uphold all the standards in this manual. Both managers and lifeguards will actively guard and therefore must be cognizant of all of the information in the manual.

### 7.2a Non-Guarding Expectations

These are the expectations for the lifeguards when they are not actively guarding:

- **Stay at your assigned beach the entire shift**
  - Guards should never leave the beach, unless otherwise instructed by a Beach Manager or Supervisor.
- **Maintain a professional appearance while on-duty**
  - Staff should do so by obeying and enforcing rules, being in appropriate uniform when required, and by keeping busy.
- **Do not wear clothing or items that will slow your response to an emergency**
  - This includes laced shoes, long pants, and all jewelry especially earrings and necklaces.
  - **Tie back long hair** - this will keep it from interfering with your vision and keep victims from grabbing or pulling it during a rescue.
- **Be aware of weather conditions and expected changes**
- **Do not allow patrons to throw balls or Frisbees near other patrons.**
- **If any watercraft enters the swim area direct them out immediately**
  - Try to spot boat types and permit numbers and report them to beach office.
- **Keep the beach clean**
  - Regularly pick up litter, empty trash cans, and check for glass and other potentially harmful debris, remember if you find the sharp thing on your beach before someone steps on it you've just prevented an injury that you would have to deal with.

- **You are on duty your entire shift!**

- When not guarding you will perform in-service training, pick up trash, check the fence for holes, clean restrooms and perform other duties as assigned by your Beach Manager or Supervisor.

**7.2b Ticket Ripping** - The guard who is at the gate will be in full uniform and will rip the double tickets as a double check for incoming patrons. They should also watch the fence line and beach boundaries for people trying to avoid the daily fee.

- There should always be a guard designated to rip the double tickets.
- The ripper should be positioned across from you near the gate entrance.
- Direct all incoming patrons to the ripper; this includes people with tokens.
- If for any reason, there is no ripper you must immediately talk with the Beach Manager to rectify the situation.

### **7.2c Guarding Expectations**

These are the expectations for the lifeguards when they are actively guarding, you are always expected to enforce all the beach rules.

- **Focus all primary attention on people in the water**  
While your other senses can tell you, what's going on around you, your sight should be directed first at the primary swimming area, and then at the surrounding areas.
- **Scanning**  
Scan your area about once every ten seconds using the procedures outlined in the surveillance section of this manual.
- **Equipment**  
Make sure equipment is rescue ready at the beginning of each guard shift. This includes your whistle, the spinal board, rescue board, rescue tubes, and megaphone. Cell phones should never be brought to the chair or any other guarding position.
- **On Duty Equipment**  
Always wear your uniform, whistle, and first aid fanny pack. When on the ground or in the water always carry a rescue tube.
- **On Duty Conversation**  
Answer and end conversations and questions from patrons quickly and as politely as possible. Do not stop scanning the swimming area while talking. If necessary, refer the patron to your manager.
- **Inflatables**  
Keep inflatable objects and other floatation devices out of the water. Lifejackets and a few child swimsuits with foam inserts certified by the United States Coast Guard are the only floatation devices allowed. The patch located on the inside of the life vest will tell you if it is USCG certified.
- **Swimming Areas**
  - Keep all swimmers in swim areas as defined by buoys.
  - Do not allow people to throw sand, stones, etc.
  - Do not allow potentially dangerous acts such as dunking, throwing each other, chicken fights, or sitting/standing/diving off other people's shoulders at the beach.
  - When switching positions lifeguards must ensure that the water is being watched at all times.
  - Keep boats and sailboards out of swim area.

### **7.3 Manager Specific Expectations**

As Managers, you are held to a higher standard of knowledge, ability, skill and professionalism. Managers are still lifeguards and must adhere to all guard expectations. The Managers are the frontline defense against the scourges of the lifeguarding profession. You are the one who will keep the guards aware, alert, informed and capable of doing their extremely difficult jobs. After training has been completed the guards are yours. In past years Managers have come to the Supervisors with complaints about inadequate guards.

While we do want to hear your concerns about below par staff, we also expect you to take on these staff and improve their abilities. When you express your concerns to us, our first question to you will be “What have you done to rectify this?” We expect all Managers to continue the training of our staff all year long. We will take it upon ourselves to provide you with in-services that allow you to gauge the ability of your guards. Without these in-services it can be difficult to identify problem areas in your guards; this is why in-services must be done every day. If an in-service is not assigned that day call the Supervisors and we will assign one. Managers must be fluent in all skills and have complete proficiency in teaching these skills. If any Manager has any concerns with a specific skill, we expect you to approach us and we will work with you to improve that skill. Managers must adhere to the strictest standard of professionalism, both on and off duty. It is your responsibility to adhere to these guidelines and to influence the decisions of the other staff.

While Managers generally spend less time in the chair than normal guards, they are responsible for everything that happens on their beach. Any time a camp comes, the Manager should receive advance notice; if not, it is your responsibility to be in contact with the beach office and inform them of the camps presence. Managers will greet all camps that come to their beaches. They are to ensure that all paperwork is in order and that all fees are paid if necessary. The Manager is also in charge of briefing the counselors and campers of our special camp rules. This is to be done every time any camp comes to the beach.

#### **7.4 Aquatics Camp Lifeguarding**

Unlike other Evanston camps that come to the beach, Aquatics Camp is not required to have 1 counselor in the water for every 10 kids. Aquatics Camp will be responsible for guarding when lifeguards are not on duty (9:30-10:30). At 10:30am when beaches open, managers at the beaches will be responsible for putting up the appropriate number of guards based on swimmers in the water including aquatic campers. Aquatic Camp will not be required to put up a counselor in chair as part of the beach’s guard rotation.

##### **7.4a Crowded Days**

Depending on the situation camp staff may be asked to lifeguard, especially if the beach is particularly crowded. This will be determined by the camp director, assistant director and Adam.

#### **7.5 The Dog Beach/Church Attendant Position**

The Dog Beach/Church St. Attendant is responsible checking the permits for those facilities.

##### **7.5a Primary Responsibilities—dog beach**

- ~~Check Passes ask patrons for valid dog beach passes. You must physically see a pass the patrons cannot just give you a number. Record the numbers of the Passes~~
- ~~Check the garbage can on the beach and empty if necessary~~
- ~~Make sure nobody is swimming (past their knees) at the dog beach~~
- ~~Only people with dog passes or their guests are allowed passed the fence line.~~
- ~~No one should enter the dog beach through any other entrance other than the main entrance.~~
- ~~Small children under 50 inches are not allowed on the dog beach unless over the age of 10.~~
- ~~**If a dog fight occurs:**~~
  - ~~**DO NOT GET INVOLVED OR ATTEMPT TO BREAK UP A DOG FIGHT**~~
  - ~~Evanston has an aggressive dog policy and the ordinance is enforced by the police department.~~
  - ~~Offer to the party the option to file a complaint. If either party would like to file a complaint:~~
    - ~~The Dog Beach Attendant is NOT responsible for filling out the dog beach complaint form.~~
    - ~~If an incident occurs please hand the complainant the form to fill out on his/her own.~~
    - ~~Submit completed form to the Lifeguard Supervisor on duty at the end of every shift.~~
  - ~~If the complainant is injured or their dog is injured and the person wants to make a complaint it becomes a police matter and the police should be notified.~~

### **7.5b Primary Responsibilities – Church St.**

- When a boater arrives, walk down the parking lot to check boaters for seasonal launch pass. This includes checking that the permit sticker is affixed to the port bow (front-left) side of the vessel. Remember they must have one pass per vessel.
- Make sure the parking lot is cleared of any vessels without parking passes.
- Make sure boaters are not damaging the ramp.
- Keep the Floating Dock Clean.
- Keep an eye out on the City of Evanston boats.
- Only Evanston Lifeguard staff is allowed on the rescue boats.
- Ensure trailers enter on the East lane of the street and exit on the West lane.
- The East lane should be used for the preparation to launch boats prior to launching.
- Inform patrons that you are there to help them while they launch and can hold their boat lines. Example: “Hi, I’m (Your Name), I’m here to help launch your boat. Can I help hold the docking lines after you reverse in?”
- After launching, the boater should move their boat from the launch area to the southernmost pier in the spot furthest from shore. There they can finish their preparation before going out on the lake.
- Once the boat is tied to the south pier, the boater can then move and park their car. (This is to reduce boat launch traffic and allow more patrons to use the launch facility.)
- If the patron is taking too long, give them a friendly reminder that boaters should not be tied up longer than 15 minutes. Safety is more important than speed so work with the patron to help get watercrafts out quickly and in a safe manner. (Note: City of Evanston boats take priority when launching and can also use your help when launching.)
- Be alert for power boats or personal watercrafts causing a wake (wave caused behind a boat) when entering or leaving the launch area and the channel. The channel is marked by the red and green buoys. If a boater has an excessive wake entering or exiting the boat ramp/channel, remind them of the rule and ask them to be slow and safe in the ramp and channel. The channel ends when the green and red buoys end.
- When boats return to the launch, help boaters dock on the South pier while they get their trailer and prepare to pull their boats.

## **7.6 Dempster St. Attendant**

### **7.6a Primary Responsibilities**

- When stationed at the Dempster St sailing launch facility there will be one person at the sailing gate and one person at the windsurfing gate.
- You will need the name and the persons pass number for everyone entering the area.
- There is no access to the Dempster St Beach without either a boat on the rack or a launch pass (card.)
- All other beach rules apply to Dempster as well.
- Enforce all of the Dempster Rules pertaining to the beach itself.
- For patrons wanting to go to Greenwood they must enter the gate between Dempster and Greenwood and must have a token with them, if they do not have a token they will need to go around to the entrance at greenwood and enter there. No Patron is permitted to go around the front of the fence between Dempster and Greenwood.

## **7.7 Aquatics Camp Counselor Expectations and Daily Schedule**

~~As camp counselors, you are held to a higher standard of knowledge, ability, skill and professionalism. You will be interacting with children on a daily basis and as such you must conduct yourselves as role models at all times. Treat all campers as if they were your own children. You are not only responsible for ensuring their safety, but also for ensuring that they have fun at camp. If you see campers sitting around looking bored, make an effort to get them involved. You must adhere to the strictest standard of professionalism, both on and off duty. It is your responsibility to adhere to these guidelines and to influence the decisions of the other counselors.~~



## Goals

- ~~To have fun in a safe environment.~~
- ~~To learn water sports and good seamanship.~~
- ~~To interact in a group and practice teamwork to accomplish a common goal.~~
- ~~To introduce campers to a variety of water sports/skills.~~

**Rotations:** ~~Once camp has started you will adhere to the following schedule. On a typical day rotation activity should include free swim/tubing, learning how to rig/derig a sailboat, practicing sailing skills, taking kayaks, canoes and SUP's out, land games, relay races on land or in the water, and guard related skills.~~

AM Session		PM Session
9:30-9:45	start camp	1:30-1:40
9:45-10:35	first rotation	1:40-2:30
10:35-11:25	second rotation	2:30-3:20
11:25-12:15	third rotation	3:20-4:05
12:15-12:30	clean up	4:05-4:30

- ~~At lunch, boats are pulled high on the beach, sails furled, all lifejackets, paddles, detachable boat parts, etc. brought up to the garage and neatly put away.~~
- ~~Afternoon campers must pull all boats and canoes.~~
- ~~Meet at bleachers after cleanup. Share with campers any problems or things they did well throughout the day. Hold up anything found on the beach. Dismiss campers to counselor groups for checkout.~~
  - ~~Each counselor is responsible for their kids and must make sure all of their campers check out with them. If campers do not check out with you, call the parents and alert Director or Assistant Director.~~
- ~~Every day, three counselors will pull boats, one counselor will clean up the garage, and one counselor will lock any boats not needed for the evening programs. After both the morning and afternoon sessions, one/two counselors will wait at the end of the driveway until all kids have checked out. **Hanging around the office doing nothing and talking to guards will not be tolerated.**~~
- ~~At the end of the day we will put all boats (that sailing is not going to use) back on the racks and lock them. In addition, we will pull the island, deflate tubes and clean up the garage staff room.~~

## Section 8 – Setting up and Opening the Swimming Beaches

### 8.1 Early Shift Swimming Beach Preparation

- Check water and beach area for safety. Survey the beach itself for any hazards that may have formed while closed. Check the sand for debris, deep holes, or suspicious items. Check the swimming area for changes in bathymetry and buoy movement.
- Make sure all buoys are in correct positions.
- Take note of any patrons already there and clear the water of swimmers until the water opens.
- Check Bathrooms make sure they are unlocked and check for cleanliness.
- Open Shack Inventory all equipment, and check equipment for damage. It is your responsibility to report any missing or damaged items immediately to the supervisor on duty.
- The opening Gate Attendant should check all the patrons already on the beach for tokens or sell them tickets.
- It is the Gate Attendant's responsibility to notify the Beach Manager of anyone remaining on the beach that has not paid for admission.
- Set up the lifeguard chair(s). Tie a minimum of three rescue tubes to the primary chair. If a busy day is expected, tie additional tubes to a secondary or tertiary chair. Dig jump-piles in front of all chairs that may be used.
- Set up spinal board on the left side of chair, lying on side, with head pointing towards water.
- Set up rescue board on the right side of chair, lying on side, with nose pointing towards water.

- Set up no swimming North and South signs.
- Bring megaphone to chair.
- Set up umbrellas in break area if necessary.

### **8.2 Setting up the Gate Area**

- Set up chairs. One chair for ripper should be placed at the opposite end of the gate from the gate attendant bench.
- Set up First Aid Box by the ripper chair. All guards should know where it is at all times. Make sure it is stocked and securely closed for quick retrieval in an emergency.
- Plug in telephone and check for dial tone. Call the Beach Office for a phone check.

### **8.3 Open Beach**

- Position a primary guard in the chair. Place panels on lifeguard chairs over "NO" on the sign so it reads "Lifeguard on Duty."
- Lock shack if necessary.
- Radio the beach office for a morning radio check, thus announcing you are open.
- Start daily log sheet.
- Make announcement through megaphone that the water is open for swimming.

## Section 9 - During Shift

### 9.1 Guarding Rotations and Positions

Staff will rotate positions **every 30 minutes**. The rotation will be set by the manager based on how many people are in the water. **Note: Do not be late when rotating positions. Be on time.**

<b>SIX GUARD ROTATION</b>			
<b>0 – 20 People In Water</b>	<b>21 – 50 People In Water</b>	<b>51 – 75 People In Water</b>	<b>76 or More People In Water</b>
1 – Chair 1 – Ripper 1 – Clean Up 1 – Break 2 – In-service	2 – Chair 1 – Ripper 1 – Clean Up 1 – Break 1 – In-Service	2 – Chair 1 – Roving/Board 1 – Ripper 1 – Break 1 – In-service	3 – Chair 1-2 - Roving/Board 1 – Ripper 1- Break
<b>FIVE GUARD ROTATION</b>			
<b>0 – 30 People In Water</b>	<b>31 – 50 People In Water</b>	<b>51 – 100 People In Water</b>	<b>101 or More People In Water</b>
1 – Chair 1 – Ripper 1 – Clean Up 1 – Break 1 – In-service	2 – Chair 1 – Ripper 1 – Clean Up 1 – Break	2 – Chair 1 – Roving/Board 1 – Ripper 1 – Break	2 – Chair 1 – Board 1 – Roving Ripper
<b>FOUR GUARD ROTATION</b>			
<b>0 – 50 People In Water</b>	<b>51 – 75 People In Water</b>	<b>76 – 100</b>	<b>101+</b>
1 – Chair 1 – Ripper 1 – Clean Up 1 – Break	2 – Chair 1 – Ripper 1 – Break	2 – Chair 1 – Roving/Board 1 – Ripper	<b>Request More Guards</b>
<b>THREE GUARD ROTATION</b>			
<b>0 – 50 People In Water</b>	<b>51 – 75 People In Water</b>	<b>76 – 100 People In Water</b>	
1 – Chair 1 – Ripper 1 – Break/Clean up	1 – Chair 1 – Chair/Board 1 – Ripper	<b>Request more Guards</b>	

#### 9.1a Chair

The primary lifeguard is responsible for the entire swimming and shoreline area. The primary lifeguard, whether in the chair or roving, should always be standing.

#### 9.1b Rover

A roving guard is a mobile shoreline position that wears a lifeguard rescue tube. They are responsible for watching those who enter and exit, especially small children at play near the edge of the water. The guard in this position may also control crowd movement, ensuring that there is always a clear path from the guard chair to the water. With the Beach Manager's permission, if there are less than ten patrons in the water who are close to shore, the primary guard may rove instead of standing in the chair.

#### 9.1c Rescue Board/Stand up Paddle Board

A guard may sit on the Rescue Board with a Rescue Tube in the water in the deepest section of the crowd where they can control the buoy line and swimming area. The Rescue Board is never the primary guard's position.

The Beach Office houses two specialized lifeguarding paddleboards which can be used at any beach by request for guarding. The following guidelines must be followed while using these specialized paddleboards for lifeguarding:

- The paddleboard must have a leash attached to the paddle.
- A lifeguard guarding from the paddleboard must have a tube with them.

**9.1d In-service**

This is the position in which lifeguards complete their Daily In-Service. Should the rotation not allow an in-service position, it will be completed on guard's break shift.

**9.1e Break**

The break position is a rest position where guards remain on beach, rescue ready, but completely out of uniform and away from the gate area.

**9.1f Rescue Duty**

The fastest swimming and most capable lifeguards will be chosen for Rescue Duty on bad weather days. When the swimming areas are typically closed due to strong waves and strong wind, Dempster Street Sailing beach will be busy with windsurfers out on the lake who are attracted by the strong winds. While only experienced windsurfers should attempt to go out on the lake in these conditions, we have no way of stopping beginners from trying. This leads to rescue situations in which Rescue Duty swimmers will swim from the shore out to the windsurfer, and then swim them back in. The Rescue Duty guards will keep a count of all windsurfers on the lake off of Dempster Street Beach, using binoculars to help them keep an eye out.

**9.1g Wading**

At times it may be most effective to guard from a wading position as opposed to roving, or guarding from a rescue board/ SUP. For example, on days when strong lateral currents exist the wading guard position may be effectively used on the down current side of the swimming area to help prevent people from being dragged out of the swimming area or into a rip current.

**9.2 Middle or Late Shift Lifeguards beach arrival**

Go straight from the Beach Office to your assigned beach. Check in with the designated Beach Manager who will assign your position in the rotation.

**9.3 Leaving the Beach (early & middle shifts)****9.3a Guards and Managers**

After your shift is done, you can check out with the manager and other staff and then go promptly to the beach office

**9.3b Gate positions**

After the next employee shows up for that position you can check out and return to the beach office to balance out or turn in your forms.

**9.4 Beach or Water Closure**

- If the beach closes due to weather, make this announcement through megaphone: "Attention beach patrons lightning has been detected in the area. For your safety, the water and sand are now closed until conditions become safe. Please exit the beach in a timely manner."
- Primary lifeguard should be left in the chair or roving position until exactly 8:00pm, not a moment before. If patrons are still in the water, guard must remain in the chair or roving position until the water has been cleared.
- At 8:00pm, clear water of swimmers and notify all patrons that the water is closed by making an announcement through the megaphone. An example of this announcement is: "**Attention beach patrons, it is now 8:00 pm and the swimming area is now closed. The sand will remain open until 9:00pm, but swimming is no longer allowed. The water will reopen tomorrow morning at 9:00am. Thank you and have a good night.**"
- Remove lifeguard from chair, take panels off the signs on lifeguard chairs.
- Radio the beach office that you are closed.
- Gather all equipment and check it in. If equipment is missing or damaged report it to supervisor immediately.

- Dump contents of plastic garbage cans out in permanent waste receptacles.
- Place all equipment in shack and lock it.

### **9.5 Sailing Instructors Daily Responsibilities**

As sailing instructors, you are responsible for conducting yourselves in an extremely professional manner at all times. You are the face of the rental program for the public. It is your job to greet all customers appropriately and provide the instruction and materials required for what they paid for. It is extremely important to remain calm and collected at all times, no matter how angry a customer gets. While teaching camps, all expectations from section 1.1 above apply. It is your responsibility to adhere to these guidelines and to influence the decisions of the other sailing staff.

- Stay in uniform at all times while on duty
- If you leave to get lunch change out of uniform
- If eating lunch anywhere around the beach office, you must stay in uniform

#### **9.5a Rentals**

- Greet patrons and introduce your self
- Ask what experience they have with the type of boat they are renting (if they seem over their head i.e. renting a Hobie with no experience) try to suggest another boat
- Assist patrons with finding the proper lifejacket
- Provide the necessary equipment needed (kayak paddles, SUP paddles)
- Direct patrons to their boats
- Check to make sure equipment/boats are working and ok to use
- Make sure PFD's are in good shape and properly buckled and fitted
- Empty water from boats if needed
- Explain boundary rules before letting patrons leave shore
- Explain returning SUP boards to shore (get off deep enough not to drag fin through the sand)
- Answer any questions that the patrons have
- Help patrons Leave shore if needed

#### **9.5b Lessons**

- Know the name of your student!
- Keep track of students' progress on Lesson Sheet
- Remember every student learns at a different rate so be patient and stay positive
- If red flag/non rental day it is your responsibility to contact your lesson and reschedule for another day
- If you are unable to do a lesson and need to have it covered it is your responsibility to find a new instructor and bring them up to speed on the student. (use the lesson sheet)

#### **9.5c Programs/Camps**

- If you are on shift you are expected to work the program/camps that night.
- Check in each participant on the daily roster for the program.
- You must test each camp participant to confirm that they can swim 50 yards (start of each camp/program.)
- Discuss with other sailing staff the responsibilities for the camp. Besides at least one person stationed on the beach, this should be tailored to the wants of the campers (tubing, sailing, kayaking, etc.)
- Ask what experience they have with the type of activity they want to do. If they appear competent, assist in readying and launching their vessel. If they seem over their head (i.e. sailing a Hobie with no experience) either offer to go with them or try to suggest another boat.
- Keep in communication with other sailing staff to make sure everyone gets a chance to do the activities they want. If tubing or skiing make sure to rotate frequently but evenly to make sure everyone gets a chance.
- At the end of camp make sure to check everyone out before letting them leave.

### 9.5d Other Responsibilities

- ~~Make sure all boats that are not in use are out of the water~~
- ~~Make sure all sailboats are turned into the wind, main sheets are un-cleated and rudder is up~~
- ~~Make sure SUP boards are fin side up and paddles are out of the sand~~
- ~~Pick up gear/lifejackets left on the sand and return to beach office~~
- ~~Enforce no swimming policy on Dempster beach~~
- ~~Enforce all boater rules/policies~~
- ~~Keep rock line and restricted areas south of Dempster beach break wall clear of people~~
- ~~Assist patrons with other boating needs (taking down/ putting up boats)~~
- **When you are not involved in other duties, be on the break wall with binoculars and radio watching boats on the water for signs of distress. Make sure you know which of our vessels are on the water and where they are. Do Not leave radios on the breakwall.**

### 9.5e Closing

- ~~Make sure all rentals and evening programs are back on the beach~~
- ~~De rig sailboats, break down kayaks and collect all gear on the beach and bring back to Beach Office~~
- ~~Remove all sand from gear~~
  - ~~Check for any damage to gear and boats and report to Director/Assistant Director~~
  - ~~If non COE gear is found try to return to owner; if not bring back to Beach Office~~
  - ~~After draining boats make sure plugs are attached to boats; if not bring up to Beach Office (make sure to note witch vessel it came from)~~
  - ~~If Barnett mast is stuck turn boat on side and shake mast up and down to remove it~~
  - ~~Be cautious when handling small boat hardware as it can easily get lost in the sand~~
- ~~Return all boats back to proper racks or spots~~
- ~~Ask supervisor for assistance from guard staff to carry boats~~
  - ~~Use appropriate dollies to move boats~~
  - ~~Avoid dragging boats across the beach~~
  - ~~Be careful with the Hobie rudders as they can return to down position and get caught between boat and sand resulting in damage~~
  - **Make sure all boats are properly locked**
- Clean gear garage and make sure everything is in its proper place
- Bring in rescue board and rescue can and put back in proper locations
- Assist Supervisors with beach office and guard room clean up
- Return Gators to proper spots (one in breeze way and one in guard room)
- Make sure all garage doors are closed and locked
- Check out with Sailing Director/Assistant Director
- Return radios to radio cabinet (make sure they are off and in the charging cradle properly and the red light is on)
- Clock out and change out of uniform

### 9.5f Pulling Boats

- All motorboats, that are not being moored on the floating dock at Church St, need to be pulled from water at end of day
  - Make sure proper trailer is matched with the right boat
  - Boats are returned to proper spots in the lot across from the service center.
- All trucks are to be returned to parked in the lot directly outside of the beach office in the twenty-minute parking spots overnight.
  - all windows are closed
  - lights and radio are turned off
  - Return the keys to the correct spot in the office cabinet
  - **LOCK VEHICLE**

## Section 10 - Closing the Beach

The water will close at 7:30 pm throughout the entire summer. Equipment not locked in the shack should be brought back to the beach office. The beach should be checked for safety hazards, lost items, or concerns at the end of the day. Staff should then report directly to the beach office.

### 10.1 Closing and Dismissal – Guards and Managers

At the end of each shift, all guards will return to the beach office. Equipment should be taken back to the equipment room on the south side of the Dempster Street Beach Office and checked in. Supervisors will assign closing tasks such as cleaning or organization. Guards will then line up for dismissal. Guards will not be dismissed until all staff has arrived back at the beach office. The reason for this includes safety concerns for the staff themselves and in case of a late emergency where we need extra guards to respond. Guards may not punch out or leave until dismissed by a supervisor.

### 10.2 Closing and Dismissal – Gate

- Return promptly to the beach office
- Early Shifts cannot leave until the next gate attendant arrives.
- Late shifts leave the beach at 7:15 p.m.
- Balancing will be done on a first-come first-serve basis.
- All boxes must accurately balance out. Failure to balance out consistently will lead to termination.
- Bring Ticket skewers with you when you leave the beach.
- No Gate Attendant may leave until their box is balanced

## Section 11 - Disciplinary Action

Failure to cooperatively follow all procedures and guidelines as outlined in this manual will result in disciplinary action. Depending on the severity of the infraction, this may include verbal or written warnings, temporary reassignment to service detail, suspension, or dismissal.

**IF ANY GUARD SHOWS INCOMPETENCY IN SKILL KNOWLEDGE OR ABILITY, THEY WILL BE RELIEVED OF GUARDING DUTY UNTIL THEY ARE CAPABLE OF FULFILLING THE JOB QUALIFICATIONS!!!**

## Section 12 - Management 101

### 12.1 Effective Management

Managing a beach on the lakefront often involves the utilization of knowledge and skills gained from experience. These are some tips and things to look out for to ensure that operations on your beach continue to run smoothly.

#### **12.1a Take pride in your beach!**

- Keep it clean because it is yours, not because your boss says so.

#### **12.1b Take pride in your guards!**

- These are YOUR guards.
- Make sure your guards are able to do their job efficiently, if they don't it is YOUR fault. This means physical and mental training EVERY DAY!
- Keep them hydrated and healthy. A good rule of thumb is if they are doing more than one shift, make them drink water.
- Don't have the rookies do everything; you want to win best manager, make sure you do just as much work as them. This way they will take more initiative on their own.

#### **12.1c Manage the Situation**

- Keep your cool even if others do not
- Be professional.
- Act like you are on their side.
- Use discretion when enforcing rules.

**12.1d Manage Your Guards**

- They will do as much or as little as you ask them to do
- Bad behaviors or practices do not get better by themselves
- You are not their friend

**12.1e Manage in the Middle of it**

- Be a part of the process
- See what your guards are seeing
- Participate in their growth

**12.2 Beach Quirks****12.2a Lighthouse**

- Dunes have constant fence issue and often hide missing children.
- People will try and jump over the fence from the dunes
- You will frequently find broken bottles and alcohol on the north side of the beach
- No biking on the ramp, keep it clean and swept.

**12.2b Clark St**

- Introduce yourself to the head of NU sailing at the beginning of the season. A good rapport with them will make confrontations a lot easier to handle.
- Whistle bounce off the breakwall, be aware.
- The sand-rake gate gets left open often, check that it is locked everyday
- Due to the shrinking of Greenwood don't be surprised if this beach gets more popular this year
- Very popular for camps
- Keep people out of the swamp on south end.

**12.2c Greenwood**

- ~~• You need to work with the Aquatic Camp.~~
- ~~• There are a lot of children and infants at this beach.~~
- ~~• This is a favorite beach for city alderman and officials, and it can be seen by the supervisors.~~
- ~~• Dawes Park is the most populated park so keep an eye on it when you take a bathroom break.~~

**12.2d Lee St**

- The beach-rake gate gets left open often, check that it is locked everyday
- Watch the rocks on the north side, people use them to go to and from the bathroom.
- Don't let the concessions block the ripper!
- There is a dip near the break wall that children play in. This is also the spot with the most broken glass. Keep it clean and be aware of the blind spot.

**12.2e South Blvd**

- This is the best beach to train guards at due to the minimal attendance
- Try not to overuse the megaphone. We get complaints from one resident in particular.

**Section 13 – Lifeguard Supervisor 101****13.1 Supervisor Expectations**

At all times follow these procedures:

- Have a radio on your person always, tuned to channel 1
- Be aware of weather conditions and expected changes
- Keep an eye out for any watercraft that may be distressed or not following regulations
- Make sure the Lakefront is clean by regularly picking up litter
- Maintain a professional appearance



**13.2 While in the office:**

- ALWAYS maintain a professional appearance:
  - Always be in appropriate uniform. You must always wear your blue shirt, unless on a boat or doing an activity that will mess up your uniform.
  - Do not wear anything that might slow your response to an emergency.
  - You must always look and be busy. No reading or exercising outside unless with guards as an in-service.

**13.3 While out on the beach**

- Always carry a first aid pack with you away from the beach office. You can have this in your messenger-bag or in a fanny pack
- Effectively evaluate beach conditions and the guards on duty
- Inspect the beaches, check the logbook, look for the signs, watch the guards to verify if they are scanning check the beaches for cleanliness

**13.4 While on boat:**

- While on a boat, a life jacket must always be worn.

**Section 14 - Supervisors Daily Tasks****14.1 Opening Supervisors:**

- Update rainout line with daily information, add descriptions of closures from pre typed descriptions:
  - Closures
  - Water Restrictions
  - Weather
  - Water Test Results
- Monitor city-band and marine radios
- Complete daily supervisor duties assigned by head supervisors
- Conduct beach rounds (north and south shoreline)
- EL-1 patrol
- Conduct all Rollcalls
- Assign daily beach in-service
- Drop Procedure:
  1. Obtain an envelope.
  2. On the envelope, you must note the time, beach, dollar amount, and have the gate attendant initial, verifying the information on the envelope is correct.
  3. Seal and sign the envelope and return it to the small safe in the beach office.
  4. Notify office staff of all drops.
- Singles Procedure:
  1. Take singles from the singles bank (usually \$40)
  2. Deliver singles to beach.
  3. Exchange singles for larger bills with ticket guard.
  4. Return money to the singles bank.
  5. If office staff is short singles, you may be required to go to the bank or currency exchange for more.
- Balance office staff banks.
- General record keeping
- Collect and complete all Incident Reports
- Handle and manage equipment and first aid supplies
- Respond effectively to concerns and complaints by patrons
- Always be ready to respond to a situation.

**14.2 Training Supervisor (Middle Shift)**

- Assign roll exercises & daily in-services for week

- Create a master list of potential roll exercises (50), daily in-services (50) and 10 large group in-services.
- Give Opening Supervisor a weekly list with potential training in-services, roll exercise (10), daily in-services (10), large group in-services (2)
- Supervise the completion of all of the possible exercises throughout the course of the year.
- Conduct large group in-services
  - On Monday & Friday you should be able to conduct the group in-services.
  - Some in-services (based on number of staff needed) should be conducted at roll call and will need to be at the beach.
  - You should redo the same in-service both Monday and Friday
  - You must keep records of all the in-services performed
- Distribute updated guard info.
  - Keep current with all updated lifeguard agency policy changes
  - Research and distribute useful guard information
  - File any newspaper accounts of any waterfront incidents that occur during the year.
  - Prepare 3-4 random written tests to be administered during the year
- Inspect/maintain lifeguard equipment (beach & office)
  - Inspect all guard equipment both on the beaches and off
  - Report any problems with guard equipment to superiors
  - Repair equipment that can be repaired
- Improve abilities
  - Review pre-season employee report and create a program to improve each employees' abilities
  - Work one-on-one with all staff to improve their abilities
- Conduct mandatory season long testing
  - Mock drowning
  - CPR

### 14.3 Closing shift

- Check out early shift guard staff
- Check out middle shift guard staff
- Check out late shift guard staff
  - Check in equipment and collect log sheets and put in Daily Files box
  - Arrange for all guards to bring in flags, can and backboard, take out trash and reline trash cans, sweep the beach office and guard room, and help sailing with boats
- Assist office staff in counting out all day and late shift gate attendants.
- Check that all radios are in their charging bay – if one is missing nobody leaves until it is found
- Make sure EI-1 is at the dock on Church and locked
- Park the Gators
- Plug in the golf cart
- Balance out office staff
  - This includes counting the cash in drawer and credit card totals.
  - Making sure the proper amounts of cash are ready for morning shifts
  - Making sure correct amounts of cash are in bank deposit bags
  - Signing off that the above has been completed correctly.
- Check office clerk paperwork and dismiss
- Make sure everything is ready for opening shift.
  - Metal clip board should have the following: Daily roll call sheet, radio checklist, supervisor duty sheet, overnight report from the day. (These are all on the Roll Call sheet).
- Check to be sure all windows, doors, and garages are locked including the pad locks on the breezeway and the guardroom.
- Lock beach office front door and set the alarm.

## Section 15 – Supervisor Semi-daily Tasks

- Restock beach first aid kits

- Audit guards during beach rounds. Things to look for when checking beaches:
  - Correct rotation
  - Correct staffing numbers
  - Off duty Guards are out of uniform and **away from the gate**
  - Knowledge of first aid skills and EAPs tested through Mock jumps, verbal walkthrough of scenarios, and in-services.
  - Proper Surveillance
  - Cleanliness of beach
  - If there is no ripper
  - Manager without radio
  - Guards stagnant
  - People in restricted areas (outside swim area, people on rocks, etc.)
  - Abuse of authority
  - Equipment missing or damaged
  - Log sheet not adequately filled out
- Fix or replace equipment at beaches
- Wash and clean EL-1 (job of first year guard)
- Inspect shacks
- Inspect O2 tanks

#### **15.1 Gate attendant spot audit**

- ~~Gate attendants are subject to being audited at any time during their shift~~

##### **Procedure:**

- ~~1. Check amount of tickets sold.~~
- ~~2. Check amount of money in box.~~
- ~~3. Record amount and make sure it is correct. If not, record how much over/under.~~
- ~~4. Follow up as necessary.~~

#### **15.2 Payroll paperwork**

1. Collect and rubber-band timecards every other Sunday and put in Adam's Desk
2. Make labels with name/employee number for new timecards and place these in the timecard slots at closing
3. Remember to store checks in the safe when not distributing them

## **Section 16 – Responding to codes**

Whenever a code has been called in from a beach it is the supervisor's job to respond. One person should man the radios and relay all information while the others get to the scene with appropriate vehicles/boats.

**Make certain someone stays back to man the radios** and continue communication with the beach that activated the EAP while other supervisors are en route to that beach

#### **16.1 Rescue boat rules, regulations, and protocol**

- No rescue boats shall travel further than one mile offshore
- No rescue boats shall travel further north than Wilmette Harbor
- No rescue boats shall travel further south than the border of Chicago and Evanston (Chicago - Juneway beach)
- Rules 1-3 may be broken only with the consent from Assistant Lakefront Coordinators
- All persons on board (P.O.B.'s) on all rescue boats must wear lifejackets except when exiting the boat
- EL-1 should not be used for non-rescue or enforcement related activities (pulling buoys, guard ski, etc.)
- All rescue boats will adhere to the buoy line restrictions unless conducting appropriate activities (i.e. enforcing regulations, towing, aquatic camp, etc.)
- Approach violators of policy carefully.
- No non-employees shall be on the boat except for those who were needing assistance or rescue
- Lights shall be used only in responding to either a code situation or while actively towing another vessel
- Navigation lights shall be used in all low light situations

- If at all possible do not operate the boat in fog and if it is necessary to do so be extremely cautious
- If there is a boating accident involving one of our boats an Illinois DNR boating accident report must be filled out and submitted to proper authorities.  
<https://www.dnr.illinois.gov/safety/Documents/BoatingIncidentReportForm.pdf>
- If there is an accident involving one of the city trucks an accident report from the police must be received and brought to the office.

## **16.2 Marine Tows**

- If USCG, EFD, EPD, NU or another lifeguard agency calls us about a vessel in distress, we go.
- If our guards call us, we go
- If we get a call from a patron, we must verify the person (not a hoax) so you need to get a phone number and call them back to make sure that they exist. Once we verify we then go.
- We do not rescue on Red Flag days (small craft advisory); instead we would call either USCG or EFD.



## **Chapter 6: Scanning and Surveillance**



## Section 1 - Drowning Statistics

### 1.1 Males

In 2005, males were four times more likely than females to die from unintentional drowning in the United States.

### 1.2 Children

In 2005, of all children 1-4 years old who died, almost 30% died from drowning. Although drowning rates have slowly declined, fatal drowning remains the second-leading cause of unintentional injury-related death for children ages 1 to 14 years.

### 1.3 Minorities

Between 2000 and 2005, the fatal unintentional drowning rate for African Americans across all ages was 1.3 times that of Caucasians. For American Indians and Alaskan Natives, this rate was 1.8 times that of Caucasians. Rates of fatal drowning are notably higher among these populations in certain age groups. The fatal drowning rate of African American children ages 5 to 14 is 3.2 times that of Caucasian children in the same age range. For American Indian and Alaskan Native children, the fatal drowning rate is 2.4 times higher than for Caucasian children. Factors such as the physical environment (e.g., access to swimming pools) and a combination of social and cultural issues (e.g., valuing swimming skills and choosing recreational water-related activities) may contribute to the racial differences in drowning rates. If minorities participate less in water-related activities than Caucasians, their drowning rates (per exposure) may be higher than currently reported. In 2004, there were 3,308 unintentional drownings in the United States, an average of nine people per day. (CDC 2006)

### 1.4 Other Drowning Statistics

- In a study of people under age 20, in cases where a site was listed, 47% of drowning deaths occurred in freshwater (rivers, lakes, ponds, etc.), 32% in pools, 9% in the home (bathtubs, etc.), and 4% in seawater.
- Children under 5 and adolescents between the ages of 15-24 have the highest drowning rates. (U.S. Centers for Disease Control and Prevention)
- An estimated 5,000 children ages 14 and under are hospitalized due to unintentional drowning-related incidents each year; 15 percent die in the hospital and as many as 20 percent suffer severe, permanent neurological disability. (National Safety Council)
- Of all preschoolers who drown, 70 percent are in the care of one or both parents at the time of the drowning and 75 percent are missing from sight for five minutes or less. (Orange County, CA, Fire Authority)
- Most children who survive (92%) are discovered within two minutes following submersion, and most children who die (86%) are found after 10 minutes. Nearly all the victims who required cardiopulmonary resuscitation (CPR) die or are left with severe brain injury. (National Safe Kids Campaign)
- During the period from 2005 to 2009 an average of 3,880 people died annually from unintentional drowning (including boating incidents) in the U.S. Worldwide, drowning is the second leading cause of unintentional injury death after traffic accidents. In the U.S., drowning is the fifth leading cause of unintentional injury death. During the period from 2005 to 2009, an estimated 5,789 people on average were treated annually in U.S. hospital emergency departments for nonfatal drowning and about half of them required hospitalization or transfer for further care.

### 1.5 Non-fatal drowning

It is estimated that for each drowning death, there are 1 to 4 nonfatal submersions serious enough to result in hospitalization. Children who still require cardiopulmonary resuscitation (CPR) at the time they arrive at the emergency department have a poor prognosis, with at least half of survivors suffering significant neurological impairment. (American Academy of Pediatrics)



## Section 2 - Proper Surveillance

As a lifeguard, the only way to avoid someone drowning during your shift is being physically and mentally prepared while surveying your area flawlessly.

### 2.1 Scanning

Scanning is the systematic visual observation of the facility, its patrons, and their activities. Effective scanning must be considered the foundation of the lifeguard surveillance system. Scanning requirements and techniques are affected by numerous factors, including:

#### **2.1a The number of patrons and their activities**

Guards should be aware of all patrons and what they are doing while noting the number of swimming patrons. Patrons should be mentally grouped by physical location and what they are doing in the water.

#### **2.1b The number of lifeguards and their locations**

When the number of swimmers in the swimming area reaches the given maximum capacity for the primary guard it is his/her responsibility for requesting additional guards. Depending on where the majority of the patrons in the water are located, this additional guard may be placed in a number of different locations. The guards will scan different areas of the swimming area, being sure to overlap their scanning. The primary guard should continue to scan the entire area.

#### **2.1c The Facility design and layout**

While this typically affects pool guarding more than open water guarding, guards should be aware of not just the swimming area but its surrounding areas as well.

#### **2.1d Weather conditions**

Weather conditions will affect your scanning. While guarding you should watch for storms and growing waves that can be dangerous to swimmers. Fog can also be of danger as it can restrict the guard's ability to see the entire swimming area. If this happens notify your manager and the Beach Office immediately, who will then decide further action, most likely closing the swim area.

### 2.2 Areas of Responsibility

While scanning, the lifeguard is responsible for more than the swimming area. Lifeguards must consider all areas of the water, the beach, and related facilities as part of their responsibility and potentially an area where they must respond.

#### **2.2a Primary Zone**

The swimming area is the lifeguards' top priority. The Primary Zone for each lifeguard is the water area for which they are responsible. This zone automatically increases when lifeguards in adjacent towers are on a response or the tower is closed. In the case of the Evanston Beaches, this is the swimming area outlined by the swimming buoys.

#### **2.2b Secondary Zone**

Usually this area includes adjacent water, including the Primary Zone of other lifeguards, the beach, immediately adjacent park areas, the sky, and the water surrounding the swimming area. Less frequent scanning of this zone is required, but the lifeguard should check this zone regularly.

#### **2.2c Tertiary Zone**

Generally, the Tertiary Zone includes all other areas within sight of the lifeguard. It could include adjacent streets and parking lots for example. These areas should also be quickly scanned, but far less frequently than the Primary and Secondary Zones. Guards may not necessarily respond to these areas themselves, but may observe an incident that requires a response by a supervisory unit, such as a rescue boat, or another entity such as police and/or fire personnel and notify them as necessary.

**2.2d Overlapping Responsibility**

Beaches with multiple towers or stands need to keep them close enough together to allow overlapping of vision to avoid creation of blind spots or areas without coverage between guards. In this situation, there is no clear boundary between the stations. Guards must overlap their visual scanning effort and eliminate the potential for one guard thinking that a potential victim is in someone else's water.

**2.2e Cross Checking Coverage**

Because glare and other natural conditions may obscure portions of an area, guards must cross check with each other to ensure that all areas are completely covered. Communication is a valuable tool for lifeguards in these situations. Radios or telephones are the best methods to properly communicate in these circumstances.

**2.3 Principles of Scanning**

Open water scanning is significantly different from scanning a pool, but the basic principles are the same. Effective scanning assumes that lifeguards can see the entire area, that they know what they are looking for, and that they will recognize it when they see it.

**2.3a Positioning**

Lifeguards must be positioned with clear, unobstructed sight lines. Lifeguards must move to counteract visual interference; this will come into play when roving. When up in the chair, however, guards should be sure that they have a clear running path to the waterfront free of patrons, beach towels, holes, or other objects that may slow their response time.

**2.3b Sight**

Lifeguards must take steps to minimize the effect of reflection or glare (e.g. change position, use polarized lenses). Lifeguards' scanning strategy must compensate for an inability to see below the surface (e.g., waterfront environments), and for the distance from patron activity (e.g., use of binoculars).

**2.3c Recognition**

Lifeguards must practice and improve perception skills in order to understand the signs of potential trouble and the characteristic behaviors of those in need of help. Studies indicate that a drowning can occur in seconds. Some victims may struggle, while some slip quietly below the surface. Despite the lifeguard's best efforts, he or she may not see the event. The less time it takes to effectively scan the entire zone, the better, but scan too fast and you could scan over a potential problem. Lifeguards who have worked in a facility for a time come to know the sights, sounds, patterns, and rhythms of an area and the activities which are normal for that facility.

**2.4 How to Scan**

Scanning is not just looking. While scanning, a lifeguard is watching for specific signs and actions that may represent a potential victim or danger.

**2.4a What to do**

Sweep your eyes over your zone, moving your head to see things to the right and left. Take note of patrons and activity right in front of you. Chair or tower lifeguards should periodically look below them. Include adjacent lifeguards on each sweep to receive any visual communications they might be sending and to check the area behind them. Scan below the surface and the bottom regularly. Attend to the "hot spots" more often (drop-offs, sandbars, the shoreline, rocks, deep area, and jetties). Ensure that anyone who submerges re-appears. Note that an activity hot spot can move with the people who create it.

**2.4b What to watch for:**

- Focus on people and what they are doing.
- Make eye contact whenever possible, watch the face.
- Look and listen for the unusual.
- Avoid staring fixedly at the same thing. Give your eyes a break by focusing momentarily on some distant object or horizon.
- Use your peripheral vision to detect movement.
- Never stop scanning when speaking to a patron.
- In outdoor facilities, monitor changes in environmental conditions (weather and water) for impact on patron behavior and safety.

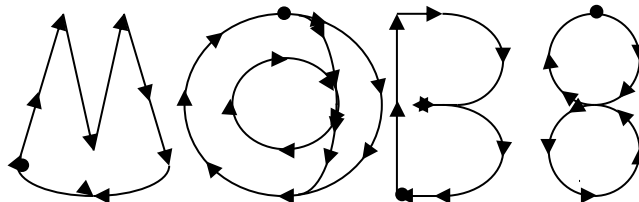
**2.5 MOB 8**

Proper surveillance of the swimming area requires more than just simply paying close attention to the swimmers. To maintain alertness and awareness of everything happening in your area of supervision, you will follow a specific set of surveillance techniques including defined scanning patterns, targeted focus, and periodic mental rehearsal of rescue procedures. The MOB 8 is a scanning technique that will help you do just this.

**2.5a MOB 8 Patterns**

All guards will follow the same scanning patterns while engaged in patron surveillance. The four patterns your head and eyes will follow while scanning across the swimming area are an M, a Bulls Eye or swirl (the O), a B, and an 8. You will use each pattern in the above order for about seven minutes to total approximately one thirty-minute shift.

The M and B patterns will begin and end in the lower left of the swimming area. The O and 8 patterns will begin and end in the top center of the swimming area. Each sweep will take about ten seconds.

**2.5b Further MOB 8 Instruction**

You will scan by moving both your head and eyes. This helps you to maintain focus on the center of your field of vision while still making use of your peripheral vision. Visual perception studies show that we see detail best in about the middle 15% of our field of vision (central focus) and we can detect motion and changes in movement patterns best in our peripheral vision.

**2.5c Instructions for different scans**

As you begin a scanning pattern, the first sweep should give you a general overview of the area and allow you to divide the swimmers into groups. With each subsequent sweep, you will focus briefly on one individual in each group (targeted focus). Focus on a different individual in each group with each successive sweep. Be aware of motion occurring in your peripheral vision throughout each sweep.

**2.5d Staying ready and alert**

After following a scanning pattern for about five minutes, focus briefly on a possible high-risk swimmer, and then mentally rehearse making a rescue following all proper procedures. Continue scanning while rehearsing the rescue then begin the next scanning sequence.

## **2.6 Strategic Scanning**

Lifeguards use a variety of strategies to organize and sort through sensory input, which can be overwhelming on crowded days.

### **2.6a Head Counting**

Try to count the number of people in your area on each scan. When the number changes, find out why. This technique is of great importance to the open waterfront lifeguard, due to the limited visibility of the water. Since the water is typically turbid enough so that visibility is limited, waterfront lifeguards cannot afford to let any person disappear for more than a moment.

### **2.6b Grouping**

Sort patrons into groups by sex, age, risk potential, activity, and combinations of the above. Monitor changes in the groups.

### **2.6c Mental Filing**

On successive sweeps, build patron profiles, which take note of swimming ability, skill, activity, or other relevant factors. Track changes in patron behavior or activity on each scan.

### **2.6d Profile Matching**

On each scan, measure what you see against the characteristic profiles of potential trouble or victim types.

### **2.6e Tracking**

Track the progress of individuals who submerge, and those who fit high-risk profile (e.g., the lone child at the water's edge).

## **2.7 Scanning and the Senses**

Studies indicate that many situations have been avoided by methods that the lifeguard didn't intend to use. Experienced lifeguards have been known to be able to "predict events" by "unusual means". In all reality, this is because the experienced guard has honed his senses to identify specific triggers.

### **2.7a Vision**

Track the general ebb and flow of patrons. Follow the progress of patrons who are at elevated risk of injury or accident. Watch for changing weather conditions. Monitor the positions and activities of other lifeguards. Visual scanning requires the guard to sweep their area of responsibility continually, looking from side to side, checking each person or group of persons briefly to ascertain any of the previously defined indications for difficulty of distress.

### **2.7b Hearing**

Listen for unusual sounds such as people arguing, many people talking at once, equipment breaking, etc. Listen for signals from other lifeguards or patrons (e.g., whistles, shouts for help). Listen for sounds that come from beyond your field of vision when you can hear people but can't see them. Listen for sounds of potential environmental hazards such as thunder.

### **2.7c Smell**

Smells can betray the use of liquor or illegal substances, chemicals (which might indicate a leak or spill), or smoke from a source of fire.

### **2.7d Touch**

Feel the sun's heat, the roughness or slipperiness of surfaces underfoot, drops of rain, or a breeze developing into stronger winds.

## **Section 3 - Recognition and Assessment**

In order to effectively prevent injuries and successfully intervene before a drowning occurs, one of the primary skills a lifeguard must learn is the recognition and assessment of potential victims, often before the victims themselves are aware they are in danger. Experienced lifeguards can frequently predict which persons will need assistance long before an emergency arises and sometimes even before they enter the beach. This is possible by observing visual clues. While some of the information may appear to contain bias, the information is based on statistical evidence based upon years of evaluating rescue records and accounts of seasoned lifeguards.

### **3.1 Dry Land Observations**

The observation of patrons as they arrive and “set-up” at the beach front will many times provide specific clues as to the possible aquatic abilities or beach sense of various individuals.

#### **3.1a Age**

Very old or very young individuals should be watched carefully. They may lack the physical ability or strength to fight an unexpected current or to quickly move away from a dangerous situation. These individuals usually incur injuries very near the shoreline requiring quick recognition and immediate response.

#### **3.1b Physical Condition**

Persons who are overweight or extremely underweight have their own specific problems in an aquatic environment. Individuals who appear to be out of shape or not capable of swimming for extended periods of time should be watched over carefully. Overweight persons may become easily exhausted and are hampered in their ability to move quickly to avoid danger. Overweight and underweight patrons can be adversely affected by even moderately cold water.

#### **3.1c Skin Complexion**

Individuals with very fair or pale skin should be watched for multiple reasons. Their lack of sun should clue in lifeguards to the fact that they probably have not been to the beach much and may be poor swimmers. These persons should be watched further due to the hazards of the sun. Extremely sunburned individuals may simply be the ones who were here yesterday that came back to fill in their “tan.”

#### **3.1d Intoxication**

Alcohol and water don't mix. Most beach facilities (including Evanston) do not allow alcoholic beverages, and for good reason. Statistics indicate a high degree of drowning incidents in the United States related to alcohol consumption. Individuals are impacted by the impairment of their normal physical abilities and the impairment of their ability to act responsibly.

#### **3.1e Improper Equipment & Flotation Devices**

Some individuals who have limited swimming skills often rely on flotation devices to bolster their ability to access deeper water. While we do not allow them in our swimming areas, patrons who bring them should be carefully watched once they are in the water because they may have planned on the device helping them to swim. We do not allow flotation devices other than USCG certified lifejackets because they cannot be relied on to safely keep a swimmer above water. Lifejackets that are not USCG certified may become separated from the swimmer by wave action, or the apparatus can deflate because of a leak, leaving the swimmer to their own basic ability.

#### **3.1f Improper Attire**

Persons entering the water wearing clothes other than those meant for swimming are also at risk. The weight and the restrictive nature of wet clothing can cause a person to tire more quickly. Persons who

are swimming unprepared should be watched as this shows their inexperience in the water. Similarly, not using wet suits when they should be used or using them when they are not needed are also clues.

### **3.1g Disabilities**

While persons with physical impairments generally know their limitations and often use swimming as a means of exercise, the addition of currents, waves, variable water temperatures, and other environmentally driven factors, may cause them great difficulty. They should be watched carefully and warned of these types of hazards.

### **3.1h Socioeconomic Groups**

There have been studies that identify significant differences in the drowning rates of various racial and ethnic groups. However, these statistical trends vary somewhat on a regional basis and there appears to be an association with socioeconomic factors. However varied, lifeguard agencies should evaluate their own statistics to identify at-risk populations in their own areas of operation.

## **3.2 Drowning Presentations**

The following are classic, obvious signs that a person has gone beyond being in distress to the imminent danger.

### **3.2a Double Arm Grasping**

Resembles an ineffective butterfly stroke when the individual slaps the water with both arms simultaneously.

### **3.2b Climbing the Ladder**

Simply stated, the victim looks as though they are climbing an imaginary ladder in the water. They look as though they are attempting to crawl up and out of the water.

### **3.2C Drowning Stages**

In the open water environment, the drowning process involves three distinct stages which can be interrupted through timely intervention:

- Distress (distressed swimmer)
- Panic (active victim)
- Submersion (passive victim)

This process is usually progressive, but not always. Either of the two initial stages may be skipped completely depending upon a variety of factors.

## **3.3 In Water Observations**

Once the above visitors enter the water, additional clues will aid the guard in evaluating their condition. The pre-entry clues simply allow the guard to key in on individuals who MAY be a problem. When they hit the water, either the suspicions are confirmed or negated. A number of signs and symptoms in the water are the essential clues the guard must watch for.

### **3.3a Facing towards shore**

Swimmers generally face toward shore when they are concerned about how to get there. Body surfers and body-boarders usually face the waves to prevent them from being pummeled and to catch waves. The less experienced individuals are looking toward shore as their haven of safety.

### **3.3b Head low in the water**

Competent swimmers remaining in a stationary position usually hold their head high. They tread water, breaststroke, or swim on their back but generally they keep their chins well out of the water.

**3.3c Low or erratic stroke**

This usually accompanies the subjects head being low in the water. The swimmer may display erratic stroke with the elbows dragging.

**3.3d Lack of kick**

Under normal circumstances the weaker swimmer displays little or no kick. Stronger swimmers are able to propel themselves solely with their legs.

**3.3e Waves breaking over the head**

Most people who are competent swimmers will dive under or jump over waves to prevent them from being pummeled.

**3.3f Hair in the eyes**

The natural instinct for most people in control of themselves in the water is to sweep the hair out of their eyes.

**3.3g Glassy, empty, or anxious eyes**

It is said that the eyes are a window to our emotions. Depending on the distance and the quality of optical equipment, the lifeguard can read fear, anxiety and fatigue in the eyes of a distressed swimmer.

**3.3h Heads together**

Swimmers who suddenly converge and remain together may be attempting to assist one another. Persons who congregate together in the water for no other apparent reason may be attempting to assist another person who is in difficulty.

**3.3i Hand waving**

This should be self-explanatory. The guard must be alert to it as an indicator of someone in need of assistance.

**3.3j Being swept along by or fighting the current**

The first sign of distress for a swimmer caught in a current is that they are being swept laterally or being pulled offshore by the current.

**3.3k Erratic or unusual behavior**

Watch for hyper-active motions, such as flailing or for total immobility in the water.

**3.3l Clinging to fixed objects**

Individuals hanging onto buoys or other solid structures may need help.

### 3.4 Characteristics of Distressed Swimmers and Drowning Victims

Behavior	Swimmer	Distressed	Active	Passive
<b>Breathing</b>	Rhythmic breathing	Can continue breathing and call for help	Struggles to breathe; can't call for help	Not breathing
<b>Arm and Leg Action</b>	Relatively coordinated movement	Floating, sculling, or treading water; can wave for help	Arms to sides, pressing down; no supporting kick	None
<b>Body Position</b>	Horizontal	Horizontal, vertical or diagonal, depending on means of support	Vertical	Face-down, submerged or near surface
<b>Locomotion</b>	Recognizable progress	Little or no forward progress, less and less able to support self	None; has only 20-60 seconds before submerging	None

## Section 4 – Maintaining Vigilance

Water surveillance is a tedious and sedentary job. It's both monotonous and stressful. A lifeguard may scan for hours, days, or weeks without observing anything requiring a critical response. If the lifeguard is not alert, a life-threatening emergency may be missed and a life lost. Maintaining vigilance is therefore a vital issue for lifeguards. The Lifeguard Standards Coalition reviewed all available research on vigilance. The information in this section relies primarily on the coalition's findings.

- **Sleep Deprivation** – It is important for lifeguards to have a full night's sleep. Otherwise the ability to spot victims in distress may be compromised.
- **Recreational Drug Use** – The use of recreational drugs affects vigilance, even when the user is not under the influence.
- **Caffeine** – The consumption of caffeinated, non-sugared drinks has been demonstrated to benefit vigilance, but there is no evidence that sugared drinks are beneficial. Caffeine is also a diuretic, which dehydrates you, which can impact vigilance. Make sure to stay properly hydrated.
- **Sleep Apnea** – It has been shown that people with untreated sleep apnea may have issues paying attention.
- **Heat** - Heat has been shown to negatively impact vigilance, so reasonable steps should be taken to protect lifeguards from high temperatures.
- **Hydration** - Ensuring that lifeguards stay well hydrated can be expected to reduce drops in vigilance associated with heat.
- **Screening** - Because sleep apnea and drug use negatively impact vigilance, screening for them and taking other steps to reduce or eliminate the impacts can be expected to improve overall vigilance of a lifeguard agency.
- **Time on Task** - Vigilance has been repeatedly shown to decline over time. The USLA encourages limiting continuous assignment of lifeguards to surveillance duties to one hour, followed by a break of at least 15 minutes.
- **Exercise** - *Aerobic* exercise can positively impact a subsequent vigilance task, so lifeguard management should encourage it and lifeguards should avail themselves of the opportunity when possible. Ideally, this involves training in lifeguard skills such as running, swimming, and use of rescue boards, for example.



- **Background Noise** - Noise has been demonstrated to negatively impact vigilance. The impact of listening to music or a radio broadcast while involved in water surveillance should be carefully considered. During times of very low beach and water activity, this may have a beneficial effect of relieving boredom.
- **Distractions** – No phones in the chair or while participating in surveillance.

## Section 5 - The Pathophysiology of Drowning

During drowning, breathing typically occurs in fitful gasps on the surface, when possible, and there may be coughing and sputtering as water is inadvertently drawn in with a breath. The inhalation of water into the lungs is known as water aspiration, while the swallowing of water into the stomach is water ingestion. Both of these usually occur. Victims may attempt to hold their breath to avoid water aspiration. If water gets into their mouth, which is usually unavoidable, they typically swallow it. A significant quantity of water is often ingested and may be vomited later, particularly during resuscitation efforts.

Once the victim's airway is underwater, the victim may inhale water, but the larynx will sometimes close reflexively, preventing all but a small amount of water from being aspirated. As is the case on the surface, the victim may swallow significant amounts of water instead. In about 10% of fatal drownings the larynx closes upon initial contact with water and never relaxes, thus preventing water from ever entering the lungs. As the victim loses consciousness due to lack of oxygen in the tissues of the body (hypoxia), the larynx may relax, allowing more water to enter the lungs. Vomiting may occur, secondary to cerebral (brain) hypoxia or gastric distension.

Without freshly oxygenated blood, the heart will stop beating and pumping blood. Brain death usually begins in five to six minutes after adequately oxygenated blood stops circulating, although in some very unusual cold-water drownings this may be greatly delayed. In these cold-water cases, significant hypothermia occurs which decreases the cerebral requirement for oxygen.

Unlike sudden cardiac arrest (a heart attack), where the heart stops beating first, death from drowning starts with suffocation. The heart itself is healthy and functioning, but over time there is inadequate oxygen in the blood to support life. Eventually, the healthy heart stops beating.

Drowning is not simply a case of suffocation. In most cases the lungs are traumatized by aspiration of water. Even if the victim is rescued and revived, this trauma will make it difficult for the lungs to transfer oxygen to the bloodstream and tissues. In addition, the drowning process produces a frothy liquid (pulmonary edema) in the airways. When a submerged drowning victim is recovered, the person is typically experiencing severe hypoxia. Immediate resuscitation efforts, beginning with ventilations are therefore needed, ideally with administration of oxygen and, if possible, positive pressure ventilation

The effects of freshwater and seawater drowning differ somewhat. In freshwater drowning, water quickly enters the bloodstream through the lungs. In seawater drowning, the aspirated seawater can draw fluid from the bloodstream into the lungs. On the part of the lifeguard, treatment is the same for both cases.

Studies have demonstrated that the actions of lifeguards in rescue and resuscitation of drowning victims are the most important link in the chain of survival. In fact, the outcome of drowning patients is usually more dependent upon the timeliness and effectiveness of the initial rescue and resuscitation efforts than on the quality of hospital care.

Automatic external defibrillators (AED) have become a common tool of lifeguards. They are primarily intended to correct problems associated with sudden cardiac arrest. AEDs can sometimes stop ventricular fibrillation, an uncoordinated beating of the heart. Ventricular fibrillation is rare in submersion victims. Most drowning victims have healthy hearts that simply cease to function due to hypoxia. The best approach in treating drowning victims is to prioritize immediate CPR measures, ideally with high flow oxygen. If available, an AED should be

used, in accordance with the manufacturer's instructions, in the relatively unlikely case the victim is experiencing an arrhythmia that can respond to defibrillation.

Regardless of the drowning process, treatment of a recovered drowning victim by the lifeguard is the same, whether water has been aspirated or not. Successful rescue ventilation occurs even with aspirated water in the lungs. Abdominal thrusts (such as the Heimlich maneuver) should not be used in resuscitation of drowning victims, except in cases that repeated repositioning of the airway suggests a foreign body obstruction (other than water). This maneuver will not remove significant amounts of water from the lungs. It may cause regurgitation and aspiration of stomach contents and other serious complications to resuscitation and recovery of the victim

## **Section 6 - Sudden Submersion Syndrome**

In some cases, people in water are rendered unconscious, disabled, or dead due to situations that may include heart attacks, cardiovascular accidents (strokes), epileptic seizures, head or neck injury, severe trauma, alcohol or drug overdose, cold shock, and other conditions. A victim on the surface suddenly submerges, usually without a struggle. We define this as sudden submersion syndrome. Sudden submersion syndrome is particularly difficult to prevent because it typically happens so quickly. The victim may have shown no prior indication of problems and be in a water area with no obvious hazards. The tremendous difficulty involved in spotting a victim of sudden submersion syndrome, particularly with a large beach crowd under observation, makes the importance of effective surveillance critical. Even with the most effective surveillance by trained and experienced lifeguards, sudden submersion syndrome may still occur.

## **Section 7 - Hypoxic Blackout**

When people submerge and hold their breath, they can proceed to unconsciousness. This is often preceded by the individual hyperventilating prior to submersion. The loss of consciousness can have several causes. It's usually related to hypoxia with low levels of carbon dioxide (CO<sub>2</sub>). When an individual breath-holds, oxygen level decreases (hypoxia) and CO<sub>2</sub> level increases. The rising CO<sub>2</sub> level is what triggers the urge to breath and this usually occurs long before the hypoxia is so advanced that the individual becomes unconscious; however, after hyperventilation, CO<sub>2</sub> is abnormally low and one can lose consciousness before ever getting the cue to breath. The person could either be moving in a vertical plane in the water column (swimming forward underwater) or they could be static with little movement. The depth of the water has no significance to the outcome of unconsciousness. Lifeguards who observe individuals who are practicing hyperventilation and extended breath-holding should discourage it and educate people about the dangers involved. The term shallow water blackout has been misapplied to this malady; however, it is a term related to a specific scuba diving problem, not breath-holding.

## **Section 8 - Delayed Effects of a Drowning**

Part of the drowning process involves water aspiration. People who are rescued from drowning (or who rescue themselves) may initially appear to be healthy, but if they have aspirated water or vomitus, they may later suffer serious complications. This is typically due to damage to the lungs and their oxygen exchange capabilities. One possibility is acute respiratory distress syndrome. ARDS can have a rapid onset and cause death hours or days after the drowning event.

Victims who have been rescued from drowning are often in a state of denial or embarrassed and simply want to walk away. It is very important to carefully evaluate those who appear to have aspirated water for signs and symptoms of water aspiration. Specific guidelines for treatment of drowning victims and for determining whether they should be sent to the hospital for further care can be found in the chapter Medical Care in the Aquatic Environment.

## Section 9 - Release of Drowning Victims from Care

Whenever a victim has inhaled water in a drowning incident, but is conscious, the lifeguard must decide whether further treatment is needed, or the victim can be released from care. This may be an issue of local or agency protocol, which the lifeguard should follow. The International Life Saving Federation has developed the following guidelines to help lifeguards determine who should be sent to the hospital as a result of complications from drowning.<sup>[7]</sup> Such determinations should be made with great care. If in doubt, consult a higher medical authority. As previously explained, minors require special consideration.

1. The following people should be sent to the hospital in most cases:
  - Any victim who lost consciousness even for a brief period.
  - Any victim who required rescue breathing.
  - Any victim who required cardiopulmonary resuscitation.
  - Any victim in whom a serious condition is suspected such as heart attack, spinal injury, other injury, asthma, epilepsy, stinger, intoxication, delirium, etc.
2. The following people may be considered for release from care at the scene if, after 10-15 minutes of careful observation, while being warmed with blankets or other coverings as required, the victim meets *all* the requirements listed below. In such cases, it is unwise for the victim to drive a vehicle and the victim should be so advised. If any of these conditions do not apply or if the lifeguard has any doubt, then the victim should be transported to the hospital or advised to seek early medical attention.
  - No cough
  - Normal rate of breathing
  - Normal circulation as measured by pulse in strength and rate and blood pressure (if available)
  - Normal color and skin perfusion
  - No shivering
  - Fully conscious, awake and alert
  - An oxyhemoglobin saturation level over 95% (if a pulse oximeter is available)
3. There is always a risk of delayed lung complications. All immersion victims should therefore be warned that if they later develop cough, breathlessness, fever, or any other worrying symptom, they should seek medical advice immediately. It is preferable that these individuals not return to a home environment where they are alone for the next 24 hours. Special care and observation should be given to child victims.

## **Section 10 – Vessels in Distress**

Proper surveillance of the secondary areas requires that the lifeguard is able to recognize boats in distress. If at any time you see a vessel or other larger floating object (tube, raft, log etc.) without anyone on it, you must contact the beach office and attempt to reach the object either by swimming or by rescue board.

### **10.1 Kayaks/Canoes**

- Raising their paddles in the air (City of Evanston Aquatic Camp and Sailing Staff instruct paddlers to use this signal when in trouble)
- The boat is making no progress especially if they are paddling against the wind
- The kayak is going sidewise with the wind, current, or waves
- People are outside of the boat
- The boat is low in the water or submerged
- Waves continually crash over the side and into the boat

### **10.2 Sailboats/sailboards**

- The sail is down.
- The sail is luffing (flapping in the wind).
- The vessel has flipped and either no one is trying to right it or they can't right the boat after 5 minutes.
- The vessel is blowing sideways with the wind.
- The vessel is low in the water or submerged.

### **10.3 Motorized vessel**

- The boat is drifting and/or not anchored
- You can see that someone has removed the boat's engine cover
- You see smoke



## **Chapter 7: Rescues, Assists and EAP's**



## Section 1 - Water Rescue

The water rescue is the foremost lifeguard emergency situation; it is what we are here for. Before a rescue can take place, there must be *recognition* of distress. Typically, a lifeguard determines through observation that a person needs assistance in the water. Perhaps a swimmer has fallen off a floating support in deep water or is being swept into deep water by a current. In some cases, lifeguards are summoned to respond by beach visitors who have noticed something wrong in the water. Regardless of the source of information, the process begins when a lifeguard recognizes the need for a rescue. The three components of every rescue are as follows:

- Recognize and Respond
- Contact and Control
- Signal and Save

### 1.1 Recognize and Respond

- Recognition – Witness or be notified of a victim
- Alert – Notify other guards
- Equipment Selection – decide what equipment will be best to make the rescue
- Entry – enter the water correctly based on the equipment picked

### 1.2 Contact and Control

The second component of a water rescue – contact and control - includes the following three steps:

- Approach – select your approach to the victim based on information gathered during recognition and response. Example: approach a spinal victim in a way which will not make more waves and cause movement of the spine. Determine which rescue to perform.
- Contact – perform rescue
- Stabilize – ensure the victim is well supported and begin talking to the victim to calm them down. This is a good time to gather their information and begin running through sample if victim is conscious.

### 1.3 Signal and Save

The third and final component of a rescue — *signal and save* — includes five steps:

- Signal – once the situation is under control and the victim is stable give the hand on head signal to other guards. If victim was not able to be located give code X signal.
- Retrieve – continue moving victim closer to shore.
- Remove – remove victim from water
- Assess – once on shore reassess victims' condition now that more information may be gathered. If victim is unconscious, begin checking vital signs.
- Report – fill out appropriate paperwork.

### 1.4 Water Rescue Fundamentals

Lifeguards should be prepared to perform multiple types of rescues based on the circumstances of the drowning incident and equipment available. The location, the type of victim, the rescue equipment at your station, and factors such as the height of the waves all play a role in how to properly rescue the victim while keeping yourself and the victim safe. Most rescues will be small children in the shallow end of the swimming area, however you should be prepared for any situation, such as a boating accident or someone falling off the break wall. While no water rescue is the same, these are guidelines you must know to help you be ready for any situation.

#### 1.4a Equipment

**USE A RESCUE TUBE OR RESCUE BOARD ON ALL RESCUES.** Keeping a victim afloat and their head above water is extremely difficult without a buoyant piece of lifeguard equipment, especially at long distances.

#### 1.4b Approaching the victim

- Entries into the water from the lifeguard chair must be practiced avoiding injury
- Keep victim in sight while jumping and approaching.



- Speed is essential
- Approach victim from behind if possible, especially in an active drowning situation, as this is safer for both the rescuer and victim.
- Keep rescue tube or board between you and the victim.

**1.4c Rescuing the victim**

- Once you make contact, constantly maintain it unless placed in immediate danger.
- Talk to victim for reassurance throughout the rescue whether or not you think they can hear you.
- Always watch victim while towing, continually checking for signs of depreciating health, breath, and pulse.

**1.4d Post Rescue**

- Complete appropriate paperwork as directed by supervisors. Do not give information to anyone other than EMS, police, and supervisors!!

**1.5 Water Rescue Emergency Action Plan**

**1.5a Primary Rescuer**

The primary rescuer is the guard who notices and first responds to the incident.

**1.5b Secondary Surveillance**

The secondary surveillance position is the first guard to reach the chair following the whistle.

<u>Primary Rescuer</u>	<u>Secondary Surveillance</u>	<u>Manager</u>	<u>Other Guards</u>	<u>Ripper</u>
1. Identifies Victim				
2. Blows Whistle (1 Long Blast)				
3. Jumps & Grabs Tube	Runs Down To Chair And Continues Surveillance	Radios Beach Office For Back-up	Evaluates Situation	Evaluates Situation, <b>BRINGS FIRST AID BOX, 02, AND AED TO SCENE</b>
4. Enters Water Approaches Victim, And Gives Appropriate Hand Signal	Clears Water And Relays Hand Signal	Relays Hand Signal And Assists In Rescue	Assists In Rescue	Returns to Gate, Watches For Hand Signals
5. Executes Appropriate Rescue	Continues Surveillance	Continues Assistance In Rescue	Continues Assistance In Rescue	Calls Beach Office On Phone
6. Gives Appropriate Care	Continues Surveillance	Assists In Appropriate Care	Assists In Appropriate Care	Calls 911 If Hand Signals Request So
7. Assists EMS <b>Give As Much Info As Possible</b>	Continues Surveillance And Re-Opens Beach If Safe	Maintains Crowd Control And Starts Interviews	Assists In Crowd Control	Waits For Supervisors And EMS To Direct And Brief

## Section 2 - Missing Person

When a missing person is reported on the beach, it is a serious situation. When they are not found on land, the severity of the situation grows exponentially as there is a great possibility that they are in the water.

### 2.1 Missing Person Emergency Action Plan

<u>Primary Rescuer</u>	<u>Secondary Surveillance</u>	<u>Manager</u>	<u>Other Guards</u>	<u>Ripper</u>
1. Informed That A Person Is Missing.				
2. Gather Information. When And Where Was The Person Last Seen?				
3. Call Other Guards, Blow A Three-Three [If Last Seen In Water Go To Step 7 (3-3-1)]	<b>RUN</b> To Scene	<b>RUN</b> To Scene	<b>RUN</b> to Scene	<b>RUN</b> To Scene/ <b>BRING FIRST AID BOX, 02 AND AED</b>
4. Give Appropriate Hand Signal	Relay Hand Signal	Radio Beach Office For Back-up	Relay Hand Signal	Call Beach Office
5. Gather All Other Pertinent Information (Name, Description, Etc.)	Receive And Transfer All Information To Other Staff	Receive And Transfer All Information To Other Staff	Receive And Transfer All Information To Other Staff	Receive And Transfer All Information To Other Staff
6. Announce Description Over Megaphone; Continue Surveillance (If In Chair)	Search Shoreline; Recruit Volunteers To Assist In Search	Co-Ordinate Search Effort	Search Areas Designated By Manager	Search Gate Area Washrooms And Concession Area

#### *If Person Is Not Found After 30 Second Quick Search...*

7. Clear Water And Ask For Assistance Over Megaphone	Participate In Shallow Water Search (If Not Seen Last In Deep Water)	Co-Ordinate Appropriate Search	Participate In Shallow Water Search (If Not Seen Last In Deep Water)	Call EMS And Monitor Gate Area
8. Continue Surveillance And Oversee Search	Continue Participation In Search	Continue Direction Of Search	Continue Participation In Search	Wait For Supervisors And EMS To Brief
9. Assist EMS * Give All Necessary Information	Continue Participation In Search	Continue Direction Of Search	Continue Participation In Search	After Both EMS And Supervisors Arrive Assist In Search

## 2.2 Shallow Water Search

1. When there is a missing person in the water; a shallow water search is necessary to search areas that are not visible from the lifeguard chair.
2. The primary lifeguard, who was already in the chair on duty, oversees the shallow water search. All other guards and patrons able to help in the search should line up perpendicular to the shore, starting on one side of the beach. The line should start at the end of the beach that the current is moving towards (North to South current, start at South end of beach). The reason for this is that if a victim is submerged and unconscious underwater, that is the direction they would be moving, so it should be checked first.
3. The rescuers in the line should join hands and stand close enough together so that they will not miss anyone submerged in the water in between them. They should begin walking forward on the command of the primary guard in the chair, who should use the megaphone to direct the line if necessary.
4. The line of rescuers should walk forward at a steady pace and try to stay in as straight a line as possible. Rescuers should be constantly looking at and around their feet for submerged victims while also feeling around with their feet and legs in areas they cannot see. While walking, rescuers should sweep their feet forward instead of taking high steps and attempt to keep their feet as close to the bottom as possible. By sweeping their feet along the ground, they will be able to feel a submerged victim on the bottom, instead of possibly stepping over them.
5. The guard in the chair should steer the line around sections of the swimming area that he/she can see. Most likely, on days where the water is clear, the guard will be able to see a good amount of the sand in the swimming area directly in front of the chair, so there would be no reason for the line to search there.
6. After the shallow water search is completed and all shallow areas of the water have been searched, guards should move on to the deep-water line search.

## 2.3 Deep Water Line Search

1. After the shallow water search has been completed guards should begin the deep-water line search.
2. While guards conduct a deep-water line search, patrons that were initially helping with the shallow water search can continue to do so, but the deep-water line search should be conducted by lifeguards only.
3. The line conductor, a beach manager or head lifeguard, should stand in about waist deep water with a rescue tube to be used if a victim is found during the deep-water search. The line conductor is in charge of the search, and is in charge of where the line moves, and how far it moves forward and back.
4. Starting at the far end of the beach and moving against the current (if waves are moving from North to South start at the South end of the area) guards should line up no more than an arm's length apart from one another in a line perpendicular to shore.
5. On a voice command from the line conductor at the front of the line, who is not diving, the guards in the line dive down to the bottom swim 3 strokes forward underwater, and then surface. While swimming underwater guards should be looking around for the victim, and in murky conditions should be feeling about with their arms and legs.
6. After surfacing as straight up as possible, the line should back up one to two strokes, a distance set by the line conductor, who should be constantly voicing commands so everyone stays in line and lines up with him/her perpendicular to the shore. It is also the line conductor's responsibility, as well as the guards in line, to check around them to make sure after every dive all of their fellow guards' surface safely.
7. After the line conductor has backed the guards up to where it will be certain that no area of the bottom will be missed in the search, the line conductor once again voices a loud command to make the guards dive again, as they did before in step 6. This is continued until the entire area has been searched, or authorities stop the search.

## 2.4 Determining the Emergency Search Period

- The term *emergency search* refers to the time when resources are heavily committed to recover a victim who may be successfully resuscitated.
- Standard practice for an emergency search period is one hour.
- This one-hour standard intentionally involves a period far greater than a successful resuscitation is typically likely but resuscitation after lengthy submersion has occurred, there is a possibility of error in estimating submersion time, and the concerns of family and friends of the victim must be considered.
- The one-hour limit notwithstanding, the USLA believes there is a “two-minute window” of enhanced opportunity for successful recovery and resuscitation of submerged victims.
- After this period chances of recovery and resuscitation decline rapidly due to factors such as water currents, surf, poor visibility, and obscuring of the last seen point.

## 2.5 Search

- Initial Search
- If a lifeguard onshore determines there is a valid report of a missing swimmer, the call goes out to other lifeguards and the process begins. If a lifeguard in the water determines a swimmer is missing, the lifeguard gives the Code X arm signal to shore and a lifeguard onshore responds to confirm understanding of the signal.
- Estimated time of submersion should be established and documented at the outset.
- If it is determined a submersion has occurred:
  - Back up personnel should be alerted (EAP activated)
  - The *last seen point* should be determined and fixed.
  - Use cross bearings by lining up two stationary objects onshore in two separate locations, the imaginary lines for which form an X at the last seen point.

## 2.6 Code X

- The lifeguard looks toward shore and crosses both arms overhead in the form of an X.
- The lifeguard ashore should respond with the same signal to show that the signal has been received and understood.
- Establish a search zone
- Mark it if possible, with buoy, then begin search.

## 2.7 The Three General Search Methods

- In-Water Search – Wading and swimming lifeguards search the water. In shallow water lifeguards systematically wade back and forth along shore in a line perpendicular to the beach, searching with eyes, legs and arms. In deeper water, lifeguards use mask, fins and snorkels to search. They make surface dives when they cannot see the bottom from the surface.
- Surface Search – Lifeguards are deployed in boats or paddleboards and search from these platforms. Helicopters can also be used. The value of this search method for submerged victims is dependent on water depth and clarity.
- Underwater Search – Evanston Fire and Rescue/Mabas Dive Team equipped with scuba can stay underwater and use systematic a method to search the bottom.

## 2.8 Search Patterns

- Circular Search – an anchored buoy is placed at the last seen point. An anchor guard holds a line at that point, if available, with additional lifeguards spacing appropriately along the line (whether a real or imaginary line). They then swim in a circular pattern. When they’ve completed a circle the lifeguard farthest from the center maintains position, while the other searchers move to points beyond on the line. They then search another full circle. This is repeated until the area is searched.
- Fan Search – is used with a line tender on shore or in a boat. Searchers on the line move back and forth in a fan pattern, extending outward as with the Circular Search.
- Parallel Search – (also known as a line search or grid search) it is best to start by defining your search area using landmarks or other methods. Lifeguards, spaced appropriately in a line, swim

parallel to each other along one end of the rectangle. They then move sideways and swim back to the other side.

- Always use rescue boats if available, especially those with GPS or sonar.
- Usefulness
  - Each method provides a systematic method to cover the search zone.
  - Any of the three may be effective in flat water.
  - The parallel search is the most effective option in the surf environment.
- Limitations
  - Circle and fan search patterns are difficult to maintain in the surf environment
  - An anchored buoy line is necessary for a circle search.

## 2.9 Recovery

Recovery of a viable victim

- If a victim is recovered within an established time frame after submersion (usually one hour) resuscitation efforts should be initiated immediately. Refer to the chapter Medical Care in the Aquatic Environment for specifics.

### 2.9a Body Recovery

- Agency protocol and individual circumstances will dictate when the emergency search phase terminates and becomes a body recovery phase.
- At this phase concern for rescuer and beach user safety is heightened.
- Some lifeguards may be released to regular duties while a lesser number continue searching.
- Investigation of facts surrounding the incident becomes a focus.
- Lifeguards may be expected to make careful observations on land and underwater, collect evidence and complete reports.
- Body position, location and water depth are three basic facts to be recorded.
- Consideration for the sensitivities of others at the scene should be addressed.
- Decedents should be handled with respect; the body should be kept from public view.
- Crowd control and sensitive treatment of family members is important.
- Follow local protocol for contacting police, the coroner or medical examiner for accepting custody of the body.
- Police can be helpful in making notification to next of kin.

## Section 3 – Special Rescues

### 3.1 Multiple Person Rescue

Lifeguards are sometimes faced with two or more victims in a distress or panic presentation. These multiple victim rescues (also known as mass rescues) present unique challenges.

Multiple victim rescues commonly occur when:

- A panicked person grabs onto another for support, but the other person is incapable of providing support or rescue
- A current suddenly sweeps several people into deep water
- A boat capsizes or sinks forcing victims into the water
- An unexpected wave washes bystander into the water
- A would-be rescuer becomes a victim in a failed attempt at rescue

The two keys to successful rescue of multiple victims are *flotation* and *backup*. Adequate flotation is essential to allow lifeguards to gain control of a rescue. Panic is usually greatly diminished once victims have something to hold onto which keeps their heads above the water. This also diminishes the immediacy of the need for immediate retrieval. The victims may still be caught in a current and being pulled away from shore, causing significant alarm, but the immediate fear of submersion is eliminated. Backup is critical on mass rescues because the responding lifeguard may be unable to complete the rescue alone.

### 3.2 Rescues without Equipment

Effective use of lifesaving equipment increases the efficiency of rescue, while providing additional safety for the lifeguard. All lifeguards should be provided with the equipment necessary to successfully effect rescues. Nevertheless, lifeguards must be prepared to effect rescues without equipment if none is available. This may occur in a multiple victim rescue if the RFD must be given up supporting one victim, while another is aided elsewhere. Another possibility is that rescue equipment may be lost or damaged on a rescue. While off-duty, the lifeguard may be at an unguarded beach when a drowning presentation is recognized. These are just a few examples.

- **Cross-Chest Tow** — Throw one arm over the victim's shoulder and across the chest until your hand is in contact with the victim's side just below the victim's armpit. Immediately secure the victim between the arm and hip (right arm to right hip or left to left). The victim's shoulder should be secured in the rescuer's armpit. Concentrate on keeping the victim's face out of water. While this control method supports the victim, and maintains an airway, it may not place the victim in a position that produces a feeling of security, with the face and head out of the water. Struggling may continue as the victim attempts to lean forward out of the water.
- **Modified Cross-Chest Tow** — Quickly place an arm under the victim's arms and across the lower chest (or upper abdomen) of the victim to secure the victim between the arm and hip (right arm to right hip or left to left). The victim's buttocks should be supported on the rescuer's hip. This position usually provides enough support to allow the victim to lean forward and remove the head from the water. Panic usually subsides more quickly; but this position may result in the lifeguard remaining nearly or fully submerged, due to the added weight being supported out of the water. This position should be used when there is a short retrieval distance to standing depth, since the lifeguard will not be able to maintain this tow for long.

### 3.3 Rock-line Rescue

When compared to smooth, sandy beaches, rescues from rocky shores or reefs can be quite difficult and dangerous for lifeguards, especially in surf conditions where incoming waves can throw a lifeguard into the solid surface. Rocks can be very slippery, particularly when seaweed is attached, and it's easy to fall during response and retrieval.

While rescue procedures at rock areas involve the three basic components of all rescues (recognize and respond, contact and control, signal and save), special considerations are in order. The following is a partial list:

- **Protect Your Feet** — Water entry can sometimes be made easier by donning swim fins for foot protection prior to entering the water. Another option is amphibious footwear. The benefits of foot protection should be carefully weighed against maneuverability.
- **Wear a Wetsuit** — Use of a wetsuit can greatly diminish the potential for injury from blunt force injuries or from being abraded.
- **Use Care During Entry Dives** — Shallow diving entries can be made from ledges, docks, and outcroppings, but should be made with great care to avoid head injury. Keep hands extended above the head and plan the shallowest dive possible. In surf conditions, dives should normally be timed for entry into the high point of a wave rather than the trough between waves. Wait for the upsurge of the arriving wave and jump into it.
- **Swim Away Quickly** — Begin swimming as soon as possible upon entry into the water, even in knee to waist-deep water. Continue to keep the hands in front to feel for and fend off rocks.
- **Beware of Underwater Obstructions** — Avoid ducking under incoming waves unless water depth is known.
- **Expect Unexpected Waves** — The surf can break suddenly and unexpectedly due to underwater rocks that lessen depth. This can cause unpredictable surf breaks.
- **Retrieve to a Safe Area** — Once the victim has been approached and controlled, retrieval should be made away from rock if possible, especially in surf conditions. This is an excellent circumstance for rescue boat backup. Another option is a long retrieval swim to the relative safety of a neighboring sandy beach. The time and effort involved may greatly reduce the potential for injury.

- **Protect Yourself** — A primary rule for lifeguards involved in rescues near rocks is to protect themselves first. The lifeguard will be of no assistance if injured and a severe injury to the lifeguard will greatly delay assistance to the victim.
- **Protect Yourself and the Victim** — If it is necessary to make a retrieval to a rocky shore in surf conditions, stay close to the victim rather than towing the victim behind on the RFD. If using a rescue buoy, position it in front of the victim, reach under the arms of the victim (from the victim's back) to grasp the handles, and use the RFD to fend off the rocks during retrieval as needed. Protect yourself since any injury to you may have grave consequences for both yourself and the victim.
- **Know the Area** — The greatest aid to lifeguard response at rock areas is experience and knowledge of the area. Those who work at these areas should get to know them well by studying them in all weather and tide conditions. Underwater rock formations should be of interest.

### 3.4 Boat Rescue

Distressed boats can present lifeguards with several rescue situations, ranging from stalled craft needing assistance to serious boat collisions. How a lifeguard agency responds to boat rescues will depend, in part, on the equipment, available to lifeguard staff.

### 3.5 Diver Rescue

In many beach areas, people skin dive (diving with mask, fins, and snorkel) and scuba dive (using compressed air tanks). Lifeguards are encouraged to become scuba certified. This training provides insight into the sport and helps greatly in understanding scuba rescue techniques, as well as the pathophysiology of diving injuries.

Signs of distress of a diver may include:

- Waving toward shore
- Blowing a whistle
- Surfacing alone with no sign of the buddy
- Surfacing and remaining motionless
- Breaking the surface very suddenly or even explosively
- Hurriedly ripping off a mask or other equipment
- Mask on the forehead or off the face
- Swimming toward shore, but making no progress

If a diver is observed beneath the surface who is tangled in something, a surface dive should be performed to assist. A knife in the possession of either the diver or lifeguard can be very helpful in such cases but should be used with caution. Releasing the diver from the entangled equipment by opening quick release buckles may also be effective. If an apparently lifeless diver is observed beneath the surface, the lifeguard should dive down, release the victim's weight belt, and swim to the surface with the victim. The BC should not be inflated unless this is necessary to bring the diver to the surface, since rapid inflation of the BC of a submerged diver can cause the diver to rocket to the surface. Upon reaching the surface, establish positive buoyance, signal for assistance, and begin rescue breathing.

Retrieval of a conscious, distressed diver is essentially the same as for any victim, but complicated by the equipment and relative lack of mobility of the diver. Surf rescues of divers can be hazardous because the tank and regulator can strike the lifeguard, causing serious injury including loss of consciousness. Appropriate caution should be utilized and, if necessary, the equipment can be removed.

Rescued divers should be carefully evaluated for physiological complications related to breathing compressed air. Sometimes these problems are instantaneous, other times they become evident after the dive. Such complications can be immediately life-threatening and should be taken very seriously. Sometimes lifeguards learn of such problems when an afflicted diver walks up to the lifeguard for medical advice.

### 3.6 Suicide Attempts

It's not uncommon for people to try to take their own lives in or near the water. People may jump from

piers, cliffs, or bridges. They may swim offshore. They may even attach themselves to weights. They may drive cars into the water. While many suicide attempts will occur at more remote areas or at times when lifeguards are not present, lifeguards may be called to respond.

The most difficult aspect of a suicide presentation is the fact that those attempting suicide may not want to be rescued. They may swim away from approaching lifeguards and refuse to grasp extended RFDs. In these situations, it may be necessary to take physical control using techniques described for fugitive retrieval. Another option is stay nearby, but to wait for the person to tire. This will ultimately help reduce resistance. Stay near enough however, so that if the person intentionally submerges, immediate retrieval from below the surface is possible.

It is recommended that two or more lifeguards participate in approaching a person attempting suicide, as responders can expect resistance from initial contact through and perhaps beyond removal from the water. Response to a suspected suicide attempt should automatically trigger a call for police assistance, since a weapon may be involved, and police will eventually be needed to transport the person to a treatment facility.

Responses to suicide attempts involving jumpers attached to weights can be particularly difficult for lifeguards as these presentations are often very sudden and involve immediate submersion presentations. Search procedures should be initiated upon arrival at the scene and may require tools necessary to free victims from attached weights.

Suicide incidents can be incredibly stressful for lifeguards

### **3.7 Kiteboard rescue**

Kiteboarders can require rescue for a variety of reasons including exhaustion, loss or direction change of wind, gear failure, adverse currents, and injury. Kiteboarding assistance and rescue can be a technical and demanding process given the variables introduced by the wind powered kite and the long, high-strength lines used for control. A kite can move a parked car under the right conditions and the lines can inflict serious lacerations. Kites that are becalmed can suddenly relaunch, sinking lines can tangle underwater, and tangles can cause total loss of kite control and power. These and other factors dictate the need for careful assessment and informed, practiced procedures in assisting or rescuing kiteboarders.

Kiteboarders offshore may appear to be struggling but are often able to resolve the problem on their own. It can be challenging to determine when a kiter needs assistance. Special care must be taken by lifeguards to approach from upwind. Kites can suddenly repower. Rescuers and rescue boats can become entangled in lines. The priority should be rescue of the kiter, which may mean opening two quick releases (usually red or orange handles) or even cutting the kite free. If you cut the kite, it is important that the freed kite not be allowed to create a hazardous situation for others downwind.

Uncontrolled kites on land pose an immediate risk. Care must be taken to keep bystanders away and clear of the kite lines. Never grab the lines. Grabbing other aspects of the system can repower the kite or result in injury to the rescuer. If the kiter and kite are stabilized, the kite should be inverted, then deflated, and weighted down with sand so that the wind cannot catch it.

### **3.8 Sand Collapse**

Beachgoers of all ages love to dig in the sand, but each year in unusual cases, this leads to death and injury. Like any trench in the soil, the walls of sand holes can collapse, causing entrapment and possible suffocation, as well as crushing injuries. Sand though is even less stable than the trenches dug by construction workers in soil.

When a sand hole collapses over a person or persons, it is an immediate, life-threatening emergency. The weight of sand can cause crushing injuries and sand granules can fill every void, preventing breathing.



Depending on the size of the hole, it may be exceedingly difficult to determine where the victim is to begin digging and to avoid worsening the situation.

Prevention is key in sand hole collapse. Because rescue is difficult, preventing the incident from occurring in the first place is the best option. Lifeguards who see people digging holes in the sand can help prevent death or injury by discouraging the activity through warnings and advice. Some jurisdictions ban the activity. Any hole that could collapse and cover a beachgoer of any age is a potential threat to safety. Remember that people who dig these holes often abandon them, which may mean that others, especially small children, may be endangered. They can also endanger lifeguards operating motorized vehicles on the beach.

When lifeguards become aware of a sand hole collapse that has covered a beachgoer, an immediate emergency should be declared, and appropriate backup rescue assistance should be summoned. This is an all hands-on deck emergency. Because of the extremely limited time available to rescue the imperiled beachgoer, immediate efforts at digging away from the best estimate of the victim's location are prudent. Use of shovels has the potential to cause injury. Plastic buckets have been used effectively as an alternative. The assistance of other beachgoers using their hands or other digging materials may prove useful but do your best to coordinate this assistance effectively.

There are two primary goals: Get the victim's chest and airway clear as soon as possible. Avoid worsening the situation by inadvertently standing atop the covered beachgoer.

Be sure to have resuscitation equipment, including suction, en route and summon an ambulance in anticipation of likely need. Time is of the essence in these cases.

#### **Section 4 - Post-Traumatic Stress Disorder**

Lifeguards are regularly exposed to stressful situations.

- Death or serious injury to a beach patron can result in trauma to the lifeguard, but there are less dramatic causes.
- Posttraumatic stress disorder (PTSD) is a psychiatric disorder which may occur after a stressful event.
- PTSD may result in the rescuer experiencing nightmares, flashbacks, difficulty sleeping and feelings of detachment.
- Always assume that member of a rescue team could be affected by stress.
- Organizations are encouraged to confidentially debrief rescuers so that questions and concerns can be addressed.
- Depending on the severity of the experience, a formal Critical Incident Stress Debriefing (CISD) may be necessary

## Section 5 - First Aid/Injury

The most common emergency situations on the lakefront are basic first aid injuries. No matter how small or seemingly menial, they should be treated with the same attention and seriousness as any other emergency.

### 5.1 First Aid/Injury Emergency Action Plan

Primary Rescuer	Secondary Surveillance	Manager	Other Guards	Ripper
1. Identify Injured Person				
2. Survey The Scene/ BSI				
3. Evaluate Consciousness				
4. Alert Other Staff If Unconscious		Radio Beach Office (Anything Over A Band-Aid)		Evaluate Situation
5. Complete Primary And Secondary Survey	Assist if necessary	Assist If Necessary	Assist If Necessary	Bring First Aid Box, O2 and AED to Primary Rescuer. Call 911 (If Unconscious; Then Beach Office)
6. Give Appropriate Care	Assist In Crowd Control	Assist In Crowd Control	Assist In Crowd Control	Wait For Supervisors And EMS And Provide Info
7. Assist EMS *Give As Much Info on Victim As Possible	Assist In Crowd Control	Start Paperwork	Assist In Crowd Control	Assist In Crowd Control

### 5.2 First Aid/CPR Guidelines

CPR is designed to provide oxygenated blood to the cardiovascular system in the event of a cardiovascular failure such as a heart attack or drowning incident. The process of CPR has been modified throughout the years by the agencies that set CPR standards however the fundamentals of CPR remain switching between chest compressions to pump blood through the body and assisted breaths to give oxygen to the lungs. By this process oxygen is supplied to the bloodstream and the body's organs are prevented from shutting down.

#### Compressions

Chest compressions are designed to pump the heart in the event it stops pumping itself. Chest compressions are modified for different victims based on the size of the victim's chest cavity however with each victim it is important to allow the chest to fully recoil after each compression. This allows for more effective compressions as the chest is pumped up and down as opposed to being compressed down.

#### Breaths

Assisted breaths are designed to provide oxygen to the victim's lungs to be absorbed into the bloodstream. Assisted breaths involve using either your lungs or a device such as a bag valve to push air into the lungs. Using your lungs is less effective than a bag valve as the air from your lungs contains less oxygen than fresh air. In addition, the bag valve mask can be attached to an oxygen tank to

provide 100% oxygen to the victim. Whenever giving breaths you must ensure the breath device is firmly placed on the victim's face to ensure the air enters the victims' lungs. In addition, as breaths are given it is important to watch the victim's chest for a rise and fall to ensure the air entered the victim's lungs. With smaller victims such as children breaths must be modified to be softer to prevent internal damage to the victims' lungs from over inflation.

### **5.2b Caring for the victim**

- Always follow Emergency Action Principles.
- Always wear gloves and other personal protective equipment.
- Don't move an injured victim unless absolutely necessary.
- Keep non-essential onlookers away from scene.
- Get info on medical history and how the injury/illness occurred.
- If victim is unconscious get backboard in case CPR is needed.

### **5.2c Post Incident**

- Any equipment that has been contaminated after an incident should be placed in a marked "Biohazard Bag" for disposal.
- **WASH HANDS THOROUGHLY AFTER EVERY INCIDENT** even if gloves were worn.
- If it is believed that an exposure has occurred, clean the area of contact thoroughly, write down what happened on an incident report, and contact supervisory staff immediately.
- If necessary, see your doctor for follow up care or the City of Evanston will provide you with the necessary medical attention.
- Fill out all necessary paperwork and alert Supervisors of the incident if they were not already aware.

## 5.3 First Aid Quick Reference Guide

Condition	Symptoms	First Aid
<p><b>Asthma</b></p> <p>(May need additional medical attention)</p>	<ul style="list-style-type: none"> <li>-Coughing or wheezing that may occur after exercise</li> <li>-Difficulty breathing or shortness of breath (<i>Rapid, shallow breathing</i>)</li> <li>-Tightness in chest</li> <li>-Inability to talk without stopping frequently for a breath</li> <li>-Crying</li> <li>-Pulse will be rapid</li> <li>-Skin, lips and nail beds may have discoloration from lack of oxygen</li> </ul>	<ul style="list-style-type: none"> <li><b>-Obtain consent and assist a person with their prescribed inhaler if they have it.</b></li> <li><b>-Maintain an open airway</b></li> <li>-Help the person sit up and rest in a position of comfort (e.g.: sitting in a chair with hands on head)</li> <li>-Monitor patients ABC's, calm patient, and keep them warm</li> </ul>
<p><b>Anaphylactic Shock</b> (Allergic reaction)</p> <p><i>(Needs additional medical attention)</i></p>	<ul style="list-style-type: none"> <li>-Swelling of the face, neck, hands, throat, tongue or other body part</li> <li>-Rash or hives</li> <li>-Difficulty breathing or shortness of breath</li> <li>-Difficulty swallowing</li> <li>-Tight feeling in the chest and throat</li> <li>-Low blood pressure</li> <li>-Shock</li> </ul>	<ul style="list-style-type: none"> <li><b>-Maintain an open airway</b></li> <li>-Remove the victim from the source of the allergy</li> <li>-Assist with the person's prescribed epinephrine auto-injector (<i>Remember to determine whether the person already has taken epinephrine or antihistamine</i>)</li> </ul> <p><b>Note: Do not give fluids or food</b></p>
<p><b>Seizure</b> (Epileptic Grand Mal)</p> <p><i>(Needs additional medical attention)</i></p>	<ul style="list-style-type: none"> <li>-Convulsive movements / severe muscle twitching</li> <li>-Clenched teeth / drooling</li> <li>-Cyanosis</li> <li>-Change in levels of consciousness</li> <li>-Abnormal breathing</li> <li>-Loss of bowel &amp; bladder control</li> </ul>	<ul style="list-style-type: none"> <li><b>-Maintain an open airway</b></li> <li>-Provide a safe private environment</li> <li>-Lie patient down and protect head</li> <li>-After seizure passes turn on side to drain fluids from the mouth</li> <li>-Loosen restrictive clothing</li> <li>-If in water support head above water</li> <li>-Monitor patients ABC's</li> </ul>
<p><b>Hyper-Ventilation</b></p> <p><i>(Needs additional medical attention depending on severity)</i></p>	<ul style="list-style-type: none"> <li>-Rapid, deep breathing</li> <li>-Tingling in arms and mouth</li> <li>-Cramps in fingers</li> <li>-Sharp chest pains</li> <li>-Unconsciousness</li> </ul>	<ul style="list-style-type: none"> <li><b>-Summon EMS if necessary</b></li> <li>-Administer O2 from ambulance</li> <li>-Monitor patients ABC's</li> <li>-Provide rescue breathing if breathing stops</li> </ul>
<p><b>Heart Attack</b></p> <p><i>(Needs additional medical attention)</i></p>	<ul style="list-style-type: none"> <li>-Shortness of breath</li> <li>-Chest pains</li> <li>-Profuse sweating</li> <li>-Pale, sweaty skin</li> <li>-Tight feeling in the chest</li> </ul>	<ul style="list-style-type: none"> <li>-Be prepared to perform CPR and use an AED</li> <li>-Have the patient stop any activity and rest in a position of comfort</li> <li>-Loosen tight or uncomfortable clothing</li> <li>-Monitor patients ABC's</li> <li>-Assist the patient with prescribed medication, such as nitroglycerin or aspirin</li> </ul>
<p><b>Hypoglycemia</b></p> <p><i>(Needs additional medical attention)</i></p>	<p>(Insufficient amount of sugar in the blood.)</p> <ul style="list-style-type: none"> <li>-History of diabetes, often seen with a medical ID tag</li> <li>-Confused, agitated, and verbally abusive</li> <li>-Sweaty</li> <li>-Changes in levels of consciousness</li> <li>-Numbness in mouth and tongue</li> <li>-Coma</li> </ul>	<ul style="list-style-type: none"> <li>-Summon EMS personnel</li> <li>-Use oral glucose gel tube only if patient is able to take it themselves</li> <li>-Fruit drink like orange juice, milk and non-diet soft drinks have enough sugar to be effective. <b>(NO SPORTS DRINKS.)</b></li> <li>-Move patient into a position of comfort</li> </ul>

<p><b>Heat Cramps</b></p> <p><b>(Additional attention needed only in severe cases)</b></p>	<ul style="list-style-type: none"> <li>-Painful muscle spasms that usually occur in the legs and abdomen</li> <li>-Sweating</li> <li>-Increased heart rate</li> <li>-Exhaustion and dizziness</li> </ul>	<ul style="list-style-type: none"> <li>-Move patient to a cool place</li> <li>-Loosen tight clothing and remove perspiration-soaked clothing</li> <li>-Cool the victim by spraying with cool water or applying cool, wet towels to skin</li> <li>-Encourage the patient to drink <b>SMALL</b> amounts of fluids.</li> <li>-Monitor patients ABC's</li> </ul>
<p><b>Heat Exhaustion</b></p> <p><b>(Needs additional medical attention)</b></p>	<ul style="list-style-type: none"> <li>-Profuse sweating</li> <li>-Cool, moist, pale, ashen or flushed skin</li> <li>-Headache, nausea, dizziness, weakness and exhaustion</li> <li>-Thirst</li> <li>-Fainting</li> <li>-Dilated pupils</li> </ul> <p><b>Note: Heat exhaustion is an early indicator that the body's cooling system is becoming overwhelmed. Be prepared for convulsions.</b></p>	<ul style="list-style-type: none"> <li>Move patient to a cool place</li> <li>-Loosen tight clothing and remove perspiration-soaked clothing</li> <li>-Cool the victim by spraying with cool water or applying cool, wet towels to skin</li> <li>-Encourage the patient to drink <b>SMALL</b> amounts of fluids.</li> <li>-Monitor patients ABC's</li> </ul>
<p><b>Heatstroke</b></p> <p><b>(Needs additional medical attention)</b></p>	<ul style="list-style-type: none"> <li>-Red, hot, dry skin</li> <li>-Changes in levels of consciousness</li> <li>-Vomiting</li> <li>-Constricted pupils</li> <li>-Disorientation</li> <li>-Seizure</li> </ul> <p><b>Note: Heat stroke occurs when the body's systems are overwhelmed by heat and stop functioning. Heat stroke is a life-threatening condition.</b></p>	<ul style="list-style-type: none"> <li>Move patient to a cool place</li> <li>-Loosen tight clothing and remove perspiration-soaked clothing</li> <li>-Cool the victim by spraying with cool water or applying cool, wet towels to skin</li> <li>-Encourage the patient to drink <b>SMALL</b> amounts of fluids.</li> <li>-Monitor patients ABC's</li> </ul>
<p><b>Hypothermia</b></p> <p><b>(Needs additional medical attention)</b></p>	<ul style="list-style-type: none"> <li>-Shivering</li> <li>-Numbness</li> <li>-Glassy stare</li> <li>-Apathy</li> <li>-Weakness or impaired judgment</li> <li>-Change in levels of consciousness</li> </ul> <p><b>Note: If cold water drowning start CPR and do not re-warm.</b></p>	<ul style="list-style-type: none"> <li>-Perform a primary, including a pulse check (for 30-45 seconds)</li> <li>-Gently move patient to a warm place. Sudden movements may cause a heart arrhythmia and possibly cardiac arrest.</li> <li>-Remove any wet clothing</li> <li>-Warm victim slowly, be sure to cover the head.</li> <li>-If the patient is alert, have the patient drink liquids that are warm, not hot.</li> <li>-Monitor patients ABC's</li> </ul>

## Section 6 - Lakefront Water Response Team / EFD Search & Rescue

Their purpose is to respond to water rescues and aid in our emergency response. Once the emergency turns from emergency rescue to a recovery operation, EFD will take command. We will not give up command of the emergency until recovery divers are in the water. Both EFD and Lakefront Rescue will work together and aid in water emergencies. Proper communication over the Channel 1 is a must and is imperative to a successful response. Once a water emergency is recognized the city dispatch will be called to activate the water rescue team to aid in our emergency response.

### 6.1 Emergency Response

Key information should be gathered from the caller to help pinpoint the location of the rescue.

- Nature of emergency (determine degree of danger, tow vs. medical emergency)?
- Where is the vessel located? (Best question to ask is look directly west what do you see?)
- What kind of vessel (sailboat, ski boat, catamaran, Jet Ski, windsurfer...)?
- Color of Vessel/Color of Sail
- How many people on board?
- Last known coordinates?
- Cell phone #
- Do you have a Marine Radio?
- Can you anchor?
- Are there personal floatation devices on board? (If yes, put them on)
- Any possible illuminating signal devices (flares, flashers, flags...)

### 6.2 General Emergencies

Our goal when arriving on scene at any Code situation is to assist the lakefront staff in any way possible this will include line-searches, missing children searches, back-boarding, CPR etc. We are not trying to take over the scene but instead ensure that everyone is performing their designated duties and assist in anyways possible.

### 6.3 Evening Emergencies

Supervisors will be placed on an Emergency Call list and at any point you may be called on to go to Wilmette and drive EL-1 during a rescue/recovery mission in the middle of the night. Supervisors do not leave until all employees are punched out and any Emergency has either been cleared or called off.

## Section 7 - Aquatics Camp Distressed Vessel Procedure

### 7.1 Rough days

- Bring the campers on the tube into the boat, go directly to capsized vessel. Stand by for assistance; do not leave the motorboat to help capsized vessel unless another counselor is on board the motorboat.
- If camper is injured – not a spinal injury - bring the injured camper onto the motorboat immediately.
- If the campers cannot sail the boat in, drop off a counselor to take over the boat, bring campers onto the motor boat and have the other counselor sail the boat in.

### 7.2 Light wind days

- If close by, tubing boat should go to the sailboat with the tuber in tow.
- Give verbal instructions to help camper's better maneuver their vessel. Don't spend too much time with a boat. If necessary, drop off a counselor to get in the vessel with them and assist/ tow it in.

### 7.3 Off-shore wind days

- Keep an eye on all boats.

- As soon as you arrive at work in the morning, take note of the wind and weather and what it's doing. Boats can drift out far quickly.
- Give other parameters if necessary (i.e. if it's a N wind, have vessels launched closer to greenwood so they don't hit the breakwall.)
- The motorboat drivers are responsible for keeping an eye on the sailboats as well as the counselor at sailing.

## **Section 2 - Camper Injuries**

In addition to following the First Aid/Injury Emergency Action Plan if a camper is injured in any way, you **MUST** alert the Director and/or Assistant Director and fill in an incident or first aid report.

**CAMPERS ARE ALWAYS MORE IMPORTANT THAN  
EQUIPMENT!**

## **Chapter 8: Boating Addendum**





## Section 1 – Boating Glossary

As boating and seamanship have a long international history, seamen over the last several centuries have developed what almost amounts to a language. Before launching into the descriptions of proper boating procedures it helps to become familiar with the terms and their definitions.

### 1.1 General Terms

Whether boating under the power of paddle, sail, or motor there are some basic terms that any boater should know before setting sail.

#### 1.1a – Hull

No matter what the type of vessel, the body of the boat is always referred to as the hull. There are several basic parts of the hull that apply to most boats.

- **Deck** – The topside of the hull is referred to as the deck, on larger boats that can be multiple decks due to the boat having multiple levels, though we will rarely see a boat of that size in our waters.
- **Gunwales** – The gunwales are the edge of the boat where the Deck meets the underside of the boat.
- **Waterline** – The waterline is the level on the underside of the hull where the water meets the boat.
- **Freeboard** – The freeboard is the section of the underside of the hull between the gunwales and the waterline. This is the part that sticks above the water.
- **Draft** – The draft is the section of the underside of the hull which is underneath the waterline. The draft also refers to the depth of this section of the hull, or the minimum water depth in which the boat will float.
- **Centerline** – The centerline runs the length of the hull down the middle.
- **Midships** – Midships (or amidships) is at or near the center of the boat.
- **Beam** – The beam is the maximum width of the hull. This generally occurs at midships.

#### 1.1b – Directional

Even simple descriptors are different on boats, though most should sound familiar.

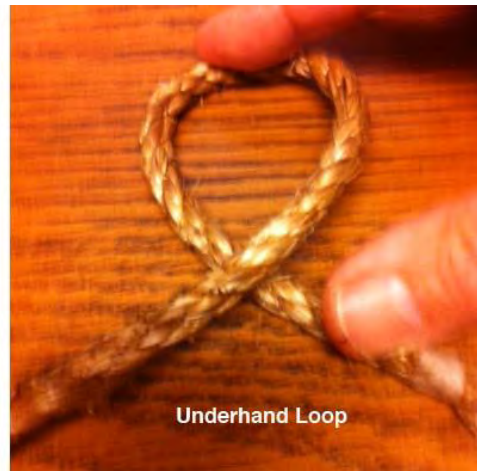
- **Bow** – The bow of the boat refers to the front of the boat. Some people remember this by the fact that we bow to the front. Forward is also used when talking about boat parts in relation to one another (the bow is forward of midships). Similarly, the prefix fore- can be attached to different parts of the boat when specifying the forward most of a set of similar parts (the foredeck is the part of the deck at the bow of the boat).
- **Stern** – The stern of the boat is the back of the boat, similar to forward, aft is the adjective form of stern (the stern is aft of midships). Also, aft- or after- are the corresponding prefixes (afterdeck, aft line).
- **Port** – Port refers to the left when facing forward in the boat. A simple device for remembering this is that port and left both have four letters and end in a t.
- **Starboard** – Starboard is the right side when facing the bow.
- **Windward** – The windward side of the boat refers to the side facing into the wind.
- **Leeward** – The leeward side of the boat refers to the side facing away from the wind.

#### 1.1c – Ropes and Knots

Since there are many applications for ropes and thus knots, it is helpful to know a few simple terms.

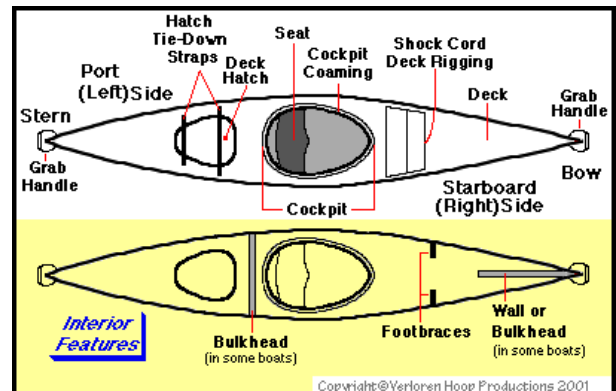
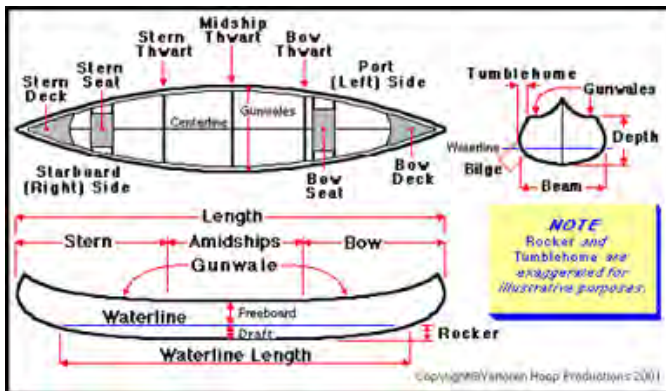
- **Line** – Once a rope has been given a purpose it is known as a line.
- **Free end** – If tying a knot in the end of a line, the free end is the end of the line that you are using to tie the knot. It is also known as the working end.
- **Standing part** – When tying a knot in the end of a line, the standing part is the rest of the rope away from the free end.
- **Overhand loop** – An overhand loop is a loop created by passing the free end over the standing part.

- **Underhand loop** – Similar to the above, an underhand loop is formed by passing the free end under the standing part.



## Section 2 – Canoes and Kayaks

Canoes and Kayaks are similar in design and have only a few basic parts not yet described.



### 2.1 Thwarts

Thwarts are the support bars that run the width of the canoe.

### 2.2 Cockpit

The cockpit is where the seat or seats in a kayak are situated. The term cockpit is also used similarly with sailboats.

### 2.3 Bulkhead

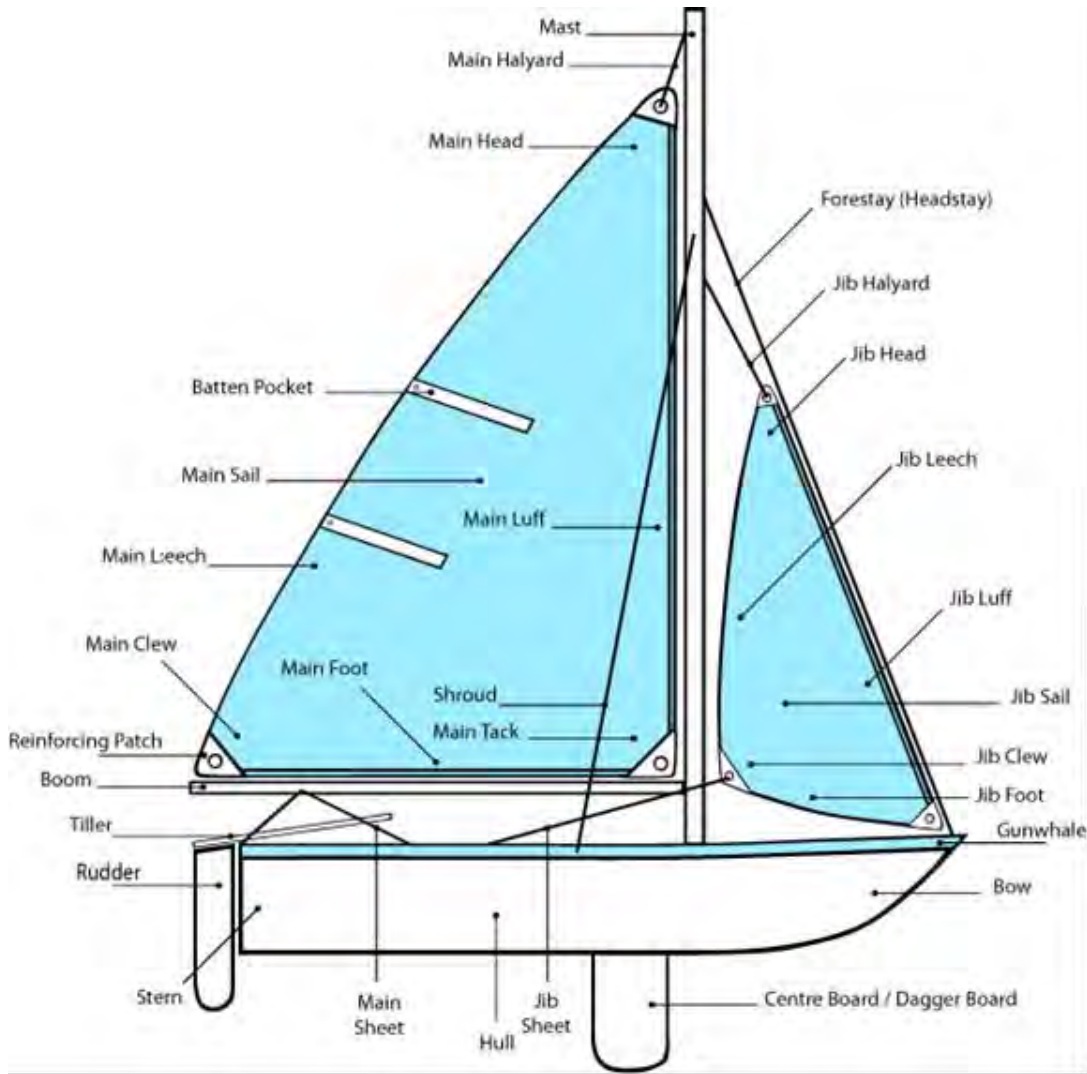
Bulkheads are dividers that section off the inside of the hull. In a kayak, there are bulkheads to separate the cockpit from the back to create a dry compartment.

### 2.4 Foot Braces

Some kayaks come with foot braces so that kayakers don't lock their knees out the entire time they are kayaking. In some models these are replaced with control peddles for a rudder.

## Section 3 - Sailboats

Sailboats are notoriously complicated and have a large number of terms to describe the various parts.



### 3.1 Mast

The mast is the vertical spar from which the sails are suspended. Shrouds and/or stays are the cables used to help support the mast.

### 3.2 Sails

Sails are the large fabric surfaces used to harness wind. There are several types of sails, but there is always a mainsail. Additional sails can be a jib, genoa or spinnaker. There are a few terms used to describe different parts of sails:

- **Head** – The head of the sail is the top of the sail.
- **Foot** – The foot of the sail is the bottom edge of the sail.
- **Luff** – The luff of the sail is the forward or leading edge of the sail. Luffing is also the term for when the sail flaps back and forth.
- **Leech** – The leech of the sail is the aft edge of the sail.
- **Tack** – The tack of a sail is the corner of the sail where the luff edge and the foot of the sail meet.
- **Clew** – The clew of the sail is the corner of the sail where the leech edge meets the foot of the sail.
- **Battens/Batten Pockets** – The battens are rigid strips, typically made of fiberglass, that help to straighten out the sail. The batten pockets are small pockets sewed into the sail where the battens are placed.

### 3.3 Boom

The boom is a horizontal spar that is attached at the bottom of a sail to aid in spreading out and controlling the foot of the sail. Not all sails have booms.

### 3.4 Sheets

Sheets are the control lines of sails. For every sail, there is a corresponding sheet (mainsail and mainsheet, jib-sail and jib-sheet).

### 3.5 Halyards

Halyards are the lines used to raise the sails up the mast. Like sheets, each sail has a halyard (mainsheet, main halyard).

### 3.6 Rudder

The rudder is a thin blade that sticks into the water at the stern of the boat. It is used to turn the boat.

### 3.7 Tiller

The tiller is the control handle for the rudder. In many situations, there is a tiller extension attached.

### 3.8 Centerboard/Dagger board

The centerboard or dagger board is another blade that is thin along the width of the boat and wide along the centerline.

## Section 4 - Catamarans

While catamarans are technically sailboats, there are a few key parts that are on normal single hull sailboats.

### 4.1 Pontoons

The two hulls of a catamaran are also known as pontoons.

### 4.2 Trampoline

The trampoline is the part which spans the two pontoons.

### 4.3 Bridal

The bridal is a set of cables which are attached to the bows of the pontoons and meet in the middle at the forestay adjuster.

### 4.4 Forestay Adjuster

The forestay adjuster is the connecting hardware that connects the bridal to the forestay.

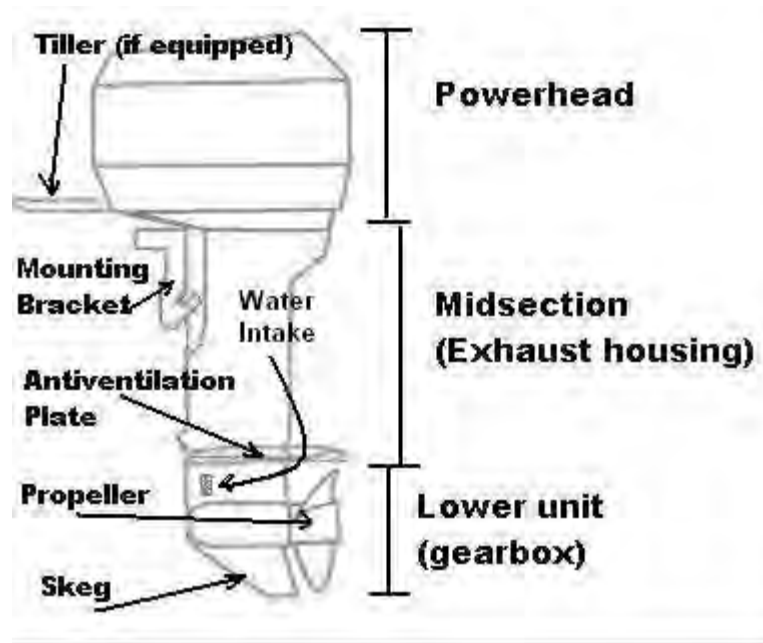
## Section 5 - Motorboats

Besides the general hull parts described previously, there are some basic motorboat features that you need to be familiar with.

### 5.1 Motor

The motor is obviously the most important part of a motorboat besides the hull itself. While the combustion outboard motor has a vast number of parts, here are the few simple ones you need to know (diagram on next page).

- **Powerhead** – The powerhead is the general term for the top portion of the motor. This is where the actual combustion happens and force is generated.
- **Midsection** – The midsection connects the powerhead to the lower unit.
- **Lower unit** – The lower unit is the main part of the engine that actually contacts the water. This is where the propeller is mounted as well as the water intake for the cooling system.
- **Propeller** – The propeller is the bladed device that spins rapidly to generate motion.
- **Skeg** – The skeg is a small fin positioned forward of the propeller and helps to protect the propeller from getting fouled on debris underwater.
- **Water Intake** – The water intake provides water to the cooling system for the engine. **Since it is located on the lower unit, the propeller must be in the water while the engine is on so that the engine does not overheat.**



## 5.2 Console/Bridge

The bridge is the term for the part of the boat where the controls are placed. On our larger whaler and EL-1 there is a center console which acts as the bridge. A few major parts found in the bridge are as follows:

- **Steering wheel** – Our motorboats have a traditional steering wheel instead of a tiller handle. It is very comparable to that of a car.
- **Throttle** – The throttle controls the output of the motor. It is a combination of the gas pedal and gear shifter when comparing to a car.
- **Ignition** – the key-based ignition is also pretty much a direct import of a car's ignition.
- **Radio** – Unlike the radio in a car, the radio onboard our motorboats is designed for two-way communication. Channel 16 is the Coast Guard channel.

## 5.3 Gas Cans

The gas cans are where the gas is stored on the boat. Only on the Tahoe and EL-1 are the fuel tanks built into the hull.

## 5.4 Fuel lines

The fuel lines are the black hosing that stretches from the gas cans to the motor.

**1.5e Bilge** – The bilge is a recessed well at the stern that all the water that washes in the boat flows towards.

**1.5d Bilge Pump** – The bilge pump is located at the stern of our boats and is used to pump water in the bilge back out.

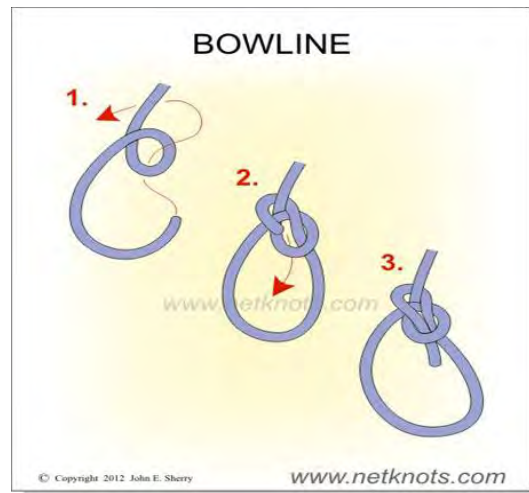
## Section 2 – Rigging and De-rigging

A day of boating or boarding always starts with rigging, or preparing, one's equipment and ends with de-rigging, or cleaning up, afterwards. Most de-rigging procedures are just the opposite of the rigging procedures, but differences will be noted throughout the rigging instructions.

### 2.1 Bowline

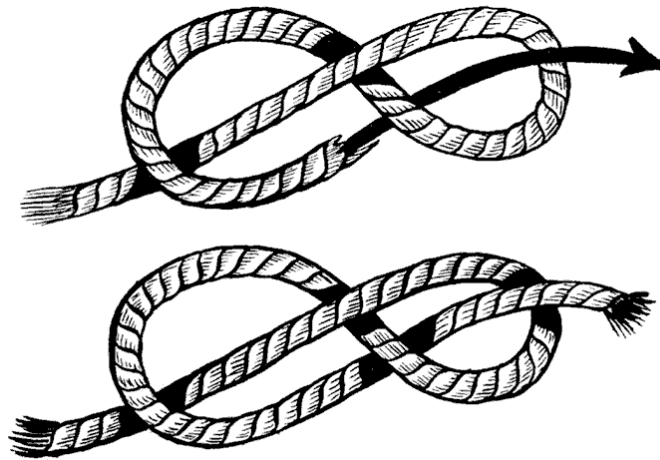
The bowline is one of the most useful knots to be able to tie. It creates a fixed loop which doesn't slip when the line is under tension. Also, no matter how much tension is put on the line it is relatively easy to untie.

First create an overhand loop in the desired end of the line. Next, pass the free end up through the loop and around the back of the standing line. Then pass the free end back down through the original overhand loop and tighten by pulling on the standing line with one hand and the free end with the other.



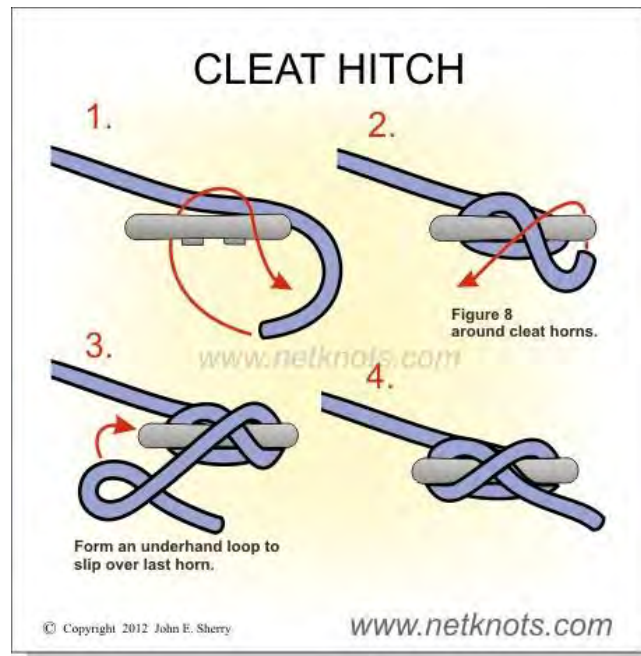
## 2.2 Figure eight

The figure eight knot is one of the most basic knots used in sailing. It is a stopper knot which prohibits the free end of the line from passing through hardware such as cleats, blocks, and eyes on the boat. Start by creating an underhand loop in the free end of the line. Then bring the free end back over the standing line and up through the loop. Pull ends to tighten.



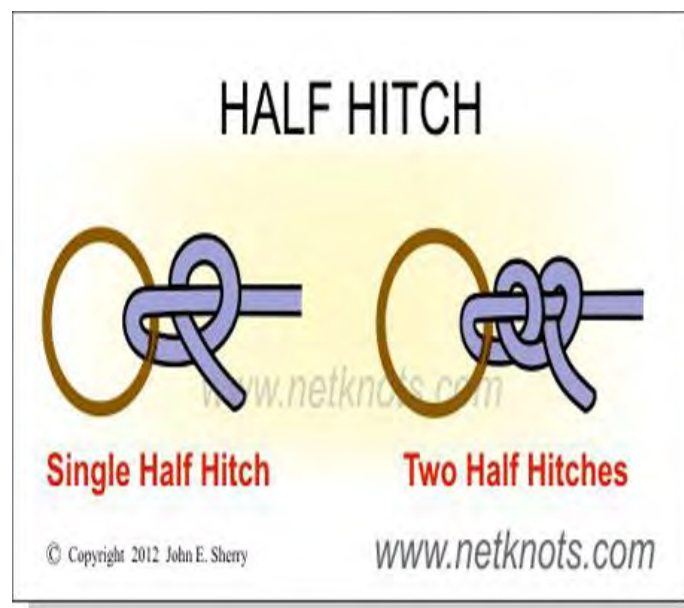
## 2.3 Cleat hitch

The cleat hitch is essential in many boating applications and is the best way to tie a boat to a dock. Start by passing the line around the base of the cleat and then bring the free end over the top of the cleat. Pass the free end under the cleat horn away from the turn you just created and back over the top of the cleat. Next create an underhand loop to slip onto the other horn of the cleat and pull the free end to tighten.



### 2.4 Half hitch

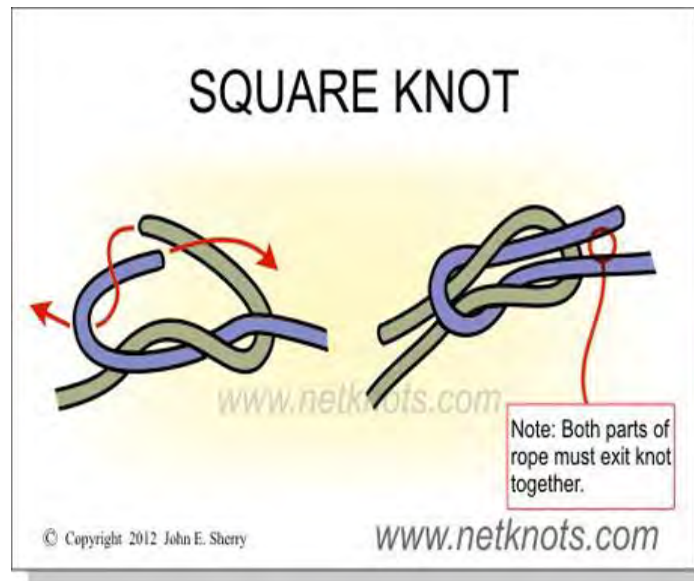
The half hitch is a very simple knot which is usually used in conjunction with other knots. A single half hitch is unstable; two half hitches should be used when cinching a line down onto an object. To create a half hitch, pass the line around the object you wish to tie the line to and then tie an overhand knot by looping the free end around the standing line and passing it back under to tighten. Repeat to create two half hitches.



### 2.5 Square knot

A square knot can be used to tie the free ends of two lines together. Note that it is not a very strong knot and can come apart so it should not be trusted to join two lines that are under a lot of tension. Start by passing one line over the other as you would to tie a bow. Then bring the second line back over the first. Pull tight by taking the free end and the standing end of each line in a hand and pull. Both ends of each line should exit the knot the same way.





## 2.6 Kayaks

Our kayaks require little preparation before launching. There are only a few steps you need to know in both the rigging and de-rigging processes.

### 2.6a Drain

Check for water inside the hull of the kayak. If there is water, stand the kayak up on the end which has the drain in it and let the water run out. Close the drain plug if applicable to the kayak. This step is also repeated when putting the kayaks away or in between uses when excess water is observed in the kayak.

### 2.6b Seats

Attach seats to the kayak if they are not already attached. For the yellow kayaks this means sliding the sides of the seat into the inner rails. For the fishing kayaks you need to put the plugs attached to the bottom of the seats into the holes on the kayak where the seat goes. Then attach the seat straps with the hooks provided.

### 2.6c Pedals

The last step which only applies to the fishing kayaks is to install the peddle propulsion system into the kayak. To do this, insert the fins through the hole in the middle of the kayak just forward of the seat. Turn the locking mechanisms on the kayak once the assembly is in place to secure.

## 2.7 Sailboats

Most sailboats have similar basic construction and rigging. This set of instructions applies to the Barnett 1400, which makes up the bulk of our sailing fleet, but the steps involved are almost identical for all our boats.

### 2.7a Drain

Check for water in the hull by looking and listening for water while lifting the bow of the boat. Let any water out of the drain on the stern end of the boat and replace and tighten the drain plug. Again this should be done at the end of the day as well or when water is noticed inside the hull.

### 2.7b Step mast

To step or raise the mast, first line up the base of the mast with the mast hole in the deck towards the bow. Then lift carefully, making sure to keep the mast lined up with the hole until it slides into place and is seated firmly. Note that it is important that both ends of the halyard, which is the line on the mast used to raise the sail, are secured near the bottom of the mast while stepping it otherwise you will likely sky the halyard (raise it out of your reach).

**2.7c Raise sail**

Before raising the sail, turn the bow of the boat into the direction of the wind. This will cut down the ability of the wind to blow the sail around as you are rigging. Next attach the halyard to the grommet at the head of the sail and insert the battens into the batten pockets. As you begin to hoist the sail, feed the thick luff edge of the sail into the slot in the mast. Continue this process of hoisting and feeding until the sail is fully raised. Near the top of the mast there is a jam cleat in the side which you use to secure the halyard once the sail is fully raised. Tie off the halyard to the cleat on the side of the mast using a cleat hitch.

**2.7d Attach boom and standing rigging**

Next we attach the boom by sliding the gooseneck into the slot in the mast and secure the attached shackle through the grommet at the luff edge of the foot of the sail. Then wrap the outhaul around the boom and back through the grommet at the leech edge of the foot of the sail where the bitter end of the outhaul is attached. Then lead the free end through the eye at the end of the boom and back through the jam cleat. Tie a figure eight so that the free end does not pass back through the cleat while sailing. Next pass the downhaul through the cat's eye, which on the deck just aft of the mast, and then through the jam cleat just aft of that. Tighten and tie a figure eight in the free end. The last part is to attach and tighten the vang, which should always be left attached to an eye-strap at the bottom of the mast. The vang is a tackle assembly which has a hook on the block not directly attached to the mast. Place this hook through the eye-strap on the underside of the boom just aft of the mast and pull to tighten. If there is not a figure eight already, tie one into the free end.

**2.7e Attach mainsheet**

Start rigging the mainsheet by tying a bowline in one end through the eye at the end of the boom just underneath the one that the outhaul goes through. Then take the free end and lead it down through the block attached to the traveler and then back up through the block just forward of the eye. Next lead the line along the underside of the boom, through an eye-strap and a block, and then down through the block on the deck. Make sure the free end exits the block on the side with the cam cleat, or else the mainsheet is improperly rigged. Finally tie a figure eight in the free end. Note that you should not tighten the mainsheet until launching the vessel. Leaving the mainsheet under tension on land can lead to the boat blowing over.

**2.7f Attach rudder and tiller**

Before attaching the rudder and tiller assembly remove the safety ring that is attached to the upper pintle. Then slide the tiller and extension underneath the traveler. Attach the assembly by sliding both pintles into their corresponding holes on the gudgeon plate. Make sure the assembly is all the way down so that the safety catch between the two pintles clears the gudgeon plate. Finally replace the safety ring.

**2.8 Catamarans**

Catamarans are sailing vessels which have two pontoons with a trampoline spanning the middle instead of the traditional single hull design. Most catamarans stored on the sailing beach, including the cats in our fleet, are Hobies. We have three Hobie 16s and these rigging instructions are specific to this vessel. Again, while subtle differences may exist in other models, the same basic steps apply.

**2.8a Drain**

Check for water in the hulls by looking and listening for water while lifting the bow of the boat. Let any water out of the drain on the stern ends of each pontoon and replace and tighten the drain plugs. Again, this should be done at the end of the day as well or when water is noticed inside the hulls.

**2.8b Raise mainsail and boom**

Start by attaching the shackle on the halyard to the grommet at the head of the mainsail. Like the Barnett, the mainsail has a thickened luff edge which needs to be fed into a slot in the mast. The boom is left attached to the mainsail for our Hobie rigs so as you hoist the sail make sure to feed the gooseneck into the mast as well. Continue hoisting the sail until the head reaches the top of the mast. There is a cleat near the top of the mast like on the Barnett which secures the halyard. Tie off the free

end with a cleat hitch on the port side mast cleat. Coil the excess line and store in the pocket in the trampoline. Finally tighten down the downhaul by passing it down through the middle of the cleat on the mast below the boom and back through the pulley attached to the gooseneck and tie off using a cleat hitch.

### **2.8c Attach mainsheet**

The mainsheet has its own tackle which should be left attached to the boom. The lower block attaches to the traveler assembly by passing a clevis pin through both the traveler and pin on the bottom of the block and securing with a safety ring. The free end of the mainsheet should then be fed through the jam cleat then fairlead attached to the stern crossbar. Next pass it through the traveler assembly and then the eye-strap directly aft of the previously mentioned fairlead. Finish by tying a figure eight very close to the free end. This creates a continuous mainsheet/traveler line.

### **2.8d Raise jib**

The jib is a smaller sail that is rigged forward of the mainsail. First shackle the tack of the jib to the stay adjuster on the bridle. Then shackle the jib halyard to the head of the jib and clip the jib lead onto the forestay. Hoist the sail until the forestay has slack and tie a cleat hitch on the starboard mast cleat. Coil the excess line and store in the trampoline pocket

### **2.8e Attach Jib-sheet**

We use a continuous jib-sheet rig so that the jib can be adjusted to either side using the same line. Start by tying a bowline through eye on one of the jib-sheet cleat assemblies on the front crossbar. Then lead the free end up through the corresponding block attached to the clew of the jib and back through the fairlead and cleat of the same cleat assembly. Next pass the jib-sheet astern of the mast, making sure it is clear of any standing rigging. To attach the other side of the jib-sheet just reverse the process: pass through the cleat, then fairlead, up to the other block on the clew, and finally tie off on the eye with a bowline.

### **2.8f Attach tiller extension**

The tiller extension is optional although some prefer sailing with it. To attach pass a clevis pin through the jaw in the middle of the tiller crossbar and the eye in the tiller extension. Secure with a safety ring.

## **Section 3 – Paddling**

The basics of paddling apply to all different vessels that use paddles, including kayaks, canoes and standup paddleboards.

### **3.1 Launching**

Drag the craft into ankle- or calf-deep water. If it is a paddleboard drag the board into the water upside down until it is deep enough to flip the board without digging the fin into the sand. Make sure to point the bow of the vessel perpendicularly into the oncoming waves. Then either lay your paddle across the vessel or hand it to someone while entering. If it is a canoe or a two-person kayak, one partner can hold the boat steady while the other enters and then they reverse the process. For a paddleboard some find it easier to start by kneeling on the board and then standing up.

### **3.2 Strokes**

There are several main strokes used primarily for canoeing but almost all translate directly to kayaking and paddle boarding. The biggest difference is that for kayaking you use a double-sided paddle, so the grip is different. With a canoe or paddleboard paddle you place the palm of the hand opposite the side you're paddling across the top of the t-handle and the other around the shaft of the paddle; in kayaking you have both hands on the shaft of the paddle about shoulder-width apart.

#### **3.2a Forward and Back Strokes**

These are the 2 most used and simplest strokes. The blade should enter the water perpendicular to the side of the boat with about 2/3 of the blade submerged. Then the paddle should be push or pulled in

straight line while keeping it as close to the side of the boat as possible. When paddling in a tandem kayak or canoe, both people in the boat should make an attempt to paddle at the same time. An experienced paddler will turn the shaft of the paddle when moving with the blade out of the water to lower wind resistance.

### 3.2b C-Stroke

This is a stroke designed to help turn the craft without hindering the potential speed too much. Since in a tandem kayak or canoe the person at the stern is responsible for turning, the person at the bow will rarely use this stroke. While the forward stroke has the boater keep the blade of the paddle close to the side of the boat, the c-stroke requires the paddle to move away from the boat at the beginning of the stroke, and then back towards the side of the boat at the end. Note that the closer and straighter your stroke, the straighter the trajectory of the vessel; the farther your stroke sweeps away from the vessel, the more turning ability you have.

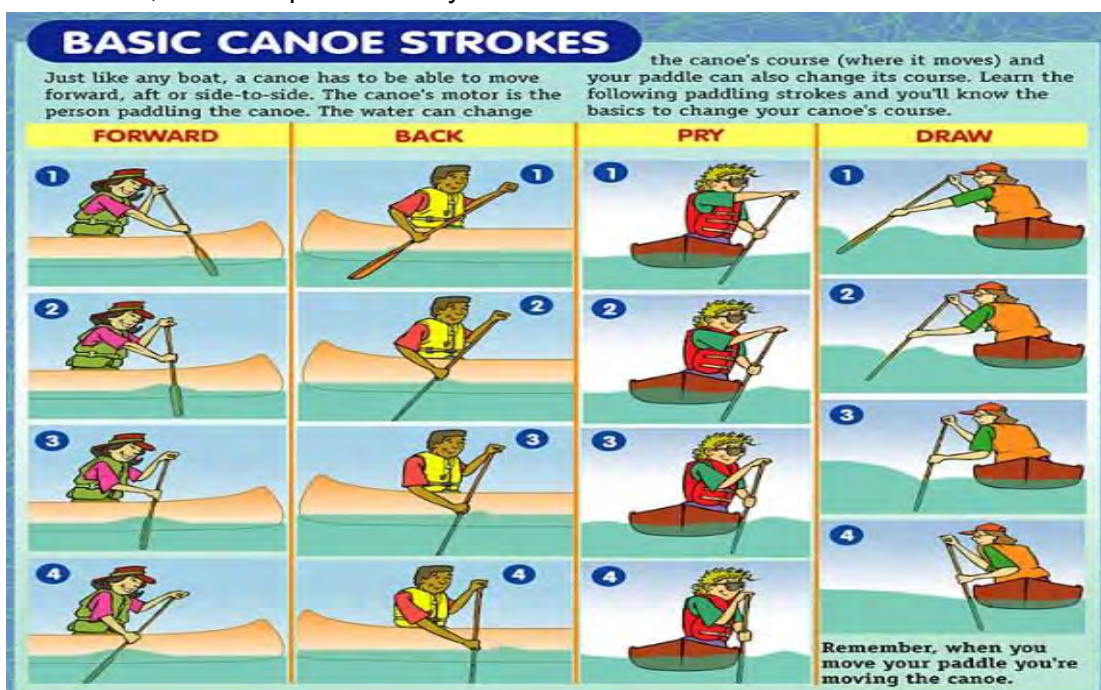
### 3.2c J-Stroke

This is another stroke that helps turn the boat and should only be used by the person at the stern of a two-person craft. Unlike the c-stroke, this does slow the boat down slightly. Basically, the j-stroke is a forward paddle with an abbreviated back paddle at the end. However, the back-paddle portion is to be done a little farther away from the side of the boat than the forward paddle portion.

### 3.2d Draw and Pry Strokes

These are meant to move the vessel in non-traditional ways. All of the other strokes require that the boat be moving either forward or backwards. It is extremely beneficial to use these strokes in situations such as being caught in rocks or trying to approach another vessel. These are the only two turning strokes that the person at the bow will ever use. It is also necessary for the two paddlers to work together.

For the draw, the paddler puts the blade of the paddle in the water parallel to the side of the boat as far out as balance allows. Then the blade is “drawn” in until it nearly touches the boat. In order to not undo any of the stroke’s work, you must slip the blade out like you were finishing a forward stroke. This way, it will not pull any water. The pry is the exact opposite from the draw. The paddle is slid in the water close to the boat, and then pushed away from the side.



## Section 4 – Sailing

### 4.1 Basic Parts and Functions

Sailing relies on harnessing the force of wind to produce forward motion. To accomplish this, one must understand the essential parts of the boat and their role in this process

#### 4.1a Mast

The mast is the vertical spar from which the sails are suspended. The halyard is a line that runs the length of the mast.

#### 4.1b Sails

The sails harness the wind by providing a large taut surface for the force to push against. Each sail has running rigging which supports and spreads the sail and also controls the sail angle.

#### 4.1c Boom

The boom is a horizontal spar that is attached to the foot of the sail and in combination with the standing rigging aids in keeping the sail taut. Typically, the mainsail is the only sail with a boom on the sailboats you will encounter on the lake. The boom is also attached to the mainsheet, the control line for the mainsail and arguably the most important part of the running rigging.

#### 4.1d Running Rigging

Running Rigging is a general term for the lines and hardware that are typically used to support and adjust the sail while in motion. This includes such lines as sheets, halyards, outhauls, downhauls, and vang. The halyard runs the length of the mast and is used to hoist the sail. The outhaul spreads sail down the length of the boom. The downhaul creates opposing tension for the halyard and helps to spread the sail down the length of the mast. The vang is attached to the boom and the mast and also aids in keeping the sail as taut as possible. While the four previously described lines all have important roles in the function of sailing, the most important lines for our purposes are the sheets.

#### 4.1e Sheets

Each sail has a corresponding sheet (mainsheet, jib-sheet, etc.) which allows sailors to adjust the angle of the sail in relation to the wind. The act of trimming or easing (tightening or loosening) the sheet adjusts the amount of wind the sails can catch and thus affects the forward motion the boat. If comparing a sailboat to a car, the sheets would be the gas pedal.

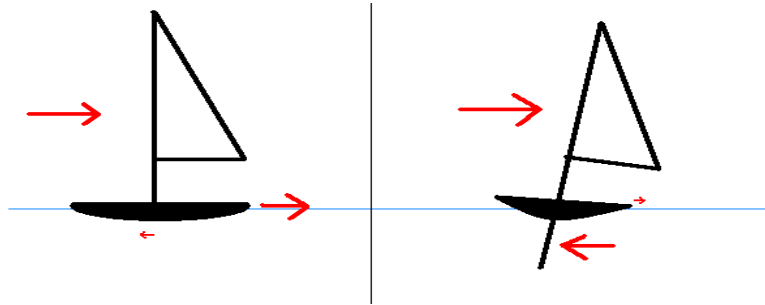
#### 4.1f Rudder/Tiller

If the sheets are the gas pedal then the tiller is the steering wheel. The tiller is the control handle which is attached to the rudder assembly. The rudder is a wide blade that sticks down into the water. The rudder works to turn the boat by directing water moving past it. Due to the configuration of the rudder and tiller, the boat will steer away from whichever side you push the tiller to: if to want to turn to port, then adjust the tiller starboard. Another point to note is that the rudder works by providing a surface for the water to push against and thus creating a turning force for the boat. This has two important results: if the boat is not moving in relation to the water you cannot turn and if you push the tiller too far to one side or the other the rudder acts as a brake instead of steering because the majority of the water's force is pushing backwards on the boat.



### 4.1g Dagger board/Centerboard

Without the dagger board the act of harnessing the wind would not produce the desired forward motion. The dagger board counteracts the wind force component perpendicular to the length of the boat and translates it into heeling or leaning force which tilts the boat to the leeward side. This occurs as the dagger board provides a larger surface for the water to push back against thus coupling the forces into a rotational force. Given the boats tendency to heel while sailing, always have the skipper on the opposite side of the sail and balance the weight of other boaters accordingly. Since the boats we use are launched from the beach, make sure the boat is deep enough before dropping the dagger board in all the way or you will run aground. This also applies when returning to shore.



### 4.2 Finding the wind

Since sailing relies on harnessing the wind, it is of utmost importance that you are able to find the direction of the wind. Without it, you cannot determine how to trim your sails or even the proper way to rig and launch your boat.

#### 4.2a From Land

It is critical especially on heavy wind days that we determine the general direction of the wind before we even rig. As mentioned in the rigging section, you must point the bow of the boat into the wind while rigging to decrease the sail blowing uncontrollably. There are many indicators of wind direction that we can use while on land:

- Wind indicators/weathervanes
- Flags
- Kites
- Sails on other boats
- Direction of waves

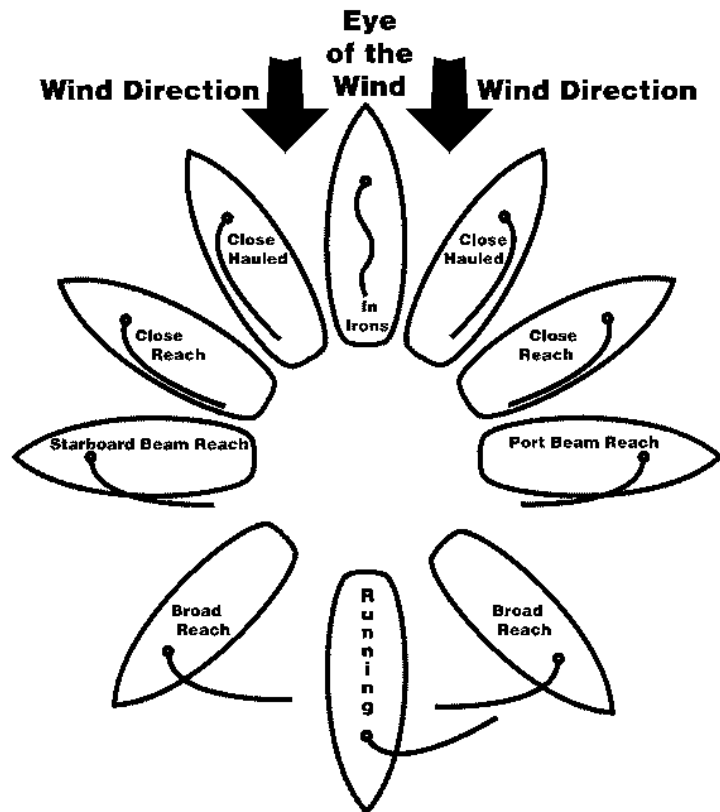
**It is important to note that we are determining the general direction of the wind. Wind is a very dynamic force which changes constantly. When using the indicators above for wind direction, try to use the most local indicator possible or a combination to get your general bearing.**

#### 4.2b From the water

As mentioned above, wind is very dynamic and especially once on the water it can sometimes be confusing as to where the wind is coming from. Since we want to use the most local indicators of wind, while we are sailing we mainly judge the wind from the sails of other boats.

### 4.3 Points of Sail

Once we have determined the direction of the wind, we can then find the angle from our course to the wind, or the point of sail we are sailing. The points of sail are a general guideline for how much the sails should be trimmed depending on the angle of the boat with the wind. There are six points of sail which are mirrored on both sides of a wind compass: in irons, close-hauled, close reach, beam reach, broad reach, and run. **Note from the diagram below that the angle of the sail with respect to the wind stays almost constant.**



#### **4.3a In Irons**

The most basic point of sail is directly into the wind, which is called being in irons. Since producing forward motion depends on harnessing the wind and we can't harness wind coming directly at us, we cannot sail directly into the wind. This is why it is also known as the no-go zone.

#### **4.3b Close-hauled**

The closest one can sail to the wind without losing power in the sails is called being close-hauled. At this point of sail, the sail is trimmed all the way, with the boom almost exactly over the midline of the boat.

#### **4.3c Close Reach**

A close reach is generally between close-hauled and perpendicular with the wind. The sails get let out further, somewhere around a third or a fourth of the way out depending on your exact angle with the wind.

#### **4.3d Beam Reach**

A beam reach is when you are sailing at right angles with the wind. This should be the fastest point of sail and the sails should be about halfway out.

#### **4.3e Broad Reach**

A broad reach is generally sailing anywhere from just downwind of a beam reach until just before sailing directly with the wind. The sails are out even further.

#### **4.3f Run**

Running with the wind is sailing almost directly downwind. The sails should be all the way out. Be careful when sailing on a run as it is easy to put the stern of the boat through the wind which will cause the sail to switch sides violently. This is known as jibing and is described below.

## **4.4 Tacking and Jibing**

Due to the fact that we cannot sail directly into the wind, there are maneuvers to turn through the wind called tacking and jibing (or gybing).

### **4.4a Tacking**

Tacking is when you turn the bow of the boat through the wind. Also, if the windward side of the boat is port then you are said to be on a port tack. Similarly, a starboard tack has the wind coming from the starboard side. Thus tacking is going from one tack to another. This is an essential skill to master in sailing as it is the key to upwind sailing. Since we cannot sail straight to a point upwind of us, we must sail in a zigzag pattern and tack back and forth. When tacking you lose the power from your sails and they have to catch wind on the other side so to tack successfully you must have enough momentum to carry you through the turn. Unless it is a very high wind day tacking is typically a slow process.

### **4.4b Jibing**

Jibing (or gybing) is when you turn so the bow goes through the wind. Since your sails stay powered through the turn the process of the sails switching sides can happen quite rapidly as is described in the run section. The speed coupled with the fact that you normally have the sails all the way out when entering a jibe gives the boom a lot of momentum and special attention should be given for when it switches sides.

## **4.5 Course management/upwind sailing**

As mentioned above, when trying to sail to a point upwind we cannot sail straight into the wind as we cannot harness the wind in that direction. While the process of upwind sailing can be summed up briefly as zigzagging, there are a few notes to keep in mind.

### **4.5a Wide Angles**

Though it seems counterintuitive, taking wider angles to the wind than necessary actually helps in making upwind sailing course management easier. If you keep tacking back and forth from one close-hauled to the other you cannot adjust your course upwind that much or you will end up in irons. The wider-angled turns provide for more course refinement on the straight stretches.

### **4.5b Less Tacks**

Especially when first learning to sail, it is best to keep a simple course. In order to do so, it helps to have less tacks and longer straight stretches. Each tack introduces a margin of error as it is often easy to turn too much or not enough. Thus having less major turns and longer stretches to correct your steering makes upwind sailing much easier.

## **4.6 Launching**

Given that all of our sailboats launch from shore there are a few considerations to keep in mind when shoving off. The direction of the wind changes the proper course.

### **4.6a Onshore Wind**

With an onshore wind (wind blowing from the lake onto the beach) you have to sail upwind upon launching. Given that the waves generally come from the same direction as the wind, it helps to walk the boat out with the bow pointed into the wind until the water is at least waist deep so that you don't get washed back in immediately. Make sure the rudder is in the proper position and point the boat just off the wind before entering the boat. Slide the dagger board in part way and tighten the mainsheet to catch wind. If you are still in irons the wind and waves will generally push the bow to help with turning.

Once you have caught the wind, take a close reach course to have enough momentum to escape the initial waves and then insert the dagger board the rest of the way once you are deep enough.



**4.6b Offshore Wind**

When the wind is blowing offshore (from the beach to the lake) launching is a little different. Again, you walk the boat out with the bow facing into the wind but given the wind direction that means pointing toward shore. Once deep enough, again check the rudder and start to turn the boat as you enter. With the wind coming from shore it normally helps to walk the boat out as far as you can because the wind near the shore isn't as strong as when the wind is coming from the lake. Once you catch the wind, start to turn downwind and take a broad reach. Secure the dagger board once away from shore.

**4.6c Wind Parallel to Shore**

This can be one of the easiest wind directions to launch in. Walk the boat out far enough to catch the wind as before. When the wind is parallel to the shore it can be diminished by breakwalls so give them ample space to catch wind easily. Check the rudder, turn the boat away from shore and insert the dagger board partially. When launching in this wind, sailing straight out from the beach is a beam reach, which is the fastest point of sail. Once deep enough secure the dagger board all the way down.

**4.7 Right of way**

Just like on the road, there are a few simple rules to determine who has the right of way on the water.

**4.7a Hierarchy of boats**

In general, the vessel with the least control and power has the right of way. This means that motorboats must concede to boats under sail and paddle propulsion. Technically, paddle power should give way to sail power given that sailors have to rely on wind which limits maneuverability, but few recreational boaters know that rule. The best decision is to give all crafts on the water a wide berth.

**4.7b Overtaken vs. Overtaking**

When overtaking another boat, the boat overtaking the other boat must give a wide berth to the overtaken vessel.

**4.7c Leeward vs. Windward**

If two sailboats are on the same tack, the most windward boat must give way to the leeward boat.

**4.7d Starboard Tack vs. Port Tack**

If two sailboats are on differing tacks, the boat on the starboard tack has the right of way.

**4.8 Capsizing/righting**

The most common emergency on our sailboats is capsizing, which is when the boat tips over. Luckily, this can be fixed easily from the water without assistance. First make sure the mainsheet is uncleated and turn the bow of the boat into the wind. With the boat on its side, the dagger board should be sticking out of the underside. Pull on it with your arms and put your chest on top if necessary, to get enough weight to flip the boat back upright. Get in while the boat is still in irons and check the mainsheet and tiller before bearing off the wind.

**Section 5 – Motor boating****5.1 Driving**

Always drive our boats at a safe speed for conditions. Turns should never be taken at full throttle.

**5.1a Controls** – There are several controls on each motorboat in our fleet. The following are the basic driving controls found on every motorboat.

- **Ignition** – The ignition is remarkably similar to that of a car in that it is started with the turn of a key. Some of our ignitions have a switch incorporated in them so that if the driver were to fall off the boat the kill switch would be activated, and the boat would stop.

- **Wheel** – Yet another component that is similar to cars is the wheel. This is the steering mechanism for our motorboats. Turning the wheel adjusts the horizontal angle of the motor like how the tiller and rudder work on a sailboat.
- **Trim** – The trim adjusts the vertical angle of the motor

## 5.2 Right of Way

### **5.2a When operating a power-driven vessel, you must give way to:**

- Any vessel not under command, such as an anchored or disabled vessel
- Any vessel restricted in its ability to maneuver, such as a vessel towing another or laying cable, or one constrained by its draft, such as a large ship in a channel
- A vessel engaged in commercial fishing
- A sailboat under sail unless it is overtaking

### **5.2b When operating a vessel under sail, you must give way to:**

- Any vessel not under command
- Any vessel restricted in its ability to maneuver
- A vessel engaged in commercial fishing

### **5.2c There are two terms that help explain these rules.**

- Stand-on vessel: The vessel that should maintain its course and speed
- Give-way vessel: The vessel that must take early and substantial action to avoid collision by stopping, slowing down, or changing course

## 5.3 Getting on Plane

In order to get that boat on a plane the driver should trim the prop up to where the prop is still submerged but above the even plane of the boat. The driver should then accelerate while slowly trimming the engine down, the boat should reach cruising speed as the trim becomes level.

## 5.4 Wave Management

**5.4a Navigating the Boat Launch** - On most days, exiting the harbor will not be challenging. Specific water conditions will create the need to use specific exiting tactics to safely navigate out of the boat ramp. As discussed in earlier northeast winds account for most of the high wave conditions experienced on our end of Lake Michigan. During those conditions you will have to assess the set of waves. Usually a Northeast causes waves that come in a set of three, with a strong lateral current. At the mouth of the boat ramp you will encounter some of the largest waves in Evanston due to the surrounding sandbar.

**5.4b Meeting Head Seas** - In moderate seas you should be able to slow your speed in order to ride up and over the waves rather than driving the bow into them. You also do not want to get to the top and the wave and fall off the back side burying the bow. If conditions get worse, slow down until you are making bare steerage way and hold your boat at an angle of 45° to the swells. The more you reduce speed, the less strain will be put on the hull and superstructure.

**5.4c Running in the Trough** - If your course dictates that you are running in the direction of the trough of waves (parallel to them) you must take extra caution. As your boat bounces up and down from trough to trough it may roll excessively and possibly dangerously. In these conditions in a powerboat, it is best to change course and make a series of tacks, taking the wind and waves at a 45° angle, first broad on your bow and then broad on your quarter. This zigzag course should leave your boat in the trough for only long enough to turn. You want to minimize the time that you are in the trough and broad side to the swell to prevent broaching.

**5.4d Running Before the Sea** - When the swells are coming from directly behind you, running before them can be difficult. Your boat's stern can be swept up and pushed to one side or another. You want to make sure that you keep the stern perpendicular to the oncoming seas.

- Another concern is when lifted by heavy seas the boat tends to rush down the slope from the crest to the trough. Occasionally with the stern high, the propeller/impeller can come out of the water and race. The rudder also may lose contact with the water flow and be left useless. Again, the boat may yaw to one side and broach into the trough. Another concern is sliding down the wave at a speed that buries the bow, and with the stern still being pushed up the possibility of pitchpoling exists. You might also want to try tacking before the seas, again taking the swells off one quarter and then the other, think of it like skiing moguls.

## **5.5 Tubing/Skiing**

When towing tubers or skiers it is important that you have a spotter on the boat at all times in order to keep sight of the people being pulled behind the boat. When towing a skier do not throttle up the boat until signaled by the skier, accelerate quickly to pull them up onto the surface of the water. When towing a tuber accelerate and decelerate according to the signal of person(s) on the tube while using your judgement to determine whether or not their suggestions are safe.

### **5.5a Signals**

When tubing and skiing there are four hand signals to help drivers and participants communicate.

- **Accelerate** — The signal to accelerate is a simple thumbs up from the tuber or skier (only accelerate if all tubers wish to accelerate)
- **Decelerate** — Not to be confused with the signal to stop, the signal to decelerate is a simple thumbs down from the tuber or skier
- **Stop** — the signal to request that the driver stop the boat is when the tuber or skier waves a flat hand back and forth in front of their neck (cutting throat motion)
- **All clear** — After a tuber falls off or a skier falls down they should signal to the driver that they are alright by using the all clear signal, patting the top of their head. If they do not give the all clear it should be assumed that something is wrong and the driver should act accordingly.

### **5.5b Approaching fallen tubers/skiers**

When approaching a downed tuber or skier the driver should approach as slow as possible with no wake and downwind. If the person(s) in the water are ever near the rear of the boat the driver should put the boat securely in idle.

### **5.5c Starting a skier**

Have the skier get in the water and put their skis on. When their skis are on, throw them and wait until they have the handle securely in their hands (and the rope is UNTANGLED). Then proceed away from the skier at the lowest forward throttle speed. When the rope becomes taught, put the boat in neutral and wait until the skier gives a signal to go. Accelerate the boat gently but quickly, depending on the size of the skier. **Do not gun the boat if the rope is slack—this is extremely dangerous for the skier.** When the skier gets up, maintain a constant speed while adhering to the skier's signals.

### **5.5d Always wear a PFD**

It is a requirement that every person onboard the motor boat should be wearing a PFD (personal flotation device) as well as any persons being towed. The importance of doing so is in the event that the rider should become separated from the boat. Anyone being towed on water skis, a surf board, or similar device must wear a Type I, II, or III PFD (Type V PFDs are not approved).

**5.5e Know your equipment**

Always be familiar with the capabilities of your water sports tubing equipment. It's important be aware and to follow the manufacturer's recommendations for water tubing capacity in terms of size and weight, number of riders, age limits, and maximum towing speed.

**5.5f Know your rider**

Safety is always the number one priority when it comes to tubing. Every person has a different level of comfort and it is essential to know this comfort prior to starting any ride and know the cautions of high speeds, sharp turns, and large waves. At times a camper may not always know their limits and you should use your best judgement regarding when to speed up even if a camper is signaling that they want you to.

**5.5g You cannot tube/ski without a spotter**

Designate one person onboard as a "spotter", who can keep a lookout for water tubing/skiing accidents or see if anyone has fallen off the tube, while the boat driver concentrates on oncoming obstacles. The spotter must watch those being towed at all times. The spotter helps to alert a vessel's operator to relay information from the tuber/skier such as any hand signals, any problems with the tuber/skier, the tow line, or another vessel that is coming too close for comfort.

**5.5h Be aware of water regulations**

Every driver should know the specific regulations governing the body of water you're driving on, in particular towing speeds. It is illegal for the person or persons being towed to come within 100 feet of a "moored or anchored vessel," "a dock or raft" and swimmers.

It is illegal to:

- Operate a vessel within an area that has been clearly marked as a bathing, fishing, swimming, or restricted area.
- Operate a vessel within 150 feet of a public launching ramp at greater than a "slow, no wake speed."
- Exceed "slow, no wake speed" in any area marked with buoys or signs as "No Wake."
- Riding on Bow or Gunwales is allowing a passenger to ride on the decking over the bow or stern, gunwales, or tops of seat backs of a motorized vessel unless the passenger is within guard rails to prevent falling overboard.

**5.5i Drive Responsibly**

Careless Operation of a vessel is operating in a careless manner that causes danger to any person or property, or operating at speeds greater than that which allows the operator to bring the vessel to a stop within an assured clear distance ahead. Reckless Operation of a vessel or the reckless manipulation of water skis, a surfboard, or similar device is operating in a manner that causes danger to the life, limb, or property of any person.

Examples are:

- Weaving your vessel through congested waterway traffic
- Jumping a wake of another vessel unreasonably close or when visibility around the other vessel is obstructed
- Waiting until the last moment to swerve and avoid collision
- Operating a vessel in a manner that creates hazardous wave or wake conditions while approaching or passing another boat
- Overloading or Overpowering is operating a vessel that has been loaded beyond the recommended carrying capacity or powered beyond the horsepower limits shown on the capacity plate installed by the vessel manufacturer. (know all of the HP and max occupants and weights of the boats)

**5.5j Drive at a safe speed**

If an injury occurs the driver is ultimately responsible, so always watch your speed and be aware of your surroundings. There are many variables that determine a safe towing speed. These variables will include regulations for the specific body of water. They will also include overall water conditions and the size, weight, age and physical ability of the riders. Most tubes are not designed to be used by children under six years of age; therefore, be extra cautious and maintain a slower speed while towing a child.

Please note these general guidelines—When towing tubers 12 years of age and younger keep your speed under 15 mph, for teenagers 13-16 years under 20 mph, and for older teens and adults under 25 mph

**5.5k Maneuvering with the Tube/Skis**

Basic maneuvering may include steering the boat gently in a zigzag pattern, side to side, so that a natural force created by the turn will move the tube back and forth across the wakes. As you turn the boat right, it will force the tube to the left and vice versa. Always take extra caution when completing full turns. When doing so, the force of the whip can double or even triple the speed of the tube compared to the speed of the boat.

Always be aware of your surroundings and more specifically of oncoming boat traffic. You should never begin a zigzag pattern if there is another boat approaching yours. Keep in mind that the oncoming boat driver may mistake you for an out-of-control driver and not even realize you are towing a tube. Make sure to allow the boat to safely pass you before you begin your pattern and start turning side to side. If operating in water less than three feet deep, those being towed also must be 100 feet away from the shoreline.

**5.5l Use a secure tow line**

It is important when water tubing to always make sure that the tow line is securely tied before starting. Also be sure to check for signs of wear, tear, and fraying, and replace as needed. Be sure to only use rope that is specifically designated for towing inflatables. Always take special care to prevent the towrope from becoming entangled with the boat's propeller. If this does occur, turn off the engine immediately and take the key out of the ignition before trying to remove the rope. It is a good idea to always keep a toolbox on board, which includes a knife to cut lines and ropes. This is necessary if the ropes become entangled in the propeller. Your spotter should also alert the driver if there is any slack in the tube line. Drivers should slow down immediately if there is ever slack in the line. Reducing your speed significantly will avoid possible injuries to the tuber.

**5.5m Check before you start**

Never start the boat without first making sure that your rider is ready to go. This means that they have a firm grip on the line, are properly positioned on the tube, and that the line is properly and safely positioned. When water tubing with multiple passengers, riders should understand how to balance their weight correctly and work together to safely stay on the tube. The driver should also check to see that the towrope isn't around anyone's hands, arms, legs or head, etc. before towing any tubers.

**5.5n Handle wakes with care**

Slow the boat speed when crossing wakes. Bouncing off wakes at extremely high speeds has been known to cause back injury, especially with riders who are water tubing stomach-down.

### 5.5o Skiing Guidelines

**Correct Equipment** It is important to have the correct ski size according to each individual skier. If inflatable skis are being the skier must not exceed the weight limit. Skiing requires the specific skiing tow line. A towing flag must be visible at all times on the boat when towing a skier.

**Number of people on the boat**

- In a group of skiers there should be one skier in the water and no more than two skiers waiting on the boat. With the driver there should be a designated spotter on the boat.

**Starting Ride**

- There should be a CIT (Counselor in Training) or Counselor in the water helping skiers putting on their skis as well as position the skier to begin their ride. To begin any ride the skier must be in a seated position with their skis pointing straight out of the water with their towline in between each ski. The driver must position the boat in a straight line in front of the skier. There needs to be tension in the towline so the driver must pull the boat forward enough to achieve tension but not to pull the skier. The ride always starts on the skier's mark set with the phrase "hit it!" or "it's lit!". The driver needs to accelerate quickly enough so the skier can be pulled up above the water. If acceleration is too slow the skier will be dragged through the water and won't achieve the standup position. If the skier manages to standup the driver should begin to decelerate to a comfortable skiing speed.

**Skier Down**

- Most times a skier will fall during the beginning of the ride, so it is essential to be aware of this. If a skier falls the driver must decelerate all the way and check the safety of the skier with hand signals. Skis might come off during the process of falling this may require the driver to locate the ski and help the skier put it back on. In the case of another ride for the same skier the driver must maneuver the boat carefully so that the towline is able to be dragged close enough to the skier for them to grab it.

### 5.5p Tubing Guidelines

**Correct Equipment**

- Tubes should be monitored throughout their usage. Holes can appear at any time so monitoring the tube should include before, during, and after rides. If the tube begins to deflate immediately head back to shore and switch out the tube. Use a towline specific to tubing. A towing flag must always be visible on the boat when towing a tube.

**Number of people on the boat**

- While following the specific guidelines of weight and person limit you must also follow the guidelines of each specific tube that may be being used. Different tubes can handle different weights and while some tubes may fit four people some tubes may only fit two. A CIT or counselor must be on the boat as well as the driver.

**Starting ride**

- From Dempster: Normally the first tubing group will launch from Dempster's water where the motorboats are moored. Usually half of the group should start on the tube while the other half joins the driver on the boat. It is essential for safety that before turning on the motor that everything is comfortable distance away from it this includes, campers, towlines, the tube itself, other boats, buoys, rocks, and anything else found at the lake. If beginning from Dempster always start slowly and be very cautious of possible vehicles coming past the breakwall that wouldn't be seen. Once outside the buoy line a driver may accelerate to the campers liking.
- From Greenwood: Any other groups will normally be picked up from the "Island" located near Greenwood's water area. This needs to be done with extreme precaution because of the number of bystanders that may be in the proximity. The swimming area should be approached from the northern most outer buoy. The boat then should turn parallel to the lap swim lane and enter idle. The driver should instruct its previous ride to exit the tube or the boat at this point. Campers should exit the boat on the side closest to the shore

~~not the front or the back of the boat. Campers should jump away from the boat feet first and then swim to shore. Once campers are clear the boat should slowly approach the Island. The motorboat should be 25 yards out from the Island to ensure a safe buffer away from anyone or anything near the swimming area. As soon as possible the campers on the Island should be notified to start swimming outward to be picked up. It is important to make sure the campers are swimming outward and not sideways toward the boat this way the boat can maintain the 25 yards of buffer. When approaching the campers swimming outward a slow approach is necessary and when close enough the boat needs to be in idle. Send half the group to the tube and instruct the other half to come to the boat where they can climb up or be assisted by a counselor or CIT. Once everyone is either on the tube or on the boat then the driver may slowly drive away.~~

#### ~~Tuber falls off~~

- ~~• If a camper falls off during the ride the driver needs to decelerate immediately and check if they are safe with the proper hand signals. Both spotter and driver should be aware of any time a camper is off the tube. The driver should loop back around slowly and tow the tube close to the camper to where they can quickly get back onto the tube. When campers are getting on the tube the boat should remain in idle~~

~~General notes to keep in mind: Having campers enter and exit can be dangerous if the right precautions are not exercised. Depending on the weather the speed of this process may need to be adjusted. On wavy days, the waves are going to push the motorboat toward the shore shortening the time needed. To avoid any issues, allow the boat to have a slightly larger buffer for safety as well as another CIT or counselor assisting campers to get on the boat. If there are ever campers around the boat the driver should never leave idle. The boat always has the possibility of floating too close to shore or into the swimming area. To fix this issue the driver must turn off the motor jump out of the boat and manually maneuver the boat away from danger. Then reenter the boat and drive away. Campers can be hesitant of entering and exiting so it is important to assertive and direct. If the camper needs to stop swimming, swim faster, swim outward, jump off the tube, jump off the boat this all needs to be effectively communicated or else further issues can arise.~~

## **5.7 Anchoring**

To anchor a boat, secure the end of the anchor line to the bow U-click underneath the bow of the boat. The anchor should then be planted in the ground with the teeth secured under the sand and pointing towards the boat. The teeth should be flat in the sand with anchor line handle angled upwards out of the sand. There should be a minimum of 5ft of anchor line for every 1ft of depth.

## **5.8 Judging Current**

The driver should be aware of which way the current and/or wind are pushing the boat in order to properly plant the anchor. The anchor should always be planted upwind/up current of the boat.

## **5.9 Dropping/Trailing procedures**

Before backing the boat into the water, ensure that the plug is in the back of the boat and that the trim lock is off. It is best to put the driver in the boat just before you put it in the water. Back the trailer down the ramp until you can see the back of the boat begin to float. Put the parking brake on the truck. Take the safety chain off the boat. Use the winch to slowly crank the boat into the water. Unclip the tie down. Hold the boat at the pier until the engine successfully starts. Give the boat a backwards push and wait until the boat is clear of the trailer before pulling the trailer out.

### 5.10 Docking/Mooring on buoys

Always approach a mooring buoy from the windward side. At an extremely slow speed, drive the bow towards the buoy. Somebody should be at the bow, waiting to grab the buoy as it gets close enough. It is easiest to drift into the buoy to reduce the possibility of injury. The person at the bow should grab the buoy and clip it to the bow of the boat as soon as possible. Once secured on the buoy, turn off the engine, trim all the way up, and turn off the battery (if applicable).

## Section 6 - Righting Sailboats

On many occasions you will find that the “vessel in distress” is just a boater who needs assistance in “righting” his vessel. Depending on the vessel and the type of the problem with the boat you will need to utilize certain techniques to assist the vessel

**6.1a Tipping the sail:** When a small sail boat or Catamaran is on its side the boater usually will go to the bottom of the boat and attempt to flip it back over. In some cases (not enough weight or in high winds) the boater will not be able to do so. When this occurs you can assist in righting by tipping the sail. Line up the sail with the mast facing the windward side. Then as you have the boater stand on the dagger board/center board or pontoon of a catamaran you lift the sail up. By just lifting the sail a foot or two the suction from the water will break and it should be easier to right the vessel. Watch out for the mast if the boat doesn't full right.

**6.1b Flipping a turtled small sail-boat:** When a boat is turtled (upside down) it is usually more difficult to right. Usually the boater will stand on the underside of the hull and try and flip it with the dagger board but in many occasions they've lost the board so this can be extremely difficult. The board usually floats and must be found to successfully accomplish this maneuver. Once found the boater should be able to get the sail high enough to give you a chance to grab it and lift the sail out of the water. Then proceed as if you were tipping the sail.

**6.1c Flipping a turtled Catamaran:** To successfully flip a turtled Hobie-Cat you will need to attach a rope around the mast underwater on the leeward side, drape the rope over the vessel to the boat on the windward side and then drive away from the vessel. Hopefully the leeward side pontoon will act like a fulcrum and enable you to completely right the boat. When attempting this maneuver keep the boater far away from his vessel.

### 6.2 Towing

It is at the discretion of the boat operator whether or not a tow may be offered to a boat in distress. Weather and wave conditions will play a role in making that decision and in no way is it mandatory that the rescuer assist the vessel their only responsibility is to the Person's on Board. That being said offering a tow will often make the rescue process easier in the long run, since potential victims can refuse assistance. The following are some tips when executing a stern tow.

**6.2a Avoid coming alongside another boat:** Except in the calmest of conditions, coming alongside another boat is a recipe for trouble. Wave action can slam the boats together, and, worse yet, crewmembers' extremities can get caught between them. Instead, throw the tow line to the other boat from a distance. If you must approach the side of a vessel needing assistance, approach it from the downwind side or down wave side.

**6.2b If possible, attach the tow line to the bow eye:** The bow eye — where the winch strap on the trailer attaches — is generally the best place to attach the tow line to the towed boat. On some boats, though, it can be difficult to reach from inside the boat. On small sailboats you may have to tie your line around the mast.



**6.2c Use bowlines to create loops:** If you need to tie the tow line around something like a bow eye, use a bowline to make the loop. Bowlines don't slip and don't tighten up under pressure as much as most other knots and can be untied after the tow without too much trouble.

**6.2d Use plenty of line:** You should use an absolute minimum of 30 feet of tow line; 50 feet is much better. Remember that the boat in tow has no means of slowing down, so a longer line is an important safety measure. It also acts as a shock absorber.

**6.2e Watch your prop/impellers(s):** If you're doing the towing, don't just throw your tow line overboard before getting under way; it's all too easy to wrap it around your prop(s). Rather, keep it on deck and have a crewmember pay it out slowly as you get moving

**6.2f Stay in constant communication:** You should be able to instantly communicate with the crew of the other boat, and vice versa. If you can't use radios or phones, work out a simple set of hand signals for slowing down, speeding up, stopping and cutting loose.

**6.2g Leave the drive down on the towed boat:** Outboards or outdrives of boats in tow should be left down to provide directional stability. It's important that they're not turned to one side or the other. If the towed boat still swerves from side to side, try shifting weight toward its stern.

**6.2h Keep a knife readily available:** If you're doing the towing, you should always be ready to cut loose the towed boat in case it begins to sink, or for other reasons.

**6.2i Adapt to smaller vessels:** When pulling a small kayak or windsurfing board it might be possible to lay the board across the deck of a rescue boat or even your sled.

**6.2j Keep it Slow:** The higher the speed the more stress on the line and the greater the chance of equipment failure.

### 6.3 Paddler assistance

When rescuing a paddler, the rescuer should first save the paddler by assisting them onto the boat, make sure they have unleashed themselves from the board. After the paddler is secure bring their board and paddle onto the boat. Proceed to shore at a slow comfortable pace.

### 6.4 Windsurfer rescue

When rescuing a windsurfer first bring the windsurfer onto the boat. Once the windsurfer is on the boat have them hold onto the sail of their board and hold onto it while also holding the rescue boat. Instruct (and assist if possible) rescued windsurfer to hold the board pointing in the same direction as the rescue boat pointing in the same direction. Slowly proceed to shore, it is important that the driver go slowly due to the extra wind resistance from the windsurf sail.

## **Chapter 9: Administrative Forms & Appendix**



Reports

**City of Evanston**  
**Missing Person Report**

(To be filled out by City of Evanston Employee)



City of  
**Evanston™**

Report Number: 1812-49

Evanston Parks Recreation and Community Services  
Lakefront Operations  
2100 Ridge Ave.  
Evanston IL. 60201

Facility or Program	<u>Dempster St. Beach</u>		
Exact Location of Situation	<u>3/4 mile east of Breakwall</u>		
Person Reporting (Staff)	<u>Oscar Bjornson</u>	Position:	<u>Manager</u>

Date	Time
<u>13-13-21</u>	<u>13:64</u>

Informant's Information		<u>Sophie Borchers</u>		Phone Number:	<u>800-4-9999</u>
Address	<u>123 Central St.</u>				
City	<u>Evanston</u>	State	<u>IL</u>	Zip code:	<u>60201</u>
Missing Person's Information		<u>Grace Borchers</u>		Phone Number:	<u>800-5-9999</u>
Address	<u>321 Central St.</u>				
City	<u>Evanston</u>	State	<u>IL</u>	Zip code:	<u>60201</u>
Age:	<u>20</u>	Sex:	<u>F</u>	Ethnicity:	<u>Asian Mix</u>
		Description given by Informant:		<u>Looks exactly like Sophie; red shirt, black shorts</u>	

Last Known Location:	<u>Hobie jets</u>	Time Last Seen:	<u>13:50</u>
Location Found:	<u>Flat Rock</u>	Time Found:	<u>13:60</u>
Condition When Found:	<u>Perfectly fine</u>		
Description When Found:	<u>Blue shirt, black shorts</u>		
Explanation For Separation:	<u>Playing hide and go seek</u>		

Other Staff Involved/On Duty		
Name	Position	

Actions Taken During Search:	
1. <u>30 second quick search</u>	6.
2. <u>Grace was found during 30 SQS</u>	7.
3.	8.
4.	9.
5.	10.

Reporter Information		
I verify that the information I have given above is correct and truthful as I saw it		
Print Name: <u>Oscar Bjornson</u>	Signature: <u>[Signature]</u>	Date: <u>13/14/1821</u>

FOR OFFICE USE ONLY

Supervisory Staff Action or Follow-up:	
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

This Area to Be Filled Out by Supervisory Staff:			
Signature:	Initials:	Date Entered:	Date Submitted:

**City of Evanston First-Aid Report**  
(To be filled out by City of Evanston Employee)

Evanston Parks Recreation and Community Services  
Lakefront Operations  
2100 Ridge Ave.  
Evanston IL. 60201



City of  
**Evanston™**

Report Number: <u>11</u>
--------------------------

Facility or Program	<u>Greenwood Beach</u>		
Exact Location of Situation	<u>Flat rock</u>		
Person Reporting (Staff)	<u>Flippy D'coré</u>	Position:	<u>lifeguard</u>

Date	Time
<u>4/15/2020</u>	<u>12:07</u>

Primary Person Involved (Victim)	<u>John Panini</u>	Phone Number:	<u>(908) 555 1234</u>
Address	<u>800 sea world lane</u>		
City	<u>Sandwich</u>	State	<u>IL</u>
		Zip code:	<u>777777</u>
Secondary Person(s) Involved	<u>Kyle Smyle</u>	Phone Number:	
Address	<u>123 OMC1 st.</u>		
City	<u>Clonei</u>	State	<u>IL</u>
		Zip code:	<u>888888</u>

Other Staff Involved/On Duty			
Name	<u>D'eric D'angelo</u>	Position	<u>Manager</u>
Name	<u>Sarah Tapioca</u>	Position	<u>guard</u>
Name	<u>Katie Katie</u>	Position	<u>guard</u>

Witness			
Name	<u>Jerry Jerry</u>	Phone:	<u>(908)-500-9600</u>
Name		Phone:	
Name		Phone:	

Information About the Injury		
Is the Injured a minor? <input checked="" type="radio"/> Yes / No	Location of injury (be specific): <u>right wrist and knees</u>	EMS Notified <input checked="" type="radio"/> Yes / No
If yes, parent(s) name: <u>Reggie Panini</u>	Describe the injury: <u>scrapes/cuts on knees and hands deformation and extreme pain in wrist.</u>	Paramedics name & badge number: <u>Tim Dunkin 426</u>

Injured person was taken to:	<u>Evanston Hospital</u>
------------------------------	--------------------------

SAMPLE					
Signs and Symptoms	Allergies	Medications	Past Pertinent Info	Last Oral Intake	Events Leading up to the Incident
<u>bleeding, swelling, extreme pain</u>	<u>none</u>	<u>none</u>	<u>broken arm in 6th grade</u>	<u>30 mins prior to incident</u>	<u>playing with friends on Flatrock and fell off into rocks below</u>

Actions Taken During Incident	
1. D'coiẽ blew a one white on chair	6. D'coiẽ helps John sit up and begins SAMPLE
2. ran over to John Panini w/ code blue hand signal	7. Katie arrives with first aid box
3. <del>D'angelo</del> Katie rolls over for assistance	8. D'coiẽ and katie start disinfecting and bandaging cut
4. Tapioca gets on chair and takes over surveillance	9. D'coiẽ makes sure John stays still and doesn't move w/in
5. D'angelo radios code blue	10. EMS arrives

Actions Taken During Incident	
11.	16.
12.	17.
13.	18.
14.	19.
15.	20.

I verify that the information I have given above is correct and truthful as I saw it

Reporter Information	Injured Person's Information
Print Name: Flippy D'coiẽ	Print Name: John Panini
Sign and Date: <i>Flippy D'coiẽ</i> 4/15/1900	Sign and Date: <i>John Panini</i> 4/15/1900

BELOW FOR OFFICE USE ONLY

Supervisory Staff Action or Follow-up:	
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

Signature:	Initials:	Date Entered:	Date Submitted:
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**City of Evanston Incident Report**

(To be filled out by City of Evanston Employee)



City of  
**Evanston™**

Report Number: 7000

Evanston Parks Recreation and Community Services  
Lakefront Operations  
2100 Ridge Ave.  
Evanston IL. 60201

Facility or Program	<u>Dog Beach</u>		
Exact Location of Situation	<u>Shoreline on Dog Beach</u>		
Person Reporting (Staff)	<u>Correline Button</u>	Position:	<u>Gate Attendant</u>

Date	Time
<u>13/01/14</u>	<u>6: 71</u>

Primary Person Involved (Victim)	<u>Douglas Frederick</u>	Phone Number:	<u>(312) 312-3122</u>
Address	<u>123 Peep Ave</u>		
City	<u>Marshmallow</u>	State	<u>IL</u>
		Zip code:	<u>61614</u>
Secondary Person(s) Involved	<u>Amy Juicehouse</u>	Phone Number:	<u>(800) 124-5678</u>
Address	<u>871 Tower Drive</u>		
City	<u>Terry</u>	State	<u>IN</u>
		Zip code:	<u>60249</u>

Other Staff Involved/On Duty	
Name	<u>Adam Abajan</u>
Position	<u>Director</u>
Name	
Position	
Name	
Position	

Witness	
Name	<u>Davis Fish</u>
Phone:	<u>(123) 456-7890</u>
Name	
Phone:	

Information About the Incident			
Medical Treatment Provided:	If yes, Where was treatment Provided?		Police Notified:
<input checked="" type="radio"/> No <input type="radio"/> Refuse <input type="radio"/> Yes	<input type="checkbox"/> On site	<input type="checkbox"/> Urgent Care	<input type="checkbox"/> Emergency Room
	<input type="checkbox"/> Other:		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

Actions Taken During Incident	
1. <u>Drunk man on the beach yelling at Dogs</u>	6. <u>Adam came to dog beach and tried to fear</u>
2. <u>Correline Button informed the man he can't <sup>chase</sup> dogs</u>	7. <u>Man refused. Adam called Police</u>
3. <u>The man refused to stop yelling at and chasing dogs</u>	8. <u>Police came and escorted Douglas out</u>
4. <u>Button asked <del>an</del> Frederick to leave, he refused</u>	9.
5. <u>Button radioed Beach office informing</u>	10.
	<u>turn of the situation.</u>

Actions Taken During Incident	
11.	16.
12.	17.
13.	18.
14.	19.
15.	20.

Reporter Information		
I verify that the information I have given above is correct and truthful as I saw it		
Print Name: <i>Correine Button</i>	Signature: <i>Correine Button</i>	Date: <i>13/01/14</i>

FOR OFFICE USE ONLY

Supervisory Staff Action or Follow-up:	
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

This Area to Be Filled Out by Supervisory Staff:			
Signature:	Initials:	Date Entered:	Date Submitted:



**City of Evanston Beach Jump Report**  
(To be filled out by City of Evanston Employee)

Evanston Parks Recreation and Community Services  
Lakefront Operations  
2100 Ridge Ave.  
Evanston IL. 60201



City of  
**Evanston™**

Report Number: \_\_\_\_\_

Facility or Program	Greenwood Beach		
Exact Location of Situation	10 feet to the left of the Second Buoy		
Person Reporting (Staff)	Janice Z. Ploc	Position:	Guard

Date	Time
5/10/18	2: 81

Primary Person Involved (Victim)	Oreo Mc'Chicken	Phone Number:	(312) 555 5555
Address	919 Jesus St		
City	SOCK	State	IL
		Zip code:	1111
Secondary Person(s) Involved	La'Salle Jenkins		
Address	210 Money St		
City	Stacks	State	IL
		Zip code:	11113

Other Staff Involved/On Duty			
Name	Colin Thatcher	Position	Manager
Name	Addison Jax	Position	Guard
Name	Claire Desek	Position	Guard

Witness			
Name	George Bush	Phone:	847-919-9191
Name	Kyle Auson	Phone:	847-777-1010
Name	Christine Pale	Phone:	847-210-8469

Description of Drowning: victim was hovering before sandbar his face was very glassy. He was facing towards shore. I jumped and took the necessary steps to save him. He was 7.

Actions Taken During Rescue	
1. Blew whistle (one time)	6.
2. Grabbed tube ran into water	7.
3. Hand signal	8.
4. Carried victim to shore	9.
5.	10.

End of scenario outcome		Description of environment			
EMS Notified: Yes / No	The injured person was taken to:	Wave action:	Wave height:	Water temp:	Air velocity:
Paramedic's name & badge number:		Calm - Choppy - Rough	4-5"	71	N Skn
		Weather:	Water depth:	Air temp:	
		Clear - Pt. cloudy - cloudy - Fog - Rain	2 feet	79	

Victim Assessment:				
Experience:	Time of Last Meal:	Alcoholic Drink:	Physical/Mental Disabilities:	Physical Condition:
Swimming: Scuba: N/A	Noon	N/A	none	Distressed - Active Drowning - Passive Drowning - Scoop
Did the victim swallow water? Yes / No	If yes, were they directed to seek medical attention? Yes / No			Contributing factors: Drop off - Hole - Cold water - Waves - Poor skills - Flotation - Unconscious - Other _____
	N/A			

Reporter Information	
I verify that the information I have given above is correct and truthful as I saw it	
Print Name: <i>Chris Boudry</i>	Signature: <i>[Signature]</i> Date: <i>6/2/21</i>

FOR OFFICE USE ONLY

Supervisory Staff Action or Follow-up:	
1. <i>N/A</i>	6.
2.	7.
3.	8.
4.	9.
5.	10.

This Area to Be Filled Out by Supervisory Staff:			
Signature: <i>[Signature]</i>	Initials: <i>BSB</i>	Date Entered: <i>6/2/21</i>	Date Submitted: <i>6/3/21</i>

**7-11-7: REGULATIONS OF CITY BOAT RAMPS, BOATING ACTIVITIES:**

- (A) Permit Required: Season permits are required for launching motorized craft from the Church Street boat ramp. Season or daily permits are required for the launching of nonnotarized craft from the Church Street boat ramp. Season or daily permits are required for launching from the Dempster Street boat ramp. (Ord. 53-0-98)
- (B) Boat Launching and Mooring:
1. **Church Street Boat Ramps:** Sailboats over fourteen feet (14') long and all motorized watercraft (including personal watercraft) shall launch only from this ramp. Launching shall occur only between five o'clock (5:00) A.M. and eleven o'clock (11:00) P.M.
  2. **Dempster Street Launch Facility (Carry-In Ramp):** Only sailboats fourteen feet (14') long and under, which are not motorized, all carry-in boats, and sailboards shall launch from this ramp only.
  3. **Nonpermit Holders:** Permittees shall not provide access in any manner to the boat ramps to nonpermit holders for the purpose of launching any motorized watercraft, carry-in boat, sailboat, or sailboard for which a permit has not been issued.
  4. **Mooring of Boats:** Boats are prohibited from mooring within three hundred (300) yards of shore except where authorized. (Ord. 12-0-02)
- (C) Motorized Watercraft Restrictions:
1. **Time Limit:** Operators of such watercraft shall not tie up for more than fifteen (15) minutes at the Church Street boat ramp.
  2. **Overnight Docking:** No overnight docking is permitted at the Church Street boat ramp.
  3. **No Wake in Launch Zone:** Operators of such watercraft shall not cause a wake when entering or leaving the launching area.
  4. **Safety Zone:** No motorized watercraft are permitted within one hundred fifty feet (150') east of the line of buoys designating the no wake zone, special use zone and the swimming beaches except for launching and retrieving of motorized watercraft.
  5. **No Wake Zone:** Operators of motorized watercraft shall are not permitted to cause a wake within the no wake zone. The no wake zone is designated as eight hundred feet (800') eastward from the shoreline beginning at the midpoint between the Church Street breakwall and the Dempster Street breakwall and stretching northwest to the easternmost point of the Church Street breakwall.
  6. **Special Use Zone:** Eight hundred feet (800') perpendicular eastward from the shoreline beginning at the midpoint between the Church Street breakwall and the Dempster Street breakwall and stretching southwest to the easternmost point of the Dempster Street breakwall.
    - No motorized watercraft is permitted within the special use zone without a special permit.
    - Requirements for special permit:
      - Event must be planned Monday through Friday, between nine o'clock (9:00) A.M. and five o'clock (5:00) P.M.
      - Fifteen (15) or more children under the age of sixteen (16) must participate in the event with one adult supervisor for every five (5) children.
      - Event must be sponsored by a not for profit entity.
      - Event sponsor must provide a certificate of insurance for one million dollars (\$1,000,000.00) general liability coverage, naming the city of Evanston as an additional insured.
      - Fee is twenty five dollars (\$25.00) per child.
      - Event cannot conflict with municipally sponsored programs. (Ord. 53-0-98)
- (D) Windsurfing: Only one person is permitted on a single windsurfing or similar board. (Ord. 12-0-02)
- (E) Closure: The city manager or a designee may close the launch facilities based on existing conditions or staffing capabilities.
- (F) Rules and Regulations: The city manager or a designee may promulgate rules and regulations to enforce this section.

(G) Penalties: Any person violating subsections (A) and (B) 3 of this section shall be fined five hundred dollars (\$500.00) for each offense.

(H) Administration and Enforcement:

1. Administration: The director of parks/forestry and recreation ("director") is charged with the administration of this chapter. (Ord. 58-0-98)
2. Suspension or Revocation of Permit: Upon recommendation of staff, the director or his/her designee may suspend or revoke any permit issued under the provisions of this chapter if he/she determines that the permittee has violated subsections (B) 3, (C) 4, (C) 5 and (C) 6 of this section. (Ord. 12-0-02)
3. Fine In Lieu Of Suspension or Revocation: In lieu of suspension or revocation of a permit the director may, instead, levy a fine on the permittee. The fine imposed shall not exceed five hundred dollars (\$500.00) for each violation. Each day on which a violation continues shall constitute a separate violation.
4. Hearing; Decision; Fees: a. Notice of Hearing: No such permit shall be suspended or revoked and no permittee shall be fined except after a public hearing by the director with a seven (7) day written notice to the permittee affording the permittee an opportunity to appear and defend against the charges contained in such notice. The seven (7) day notice provisions shall begin the day following delivery by certified mail or by personal service.
5. Director's Decision: The director shall, within seven (7) days after such hearing, if he/she determines after such hearing that the permit should be revoked or suspended, or that the permittee should be fined, state the reason for such determination in a written order and either the amount of the fine, the period of suspension or that the permit has been revoked, and serve a copy of such order within the seven (7) days upon the permittee. Fines shall be paid to the city within thirty (30) days of said decision. (Ord. 53-0-98)

## **7-11-8: REGULATIONS OF DOG BEACH:**

### ***Dog Beach Regulations***

1. The Dog Beach is open from April 1 through mid-November and the hours of operation are 7:00 a.m. to 7:30 p.m.
2. All dogs must have current rabies and other vaccines as required by the Cook County Department of Animal and Rabies Control regulation and wear a valid dog license, if applicable.
3. Access to the Dog Beach is limited to registered permit holders only. Owners/handlers must bring their permit each time they visit the Dog Beach and show their permit to staff, when requested.
4. Dog owners/handlers must be in control of their dog(s) at all times. If aggressive behavior is observed in a dog, it must be leashed and immediately removed from the Dog Beach.
5. Dog owners are solely liable and responsible for any damage or injury inflicted or sustained by their dog(s).
6. Owners/handlers/guests with dogs may enter the water to their knees and no further.
7. Owners/handlers are responsible for cleaning up after their dog and placing in appropriate receptacles.
8. Dogs must be leashed while entering and exiting the Dog Beach, and may be off leash only within the designated fenced area. Owners/handlers must have the leash in hand at all other times.
9. Dogs that are under 4 months old, in heat, ill or with contagious conditions/illness are not allowed on the Dog Beach.
10. Sunbathing is prohibited. No chairs, beach towels, or blankets are allowed on the Dog Beach.
11. No more than two (2) dogs per person will be allowed on any one visit.
12. Food, alcohol, and glass containers are prohibited on the Dog Beach.
13. Owners/handlers must stop their dog(s) from digging. Any holes created by a dog must be filled immediately by their owner/handler.
14. Children must be 10+ years old, over 50" tall, and supervised by an adult to be on the Dog Beach.

15. Any dog bite occurring to a person or another dog must be immediately reported to the Evanston Police Department.
16. For any concerns about the facility, please call or text 847-448-4311.
17. Any owner/handler who fails to comply with these rules and regulations may have their permit revoked.

**7-11-9: AUTHORITY TO ENFORCE: The city manager and his/her designees are authorized to enforce the provisions of this chapter. (Ord. 12-0-02)**

**7-11-9-1: BEACH AND WATER RESCUE SQUAD DESIGNATION:** The director of parks/forestry and recreation or his/her designee is hereby appointed a member of the "beach and water rescue squad of the parks/forestry and recreation department", defined as parks/forestry and recreation personnel who provide immediate response to emergencies for first aid and rescue purposes for swimmers, boaters, and the general public using the beaches. (Ord. 12-0-02)

**7-11-10: ENFORCEMENT OF CODE PROVISIONS:** The director of parks/forestry and recreation or his/her designee, and the park rangers shall have authority to enforce the following various sections:

- a) All provisions of [chapter 9](#) of this title.
- b) All provisions of [chapter 10](#) of this title.
- c) All provisions of this chapter.
- d) Subsection [8-4-6-3\(A\)](#) of this code, littering on public way.
- e) Subsection [8-4-6-3\(C\)](#) of this code, littering from vehicle.
- f) Subsection [9-4-7\(C\)](#) of this code, dogs/cats on beach.
- g) Subsection [9-4-7\(D\)](#) of this code, restraint of dogs/cats.
- h) Section 9-4-12, "Control of Defecation", of this code.
- i) Section 9-4-13, "Excessive Barking, Actions", of this code.
- j) Subsection 9-5-12(B) of this code, criminal damage to city property.
- k) Subsection [9-5-23\(G\)1](#) of this code, loud radios prohibited.
- l) Parking violations in city parks, in or around city recreation facilities, on or near the lakefront, and any parking violations related to lakefront/park activity. (Ord. 12-0-02)



# Exhibit B

For years, women working at the Evanston beaches have been disrespected, taken advantage of, and been made uncomfortable by their fellow staff members. We have been the butt of the joke at this "boy's club" we call a workplace. In recent years, a certain employee has made numerous inappropriate comments and advances towards underage women. When this was brought to the attention of our superiors, he was given nothing more than a slap on the wrist. By signing this petition, we are acknowledging that all of us have experienced this unacceptable behavior. We demand that the person previously mentioned is demoted, and put in a position where he will have no contact with any guards or gate staff. In addition, we demand that our male coworkers, especially those in supervisory positions, be held accountable for their actions and taught that abusing their power is unacceptable. Our supervisors tell us to speak up if we are experiencing discomfort, all the while knowing that the male employee responsible will never be punished. This is setting a precedent for all male employees, while simultaneously showing the female employees that their safety is not valued in this work environment. We will not continue to work in an environment that puts the job of a predator over the rights of every employee at the beach. We deserve better and we need to do better.

From the City of Evanston Policy Prohibiting Sexual Harassment, updated 1/7/19

## *II. DEFINITION OF SEXUAL HARASSMENT*

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as:

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

- (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.

Conduct which may constitute sexual harassment includes, but is not limited to:

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



**V. CONSEQUENCES OF A VIOLATION OF THE PROHIBITION ON SEXUAL HARASSMENT**

Any person who violates this policy or the Prohibition on Sexual Harassment shall be subject to disciplinary action, up to and including termination, in addition to any and all other discipline that may be applicable pursuant to City policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements. Each violation may constitute a separate offense. Any discipline imposed by the City shall be separate and distinct from any fines, damages, or penalties imposed by a court of law or a State or Federal agency.

Under Illinois law, "consent" is defined as "a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent." Additionally, "person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct."

**720 Ill. Comp. Stat. Ann. 5/11-1.70**

**Sign Names Below:**

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**RISER WARNING**

**LIST OF DEMANDS** - PLEASE feel free write any action you would like the city to take in response to this petition!!

1. The lakefront and the Evanston Parks, Recreation, & Community Services dept. must release a public apology for having recognized but not addressed the blatant sexism, sexual harassment, assault, racism, and discrimination that occurs at the lakefront
  - Apologize directly to survivors, their families, and all lakefront employees for consistently placing underage employees in oppressive, uncomfortable, and dangerous situations and in close proximity with sexual predators
  - This apology absolutely **must include** an admission of responsibility for placing underage employees in danger

2. Adopt a zero tolerance policy for sexual assault and harassment; commit to protecting future employees with a special emphasis on underage employees
3. Terminate the employment of any of the supervisors or employees guilty of assault & / or harassment (indicated here or below), as well as the employment of those with existing complaints filed against them
  - Terminate the employment of
  -
4. Require that **every staff member** attend a sexual assault and harassment training for **every year** that they are employed - preferably have this run by an outside / contracted company
  - **This must be completed as a condition for employment - just as certain PT / physical tests are required by the lakefront, this must be as well**
5. Establish protocol for rookies and returning employees to report or file claims when sexual assault or harassment does occur in the workplace
  - Establish ANNUAL EDUCATION on this process for ALL rookies and returning employees
  - Establish an **anonymous process** for survivors / anyone to report claims while retaining their privacy in the workplace

#### **TRIGGER WARNING**

If you would like to elaborate on an instance of harassment you have experienced, please share below if you are comfortable doing so. You can keep it anonymous if you prefer:

**DISCLAIMER:** We are planning to share these anonymous stories with Ray and Adam as we work with them to figure out a solution. If you are not okay with your story being shared, please feel free to erase it. Thank you.

Please know that if you ever need anyone to talk to, you can always reach out to us  
We are here for you.

I repeatedly witnessed my 23 year old male supervisor commenting inappropriately on my 16 year old female coworkers bodies'. The supervisor would make statements such as, "it's getting harder to ignore these rookies when they're this hot," or "xxx may be 16, but she could get it"

I was repeatedly sent to the same beach because the supervisors knew that the manager was "into me." Even after turning down his sexual advances this continued.

Witnessed my supervisor (quite literally) interrogate a younger female employee about an intimate body piercing in front of all her coworkers and guards. During an "in service"

During my term of employment as a (rookie) lifeguard, I was raped by a manager who is currently working as a supervisor at the lakefront. I was 17 at the time and he was 21.

**This took place at a party that was thrown by a 23-year old supervisor where multiple other underage female guards were present. Numerous other guards, managers, and supervisors knew this had occurred. Despite my status as a minor, male managers and supervisors who knew of my experience presumed that it was consensual, and found it appropriate to discuss my experience at work. They made comments such as "how's xxx? And in bed?"**

**The beach is a toxic work environment that openly welcomes and perpetuates racism, sexism, sexual misconduct, and predatory behavior. I have witnessed the very same (white) supervisors and managers who are guilty of the sexual harassment described in this list make racist remarks - doing everything from calling other employees racial slurs (literally referring to one employee as "brown boy" in lieu of his name) to racially profiling beach patrons.**

**During former training, there was a comment made about how there were complaints that guards wore their swimsuits inappropriately. After saying this, I was directly stared at not only by every single guard, manager, and supervisor in the room but also the instructor of former training. This was completely humiliating in front of all the other people working.**

**I know of multiple men currently working at the lakefront who have pursued sex / sexual activity with underage female employees.**

**When I was 16 and 17, two of my male supervisors who were in their twenties said that they would have wanted to pursue sex with me if I was not underage.**

---

**I was 16 during my rookie year at the beach. During this year, I came down from my guard shift in chair and was informed that one of the supervisors had told everyone else working at the beach that day that I had a "cute face and a nice body."**

**When I was a rookie (16 years old) supervisors would make sexual comments publicly about marks on my neck in front of all the other guards in the beach office who were coming back from their shifts.**

**Working at the beach has been one of the worst things to ever happen to me. I have since pursued other guarding jobs but was forced to quit after having panic attacks while on rotation. This was solely due to the harassment and toxic working conditions I experienced while working at the beach.**

**In addition to numerous sexual advances made by male co-workers in higher positions, the beach as a whole is extremely toxic and sexist as women are continuously silenced regardless of physical and intellectual capability. There have even been instances where in classroom training sessions, one of the men with the highest positions would make**

**inappropriate "jokes" about women. In one specific instance after he made a comment, all of the men in the room laughed and the women were left shocked and unable to say anything.**

**Last summer a current supervisor had an intimate relationship with an underaged 17 year old. This same exact supervisor felt the need to belittle another supervisor who made advances on a 15 year old minor, even though he too was also hitting on a minor.**

**Every year I have worked at the beach I have witnessed my male coworkers on a daily basis making inappropriate and crude remarks about our female coworkers' bodies.**

**When I spoke out about the sexual harassment, racism, and sexism I had experienced at the beach on my private social media page, screenshots of my account were shared with managers and supervisors who ridiculed me behind my back.**

**Older guards and managers have also seen the example of supervisors and have now begun making advances on younger guards and rookies because this behavior isn't punished.**

**Almost all of the male supervisors constantly place the male guards above the females when it comes to scheduling and treatment. As a female guard, I feel like I'll never be valued or treated like an adequate guard unless a male supervisor is interested in me. Even then, male guards that are less qualified are still treated better.**

**As a rookie, there was a game called "beach crush" which was super common and every time you were sent to a beach you were asked your different beach crush (ie rookie crush, former crush etc...). On several occasions I had to listen to male managers who were at least 20, when I was 16, talk about their female rookie crushes (other 16 year olds and minors) and their bodies.**

**My rookie year, I overheard and was told about a sexual experience between a former (female) and a 2nd year+ manager (male) in vulgar detail and judgement. Her "performance" was ridiculed and laughed at by the two male managers.**

**I can remember MULTIPLE instances my manager year when there were one too many managers for the number of beaches. Despite the fact that I was at the same level or even, (in once instance), of higher seniority, from my male coworkers, they were selected over me to manage the beach I traditionally managed for the day. Even if these multiple decisions had nothing to do with the fact that I am a woman, that is precisely how it came off as a female in the beach environment.**

**The summers I have worked at the beach I have seen the men in higher positions who are on power trips not only sexualize women who are minors but punish them for not feeling the same way towards them. The guy managers request guards who they have "beach crushes" on and the supervisors play along. Supervisors prey on younger females and it is a toxic workplace where myself and many women do not feel comfortable due to certain male supervisors.**

**Supervisors not only pursue younger (underage) women but sexualize and make jokes about them. I'd be surprised if I could go a day working and not hear an inappropriate comment towards another female (underage) employee from a higher up or manager. This does not help the fact that the beach is already built on sexist biases that degrade women and pin them against men.**

**The power trip that comes with being a higher up as a male is ridiculously problematic. One time when I was a rookie, I was in chair when the manager, a male who was particularly rude and power hungry, climbed into chair with me. I had worked 3 days straight with him, because I was told he requested me. We were told managers would come into chair with you to mentor your scanning techniques. However, this manager used his time to quiz me on things unrelated to anything water related, and continuously threatened me with loads of PT if I hesitated or got anything wrong. He stayed up there for ½ my shift.**

**Beach culture favors the guys. It teaches them that it is okay to objectify and pursue underage girls several years younger than them. It teaches girls that standing up for yourself has negative consequences.**

---

**Honestly just the blue shirts in general gives these boys too much power and it gets to their heads**

**As soon as almost any male coworker moves up in position they automatically feel that they have the power to control others and no longer feel the need to set an example or acknowledge their responsibilities. I have personally felt treated unfairly and only feel like my actions are recognized and emphasized when I perform something poorly.**

**The fact that managers are allowed to "request" certain guards at their beaches, and that male managers have abused this privilege extensively, speaks directly to the objectification of women that occurs daily at the lakefront. Women and underage girls are not objects and should not be treated as such, but the culture and power structures of the beach office directly reward those who treat women in this way.**

**I worked in the beach office for a brief period of time and the language and discussion topics of the managers shocked me as so unprofessional. The fact that there are so many male managers leads to horrible power dynamics, immature handling of situations,**

but shaming- and seeming like they are on a summer long power trip. The hierarchy is so enforced and the combined social culture created a toxic environment that serves male guards at the expense of younger women.

My supervisor rookie year would not leave me alone, ever. There is definitely favoritism played to girls who are wanted by managers/staff. One supervisor told me he "enjoyed watching me struggle while strapped down" while I was being victim for a spinal injury drill. A culture that may once have been coworkers developing feelings on the job truly has turned predatory in nature as older workers eagerly await new female workers, and opportunities to see them in their work uniform; a bikini and swim suit. If male workers cannot handle women in summer clothing, doing hard work and being successful at it, they truly do not deserve the job. I was devastated to talk to a young (15yo) girl who had a crush on one supervisor with a history of such behavior. She saw it as a harmless crush and when I confronted him about it, he made sure to admonish her for speaking to anyone about them talking. He still works there, she doesn't. Professionalism should not just apply to dealings with patrons.

In my years working at the beach, I have heard male staff members make objectifying, degrading comments towards women coworkers more times than I can count. I always felt powerless to speak up or say anything because this kind of behavior is so normalized here. When I was 17 and a new gate attendant, one supervisor who was about 7 years older than me offered on several occasions to take me out on the boat with him, which I always refused because it made me so uncomfortable. Last year, another supervisor would hang around me when I was working and make constant flirtatious comments; he only stopped when I finally told him I was gay, to which he responded, "When did you make that decision?" After that, the flirting stopped, and instead he cracked jokes about my sexuality in front of our other coworkers.

When I was a rookie (16) a male supervisor let everyone else clock out from their late shift except me. He told me that I had to mop the office and sat there and watched me mop the whole time. At that point it was pitch black outside and we were the only ones in the beach office.

It's sad that girls (including underage) are pressured into having sexual relationships with supervisors or managers and get special treatment because of this at the beach.

I did not come back to working at the beach this year because of my extremely negative experience with a supervisor last year where he would make comments about my body, harass me into hanging out with him (I didn't), ect. It got to the point where somebody else reported it to management.

There are multiple male supervisors that make fun of and get mad about this ONE guy that is the initial reason for the petition and they are doing the exact same thing. It's not just one person, it's many.

Repeatedly witnessed supervisors prey on underage girls and essentially prime them for when they were older. One supervisor constantly commented on the bodies of the younger (16-17) girls within earshot of me. I witnessed a "hot-seat" in service where a lifeguard was questioned about body piercings. Furthermore, I was punished for not turning in an end date and forced to jump in the water and roll in the sand in front of patrons as well as other guards with intentions to humiliate me.

The fact that I can think of FIVE (5!) different supervisors that perfectly fit the description in this petition shows that there is a major misogyny problem at the beach.

My rookie year (I was 16 y.o) a (male) supervisor, who had previously tried to force himself on me on multiple occasions, tried to set me up with his friend (non beach employee) at a party. Aforementioned friend (23 y.o) ended up pressuring and eventually cornering me into a nonconsensual "hook up." Next day during my shift the same supervisor made me do a "hot seat" in service where he grilled me about what happened, threatening pt if I didn't share or "give enough detail."

There is a Snapchat group chat with just males that work or have worked at the beach and they openly discuss/make fun of other women's bodies at the beach and discuss them in a sexual way. This group chat is still active.

---

~~As a rookie (16) one of the managers used to follow me around the beach, and I was~~ always placed at the beach he managed even though I told him many times I wasn't interested, and I was underage. At guard banquet that summer, he pulled me aside and shoved me against a wall, forcing himself on me, kissing and touching me. I shoved him off. He approached me several other times that night. At work the next couple of weeks, other guards and supervisors made comments about us, asking jokingly about my night with him. Fuck that.

I worked as a ticket guard and then was offered a position working at the beach office. I declined because I was genuinely nervous about being around male guards and supervisors. It was such an unwelcoming work environment and I experienced countless remarks made about me making mistakes or asking questions because I am a woman and also comments about my weight. I tried to work at the dog beach as often as I could so I could be alone.

As a rookie I was punished with solo PT (2 run-swim-runs and 40 pushups) while one supervisor screamed, "You are just a lowly guard! You aren't shit here! I own you!!!" at me as I did pushups at his feet.



Last summer I had a relationship with another employee at the beach. The morning after the first night we spent together, a male supervisor praised the person I was hooking up with saying things like "good job" and "we have all been trying to get with that for a long time." I felt completely objectified upon hearing about this. I was even more disgusted because this said supervisor was one of my very close friends.

During my year as a former (2nd year guard), one of my supervisors, who was also a close friend of mine at the time, asked if he could do cocaine off of an intimate part of my body. I was caught completely off-guard and did not know how to respond to him without making him feel uncomfortable as well. I managed to say no and just laugh it off as a joke. I pushed this memory into the furthest corner of my brain and I'm finally dredging it back up now. Looking back and recounting the things that actually happened while working at the beach, I realize now that not only my superiors, but also people I considered my friends were sexually harassing my fellow female coworkers and myself daily. Trauma like this takes time to process and nearly four years later I am finally understanding what happened to us.

I suggest that the city take two specific actions to mitigate these recurring issues: firstly, I urge the higher ups at the city to adopt a zero tolerance policy for sexual harassment as most workplaces already have these provisions in place, and secondly, require every staff member to attend a sexual harassment training (preferably run by an outside, contracted company) in order for all staff to clearly know the boundaries of what is acceptable, and how to report instances to management to prevent this from continuing further.

When I was a rookie (17) I had a sexual relationship with a supervisor (23). Parts of it were consensual, but there were also instances where the supervisor took advantage of situations when I was highly intoxicated and unable to consent. After a party, he wanted to come over. I texted him that I was drunk and throwing up, and he told me over text that I was "wasting his time." I don't believe that I was conscious when we had sex and I don't remember it. In the days following this incident, he gave me a half apology and asked me not to tell anyone because he "needed this job." There were other instances where I asked him to stop because I was tired or in pain and he either continued anyway or stood over me and masturbated. Months later, I started getting panic attacks and am still dealing with trauma from what happened. The same supervisor also bragged to me about another underage girl from the beach who he had sex with. I am not sharing this to get anyone in legal trouble. But I hope that this can help enlighten higher ups to the type of behavior that goes on at the beach. This supervisor was well liked and respected, and I didn't think that people would take me seriously if I spoke up. He prides himself on being a "role model" and handling instances of sexual harassment by "talking to" male guards or PTing them instead of going to Adam or Ray. I think it's clear that the higher ups need to make it more of a priority to be aware of and involved with what goes on

**both on and off the clock because clearly the way it's being handled now isn't working. I also want to be clear that this behavior is not limited to one or two supervisors. Sexual harassment and sexism are typical, almost expected behavior. I can name three other supervisors who have either made inappropriate comments or unwanted sexual advances toward me. This is not something that can continue to be pushed under the rug and ignored.**

---

# Exhibit C

**From:** [REDACTED]  
**Sent:** Monday, July 13, 2020 10:09 AM CDT  
**To:** Raymond Doerner <[rdoerner@cityofevanston.org](mailto:rdoerner@cityofevanston.org)>; [REDACTED]  
**CC:** [aabajian@cityofevanston.org](mailto:aabajian@cityofevanston.org) <[aabajian@cityofevanston.org](mailto:aabajian@cityofevanston.org)>  
**Subject:** Re: Discussing concerns regarding treatment of women at the lakefront

Hi Ray,

Thank you for your response. I added [REDACTED] to this email chain. The four of would like to meet with both you and Adam at the same time. We would like to meet in the Civic Center in a neutral location such as a conference room rather than in an office. Wednesday morning would work for all of us, would that work for you?

Thanks,

[REDACTED]

On Jul 12, 2020, at 10:07 PM, Raymond Doerner <[rdoerner@cityofevanston.org](mailto:rdoerner@cityofevanston.org)> wrote:

[REDACTED]

Thank you for bringing this to our attention and we would like to discuss the situation more in-depth with you and any other employees who feel comfortable about sharing examples of situations with any staff that has made them feel uncomfortable or unsafe at work. Do you envision that this meeting would be with the four of you and Adam and I or each one of you meeting with us individually? If it will be with the four of you, I would be happy to start an email with the entire group to discuss a day and time that works best for everyone. We would want this meeting to take place outside of your working hours and at another City building other than the Beach Office to ensure we are not distracted and eliminate the possibility of others interrupting the meeting. Please let us know as soon as possible so we can schedule the meeting?

**Ray Doerner**  
Recreation Manager  
Parks, Recreation & Community Services Department  
Morton Civic Center  
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8046

[rdoerner@cityofevanston.org](mailto:rdoerner@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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On Sun, Jul 12, 2020 at 4:38 PM [REDACTED]:  
Adam and Ray,

We would like to have a meeting with both of you to discuss an ongoing situation; we would like for you to hear it directly from us. We have created a petition for fair treatment of women at the lakefront. We asked female employees to sign, and to share any personal experiences if they felt comfortable doing so. Absolutely no names were mentioned in our document—we are not pinning the blame on any one person. We were not trying to go about this behind your backs, and we planned to bring this to your attention when we felt ready to do so. Our intention is not to wrongfully accuse or slander anyone; we are just trying to create a work environment in which we can all feel comfortable and safe. Let us know if a time later this week works for you to discuss.

Best regards,

[REDACTED]

# Exhibit D

**Casey Solomon**, 2020-07-14 11:28:33

The email requesting the meeting : &quot;dam and Ray,<br><br><br>We would like to have a meeting with both of you to discuss an ongoing situation; we would like for you to hear it directly from us. We have created a petition for fair treatment of women at the lakefront. We asked female employees to sign, and to share any personal experiences if they felt comfortable doing so. Absolutely no names were mentioned in our document—we are not pinning the blame on any one person. We were not trying to go about this behind your backs, and we planned to bring this to your attention when we felt ready to do so. Our intention is not to wrongfully accuse or slander anyone; we are just trying to create a work environment in which we can all feel comfortable and safe. Let us know if a time later this week works for you to discuss. <br><br><br>Best regards,  
<br><br><br>

**Jennifer Lin**, 2020-07-14 11:29:40

doesn't sound good

**Casey Solomon**, 2020-07-14 11:30:54

no

**Casey Solomon**, 2020-07-14 11:31:12

Ray had not painted a detailed picture.

**Casey Solomon**, 2020-07-14 11:31:25

I will let you know what I hear after the meeting.

**Jennifer Lin**, 2020-07-14 11:31:45

it's the &quot;ongoing situation&quot; that I'm curious about

**Casey Solomon**, 2020-07-14 11:31:52

I do not think it sounds like the female staff feel things are equitable.

**Casey Solomon**, 2020-07-14 11:31:55

Me too.

**Casey Solomon**, 2020-07-14 11:32:49

When people are vague in the requests, it is usually not a good situation.

**Casey Solomon**, 2020-07-14 11:32:53

I have found.

**Jennifer Lin**, 2020-07-14 11:34:01

but i don't want this to be some sort of concern that is based on stuff from last year, which hasn't surfaced this year

**Casey Solomon**, 2020-07-14 11:34:49

I agree.

**Jennifer Lin**, 2020-07-14 11:34:52

these millennials hold onto things

**Casey Solomon**, 2020-07-14 11:35:01

It sounds like it is current

**Casey Solomon**, 2020-07-14 11:35:07

I had that thought as well

**Jennifer Lin**, 2020-07-14 11:35:20

if issues from last year have not occurred this year and the ongoing concern is just that he's employed this year - that will not be enough

**Casey Solomon**, 2020-07-14 11:35:23

But want to go in open minded

**Jennifer Lin**, 2020-07-14 11:35:43

they have to show that there's been some behavior this year

**Casey Solomon**, 2020-07-14 11:35:54

Totally.

**Casey Solomon**, 2020-07-14 11:36:13

I see this as similar to an intake of a possible investigation

**Casey Solomon**, 2020-07-14 11:36:32

Listen but do not assume anything...

**Jennifer Lin**, 2020-07-14 11:36:34

because then we can be seen as taking action against someone based on what happened previously that has already been addressed

**Casey Solomon**, 2020-07-14 11:36:45

I agree.

[REDACTED]

# Exhibit E



**From:** [REDACTED]  
**Sent:** Wednesday, July 29, 2020 7:05 PM CDT  
**To:** Jennifer Lin <jlin@cityofevanston.org>  
**CC:** [REDACTED]; Raymond Doerner <rdoerner@cityofevanston.org>; Karen Hawk <khawk@cityofevanston.org>; [REDACTED]; Abajian, Adam <aabajian@cityofevanston.org>; Casey Solomon <csolomon@cityofevanston.org>  
**Subject:** Re: Follow up meeting regarding female lakefront staff concerns

Hi Ms. Lin,

It is unfortunate that the meeting did not work out this morning; however we want to address some things you brought up in your email.

Firstly, we have repeated multiple times that we are not asking for formal investigations, as many of these allegations are against people who no longer work at the lakefront, and disciplining only those who have committed these acts will not bring about the change we wish to see. This issue goes deeper than the acts of a few people; this is about addressing the sexist culture that has permeated the lakefront for as long as we can remember. This is about creating lasting change, and investigations into a few individuals will not accomplish that.

Second, in the aftermath of Monday's supervisory meeting, we have every right to feel frustrated and unheard. We asked to be included in discussions moving forward after our initial meeting and to have this sprung on us was extremely disappointing. You say that it is "sad that your only takeaway from Monday's meeting is that random drug testing, sexual harassment training, and addressing PT at the lakefront were the City's efforts to reduce or prevent sexual assault or sexual harassment." However, nothing else was brought up in the meeting pertaining to preventing sexual harassment, so it was not illogical for us to think that this is the way the city has chosen to respond.

Third, we stand by our decision to postpone the meeting. We did so not only because of developments from the supervisory meeting as well as unforeseen commitments that we do not feel necessary to be disclosed, but because not every necessary party could be in attendance. This does not mean that we are not actively participating and cooperating, and to insinuate that we are not doing so is disrespectful and inattentive to the work we have been putting in.

Finally, I would strongly encourage you to read the federal and state-level definition of sexual assault. Penetration and rape are forms of sexual assault, but the term encompasses more than just that.

Would you be available to meet Friday, July 30th? We have availability in the morning and early afternoon.

Regards,

[REDACTED]

On Wed, Jul 29, 2020 at 1:04 PM Jennifer Lin <jlin@cityofevanston.org> wrote:

Hi,

I am disappointed that we did not meet this morning. I saw the Google doc for the first time last Friday and am genuinely concerned about the allegations of sexual harassment and criminal behavior. I specifically asked Ray to schedule today's meeting so that HR could begin a formal investigation on the allegations.

I want to assure you that the City is not taking these allegations lightly and I am telling you that we are hearing you loud and clear. From what I understand, the measures discussed on Monday night were not meant to serve as "solutions" to what is going on at the lakefront. The only immediate action taken to begin addressing the conditions was the scheduling of the sexual harassment training, which is important and specifically requested by you in the Google doc. On Friday, I immediately reached out to the person who trained all full-time City employees in 2019 on sexual harassment and scheduled two trainings for lakefront staff. Unfortunately, due to COVID-19, a physical in-person training is not feasible, but we also felt that a standard online training was not enough. The 1-hour training which will take place next week will be personal and specifically customized for lakefront staff and is being led by a licensed psychotherapist and frequent trainer.

Regarding PT, there were several allegations in the Google doc that suggested that PT was being used as a form of retaliation and punishment, especially when there was some sort of rejection of sexual advances. This is sexual harassment! You are all City employees, and the City cannot condone PT being used in the workplace to harass, degrade, intimidate, retaliate, discipline, or punish employees, especially minor ones. If employees aren't doing their jobs or are being insubordinate, PT is not the solution. PT should only be used as PT, to maintain and improve the physical skills, agility, and strength of lifeguard staff, but cannot be used as punishment or discipline. I do not think that the message from Monday's meeting was to eliminate PT, but only to remind you that PT should not be used as a form of punishment or discipline. We recognize the importance of PT to demand optimal physical performance as lakefront staff.

I am sad that your only takeaway from Monday's meeting is that random drug testing, sexual harassment training, and addressing PT at the lakefront were the City's efforts to reduce or prevent sexual assault or sexual harassment. I'm further saddened that you had such a negative response to Monday night's conversation. Please know that the City is committed to hearing you, protecting you, and ensuring your safety and well-being.

The only real ways to eradicate sexual harassment include:

- Empowering victims to say no and to report sexual harassment
- Holding perpetrators accountable for their actions and imposing consequences on bad behavior
- Educating people on what sexual harassment is and making them aware of acceptable and unacceptable behavior

Eliminating sexual harassment in the workplace is a two-way street and is a combined effort of the employer and the employees. It requires active participation, active listening, and active cooperation.

Your choice to use "sexual assault" to describe what's happening at the lakefront suggests that employees are being sexually assaulted (i.e., sexually penetrated or raped) while working at the lakefront. If this is happening, this needs to be addressed immediately.

I understand that some of you are working on Monday afternoon. We are available to meet anytime on Monday before your shifts start. Can I recommend 12PM-1:30PM on Monday? If Monday doesn't work, please send us available dates and times that work for you and we will make ourselves available. I am committed to meeting as soon as possible and don't want to further delay a meeting if someone is not able to be physically present so if necessary, we can Skype/Zoom/FaceTime them in.

Please let us know your preference.

Thank you.

**Jennifer Lin**  
HR Division Manager  
City of Evanston

2100 Ridge Avenue | Evanston IL 60201  
847-448-8240 (O) | 847-448-8109 (F)  
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On Tue, Jul 28, 2020 at 8:44 PM [REDACTED] wrote:

Ray and Karen,

Yesterday's meeting felt all but productive. It was impossible not to question the intent behind any of the measures trying to be put in place at the Evanston Lakefront. From what I understood, these measures are "solutions" to the problem we addressed in our meeting two weeks ago. I left the supervisory meeting last night feeling disrespected, unheard, and offended on behalf of every woman who had worked at the beach and signed that petition. It is despicable to take people's experiences and misconstrue them to the point where you think band-aid solutions like random drug testing, a 30-60 minute zoom sexual harassment training, or dismantling how physical training at the beach works will help.

I know we were planning to discuss real, concrete solutions tomorrow. This will no longer be possible with some of our schedules because of unforeseen commitments and the new information we have gleaned from the supervisory meeting last night.

While we plan a new date to have this meeting, I ask that you reflect on your actions within the past forty-eight hours. I understand it is difficult to put yourself in the shoes of victims, but I am asking for your empathy. As a victim of sexual assault myself, the "solutions" addressed in the supervisory meeting were manifestations of my worst fear: reporting and not being listened to, reporting and being blamed for doing so because of wrongful band-aid solutions put in place, reporting and still not having the right system so as to protect me as a victim.

I want to make one thing very clear: increased random drug testing, a 30-60 minute online meeting, and the lack of physical training will not stop sexual harassment, sexual assault, or rape from happening nor will it decrease the occurrence.

Let us know times next week that will work for you to have a meeting where we can discuss action items made to solve the problem of sexual assault at the lakefront as opposed to ones that will tip-toe around the issue.

Sincerely,

[REDACTED]

On Mon, Jul 27, 2020 at 1:10 PM Raymond Doerner <[doerner@cityofevanston.org](mailto:doerner@cityofevanston.org)> wrote:

All,

I have sent you all a meeting invite for a meeting on Wednesday, July 29 at 10:30am at the Levy Center in the Library. Since Wednesday is Adam's day off and he has a commitment that he can't reschedule, he will not be in attendance for this meeting but I will update him and he will continue to be involved in this process.

**Ray Doerner**  
Recreation Manager  
Parks, Recreation & Community Services Department  
Morton Civic Center  
City of Evanston

[rdoerner@cityofevanston.org](mailto:rdoerner@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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On Fri, Jul 24, 2020 at 2:24 PM Raymond Doerner <[rdoerner@cityofevanston.org](mailto:rdoerner@cityofevanston.org)> wrote:

[REDACTED]

I am reaching out to schedule a follow-up meeting to the one that we had on Wednesday, July 15 at the Levy Center. We are committed to addressing the concerns and situations that were shared in that meeting and the document that you provided to us. The meeting will be with the four of you, along with myself, Adam, Casey, and Jen Lin, the director of our Human Resources Department. Please look at your schedules and give us as many days and times as possible that would work for all of you to meet in person? We would again schedule the meeting to take place at the Levy Center. Thank you and let me know if you have any questions or concerns.

**Ray Doerner**  
**Recreation Manager**  
Parks, Recreation & Community Services Department  
Morton Civic Center  
City of Evanston

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# Exhibit F

# Demands for a Safer Workplace by the City of Evanston Lakefront Staff

The City of Evanston Lakefront Staff has felt ignored, unappreciated, and cast aside by the City of Evanston for years. We feel as though we are dismissed because we are seasonal staff and because the majority of us are teenagers and young adults. When anyone who works in a position of authority, at the City of Evanston, comes down to the lakefront, they greet us with scrutiny. When we try to implement positive change and ask the City for support, they will not stand with us. Now more than ever due to the COVID-19 pandemic, we are not provided with adequate resources to ensure our safety and wellbeing, nor has tangible action taken place to remedy issues regarding sexual harassment in the workplace. We, as a collective Lakefront staff, are demanding our right to feel safe in the workplace. Our demands, which encourage the City of Evanston to create a safe environment for all beach staff this year and in the years to come are as follows:

- 1. We demand that the City of Evanston provides proper safety protocols and protection, as well as hazard pay, for our staff during the COVID-19 pandemic.**  
All Lakefront staff work long hours outside, and come into direct contact with hundreds of beach patrons each day during an extremely hazardous time. Staff engage in interactions with patrons refusing to wear masks and adhere to social distancing measures. We have been subject to hostility, including threats of violence, when enforcing COVID policies such as mask wearing. Furthermore, the fact that we are not being regularly tested is unacceptable and further endangers our health and the health of our families. We demand free and readily available COVID tests for all members of our staff. We demand hazard pay, considering that every time we interact with a patron we are putting ourselves at risk. We demand adequate supplies of surgical and N95 masks for everyday use, not just for use during emergencies.
- 2. We demand pay raises with retroactive pay for gate attendants, who have been making less than Cook County minimum wage if they are under 18.**  
Being stationed at the beach gate, gate attendants interact with every patron who enters the beach wearing nothing more than a mask to protect them. They are putting their health on the line by working in such conditions, and without them the city would lose massive amounts of revenue. Although the wage they receive is technically legal, paying gate attendants a low wage such as this is blatantly disrespectful and must be corrected. We demand that the gate attendant pay be raised to \$12.00/hr for the rest of this season along with retroactive reparations for every hour previously worked in the 2020 season.

In addition we demand their pay rate be raised to \$10/hr minimum for years following, regardless of pandemic status.

3. **We demand that systems are put in place to protect all employees from harassment while working at the lakefront.**

A culture of sexism has permeated within the lakefront for years, which has allowed those in supervisor and managerial positions to prey on underage staff in the recent past. We recognize that much of the responsibility to change this culture falls on us as staff members; however, we hold the City accountable for their failure to connect us with the HR department. **We demand that the City assigns one HR representative to have a presence at the beach office and build a relationship with our staff.** For years, our staff has had zero contact with HR, which is unacceptable. We need a person who our staff can feel safe coming to about any harassment they experience in our workplace.

4. **We demand thorough anti-bias and anti-harassment training in order to better support our community.**

As lakefront staff, we currently receive no anti-bias training, disability awareness, or sexual harassment prevention training. This is an extreme oversight that directly impacts our ability to do our job, to make our beaches safe and enjoyable for all visitors, as well as impacts employee safety in the workplace. The City of Evanston preaches diversity and inclusivity, yet this lack of anti-bias and anti-harassment training contradicts everything the City claims to stand for. The fact that we are not going through this training in 2020 is unacceptable. In addition, we demand that all anti-racist, disability awareness, and sexual harassment prevention training be conducted by a contractor outside of the City of Evanston Human Resources Department.

5. **We demand a permanent park ranger presence at the Lakefront to support staff due to increased threats from the public.**

Lakefront staff are threatened daily by adult patrons, and this has only increased with the addition of COVID-19 policies. Many incidents do not receive follow-up by law enforcement. Examples of incidents that received no follow-up include a staff member having their face mask ripped off by a beach visitor, or a beach visitor threatening staff members' lives. These incidents, as well as all other incidents, have been documented and filed appropriately. These events have created a hazardous work environment for the Lakefront staff. The City has failed to provide adequate protection for us despite numerous calls for assistance. Police have been reluctant to give tickets and often arrive after the perpetrator has left. To solve this issue, the City of Evanston must create a presence of park rangers at the Lakefront to provide assistance to the Staff. We demand

the allocation and implementation of these park rangers at the beach for this summer and all summers in the future.

6. **We refuse to be subjected to random drug testing of Lakefront Staff on the basis of the lack of ethical responsibility and consistency by the City of Evanston.**

City staff members informed Lakefront staff that they would be subject to random drug testing, and that if they refused or tested positive for any controlled substance they would be terminated. All staff members currently employed by the City have passed a drug panel test. This single test during pre-employment has been the City's testing policy up until this point. This new policy would force staff to enter a hospital during a pandemic to have the drug test administered. Forcing staff to go to a location that puts them at an increased and unnecessary risk of contracting the novel COVID-19 virus is irresponsible of the City of Evanston. Additionally, this new policy does not follow the City's policy in prior years. Currently no trained supervisor has empirical evidence, or reasonable suspicion based upon the specific, contemporaneous, articulate observations concerning the appearance, behavior, speech or body odors, that any employee has unlawfully used illicit drugs and/or abused controlled substances; or reported to work under the influence of or has illicitly ingested controlled substances or alcohol during work hours. This fact coinciding with no other seasonal positions having been subject to a new drug testing policy mid-season is unlawful and irresponsible of the City of Evanston.

7. **Finally, we demand support and recognition from the City.**

The Lakefront staff has been putting their health and their family's health at risk working during a global pandemic, all to make the beaches a safe and enjoyable place for visitors. We bring in significant amounts of revenue to the City in a time when nontaxable earnings are scarce. The fact that we are seasonal staff made up of mostly young adults does not make us unimportant or disposable. We are working hard and receiving no acknowledgement or support from the City for our efforts. The Lakefront works tirelessly to protect every individual that sets foot on our beaches. The gravity of our work deserves to be supported by not only our fellow co-workers, but the City officials we answer to. We demand recognition for the diligent work we have done for years and continue to do.

We see our demands as reasonable recourse for the lack of action the City of Evanston is taking both in regards to protecting its staff from sexual harassment and the failure to promote the health and wellbeing for said staff. These actions, in tandem with reparations for the aforementioned staff, are required. We demand you work with \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ to outline the implementation and execution of our demands as soon as possible. Failure to communicate with the outlined individuals in the presence of Casey Solomon, Adam Abajian, and Ray Doerner will result in direct action being taken by Lakefront staff. We expect a preliminary outline of tangible steps that the City of Evanston will take to meet our demands.

We look forward to hearing from you and creating a meaningful dialogue.

The Evanston Lakefront Staff



# Exhibit G

**From:** Jennifer Lin <jlin@cityofevanston.org>  
**Sent:** Tuesday, August 11, 2020 8:57 AM CDT  
**To:** Adam Abajian <aabajian@cityofevanston.org>  
**Subject:** Re: Lakefront Grievances

Thank you for sending this to us. We can address this with everyone on Friday. [REDACTED] clearly wanted something different to happen and it's not being addressed by their spokespeople either. I suspect that this may be someone who wrote the more serious allegations. Either we or the spokespeople can reach out to her.

On Aug 11, 2020, at 2:43 AM, Adam Abajian <aabajian@cityofevanston.org> wrote:

I was cc'ed on this email and while I don't know this former staff person well I do wonder why she sent this email? Is it possible that she was one of the anonymous reporters, maybe someone could reach out to her she might have something she's now willing to share.

----- Forwarded message -----

From: [REDACTED]  
Date: Mon, Aug 10, 2020 at 9:12 PM  
Subject: Lakefront Grievances  
To: <[shagerty@cityofevanston.org](mailto:shagerty@cityofevanston.org)>, <[citymanagersoffice@cityofevanston.org](mailto:citymanagersoffice@cityofevanston.org)>, <[abajian@cityofevanston.org](mailto:aabajian@cityofevanston.org)>

Dear Mayor Hagarty,

I am a lifelong Evanston resident and a former Evanston lakefront employee. I am concerned at your lack of action surrounding the current petition that is in circulation. The sheer number of women who will endure a life of mental health trauma because of their time working as a city employee is an abomination and an embarrassment.

I hope you are seriously considering a formal acknowledgement for the negligence of the city in preventing sexual misconduct and then take action reorganizing the program so that it does not perpetuate this harmful cycle. I suggest that there are at least an equal part women at all positions (not a foreign concept) because the reason there are so few women employees staying long enough to get these higher positions is because they are more mature on average and are not willing to pass up other work experience to work at a place that undervalues and abuses them. I also suggest an anonymous survey conducted of current and former employees where people are able to state who is a sexual assailant that are currently still employed and these people should be fired or at minimum not offered employment in following years. I know staff members mentioned in the petition are still currently employed- this continued tolerance for perpetrators is unacceptable.

I hope you and your family are doing well this hectic summer and you place these issues on a higher priority so that some day soon you won't be hesitant when your daughter tells you she wants to be a lifeguard at the Evanston beaches.

Best,

[REDACTED]

PS. Its of my own opinion that the beaches should be free for Evanston Residents or a more sustainable and equitable format is enacted. Also, I believe the ban of sitting on the rocks should be lifted- the lakefront area should be everyones to enjoy- even at their own risk. (I don't want to detract from the main point of this email, but that is my position as an Evanston resident)

# Exhibit H

**From:** Jennifer Lin <jlin@cityofevanston.org>  
**Sent:** Thursday, July 23, 2020 5:22 PM CDT  
**To:** Casey Solomon <csolomon@cityofevanston.org>  
**Subject:** Re: Female Lakefront Staff Meeting

I think that it's time to get the CM and Law involved in this conversation.

It's doubtful that anyone at the City will agree to apologize and admit that it knew this stuff was going on. I don't believe that Adam and Ray knew this was going on.

On Thu, Jul 23, 2020 at 3:05 PM Casey Solomon <csolomon@cityofevanston.org> wrote:

Jen:

As we discussed, a group of four female Lakefront Seasonal Staff, who have worked for the city for several summers, requested a meeting with Adam Abajian, Ray Doerner, and Human Resources that we held last Wednesday, July 15.

The group started the meeting by presenting Ray Doerner, Adam Abajian and I, with the attached document: a collective list of complaints of alleged sexual harassment and discrimination allegations by female beach staff that includes anecdotes that span across the careers of at least 52 current female staff at the beach. The document also includes requests for how they feel the city can improve conditions at the beach and try to remediate the discriminatory, abusive, and objectifying environment for female beach staff.

The group said that they permitted any female lakefront seasonal staff to list their uncensored stories and demands anonymously on this Google Doc.

The four women who had spearheaded these efforts said that they did not want to be punitive toward the alleged perpetrators but wanted to advise the city of the toxic environment experienced by female staff at the beaches. They said that staff fear retaliation and want to keep the complaints anonymous.

There had been a significant misunderstanding by staff regarding the process for Sexual Harassment complaints. One of them stated that they had were told years ago that charges should be reported using the Incident Report. Those reports would then need to be signed by the Supervisors, who are often the perpetrators or the friends of the perps. Such a process would set the stage for retaliation and therefore deter staff from filing their complaints.

The women stated that one supervisor threatened suicide after becoming aware of these complaints coming forward. They said they do not want to disclose his or other offender's names or seek any punishment for him or the other staff.

Many of the reports involve situations that transpired outside of work. Unfortunately, many of the younger (some as young as 15) beach minor staff hang-out and party with adult aged staff, many of whom are in their mid-twenties, outside of work. Alcohol and drugs are consumed by adult and minor beach staff at these after-work parties, and the men use the inebriation to take advantage of the girls and women. Though these assaults take place outside of work, many reported offenders are supervisors to these young women abused who used their authority over them at work to coerce them into sexual encounters with them or their friends. This dynamic has led to many incidents of alleged sexual taunting, body shaming, assaults, and statutory rape. According to the women, only in the past couple of years have female staff been elevated to the supervisor position, and this balance of power dynamic has contributed to these abuses.

I explained that there is an established reporting system for Sexual Harassment policy infractions, and that is supposed to be explained to staff. HR has typically presented at the seasonal training sessions at the start of the summer. However, due to COVID, this year's training was done through Google Education and did not include an in-person presentation.

Adam Abajian told me that Lakefront Staff had not attended seasonal staff training sessions for the past two years, due to scheduling conflicts between the required Lifeguard training and the dates for these presentations. Adam claimed that Ann Marie has been unwilling to adjust the dates and times of the annual training or add additional offerings since she was assigned their coordination. I am not sure why Adam did pursue his concerns about staff not receiving the training up the chain of command.

Adam later told me that all 2020 Lakefront staff had signed off on the Sexual Harassment policy, though this policy was not reinforced or elaborated upon with a conversation.

#### **List of Demands**

1. The lakefront and the Evanston Parks, Recreation, & Community Services dept, must release a public apology for having recognized but not addressed the blatant sexism, sexual harassment, assault, racism, and discrimination that occurs at the lakefront
  - Apologize directly to survivors, their families, and all lakefront employees for consistently placing underage employees in oppressive, uncomfortable, and dangerous situations and in close proximity with sexual predators
  - This apology absolutely must include an admission of responsibility for placing underage employees in danger
2. Adopt a zero tolerance policy for sexual assault and harassment; commit to protecting future employees with a special emphasis on underage employees
3. Terminate the employment of any of the supervisors or employees guilty of assault & / or harassment (indicated here or below), as well as the employment of those with existing complaints filed against them

- Terminate the employment of [REDACTED]
- 4. Require that every staff member attend a sexual assault and harassment training for every year that they are employed
  - preferably have this run by an outside / contracted company
  - This must be completed as a condition for employment - just as certain PTI physical tests are required by the lakefront, this must be as well
- 5. Establish protocol for rookies and returning employees to report or file claims when sexual assault or harassment does occur in the workplace
  - Establish ANNUAL EDUCATION on this process for ALL rookies and returning employees
  - Establish an anonymous process for survivors / anyone to report claims while retaining their privacy in the workplace

I explained that the City does have a zero-tolerance policy for Sexual Harassment and apologized that staff have not received sufficient training regarding the complaint process. I told the group that we cannot act based on anonymous complaints, as we would need to confirm facts through an investigation before taking action accused against staff.

I asked the group to encourage their coworkers to come forward with any issues. The women explained that their colleagues feared the possibility of retaliation. I explained that retaliation would not be tolerated and would need to be investigated. and that we explain this to anyone interviewed as part of a complaint.

I asked for more information regarding the specific request to terminate [REDACTED]. I was told that the complainants needed to respect the anonymity of their coworkers. The group replied that they had allowed staff to add whatever they wanted to the document, including the demand section, to avoid limiting their ability to express their grievances and requests to remediate these problems. I informed them that we need some essential details to guide any meaningful investigation.

I suggested that HR coordinate Harassment Training for Lakefront staff to occur this summer, including a specific section on adult/minor relationships and legal implications. I put forth the idea of a female support group or mentoring program pairing senior female beach staff with rookies to empower female staff, foster a supportive environment, and encourage reporting of offenses.

The women feel that there is such a disconnect between lakefront staff and HR (they said they had not realized that The City had an HR division). I suggested that we prominently include contact information for HR as part of the training to facilitate communication. At one point, the women expressed a desire to have a female HR Rep with whom to lodge these complaints. They would feel more comfortable having these uncomfortable conversations with another woman.

The women expressed a desire for the periodic presence of HR at the Lakefronts. I am willing to make periodic check-ins or have some sort of regular schedule at beach offices. However, I see that this may pose a challenge as HR is already very occupied with getting staff into the system and paid during the summers.

We plan to meet again in the next couple of weeks to discuss how we can help make working at the lakefront comfortable for women.

These critical matters are complicated by the "cross-generational" staff working at the beach and the fact that youth are more inclined to blend social and work relationships than more mature workers. It may be a good idea to begin only hiring adults for the lakefront starting next year. However, this will present challenges in terms of recruiting adequate staffing at the lakefront. Another more drastic approach would be to use a contracted vendor to provide these services and absorb the associated liabilities.

I want to encourage beach staff not to fraternize outside of work. I know that it is not realistic to believe that this will stop that from occurring. However, we need to discuss the inherent risks associated with these parties where minors and adults are co-mingling.

Now that I have read the document, I plan to very strongly encourage these brave women to empower their peers to report any criminal offenses to law enforcement. The unfortunate reality is that the predators who enacted sexual violence against women, whether under 18 or over, likely feel emboldened to repeat these offenses.

I had explained that we would need to have further meetings and that the attendance of those meetings will likely need to include the HR Manager, Department Director, Assistant Director, and possibly Interim City Manager. Sensing an uncomfortable pause, I asked if there was an issue. I was told that the group did not necessarily feel comfortable talking to the Department Director. I asked if they would be willing to elaborate and tell me why. I was told that "they did not feel that Lawrence Hemingway would be sympathetic to the side of the victims".

2100 Ridge Ave | Evanston, IL 60201 | 847/448-8242  
[csolomon@cityofevanston.org](mailto:csolomon@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

□

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# Exhibit I

**From:** Jennifer Lin <jlin@cityofevanston.org>

**Sent:** Monday, July 27, 2020 1:20 PM CDT

**To:** Joyce Marter <j.marter@comcast.net>

**Subject:** Re: sexual harassment training

Whenever you are available. How does tomorrow look for you? I can give you a call. With this group, we will have to be specific about the supervisor relationship dilemmas and the minor children relationship dilemmas.

On Mon, Jul 27, 2020 at 12:17 PM Joyce Marter <j.marter@comcast.net> wrote:

I have the dates in my calendar. When would you like to chat? I will likely use the same power point but will change the scenarios to be more pertinent to this group and will set up polls to make it more interactive.

On Mon, Jul 27, 2020 at 11:22 AM Jennifer Lin <jlin@cityofevanston.org> wrote:

Let's reserve August 5 and 6. Maybe you and I can discuss real quickly what this training would look like or you can send me a proposed PPT beforehand.

On Fri, Jul 24, 2020 at 5:02 PM Joyce Marter <j.marter@comcast.net> wrote:

Hi Jen!

Nice to here from you! I'm doing good and hope you and your family are too.

Sure! I could do these on aug 5, 6, 13 or 14. Is that soon enough? (And yes, YIKES. Should I mention statutory rape or not?)

Best,  
Joyce

On Fri, Jul 24, 2020 at 5:28 PM Jennifer Lin <jlin@cityofevanston.org> wrote:

Hi Joyce!

How are you? Hope you and your family are staying safe and healthy!

We are hoping for you to do 2-3 sexual harassment training sessions specifically for our beach staff. They are all seasonal employees and we've just learned about some allegations of rampant sexual activity taking place among beach staff, including sexual relationships/activity between older supervisors and minor staff (15 and 16 year olds). YIKES.

So the training would have to be virtual obviously and we would require attendance from all beach staff and the training would have to specifically discuss the prohibition of sexual relationships between supervisors and staff (consensual or not) and the prohibition of sexual behavior and conduct between all staff during the workday.

We would need you to do these training in the mornings (maybe 8AM-9AM) before the beach staff start their days.

How long would it take for you to come up with the content and what is your availability? We are hoping to get this done ASAP. You could use the same training as you did with other staff from last year and then cut out the scenarios section and then add in the specific content from above.

Let me know.

Thanks, Jen.

--

Joyce Marter, LCPC

Licensed Psychotherapist & National Speaker

Founder of Urban Balance

Past- Chair, Midwest Region of the American Counseling Association

Clinical Case Consultant, The Family Institute

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--



.noto

**Joyce Marter, LCPC**

[She/Her/Hers](#)

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Founder & Psychotherapist, [Urban Balance](#)

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Past-Chair of the Midwest Region, American Counseling  
Association

Chief Brand Ambassador, [Refresh Mental Health](#)

□ □ □ □ □ □

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# Exhibit J

**From:** Raymond Doerner <rdoerner@cityofevanston.org>

**Sent:** Friday, July 31, 2020 6:04 PM CDT

**To:** [REDACTED]

**Subject:** Fwd: Follow up about Lakefront Drug Testing

[REDACTED]

My apologies, I meant to include you on this email. Below is the message I just sent out to staff with an update about drug testing.

Ray

----- Forwarded message -----

**From:** Raymond Doerner <rdoerner@cityofevanston.org>

**Date:** Fri, Jul 31, 2020 at 5:46 PM

**Subject:** Follow up about Lakefront Drug Testing

[REDACTED]

All,

Karen asked me to send the message below to you. I was not going to send out to all Lakefront staff as there was not an initial email sent out and I am concerned it might be confusing to many non-supervisory staff. If I am wrong and you believe the message should go out to all staff, please let me know and I will forward it to everyone. Please feel free to share this information with other staff and if you or anyone else has any questions, please let Adam or myself know.

Ray

Beach Staff:

After further consideration and deliberation, we will not begin randomly drug testing employees at the lakefront this season. Due to the fact that the end of the beach season is quickly approaching and because of ongoing COVID-19 concerns and reduced beach staff, we felt that it was best not to compromise beach operations or subject employees to further exposure.

Thank you.

**Karen Hawk**

Assistant Director Parks, Recreation & Community Services

Parks, Recreation & Community Services

Morton Civic Center

City of Evanston

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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at [cityofevanston.org/EvanstonCares](http://cityofevanston.org/EvanstonCares)

----- Forwarded message -----  
From: **Kelley Gandurski** <[kgandurski@cityofevanston.org](mailto:kgandurski@cityofevanston.org)>  
Date: Fri, Jul 24, 2020 at 5:29 PM  
Subject: Re: random drug testing of lifeguards  
To: Jennifer Lin <[jlin@cityofevanston.org](mailto:jlin@cityofevanston.org)>

I'm fine with that approach. You may want to up the testing to 2 a day for the remaining days, just to get a better sample, but I'll leave that up to you. I like the refuse to test equals next day or termination. I'm good with that.

**Kelley A. Gandurski**  
Corporation Counsel  
Law Department  
Morton Civic Center

Morton Civic Center

City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | [847-448-8009](tel:847-448-8009)

[kgandurski@cityofevanston.org](mailto:kgandurski@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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On Fri, Jul 24, 2020 at 4:43 PM Jennifer Lin <[jljin@cityofevanston.org](mailto:jljin@cityofevanston.org)> wrote:

There are 123 seasonal employees working in beach operations this year. We would propose randomly selecting 1 employee per day to be tested. There are 6 weeks remaining in the beach season so that's 30 employees/days of testing. Give or take \$1200 - that's nothing.

Again, they are seasonal employees so there is no due process required. An employee who tests positive will be terminated effective immediately. I would prefer that an employee who refuses to submit to testing be terminated but an alternative might be to have the employee test the following day and if they refuse again, then termination. An employee who refuses to submit to testing will be required to be tested the subsequent day and if there's another refusal, that employee will be terminated effective immediately. I suspect that there will be some employees who, when called to submit to testing, will resign.

Whatcha think?

On Fri, Jul 24, 2020 at 4:25 PM Kelley Gandurski <[kgandurski@cityofevanston.org](mailto:kgandurski@cityofevanston.org)> wrote:

I agree

**Kelley A. Gandurski**  
**Corporation Counsel**

Law Department  
Morton Civic Center  
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | [847-448-8009](tel:847-448-8009)

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On Fri, Jul 24, 2020 at 4:17 PM Jennifer Lin <[jlin@cityofevanston.org](mailto:jlin@cityofevanston.org)> wrote:

In our Personnel Manual, lifeguards are specifically called out to be a "sensitive position" (see page 61). So our current written drug testing policy already calls them out.

While our current policy does not specifically address random drug testing, we do randomly drug test our CDL drivers and officers of the PD (it's in their contract and GOs). In the Skinner case, the main issue of contention was the required post-accident test that was being imposed on the railway workers; there were no random drug tests. I'm not familiar with the Hillard case so I'm going to look it up now to see what the facts are.

I think as long as the employees are given notice of the random drug testing and we test them in a reasonable non-discriminatory manner, we should be OK.

On Fri, Jul 24, 2020 at 3:51 PM Kelley Gandurski <[kgandurski@cityofevanston.org](mailto:kgandurski@cityofevanston.org)> wrote:

Hi Jen,

I recognize that the City does not have a random drug test policy for lifeguards, but the question was raised, can the City randomly drug test lifeguards now, without a written policy? The answer is yes if (1) the City suspects the employee of being impaired while working or (2) for those in safety sensitive positions. (See case below). Do we classify lifeguard as a safety sensitive position? Is it on the application or job description?

Going forward, we should add this to the policy that lifeguards are considered safety sensitive.

\*919 Both these provisions provide that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures (U.S. Const., amend. IV, Ill. Const.1970, art. I, § 6). The United States Supreme Court has declared that compelled urinalysis constitutes a search or seizure within the ambit of the Fourth Amendment. *Skinner v. Railway Labor Executives' Association*, 489 U.S. 602, 617, 109 S.Ct. 1402, 103 L.Ed.2d 639 (1989). Any compulsory urinalysis must be reasonable when viewed in the light of the circumstances surrounding it. *Skinner*, 489 U.S. at 619, 109 S.Ct. 1402. The United States Supreme Court has upheld drug testing where the governmental employer has reasonable articulable grounds to suspect an employee \*\*179 \*\*\*341 of drug use or involvement. *Ford v. Dowd*, 931 F.2d 1286, 1289 (8th Cir.1991). Moreover, warrantless searches have been allowed where intrusions were based on either reasonable suspicion or "special needs." *Skinner*, 489 U.S. at 619–20, 109 S.Ct. 1402. "Special needs" includes drug testing of employees in "safety-sensitive positions." Police officers have been found to fit within the "safety-sensitive employee" category, since they carry firearms and drive emergency vehicles, and are therefore sensitively situated. *Ford*, 931 F.2d at 1291. As a result, the government has a legitimate interest in assuring that such an employee is drug- and alcohol-free. *Ford*, 931 F.2d at 1290. Although we are not bound by the Federal court decisions, we do believe the general principles in *Ford* give some guidance on this issue.

Hillard v. Bagnola, 297 Ill. App. 3d 906, 919, 698 N.E.2d 170, 178–79 (1998)

**Kelley A. Gandurski**

**Corporation Counsel**

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# Exhibit K

**From:** Karen Hawk <khawk@cityofevanston.org>  
**Sent:** Monday, September 21, 2020 2:48 PM CDT  
**To:** Jerica Cyr <jerica.cyr@jeffellismanagement.com>  
**CC:** Ms. Alyssa C. Moore <alyssa.moore@jeffellismanagement.com>  
**Subject:** Re: Lifeguard Management

Thank you for letting me know.

**Karen Hawk**

**Assistant Director Parks, Recreation & Community Services**

Parks, Recreation & Community Services

Morton Civic Center

City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8294

[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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On Mon, Sep 21, 2020 at 9:02 AM Jerica Cyr <[jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)> wrote:

Good Morning Karen,

Thank you and your team again for your time last week to review the service needs for the City of Evanston.

In discussing with our executive team, we will not be able to complete the proposal process at this time due to the full scope of work entailed.

We appreciate the opportunity to have spoken with you and learn more about the beach operations. If you should have any questions, please do not hesitate to connect accordingly.

Respectfully,

**Jerica Cyr**  
Sr. Director of Operations

**Toll Free** (800) 742-8720  
**Mobile** (319) 631-5755 **Office** (630) 340-3827  
**Mail** [jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)  
**Web** <https://jeffellismanagement.com>  
**Address** 5979 Vineland Rd. Suite 105 Orlando, FL 32819



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On Sep 16, 2020, at 2:38 PM, Jerica Cyr <[jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)> wrote:

Thank you Karen!

**Jerica Cyr**  
Sr. Director of Operations



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**Mobile** (319) 631-5755 **Office** (630) 340-3827  
**Mail** [jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)  
**Web** <https://jeffellismanagement.com>  
**Address** 5979 Vineland Rd. Suite 105 Orlando, FL 32819



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On Sep 16, 2020, at 2:29 PM, Karen Hawk <[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org)> wrote:

She has been added.

**Karen Hawk**  
**Assistant Director Parks, Recreation & Community Services**  
Parks, Recreation & Community Services  
Morton Civic Center  
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8294  
[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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On Wed, Sep 16, 2020 at 1:42 PM Jerica Cyr <[jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)> wrote:

Hi Karen,

When time permits, can you please also add Alyssa Moore to this invitation, she is our IL Area Manager?

Thanks again,

**Jerica Cyr**  
Sr. Director of Operations



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On Sep 16, 2020, at 1:40 PM, Jerica Cyr <[jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)> wrote:

Thank you!

**Jerica Cyr**  
Sr. Director of Operations



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On Sep 16, 2020, at 1:21 PM, Karen Hawk <[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org)> wrote:

Tomorrow at 11am will work. I will send a meeting request. Thank you!

**Karen Hawk**  
Assistant Director Parks, Recreation & Community Services  
Parks, Recreation & Community Services  
Morton Civic Center  
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8294  
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On Wed, Sep 16, 2020 at 1:20 PM Jerica Cyr  
<[jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)> wrote:

Hi Karen,

No problem, I have a small window available from 11am-11:45am CST? If this works for you and your colleague?

If not, we can look at the week of September 28th, when the other person returns.

Sincerely,

**Jerica Cyr**  
Sr. Director of Operations



Toll Free (800) 742-8720  
Mobile (319) 631-5755 Office (630) 340-3827  
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On Sep 16, 2020, at 1:15 PM, Karen Hawk  
<[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org)> wrote:

Hi Jerica

This would be the City of Evanston lakefront. Is it possible to do earlier tomorrow? The other person that I will have on this call is not available at either time you gave me. He is out all week next week.

**Karen Hawk**  
Assistant Director Parks, Recreation & Community Services  
Parks, Recreation & Community Services  
Morton Civic Center  
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8294  
[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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On Wed, Sep 16, 2020 at 1:11 PM Jerica Cyr  
<[jerica.cyr@jeffellismanagement.com](mailto:jerica.cyr@jeffellismanagement.com)> wrote:

Thanks Joe for the introduction and information.

Hi Karen-

Please let me know when a good time is to connect and we can discuss the needs of Prospect Heights lakefront?

I can be available at 4:30pm CST tomorrow or next week Tuesday 9/22 at 9:30am CST.

Look forward to connecting with you soon, thank you.

**Jerica Cyr**  
Sr. Director of Operations



**Toll Free** (800) 742-8720  
**Mobile** (319) 631-5755 **Office** (630) 340-3827  
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On Sep 16, 2020, at 12:48 PM, Joe Stefanyak  
<[joe.stefanyak@jellis.com](mailto:joe.stefanyak@jellis.com)> wrote:

Good Afternoon Karen...

I hope all is well in Evanston and things are returning to a bit more normal during the corona-craziness.

I have copied my colleague Jerica Cyr to this message, as it sounds as though you are looking for services that fall under the Jeff Ellis Management umbrella, not the Ellis & Associates umbrella. Jerica leads our management team, and I am on the consulting side so I think she will be better equipped to discuss your needs than I.

Jerica - I will leave this to you and Karen, with the understanding that if I misinterpreted her needs I am more than willing to help.

Please let me know if I can be of any assistance throughout the process.

Have a great day all!

Joe

**Joseph A Stefanyak**  
Senior Director  
Jeff Ellis & Associates, Inc.



**Toll Free** (800) 742-8720 **Fax** (800) 839-6296  
**Mobile** (724) 600-5373 **Office** (407) 401-7120  
**Mail** [joe.stefanyak@jellis.com](mailto:joe.stefanyak@jellis.com)  
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On Wed, Sep 16, 2020 at 12:45 PM Karen Hawk <[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org)> wrote:

Hi Joe

I was given your name by the Prospect Heights Park District. I am interested in speaking to you regarding the possibility of contracting out our lakefront lifeguard services. We are looking into different options for our operation. Do you have time over the next couple of days that we could possibly speak by phone? Thank you.

**Karen Hawk**

**Assistant Director Parks, Recreation & Community Services**

Parks, Recreation & Community Services  
Morton Civic Center  
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8294  
[khawk@cityofevanston.org](mailto:khawk@cityofevanston.org) | [cityofevanston.org](http://cityofevanston.org)

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# Exhibit L





# Memorandum

To: Honorable Mayor and Members of the City Council

From: Karen Hawk, Assistant Director, Parks, Recreation & Community Services  
Jennifer Lin, HR Division Manager  
Raymond Doerner, Recreation Manager

Subject: Sexual Harassment Concerns on the Lakefront

Date: July 15, 2021

## Background

On July 12, 2020, Parks, Recreation and Community Services (“PRCS”) lakefront managers (Adam Abajian and Ray Doerner) received the below email from [REDACTED] a seasonal lakefront employee:

*“We would like to have a meeting with both of you to discuss an ongoing situation; we would like for you to hear it directly from us. We have created a petition for fair treatment of women at the lakefront. We asked female employees to sign, and to share any personal experiences if they felt comfortable doing so. Absolutely no names were mentioned in our document—we are not pinning the blame on any one person. We were not trying to go about this behind your backs, and we planned to bring this to your attention when we felt ready to do so. Our intention is not to wrongfully accuse or slander anyone; we are just trying to create a work environment in which we can all feel comfortable and safe. Let us know if a time later this week works for you to discuss.*”

*Best regards,*

[REDACTED]

On July 15, 2020, PRCS met with [REDACTED] and was given a printout of a document which appeared to be the petition signed by current and former female Evanston lakefront staff. The petition contained a number of anecdotes and personal stories of alleged sexual misconduct, sexual harassment, sexism, racism, discrimination, and assault perpetrated by lakefront employees against other lakefront employees. None of the stories were directly attributable to any specific individuals; rather, they were summary, anonymous in nature (i.e., there were no specific victims identified), and contained no dates or timelines. The stories also included examples of physical training as discipline, rampant sexual harassment on the lakefront, narcotic

drug use and underage drinking at off-duty parties involving lakefront employees, and sexual activity by and with minors.

### Immediate Action

As soon as PRCS and HR were in receipt of this petition, a meeting was scheduled for July 29, 2020. The attendees were City employees Jennifer Lin (HR), Casey Solomon (HR), Karen Hawk, Ray Doerner and Adam Abajian (PRCS) as well as the four women who sent the email and [REDACTED]

At that meeting, the following issues were identified by the City: 1) criminal action perpetrated against minors during off-duty hours, 2) narcotic drug use and underage drinking by lakefront employees during off-duty hours, 3) the need for repeated sexual harassment training, 4) investigations that needed to be performed, and 5) the cessation of physical training as discipline. PRCS and HR reiterated the importance of employees coming forward to discuss specific accounts of the conduct identified and encouraged the four women to request that the women who signed the petition speak to HR to share allegations of wrongdoing. PRCS and HR representatives expressed extreme concern with the allegations of criminal sexual assault and statutory rape happening off-duty at parties and advised that the women alleging the criminal behavior needed to call the police. [REDACTED] were adamant that the women who signed the petition did not want to come forward to file complaints and did not want a formal investigation. [REDACTED]

[REDACTED] specifically stated they wanted none of the lakefront employees to be disciplined or terminated regarding the allegations and that they had promised anonymity to all the women who signed the petition. Additionally, they did not agree with any suggestions of ceasing physical training as discipline and random drug testing. They insisted that the intent of the petition was not to punish any employees, but to share their concerns. Even when HR pressed the matter about the obligation to investigate allegations of sexual harassment and sexual assault, the four women made it very clear that they did not want any investigations to be completed and wanted no police involvement.

Without anyone coming forward to attest to these allegations, PRCS and HR committed to the [REDACTED] that the alleged culture of sexual misconduct at the lakefront needed to be addressed, through training and remedial action. The City is committed to a zero tolerance policy against sexual harassment and advised the group that incidents of sexual harassment would not be tolerated at the lakefront or any other City department. The City also wanted to consider other recommendations made by [REDACTED] about how to improve other work conditions at the lakefront, which included COVID-19 concerns, abusive behavior by beach patrons, the inability to deal with unruly patrons, the power dynamic amongst staff, and the use of physical training as discipline.

On August 5 and 6 of 2020, the City required all lakefront staff to attend a live sexual harassment training (via Zoom) which specifically addressed the prohibition of sexual

harassment and sexual misconduct by and between lakefront employees. PRCS and HR had another meeting with [REDACTED] August 14, 2020, where all in attendance collaborated on a plan to ensure safety and communication for the remainder of the 2020 season. This plan included designating a trusted PRCS employee who would serve as the HR liaison to receive any and all complaints or concerns, a reminder to all staff about the prohibition against sexual harassment and consequences of violations, a reiteration of a safe reporting process, and a commitment for a better partnership between the Evanston Police Department and lakefront staff for more active involvement in incidents with difficult patrons.

### 2021 Season Preparation

In the Fall of 2020, PRCS reached out to [REDACTED] and provided them the opportunity to be a part of the 2021 season preparations. On February 19, 2021, PRCS and HR met and shared the remedial and additional training that the City would require of lakefront staff and reiterated the City's commitment to ensuring a healthy workplace for all staff at the lakefront. They were satisfied with changes being instituted for 2021, which included some updated policies about the minimum age of certain lakefront employees, equitable compensation, physical training to be used for training purposes only, repeated sexual harassment training, and the power dynamic amongst lakefront staff. PRCS chose not to rehire one male employee where allegations were reported by two different female employees. There were no other allegations made against any other lakefront employees, and no other returning employees were denied employment. PRCS also hired [REDACTED] as the Assistant Lakefront Coordinator to manage lakefront operations, essentially serving as the highest ranking seasonal employee on the lakefront.

HR Manager Jennifer Lin spoke with [REDACTED] on June 26, 2021, who stated that she had witnessed a change on the lakefront and a higher level of staff professionalism. Assistant PRCS Director Karen Hawk also witnessed a higher level of staff professionalism at all of the beaches and in the beach office, observing positive interactions with lakefront staff and improved morale. Erika Doroghazi, the PRCS liaison to HR, also observed more positive interactions between staff and advised that the open lines of communication between beach staff, PRCS and HR remain.

PRCS & HR believes that it has taken the necessary steps to ensure a safe and healthy workplace at the lakefront, while also respecting employees' privacy and wishes (by not repeatedly requesting individuals meet with HR or PRCS to give personal accounts of the allegations where it has been resisted). Unfortunately, neither HR nor PRCS was able to further investigate many of these allegations because staff refused to speak with HR and/or PRCS about the alleged incidents. Due to the anonymous nature of the petition and the specific request that no investigations be performed, the City was very limited in any future actions it could take. Both HR and PRCS repeatedly encouraged [REDACTED] to talk to the women who signed the petition and encourage them to file complaints with HR and/or to call the police. HR and PRCS also

reminded staff that they were DCFS mandated reporters, obligated to report child abuse and neglect.

PRCS remains committed to ensuring everyone's safety and maintaining a healthy work environment at the lakefront and look forward to continuing to work with those who have spoken to the issues to improve operations and employee morale.

# Exhibit M

**From:** Erika Storlie <estorlie@cityofevanston.org>

**Sent:** Monday, July 19, 2021 4:55 PM CDT

**To:** Clare Kelly <ckelly@cityofevanston.org>; Peter Braithwaite <pbraithwaite@cityofevanston.org>; Melissa Wynne <mwynne@cityofevanston.org>; Jonathan Nieuwsma <jniewwsma@cityofevanston.org>; Bobby Burns <bburns@cityofevanston.org>; Thomas Suffredin <tsuffredin@cityofevanston.org>; Eleanor Revelle <erevelle@cityofevanston.org>; Devon Reid <dreid@cityofevanston.org>; Richardson, Kimberly <krichardson@cityofevanston.org>; Kelley Gandurski <kgandurski@cityofevanston.org>

**CC:** Nicholas Cummings <ncummings@cityofevanston.org>

**Subject:** Update - Lakefront Issue and Statement

**Attachment(s):** "CITY OF EVANSTON Mail - Fwd\_ Lakefront Grievances.pdf", "Petition\_Redacted.pdf", "Lakefront-Staff-Demands.pdf"

After having had some time yesterday to review my emails to further understand what happened, my conclusion is that the Petition was never shared with me and all actions I took were in response to the Demand Letter (both attached). I found the email below (also attached) from August 2020 that references the petition and in it I advise that I have no knowledge of a petition. The only piece of information I was operating off of the entire time was the Demand Letter and its reference to a culture of harassment. I was never aware of the more serious allegations contained in the Petition, despite many interactions and discussions with staff. This is not acceptable.

Based on the conclusion that the Petition was not shared with me or anyone else in the City Manager's Office or the Law Department I believe discipline is necessary. Effective today, the Human Resources Division Manager is being placed on administrative leave and I am discussing with Corporation Counsel any additional discipline that should be imposed for anyone else who was in receipt of the Petition but failed to properly bring it to their supervisor.

Also:

- I am working with Mayor Biss on an update to the statement that will be on the website by the end of the day
- I will work with Mayor Biss on a separate statement to go out later this week advising of the outside review once we have contracted with the law firm who will conduct said review
- PRCS staff met with all lakefront seasonal employees on all shifts over the weekend and reminded them of how they can anonymously report any misconduct and that EAP support was available if needed
- The redacted Petition is attached along with the original Demand Letter
- Additionally, an email is going out to all city staff reminding them of their ability to anonymously report misconduct

I look forward to the external review and I am committed to finding out the facts and holding staff accountable.

**Erika Storlie**  
City Manager  
City of Evanston  
847.866.2936

# Exhibit N

**From:** [REDACTED]  
**Sent:** Sunday, July 18, 2021 11:23 PM CDT  
**To:** Adam Abajian <aabajian@cityofevanston.org>; [REDACTED]

**Subject:** The Beaches Must be Closed

To Adam, [REDACTED], and Ray,

It is both my personal and professional opinion that until the City of Evanston is able to come to an appropriate, definite, and successful resolution to the problems that still persist that were laid out in the article, the Evanston beaches should be closed. This of course means that staff would not be working during the duration of the closure. Everyday that passes without meaningful action while staff is still working is a day where you are complacent in allowing serial sexual harassers and abusers access to new victims, or allowing them the opportunity to cover their tracks, not to mention paying them while they do it.

I would also like to express my concern that in the past few days guards have been asked to give solutions to the problems laid out in the article. Obviously, I think that we are a good resource for finding potential solutions. However, ultimately, the responsibility is yours.

Sincerely,

[REDACTED]



**From:** Raymond Doerner <rdoerner@cityofevanston.org>  
**Sent:** Saturday, July 17, 2021 9:33 PM CDT  
**To:** Jennifer Lin <jlin@cityofevanston.org>; Karen Hawk <khawk@cityofevanston.org>; Lawrence Hemingway <lhemingway@cityofevanston.org>  
**Subject:** Fwd:

Sent from my iPhone

Begin forwarded message:

**From:** Adam Abajian <aabajian@cityofevanston.org>  
**Date:** July 17, 2021 at 9:15:01 PM CDT  
**To:** Raymond Doerner <rdoerner@cityofevanston.org>  
**Subject:** Fwd:

----- Forwarded message -----

**From:** [REDACTED]  
**Date:** Sat, Jul 17, 2021 at 8:53 PM  
**Subject:**  
**To:** Adam Abajian <[abajian@cityofevanston.org](mailto:aabajian@cityofevanston.org)>

Hello Adam,

While I understand that making a formal report about the situation that we discussed earlier today would help solidify the termination of problematic staff, I can't in good conscience make a formal report that would mean contacting the victim without her consent. I cried after our discussion and can't imagine what it would do her to have to dredge that memory up.

Setting aside the HR requirements and policies to terminate someone, I am unable to understand how you, a father of three girls, are able to sit by and continue to provide employment to serial sexual harassers and abusers. What you are asking of your staff places the pressure on the wrong parties. You are currently actively fostering an unsafe work environment for all of your employees.

The onus is on you to put your house in order,  
[REDACTED]

# Exhibit O

**CITY OF EVANSTON PERSONNEL MANUAL**

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## **DISCLAIMER**

- a. This current Personnel Manual (the "Manual") containing the City of Evanston (the "City") personnel rules replaces and supersedes any previous policies, procedures, documents, or manuals in place and issued by the City. Where a collective bargaining agreement exists relative to certain employees covered by such agreement, the provisions in such agreement control in the event that such terms conflict with the contents of this manual.
- b. This Manual creates no rights, contractual or otherwise, between the City, any prospective or current employee, or any other person. It is not a legal document.
- c. The Manual summarizes current policy and shall not be considered or interpreted as terms of an implied contract or an express contract between the City and an employee.
- d. This Manual is a general statement of employee benefits and other applicable policies.
- e. Statements of policy contained in this Manual are not made for the purpose of inducing any person to become or remain an employee of the City, and shall not be considered "promises" or granting "property" rights to employment for a fixed, indefinite, or continuing term.
- f. Nothing in this Manual impairs the right of the City or the employee to terminate the employment relationship at will, subject to any applicable provisions of certain Collective Bargaining Agreements between a bargaining unit and the City.
- g. The City reserves the right to amend, modify, and/or revoke any policies, practices, procedures and standards summarized in this Manual. When this occurs, proper notice will be given to affected parties with an opportunity to meet and confer.

## **CITY OF EVANSTON PERSONNEL MANUAL**

### **INTRODUCTION**

It is the purpose of this Manual to set forth the personnel rules and policies of the City of Evanston. The responsibility of development, maintenance and management of the personnel rules is assigned to the Human Resources Division.

Employees shall familiarize themselves with this manual, shall execute an acknowledgement that they read and reviewed this manual, and shall at all times comply with these guidelines and policies. This Manual is available on the City's Intranet for easy access.

It is the goal of the City to recruit, retain and develop the most qualified individuals within a diverse organization for all City departments. This Manual provides the framework within which to achieve these goals.

The use of the masculine pronoun in this document is for convenience and ease of use only; the masculine pronoun includes the feminine pronoun as well.

The terms "City Manager" and "Department Director" should be read as to include a designee in the management structure of the entity, e.g., City Manager designees include Assistant City Manager; Department Director designees include Assistant Director or Division Manager, as applicable.



## **CHAPTER I: EMPLOYMENT**

### **Section 1. Filling Vacancies**

The City's goal is to recruit and hire the most qualified individuals for all City departments. To reach this goal, position vacancies are publicized to a wide audience of potential applicants. Current City employees are encouraged to prepare for, and apply for, any position vacancy. Although the City retains the right to hire or promote the most qualified individuals to vacant positions, it is the City's desire to fill vacant positions with existing City employees who clearly demonstrate they are the most qualified for the positions they seek to fill.

Whenever a vacancy is to be filled, the Department Director shall complete and submit to Human Resources a requisition form to fill the vacancy. The requisition shall include all necessary information regarding the position to be filled including, but not limited to, job title, updated job description, hours of work, recruitment sources specific to the position, equal employment opportunity goals, and reason for vacancy. Human Resources will then initiate a recruitment process once it has received approval from the City Manager to fill the vacancy.

Position vacancies are posted for a minimum of ten calendar days; the specific posting period is shown on each Job Opportunity posting.

In certain instances, position vacancies will be posted as internal only via the City's Intranet. Internal vacancies will also be posted for a minimum of ten calendar days.

#### **Section 1.1. Recruitment**

It is the policy and practice of the City to recruit employees based on ability, knowledge and skills, and to create and maintain a diverse employee population consistent with the City's Equal Employment Opportunity policies and goals.

#### **Section 1.2. Application Process**

Interested individuals are encouraged to check the City's website ([www.cityofevanston.org](http://www.cityofevanston.org)) for vacancies.

All candidates for employment with the City shall submit a formal online application with the Human Resources Division pursuant to the guidelines established for submitting such applications. Applications should not be submitted to the hiring department. Resumes and/or applications received by the hiring department must be forwarded to HR immediately upon receipt. Candidates must comply with the requirements for application submission as indicated on the Job Opportunity for the position in question. Applications are only accepted through the City's online application system. Applications submitted after the closing date indicated on the Job Opportunity will not be considered.

Applicants must ensure that their mailing address, phone number and email address are accurate at all times during the selection process. Failure of an applicant to notify the Human Resources Division of a change in contact information may result in the disqualification of an applicant based on the inability to contact the applicant.

#### **Section 1.3. Minimum Requirements and General Qualifications**

Applications will be reviewed by the Human Resources Division and the hiring department to determine if the minimum requirements have been met by the applicant.

Applicants for positions in the City must meet minimum requirements established by the hiring department and the Human Resources Division as may be appropriate for the proper and competent performance of the duties and responsibilities involved. General qualifications may include, but are not limited to, education, work experience, physical ability to perform the position, character, and legal authorization to be employed in the United States. Applicants who do not meet the minimum requirements specified in the Job Opportunity will not be considered.

Specifications as to age or education may be identified as requirements provided they are a bona fide occupational requirement.

Citizenship may be required for certain positions where it is deemed to be a valid prerequisite or otherwise required by law.

#### **Section 1.4. Rejection of Applications**

The Human Resources Division may reject an application for employment for the following reasons including, but not limited to:

1. The applicant falsified or failed to complete the application, or otherwise made a false statement of a material fact, or practiced fraud, or attempted deception in the application, in the test, or in attempting to secure appointment.
2. The applicant, at the time of application or appointment, tests positive as a result of the mandatory pre-employment drug and alcohol screening.
3. The applicant has been convicted of a misdemeanor or felony related to the employment sought. Persons who have engaged in any act or conduct prohibited by State or Federal statutes or municipal ordinance will be subject to review of such record by the Human Resources Division Manager or designee and may be subject to disqualification. In making such review, extenuating circumstances shall be taken into consideration including, but not limited to, the person's record since the incident, the nature of the conduct, and the length of time since the incident.
4. The applicant was previously employed by the City and was dismissed for cause, or resigned not in good standing, and is not currently eligible for re-employment by the City, or the applicant was dismissed for relevant cause by another employer.

#### **Section 2. Probation**

Applicable probationary periods are specified in employees' respective collective bargaining agreements. Successful completion of an employee's probationary period does not grant the employee property rights for continued or guaranteed employment.

## **CHAPTER II: POSITION CHANGES - EMPLOYEES**

Employees of the City are encouraged to pursue careers within the City. In accordance with the City's goal to hire and retain the most highly qualified employees, current employees who apply for a new position must compete with applicants who are not City employees, unless the position is posted as internal only. Through the competitive process, employees have the opportunity to demonstrate their skills, knowledge and abilities, building on their experience with the City. Although the City retains the right to hire or promote the most qualified individuals to vacant positions, it is the City's desire to fill vacant positions with existing City employees who clearly demonstrate they are the most qualified for the positions they seek to fill.

### **Section 1. Promotion**

A promotion shall mean advancement in job classification and pay grade. Promotions are made through a competitive process or with the approval of the City Manager. Such processes will give appropriate consideration to the applicant's qualifications, record of performance and ability.

An employee who is promoted must assume the new position within two weeks of the offer and acceptance of the position. No Department Director may delay a promotional move beyond the two weeks unless there is written documentation and approval by the City Manager of the need for such delay.

For promotion to the rank of Police Sergeant, only City of Evanston Police Officers are eligible for the examination.

For promotion to the rank of Fire Captain, only City of Evanston Firefighters are eligible for the examination. For promotion to the rank of Fire Shift Chief, only City of Evanston Fire Captains are eligible for the examination.

### **Section 2. Reclassification**

A reclassification shall mean a change from one job position or title to another that typically results in a change in pay. Reclassification usually occurs when a department wants to change the position to better meet the needs of the department or when the position's duties or responsibilities have changed.

Departments wishing to reclassify a position must submit a reclassification request and an updated job description to the Human Resources Division before a reclassification will be approved. Reclassifications requests must be submitted to the Human Resources Division Manager and approved by the City Manager.

### **Section 3. Transfer**

A transfer is the movement of an employee to a vacant position in the same classification as currently held by the employee. This may either be to a different division or different department.

An employee who is transferred must assume the new position within two weeks of the offer and acceptance of the position. No Department Director may delay a transfer move beyond the two weeks unless there is written documentation and approval by the Human Resources Division of the need for such delay.

An employee may be transferred to a vacant position in the same classification as currently held by the employee without going through a competitive process in certain circumstances such as position

elimination, staff reorganizations or similar events which are deemed to be in the best interests of the City. Such transfer situations must be documented and approved by the Human Resources Division Manager.

#### **Section 4. Voluntary Reduction**

An employee may apply for a position having a lower classification and pay grade.

Employees may apply for a position representing a voluntary reduction and must successfully complete the competitive process.

An employee who assumes a position as a result of a voluntary reduction must assume the new position within two weeks of the offer and acceptance of the position. No Department Director may delay such move beyond the two weeks unless there is written documentation and approval by the Human Resources Division of the need for such delay.

An employee may be placed in a vacant position with a lower classification and pay grade without going through a competitive process in certain circumstances such as position elimination, staff reorganizations or similar events which are deemed to be in the best interests of the City. Such situations must be documented and approved by the Human Resources Division Manager.

Temporary or emergency employees shall be not granted a request for a voluntary reduction.

In the event of a pending layoff, employees may be given preference according to seniority in job classification, location and merit.

#### **Section 5. Temporary Transfer**

A temporary transfer is an assignment of an employee from one position to another for the purpose of covering a vacant position or similar events. This provision is not intended to be used in situations involving vacations, short term illness or injury, but for situations including:

- A vacancy of longer-than-normal duration, i.e., where a change is being proposed in the position, a reorganization involving the position is being studied, or similar cases.
- Long term illness or disability of an employee.

Temporary transfers will not be used for a period of time of two weeks or less. They may not be used for adding duties during a normal vacancy process.

Departments wishing to institute a temporary transfer must make the recommendation in writing, with justification, to the Human Resources Division in advance of taking such action. Temporary transfers must be approved by the Human Resources Division Manager.

For approved temporary transfers, where the position is classified in a higher pay grade than the employee's current pay grade, the employee's title shall be "Acting" in the new capacity, and shall be paid at the rate equivalent to three steps above the current salary, but in no case above the maximum for the position to which the employee is temporarily transferred.

For employees assuming "Acting" status in a management position (as listed in the exempt pay plan), the temporary pay will be assigned based on the employee's current salary and the position being temporarily transferred to, and the extent to which the "Acting" employee is expected to execute the duties and responsibilities of the new position.

**Section 6. Temporary Duty Assignment**

Upon recommendation of a Department Head and approval by the Human Resources Division Manager, a Department Head or the City Manager may assign an employee, on a temporary basis, to perform an assignment, project or special task. Such assignments are temporary in nature, not to exceed one year. A Temporary Duty Assignment (TDA) may be renewed for a second year, based on the nature of the project and the employee's performance in that assignment. Renewals must be requested by the Department Director with the justification in advance of completion of the initial year.

Additional compensation may be granted for such TDA. As the TDA is a special project not regularly assigned to a position, the compensation will be determined based on the specific project to be performed. Additional discretionary compensation may be given in a flat dollar amount for a task or project to be completed or a percentage increase to assume some duties of another position on a temporary basis. When the assigned duties results in the assumption of another position completely, then a Temporary Transfer as outlined above shall be applicable to the circumstances rather than a TDA.

Upon completion of the TDA, the employee will return to his regular position, and any additional compensation will cease.

## **CHAPTER III: DISCIPLINE**

### **Section 1. Policy**

For the sake of completeness and clarity, the disclaimer on page 5 is set forth in its entirety as follows:

- a. This current Personnel Manual containing the City's personnel rules replaces and supersedes any previous policies, procedures, documents, or manuals in place and issued by the City. Where a collective bargaining agreement exists relative to certain employees covered by such agreement, the provisions in such agreement control in the event that such terms conflict with the contents of this Manual.
- b. This Manual creates no rights, contractual or otherwise, between the City, any prospective or current employee, or any other person. It is not a legal document.
- c. The Manual summarizes current policy and shall not be considered or interpreted as terms of an implied contract or an express contract between the City and an employee.
- d. This Manual is a general statement of employee benefits and other applicable policies.
- e. Statements of policy contained in this Manual are not made for the purpose of inducing any person to become or remain an employee of the City, and shall not be considered "promises" or granting "property" rights to employment for a fixed, indefinite, or continuing term.
- f. Nothing in this Manual impairs the right of the City or the employee to terminate the employment relationship at will, subject to any applicable provisions of certain Collective Bargaining Agreements between a bargaining unit and the City.
- g. The City reserves the right to amend, modify, and/or revoke any policies, practices, procedures and standards summarized in this Manual. When this occurs, proper notice will be given to affected parties with an opportunity to meet and confer.

Employees are expected to perform the duties and responsibilities of their positions in a competent, courteous, and professional manner. When employees fail to do so, their behavior and performance are detrimental and disruptive to the effective operation of their department and the City. In such circumstances, corrective action will be taken, which may include, depending on the specific circumstances, counseling, training, and/or disciplinary action. Discipline is intended to correct unacceptable employee actions, including poor performance, to improve behavior that is detrimental and/or disruptive, and to create a consistent, positive working environment for all employees.

Depending upon the level of the infraction, discipline may begin at the level of a verbal or written reprimand. Certain disciplinary steps may be omitted, depending upon the seriousness of the offense. Each time the same or similar infraction occurs, more stringent disciplinary action takes place. It is not necessary that the employee violate the same rule or have the same incident occur to draw upon **previous corrective disciplinary actions**. The **employee's general behavior pattern** will be used in determining the next level of discipline. If past behavior relates to the present problem, past action will be taken into consideration.

- a. For AFSCME employees, the City's disciplinary process follows procedures set forth in the collective bargaining agreement, as well as certain rules in this Manual.
- b. For Police Department employees, the City's disciplinary process follows procedures set forth in the collective bargaining agreement, as well as certain rules in this Manual, Department General Orders, and the **Uniform Peace Officers' Disciplinary Act**.

- c. For Fire Department employees, the City's disciplinary process follows procedures set forth in the collective bargaining agreement, as well as certain rules in this Manual, Department General Orders, and the Firemen's Disciplinary Act.
- d. All employees in non-union positions are at-will employees and serve the City at the pleasure of the City Manager. All employees in non-union positions can be disciplined or terminated by the City Manager. The discipline policy and the disciplinary action levels set forth below do not limit the grounds for suspension or termination.

## **Section 2. Disciplinary Action Levels**

In accordance with the discipline policy, the following disciplinary action levels are available to the Department Director. Nothing in the discipline policy limits the Department Director from utilizing, or the City Manager from approving, disciplinary action which varies from the sequence of disciplinary action levels set forth below.

Examples of offenses that may warrant any of the below levels of discipline include, but are not limited to:

- Misuse of confidential or proprietary information, including customer or personnel records, reports or tests, or any department files, documents, or data;
- Failure to follow instructions or failure to work in accordance with City policies, procedures, or practices;
- Repeated or excessive tardiness or absence from work, without justification or proper notification;
- Leaving assigned place or area of work during working hours without permission of the supervisor;
- Smoking in prohibited areas;
- Insubordination and/or violation of any City policies;
- Negligence in the performance of duties;
- Intimidating or coercing other employees through physical or verbal threats;
- Sleeping or inattention to duty during working hours; or
- Performance at a less than satisfactory level in any job classification.

### **Section 2.1. Verbal Reprimand**

Defines an inappropriate action or omission which includes a warning that the incident is not to be repeated. A verbal reprimand is generally given by the employee's immediate supervisor in a private meeting. Verbal reprimands will be documented in writing and placed in the employee's personnel file to substantiate the start of corrective discipline. All necessary documentation should be recorded on the disciplinary action form. The employee must be told clearly what the infraction is, how to correct the problem and what further disciplinary action may result for failure to comply with the recommended corrective action and/or future instances of the same type of incident. Verbal reprimands must be approved by the Human Resources Division Manager or designee before being issued to the employee. All verbal reprimands, after issuance, must be submitted to the Human Resources Division for placement in the employee's official personnel file. Copies will be given to the employee, sent to the employee's union, if applicable, and retained in the employee's personnel file for future reference. Verbal reprimands are valid for a period of (6) six months following the date of issuance.

### **Section 2.2. Written Reprimand**

May follow one or more verbal reprimands issued to an employee for repeated offenses or for infractions of a more serious nature. The written reprimand is generally given by the employee's immediate supervisor in a private meeting. Written reprimands must be placed in the employee's personnel file. All necessary documentation should be recorded on the disciplinary action form. The employee must be told clearly what the infraction is, how to correct the problem and what further disciplinary action may result for failure to comply with the recommended corrective action and/or future instances of the same type of incident. Written reprimands must be approved by the Human Resources Division Manager or designee before being issued to the employee. All written reprimands, after issuance, must be submitted to the Human Resources Division for placement in the employee's official personnel file. A copy must be given to the employee, sent to the employee's union, if applicable, and retained in the employee's personnel file for future reference. Written reprimands are valid for a period of (12) twelve months following the date of issuance.

### **Section 2.3. Suspension**

The temporary removal of the employee from the payroll.<sup>1</sup> A suspension may be initiated when lesser forms of disciplinary action have not corrected the employee's behavior or for first offenses of a more serious nature. Examples of offenses of a serious nature which may warrant a suspension for a first offense include, but are not limited to:

- Deviation from the work rules, safety rules, department or City policy;
- Consumption or use during working hours of any amount of alcohol or illegal drugs;
- Falsification or misuse of time sheets or records through misstatement or omission;
- Fighting or assaulting an employee or citizen;
- Theft or unauthorized possession of City property or funds;
- Insubordination;
- Abuse of sick leave;
- Failing to disclose any information requested or providing a false or misleading answer to any question in any application, questionnaire, information form, or other document provided by the City;
- Making false, willfully inaccurate or deliberately incomplete statements in an official inquiry, investigation or other official proceeding;
- Engaging in any act or conduct prohibited by state or federal statutes or local ordinance that is related to the employee's position and/or impacts on the employee's ability to perform in his position;
- Negligence in the performance of duties;
- Conduct unbecoming a City employee; or
- Gross Incompetence. For the purpose of the discipline policy, gross incompetence is defined as the acts or omissions of an employee related to the employee's job duties which prejudice official City business and/or fail to conform to reasonable standards of job performance. It is not necessary to find a continuing series of acts or omissions to substantiate a finding of gross incompetence. Such a finding may be substantiated by one act or omission of a serious nature which demonstrates the employee's inability to properly fulfill and meet job related duties and/or which is so serious as to pose a clear and present danger to the municipal corporation or members of the public.

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<sup>1</sup> Administrative leave is not equivalent to a suspension. Administrative leave is paid leave which does not result in the temporary removal from the payroll, whereas a suspension is unpaid leave.



The number of days of suspension will depend on the severity of the act. Admission of the above listed offenses may also result in termination. Periods of suspensions are a permanent part of the employee's personnel file.

Department Directors may issue suspensions of up to five days to non-sworn non-union employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager or designee without a pre-disciplinary meeting. Suspensions for union employees must be consistent with the City's collective bargaining agreements. Police and Fire Chiefs may issue up to 24 hours of suspension to sworn employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager or designee.

#### **Section 2.4. Demotion**

The assignment of an employee to a vacant position at a lower pay range, based on the employee's failure to conform to reasonable standards of job performance or other inappropriate behavior related to the specific position.

#### **Section 2.5. Termination**

The complete severance of the employer-employee relationship. This may be implemented when other disciplinary steps failed to correct improper action by an employee or for first offenses of a serious nature. Examples of offenses of a serious nature which may warrant a termination for a first offense include, but are not limited to:

- Deviation from the work rules, safety rules, department or City policy;
- Consumption or use during working hours of any amount of alcohol or illegal drugs;
- Possession of an unauthorized weapon at the workplace;
- Willful destruction of City property;
- Insubordination;
- Fighting or assaulting an employee or citizen;
- Falsification or misuse of time sheets or records through misstatement or omission;
- Theft or unauthorized possession of City property or funds;
- Failing to disclose any information requested or providing a false or misleading answer to any question in any application, questionnaire, information form, or other document provided by the City;
- Making false, willfully inaccurate or deliberately incomplete statements in an official inquiry, investigation or other official proceeding;
- Abandonment of position;
- Engaging in any act or conduct prohibited by state or federal statutes or local ordinance that is related to the employee's position and/or impacts on the employee's ability to perform his job; or
- Gross Incompetence. For the purpose of the discipline policy, gross incompetence is defined as the acts or omissions of an employee related to the employee's job duties which prejudice official City business and/or fail to conform to reasonable standards of job performance. It is not necessary to find a continuing series of acts or omissions to substantiate a finding of gross incompetence. Such a finding may be substantiated by one act or omission of a serious nature which demonstrates the employee's inability to properly fulfill and meet job related duties and/or which is so serious as to pose a clear and present danger to the municipal corporation or members of the public.

### **Section 3. Disciplinary Process**

The following processes will be utilized in determining whether disciplinary action is warranted, and if so, the appropriate level of discipline. Unless required by Section 3.1(a) below, a failure to follow any element of the process will not affect the City's ability to seek appropriate discipline.

- Supervisor/manager conducts a necessary investigation to determine the factual basis of an incident, including an assessment of the level of disciplinary action necessary to correct the behavior. The severity of the infraction and previous disciplinary actions are part of the assessment.
- Verbal reprimands and written reprimands are issued in writing by the Department Director with the prior approval of the Human Resources Division Manager or designee and submitted to the Human Resources Division to be placed in the employee's personnel file. Employees receiving a verbal or written reprimand are not entitled to a pre-disciplinary meeting. Verbal and written reprimands should include an account of the employee's statement of events.
- Department Directors may issue suspensions of up to five days to non-sworn non-union employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager. Non-sworn non-union employees receiving a suspension of up to five days are not entitled to a pre-disciplinary meeting. Suspensions for union employees must be issued consistently with the City's collective bargaining agreement obligations.
- Police and Fire Chiefs may issue up to a 24 hour suspension to sworn employees without a pre-disciplinary meeting, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager. Any disciplinary action above a 24 hour suspension will be subject to a pre-disciplinary meeting as outlined in this Section and any other respective collective bargaining agreements.

#### **Section 3.1. Pre-Disciplinary Meeting**

##### **(a) Union Employees**

For union employees who are entitled to a pre-disciplinary meeting pursuant to this Manual and respective collective bargaining agreements, the Department presents written notice of the charges being brought, rights of representation for union members, and notice of meeting. Such notice should be issued consistent with the City's collective bargaining agreement obligations and will be given to the affected employee and union representatives.

##### **(b) Non-Union Employees**

The Department presents written notice to the employee of the charges being brought and notice of meeting. Pre-disciplinary meetings may take place for suspensions exceeding five days or termination. In cases of gross incompetence and/or clear and present danger, a pre-disciplinary meeting may only be convened in the sole discretion of the City. Nothing in this Section 3.1 shall be construed as creating an express or implied contractual right to continued employment or a pre-disciplinary meeting.

##### **(c) Process**

The purpose of the pre-disciplinary meeting is the employee's chance to explain, defend, and/or rebut the charges prior to discipline being issued. It is not an evidentiary hearing. The Human Resources Division will conduct the meeting with involvement from the employee and the Department Director or Division Head. The pre-disciplinary meeting should include a statement from the respective manager recounting the rationale for the proposed discipline.

After consideration of the discussion, facts and information presented at the meeting, the Human Resources Division will make a recommendation to:

- Maintain the original level of disciplinary action;

- Reduce the level of disciplinary action; or
- Take no disciplinary action.

The Human Resources Division promptly issues to the employee the written decision and the disciplinary action being taken (except for termination of non-union employees) and will provide a copy of the disciplinary record to the Law Department.

**Section 3.2. Appeal Rights of Employees**

Employees covered by a collective bargaining agreement shall utilize the applicable contract for appeals of disciplinary actions, up to and including termination.

Non-union employees (except for Department Directors, employees of the City Manager's Office or employees of the Law Department) who have been suspended for ten or more working days, suspended for a second time within six months, demoted, or terminated may appeal these actions to the City Manager or designee. Such written appeal must be filed with the Human Resources Division Manager within ten (10) calendar days of notice of such disciplinary action. The filing of an appeal does not create an express or implied contractual right to have the appeal heard, employment reinstated, or the discipline modified.

**Section 4. Abandonment of Position**

Any employee who absents himself from duty for a period of three (3) consecutive working or duty days without permission of, or contact with, his supervisor or Department Director shall be considered as having abandoned his employment and as having separated himself from the service of the City.

Department Directors must notify the Human Resources Division Manager immediately of such situations, who will review the information and determine whether or not termination will be approved. If termination is approved by the City Manager, the employee will be notified in writing.

## **CHAPTER IV: EMPLOYMENT CONDITIONS**

### **Section 1. Hours of Work**

Full-time employees are normally scheduled to work either 7.5 hours/day - 37.5 hours/week, or 8 hours/day - 40 hours/week, based on job classification and department. Employees are informed of their normal work schedule at time of hire.

Regular part-time employees are scheduled to work based on the needs for the position. Scheduling information is posted on the Job Opportunity and employees are informed of their working schedule at time of hire.

Civic Center hours of operation are generally 8:30 a.m. to 5 p.m., Monday through Friday. Other City facilities (Police Station, Fire Stations, Recreation Centers, Service Center, Water Plant, Library, etc.) operate on a schedule as determined by the services delivered and needs of the Department.

Employees are entitled to a 15 minute break for each 4 hours of work time. Full-time employees are therefore entitled to one break in the first half of the work day, and one in the second half of the work day. Employees may not combine their breaks for the day into one break period without specific approval of their supervisor. Employees may not schedule such breaks to start the work day later than normally scheduled, or end the work day earlier than normally scheduled. Department Directors will determine lunch periods, which are unpaid. All employees who work 7 hours or more must take a lunch break of at least 20 minutes. Employees cannot skip a lunch break.

#### **Section 1.1. Changes in Work Schedules**

Changes to normal work hours may be made on a temporary or permanent basis, by the Department Director, based on operational needs. Such changes will be communicated to the employees at least 48 hours in advance for temporary work hour changes, and at least two weeks in advance for permanent changes. For employees covered by a collective bargaining agreement, notice requirements to the Union, and the time frame in which those changes must be transmitted to the Union, must be followed. Changes to normal work hours may be made without advance notice in cases of emergencies.

Employees may request a temporary or permanent change in their assigned work schedule based on personal needs such as child care scheduling. Those requests will be considered by the Supervisor/Department Director on a case by case basis; such consideration will include the nature of the request and duration, the impact on the operation and service delivery, the applicable Union contract, the Fair Labor Standards Act, and related laws and guidelines. Requests may be denied based on operational impact. The Department Director should consult with Human Resources when considering such requests. If approved, both the employee and the Department Director will sign a memorandum indicating the details of the changes in working hours, the duration of such changes, and similar details; a copy of the memo must be sent to Human Resources for placement in the employee's personnel file.

#### **Section 1.2. Tardiness**

If an employee has to, for any reason, arrive at work after the normal starting time, he must inform his supervisor as soon as possible, but no later than 15 minutes before normal starting time. (Union employees must follow the rules for their bargaining unit.) Calling in does not excuse the tardiness.

Department Directors may make rules specific to that department regarding the reporting of late arrivals. Those rules must be distributed to all affected employees in the Department.

Tardiness and/or failure to notify the supervisor within prescribed time limits will result in disciplinary action. Excessive tardiness and/or failure to report will result in disciplinary action up to and including termination. The City reserves the right to investigate the circumstances relative to any employee tardiness.

### **Section 1.3. Flexible Working Schedules (Flextime) and Telecommuting**

Flexible working schedules and telecommuting may be permissible in certain circumstances. Generally, any proposed working schedule must:

- Be consistent with the Fair Labor Standards Act;
- Be consistent with any applicable Union contract;
- Provide appropriate levels of staffing throughout the regular work day/week; and
- Be consistent with providing excellent customer service, both externally and internally.

Departments and work sites may consider instituting flexible working schedules and/or telecommuting. Human Resources must be consulted early in the process of considering any alternative working schedule and must approve the final design and implementation of such a schedule. Written documentation of each employee's schedule, payroll and paid leave issues, duration and all related issues must be provided, and copies placed in the affected employees' personnel files.

### **Section 1.4. Time Clocks/Time Keeping**

Written documentation is required by Federal Law of actual hours worked by employees covered by the Fair Labor Standards Act and any other employee granted eligibility by the City for overtime compensation. (For further information, see Section below regarding compliance with the Fair Labor Standards Act.)

Department managers and supervisors are responsible for approving reports of time worked in order to provide accurate compensation for employees. Departments may choose, based on the best interests of the department, to use either hard copy sign-in sheets, or to use automated time clocks. Non-exempt employees eligible for overtime compensation must comply with the time keeping method chosen by the department management.

Each department/division may issue specific rules and procedures regarding time keeping. Employees must do the following:

- Employees must sign in/clock in at the beginning of their scheduled starting time every work day.
- Employees must sign out/clock out at the beginning of their lunch hour, and sign in/clock in upon return from lunch.
- Employees must sign out/clock out at the end of their scheduled work day.
- Employees must record their own time; no employee may record hours worked for another employee under any circumstance. Employees who sign/clock in or out for another employee will be subject to disciplinary action. Employees witnessing or having knowledge of inappropriate handling or use of an employee's time sheet/card must report same to the supervisor.
- Employees must accurately report hours worked. Employees may not sign in/clock in more than 7 minutes prior to their scheduled starting time, or sign out/clock out more

than 7 minutes after their scheduled ending time, unless otherwise approved, in order to avoid unauthorized overtime compensation.

- Work performed outside of the regular schedule must be authorized in advance by a supervisor or other designated manager. Overtime reported for compensation (either pay or compensatory time) must be approved in writing by a supervisor or other designated manager on time sheets submitted each pay period.
- Employees who are tardy must sign in/punch in at the time they arrive at work and actually begin work.
- Unauthorized overtime work must be compensated, but the employee involved may be subject to disciplinary action.
- An employee who is unable, due to work assignment, to sign/clock in or out of work must have their time sheet/time card completed by the supervisor and signed by that supervisor.
- Employees may not voluntarily give up their lunch period and waive overtime pay. Employees cannot give up or shorten their lunch period to arrive at work later or leave work earlier. Schedule changes to an employee's workday must be approved in writing by the supervisor.
- Employees and department managers must be able to provide documentation of overtime worked, including proper authorization and recording, to the City Manager's Office, Finance and/or Human Resources Division. Such records must be kept by the department for at least three years.
- Employees who find the time clock inoperable must report it immediately to a supervisor or manager, and paper sign-in/sign-out sheets will be used until the time clock is fixed.

Employees are expected to be ready to work at their assigned time and place, and to work their scheduled hours. Questions regarding time keeping requirements should be directed to the Human Resources Division.

### **Section 1.5. Weather Events and Emergency Notification**

All employees are expected to report to work as scheduled regardless of the weather on a particular day. If an employee is unable to get to the assigned workplace as a result of the weather event, accrued vacation or floating holiday leave or accrued compensatory time may be used with the approval of the designated supervisor.

The protocol to notify employees for any reason as a result of a weather event will be determined by the Department Director after consultation with the City Manager.

### **Section 1.6. Natural or Manmade Crisis Events**

A crisis may take a variety of forms within the City. It is the responsibility of the City government to continue to operate and provide necessary services to its citizens at all times. Whatever the situation, City employees must report to work as directed by their Department Directors or the City Manager. If the situation warrants, employees and their families may receive the appropriate medication as dictated by the event.

## **Section 2. Pay Periods and Pay Checks**

Employees are paid every two weeks. Pay periods are a two-week period, beginning at 12:01 a.m. on alternate Mondays.

Paychecks will be distributed to the employee only and not to any other person unless directed, in writing, by the employee.

Employees are responsible for reviewing their paychecks each payroll. If there is a question or discrepancy, the employee should bring it to the attention of their department payroll processor and/or their supervisor as soon as possible or before the end of the next pay period. Employees shall be deemed to be aware of all information contained in their paycheck. In the unlikely event of an overpayment, employees shall report same to the payroll processor. Failure to report an overpayment can result in disciplinary action.

Employees are not to cash paychecks on City time.

All employees are encouraged to have their paycheck deposited directly into their bank account. Employees with direct deposit will receive a written statement reflecting the deposit made on pay days. Automatic payroll deductions will be made for federal and state taxes, social security, Medicare and pension fund contributions. Court-ordered wage deductions will be taken, in accordance with the City's legal obligations. Optional deductions include medical insurance, dental insurance, life insurance, Employee Giving Campaign contributions, credit union, union membership dues, deferred compensation, retirement health savings plans, and others. Employees will be informed of the availability of certain benefits when starting employment. New benefits available via payroll deduction will be communicated to all employees when activated. The City reserves the right to deduct from wages any City debt owed by the employee and the value of City property not returned by the employee upon separation from employment.

### **Section 3. Overtime/Fair Labor Standards Act**

The City is subject to the provisions of the Fair Labor Standards Act (FLSA). Provisions of a collective bargaining agreement will supersede this policy in cases of conflict.

#### **Section 3.1. FLSA Status**

FLSA status may be:

- Non-exempt (subject to overtime requirements for pay)
- Exempt (not subject to overtime requirements for pay)

The Human Resources Division will make the final determination regarding FLSA status and communicate any changes to the affected department.

Questions regarding FLSA status should be directed to the Human Resources Division.

#### **Section 3.2. Joint City Employment**

Employees may not work more than one job within the City, even part-time, unless otherwise determined by the Human Resources Division, and approved by the City Manager.

Supervisors and managers are prohibited from employing City staff, outside of their normal work, to perform personal tasks or projects. Employees caught violating this section can be subject to disciplinary action.

FLSA does allow limited exception to the Joint Employment rule, where the "second" job is performed on an "occasional or sporadic" basis, which is "in a different capacity from which the employee is regularly employed," and which is performed solely at the employee's option.

If a Department Director believes he has a situation which fits under the limited exception, he should bring it to the attention of the Human Resources Division for review and subsequent approval by the City Manager before hiring any employee in a secondary capacity.

**Section 3.3. FLSA Non-Exempt Employees Overtime**

Every effort should be made by supervisors and Department Directors to keep overtime to a minimum. It is the Department Director's responsibility to take all necessary steps to monitor actual working hours of non-exempt staff. Caution should be exercised so unauthorized overtime does not occur.

***(a) Advance Approval***

All overtime must be approved in advance by the supervisor or Department Director. Employees are not authorized to work overtime of their own volition. Voluntary, unpaid overtime in the performance of normal work duties is not allowable under the FLSA. Authorizations for overtime must be in writing, contain the number of hours of overtime to be worked, the reason, and the departmental approval. After the overtime has been worked, the document should show the actual number of hours worked for the stated purpose, and method of overtime payment (see below). Departments must keep such documents for a minimum of three years.

***(b) Definition of Hours Worked***

FLSA defines overtime as "hours worked" over 40 hours in a 7-day work week. Averaging hours over a two-week or longer period is not permitted (except for Police and Fire work periods, in accordance with the specific FLSA provisions).

For purposes of computing overtime for non-union full-time employees, the City has defined "hours worked" as hours actually worked, paid City holidays, and paid leave. However, overtime should not be authorized to make up work missed due to City holidays or paid leave. Authorized overtime in a work week where paid leave occurs should be limited.

Departments are encouraged to change an employee's regular work schedule to accommodate overtime needs. For example, an employee is required to attend an evening meeting, one evening a month. The Department Director may change the employee's schedule for that one week a month so that the employee comes to work at 1 p.m. rather than 8:30 a.m., and works through the meeting which typically ends at 8:30 p.m. In this example, no overtime is earned. (Department Directors must give appropriate notice to the employee, and to the union as applicable.)

Attendance at workshops, seminars, conferences, etc. should be scheduled within regular working hours. Required attendance at such a function that results in working in excess of the employee's normal work week will result in overtime pay. Travel time, lunch, breaks, etc. are not counted as "hours worked" in these cases.

Voluntary attendance at training outside of the scope of an employee's current position but which is requested in order to enhance the ability to be promoted or prepare for a promotion is not subject to FLSA requirements.

***(c) Overtime Compensation – Pay or Compensatory Time***

Compensation for overtime may be made either by pay at time and one-half, or through compensatory time at time and one-half. The employee may indicate a preference for type of



compensation, but the final determination will be made by the Department Director after considering the ability to grant compensatory time off within 30 days and/or the status of that Department's expenditures.

Compensatory time earned should be used within 30 calendar days of the event giving rise to the overtime. In no event shall an employee accrue more than 80 hours of compensatory time. If an employee has 80 hours of compensatory time, all further overtime compensation will be as pay, not additional compensatory time. Union employees should refer to their contract for terms of use and accrual.

Any compensatory time accrued but unused as of November 30th of any year will be paid out at the rate earned to the employee prior to the conclusion of the fiscal year on December 31st. Any compensatory time accrued but unused as of the date of termination of employment must be paid out to the employee as part of terminating pay.

Any compensatory time accrued must be used before vacation leave can be granted.

Any compensatory time accrued while working in an hourly position will be paid out should the employee be promoted to an FLSA exempt position. Employees may elect to have this payout (at the rate earned prior to promotion) spread over multiple years, to a maximum of 3 years.

The overtime wage rate is not in all cases 1.5 times the base hourly rate. Included in the base hourly rate must be longevity, TDA pay or temporary transfer pay, if applicable. Overtime wage rates are calculated by the payroll system, are designed to automatically include applicable additional pay, and shall be used by all departments.

### **Section 3.5. FLSA Exempt Employees Overtime**

The City has determined that overtime compensation for certain FLSA exempt employees under certain circumstances is appropriate. These positions include first line supervisors and middle management. Employees in Senior Management status are not eligible for any overtime compensation for additional hours worked, except as directed and approved by the City Manager or designee.

Below are general operational guidelines to determine if overtime is compensable or not:

- Attendance at meetings which are required as part of the employee's position is not compensable.
- Attendance at meetings on a voluntary basis is not compensable.
- On call or standby status which seriously restricts the employee's use of off-duty time may be compensable. Departments should consider the use of temporary duty assignments or temporary transfer policy provisions to cover ongoing situations of this nature. (e.g., snow command).
- Excessive amounts of overtime due to vacancies, unplanned for projects or priorities may be compensable. "Excessive" means more than 15 hours of additional work during one week, or a series of weeks with more than 10 hours of additional work. The occasional weekend day, or several hours during the week is not considered "excessive." Only the hours of overtime which exceed the "excessive" additional work is compensable (amount over the 15 hours of additional work).

When such overtime is deemed compensable, it should be compensated via compensatory time at time and one half; such compensatory time should be approved for usage within 30

days of the event. Compensatory time should be used within 30 calendar days following the event. No FLSA exempt employee may accrue more than 40 hours of compensatory time. Any compensatory time accrued as of November 30th of any year will be paid out before the end of the fiscal year. Any compensatory time accrued but unused as of the date of termination of employment must be paid out at the rate earned to the employee as part of terminating pay.

Records of time worked must be kept in order to substantiate any overtime for which there is compensation.

**(b) Supervisor Overtime**

Positions in this category include, but are not limited to, Automotive Shop Supervisor, Facilities Supervisor, Parking Enforcement Supervisor, Public Works Supervisor, Water Maintenance Supervisor, Water Distribution Supervisor, Sewer Supervisor and City Engineers.

These positions are exempt from the FLSA; overtime compensation as described below has been approved by the City Manager, and any changes to this policy must be approved by the City Manager.

The City expects that employees in these supervisory positions, by virtue of their duties and responsibilities, routinely may work in excess of the base work week of 37.5 or 40 hours/week. This additional time spent is directly related to the need to plan, coordinate and manage the work of their subordinates.

The City also recognizes that there are other situations requiring work time in addition to the base work which may arise from emergency situations, need to respond to requests for service or information, or are otherwise somewhat unusual. These situations may interfere significantly with the employees' non-work schedules and needs, and therefore some compensation may be appropriate.

Holidays: If required to work on a City-recognized holiday, the employee will be paid for hours worked at the rate of time-and-one-half. There will be no equivalent time off.

Planned Overtime: For overtime that is planned and approved in advance, the employee will be paid for hours worked at the rate of time-and-one-half.

Emergency Overtime: For emergency call-outs, storm damage/repair, and other similar situations as pre-determined by the Department/Division Head, the employee will be paid for hours worked at the rate of time-and-one-half.

Twelve hour shifts: When employees are subject to twelve hour shifts, such as snow command and similar long-term emergency responses, the employee will be paid for the first 8 hours at straight time, and at the time-and-one-half rate for consecutive hours beyond 8. No employee may work more than 80 hours in a seven calendar day period, as a safety issue.

Regular Overtime: Additional time spent beyond the base work week directly related to the need to plan, coordinate and manage the work of their subordinates is not compensable in any fashion. This includes evening and other off-duty hours spent attending required meetings of the City, including City Council or Committee meetings, and neighborhood or similar meetings.

Calls: Telephone calls, pages and similar contacts which can be handled without going to a job site or office during non-working hours are not compensable in any fashion.

#### **Section 4. Job Performance Evaluations**

Job Performance Evaluations are the City's formal method of reviewing an employee's performance, to define goals and objectives for the future, specify performance deficiencies, and to plan training and career development for the employee.

The Human Resources Division Manager, in cooperation with Department Directors, administers the system of rating employee performance. The standards of performance will relate to the quality and quantity of work being done, the manner in which the work is done, conduct of employees, customer service, attendance, and to the specifics of the Classification Standard for the position the employee holds.

Employees will be formally evaluated at the end of their probationary period, if applicable, and on an annual basis. All new employees must be evaluated after six (6) months of employment. Employees hired/promoted at or above the middle of their assigned pay-range are not eligible for a merit increase until completion of at least one full year of service.

Each employee will meet with the supervisor and/or Manager responsible for completing the evaluation to discuss their performance. Following the discussion, the employee will have the opportunity to make comments on the form (or attach to the form), and be required to sign and acknowledge receipt of the form. The Supervisor and Department Director will also sign the form. The completed official form, including any comments made by the employee as a result of the evaluation and/or discussion, must be submitted to the Human Resources Division for inclusion in the employee's official personnel file.

#### **Section 5. Merit/Performance Based Increase**

Job Performance Evaluations will also be used to substantiate recommendations for granting, withholding and restoring merit performance salary increases. All merit increases must be accompanied by a Job Performance Evaluation for the time period involved. By their very nature, no employee has an implied or explicit contractual right to a merit increase.

The Human Resources Division shall review all Job Performance Evaluations submitted in conjunction with a recommendation for a merit increase. If the Human Resources Division disagrees with a merit increase recommendation based on the Job Performance Evaluation, a discussion will be held with the employee's Department Director to further review the Job Performance Evaluation submitted and the reasons for the disagreement.

Merit increases are earned based on performance; they are not automatic and may be based on limits set by the City Manager. The following standards should be applied:

- A performance rating of "Achieves Expectations" or better is required on at least 80% of the performance expectations designated for the position for an employee to advance to the maximum salary for the position.
- Exempt employees who receive a rating of "Achieves Expectations" on at least 80% of the performance expectations may receive an increase in salary as determined by the City Manager.

If an employee's performance is not sufficient for the Department Director to recommend a merit increase, the steps necessary for the employee to take to improve performance to the level necessary for a merit increase will be clearly detailed in the Job Performance Evaluation, and in the discussion with the employee. The merit increase will then be withheld. The Job Performance Evaluation, indicating the withheld merit and the basis for such withholding, must be submitted to Human Resources.

The employee's performance will be formally evaluated within six months of the withholding of the merit increase. If performance has improved sufficiently to recommend a merit increase, the employee's next merit review date will move to one year following the receipt of the merit. If performance has not improved, the formal Job Performance Evaluation recommending continued withholding of the merit increase must be discussed with the employee and submitted to Human Resources. Formal evaluation of the employee's performance must be completed within the next six month period. Continued performance deficiencies may be grounds for disciplinary action, up to and including termination.

### **Section 6. Longevity**

Non-union/non-exempt employees are eligible to receive an additional 2% of base salary when they complete eight (8) years of service, and a total of 3% of base salary when they complete fifteen (15) years of service.

To be eligible, an employee must have served the minimum number of years in a full-time or permanent part-time position and the length of service shall have been continuous without interruption. Service with the City as a temporary or seasonal employee will not count towards eligibility for longevity pay.

Employees covered by a collective bargaining agreement are eligible for longevity pay in accordance with the appropriate union contract.

### **Section 7. Reporting Obligations**

Employees are required to report conditions which will affect their job responsibilities. Situations which must be reported to the Human Resources Division or supervisor include, but are not limited to:

- Suspension or revocation of driver's license if valid driver's license is required for the position;
- Criminal arrests or convictions;
- Suspension or loss of professional license if the license is required for the position; or
- Restraining orders or orders of protection sought by the employee entered by a court of law.

Failure to report such incidences within 5 business days will result in disciplinary action, up to and including termination. Human Resources will maintain confidentiality of the information disclosed.

## **CHAPTER V: BENEFITS**

The City Manager is authorized to implement alternative benefit arrangements for non-union employees at his discretion.

### **Section 1. Medical Insurance**

Full-time employees are eligible to participate in the City's group medical insurance program. The details of the medical insurance program are presented to new employees at time of hire, and are available in the Human Resources Division, and on the City's intranet.

Insurance coverage becomes effective on the first day of the month following the date of hire. After original enrollment opportunity, employees may change plans or enroll only during annual open enrollment periods, absent a qualifying event.

New dependents may be added to coverage within 30 days of the qualifying event (birth, adoption, marriage, domestic/civil union partner, etc.). Employees must provide proof of the life changing event within 30 days of the event, or wait until the next open enrollment period.

Terminating insurance coverage or dropping dependent coverage may be done at any time with appropriate documentation, as allowed by the benefit provider.

At all times, the plan summary for any given benefit plan controls and should be consulted by an employee for a full summary of available benefits. To the extent a plan summary conflicts with this manual, the plan summary controls.

#### **Section 1.1. Employee Contributions**

Employees contribute to the cost of medical insurance through payroll deductions. Deductions are taken from the first and second paycheck of the month. Employees covered by a collective bargaining agreement should consult it for contribution amounts. Non-union and Senior Management staff contributions are determined and communicated to employees at least annually and are subject to approval by the City Manager. Employee contribution amounts are available in the Human Resources Division and on the City's Intranet.

Employee contributions toward the premium costs are separate and apart from any co-payments required at the point of service by the insurance provider (including, but not limited to, office visits, prescriptions, emergency room visits, deductibles, out of network costs, etc.)

#### **Section 1.2. Health Insurance Opt-Out**

Employees who choose not to participate in the City's medical insurance program are eligible for a monthly payment as determined by the City Manager (included on the 2nd paycheck of the month), upon proof of coverage elsewhere. Employees may enroll in the incentive at any time.

The incentive applies to only one member of each family employed by the City of Evanston at any given time. To remain in the program, employees must provide proof of coverage elsewhere each year during open enrollment, to the Human Resources Division.

An employee who re-enrolls in the City's insurance, due to a qualifying event, will be cancelled from the incentive the same day as the insurance effective date. An employee's effective date in the incentive is the day the completed waiver form (with a copy of the employee's

insurance card) is received by Human Resources. Enrollments and payments are not back-dated.

### **Section 1.3. Open Enrollment**

At least annually, the City holds an open enrollment period, during which employees may enroll, add dependents, or change coverage. Any changes requested during the annual open enrollment period are subject to the administrative rules which may be revised from time to time.

Details of the open enrollment period are communicated to employees via City e-mail.

### **Section 1.4. Medical Insurance – Retirees**

Full-time employees who retire and qualify for an immediate or deferred pension through the Illinois Municipal Retirement Fund, or the Police or Fire Pension Funds, may continue receiving group health insurance coverage in effect at the time of retirement. The retiree is responsible for paying the full cost of the coverage, which may change annually at time of renewal of the City's contract with the insurance provider(s). Payment is to be made to the City via deduction from the employee's pension check. Deferred pensioners must pay for coverage directly; payments are due by the 1<sup>st</sup> of each month. Failure to pay premiums on a timely basis will result in the termination of medical insurance coverage. The City does not provide monthly billing invoices to retirees. Specific details of retiree medical insurance coverage will be provided to the employee prior to retirement by the Human Resources Division.

Retirees who do not elect to continue with the City's group insurance program, or who drop coverage while retired, are not eligible to return to the City's group unless otherwise provided by state or federal law.

Retirees who become eligible for Medicare coverage may be eligible for a reduced premium, upon written notification to the Human Resources Division and verification of Medicare coverage. Such notice must be given at least thirty (30) calendar days prior to the effective date of a reduction in premium, to allow for administrative processing by the City and the insurance provider. Premium reductions due to Medicare eligibility will not be back-dated.

By resolution of the City Council, elected officials who leave the City Council may continue their group medical insurance coverage under the same terms and conditions as a retiree, except that the requirement for eligibility for an immediate or deferred pension does not apply.

### **Section 1.5. Continuation of Medical Insurance Coverage – Non-Retirees (COBRA)**

The City provides continuation coverage (COBRA) for all employees covered by one of the City's group medical or dental insurance plans, as required by federal law. Employees have a right to choose this continuation coverage if insurance coverage is terminated due to a reduction in hours of employment below full-time, or the termination of employment (for reasons other than gross misconduct).

Spouses of employees covered by the City's group medical or dental plans have the right to choose continuation coverage under the City's group plans for any of the following qualifying events:

- Death of the spouse;

- Termination of spouse's employment (for reasons other than gross misconduct), or reduction in spouse's hours of employment below full-time;
- Divorce or legal separation; or
- Spouse becomes entitled to Medicare benefits.

Dependent children covered by the City's group medical or dental plans have the right to continuation coverage if the child's group coverage is lost for any of the following qualifying events:

- Death of the parent employee;
- Termination of parent's employment (for reasons other than gross misconduct), or reduction in parent's hours of employment below full-time;
- Parents' divorce or legal separation;
- Parent employee becomes entitled to Medicare benefits; or
- Child ceases to be a "dependent" child under the City's group medical or dental plans.

The employee or family member has the responsibility to inform the Human Resources Division in writing of a divorce, legal separation, or a child losing dependent status under the City's plans within sixty (60) days of the qualifying event. An employee who fails to comply with this requirement shall be subject to discipline.

Upon official notification that a qualifying event has occurred, the Human Resources Division will notify the affected party of the right to choose continuation coverage. Affected individuals have sixty (60) days from the date coverage would have been lost (due to one of the events described above) or from the date notice is given by the Human Resources Division, to inform the Human Resources Division whether or not continuation coverage is elected.

An affected individual who chooses continuation coverage will receive coverage identical to that provided under the plan to similarly situated employees or family members. Continuation coverage under the law is only available for medical, dental, vision and prescription drug coverage under the City's group medical or dental plans.

In cases of reduced hours (which would make an employee no longer eligible for health insurance) or termination of employment for any reason, continuation coverage is provided for 18 months. In cases where dependents lose coverage due to divorce, legal separation, death of a covered employee, or loss of dependent status due to age, the continuation coverage period is 36 months. If, during that 18-month period, another event takes place that also entitles the individual to coverage, coverage may be extended. Certain disabled qualified individuals may have continuation coverage for up to 29 months. In no case may the total amount of continued coverage be more than 36 months from the date of the first qualifying event.

Continuation coverage may be terminated prior to the expiration of benefits for any of the following reasons:

- The City discontinues providing group medical, vision or dental coverage to any employee;
- The premium for continuation coverage is not paid in a timely fashion;
- The affected individual becomes covered under another group medical or dental plan; or
- The affected individual becomes eligible for Medicare.

There is no Evidence of Insurability required to establish continuation coverage. The City, in accordance with federal law, charges 102% of the full cost of the plan.

Questions about COBRA continuation coverage should be addressed to the Human Resources Division. Employee or family member notification of change in marital status or address changes should be directed to the Human Resources Division.

### **Section 1.6. Flexible Benefit Plan**

The City administers an IRS Section 125 Flexible Benefit Plan. The rules governing the Plan are contained in the Plan Document. Employees may elect to make contributions, through payroll deductions, to medical expense or dependent care reimbursement accounts.

Per federal law and applicable plan documents, changes in the allocation may only be made during the open enrollment period prior to the beginning of the plan year, unless the employee experiences a qualifying event under federal law, which may include marriage, legal separation, divorce, death of a spouse or child, pregnancy, birth or adoption of a child, a change in employment status for the employee's spouse, or the termination of insurance coverage provided by a spouse's own employer.

Employees who have qualifying expenses should contact the plan administrator for procedures and documentation needed for reimbursement of qualifying expenses.

### **Section 2. Dental Insurance**

Full-time employees may enroll in the City's voluntary group dental insurance program, for either in-network or out-of-network coverage, or single or family coverage. Details on the specific benefits are available in the Human Resources Division. New employees may enroll in dental insurance at time of hire. Coverage becomes effective on the first of the month following date of hire.

Employees choosing dental insurance pay the full cost of such insurance. Dental insurance may only be cancelled at open enrollment except for a qualifying event. Dependents may be added within 30 days of a qualifying event with necessary documentation.

### **Section 3. Term Life Insurance**

The City's term life insurance coverage pays a benefit of one times an employee's base annual salary with the City providing \$5,000 of the benefit free of charge. Group term life insurance, in the amount of the employee's annual salary (rounded to the next highest \$500), is available to all full-time City employees at time of hire and becomes effective the first of the month following date of hire. Supplemental coverage is available in varying amounts. Contact Human Resources for details. Employees who do not enroll in supplemental life insurance coverage at time of hire may enroll during the annual open enrollment period, but may be subject to medical clearance by the life insurance provider.

Exempt employees receive 100% City-paid life insurance equal to their annual salary. Employees covered by union contracts should check the appropriate contract for specifics applicable to their position.

Employees needing additional information, or needing to change beneficiaries should contact the Human Resources Division. Employees should review their beneficiary information, especially at times of life changes, to ensure current information is on file. Term life insurance coverage through the City ends the 1<sup>st</sup> of the month following the employee's termination of employment. Conversion plans may be available through the insurance provider.



#### **Section 4. Vision Insurance**

Full-time employees may enroll in the City's group vision insurance program. Details on the specific benefits are available in the Human Resources Division.

Employees choosing vision insurance pay the full cost of such insurance. Vision insurance may only be cancelled at open enrollment except for a qualifying event. Dependents may be added within 30 days of a qualifying event with necessary documentation.

#### **Section 5. Pension**

All City employees (other than sworn Police and Fire employees) whose position is budgeted at half-time or greater (1,000 hours or more per year, 600 hours or more if hired before January 1982) are required by state law to participate in the Illinois Municipal Retirement Fund (IMRF) and Social Security (FICA).

All employees, including sworn Police and Fire employees hired after April 1, 1986, are required to contribute to Medicare.

Employee contributions to IMRF are 4.5% of pre-tax salary. City contributions are set by IMRF and change annually. Employee contributions to the Police and Fire pension funds are set by state statute applicable to those funds, with Police contributions set at 9.91% and Fire contributions set at 9.46%.

Employees with questions about IMRF should contact the Human Resources Division or IMRF directly by telephone at 1-800-ASK-IMRF, or via their website at [www.imrf.org](http://www.imrf.org).

#### **Section 6. Travel and Training Policy**

The City, in order to advance the training and skills of its staff, authorizes enrollment in certain schools, conferences and seminars. The costs of such training and skill improvement are paid by the City.

The purpose of this policy is to set forth the policies and guidelines concerning training expenditures, and associated costs, so that training is provided in a consistent and equitable manner to all employees, at a reasonable cost, and that allows the employee to carry out the mission of the City in a dignified manner and which reflects credit on the City.

The City's objectives are to provide the opportunity for appropriate training, skill enhancement and professional development to employees in order that they may perform their duties and responsibilities with an appropriate base of knowledge and skill.

Where applicable, travel for City business that is not training related will be paid for and/or reimbursed using these guidelines.

##### **Section 6.1. Requests for Training Expenditures**

Requests for training costs should be requested as far in advance as practicable; requests for approval with less than 5 working days' notice may either be denied, or may require the employee to advance the costs of such training and receive reimbursement after the fact.

Requests must include the nature of the training, the purpose of the employee attending the training, the benefit to the City, the duration of the training, enrollment/registration fees and other required costs. The employee's department/division head must approve the training prior to attendance. Approved training costs will not include reimbursement for meals provided

as part of the training (e.g., continental breakfast, lunches or dinners), optional social events such as golf outings, sightseeing tours and spousal events.

Approved training will include professional development, specific skill training and/or enhancement, updates on technological, legal, and professional developments in the field, management skills, supervisory skills, communications skills, and other similar training programs. Programs aimed at career changes and training not directly related to the employee's position should be applied for via the City's tuition reimbursement program (if available), not the City's training program.

Employees are strongly encouraged to use the City's purchasing card when making arrangements for a training program, rather than using a personal credit card and seeking reimbursement. Employees should review the City's purchasing card policy prior to use.

### **Section 6.2. Approval of Training Requests**

Approval for training that fits within the guidelines described above may be granted by the Department Director. However, factors such as the amount of training given in any one fiscal year, repeat training, number of conferences attended, performance needs and mandatory training will be given consideration and may affect approval. All out of state training must be approved by the City Manager. Departments should evaluate the need and effectiveness of training before approving such training for employees.

### **Section 6.3. Expenses**

Expenses, outside of registration or enrollment costs, associated with the training program are covered under the following conditions and criteria:

#### A. Transportation

1. Air fare: If the conference or program is outside of the Chicago metropolitan area and/or more than a 4 hour drive, the employee may use air transportation to the training site.

Employees are expected to utilize resources available to minimize the cost of airfare. Except in cases of emergency, advance purchase of airline tickets is required in order to maximize resources. Employees are allowed to utilize the internet during working hours to access airfares for business travel purposes.

Travel agent fees will be paid by the City only if the travel agent is located in Evanston. If the employee chooses to use a travel agent outside of the City, that fee will not be paid by the City or reimbursed to the employee.

If the employee can secure an airfare that is significantly lower by staying at the training site an extra day (i.e., Saturday night), that additional time may be reimbursable only if the savings in the airfare exceeds the cost of the additional night at the hotel and additional per diem costs. Written documentation showing the differential in airfare must be submitted as part of the expense report.

Should a re-booking fee be necessary once travel arrangements are made, the City will only pay the re-booking fee if the need to change travel arrangements is based on City needs, emergencies or other reasons not caused by the employee's personal choices.

Employees may not purchase airfares for other than economy, coach level flights. Any employee wishing to book business or first class will pay the difference between the lower cost and the upgraded cost.

Additional reimbursable costs associated with airfare will include cab fare to and from the Chicago airport, and to and from the destination airport. Reasonable tips will also be reimbursed. Parking at the airport may only be reimbursable if the trip is less than five business days. Receipts must be included in the expense report; there will be no reimbursement for such travel costs without receipts.

2. Car travel: Employees attending programs within the Chicago metropolitan area or within a 4 hour drive of Evanston shall use their personal vehicles for such travel. Under certain circumstances, a City pool car may be available to employees for such purposes.

Employees driving to training must keep track of mileage and report such on the expense report. Employees will be reimbursed the per mile cost as approved annually by the Internal Revenue Service. The Human Resources Division will update the mileage reimbursement annually via the expense report on the City's internal website. It is the employee's responsibility to check the approved mileage reimbursement rate prior to submitting the expense report. Mileage will be paid from the place of employment to the place of the program attended. Employees receiving an auto allowance will not be reimbursed for travel to local events within the Chicago metropolitan area.

Additional reimbursable costs include parking at the training site.

Employees using privately owned vehicles for transportation to and from a training site 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)). The Finance Division will issue copies of the current insurance coverage requirements via the City's internal website and other forms of communication. It is the employee's responsibility to ensure that adequate insurance coverage is maintained. Should the employee not have the appropriate insurance coverage, the employee will be responsible for all costs of repairing and maintaining the private vehicle, and there will be no City payment for such incidents. Additionally, the employee is responsible for any motor vehicle violations and citations.

When more than one City employee travels in a vehicle to a training program, only the owner/driver of the vehicle will be reimbursed travel costs.

3. Use of City vehicle: Use of a City vehicle, when approved and available, is an acceptable method of transportation. Costs for gas, emergency repairs and necessary maintenance will be reimbursed; detailed receipts must be submitted as part of the expense report. No mileage reimbursement will be made for use of a City vehicle. Employees using City vehicles for transportation to and from training programs are expected to use appropriate judgment and follow the guidelines of the Fleet Services Division regarding emergency situations, repairs and/or maintenance while out of the City. Employees should consult with the Fleet Services Division when checking the City

car out for out-of-area travel to ensure a safety check has been completed, and the procedures to use in case of emergency.

4. Other forms of transportation: Should the employee be able to use, or choose to use, other forms of transportation, such as public or other private transportation, the costs will be reimbursable as long as the cost does not exceed either the lowest airfare available or the mileage reimbursement for the trip. If the employee chooses to use more expensive transportation (e.g., taxi or limousine), he/she will be responsible for the difference in cost. Employees may be required to submit additional documentation and/or verification for unusual forms of transportation.
  5. For transportation while at the training program, costs for transportation to and from the training program will only be reimbursed if there is not a designated conference hotel, or shuttle busses available. Other incidental transportation for meals, sightseeing, shopping, etc. will not be reimbursed.
  6. Rental car costs will be eligible for reimbursement if such is necessary for the purpose of the training program, and/or is less expensive than transportation to and from the airport, the hotel and the training site. Requests for payment for rental cars should be made in advance when seeking approval of the entire program cost.
- B. Lodging - The costs of lodging associated with the training shall be paid by the City under the following conditions:
- There will be no reimbursement or costs paid for lodging for attendance at one-day training programs within the Chicago metropolitan area.
  - For out-of-town travel, the employee must stay at the conference-designated hotel if there is a discount rate for conference attendance. If the employee chooses to stay in a different hotel with a higher room rate, the employee will be responsible for the difference. If the employee chooses to stay in a different hotel with a lower room rate, the employee will not be reimbursed for any difference in cost.
  - For training programs without a designated hotel or lodging arrangement, the employee shall use a mid-range hotel (Holiday Inn, Ramada, Sheraton) and shall secure the average room rate. If the employee chooses to upgrade to a suite or a room with additional amenities, the employee will be responsible for the difference in cost. Employees are not required to spend a great deal of time researching costs of hotels, nor are they required to stay in the least expensive hotel or motel available, especially if that would require additional costs to participate in the training program by adding transportation costs to the training site. Employees may access hotel information via the Internet during working hours to research lodging options.
  - If the employee chooses to stay with a relative or friend in a private residence, there will be no reimbursement for any associated costs. However, there may be reimbursement available for transportation to and from the training site, depending on the circumstances.
  - The City will pay for lodging for the duration of the conference. (If the conference starts on Monday morning, the City will pay for the hotel room for Sunday night; if the conference ends on Thursday, the City will pay for the hotel room through Wednesday night.) If there is an extra night involved due to airfare savings, this must be indicated on the expense report with the supporting documentation. If

the employee chooses to stay additional nights, there will be no City reimbursement for those hotel costs.

- The City will pay the cost of the room, taxes and other required costs such as local tax or use fees. Telephone calls using a credit card or phone card will be reimbursed for calls to the office for business purposes, and reasonable phone calls home if the trip is longer than one day. The City will not pay for in-room movies, health club charges, mini-bar charges, room service, laundry, etc. unless there is a specific need or emergency which must be explained with the expense report.
- If the employee is accompanied on the trip by a family member or friend, this is permissible as long as it does not interfere with the employee's ability to perform the function of the training program. Any additional costs incurred for the additional person, including room costs, will be the responsibility of the employee. This includes additional conference registration and/or event costs.

C. Food - The City will reimburse employees for the cost of meals on the following basis:

- A per diem of \$50, with no receipts being required. If necessary to use a partial per diem (see below), the rates to be utilized will be \$10 for breakfast, \$15 for lunch and \$25 for dinner.
- There will be no reimbursement for meals that are provided as part of the conference registration. However, if there are meals that are part of the conference or training program for which there are additional costs, those may be reimbursable (for example, a speaker at a luncheon where the event is an integral part of the training program).
- For one-day programs in the Chicago metropolitan area, lunch reimbursement not to exceed \$15 will be paid by the City. Receipts must be submitted.
- There is no reimbursement of any sort for liquor purchased in conjunction with a meal, separately, or in a liquor store.
- Where meal costs may exceed the per diem breakdown, the City will only reimburse up to the maximum allotted for each meal.
- There will be no reimbursement for incidentals such as newspapers, shoeshine, laundry, etc.

#### **Section 6.4. Expense Advances**

An expense advance may be secured by the employee prior to the training program. The advance may cover expected transportation costs, per diems and similar costs that may not be paid in advance by the City. Such requests must be made more than five working days prior to the employee's departure for the training program. Requests received with less notice may not be honored. Employees are responsible for securing any expense advance, and for securing receipts and evidence of the expenditure.

Any funds advanced that are not used must be returned to the Finance Division within two working days of the employee's return to work from the training program.

#### **Section 6.5. Expense Reports**

Expense reports, on the form maintained by the Department of Administrative Services, must be completed and submitted to the relevant Department within 10 business days of the employee's return to work from the training program.

Detailed receipts are necessary, exclusive of costs otherwise attributable the City per diem. Credit card bills simply showing an amount paid are not sufficient; detailed hotel bills,

transportation charges and the like are required. Receipts for cabs, meals, etc. must be submitted, unless a per diem was used for meals.

Mileage reports may simply show the number of miles driven to and from the training program. These reports will be audited for reasonableness.

Reasonable tips for service, including meals, cabs, hotel service and the like are reimbursable, and should be included on the expense report with detailed notation such as \$5 hotel bellhop; a lump sum of tips given during the course of a training program is not sufficient documentation.

Costs paid by use of the City's purchasing card will need to be documented by receipts just as any other expenditure.

The City will provide a check, reimbursing the employee for any non-City paid covered expenses, after receiving and auditing the expense report. If the employee owes the City funds, it is expected that the funds will be submitted with the expense report, preferably by check. If the employee does not return City funds due within 10 working days, the amount will automatically be deducted from the employee's paycheck without specific notice.

#### **Section 6.6. Miscellaneous**

Employees shall exercise good judgment and proper regard for City funds in incurring travel expenses.

When an employee is an officer or official in a professional organization, and thereby incurs additional responsibilities and costs while attending a training program or conference, these additional costs may be reimbursable. Examples of such are lodging costs for conferences in the Chicago metropolitan area, additional lodging costs due to pre-conference or post-conference responsibilities.

There is no reimbursement for expenses of a personal nature and/or incurred at the employee's choice and for their convenience, including travel by indirect routes, stopovers, meals with friends or family, etc.

Questions regarding this policy should be directed to the Human Resources Division.

### **Section 7. Paid Leave**

#### **Section 7.1. Holidays**

The City recognizes the following holidays:

- New Year's Day
- Dr. Martin Luther King Jr.'s Birthday
- Memorial Day
- July 4<sup>th</sup>
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve (see Section 7.1(a))
- Christmas Day

Employees covered by a collective bargaining agreement should consult the current applicable union contract for details on holidays and holiday pay.

Temporary and seasonal employees do not receive pay for holidays.

When a holiday falls on a Saturday, the City will observe the holiday on the preceding Friday. When a holiday falls on a Sunday, the City will observe the holiday on the following Monday.

***(a) Christmas Eve***

When Christmas Day falls on Saturday, Sunday or Monday, Christmas Eve is not observed as a holiday, and employees are given an additional floating holiday for that year. When Christmas Day falls on Saturday, the preceding Friday (December 24) is the City-observed Christmas holiday. When Christmas Day falls on Sunday, the following Monday (December 26) is the City-observed Christmas holiday. When Christmas Day falls on Monday, (December 25) the City-observed Christmas holiday is observed on that day. When Christmas Eve and Christmas Day are observed as holidays during the normal work week, no additional floating holiday is given.

***(b) Pay for Holidays***

In order to receive pay for City-observed paid holidays, an employee must:

- Work on the last scheduled day prior to the day the holiday is observed, unless the employee's absence is a verified excused absence with pay; AND
- Report to work on the first scheduled work day after the holiday observance unless the employee's absence is a verified excused absence with pay.

Employees not in paid status on the day before AND the day after the observed holiday (e.g., leave of absence without pay, suspension, etc.) will not receive pay for the holiday.

***(c) Regular Part-Time Employees Holidays***

Regular part-time employees are eligible for holiday pay on the following basis:

- Must work in a position budgeted at 10 hours/week or more.
- If normally scheduled to work on a designated holiday, part-time employees will receive straight time holiday pay for the hours they are normally scheduled to work.
- If a designated holiday falls on a day when the employee is not normally scheduled to work, there is no pay for that holiday.
- Employees regularly scheduled to work on a holiday falling on a Saturday will receive holiday pay for Saturday hours (the actual holiday) rather than hours worked on Friday (the observed holiday); those scheduled to work on a Sunday holiday will receive holiday pay for Sunday hours (the actual holiday) rather than hours worked on Monday (the observed holiday).

***Section 7.2. Floating Holidays***

Full-time and regular part-time employees are granted four (4) additional days off with pay per calendar year as Floating Holidays. See Section 7.1(a), Christmas Eve, for years in which an additional floating holiday is granted in lieu of Christmas Eve.

Employees covered by a collective bargaining agreement should consult the current applicable union contract or work rules for specific details regarding floating holidays.

Temporary, seasonal and Crossing Guard employees do not earn floating holidays.

All calendar year floating holidays are placed in the employee's floating holiday accrual after the first paycheck of the year is issued.

***(a) First Year of Employment Eligibility for Floating Holidays***

In the employee's first year of employment, floating holidays are earned on a pro-rata basis based on date of hire, as follows:

- Date of hire January 1-March 31: 4 floating holidays
- Date of hire April 1-June 30: 3 floating holidays
- Date of hire July 1-September 30: 2 floating holidays
- Date of hire October 1-December 31: 1 floating holiday

In years when the additional floating holiday is granted in lieu of Christmas Eve, the number of floating holidays in the chart above will be increased by one (i.e., date of hire January 1-March 31 = 5 floating holidays).

Floating holidays do not roll over from year to year. Any unused floating holidays at the end of a calendar year will be removed from an employee's accrual. Employees will not receive payment for any floating holidays upon termination of employment with the City of Evanston.

***(b) Regular Part-Time Employees Floating Holidays***

Regular part-time employees will receive pro-rata floating holidays as follows:

- Employees regularly scheduled to work 28 hours/week or more earn floating holidays at 75% of the rate earned by full-time employees.
- Employees regularly scheduled to work 18.75 hours/week or more but less than 28 hours/week earn floating holidays at 50% of the rate earned by full-time employees.
- Employees regularly scheduled to work 10 hours/week or more but less than 18.75 hours/week earn floating holidays at 25% of the rate earned by full-time employees.
- Employees regularly scheduled to work less than 10 hours/week earn no floating holidays.
- The accrual and use of floating holidays will be consistent with the procedure outlined for permanent full-time employees as indicated in Section 7.2 (a).

***Section 7.3. Sick Leave***

The City grants paid sick leave to full-time and regular part-time employees as follows:

- Employees will earn sick leave at the rate of one-half day per calendar month for the first six months of employment, and one day per calendar month thereafter. Sick leave is placed in the employee's sick leave accrual on a pay period basis; for specific details, see the leave accrual charts available on the City's Intranet.
- Employees may accrue up to 275 days of sick leave.
- Sick leave may not be anticipated. No employee may take unearned sick leave, nor may a Department Director authorize any advance of sick leave.
- Sick leave may be used by an employee during his initial entry probationary period at the discretion of, and with the approval of, the Department Director.
- An employee who moves from one position to another in the City where the service is continuous or where the employee is transferred, promoted or demoted, will be credited in the new position with the unused sick leave accrued in the prior position, except for transfers to or from the ranks of uniformed positions in the Police or Fire Department. Such employees will terminate their employment with the specific department, receive sick leave payout if eligible, and begin a new accrual from the date of hire in the new department.



- Sick leave continues to accrue during time lost from work as a result of an on-the-job injury or as required by applicable laws.
- Sick leave will not be earned by an employee who is not in paid status for an entire pay period.

***(a) Use of Sick Leave***

Sick leave may be used by an employee in the following circumstances:

- Absence due to illness or non-work-related injury.
- In the event of illness of an employee's immediate family member, as defined by the Family Medical Leave Act (FMLA), which is serious enough to warrant the presence of the employee, sick leave may be used.
- Absences for routinely scheduled dental, optical or medical appointments for the employee or the employee's immediate family as defined by the Family Medical Leave Act. Such requests for sick leave usage must be made at least 48 hours in advance of the appointment (except for emergencies), and must be approved by the Department Director in advance. Such requests for sick time usage may be denied due to operational needs of specific departments and work locations, and if the absence interferes with City operations. The Department may require verification of the emergency and the employee's relationship to the sick or injured party.
- Certain instances of on-the-job injuries where the employee is unable to work due to the on-the-job injury for a period of 14 consecutive calendar days or less. The employee may use up to three days of sick leave to cover the first three days of such an instance where no pay is granted. The employee must be unable to perform regular duties due to said injury, as certified by a City-designated physician. The employee must have at least twelve (12) days of sick leave accumulated at the time that the on-the-job injury occurs. If medically permissible, the employee may be assigned light duty at the option of the City in lieu of permitting the employee to use sick leave.
- For periods of Family Medical Leave, as defined in Section 7.8 Family and Medical Leave.
- If an employee is unable to come to work due to illness, he must notify his supervisor or Department Director, in accordance with departmental work rules, by the time designated by those departmental work rules. Failure to notify each day of absence, or at agreed-upon intervals in the case of extended illness, may result in loss of pay and/or disciplinary action.

An employee who uses more than three (3) consecutive days of sick leave must submit, upon reporting for work the first day of return, a statement from a treating physician attesting to the employee's inability to work during the period claimed as sick leave and the employee's ability to return to work in full duty capacity or in a light-duty capacity. The employee may not return to work without such statement; failure to do so may result in loss of pay and/or disciplinary action. The Department must consult with Human Resources regarding situations where the employee's return to work has restrictions that would require light duty, which is limited to two weeks. The Department may consider a light duty assignment in excess of two weeks to satisfy operational needs, after first consulting with Human Resources. Light duty assignments in excess of two weeks are generally not permitted and will only be allowed in the event the Department can show the benefits of allowing for such an arrangement to the satisfaction of Human Resources, such as overtime savings or completion of special work assignments. Light duty assignments shall be reviewed periodically by the department and Human Resources to determine if the continuation of such an arrangement is beneficial to the parties. The Department must consult with Human Resources in cases of extended and/or serious illness so that both the employee and the department can be informed of the

obligations and benefits available to the employee and the department during extended absences.

Departments may establish departmental work rules and/or administrative controls to prevent the abuse of sick leave. The United States Equal Employment Opportunity Commission held that an employer's inquiry regarding an employee's general well-being and verifying the particulars of sick leave use is a legitimate business necessity. Receipt by the City of a doctor's note and other purported documentation from an employee shall not be construed as the City's automatic agreement as to the contents, notes, or documentation. The City reserves all rights to investigate or further verify the substance and assertions contained in any note or documentation before approving sick leave.

Abuse of sick leave based on false claims of illness or injury, or falsification of proof to justify such sick leave will be cause for loss of pay and disciplinary action up to and including termination. Abuse of sick leave impairs the City's operational efficiency, may result in increased budgetary costs to pay for overtime or shift coverage, and frustrates the City's obligations to provide services to City residents.

Grounds for suspecting abuse of sick leave include, but are not limited to:

- Information that the employee is, or was, during any day for which sick leave is claimed, engaged in other employment or engaged in activity or being present in a place inconsistent with a claim of illness or injury;
- Excessive use of sick leave;
- Repeated instances of inadequate notice requesting the use of sick leave;
- Requests for or use of sick leave under suspicious circumstances (i.e., a request immediately following the employee's assignment to a particular job or task, or repeated absences immediately preceding or following weekends, holidays or vacation);
- Unjustified or unsubstantiated use of sick leave;
- Employee statement fails to specify the nature of the illness or document the employee's care given to an employee's family member;
- Unjustified failure to give adequate notice regarding the use of sick leave; or
- Falsification of an employee's written statement or medical certification.

Sick leave abuse includes, but is not limited to, unjustified or unsubstantiated use of sick leave, lack of or inadequate doctor certification when required, false claims of illness or injury, falsification of proof by employer or doctor, and "excessive" unscheduled or short notice of use.

Excessive sick time usage is defined as more than 5 occurrences within any 12 month period, which are unscheduled and are not supported by a corresponding dated doctor's co-pay or original and dated doctor's note, and will be subject to discipline based on the following schedule:

- 6 occurrences – verbal reprimand
- 7 occurrences – written reprimand
- 8 occurrences – 1 day suspension
- 9 occurrences – 5 day suspension
- 10 occurrences – 10 day suspension
- 11 occurrences – termination

An occurrence is defined as a single day of unscheduled absence or consecutive unscheduled days due to the same reason, e.g., three consecutive days absent due to illness constitutes one occurrence.

### ***(b) Sick Leave Accrual Incentive***

Paid sick leave should be viewed by employees as an insurance policy against the time when an illness or injury prevents working at full capacity, especially an extended illness or injury. It is in the employee's and the City's best interests for employees to only use sick leave when necessary, to avoid periods of unpaid leaves of absence.

Therefore, the City provides annual and terminating incentives to employees to use their sick leave wisely. Employees covered by collective bargaining agreements should consult the current applicable contract for these provisions.

- Annual: Full-time employees with 45 days or more of sick leave accrued as of January 1 of each calendar year shall be eligible to receive on or about January 31 (of the following year) payment for all sick leave days accrued during the year, but not used, in excess of 7 days, for a maximum of 5 days. For example, if an employee uses no days of sick leave during the calendar year, he would be eligible to receive payment for 5 days; if 1 day is used, eligibility is 4 days; if 2 days are used, eligibility is for 3 days; if 3 days used, eligibility is for 2 days; if 4 days used, eligibility is for one day; if 5 days used, the employee is not eligible for any payout. **On or about January 31, 2017, an employee shall be eligible to receive payment for all sick leave days accrued, but not used, during 2016 for a maximum of 2.5 days. Effective 2017, this program will sunset.**
- Terminating: When a non-union employee with five or more years of service retires or resigns, the employee shall be paid 75% of all accumulated sick days over 20, for a maximum of 40 days of pay. For example, an employee with 50 days of sick leave accrued at time of termination would be entitled to 22.5 days of terminating sick leave pay ( $50 - 20 = 30$ ;  $30 \times 75\% = 22.5$ ).
- Employees who are terminated for performance issues shall not receive a terminating payout.
- Sick payout requests will only be considered after applicable annual wage adjustments, and when combined with other applicable increases not to exceed 6 percent of the previous 12 months' earnings. Such requests will be in accordance with current rules, regulations, and state laws governing the Illinois Municipal Retirement Fund.

To receive a terminating sick leave payout, an employee must give three weeks' notice of intent to resign or retire. Failure to do so will render the employee ineligible for terminating sick leave payout. The Human Resources Division Manager may waive this provision in special circumstances. This terminating payout will be issued on the next payroll at least 31 days after the final paycheck.

## **Section 7.4. Vacation**

### ***(a) Accrual and Usage***

Full-time and permanent part-time employees earn and use vacation leave with pay under the following conditions (employees covered by collective bargaining agreements should consult the current applicable contract for specific details regarding vacation leave):

- Vacation leave is earned on a pay period basis. The minimum vacation accrual is two weeks; the maximum is five weeks. Union employees should refer to their contract for accrual rates. Non-union accruals are as follows:

<u>Classification</u>	<u>Months</u>	<u>Accrual Rate</u>
Director	0-47	4 weeks
Director	48+	5 weeks
Exempt	0-107	3 weeks
Exempt	108-227	4 weeks
Exempt	228+	5 weeks
Non-Exempt	0-59	2 weeks
Non-Exempt	60-155	3 weeks
Non-Exempt	156-239	4 weeks
Non-Exempt	240-251	21 days
Non-Exempt	252-263	22 days
Non-Exempt	264-275	23 days
Non-Exempt	276-287	24 days
Non-Exempt	288+	5 weeks

- Employees must use at least 50 percent of the vacation time accrued each year, or will be subject to discipline.
- Requests for vacation leave must be submitted to the supervisor or Department Director no less than 48 hours in advance. Requests for vacation leave may be denied for operational reasons. Prior to a vacation request being approved, no employee has a vested or contractual right to the specific vacation date(s) that is selected and requested.
- Vacation leave is not earned if the employee is not in paid status for an entire pay period.
- **Employees have a maximum vacation accrual of two years' earned vacation.** It is the employee's responsibility to monitor vacation leave to make sure the maximum accrual is not exceeded.
- Accruals over the two year limit **will be removed from an employee's** accrual bank during periodic audits including, but not limited to, end of the calendar year, when leaving the organization, and/or when requesting a payout.
- An employee may not take vacation not yet earned.
- Vacation leave will continue to accrue during time lost from work as a result of an on-the-job illness or injury.
- An employee who moves from one position to another in the City, other than uniformed positions in the Police or Fire Department, and whose service is continuous and who is transferred, promoted or demoted, will be credited in his new position with unused vacation leave.
- Employees moving to or from the sworn ranks of the Police or Fire Department will terminate their employment with the current department, receive a payout of accrued vacation time, and begin a new accrual in the new position as a new employee.
- Vacation time may not be used to lengthen employment or months of service. **An employee's last day of work is the date of termination.**
- Employees moving between full-time and regular part-time status will earn vacation based on total years of continuous service with the City.
- A holiday which falls within an employee's vacation period will not be considered as part of the vacation.
- **Sickness which occurs during an employee's scheduled vacation leave will be considered "vacation," not "sick leave."**

- Departments will determine and schedule vacations for departmental employees over as wide a period as possible to avoid the necessity of extra help or overtime. Scheduling will be done in such a manner as to protect the effective operation of the department.
- Temporary, seasonal, Crossing Guard employees, and other employees working less than 10 hours a week do not earn paid vacation.
- Any compensatory time accrued must be exhausted before vacation leave will be granted.

***(b) Regular Part-Time Employees Vacation***

Regular part-time employees who are regularly scheduled to work 28 hours/week or more earn vacation at 75% of the rate earned by full-time employees; part-time employees who are regularly scheduled to work 18.75 hours/week or more but less than 28 hours/week earn vacation at 50% of the rate earned by full-time employees; regular part-time employees who are regularly scheduled to work 10 hours/week or more but less than 18.75 hours/week earn vacation at 25% of the rate earned by full-time employees. Regular part-time employees working less than 10 hours/week do not earn vacation.

***(c) Vacation Payouts***

An employee may request a payout of accrued but unused vacation time by making such request in writing to the Department Director and provided there are at least three (3) days left in the employee's vacation accrual. Vacation payout requests will only be considered after applicable annual wage adjustments, and when combined with other applicable increases not to exceed 6 percent of the previous 12 months' earnings. Such requests will be in accordance with current rules, regulations, and state laws governing the Illinois Municipal Retirement Fund.

A vacation payout request will be based on the current accrual level which will not exceed the maximum allowed accrual. This provision may be used only one time in a rolling three year period, and will be approved based on department finance and the City Manager's approval. The three year period will be calculated commencing from the last vacation payout request.

Terminating employees will receive a payout of accrued but unused vacation time (up to the maximum allowed accrual) on the next regularly scheduled pay period following termination, so long as they have completed 30 days or more of continuous service and their bank is not larger than 2 years' worth of accruals.

**Section 7.5. Bereavement Leave**

A leave of absence with pay which is not to exceed three working days will be granted to permanent employees for a death in the immediate family. If the funeral is to take place over 500 miles (one way) from Evanston, the employee shall be entitled to use up to five days of bereavement leave.

Immediate family for purposes of Bereavement Leave is defined as:

- Employee's
  - Spouse or Domestic/Civil Union Partner
  - Parent/Step-Parent
  - Grandparent
  - Sibling or Sibling-in-law
  - Child and Spouse
  - Stepchild and Spouse
  - Grandchild and Spouse

- Employee's Spouse's or Domestic/Civil Union Partner's
  - Parent
  - Grandparent
  - Sibling
  - Child
  - Stepchild
  - Grandchild

"Parent" shall include persons other than the employee's actual parent if said person or persons raised the employee during a substantial period of childhood. A Department Director may require verification of the funeral and the employee's relationship to the deceased.

Employees covered by a collective bargaining agreement should consult the current applicable contract for specific details.

**Section 7.6. Jury Duty and Subpoena Notice**

When a permanent employee is called for service as a juror or subpoenaed to testify in a trial on a regularly-scheduled work day, he will receive regular pay for such days, as long as proof of jury duty service, or subpoena notice, is provided to the supervisor or Department Director. The employee shall provide verification received from the Court system for participation as a juror to the City upon return to work or as soon as it is received from the Court system.

Employees notified for jury duty or subpoenaed to testify shall notify their supervisor or Department Director via an RTO with as much in advance as possible. Employees whose jury duty or subpoena commitment exceeds one day must advise the supervisor or Department Director regularly as to the expected duration of the jury duty or time required to satisfy a subpoena notice.

**Section 7.7. Military Reserve Training**

Employees will be allowed the necessary time off with pay if they are removed from work at the request of the Armed Services. This applies to weekends and weekdays. Any employee who is a member of a reserve force of the Armed Forces of the United States, or State of Illinois, and who is ordered by the appropriate authorities to attend training programs or perform assigned duties shall be granted a leave of absence for the period of such activity and shall suffer no loss of seniority rights. During leaves for annual training, the employee shall continue to receive his regular compensation. During leaves for reserve/guard basic training and up to 60 days of special or advanced training, if the employee's compensation for military activities is less than his compensation as an employee, he shall receive his regular compensation as a City employee minus the amount of base pay for military activities provided the employee provides proof of what he was paid during his reserve/guard training.

**Section 7.8. Family and Medical Leave**

An employee who has been with the City at least one year and works at least 1250 hours per year may request leave under the Family and Medical Leave Act as follows (the sections of this policy pertaining to the "Family Responsibility Leave" are only applicable to employees NOT covered by a Collective Bargaining Agreement):

**(a) General Conditions**

1. A leave year for purposes of FMLA shall be any 12 consecutive months.

2. All employees who meet the applicable hours of work requirement during the preceding twelve (12) month period of employment shall be granted up to a total of 12 weeks of family and/or medical leave per 12 month period for the following reasons:
  - The birth of an employee's child and in order to care for the child;
  - The placement of a child with an employee for adoption or foster care;
  - To care for an immediate family member who has a serious health condition;
  - A serious health condition that renders the employee incapable of performing the functions of his job;
  - Military Active Duty Leave; or
  - Military Caregiver Leave
3. The 12 week limit referred to in this Section shall be either consecutive or intermittent as permitted by FMLA regulations.
4. The employee will be required to provide advance leave notice and medical certification. The taking of FMLA leave may be denied if requirements are not met. The employee **ordinarily must provide 30 days advance notice when the leave is "foreseeable."**
5. The employee must provide medical certification to support the request for leave because of a serious health condition, a fitness for duty report to return to work, and may be required to provide a second or third opinion at the City's expense.
6. While on FMLA leave, the employee's group health insurance coverage will be maintained, with the employee paying the regular employee contribution.
7. During FMLA leave, seniority shall continue to accrue regardless of whether the employee is in paid status or not. Paid leave benefits do not accrue during periods of unpaid FMLA leave.
8. The employee must specify with Human Resources, in advance, the amount of sick leave, vacation, floating holiday time or compensatory time to be used.
9. Employees on FMLA leave must notify Human Resources in writing at least ten (10) working days prior to when they wish to return to work, so that arrangements for a fitness for duty examination, if required, may be made efficiently.
10. When an employee is approved to return to work following FMLA leave, he shall return to the position (classification and department) held immediately prior to the taking of the leave.
11. If an employee is not able to return to work following the conclusion of the FMLA leave, his employment will be terminated, except as specified in the following types of leaves below.
12. If the employee fails to return to work at the conclusion of FMLA leave, the employee shall **repay to the City the premiums paid on the employee's behalf to maintain insurance coverage while on FMLA leave unless the reason the employee does not return to work is because of a) retirement under IMRF; b) recurrence or onset of a serious health condition that would otherwise entitle the employee to leave under FMLA; or c) circumstances beyond the employee's control.**
13. Definition of terms will be those as stated in the Family and Medical Leave Act.
14. Compensatory time must be exhausted before vacation time may be used for any reason related to FMLA leave.

***(b) FMLA Leave for Employee's Own Serious Health Condition***

An employee who has a serious health condition may request FMLA leave, which will not exceed sixty (60) working days within a 12 month period. FMLA and sick time must be used concurrently. The first five (5) days of FMLA leave for an employee's own serious health condition will be taken as sick time. If the leave is longer than five days, the employee may draw up to three weeks (15 days) from a "Family Responsibility Leave" bank. If the leave is

longer than four weeks (20 days), the employee will continue to use sick time until it is depleted. If sick leave is depleted during the FMLA leave, the employee may choose to use accrued vacation, floating holiday and/or compensatory time during the remainder of the sixty (60) working days of FMLA leave. If the employee does not have sufficient accrued sick, compensatory time, vacation, and/or floating holiday time for the remainder of the sixty (60) working days, the balance will be on an unpaid basis. If an employee continues to have the same serious medical condition after exhausting his sixty (60) working days of FMLA, he will be placed on a permanent leave of absence for nine calendar months. The employee's position will not be held open for his return, unless other arrangements can be made that do not adversely affect City operations or result in significant additional expenses for the City to absorb as a result of the absence. During the permanent leave of absence, the employee may continue to use any accrued sick, vacation, floating holiday and/or compensatory time until it is exhausted, but in no case shall an employee remain in paid status beyond the end of the permanent leave of absence. Any accrued time remaining will be paid out to the employee at the completion of the permanent leave of absence, pursuant to other personnel guidelines. If an employee becomes able to return to work during the permanent leave of absence, he may apply for re-employment and if qualified, placed on a re-employment list for the position held immediately prior to the taking of the leave. If the employee is not able to return to work by the conclusion of the permanent leave of absence, employment will be terminated.

***(c) FMLA Leave for an Immediate Family Member with a Serious Health Condition***

An employee, whose immediate family member (as defined herein and by FMLA) has a serious health condition, may request FMLA leave, which will not exceed sixty (60) working days within a 12 month period. FMLA and sick time must be used concurrently. The first five (5) days of FMLA leave to care for an immediate family member will be taken as sick time. If the leave is longer than five days, the employee may draw up to three weeks (15 days) from a "Family Responsibility Leave" bank. If the leave is longer than four weeks (20 days), the employee will continue to use sick time until it is depleted. If sick leave is depleted during the FMLA leave, the employee may choose to use accrued vacation, floating holiday and/or compensatory time during the remainder of the sixty (60) working days of FMLA leave. If the employee does not have sufficient accrued sick, compensatory time, vacation, and/or floating holiday time for the remainder of the sixty (60) working days, the balance will be on an unpaid basis. The employee must return to work at the completion of the FMLA leave, or his employment will be terminated.

***(d) FMLA Leave Due to the Birth of a Child, Placement of a Child for Adoption or Foster Care***

An employee may request FMLA leave for the birth of a child or placement of a child for adoption or foster care, which will not exceed sixty (60) working days in a 12 month period. FMLA and sick time must be used concurrently. The first five (5) days of FMLA leave for the birth of a child, or placement of a child for adoption or foster care will be taken as sick time. If the leave is longer than five days, the employee may draw up to three weeks (15 days) from a "Family Responsibility Leave" bank. If the leave is longer than four weeks (20 days), the employee will continue to use sick time until it is depleted. If sick leave is depleted during the FMLA leave, the employee may choose to use accrued vacation, floating holiday and/or compensatory time during the remainder of the sixty (60) working days of FMLA leave. If the employee does not have sufficient accrued sick, compensatory time, vacation and/or floating holiday time for the remainder of the sixty (60) working days, the balance will be on an unpaid basis.



For an employee who gives birth, the employee must return to work at the conclusion of the FMLA leave, unless she is medically unable to return to work. In such cases, the conditions specified in Section 7.8(b) above shall apply. For an employee who does not give birth, the employee must return to work at the conclusion of the FMLA leave, or his employment will be terminated.

***(e) FMLA Leave Due to Military Active Duty***

Eligible employees are entitled to up to twelve (12) weeks of leave because of “any qualifying exigency” arising out of the fact that the immediate family member (as defined by FMLA) is on active duty, or has been notified of impending call to active duty status, in support of a contingency operation. Accumulated leave, other than sick leave, may be used for this purpose. FMLA leave due to military active duty will run concurrently with the employee’s other forms of FMLA leave.

***(f) FMLA Leave Due to Care for an Injured Service Member***

An employee who is the immediate family member (as defined by FMLA) or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to twenty-six (26) weeks of leave in a single 12-month period to care for a service member. The military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of twenty-six (26) weeks of all types of FMLA leave. All accumulated leave banks may be used for this purpose. FMLA leave due to care for an injured service member will run concurrently with the employee’s other forms of FMLA leave.

***(g) Disability Benefits***

An IMRF employee who is on FMLA leave due to his own serious medical condition may be eligible for IMRF disability benefits. Employees should consult with the Human Resources Division regarding IMRF disability benefits, eligibility and application procedures.

IMRF disability benefits, if granted by IMRF, begin on the 31<sup>st</sup> calendar day after the employee stops working due to illness or injury. Employees cannot be paid by the City while receiving IMRF disability benefits.

**Section 8. Unpaid Leave**

**Section 8.1. General Conditions**

1. Leaves of absence for non-medical reasons, or for employees who are not eligible for FMLA, may be requested by an employee. (Leaves of absence for medical reasons are granted under the Family and Medical Leave Act section above.) Such requests must be in writing, submitted to the Department Director, and contain the reason for the leave, the expected duration and related information. The Department Director will consider the request and may recommend approval of such leave to the Human Resources Division Manager.

The Human Resources Division Manager will review the request and recommendation, and approve or disapprove of the leave request. Such decisions will consider all relevant information, and shall be made in the best interests of the City.

Except for military leave, leaves of absence for non-medical reasons, as identified above, will only be granted in extraordinary circumstances.

2. Leaves of absence may be granted for up to twelve (12) months.

3. No employee who has not completed at least one year of service shall be granted a leave of absence.
4. Informal leaves of absence without pay, not exceeding 5 working days in any 30-day period, may be granted with the approval of the Department Director.
5. Seniority will not continue to be earned while the employee is on unpaid leave.
6. Failure on the part of an employee to report within 3 days following the expiration of a leave of absence, except for valid reasons submitted in advance, will be considered abandonment of job.
7. An employee who is granted a temporary leave of absence (90 calendar days or less) has rights to reinstatement in the classification and department held at the time the leave began. An employee who is granted a permanent leave of absence (91 calendar days to one year) who wishes to return to work will be placed on a City-wide re-employment list for the first available position, depending on the qualifications for return to work, and given consideration for rehire over a period of one year. The employee must request re-employment in writing at least 30 days in advance of when he wishes to return to work.
8. The employee may retain membership in the City's plans for health insurance, dental, vision and life insurance for up to three months of an approved temporary leave of absence without pay, with the approval of the Human Resources Division Manager. The employee is responsible for paying the full cost of these benefits, including the portion normally paid for by the City. It is the employee's responsibility to arrange with the Human Resources Division to pay for any benefits which the employee wishes to continue while on leave of absence.
9. Vacation, sick leave and floating holidays will not be accrued during unpaid leaves of absence. Seniority calculations will not include any unpaid leaves of absence. Calculations for purposes of merit increase consideration shall not include periods of unpaid leaves of absence.

### **Section 8.2. Active Military Service**

An employee who enters into the active service of the Armed Forces of the United States while in the service of the City shall be granted a leave of absence for the period of such service.

For employees who are members of the reserves or National Guard who are mobilized to active military duty as a result of an order of the President of the United States, the City will provide compensation during such leave equivalent to the difference between the employee's regular pay and the total compensation received for the period of service, less any allowance for travel, lodging or food. The City agrees to maintain the medical insurance and coverage (single or family) in which the employee is enrolled when called to active duty.

Employees ordered to active duty will present their orders to their supervisor as soon as possible, but not later than within three (3) working days of receipt of such orders, and shall place their request for Active Military Service leave in writing. To the best of the ability of the employee and the City, the terms and conditions of such Active Military Service will be placed in writing prior to the employee leaving for active duty; if not possible, the information will be mailed to the employee's designated agent (spouse or other individual) and that person will be authorized by the employee to act on his behalf on those matters while the employee is on active duty. Employees discharged from the Armed Forces must report ready for assignment within ninety (90) days following said discharge. The City shall have up to fourteen (14) days from the date of application to place such returning serviceman. The City retains the right to

assess the employee's fitness for duty status prior to placement on the job. Employees shall be credited with the seniority which would have accumulated during time spent in the Armed Forces. The City will continue to act in accordance with any federal or state-enacted legislation which will supersede this section.

### **Section 8.3. Unexcused Absences**

Any unexcused absence from duty will be grounds for disciplinary action and may result in discharge. An absence for three (3) consecutive working days without notice to the supervisor by the employee or without permission will be considered a voluntary resignation or an abandonment of position.

### **Section 8.4. School Conference and Activity Leave**

An employee is entitled to leave up to a total of eight (8) hours during any school year, and no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the employee's child if the conference or classroom activities cannot be scheduled during non-work hours; however, no leave may be taken unless the employee has exhausted all accrued vacation, compensatory, and/or floating holiday time. Before arranging attendance at the conference or activity, the employee shall provide a request for time off at least seven (7) days in advance, unless in the case of an emergency. Requests may be denied to avoid undue disruption of daily operations.

### **Section 9. Resignation**

An employee who voluntarily leaves City employment shall, except in emergency situations, give advance notice of not less than two calendar weeks for an hourly employee and three calendar weeks for a salaried employee. **Employees giving less than three weeks' notice will not be entitled to any terminating sick leave pay, if applicable.**

Resignation in good standing shall mean that the employee gave the required notice, or that circumstances justified failure to give such notice, and that conduct and work performance were satisfactory.

An employee's termination date is the last day actually worked. Any accrued vacation or sick leave (subject to the provisions described in the sections on those benefits; including holiday and compensatory time for some Public Safety representatives; also subject to the provisions described in the sections on those benefits in collective bargaining agreements) will be paid out on the employee's termination payout paycheck which will be issued at least 31 days after the last regular paycheck. No employee may extend his termination date by using accrued leave time.

Employees must turn in all City property, tools, and equipment including, but not limited to, keys, cell phones, pagers, gas cards, purchasing cards, other electronic equipment, ID cards, etc. by the last day of employment. Except for keys, the materials must be turned in to the Department Director or supervisor, who will acknowledge receipt of the material by signing the separation checklist. Keys must be returned to the Facilities Management Division unless otherwise indicated by the Department Director; a receipt for returned keys will be issued to the employee. The separation checklist must be submitted to Human Resources before the final paycheck is issued. Any equipment not returned will be charged to the employee.

Resigning employees should consult with the Human Resources Division prior to terminating in order to receive information regarding pension, insurance and similar administrative matters.

Final paychecks may be adjusted accordingly if any outstanding City equipment or materials are not returned.

### **Section 10. Retirement**

Employees are included in one of three separate pension funds: Police Pension Fund for sworn police personnel; Firemen's Pension Fund for uniformed fire personnel; or the Illinois Municipal Retirement Fund for all other employees meeting the statutory requirements. Detailed information regarding IMRF can be obtained from the Human Resources Division or by going to [www.IMRF.org](http://www.IMRF.org). For inquiries regarding the Police or Fire Pension, contact the respective Fund representatives at the respective department.

Retirement is defined as terminating employment with eligibility for an immediate pension; participants in the IMRF, Police and Fire Pension Funds may terminate employment as a deferred retirement, meaning the employee does not meet the age requirements for an immediate pension but is eligible for retirement based on service requirements.

There is no mandatory retirement age for City employees. The mandatory retirement age for sworn members of the Police and Fire Departments, currently set at age 65, is governed by the Illinois Municipal Code, 65 ILCS 5/10-2.1-17, and applicable sections of their respective collective bargaining agreements. Any subsequent amendments to state law which modify the mandatory retirement age will be imposed on members hired after the effective date of the amendments. Nevertheless, age is a bona fide occupational qualification reasonably necessary to the normal operation of the Police and Fire Departments, and upon good cause shown, a fitness for duty examination may be requested of any sworn member who is over the age of 60.

Employees retiring should contact the Human Resources Division at least 30 days in advance of anticipated retirement date in order to receive critical information on retirement, including medical, dental and life insurance coverage and termination, IMRF retirement procedures, applicable payouts and the like.

Employees retiring must comply with all the requirements shown above under the section "Resignation."

### **Section 11. Reinstatement**

An employee may request reinstatement, in writing, within 30 days of his resignation. The request should be made to the Department Director, who will review the request and make a recommendation to the Human Resources Division Manager. The Human Resources Division Manager will review the request and the Department's recommendation and either request approval from the City Manager or deny the request.

The process will also be followed in cases where an employee has submitted a notice of resignation, but not yet terminated, and wishes to rescind his notice of resignation.

### **Section 12. Re-Employment**

Employees who have been laid off, or are on a permanent leave of absence, may be placed on a re-employment list for a period of one year for the first available position vacancy in the department and job title previously held. Eligibility for re-employment may also be subject to employees covered by an applicable collective bargaining agreement.

Previous City employees who wish to return to City employment must reapply for positions in the same manner as any applicant. The previous employee's record of performance while in the City's service will be taken into consideration, as applicable, during the selection process for the position.

### **Section 13. Reference Checks/Employment Verification**

No department or employee, except the Human Resources Division, shall release any information regarding a previous employee regardless of the circumstances under which that employee left employment with the City.

All requests, written or verbal, for references or employment verification are to be directed to the Human Resources Division for response. No information beyond verification of date of hire, reason for leaving, title, and salary will be released by the Human Resources Division without a signed release from the former employee.

### **Section 14. Personnel Files**

The Human Resources Division is the repository of the official personnel file of City employees. Departments are required to submit official documents regarding an employee (personnel change forms, disciplinary action forms, commendation forms, memoranda regarding terms and conditions of employment, performance evaluations, etc.) for filing in the official City personnel file of the employee.

Employees may review the contents of their official personnel file by submitting a written request to the Human Resources Division at least one working day in advance. Files will be reviewed within the confines of the Human Resources Division office.

Department Directors may review the official personnel files of any employee in their department and may review the official personnel file of any employee/applicant for a position within their department. The files may not be removed from the Human Resources Division.

### **Section 15. Time Off for Voting**

The City encourages employees to exercise their right to vote. It is the intention of this provision, in accordance with state law, to make allowances so that work-related issues do not prevent an individual from exercising his right to vote. Employees and supervisors should take this intention into consideration when requesting or considering a request for time off to vote.

An employee may request in advance time off, on an RTO form, in order to vote in general, municipal or special elections. This request must be made at least one working day in advance; the maximum allowable time off is 2 hours, which is unpaid. Employees may request that accrued vacation leave, floating holiday leave or compensatory time be applied to the unpaid time off. Accrued compensatory time must be applied before any other leave may be used pursuant to this section. The Department Director may specify the hours during which the employee will be absent, in order to disrupt the work program as little as possible.

This provision, which is in accordance with state law, is directed at those employees who live outside of the Evanston area and would therefore have difficulty reaching their polling place. Employees are encouraged to utilize early voting opportunities in the communities where they reside.

### **Section 16. Address and Phone Number**

All employees are responsible for ensuring that a current residential address and phone number (landline or cell phone) are on file with Human Resources. Employees must promptly report changes

of address or phone numbers to their department and to Human Resources. Official communications including tax reporting are mailed to the last **known address on file for the employee**. An employee's failure to maintain a current address may result in delay of the receipt of important information. The City is not responsible for such delays due to an employee's failure to report a current address.

In times of emergencies, it may be necessary to contact employees or family members at home or via cell phone to inform them of situations which require their presence, or other important information. All employees should promptly provide Human Resources with emergency contact information and changes in this information.

## **CHAPTER VI: CITY POLICIES**

### **Section 1. Equal Employment Opportunity Policy**

It is important to reaffirm the City commitment to principles of Equal Employment Opportunity (EEO) and to work in an environment free of discrimination, harassment, and retaliation. The City does not tolerate harassment, discrimination or retaliation in any form. Federal and State laws make it unlawful to discriminate on the basis of any protected class or category, such as: race, color, creed, national origin or ancestry, age, sex, marital status, gender identity or expression, sexual orientation, religion, veteran status, familial status or physical/mental disabilities.

It is the continuing policy and practice of the City to assure that no person will be discriminated against or be denied the benefit of any activity, program or employment in whole or part, in the areas of recruitment, advertising, hiring, promotion, transfer, demotion, lay off, termination, rehiring, employment, rates of pay and/or other compensation. It is our expectation that every person subject to this Policy statement supports the principles of EEO as stated herein.

The City shall use this Equal Employment Opportunity Policy statement to ensure continual efforts at full recruitment, the continued training of staff in EEO, and continued use of meaningful personnel practices that apply equally to all segments of our society. This good faith effort will seek to ensure that the City's workforce fairly represents the race/ethnic and gender makeup of persons in the relevant labor market who possess requisite job skills.

Any employee or applicant who feels adversely affected by actions prohibited by this policy should discuss the matter with the Human Resources Division Manager, and may file a formal complaint within forty-five (45) days of the alleged violation with the Human Resources Division Manager. The complaint will be promptly investigated. Appropriate corrective action will be taken in those cases found to be in violation of this policy.

### **Section 2. Code of Ethics – Rules for City Employees**

All employees shall observe all rules and standards in the City's Code of Ethics. Employees who are found in violation of the Code of Ethics, Section 1-10 et seq. of the City Code of Evanston, as amended, may be disciplined in accordance with the existing procedures in union contracts and/or the Personnel Rules as applicable. All employees shall comply with these rules, and are responsible for reading the City's Code of Ethics, and staying informed and current with any revisions or amendments to the Code which may be approved by the City Council. Questions should be directed to the Law Department. Ignorance of the City's Code of Ethics will not be a defense to discipline imposed for a violation of the Code.

It is the policy of the City that in all cases employees perform their duties for the benefit of the citizens of the City. They shall conduct their duties and themselves with integrity and impartiality, without allowing prejudice, favoritism or the opportunity for personal gain to influence their decisions or actions or to interfere with serving the public interest. Continuing observance of this policy is essential to maintaining the public trust necessary for good government.

Nothing herein shall preclude a department head from issuing departmental-specific rules, as long as they are not less stringent than the Code of Ethics. Any such departmental rules shall be explained and distributed to each employee.

#### **Section 2.1. Standards of Conduct**

Each employee of the City shall be subject to and follow the following standards of conduct:

1. Impartiality: Each employee shall perform his duties with impartiality and without prejudice or bias for the benefit of all citizens of the City. No employee shall grant or make available to any citizen any consideration, treatment, advantage or favor beyond that which is available to every other citizen.
2. Use of Public Property: No employee shall use, permit or request the unauthorized use of City-owned vehicles, equipment, materials or property for personal convenience or profit, or for the personal convenience of others.
3. Conflict of Interest: No employee shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or which may tend to impair his independence of judgment or action in the performance of his official duties. Personal interest includes an interest arising from blood or marriage relationships or close business or other association.

Examples of prohibited conflict of interest include, but are not limited to:

- a. Disclosure of Confidential Information: No employee shall, without proper legal authorization, disclose confidential information concerning people requesting or receiving services, employees, applicants or clients, property, government of affairs of the City. No employee shall use such information to advance the financial or other private interests of himself or others.
- b. Abuse of Power of Office: No employee shall use the prestige or power of his office or employment for his private gain or for the private gain of another.
- c. Representing Private Interest Before City Bodies or Courts: No employee shall appear on behalf of private interests before any body of the City in a manner calculated to leave the impression that he is speaking for the City, or acting on behalf of the City when not authorized to do so. Any person so appearing shall indicate affirmatively that he is speaking in an individual capacity or as a representative of an organization or group other than the City. No employee shall represent private interests in any action or proceeding against the interests of the City in any litigation, administrative proceeding, or other type of adjudicative proceeding to which the City is a party.

An employee may appear on behalf of himself, spouse or minor children before any City body. An employee may also represent other employees in personnel matters as provided in collective bargaining agreements, and the personnel rules.

- d. Acquisition of Interest: No employee shall acquire an interest in or be affected by any contract or transaction at a time when the employee believes or has reason to believe that the contract or transaction will directly or indirectly be affected by an official act or action of the City.
- e. Incompatible Employment: No employee shall engage in or accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.



### **Section 2.2. Prohibited Political Activity**

No employee may engage in political activity during working hours, while on City premises, attending any City-connected function or use their official City office or title while engaging in political activities after working hours.

“Political Activity” is defined as: any activity in support of or in connection with any campaign for elective office or any political organization. Examples of prohibited political activity include, but are not limited to, preparing for, organizing or participating in political meetings, or rallies; soliciting contributions for political events; soliciting votes on behalf of a candidate for elective office, referendum questions or efforts to get voters to the polls; involvement in petitions on behalf of a candidate for elective office or referendum; distributing campaign literature, signs or other material.

Employees are specifically prohibited from wearing political buttons, t-shirts, hats or similar clothing items during working hours, on City premises, attending any City-connected function or while using their official City office or title.

Employees are specifically prohibited from having car top signs or any political sign larger than a normal bumper sticker on personal vehicles parked in City employee parking lots.

City bulletin boards, including those provided by the City for union business as specified in union contracts, shall not contain any political statements regarding candidates for elected public office at the federal, state or local level.

These rules do not prohibit an employee’s right to hold membership in and support a political party, to vote as he chooses, to express an opinion on political subjects and candidates, to maintain neutrality, and to attend political meetings, as long as such activities do not conflict with the above prohibitions.

### **Section 2.3. Prohibited Solicitation and Acceptance of Gifts**

Employees are prohibited from soliciting or receiving any gift, gratuity, discount, entertainment, hospitality, loan, forbearance or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to City employment or the official position of an employee, except as provided below.

The prohibition, as required by State statute, extends not only to all City employees, but their spouse and/or immediate family living with the employee.

The City has determined that the following are exceptions to the prohibitions:

1. Opportunities, benefits and services available on the same conditions as for the general public.
2. Anything for which the employee or his spouse or immediate family member living with the employee promptly pays the market value or makes a prompt donation in the equivalent amount to a tax-exempt charity.
3. Small items such as candy, flowers and similar items that can be shared by City workers while at work; calendars, pens and the like with a value of less than \$5 may be kept, on the premise that such tokens are sent to all customers.

4. Food or refreshments not exceeding \$75 per person in value on a single calendar day provided that the food or refreshments are consumed on the premises from which they were purchased, prepared, or catered.
5. Other exceptions as provided for in Section 1-10-4(C)5 of the City Code, as amended.

#### **Section 2.4. Disclosure of Financial Interest**

No employee shall have any financial interest in any business or transaction with any board, commission, committee or public body of the City unless the employee discloses the nature and extent of such interest and refrains from participating in any decision regarding the business of transaction.

Senior management staff employees shall submit annually the signed and notarized financial disclosure and affiliation statement required by the City Code.

#### **Section 2.5. Administration of Ethics Code for City Employees**

If an employee of the City wishes to have advice on the applicability of any provision of the Ethics Code to a particular situation, or an interpretation of terms used in the code, he/she should consult with the Law Department. The question and answer should be in writing.

A charge of violating the Ethics Code will be investigated and dealt with as any other rule violation by an employee, and existing disciplinary procedures followed.

An employee wishing to file a complaint of ethical misconduct against an employee may make such complaint to the Law Department in writing. The Law Department will investigate such complaints in accordance with existing procedures for notice to the affected employee, and other related or required investigatory notices. Results of such investigation will be submitted within 30 days to the City Manager; if there is a finding of misconduct, the affected employee's supervisor will proceed with the normal disciplinary processes.

#### **Section 2.6. Consequences of Violations**

Employees who are found to have violated the Code of Ethics will be disciplined in accordance with existing and applicable disciplinary rules and procedures in effect at the time of violation. Infractions of the Code may result in discipline up to and including discharge.

#### **Section 2.7. Health Department - Addendum**

In addition to all of the rules of the City's Code of Ethics, employees of the Health Department shall be subject to the following additional standards of conduct:

1. All employees, interns, and volunteers of the Department shall protect the confidentiality of all persons receiving services from the Department, and shall comply with all applicable federal and state statutes regarding confidentiality. Upon beginning employment, all new employees, interns, or volunteers shall sign a statement attesting to their understanding and compliance with the confidentiality policy.
2. No Department employee who has a direct role in the regulatory function of the Department may accept any gift or food as defined in the Code of Ethics and the City ordinance in excess of \$10 from any entity which receives a license or permit from the Department of Health and Human Services. "Direct role" shall include, but not be limited to, application processing, premise inspection, complaint investigation, or license granting.

### **Section 2.8. Community Development Department - Addendum**

In addition to all of the rules of the City's Code of Ethics, employees of the Community Development Department shall be subject to the following additional standards of conduct:

No Department employee who has a direct role in the regulatory function of the Department may accept any gift or food as defined in the Code of Ethics and the City ordinance in excess of \$10 from any entity which receives a permit or license or permit from the Community Development Department. "Direct role" shall include, but not be limited to, permit application or license processing, permit application process decision making or license application decision making, worksite or premise inspection, complaint investigation, or permit and license granting.

## **Section 3. Workplace Harassment Policy**

### **Section 3.1. Purpose**

The City believes in respecting the dignity of every employee and expects every employee to show respect for all of our colleagues, residents and vendors. Respectful, professional conduct furthers the City's mission, promotes productivity, minimizes disputes, and enhances our reputation. Accordingly, this policy forbids any unwelcome conduct that is based on an individual's race, color, religion, gender, national origin, age, disability, ancestry, medical condition, marital status, veteran status, citizenship status, sexual orientation, or any other protected status of an individual or that individual's associates or relatives. The City is thus committed to providing a work environment that is free of unlawful discrimination, including harassment that is based on any legally protected status. The City will not tolerate any form of harassment that violates this policy.

### **Section 3.2. Coverage**

This policy forbids any employee, agent, representative, or elected official of the City to harass any City employee or applicant. This policy also applies to the dealings of any employee or agent with non-employees such as vendors or members of the public.

### **Section 3.3. Prohibited Conduct**

The conduct prohibited by this policy, whether verbal, physical, or visual, includes any discriminatory employment action and any unwelcome conduct that affects someone because of that individual's protected status. Among the types of unwelcome conduct prohibited by this policy are epithets, slurs, negative stereotyping, intimidating acts and the circulation or posting of written or graphic materials that show hostility toward individuals because of their protected status. Even where the conduct is not sufficiently severe or pervasive to constitute actionable legal harassment, the City prohibits all such conduct which could lend itself to an allegation of harassment.

### **Section 3.4. Sexual Harassment**

This policy forbids all gender based harassment. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or are of different genders.

According to the U.S. Equal Employment Opportunity Commission (EEOC), unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct based on sex constitute unlawful sexual harassment when (1) submission to such conduct becomes an implicit or explicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for any employment decision, or (3) the conduct has the purpose

or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of gender-based harassment forbidden by this policy include, but are not limited to: (1) offensive sex-oriented verbal kidding, teasing or jokes; (2) repeated unwanted sexual flirtations, advances or propositions; (3) continued or repeated verbal abuse of a sexual nature; (4) **graphic or degrading comments about an individual's appearance or sexual activity**; (5) offensive visual conduct, including leering, making sexual gestures, the display of offensive sexually suggestive objects or pictures, cartoons or posters; (6) unwelcome pressure for sexual activity; (7) offensively suggestive or obscene letters, notes or invitations; or (8) offensive physical contact such as patting, grabbing, pinching, or brushing against another's body.

### **Section 3.5. Employee Responsibility**

Employees who believe they have been subjected or exposed to discrimination or harassment prohibited by this policy have the right to have any such activity terminated immediately. Every employee has a role in preventing discrimination and harassment. Every employee must avoid any conduct that reasonably could be interpreted as discrimination or harassment under this policy, and every employee should indicate when another person's conduct in the workplace is unwelcome. Employees are expected and encouraged to inform others in the workplace whenever their conduct is unwelcome, offensive, inappropriate, or in poor taste. Therefore, employees are required to come forward promptly and report any problems pursuant to this policy before the alleged offending behavior becomes severe or pervasive. In addition, employees should come forward with complaints about alleged problems or violations of the City's policy at any time. Complaints need not be limited to someone who was the target of the alleged offending conduct. Anyone who has experienced or observed an alleged violation of the policy is encouraged to report it to Human Resources, a Department Director or Supervisor.

Any manager or supervisor who is aware of conduct inconsistent with this policy or who receives a report of conduct inconsistent with this policy is to report immediately to Human Resources, a Department Director or supervisor. If possible, every employee who reports harassment under this policy should make every effort to make that report directly to Human Resources.

### **Section 3.6. Reporting Procedures**

If you feel you have experienced or witnessed any conduct that is inconsistent with this policy, you are to immediately notify Human Resources, a Department Director or supervisor. These are the individuals who are authorized by this policy to receive and notify Human Resources concerning complaints of harassment or discrimination on behalf of the City. Complaints may be made orally or in writing. All complaints shall be treated in a confidential manner to the extent possible taking into consideration the requirements of the investigation. Human Resources will conduct a prompt, impartial investigation of any complaints of harassment. This policy does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination.

### **Section 3.7. City's Response**

All reports describing conduct that is inconsistent with this policy will be investigated promptly pursuant to the City's complaint process. The City may put reasonable interim measures in place, such as a leave of absence or a transfer, while the investigation proceeds. The City will take further appropriate action once the report has been thoroughly investigated. That action

may be a conclusion that a violation occurred, as explained immediately below. The City might also conclude, depending on the circumstances, either that no violation of policy occurred or that City cannot conclude whether or not a violation occurred.

If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the City will take corrective action, including discipline up to and including termination, as is appropriate under the circumstances, regardless of the job positions of the parties involved. The City may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. If the person who engaged in harassment is not employed by the City, then the City will take whatever corrective action is reasonable and appropriate under the circumstances.

### **Section 3.8. Procedures**

You may also contact the following state agencies regarding a harassment complaint within 180 days of the date the alleged harassment took place:

Illinois Department of Human Rights  
100 W. Randolph Street, Suite 10-100  
Chicago, IL 60601  
(312) 814-6200

Illinois Human Rights Commission  
100 W. Randolph Street, Suite 5-100  
Chicago, IL 60601  
(312) 814-6269

The Department of Human Rights investigates complaints of harassment and determines whether there is substantial evidence to support a charge of discrimination. The Illinois Human Rights Commission adjudicates complaints of harassment to determine whether a violation of the Illinois Human Rights Act has occurred.

Using the City's complaint process does not prevent an employee from filing a claim with a state governmental agency or with a federal agency such as the EEOC.

### **Section 3.9. Policy Against Retaliation**

The City will not tolerate adverse treatment of any employee because he reports harassment or discrimination, for assisting another employee in reporting a complaint, or cooperates in a harassment investigation or for filing an administrative claim with the EEOC or a state governmental agency. As this policy strictly prohibits retaliation of any form against anyone who complains of alleged violations of this policy, the prohibition against retaliation also applies to any employee involved in or cooperating with any investigation of alleged offending conduct under this policy. Thus, a supervisor is prohibited from making any personnel decisions or taking any other adverse action against any employee because the employee complained or cooperated in good faith with an investigation of alleged conduct prohibited by this policy. Any acts of retaliation will be considered a violation of this policy, and corrective action will be taken immediately, including the possible termination of any individual who engages in retaliation of any form.

All employees who experience or witness any conduct they believe to be retaliatory should immediately follow the reporting procedures stated above.

**Section 4. Drug and Alcohol Policy**

**Section 4.1. General Policy Regarding Drugs and Alcohol**

**(a) Policy Statement**

Drug and alcohol use and abuse by City employees present unacceptable risks to the safety and well-being of other employees and the public, invite accidents and injuries, and reduce productivity. In addition, such use and abuse violate the reasonable expectations of the public that the City employees who serve and protect them obey the law and be fit and free from the adverse effects of drug and alcohol use.

In the interests of employing persons who are fully fit and capable of performing their jobs, and for the safety and well-being of employees and residents, the City hereby establishes a screening program implementing the City's stated policy regarding drug and alcohol use by employees and potential employees of the City. Where individual departments or entities issued specific directives or general orders regarding drug and alcohol screening, those directives/general orders will be in accordance with this general policy. In the event a collective bargaining agreement recites a drug and alcohol screening policy applicable to employees covered by such agreement, that agreement's policy will take precedence over the general rules set forth herein.

**(b) Definitions**

The following terms as used in this Policy shall have the following meanings:

1. "Drugs" shall mean any controlled substance listed in the Controlled Substances Act, 720 ILCS 570/ et seq., for which the person tested does not submit a valid pre-dated prescription. Thus, the term "drugs" includes both abused prescription medications and illegal drugs of abuse. In addition, it includes "designer drugs" which may not be listed in the Controlled Substances Act but which have adverse effects on perception, judgment, memory or coordination. A listing of drugs covered by this policy includes, but is not limited to:

Opium	Methaqualone	Psilocybin-Psilocyn
Morphine	Tranquilizers	MDA
Codeine	Other Depressants	PCP
Heroin	Cocaine	Chloral Hydrate
Meperidine	Amphetamines	Methylphenidate
Other Narcotics	Phenmetrazine	Hash
Marijuana	Other Stimulants	Hash Oil
Barbiturates	LSD	Other Hallucinogens
Gluthethimide	Mescaline	

2. "Impairment" due to alcohol shall mean a blood alcohol content of .02 or more; or conduct evidencing apparent impairment as described below; or conduct involving alcohol adversely affecting the employee's work performance, the safety of the employee, fellow workers or the public, or the City's reputation.

"Impairment" due to drugs shall mean the presence in the system of any drugs, or their metabolites; or conduct evidencing apparent impairment as described below; or conduct involving drugs adversely affecting the employee's work performance, the safety of the employee, fellow workers or the public, or the City's reputation.

Where impairment exists or is presumed, incapacity for duty shall be presumed.

3. "Policy" shall mean the General Policy as well as specific directives applicable to specific departments and/or employee groups on drug and alcohol screening and all rules and regulations contained herein, as well as any standards or guidelines issued by the Human Resources Division for the enforcement of the Policy.
4. "Positive Test Results" shall mean a positive result on both a confirming test and an initial screening test. If the initial test is positive, but the confirming test is negative, the test results will be deemed negative and no action will be taken. A positive confirming test result is one where the specimen tested contained alcohol, drug or drug metabolite concentrations at or above the concentration specified below.
5. "Sensitive positions" are defined as those positions involving functions, duties and responsibilities which have a direct and substantial effect on public health or safety or on the health of or safety of co-workers.

Sensitive positions include, but are not limited to:

- Senior Management positions
- All sworn positions in the Police and Fire Departments
- Telecommunicator
- Service Desk Officers
- Water Plant Operator
- Water Chemist
- Lifeguard
- Positions providing direct health services to the public
- Positions providing direct services to children
- Positions required to drive, maintain or repair heavy equipment
- Positions required to use, maintain or repair dangerous tools and equipment, including high level of electrical voltage

### ***(c) Prohibitions***

All City employees are prohibited from:

1. Consumption, possession, or sale of alcohol or drugs during the employee's working hours, including breaks.
2. Consumption, possession, sale, or storage of alcohol or drugs on City property, in City facilities, or in City vehicles.
3. Being under the influence or impairment of alcohol or drugs while working, thereby adversely impacting work performance, negatively affecting public perception of the City, and risking the safety of self and others.
4. Consuming alcohol or using drugs in public, outside of work hours, while in City uniform.
5. Consumption or possession of medical cannabis products, as defined by 410 ILCS 130, during the employee's working hours, including breaks.

### ***(d) General Consequences of Policy Violations***

Failure to comply with the rules contained in this Policy may subject an employee to disciplinary action up to, and including, termination and may result in mandatory referral to a treatment program, where appropriate. The City will provide, through outside providers including the employee's medical insurance coverage, diagnostic, referral and related services for employees with alcohol and drug related problems where it deems them appropriate. Participation in a treatment program does not affect an employee's obligation to comply with

this Policy nor limit the City's right to discipline an employee who has violated this Policy or other City rules or regulations. In certain circumstances specified below, the City may seek the employee's termination with no referral to a treatment program. In certain routine instances, or where reasonable suspicion of prohibited drug and/or alcohol use exists, an employee or an applicant for employment may be ordered to submit to drug/alcohol testing. Seasonal employees will be terminated immediately upon violation of this policy.

***(e) Discipline***

Discipline under this Policy shall conform to applicable Personnel Rules, relevant collective bargaining agreement provisions, and other established procedures pertaining to discipline.

***(f) Referral and Treatment***

The City encourages employees to resolve their drug and alcohol problems. Employees may utilize their health insurance coverage or other resources in order to resolve their drug and/or alcohol problems and be able to perform their jobs fully. The Human Resources Division can assist in locating treatment providers. Such contact is held confidential, and information is only shared on a strict need-to-know basis such as where the safety of the employee, co-workers or the public is endangered.

Where the sale and/or possession of drugs in violation of this Policy is involved, an order for a drug/alcohol screening may not be given; employees who violate the prohibitions against sale and/or possession of drugs may be disciplined, up to and including, termination, regardless of treatment program.

The City's interest in assisting employees, however, must be balanced against its duty to promote and protect the public health, safety and welfare and to operate an efficient service delivery system. In certain cases specified in this Policy, employees who test positive may be discharged, and not referred to a treatment program.

**Section 4.2. Circumstances Requiring Drug and Alcohol Screening**

1. Job Applicants: Applicants for all City positions shall be tested for evidence of drug and alcohol use as part of a pre-employment physical exam prior to starting work. Refusal to submit to, or a failure to pass, such drug and alcohol tests at the time specified will result in the City's withdrawal of any conditional offer of employment.
2. Employees Applying for Promotion, Transfer, and Voluntary Reduction: Employees seeking to move to another position within the City via promotion, transfer or voluntary reduction will be tested for evidence of drug and/or alcohol use if in a sensitive position, a position which requires a CDL, or a position which requires physical labor.

When such testing is required, it will be noted on the Job Opportunity announcement of the position. Such drug/alcohol testing will be a qualifying event, and any job offer will be conditional pending results of the employee's drug/alcohol test. Applicants for promotion, transfer or voluntary reduction will not be required to take a drug/alcohol test until a conditional offer of the position is made.

Refusal to submit to the required drug and alcohol test at the time specified will be considered as a voluntary withdrawal of the applicant from the examination process. Failure to pass the required drug and alcohol screen will result in a mandatory referral



to a treatment program, and the conditional offer of the new position will be withdrawn.

3. **Current Employees:** An employee may be required to undergo a drug and alcohol screening. Such circumstances include, but are not limited to: physical examinations of employees being re-employed, returning from a leave of absence of 90 days or more, and fitness for duty; when required by Federal, State of Illinois, and/or local laws, rules, regulations, and/or policies.
4. **Suspicion of Impaired Performance:** "Impaired performance" is defined as being or appearing to be in an impaired physical or mental state due to drugs or alcohol while on duty. Illustrative examples of behavior which may be considered a manifestation of prohibited drug or alcohol use are set forth below.

Where observations of impaired performance create a reasonable suspicion of drug and/or alcohol use, the following actions will be taken:

- a. **Accidents or Injuries:** When a City employee is involved in an on-the-job accident or injury, a supervisor shall conduct a preliminary investigation promptly and, as part of the investigation, shall evaluate the employee's appearance and behavior. Drug and alcohol testing may be required where there is reasonable suspicion that an error or mistake due to drug or alcohol use by the City employee caused the accident or injury, or where there is reasonable suspicion that employee alcohol or drug use may have contributed to the incident. Human Resources will schedule an immediate appointment for this testing. If after hours, the employee should go to the ER for testing.

Supervisors shall document their reasons for recommending such drug and alcohol tests. When reasonably practical, the supervisor's observations should be corroborated by another supervisor. Supervisors shall present their recommendation for such testing to the Department Director or designee for approval to order drug and alcohol tests. If the Department Director is not available, supervisors should check promptly with the Human Resources Division, when reasonably practical. In extraordinary situations when such consultations are not reasonably practical, the supervisor shall have the authority to order an employee to submit to such testing. An employee's refusal to comply with an order for drug and alcohol testing will be considered cause for discipline, up to and including termination.

- b. **Performance:** When an employee's behavior and/or performance is unusual or inappropriate, usually over a period of time, drug and alcohol testing may be required. Examples of such behaviors include, but are not limited to: lower productivity, peculiar accidents, overreaction to criticism, sudden or marked mood swings or behavior changes, mistakes due to apparent poor judgment or coordination, absences from work stations, improbable excuses for poor work patterns, forgetfulness, absenteeism, difficulty concentrating, confusion, or inability to get along with others. Other signs of impairment may be reflected in the employee's bodily odors, appearance or demeanor such as slurred speech, unsteady gait, dilated pupils or unsure movements.

In certain circumstances, one incident of impaired performance or behavior may result in an order for drug and alcohol testing. In such situations, the supervisor shall document the facts that lead him to suspect drug or alcohol use. When reasonably practical, the supervisor's observations should be corroborated by another supervisor.

Other situations involving impaired performance or behavior are those developed over a period of time and result in a pattern of impaired performance or behavior which are detrimental to the operation of the department. In documenting the employee's performance and behavior, and in investigating such incidents, the supervisor will ensure that the employee is talked to and the situation(s) discussed, and that the employee has had the opportunity to correct this pattern of unacceptable performance and behavior, and/or to seek assistance in dealing with the cause of such problem performance or behavior. When such a pattern exists and the supervisor suspects that alcohol or drug use is a cause of such pattern, a drug and alcohol test may be required.

Supervisors shall discuss their investigation, observations and documentation that lead to a suspicion of drug or alcohol use with the Department Director or designee, who must approve the order for a drug and alcohol test to be scheduled by the Human Resources Division. If the Department Director is not available, the supervisor should check promptly with the Human Resources Division for approval, when reasonably practical. Refusal of the employee to comply with an order for drug and alcohol testing will be treated as a positive result and considered cause for discipline, up to and including termination.

- c. Third Party Reports: When a report of drug or alcohol use by an employee is received, the employee's supervisor or Department Director shall conduct an appropriate inquiry or investigation to determine the reliability of the source and to determine the validity of the information or the lack thereof. Based on that investigation, drug and alcohol testing may be required. An employee's refusal to comply with an order for drug and alcohol testing will be considered as a refusal of a direct order and will be cause for discipline, up to and including termination.
- d. Status of Employee Following Order for Testing: When testing is ordered, the employee will be removed from duty and placed on leave with pay pending the receipt of results.

#### **Section 4.3. Consequences of Policy Violations and Positive Test Results**

1. Consequences of Policy Violations Not Involving Drug/Alcohol Testing: The City may seek the termination of any employee:
  - a. Possessing illegal drugs or selling illegal or prescription drugs on or off duty.
  - b. Using illegal drugs or consuming alcohol while on duty.
2. Consequences of Confirmed Positive Drug/Alcohol Tests: The City may seek the termination of employees for a first confirmed positive test result as follows:
  - Employees in sensitive positions when the test reveals illegal drug use.
  - Employees in sensitive positions when the health or safety of the public or fellow employees is endangered.

- Employees in any position where the protection of the public or co-workers requires the removal of the particular employee from City employment.

The City may seek the termination of any employee with a second confirmed positive drug/alcohol screen arising from a second separate incident or from violation of the employee's treatment conditions, or after completion of the treatment program. This action will be taken whether or not the employee has been or is currently in treatment.

The City may require employees with a confirmed positive test result to submit to random drug/alcohol screening as determined by the City.

3. **Ineligibility of Applicants and Employees Applying for Transfers and Promotions:** New applicants who test positive for alcohol or drugs will not be hired. Employee applicants for City positions shall be ineligible for the position for which they are applying and shall be referred to a treatment program. Employee may be disciplined or terminated if currently working in a sensitive position.
4. **Independent Testing:** When an employee has been tested pursuant to the rules established herein and there are confirmed positive results, the employee may request that a portion of the original specimen be submitted for an independent test. The employee shall be notified of his right to do so and must request and complete the independent test within ten (10) calendar days of notice. The independent test shall be at the employee's expense, shall use equivalent or same testing and chain of custody process used by the City and shall be performed at a testing site/laboratory that is acceptable to the City. If such independent test yields a negative test result, the City will run a third test at the City lab; two consistent results will determine how the City proceeds.
5. **Confidentiality of Test Results:** The results of drug and alcohol tests will be disclosed only to the person tested, his Department Director, the Human Resources Division Manager, and such other officials as may be designated by the City Manager. Such designations will be made on a need-to-know basis. If the employee is represented by a union and consents in writing, test results will be disclosed to the employee's union. Test results will not be disclosed externally except where the person tested consents or disclosure is permitted/required by law.

#### **Section 4.4. Referral and Treatment; Cost of Treatment**

Employees may be encouraged to seek a diagnosis and treatment program on the first incident of a positive drug or alcohol screening, except under the following conditions:

- Where drug or alcohol related misconduct, public safety considerations or other similar factors such as the nature of the employee's position require the employee's termination from City employment for the protection of co-workers or the public;
- Where the violation involves the sale or possession of drugs and where the City seeks to terminate the employee;
- Where the employee is found using drugs or consuming alcohol while on duty; or
- Where the employee is in a sensitive position.

#### **(a) Treatment**

Employees in a treatment program, as a condition of continued employment, will be required to grant permission to the Human Resources Division to discuss all aspects of the treatment

program and progress with the treatment provider, to cooperate in the treatment program, undergo announced periodic drug and/or alcohol screening at the direction of the Human Resources Division, successfully complete the treatment program, remain free of drug and alcohol use, and sign a Last Chance Agreement consenting to such conditions. Failure to comply with these conditions of continued employment shall be deemed a breach of the conditions and will be cause for termination.

Following the successful completion of the treatment program, as certified by the treatment provider, employees will be subject to unannounced drug and alcohol testing for a period of one year. Confirmed positive results will be cause for termination.

When an employee has successfully completed the prescribed treatment program, and is later involved in a second separate incident which results in a confirmed positive result, such circumstances will be grounds for termination.

The cost of treatment is the responsibility of the employee. Treatment may be covered in part by the employee's medical insurance coverage; to the extent treatment is not a covered benefit, the employee is responsible for the costs.

***(b) Reassignment***

Employees participating in a substance abuse treatment program may be reassigned to a different position, use accrued leave time or be required to take FMLA for such reasonable period of time as determined necessary by the treatment provider in consultation with the employee's Department Director and the Human Resources Division. The decision as to a transfer, paid or unpaid leave will be based on the specific position held by the employee, departmental operational needs, and the best interests of the City. Any temporary reassignment may result in lower pay, depending on the position transferred to.

**Section 4.5. Test Site**

***(a) General Procedures***

1. Collection Site: Collection services will be provided at a site designated by the City. For services needed other than testing site office hours, collection services will be provided at the Evanston Hospital Emergency Room.
2. Chain of Custody: In all cases, strict chain of custody procedures will be followed.

***(b) Scheduling***

1. "For Cause/Fitness for Duty" and other non-routine testing will not require an appointment, but the individual must be accompanied by a supervisor. The testing site should be notified by Human Resources of a testing request "on the way."
2. Routine testing will be done by appointment at least 24 hours in advance.
3. When testing is done at the emergency room, the City will notify the testing provider as soon as possible.

***(c) Results***

Results will be released to the Human Resources Division Manager or designee by phone. Written results will be forwarded by mail or fax. Written results are the property of the City and will not be released by the testing site to an employee/applicant without proper authorization from the City.

***(d) Collection Procedure***

The employee/applicant will be required to provide photo ID to the testing site personnel. The employee/applicant will be required to complete a drug history/drug disclosure form, which will be reviewed by the medical professional. A consent form will be signed by the employee/applicant and witnessed.

***(e) Laboratory Process***

The testing site will utilize federally-approved laboratories for processing drug tests, and the federally-approved levels. Positive test results will be confirmed by federally approved confirmatory testing, using federally approved cutoff levels.

**Section 5. Employee Complaint Process**

Any employee of the City who believes that an action of another employee, agent of the City or vendor for the City violates any City policy, may file a formal complaint with Human Resources. Such complaint will be received and investigated as follows:

1. The employee should contact Human Resources to discuss the incident(s) leading to the complaint. The employee may choose to file a formal complaint, which shall contain the following:
  - A clear statement (written or verbal) describing the incident(s) including dates, times and witnesses (if any) to the incident(s), and the identity of the person allegedly violating the policy in question. Any written documentation in the employee's possession relating to the incident(s) should be provided to Human Resources.
  - All discussions will be kept confidential to the greatest extent possible, and the information communicated only to other persons on a "need to know" basis, in order to further the investigation.
2. Human Resources will inform the City Manager or designee of the filing of the complaint, and the plan for investigating such complaint, as needed. Investigations of complaints will begin promptly.
3. Human Resources will investigate the complaint, including, but not limited, to the following:
  - Personal interviews of the respondent, any witnesses to the incident(s), and any other individuals deemed relevant to the investigation;
  - Review of documents (correspondence, emails, reports, memos, etc.) that are relevant to the investigation.
4. Human Resources will submit to the City Manager a report on the investigation, including findings of fact and conclusions drawn as appropriate. The finding will include a statement as to whether or not the complaint has merit or no merit.
5. For complaints made against other City employees, the City Manager will discuss the report with the alleged perpetrator's Department Director; if the complaint is determined to have merit, the Department Director will take appropriate remedial action. If disciplinary action is warranted, the Department Director will follow the regular disciplinary procedure. Remedial action may include training, counseling and/or other activities designed to assist the perpetrator to understand the policy violated, and to change behavior to comply with the policy.
6. Human Resources will inform the complainant of the finding of merit, and that appropriate action is being taken to remedy the violation. The specifics of the action being taken will remain confidential.
7. If the complaint is determined to have no merit, Human Resources will inform the complainant of such determination.

8. For employees covered by collective bargaining agreements, this process does not take the place of the grievance/arbitration process in those contracts to the extent the alleged violation may be the subject of a contractual grievance.

### **Section 6. Smoke Free Workplace**

The City's Indoor Clean Air Act is found at Section 8-18 et seq. of the City Code. Smoking is prohibited in all enclosed public places within the City, and within 25 feet of any area where smoking is prohibited.

Smoking, including use of electronic cigarettes, is prohibited within any City facility by employees or by the general public, within 25 feet of any City facility, in any City vehicle, or while using or operating any City equipment. The smoking prohibition is intended to protect employees from the effects of second-hand smoke and related health concerns. Smoking on outdoor worksites is also discouraged to reduce the amount of exposure to second-hand smoke that other employees may experience.

Violations of this policy will be subject to disciplinary action in accordance with established procedures.

### **Section 7. Employee Identification Cards**

#### **Section 7.1. Purpose**

In order to deliver high quality customer service, and provide an additional safety measure for employees, it is the City's policy that all City employees possess and display an official identification card which includes a photograph of the employee.

#### **Section 7.2. Policy**

All full-time, permanent part-time, temporary, seasonal, volunteer and contractual employees will be issued a photo identification card within two weeks of beginning employment.

Employees must display the photo ID while on City property, while in the field on City business and when on duty. Employees subject to emergency call-outs during non-normal business hours should keep their ID card with them and be prepared to display it during such emergencies.

Department Directors are responsible for issuing and retrieving photo ID cards from their employees, and for ensuring appropriate adherence to the policy.

Violation of this policy will result in disciplinary action, up to and including termination, for repeated occurrences.

#### **Section 7.3. Procedures**

Employees of the Police and Fire Departments will have their ID card issued by their Department. All other City employees, unless other arrangements have been made through Human Resources, will have their ID cards issued by the Human Resources Division as follows:

Full-time and permanent part-time employees: As part of the initial benefit enrollment and orientation, new full-time and permanent part-time employees will have their pictures taken and ID cards produced by Human Resources.

Seasonal employees: The supervisor/Department Director will be responsible for setting up an appointment within the first two working days for the employee to get their ID card. Seasonal employees' ID cards will show the expiration date of their employment.

Temporary employees: The supervisor/Department Director will be responsible for setting up an appointment within the first two working days for the employee to get their ID card.

Contractual employees: Individuals working via contractual arrangements for the City who are not on the City payroll, but who are in City buildings, etc., must wear appropriate photo ID cards. Individuals on long-term contracts will have photo ID cards.

Terminating employees: Terminating employees must turn in their photo ID card, along with keys, computer passwords, etc., before the final paycheck is issued. ID cards will be returned to Human Resources prior to a final paycheck being issued. It is the responsibility of the Department Director to ensure that terminating employees follow this procedure. Volunteers will return their ID to their immediate supervisor.

Employees on leaves of absence: Employees on approved temporary or permanent leaves of absence will turn in their photo ID cards, along with keys, and other City equipment when going on an approved leave of absence. The equipment and material should be turned in to the Department Director and held for the employee's return. Department Directors must make arrangements with those employees who are on medical leaves or otherwise unable to come to the office to retrieve these articles.

Department Directors are responsible for updating photo ID cards for their employees as appropriate, but shall check yearly to make sure the information is still correct and applicable. When a Department Director determines that a new photo ID card is necessary, he shall make arrangements for the employee to get the new card issued.

Replacement cards will only be issued when necessary (e.g., broken, name change). Pictures will be taken of employees so as to be recognizable to the public, and hats, sunglasses, headbands and other distractions will be not permitted. Misuse of photo ID cards will result in disciplinary action, up to and including termination. Employees may not use their ID cards for any type of personal business or activity.

#### **Section 7.4. ID Cards**

Permanent full-time employees will have their ID card on a blue background.

Part-time employees will have their ID card on a green background.

Seasonal employees will have their ID card on a yellow background.

Volunteers, temporary, and contractual employees will have their ID card on a red background.

Each ID card will contain the following information:

Employee's full name

Job title and department

Employee photo

Date issued and date of expiration (for seasonals, temporaries, contractual, etc.)

Employee signature, if possible

City logo and the address and phone number to call for verification, complaints, etc.

Each card will be equipped with a clip to put on the employee's clothing; when in the field, the card will be affixed to the outer garment so as to be visible to the general public. Employees may affix the ID card to a chain around the neck if they so choose, but the ID card must be easily visible to the oncoming public.

### **Section 8. Employment of Relatives**

A City employee shall not be assigned to a position where that employee would directly supervise, approve discipline for such employee, or be in the chain of command over/under his or her relative. It is the employee's responsibility to notify his supervisor if this situation could potentially arise as a result of an assignment or reassignment in a current or new position.

For purposes of this section, "Relative" is defined as an employee's spouse, domestic/civil union partner, parent, sibling, child, grandparent, grandchild, niece, nephew, cousin, sister-in-law or brother-in-law, mother-in-law or father-in-law, or daughter-in-law or son-in-law.

### **Section 9. Personal Appearance**

All City employees, whether full-time, part-time, seasonal, temporary, contractual or on a work-study program, are expected to be well-groomed and dressed in a manner which is appropriate for their responsibilities and employment in a public agency. Employees shall look professional and clean and shall dress for work, not play. Whether or not an employee has a direct interaction with another person – be it a citizen, fellow employee or board member/elected official – the choice of clothing has an immediate impression on others.

Employees who are required to wear uniforms will be subject to a separate policy governing uniform requirements. Safety is also an important consideration. Clothing, shoes, hairstyle, jewelry, or other accessories that impair an employee's ability to safely perform required work are prohibited. Clothing with the City's logo or identification can be worn only when the employee is acting in an official capacity or in transit between home and work. Professional and supervisory staff is expected to dress in a businesslike fashion.

To present the best possible image for the City, the following attire choices are considered inappropriate for those employees who work in an office setting:

Blue jeans (except for Fridays), casual shorts, jogging or sweat suits;

Sweat shirts, t-shirts, tank tops or oversized "big" shirts;

Trendy wear including exceptionally short dresses or skirts or cropped or off-the-shoulder tops;

Clothing that does not cover the midriff or belly or undergarments;

Clothing items displaying an offensive comment or graphic illustration; logo clothing including sport teams, cartoon characters, etc.;

Jewelry that represents an unprofessional image;

Dirty, ragged, ungroomed or sexually provocative, revealing or see through clothing or appearance;

Any other attire or appearance deemed as inappropriate by the City.



Employees who have questions about “appropriate” dress should consult their supervisors. The Department Director has the responsibility for seeing that employees are dressed appropriately and may make exceptions or additions to this policy where the need is warranted, such as for field or seasonal employees.

### **Section 10. Workplace Violence**

It is the objective of the City to ensure the safety and well-being of its workforce and the persons with whom the City does business. Therefore, the City has established a zero tolerance policy for any violent acts or threats directed by or towards any City employee. The City complies with the Firearm Concealed Carry Act, 430 ILCS 66/ et seq., as amended.

Violence in the workplace includes, but is not limited to:

- a. Any physical behavior that involves aggressive physical contact with any other person, including pushing, hitting, fighting, throwing objects or otherwise intentionally injuring another person or attempting to injure another person;
- b. Any physical behavior that would place a reasonable person in fear of imminent physical injury or other aggressive physical contact of the sort described above;
- c. Verbal behavior which involves threatening physical harm, either directly or implicitly, against any person;
- d. Any act of vandalism or other intentional damage or destruction of City or private property;
- e. Instances where such acts or threats are made against an employee by a non-employee.

Workplace violence does not include activities covered by Police Department regulations concerning the use of force by members in the performance of law enforcement duties, which are treated separately under that Department’s policies and procedures.

Employees who become aware of any threat or act of workplace violence, whether by an employee or non-employee, must immediately report such threat or action to the employee’s supervisor, Department Director or Human Resources. Employees should not confront the person against whom their complaint is lodged.

- a. If the supervisor or Department Director receives a complaint, it shall be his responsibility to notify the Human Resources Division as soon as is reasonably possible.
- b. All complaints will be given a high priority. The Human Resources Division may conduct an investigation of the incident at which time the Law Department and City Manager’s Office will be informed.

Violations of this policy may result in discipline, up to and including termination. Employees should also understand that such behavior may be criminal and could result in criminal prosecution.

It is the City’s policy that an employee who reasonably and in good faith reports any workplace violence, or testifies, assists, or participates in an investigation of or hearing concerning allegations of threats of violence shall be free from retaliation by any person or group of persons. Retaliation includes any act of harassment, verbal abuse, verbal threat, or any other or additional act of workplace violence. Retaliation

will also be considered a violation of this policy. Complaints of retaliation will be investigated, and if it is determined that retaliation occurred, the actions may result in discipline, up to and including termination. Employees are encouraged to report complaints of retaliation to the supervisor, Department Director or Human Resources.

### **Section 11. Weapons-Free Workplace**

In order to promote the objectives of its Workplace Violence Policy, and to protect its employees' and residents' safety and welfare, the City prohibits the possession of firearms and dangerous weapons at anytime and anywhere on City property, or any time or anywhere while performing City work.

For purposes of this policy:

"Firearm" means any handgun, rifle, shotgun, taser, or any other type of "firearm."

"Dangerous weapon" means any type of dangerous knife (such as switchblade or ballistic knives), bludgeon or other weapon whose possession is a criminal offense under the State of Illinois Criminal Code.

It is the policy of the City that all firearms or dangerous weapons of any type, concealed or unconcealed, are prohibited anywhere and at any time on the City's property, including parking areas, regardless of whether the person is licensed to possess or carry the weapon or not.

All City employees, except as exempted below, including contract and temporary employees, are prohibited from possessing any firearm or dangerous weapon at anytime and anywhere on City property, including parking areas. Possession includes, but is not limited to, keeping or possessing a firearm or dangerous weapon in a private motor vehicle parked on City property; in one's purse, briefcase or other possessions; in lockers or desks; or any other place whatsoever on City property, regardless of whether the person is licensed to possess or carry the weapon or not.

City employees, except as exempted below, including contract and temporary employees, are prohibited from possessing or carrying firearms or dangerous weapons outside of City property while acting within the course of their employment, regardless of whether the person is licensed to possess or carry the weapon. Possession includes, but is not limited to, keeping or possessing a firearm or dangerous weapon in a City vehicle or a private motor vehicle while used within the course of employment, or kept in one's purse, briefcase or other possessions while acting within the course of employment.

**Exempt employees** – The following employees are exempt from the prohibition on possession of firearms or dangerous weapons on City property or while on City business: (a) Sworn police officers authorized by the Police Department to possess firearms or dangerous weapons; (b) Animal control officers acting in the course of their employment and using firearms or dangerous weapons authorized by the Police Department for animal control purposes. Additionally, members of the Fire Department or other City employees who, in an emergency situation, take possession of a third-party's firearm or dangerous weapon for the purpose of protecting themselves and others and in order to secure it for the Police until they arrive, do not violate this policy.

Violation of this policy may result in discipline, up to and including termination. Further, carrying a firearm or dangerous weapon onto City property, including parking areas, in violation of this policy will be considered an act of criminal trespass, will be grounds for immediate removal from the premises, and may result in criminal prosecution.

Employees who have a question about this policy, or become aware of anyone acting in violation of this policy, are required to notify a supervisor or the Police Department immediately.

## **Section 12. Vehicle Use Policy**

This policy establishes procedures regarding the use of City vehicles and reimbursements to employees for the use of their private vehicles for City business. This applies to all City employees unless otherwise noted within the policy.

### **Section 12.1. Definitions**

**Assigned Vehicle** - A City-owned vehicle designated for the use of an individual employee (or division) in the normal performance of his duties but not authorized for take-home use. An employee operating such vehicle will be personally responsible for traffic violation tickets received while in operation of an assigned vehicle, and may be disciplined for such violation.

**Auto Expense Allowance** - Monthly compensation made to an employee for the availability and use of a privately-owned vehicle for official purposes.

**Mileage Reimbursement** - A per mile rate to compensate employees for incidental, non-routine, or extraordinary use of a privately-owned vehicle on official business, based on actual logged miles.

**Take-Home Vehicle** - A City-owned vehicle designated for the use of an individual employee in the normal performance of his duties including the commute from home to work. An employee operating such vehicle will be personally responsible for traffic violation tickets received while in operation of an assigned vehicle, and may be disciplined for such violation.

### **Section 12.2. Procedure**

1. **Take-Home Vehicles** - An employee authorized for take-home use of a City vehicle must meet one of the following tests:

**Test 1:** The employee is:

- a. subject to frequent after-hours emergency callback or other unscheduled work, and
- b. such unscheduled work involves the first response to a real or present threat to life or property requiring an immediate response, and
- c. a specialized vehicle, tools, or equipment are required for the performance of emergency duties.

**Test 2:** The employee is:

- a. subject to frequent after-hours callback, and
- b. such callback arrangements are to locations other than the employee's normal duty station, and
- c. a special vehicle, tools or equipment are required to perform after-hours assignments, and
- d. an unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment.

In the case of formal on-call duties shared by a group of employees on a rotational basis, the use of a take-home vehicle is for the period of on-call assignment only.

Department Directors shall determine reasonable schedules and vehicle assignments for rotational, on-call coverage. For other purposes, the City Manager's Office, at the written request of the Department Director, will authorize full-time take-home vehicles based on the criteria described above.

Unless authorized by the City Manager, no personal use of take-home vehicles is permitted, beyond the daily commute to and from the employee's duty station. Normal meal periods within duty hours are considered official use.

No passengers may be transported in take-home vehicles except as required for official duties or as approved by the City Manager or Department Director.

2. Take-home vehicles may not be used for commuting travel outside of Cook, DuPage, Kane, Lake, McHenry, and Will Counties in Illinois without special authorization.
3. Tickets received for parking, toll, and/or moving violations shall be the responsibility of the employee.
4. Employees authorized for use of a take-home vehicle must comply with all other driver's license and insurance requirements of the City.

*Note: The Internal Revenue Service (IRS) has determined that personal use of employer-owned vehicles is non-cash earnings subject to taxation. IRS regulations include the commute between the employee's residence and work site in the definition of personal use.*

### **Section 12.3. Mileage Reimbursement**

Mileage reimbursement may be authorized by the Department Director for an employee who must utilize his personal vehicle to conduct City business and who receives no other form of allowance.

1. Commuting mileage to respond to an after-hours callback or a required and unscheduled return to work is considered official City business.
2. Claims for mileage reimbursement shall be made in accordance with current Travel Expense Reimbursement procedures.
3. The standard rate of mileage reimbursement shall be set annually based upon the Internal Revenue Service mileage reimbursement rate.
4. The Department Director may request authorization from the City Manager for an employee to receive the regular Automobile Expense Allowance if it appears that Mileage Reimbursement will exceed the annual Automobile Expense Allowance.
5. Tickets received for parking, toll, and/or moving violations while on City business shall be the responsibility of the employee.

### **Section 12.4. Automobile Expense Allowance**

An employee receiving an Automobile Expense Allowance must meet one of the following tests:

- Test 1:** The employee:
- a. is on 24-hour call, and

- b. is frequently required to work outside of normal business hours or respond to after-hours emergencies, and
- c. does not require a specialized vehicle, tools or equipment, and
- d. is not authorized a take-home vehicle.

**Test 2:** The employee:

- a. requires regular, frequent and extensive vehicle usage to perform duties during normal business hours, and
  - b. is not regularly assigned use of a City vehicle, and
  - c. serves in the capacity of Department Director.
1. The dollar amount of Automobile Expense Allowances is to be determined based on the nature and extent of vehicle utilization required for official business.
  2. The City Manager's Office, upon written request from the Department Director, shall review and approve these allowances. Department Directors are responsible for acting upon any change in duty assignment that would alter an employee's eligibility to receive or to discontinue receiving an Automobile Expense Allowance.
  3. All costs of personal vehicle ownership, operation and maintenance will be the responsibility of the employee.
  4. Tickets received for parking, toll, and/or moving violations while on City business shall be the responsibility of the employee.
  5. Employees receiving an Automobile Expense Allowance must comply with all other driver's license and insurance requirements of the City.
  6. The vehicle shall be appropriate for City business, consistent with the duties and responsibilities of the employee.
  7. Except for infrequent incidences necessitated by personal vehicle maintenance, employees receiving an Automobile Expense Allowance shall not be permitted use of vehicles from the City fleet for business travel within Cook, DuPage, Kane, Lake, McHenry, and Will Counties.

Note: Any employee who is required to drive as part of his position must furnish a copy of his driver's license to the City when requested or at least annually as required by the designated City Department for this purpose.

**Section 13. Computer Use Policy**

The City provides technological solutions to facilitate City operations. Use of City owned IT solutions (i.e., computers, printers, mobile-devices, network and internet connections, data, and applications) requires that users abide by the acceptable use policy. Additionally, all data created, entered, received, stored or transmitted by email, voicemail, network use, is also covered by this policy.

This policy applies to all City employees, interns, volunteers, and all other users who become authorized to use City technology resources. There is no reasonable expectation of privacy in City-provided technological solutions. Failure to comply with appropriate use outlined within the policy is subject to employee discipline, including disciplinary proceedings, suspension of system privileges, termination of employment, and/or legal action as may be appropriate.

**Section 13.1. Privacy**

All data created, entered, received, gathered or transmitted through City technology resources becomes property of the City, and is subject to all FOIA requests. Employees should not expect any privacy in data created, transmitted, stored, or viewed utilizing City Information

Technology resources, including personally owned devices utilizing City managed networking resources. The City reserves the right to access and monitor any data that resides on resources managed by the Information Technology Division. The use of encryption, the labeling of an email or document as private, the deletion of data, or any other such process shall not diminish the City's rights in any manner.

### **Section 13.2. User Responsibility**

Users will ensure that all technology assets assigned to them by the City, permanently or temporarily, are utilized and maintained in a manner consistent with their intended work function. Additionally, no City-owned technology devices will be brought offsite without prior authorization by the employee's Department Director and notice to the IT Division.

Irresponsible internet browsing can lead to a loss of network data via virus and malware infections. You are responsible for the overall health of your issued IT hardware. Malicious action against any City technology resource is subject to discipline, up to and including termination.

Users are not authorized to modify City technology equipment in any manner. Installation or removal of any physical or application components on City-issued devices is prohibited. This section does not apply to IT personnel performing maintenance consistent with their assigned tasks.

Users may encounter situations where they must create a third-party account for vendors to access online technology resources. All third-party accounts must be registered with a City email address and reported to the IT Division for documentation. Access to these accounts must be transferred to the City upon an employee's termination of employment.

### **Section 13.3. Cellular Phones and Technology Devices**

Personally Owned: Employees are expected to exercise discretion in the use of personal cellular phones and technological devices when working. Excessive personal use of technology can interfere with employee productivity and be distracting to others. Personal devices may be provided access to the City's network, but use of these devices must be regulated to business matters. The City will not be liable for the loss or damage to personal technology equipment brought into the workplace, regardless of its intended use.

City Owned: Due to job or business demands, the City may issue hardware to increase mobile productivity, such as a cell phone or tablet device. Employees in the possession of mobile equipment are expected to protect the items from loss of data, damage, or theft. In cases of loss, damage, or theft, the employee may be liable for the replacement or repair cost to the equipment. Such liability will be discussed with, and determined by, the employee's Department Director. Employees shall produce evidence or other circumstantial proof regarding cases of loss, damage, or theft of equipment. Upon resignation of employment, or at any time upon request, the employee may be asked to produce the issued hardware for return or inspection.

### **Section 13.4. Email and Internet Usage**

The City's email and internet access shall only be used for legitimate business purposes of the City and that does not violate any City policies. All email and internet traffic is logged and becomes City property. The City reserves the right to monitor and/or review, at any time and for any reason within its sole discretion, any email created, sent, or received via the City's

computers, networks, and/or email systems. The City further reserves the right to reveal the contents of such email and internet traffic to any party that it deems appropriate.

Each user is responsible for ensuring that their use of the City's email and internet traffic is consistent with this policy, any other applicable City policy, and appropriate business practices. Emails and internet traffic shall not contain pornography, sexist remarks, racist remarks, defamatory remarks, obscene remarks, negative or hostile remarks relative to cultures or which promote or denigrate religious beliefs, anything of a commercial nature not pertaining to the City's business, hacking or any other inappropriate topics. Technology resources shall not be used for any purpose in violation of law or regulation.

#### **Section 14. Secondary Employment**

The City does not prohibit its employees from holding part-time jobs, operating private businesses, or otherwise being gainfully employed during off-duty hours, provided that:

1. The demands of that secondary employment do not interfere with the efficient, effective, **professional performance of the employee's duties.**
2. The secondary employment does not give rise to a conflict of interest.
3. The secondary employment does not cause the employee to violate any written rules or regulations of their Department, any City Ordinance, or any state or federal laws.

The following conditions apply for secondary employment:

- The employee must notify his department head in writing of any secondary employment.
- No City equipment, vehicles, supplies, uniforms will be used by the employee in connection with any secondary employment.
- Employees will not allow a normal work day and secondary employment to overlap.
- Secondary employment necessitating interruption of the employee's regular duty will not be authorized.
- Secondary employment is not permitted when the status of the employee is anything other than full-duty, e.g., injury on duty, or light-duty status. Employees are not permitted to engage in any type of secondary employment while receiving any type of disability compensation as a result of their City employment.
- An employee who is injured or who has become ill as a result of their secondary employment is to promptly submit a detailed written report of the injury or illness to the Department Head.
- Supervisors may not hire employees to perform personal work for them outside of regularly scheduled work hours.

#### **Section 15. City of Evanston Anti-Idling Policy**

No driver of a municipal vehicle shall cause or allow the vehicle to idle for a period of more than 15 minutes in a 60-minute period.

The policy shall not apply to:

- Emergency service vehicles, such as fire apparatus, police vehicles, or ambulances;
- Vehicles standing in traffic;
- Vehicles being serviced or repaired;
- Vehicles running when necessary to operate auxiliary equipment that is required to accomplish the intended use of the vehicle;
- Idling to provide heat within the cab of the vehicle if the outside temperature is less than 40° F and there is no accessible temperature-controlled area within a reasonable distance; or

- Idling to provide cooling within the cab of the vehicle if the outside temperature is more than 80° F, there is no accessible temperature-controlled area within a reasonable distance, and the vehicle is equipped with air conditioning.

### **Section 16. Cell Phone Policy**

The City recognizes the need of a practical and economical cell phone program and policy that establishes procedures for their authorization, deployment, and use to contain costs, to ensure departmental accountability, personal responsibility, and prevent improper use. This policy deals with the usage of City-owned cell phones or eligibility for cell phone stipends.

#### **Section 16.1. Eligibility**

Department Directors, subject to City Manager approval, will determine if certain City employees are required to be accessible at all times due to the nature of their position, job function or duties. To facilitate this accessibility Department Directors have the option to determine the issuance to an employee a City-owned cell phone or provide the employee with a nominal monthly stipend to assist in off-setting the cost of using their cell phones to conduct City business activities.

A City-owned cell phone or monthly stipend may be authorized if an employee meets at least one of the following criteria:

1. The job function of the employee (during normal working hours) requires considerable time outside of the assigned office or work area and it is important that the employee is accessible during this time;
2. The job function of the employee requires them to be accessible outside of scheduled or normal working hours; or
3. The job function of the employee requires data and internet access wirelessly and/or outside normal working hours.

#### **Section 16.2. Cell Phone Stipend Program**

The City may pay a monthly cellular phone stipend amount based on the usage level of reimbursement appropriate to the individual's job responsibilities. By receiving the stipend, employees agree to commit themselves to receive and make calls and/or access the internet for City-related business on their personal device.

Employees must obtain authorization from the Department Director and complete the *Cell Phone Stipend Program Request Form*. The cell phone equipment is to be owned and maintained by the employee. Employees are responsible for ensuring that their device will meet the needs of their job requirements (i.e., email synchronization). Devices with data capabilities must include including a scheme or password to lock the device to prevent tampering. Access to Exchange should not be configured without a PIN or password set-up on cell phone.

Department Directors are responsible to determine when employees are required to be accessible by cell phone. Stipends will be paid through the payroll cycle on the 2<sup>nd</sup> pay period of each month, subject to applicable taxes, per City Manager policy.

The stipend schedule may be adjusted periodically to attempt general conformity to commercially available cell phone usage plans. Employees are allowed unrestricted business and brief personal use (during business hours) of his cell phone.



Each employee who receives a cell phone stipend is responsible for obtaining their own usage plan, phone, device, and other equipment. It is the responsibility of the employee to maintain their cell phone account. Cell phone bills should be directed to employee for payment, and employees should not include the City as co-owner or co-lessee. Employees are not required to provide a record of their monthly bills listing the business use of the device. However, in the event of an official investigation, a Freedom of Information Act (FOIA) request, or a subpoena, employees may be required to provide bills/call records for City-related calls or activities in accordance with Federal and/or State laws.

By receiving the stipend, employees agree to the following:

1. All cell phone stipend requests must be submitted in writing to their Department Director with written approval from the Assistant City Manager.
2. Employees must maintain cell phone service in order to remain eligible for the monthly allowance provided by the City. Documentation will be provided to the Department Director, as requested to verify continued ownership and business use of a cellular phone in order to maintain their monthly allowance.
3. Employees are expected to be available by cell phone during business hours, as workload requires, while on-call duty, in emergency situations or as agreed upon with supervisor.
4. Employees receiving the stipend shall provide their cell phone number and any subsequent changes to the number to their Department.
5. Each cell phone user will be held accountable for his own actions, which affect such resources.
6. Payment of any cell phone use in excess of the City-paid monthly allowance authorized shall be the personal responsibility of the user.
7. Employees may upgrade the plan equipment and/or change wireless service at their own cost.
8. Any non-approved additional services, i.e., cameras, networking/internet capabilities, shared plans are the financial responsibility of the employee.
9. The employee will be responsible for purchase, replacement, and/or repair of their cellular phone and equipment.
10. Department Directors retain the right to decide whether an employee should receive a City-issued cellular phone, a stipend, or neither.

### **Section 16.3. City-Owned Cell Phone Issuance**

In certain circumstances it may be necessary for City employees to be issued a City-owned cell phone. These circumstances may be due to an anticipated high volume of business related calls, due to the transient nature of some functions, or for safety reasons. Eligible employees may include police officers, department directors, division managers, or other employees who may need to respond in emergency situations or who may justifiably use the cell phone on a constant basis during the course of a workday and/or during off duty hours as determined by their Department Director, subject to Assistant City Manager approval.

Department Directors will determine which of their employees should be issued a City-owned cell phone and other accessories based on the amount of expected usage or due to other job related accessories and subject to departmental budget constraints. Department Directors

recommendations and justifications should be submitted by a memo or email to the Assistant City Manager for review and approval.

Employees who are issued a City-owned cell phone or device are required to acknowledge and abide by the City's policy regarding the "Use of City Equipment for Personal Use." Employees are to reimburse the City for any personal calls made using a City-owned cell phone, if abuse of the cell phone usage is determined. Employees with City-owned cell phones shall receive a copy of the cell phone bill, shall review the bill on a yearly basis for any personal calls that were made and remit payment, via check made payable to the "City of Evanston," to their supervisor, who will forward the payment to the City Collector's Office for processing. Employees are to use City phones for businesses related matters.

Employees are responsible to report any damaged or misplaced cell equipment to their supervisor by e-mail, within one business day of the damage or loss. A replacement phone will be issued. Employees may be responsible to pay for the replacement of damaged or lost equipment if it is determined that the loss or damage was avoidable. Normal wear and tear is expected and will not be considered negligent use.

**Section 16.4. Accountability and Losing Program Eligibility**

Annually, at the beginning of the budget process, the Administrative Services Director will provide Directors with a list of their employees who have either been issued a City-owned cell phone or who are receiving a cell phone stipend. Directors will review these lists to determine if their employees should continue to be issued a City-owned cell phone or should continue to maintain their stipend program eligibility. If it is determined that an employee is no longer required to carry a City-owned cell phone, the employee will be notified by their supervisor of the change and the employee will be required to turn in the City-owned cell phone to their supervisor within (3) three business days after notification. Returned cell phones will be returned to the Administrative Services Department within 24 hours. If a Department Director makes a determination that an employee is no longer eligible to receive a cell phone stipend, the department will notify the Administrative Services Department within 24 hours to cancel the stipend. The stipend cancellation will take effect for the next pay period.

Employees who are issued a City-owned phone or stipend are required to acknowledge and abide by Section 10-3-12 of the City Code and laws regarding the use of cell phone mobile devices while operating a motor vehicle.

The City recognizes and respects users' rights to freedom of speech; however, such rights are not absolute. Employees are not required by management to keep a record of their business use of the device. However, in the event of an official investigation, a Freedom of Information Act (FOIA) request or subpoena, employees may be required to provide bills/call records for City-related calls or activities in accordance with Federal and/or State laws. Personal information may be redacted.

Speech or text messaging that is fraudulent, libelous, obscene, harassing, or threatening is not permitted under Federal and State law, and is in direct violation of City policies and this Manual. While conducting City business, users are expressly prohibited from using their cell phones to engage in such conduct. Users violating this section will be subject to disciplinary action, up to and including termination, and in appropriate circumstances, a referral for prosecution for the violation of criminal laws.

All employees using City-owned cell phones or devices expressly recognize that they have no reasonable expectation of privacy in any electronic communications using said phone/device and that the City has the right to perform a reasonable search of the employee's electronic communications on said phone/device. Lastly, all employees expressly agree that the use of the City-owned cell phone/device for City business outside normal business hours does not entitle them to claim overtime for said work.

### **Section 17. Identity Protection Policy**

Program administration is an important part of the Identity Theft Prevention Program. This section details the training requirements, annual program review, approval and adoption process and annual reporting requirements that are associated with the Program.

#### 1. Staff Training

Any employee with the ability to open a new account, or access/manage/close an existing account will receive training on identifying and detecting Red Flags. They will also be trained in the appropriate response actions in the event that an instance of identity theft is suspected. Key management and customer service personnel in appropriate departments will also receive training on the contents of this Program. As necessary, employees will be re-trained annually if the Program is updated to include new methods of identifying and detecting Red Flags, or if new response actions are implemented. Each employee must sign the City's designated form after Red Flag training has been received.

#### 2. Program Review and Update

The City will review and update the Program annually to reflect changes in risks to customers from identity theft based on factors such as:

- Experiences of the City with identity theft.
- Changes in methods of identity theft.
- Changes in methods to detect, prevent, and mitigate identity theft.
- Changes in the types of accounts that the City offers or maintains.
- Changes in the business arrangements of the City, including alliances, joint ventures, and service provider arrangements.

#### 3. Program Approval and Adoption

This Program was approved by the Evanston City Council on April 14, 2009. The City Manager's Office will be responsible for the oversight, development, implementation and administration of the Program. An annual report as described in Section D below that will address compliance of the City of Evanston with this Program will be submitted to the City Council for review and approval of any changes recommended by Staff.

#### 4. Annual Reporting

City of Evanston staff will provide an annual report to the Evanston City Council that details compliance with the Federal Trade Commission's Red Flags Rule. The report will address matters related to the Program and address several topic areas including:

- Effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening of new accounts and with respect to the management of existing accounts;
- Service provider arrangements;
- Significant incidents involving identity theft and management's response; and,
- Recommendations for material changes to the Program.

5. Service Provider Oversight

Currently, the City of Evanston engages several service providers to perform activities in connection with one or more customer accounts. Staff will verify that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. To accomplish this, staff will require the service provider by contract to have policies and procedures to detect relevant Red Flags that may arise in the performance of the service provider's activities, and either report the Red Flags to the City, or to take appropriate steps to prevent or mitigate identity theft.

# Exhibit P



**CITY OF EVANSTON  
POLICY PROHIBITING SEXUAL HARASSMENT**

*I. PROHIBITION ON SEXUAL HARASSMENT*

It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations. It is a policy of the City of Evanston to prohibit harassment of any person by any City official, agent, or employee on the basis of sex or gender. All City officials, agents, or employees are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof.

*II. DEFINITION OF SEXUAL HARASSMENT*

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as:

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

- (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.

Conduct which may constitute sexual harassment includes, but is not limited to:

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

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a "reasonable person."

### III. *PROCEDURE FOR REPORTING AN ALLEGATION OF SEXUAL HARASSMENT*

An employee who either observes sexual harassment or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending person and her/his immediate supervisor. It is not necessary for sexual harassment to be directed at the person making the report.

Any employee may report conduct which is believed to be sexual harassment, including the following:

- *Electronic/Direct Communication.* If there is sexual harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- *Contact with Supervisory Personnel.* At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a department head, human resources, an ethics officer, or the City Manager.

The employee experiencing what he or she believes to be sexual harassment must not assume that the employer is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the City will not be presumed to have knowledge of the harassment.

- *Resolution Outside City.* The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the City. However, all City employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. Employees can contact these agencies for specific filing timelines and other procedural questions.

Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the City. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

#### IV. *PROHIBITION ON RETALIATION FOR REPORTING SEXUAL HARASSMENT ALLEGATIONS*

The City shall not take any retaliatory action against any City employee due to the employee's:

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

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

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

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

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

An employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge.

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

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



*V. CONSEQUENCES OF A VIOLATION OF THE PROHIBITION ON SEXUAL HARASSMENT*

Any person who violates this policy or the Prohibition on Sexual Harassment shall be subject to disciplinary action, up to and including termination, in addition to any and all other discipline that may be applicable pursuant to City policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements. Each violation may constitute a separate offense. Any discipline imposed by the City shall be separate and distinct from any fines, damages, or penalties imposed by a court of law or a State or Federal agency.

*VI. CONSEQUENCES FOR KNOWINGLY MAKING A FALSE REPORT*

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

# Exhibit Q



# Commitment to a Healthy Work Environment

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- As an employee of the City of Evanston, I am committed to the creation and support of a healthy work environment for all employees. I acknowledge that I have read the City's Healthy Workplace Strategy.
- I understand that **positive, professional communications** are critical to a healthy work environment and positive employee morale.
- I **commit** to hold myself accountable to demonstrating professional communications with all employees, residents, businesses and customers of the City of Evanston.
- If at any time it is brought to my attention that any behavior is not professional, I agree to **listen** to the feedback and commit to work on improving the issue brought to my attention.
- I understand that ongoing negative communications are unacceptable.
- I commit to bring issues of unprofessional communication to the attention of fellow employees and supervisors in a **constructive** manner.