



## CITY OF WASHINGTON, ILLINOIS

### City Council Meeting Agenda Communication

**Meeting Date:** October 17, 2022

**Prepared By:** Jim Snider, MPA, City Administrator  
Maureen Chambers, SHRM-CP, HR Manager  
Keith Braskich, Labor Attorney with Davis & Campbell

**Agenda Item:** Resolution Adopting a New Employee Handbook for the City of Washington

**Synopsis:** The proposed new employee handbook was presented to the Committee of the Whole on October 10, 2022, by Administrator Snider: Beginning in November 2021, Maureen Chambers, the Human Resources Manager, met with members of the leadership team at the City to discuss making a better handbook. Leadership was given time to review and provide input through multiple meetings and revisions. Once a final draft was complete, Keith Braskich, from Davis & Campbell, L.L.C, reviewed the document and then sent it along to the Policemen's Benevolent Labor Committee and to the Laborers' International Union Local 231 for review. The final copy presented has been approved by all parties.

A personnel handbook **creates a common language** amongst all levels within an organization and **serves as a tool** to help guide leadership and employees when questions or concerns arise. It helps **set the tone and set expectations** within an organization. Over the past few years, the need arose to compile the many employment policies upheld by the City of Washington into one, updated document. The City of Washington Employee Handbook is a compilation of those policies, along with up-to-date language that reflects organizational culture and how the City of Washington handles one of its most valuable resources: it's people.

Employees who are represented by a recognized labor organization will receive copies of their current collective bargaining agreement upon employment as well as this manual. In cases where the collective bargaining agreement or an individual employment agreement contradicts this manual, **the collective bargaining or employment agreement takes precedence.**

While it is impossible to address every potential question, concern or issue in one document, it is imperative that employees know how to access resources and know where to go and who they can talk to if the need arises. Once approval is granted from the City Council, the Handbook will be placed on the Employee Self-Service dashboard, accessible to all employees at any time. A hardcopy of the handbook will also be provided to all new hires during onboarding. A corresponding slideshow will also be produced from the material, which Maureen will use to create an engaging onboarding experience. To inform current employees of the new handbook, Maureen hopes to place the slideshow on the City's learning management system to be reviewed by all employees by year end. If that is not possible, rolling out the new handbook can be done in early 2023 through a combination of staff newsletters, HR Coffee Chats, Public Works Safety Lunches, and/or at an "HR Update" Lunch & Learn.

During discussion at the Committee of the Whole meeting, it was noted that all employees and elected officials are subject to complying with the State of Illinois Officials and Employees Ethics Act which is set forth in the City of Washington Code of Ordinances Chapter 36. Reference to this section of the City Code has been added to the proposed employee handbook following the Whistleblower Act provision.

**Fiscal Impact:** Expenses related to the benefits outlined in the handbook are covered by the annual city budget.

**Action Requested:** City Council approval by Resolution at the October 17, 2022, Council Meeting.

## CHAPTER 36

### STATE OFFICIALS AND EMPLOYEES ETHICS ACT

- (A) The regulations of Sections 5-15 (5 ILCS 430/5-15) and Article 10 (5 ILCS 430/10-10 through 10-40) of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., (hereinafter referred to as the “Act” in this Section) are hereby adopted by reference and made applicable to the officers and employees of the City to the extent required by 5 ILCS 430/70-5.
- (B) The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the City, is hereby prohibited.
- (C) The offering or making of gifts prohibited to be offered or made to an officer or employee of the City under the Act, is hereby prohibited.
- (D) The participation in political activities prohibited under the Act, by any officer or employee of the City, is hereby prohibited.
- (E) For purposes of this Chapter, the terms “officer” and “employee” shall be defined as set forth in 5 ILCS 430/70-5(c).
- (F) The penalties for violations of this Chapter shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the Act.
- (G) Except for the repeal of Chapter 36 (Gift Ban), this Chapter does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of City officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this Chapter, however, the provisions of this Chapter shall prevail in accordance with the provisions of 5 ILCS 430/70-5(a).
- (H) Any amendment to the Act that becomes effective after the effective date of this Chapter shall be incorporated into this Chapter by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Chapter by reference without formal action by the corporate authorities of the City.
- (I) If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this Chapter shall be repealed as of the date that the Illinois Supreme Court’s decision becomes final and not subject to any further appeals or rehearings. This Chapter shall be

deemed repealed without further action by the Corporate Authorities of the City if the Act is found unconstitutional by the Illinois Supreme Court.

- (J) If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this Chapter shall remain in full force and effect; however, that part of this Chapter relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the Corporate Authorities of the City.

(Ord. 2189, passed 6-21-99; Am. Ord. 2533, passed 5-17-04  
which also repealed former Chapter 36 entitled "Gift Ban")

[ The next page is 225. ]

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING A NEW EMPLOYEE HANDBOOK FOR THE CITY OF  
WASHINGTON, TAZEWELL COUNTY, ILLINOIS**

**WHEREAS**, the City of Washington, Tazewell County, Illinois, a home rule unit of local government, has the power to set policies and procedures for its employees and elected officials; and

**WHEREAS**, previously the City has adopted policies and procedures in current force and effect for City employees and elected officials; and

**WHEREAS**, policies and procedures are in constant need of review and revision to be consistent with all applicable laws and current technology; and

**WHEREAS**, the City staff and legal counsel have identified a need to codify existing personnel policies and procedures into a new employee handbook which also includes applicable additional provisions; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, as follows:**

1. The City hereby incorporates all of the recital above into this Resolution as if fully set forth herein.
2. That the employee handbook attached to this Resolution is hereby approved by the City Council.
3. That the attached employee handbook shall supersede any previously approved personnel policies procedures and shall be effective as of the date of this Resolution.
4. That this Resolution shall be in full force and effect immediately upon its passage by the City Council of the City of Washington, Tazewell County, Illinois, and approval by the Mayor thereof.

**PASSED AND APPROVED** by the City Council of the City of Washington, Tazewell County, Illinois at a regular meeting this 17<sup>th</sup> day of October, upon roll call vote as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_, City Clerk



The City of Washington

# **EMPLOYEE HANDBOOK**

*Celebrating  
Community*  
with positivity,  
transparency and integrity

The City of Washington

301 Walnut Street – Washington, IL 61571

(309)444-3196 – [www.ci.washington.il.us](http://www.ci.washington.il.us)

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# General Information

## Welcome

Established in 1825, Washington has a rapidly growing population of over 16,000 persons. We're proud of our reputation as a vibrant community offering a high quality of life supported by excellent schools, safe neighborhoods, diverse parks and recreation offerings and a resident population motivated by community involvement and volunteerism. As a local government agency, the City serves the residents and visitors of Washington. We strive to promote and build a community that serves as a foundation for a high quality of life and small-town charm.

The Employee Handbook **creates a common language** amongst all levels within the organization and **serves as a tool** to help guide leadership and employees when questions or concerns arise. It also helps **set the tone** and **set expectations** within the organization. Our objective is to provide a working environment that is conducive to both professional and personal growth. The information contained in this manual applies to all employees of the City.

Employees who are represented by a recognized labor organization will receive copies of their current collective bargaining agreement upon employment as well as this manual. In cases where the collective bargaining agreement or an individual employment agreement contradicts this manual, **the collective bargaining or employment agreement takes precedence**.

The contents of this manual shall not constitute nor be construed as a promise of employment or as a contract between the City and any of its employees.

The City reserves all available rights to change, waive, withdraw, apply or amend any of our policies or benefits, including those covered in this manual, at any time. The City may notify you of such changes via email, posting on the City's website, the employee self-service (ESS) portal, or via a printed memo, notice, amendment to or reprinting of this manual, but may, in its discretion, make such changes at any time, with or without notice and without a written revision of this manual.

In the event of a conflict between any provision of this manual and any prior City ordinance, resolution or policy, the provisions of this manual will control.

### At Will Statement

Employment with the City is voluntary and is subject to termination by you or the City at will, with or without cause, and with or without notice, at any time unless otherwise modified by law, regulation, a collective bargaining agreement, or individual employment agreement.

None of the information provided in our policies signifies a contractual agreement or should be interpreted to conflict with, eliminate or modify in any way your employment-at-will status with the City. No individual can approve any kind of contractual agreement. All employment contracts must be approved by the City Council.

## Vision & Values

In cooperation with and for our residents and visitors, we plan, partner, and provide superior services for a safe, thriving, and authentic community through a responsible, accessible, and transparent City government.

As employees of the City, we will:

- Respect each other and the public and perform our responsibilities with pride and integrity.
- Foster a positive environment and encourage and support each other to perform our work and reach our full potential.
- Continually strive to improve channels of communication both internally and externally, while being inclusive to all groups within our community.
- Welcome and encourage participation in the development and improvement of services, and strive for excellence and satisfaction in the provision of public services.
- Build upon the diversity of our community and experiences and hold it as a basic value to treat all people with courtesy and respect.
- Remember the importance of stewardship of public money and operate in a responsible, cost-effective manner.



# Commitment to Diversity

## Diversity

At the City of Washington, we embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, military status, and other characteristics that make our employees unique.

The City of Washington's diversity initiatives are applicable - but not limited - to the following employment practices: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The City of Washington prohibits the harassment of any employee or job applicant because of any status protected by law.

All employees at the City have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other City-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

## American with Disabilities Act/Illinois Human Rights Act

The Americans with Disabilities Act (ADA) and the Illinois Human Rights Act are laws that, among other things, prohibit employers with fifteen or more employees from discriminating against applicants, employees, and individuals with disabilities and, when appropriate, provide reasonable accommodations to applicants and employees who are qualified to perform the essential job duties of the position for a job, with or without reasonable accommodations.

It is the policy of the City to comply with all federal, state, and local laws concerning the employment of persons with disabilities according to U.S. Equal Employment Opportunity Commission (EEOC) guidelines. Therefore, it is the City's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment.

The City will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the City. Contact the Human Resource Manager with any questions or requests for accommodation.

### **Pregnancy and Your Rights in the Workplace**

If you are pregnant, recovering from childbirth, or have a medical or common condition related to pregnancy you have the right to the following:

- Request a reasonable accommodation for your pregnancy, such as more frequent bathroom breaks, assistance with heavy work, a private space for expressing milk, or time off to recover from your pregnancy.
- Reject an accommodation offered for your pregnancy that you do not desire.
- Continue working during your pregnancy if a reasonable accommodation is available which would allow you to continue performing your job

The City cannot and will not discriminate against you because of your pregnancy, or retaliate against you because you requested a reasonable accommodation, and it is illegal for the City to fire you, refuse to hire you, or to refuse to provide you with a reasonable accommodation because of your pregnancy.

For more information regarding your rights, or for immediate help, you can: (a) contact the Human Resources Department; and/or (b) call the Illinois Department of Human Rights at (312) 814-6200 or (217) 785-5100 or (866) 740-3953 (TTY); and/or (c) download the Illinois Department of Human Rights fact sheet at [www.illinois.gov/dhr](http://www.illinois.gov/dhr).

## Anti-Harassment and Discrimination

The City of Washington is committed to providing a workplace and community free from all forms of illegal discrimination and harassment. Discrimination or harassment of any kind because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, disability, genetic information, gender identity, gender expression, pregnancy, military status or any other legally protected characteristic/activity is prohibited. The City prohibits discrimination against its employees, independent contractors, interns, and volunteers in any form—by supervisors, coworkers, customers, or suppliers. The laws also prohibit employers from retaliating against employees who file discrimination complaints.

### **Prohibition on Sexual Harassment**

It is unlawful to harass a person because of that person's sex. All persons have a right to work and to conduct their activities within the City 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 Washington to prohibit harassment of any person by any City official, agent, employee or agency or office on the basis of sex.

Sexual harassment is any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or access to/use of a City service, or
- Submission to or rejection of such conduct by an individual is used as the basis for employment or other City decisions affecting such individual, or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working or other environment.

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves. This may include:

- 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, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: Touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic: "Sexting" (electronically sending messages with sexual content, including pictures or video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, digital messages and social media like Facebook, Snapchat 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 subtler and depends, to some extent, on individual perception and interpretation.

### **Other Prohibited Harassment**

In addition to sexual harassment, harassment on the basis of any other legally protected characteristic is also a form of discrimination. Such harassment is prohibited and is a violation of this Policy. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of one or more legally protected characteristics/activities that:

- Has the purpose or effect of creating an intimidating, hostile or offensive working or other environment
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment or access/use of a City service.

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves. Harassing conduct includes, but is not limited to, the following:

- Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to a legally protected characteristic/activity
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of a legally protected characteristic/activity.

## Anti-Bullying Policy

The City of Washington is committed to a workplace free of threats, intimidation, violence, and bullying. Bullying is any repeated, unreasonable behavior directed towards anyone that is intended to intimidate, creates a risk to health and safety, or results in threatened or actual harm.

The following list of behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves. Bullying conduct includes, but is not limited to, the following:

- Intimidating, threatening, or hostile statements, actions, or gestures
- Excluding someone from workplace activities, social isolation
- Verbally abusive, demeaning comments
- Direct, conditional, or veiled threats
- Public humiliation
- Hostility such as glaring, clenched fists, or threatening postures

The City of Washington expects employees to behave in a professional manner and to treat colleagues, customers, and vendors with dignity and respect when they are at work. If you feel you have been bullied, you should immediately contact your supervisor. If you feel you cannot seek help from your supervisor, then you should contact his or her supervisors or the Human Resources Manager.

Complaints will be investigated, and if the investigation determines that bullying has occurred, the City will take immediate and appropriate action.

The City of Washington will ensure that Department Heads and supervisors take positive steps to comply with this policy. They are required to monitor the workplace to prevent bullying, resolve bullying issues that arise, and refrain from and prevent retaliation or harassment against any employee involved in the filing, investigation, or resolution of a bullying complaint. Employees are required to cooperate fully with the investigation and resolution of all bullying complaints.

## Reporting Procedure

An individual who either observes sexual or other harassment/discrimination, or believes herself/himself to be the object of sexual or other harassment/discrimination should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending individual, and her/his immediate supervisor. It is not necessary for the sexual or other harassment/discrimination to be directed at the person making the report.

Proper responses when sexual harassment or other harassment/discrimination occurs, include the following:

- **Electronic/Direct Communication:** The harassed/discriminated against individual should directly and clearly express 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.
- **Contact with Supervisory Personnel:** At the same time direct communication is undertaken, or in the event the individual feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, the Department Head, the City Administrator, the HR Manager, or Mayor.
  - The individual experiencing, observing or otherwise aware of what he or she believes to be sexual harassment or other harassment/discrimination must not assume that the City is aware of the conduct. If the individual fails to notify a supervisor or other responsible official, the City will not be presumed to have knowledge of the harassment/discrimination.

**Resolution Outside the 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. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

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 or electronic 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 and other harassment/discrimination charges, and the difficulties associated with their investigation and the questions of credibility involved, the complaining individual's willing cooperation is a vital component of an effective inquiry and an appropriate outcome. Statements made and information gathered during any investigation undertaken in response to a complaint will be kept confidential to the extent practical.

### **Investigation Process**

Complaints of sexual harassment or other forms of harassment/discrimination should be thoroughly and impartially investigated and a determination rendered promptly. The investigation shall be conducted by the Chief of Police, unless the Chief of Police or another member of the City Police Department is the alleged harasser, or the City Administrator determines for any reason that the Chief of Police should not conduct the investigation, in which case the investigation will be conducted by the City Administrator or his/her designee. To the extent practicable, the City endeavors to maintain confidentiality of complaints and any related investigation.

Unless the City Administrator is the alleged harasser, all information gathered by the City during the investigation process shall be reported to the City Administrator, and the City Administrator shall then make a determination on the merits of the harassment/discrimination complaint. If the City Administrator is the alleged harasser, or the City Administrator recuses himself/herself from the decision-making process, then the Mayor or his designee shall be provided with all of the investigation information and shall make the determination.

If it is determined that harassment/discrimination has occurred, the City shall take prompt remedial and corrective action, including appropriate disciplinary action against the individual responsible for the harassment/discrimination.

## **Retaliation**

No City official, agent, employee or agency or office shall take any retaliatory action against any individual due to the individual's:

- Disclosure of any violation of this Policy.
- 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
- Assistance or participation in any investigation or any proceeding to enforce the provisions of this Policy.

No individual making a report will be retaliated against even if a report made in good faith is not substantiated.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), the City 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, the City 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)). The State Officials and Employees Ethics Act (5 ILCS 430/15-10) may provide whistleblower protection from retaliatory action.

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 and to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be harassment and discrimination 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.

## Consequences of a Violation

Any violation of this Policy shall result in disciplinary action up to and including discharge. Additionally, the City may take any other actions and seek any other remedies available to it under applicable law.

### **Consequences for Knowingly Making a False Report**

False and frivolous charges refer to cases where the accuser is using a sexual harassment or harassment/discrimination complaint to accomplish some end other than stopping the harassment/discrimination. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action up to and including discharge.



# Employment Practices

## Criminal Background Checks

The City of Washington is committed to providing a safe environment for our employees, contractors, customers, vendors, and visitors. Consistent with law, the City will conduct confidential criminal background checks (and credit checks for financial accountability positions) on all individuals who accept a conditional offer of employment.

All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, Title VII, the Americans with Disabilities Act, and state and federal law, including but not limited to privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals with an operational need to access such information.

## Employee Classification

All employees are designated as either non-exempt or exempt under state and federal wage and hour laws. The following is intended to help you understand employment classifications and your employment status and benefit eligibility.

**Non-exempt employees** Employees whose work is covered by the Fair Labor Standards Act (FLSA). They are not exempt from the laws concerning minimum wage and overtime.

**Exempt employees** Generally managers or professional, administrative, or technical staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

*The City of Washington has established the following categories for both non-exempt and exempt employees:*

**Regular, full-time** Employees who are not in a temporary status and who are regularly scheduled to work at least 40 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefits program.

**Regular, part-time** Employees who are not in a temporary status and who are regularly scheduled to work less than 40 hours per week. Regular, part-time employees are eligible for some of the benefits offered by the City subject to the terms, conditions and limitations of each benefit program. If a part-time employee is subsequently hired as a regular, full-time employee, length of service will be determined by the most recent hire date as a part-time employee.

**Temporary** Part-time or full-time employees whose services are intended to be of limited duration. Temporary employees are not eligible for City benefits. However, if a temporary employee is subsequently hired as a full-time or part-time employee, length of service will be determined by the most recent date of hire.

## Employment of Relatives

Members of your family may be considered for employment on the basis of their qualifications. Your family may not be hired, however, if it would:

- Create a direct supervisor-subordinate relationship with a family member
- Create either an actual conflict of interest or the appearance of a conflict of interest

If a direct supervisor-subordinate relationship cannot be avoided, the supervisory relative will not be involved in any personnel action involving his or her relative. Typically, the first-level supervisory responsibilities will be referred to the next higher level in the supervisory chain.

The definition of *family member* as defined for this section covers a wide range of relationships, including spouse; parents; parents-in-law; children; brothers; sisters; grandparents; grandchildren; step parents; step children; foster parents; foster children; guardianship relationships; same sex and opposite sex domestic partners; and spouses or domestic partners of the aforementioned, as applicable.

## Job Opportunities

Full-time or year-round part-time employees who have worked in their current position for at least six (6) months, may be considered for transfers or promotions from one job to another within the City, when the transfer or promotion benefits both the City and the employee. At the time of application, the employee's job performance and attendance will be a factor in determining the appropriateness of the transfer or promotion. Transfers of bargaining unit employees will be covered by the applicable contract.

## Open Door Policy

To foster an environment where employees and management feel comfortable communicating with and voicing concerns to one another, the City makes use of an Open-Door Policy. This policy means that employees are free to talk with management or the Mayor at any appropriate time. You are responsible for addressing concerns with a supervisor, from complaints to suggestions and observations. Addressing these concerns allows the City the opportunity to improve upon and explain practices, processes, and decisions.

We recommend that you first discuss concerns with your immediate supervisor, but the Open-Door Policy also gives you the option of discussing them with your Department Head or the City Administrator.

## Outside Employment & Other Service

**Outside Employment/Public Service/Volunteerism Permitted** City employees may be permitted to work at outside jobs, if in the opinion of the Department Head and the City Administrator there is no conflict with working hours, the employee's efficiency in their City work, or conflict with interests of the City.

**Outside Residence Permitted** City employees are permitted to live outside the City limits, unless otherwise required to live in City limits per Collective Bargaining Agreement or Employment Contract.

**Contractual Services Prohibited** No employee may enter into any contract or agreement with an individual or organization for performance of his or her personal services while on City time or while using City equipment.

## Performance Coaching

The City of Washington is committed to providing you with feedback, both formal and informal, about your performance on the job. Department Heads and supervisors are responsible for providing ongoing performance feedback, from the start of your employment throughout your tenure with the City. These discussions, which may be documented, will focus on your alignment with the City's Vision and Values. Departmental and individual goals, personal strengths, areas of improvement, and professional development will also be highlighted. While performance conversations typically happen once or twice a year, please contact your supervisor or Department Head if you feel that an evaluation is due or would be helpful to you.

## Personnel Files

Personnel files are the City's property, maintained by the Human Resources Manager and are considered confidential unless as otherwise provided by law. Access to information contained in the personnel file will be limited to the City Administrator, Finance Director, Human Resources Manager, Finance staff, the supervisor of the employee, anyone specifically designated by the City Administrator as having authorized access, and the individual employee.

Items **not** included in the official personnel file and/or official Finance Department records of the City may not be used for either promotional or disciplinary proceedings, unless the employee falsified time and information. These records are maintained during the tenure of the employee and for a minimum of seven years after the employee leaves City employment.

### **Procedures and responsibilities for maintenance of personnel records:**

- The Human Resources Manager is responsible for establishing and maintaining an official personnel file for each employee of the City. Personnel files for Department Heads are held by the City Administrator.
- Department Heads are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department.
- Separate personnel files shall not be maintained by individual departments.

**Information to be included in the employee's personnel file and retained in the folder throughout the employment of an individual with the City:**

- Employee application and related documentation
- Job description and specification information
- Corrective and Performance Coaching conversation summaries
- Education/training information
- Employee data including but not limited to information related to benefits, payroll deductions, medical testing, worker's compensation, and/or disability accommodations.

**Procedures for the release and accessibility of personnel records:**

- All information is considered confidential employee information except when requested to verify information relating to job title, department, base salary, and dates of employment.
- Information contained in the personnel file will not be released to the public without the express written permission of the employee, **unless otherwise required by the Freedom of Information Act or other law.**
- Each employee shall be entitled to two (2) inspections of his or her employee file per calendar year, at reasonable intervals. To inspect the file, the employee should schedule an appointment with the Human Resources Manager.
- The employee shall be entitled to inspect any documents in that employee's personnel file which are, have been, or are intended to be used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action.
- The employee is not entitled to inspect the following:
  - a. Letters of reference for that employee;
  - b. Any portion of a test document (except cumulative total test scores);
  - c. Materials relating to the City's staff planning where the materials relate to or affect other employees;
  - d. Information of a personal nature about a person other than the employee;
  - e. Records relevant to any other pending claim between the City and the employee which may be discovered in a judicial proceeding;
  - f. Investigatory or security records maintained by the City to investigate criminal conduct by an employee or other activity by the employee requesting access which could reasonably be expected to harm the City's property, operations, or business, or could cause the City financial liability;
  - g. Any other document not required to be disclosed to the employee pursuant to Illinois Personnel Record Review Act, as presently in effect or hereinafter amended. Access must be scheduled by appointment and must be during regular business hours in the presence of authorized Human Resources staff.

## Position Classifications

There shall be a written position specification for each position in the City service. All specifications shall consist of a title, a description of the nature of the work; a list of the desirable knowledge, abilities, and skills; a list of desirable experience and training; and other pertinent information relative to the preparation and abilities necessary for the performance of the duties of positions in the City service.

**Allocation of Positions** When a new position is created, or the duties of a position change, the position shall be allocated or re-allocated respectively. The City Administrator shall be responsible for such allocations.

**Amendment of the Classification Plan** When a new position is created for which no appropriate position exists, or when duties of an existing position have sufficiently changed so that no appropriate job title exists, the City Administrator shall recommend a new position and shall be responsible for an appropriate position specification to be written.

**Abolition of Positions** When in the opinion of the City Administrator, a position should be eliminated, he/she shall recommend to City Council that the position be abolished.

## Separation of Employment

Separation of employment can occur for several different reasons. The separating employee must return all City property, including confidential data, to his or her supervisor or Department Head at the time of



separation, including uniforms, cell phones, badges, keys, and laptops. Failure to return items may result in deductions from the employee's final paycheck when permitted by law.

**Resignation** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. In accordance with the employment-at-will concept, you are free to resign from your position without cause or notice. We request however, that all resignations be in writing and be submitted to your supervisor.

- **Notice Requirement:** To resign in good standing, employees are required to provide fourteen (14) calendar days written notice to his/her supervisor. Department Heads and Managers are required to give the City Administrator at least thirty (30) calendar days prior notice unless the City Administrator, because of extenuating circumstances, agrees to permit a shorter period.
- **Failure to Submit in Writing:** Failure to comply with this rule shall be entered on the service record of the employee and may be cause for denying future employment with the City.

**Retirement** Employees who wish to retire should provide written notification to their Department Head and the Human Resources Manager at least one (1) month before the planned retirement date.

**Job abandonment** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resources Manager at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible for rehire.

**Termination** Employees of the City are employed on an at-will basis.

**Exit Interview** The City may request an exit interview upon notice of termination. The purpose of the exit interview is to complete necessary forms, collect City property and discuss employment experiences with the City.

## State Officials and Employees Ethics Act

All employees and elected officials are subject to complying with the State of Illinois Officials and Employees Ethics Act, which is set forth in the City of Washington Code of Ordinances, Chapter 36.

## Suggestions/Complaints/Grievances

The City of Washington encourages a solution-oriented mindset. Supervisors, Department Heads and the City Administrator welcome suggestions from employees for improving municipal services. These suggestions may be written, emailed or discussed in person.

Employees shall have the right to file complaints covering any condition of employment, including, but not limited to, matters of discipline. The complaint must be filed first with the employee's supervisor. If not resolved within five (5) days in writing, the complaint can be directed towards the Department Head, and if not resolved within five (5) days in writing, the complaint can be addressed to the City Administrator. The City Administrator shall have final authority over the matter and the decision shall be conclusive, final and binding to all parties.

## Whistleblower Act

Under the Illinois Public Officer Prohibited Activities Act, the City and any employee, agent, or representative of the City is prohibited from retaliating against an employee or contractor who: (1) reports an improper governmental action under the Act; (2) cooperates with an investigation by an auditing official related to a report of improper governmental action; or (3) testifies in a proceeding or prosecution arising out of an improper governmental action.

In order to invoke the protections contained in the Act, an employee must make a written report of improper governmental action to the Tazewell County State's Attorney's Office, which is the City's "Auditing Official." An employee who believes he or she has been retaliated against in violation of the Act must submit a written report to the Tazewell County State's Attorney's Office within 60 days of gaining knowledge of the retaliatory action.

"Employee" means anyone employed by the City, whether in a permanent or temporary position, including full-time, part-time, and intermittent workers. "Employee" also includes members of appointed boards or commissions, whether or not paid.

"Improper governmental action" means any action by a City employee, an appointed member of a board, commission, or committee, or an elected official of the City that is undertaken in violation of a federal, State, or unit of local government law or rule; is an abuse of authority; violates the public's trust or expectation of his or her conduct; is of substantial and specific danger to the public's health or safety; or is a gross waste of public funds. "Improper governmental action" does not include City personnel actions, including, but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, reprimands, or violations of collective bargaining agreements, except to the extent that the action amounts to retaliation.

# Workplace Conduct

## Attendance

Timely and regular attendance is an expectation of performance for all City employees. To ensure adequate staffing, positive employee morale, and to meet expected operational needs of the City, employees will be held accountable for adhering to their workplace schedule.

The hours of work shall be those necessary for the efficient conduct of City operations, as determined by the City Administrator. Each Department Head shall prepare a schedule of normal working hours for their department.

Prompt appearance for work at the specified hour is required of all employees.

## Corrective Coaching Conversations

### **Coaching UP to the City of Washington Vision and Values**

Employees are responsible for performing their duties to the best of their abilities and aligning their performance with the City of Washington's Vision and Values. However, people make mistakes, even those employed at the City of Washington. When employees act in ways outside the City of Washington Vision and Values, we want to develop a plan for improvement by focusing on positive behaviors.

Supervisors and Department Heads, with support from the City Administrator and Mayor, coach UP to the City of Washington Vision and Values. When an employee's actions are not aligned with the City's Vision and Values, a meeting between the employee and supervisor will take place. This encourages conversation, sets performance expectations and may identify action items for the employee to accomplish. A recap of the conversation will be written and emailed to the employee.

### **Vision & Values**

In cooperation with and for our residents and visitors, we plan, partner, and provide superior services and a safe environment in our thriving, authentic community through a responsible, accessible and transparent City government.

As employees of the City, we will:

- Respect each other and the public.
- Foster a positive environment.
- Encourage and support each other to perform our work and reach our full potential.
- Perform our responsibilities with pride and integrity.
- Continually strive to improve channels of communications both internally and externally, while being inclusive to all groups within our community.
- Welcome and encourage participation in the development and improvement of services.
- Strive for excellence and satisfaction in the provision of public services.
- Build upon the diversity of our community and experiences and hold it as a basic value to treat all people with courtesy and respect.
- Remember the importance of stewardship of public money and operate in a responsible, cost-effective manner.

With Corrective Coaching Conversations, the focus is on the solution, and handled on a case-by-case basis. Depending on the severity of the issue or if an employee is consistently not performing up to the City's Vision and Values, and multiple Corrective Coaching Conversations have taken place, the supervisor has authority to involve a Department Head or the Human Resources Manager. The City reserves the right to determine if continual employment with the City is in the best interest of the City and immediate termination may result.

## Dress For Your Day

Pride in your position at the City of Washington is reflected, not only in your demeanor, but in your appearance. Employees are expected to dress professionally in attire appropriate to the business environment with which they are working. For particular jobs or departments, prescribed uniforms or standards of dress may be adopted to foster and improve safety, efficiency, and morale. If there are any questions or concerns, please contact the Human Resources Manager.

## General Computer, Internet, Online Social Networks and Media Policy

The City provides employees access to the City's internal network and to the Internet for the purpose of furthering the goals and objectives of the City.

City computers and network resources may be provided for work related purposes for use by employees, subject to the policies set forth herein. While we recognize that a certain amount of personal use occurs with any communications medium, we strongly discourage users from using City computing resources for personal communication, and expressly prohibit their use commercially or for personal enrichment or profit. City computers and networks may not be used to disrupt management functions, and hardware and/or software shall not be destroyed, modified, copied, transferred, decompiled, disassembled, disabled, or otherwise abused in any manner. Users shall not seek information on other users on the City's network, including but not limited to their passwords, files, data, electronic mail, or other data that may be stored and accessible through said computers and networks.

Because the Internet is a fluid environment that may include materials of questionable value, and because it provides access to many, constantly changing resources throughout the world, it is impossible for the City to review and pre-select materials that are appropriate for the use of our employees. Therefore, the City has adopted practices regarding access to and use of City electronic resources and networks, especially the Internet.

We have extensive systems and security mechanisms in place to ensure the security, integrity, and appropriateness of the data on our networks. However, recognizing that the state of computing is constantly evolving, and further acknowledging that no mechanism can be fully and constantly capable of screening the ever-changing body of inappropriate Internet content from employees, we rely on employees to comply with the requirements of this policy. The City may access and monitor any employee's usage of any City system at any time.

### **Administration, Monitoring and Privacy**

The City has software and systems in place that monitor and record all Internet usage. The City wants users to be aware that our security systems are capable of recording, for every user, each Internet site visit, the amount of time spent actively using the Internet, each chat, newsgroup access, email message, and every file transfer into and out of our internal networks to the Internet, and we reserve the right to do so at any time, without advance notice or warning to the user. No City employee should have any expectation of privacy as to his or her Internet usage, or the privacy of any electronic mail message, file, download, note, or other data stored on or transmitted or received through any City computing facility. The City will review computing activity and analyze usage patterns, and may choose to publicize this data to assure that the City's computing resources are devoted to maintaining the highest standards of employee productivity.

The City, through appropriate management personnel, reserves the right to inspect any and all data stored in public or private areas of networked storage systems of any kind, without notice or warning, and at any time or for any purpose.

Employees do not have a personal right to privacy to any communication received, created on, sent through, or stored in the City's telephone, computer, or other communication systems or networks. City facilities, including telephones, computers, networks, and Internet access, are to be used only for business purposes.

The City uses independently-supplied facilities to identify and block Internet content that is inconsistent with the goals of the City. To be clear, these facilities endeavor to block use of the network to create, view, send, receive, store, display, or print text or graphics which may reasonably be construed to be obscene, disruptive, or harmful to the working environment, but we acknowledge that no blocking or filtering mechanism is capable of blocking all inappropriate content all of the time. Offensive, disruptive, or harmful data include, but are not limited to any messages or files, or data which contain the following:

- pornographic or erotic images,
- sexual implications,
- racial slurs,
- derogatory gender-specific comments,
- information or instructions designed to cause physical harm to another person,

- comments that offensively address a person's age, sexual orientation, religious beliefs, political beliefs, national origin, or disability,
- any comment which in any way defames, slanders, or libels another person,
- any comment intended to frighten, intimidate, threaten, abuse, annoy, or harass another person,
- those data or activities which invade the privacy of another person

If an employee finds that he/she is connected to a site that contains any of the above material, he/she must disconnect from that site immediately, regardless of whether that site has been previously deemed acceptable by any screening or rating program. The City's goal is to affirmatively set forth content standards for users to be mindful of when accessing these resources on their own.

The City will fully cooperate with requests from law enforcement and regulatory agencies for logs, diaries, data, and archives on individuals' computing activities.

### **System Management, Data Integrity and Security**

1. Employees shall download only those materials which are applicable to their position in the City.
2. No employee may use City computing facilities to download or distribute software or data that is pirated, or in a manner inconsistent with its license agreement or applicable copyright law and City copyright policy. Any software or files transferred in any manner into or via the City's computing facilities becomes the property of the City, subject to the restrictions of any existing licensing agreement or applicable copyright law or policy. In any event, such downloaded files, regardless of license or license ownership, may only be used in a manner consistent with their licenses or copyrights, applicable City policy, or other controlling authority.
3. Unless software or data transferred into the City's computing facilities is part of an approved city program, employees must understand that the unauthorized use or independent installation of nonstandard data may cause computers and networks to function erratically, improperly, or cause data loss, and should take that into consideration when installing software not directly related to or approved through an existing curriculum. Users should seek the assistance of qualified systems management personnel in using non-standard software and data, and must never install downloaded software to networked storage devices without the assistance and approval of appropriate personnel.
4. No employee may use the City's computing facilities to propagate any virus, worm, Trojan horse, trap-door program code, or any form of destructive or malicious computer instruction. Further, employees may not propagate any virus "warnings" via electronic mail except to alert appropriate City systems management personnel.
5. No employee may use the City's computing facilities to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user or the user's data.
6. All data that is transferred into the City's computing facilities must be checked for viruses before it is run or otherwise accessed. On computers where virus scanning takes place automatically, the virus scanning software must not be disabled, modified, uninstalled, or otherwise inactive. If you are uncertain as to whether the workstation you are using is capable of detecting viruses automatically, or you are unsure whether the data has been adequately checked for viruses, you should contact appropriate City systems management personnel.
7. No employee may use the City's computing facilities to access or attempt to access stored materials or data that are not appropriate for their position, or are outside the scope of their employment duties.

### **User IDs, Passwords, Two-Factor Authentication**

Every employee accessing City computing resources will be assigned a User ID and password that functions as your method of access to our computing facilities. Users will be held fully accountable

for activity that occurs on any City computing facility under your User ID and password, regardless of whether the person assigned to the User ID and password is the actual user. Therefore, great care should be taken not to share or otherwise disclose this information to another person.

If you lose or forget your password (or User ID and password together), you must immediately inform appropriate City systems management personnel so your account can be temporarily deactivated and a new password assigned.

The City has security in place to detect an intruder who may be attempting to use or guess another's User ID and password to gain access to resources they are not authorized to use. If you find that your account has become disabled because of an intruder's attempt to access our computing facilities, you should contact appropriate systems management personnel for assistance.

### **Electronic Mail**

Electronic mail should primarily be used for internal City business and other activities directly related to a user's employment.

Though electronic mail is a fast and relatively easy mode of communication, nothing should be included in an electronic mail message that the user would not want read by a third party. Although it is rare, the interconnected nature of the Internet and its component disparate computing networks makes it possible for a third-party interceptor to store, view, read, print, and disseminate the contents of any electronic mail message to anyone else. The City has security in place to prevent unauthorized access to our internal networks and electronic mail stored there, but be aware that messages transmitted outside our networks may be equally protected, less protected, or not protected at all. The likelihood of such an interception is extremely low, but still possible, so you should therefore take great care when transmitting sensitive or confidential information.

Employees may not use City electronic mail facilities to propagate chain letters, advertising, jokes, personal files, images, or any other materials not directly related to their employment or education. Use of electronic messaging or similar services is expressly prohibited, unless prior approval and authorization is received from the appropriate City systems management personnel.

Employees should keep in mind that electronic mail is a written form of communication, just like a paper letter. Though electronic mail is relatively spontaneous compared with regular mail, you should take care to use the same level of discretion and forethought before you send your message, and additionally check it for completeness, accuracy, and grammar just as you would any written correspondence. Electronic mail messages are records under the Freedom of Information Act and can be retrieved and disclosed pursuant to that.

The City may, at any time and without warning, move or delete data stored on networked systems to efficiently allocate computing resources to all users. While every reasonable attempt will be made to inform users of such modifications or deletions, users should preserve important or sensitive data on a disk or other removable storage medium, and particularly recognize that there may be circumstances when such a notification will not be possible, such as at the end of a fiscal year or during a vacation period.

### **Enforcement**

Any user identified as a security risk or having a history of problems with computing systems may be denied access to the City's computing facilities, with or without advance notice, warning, or opportunity to cure a defect that may result in such a revocation of privileges.

The City will report all violations or suspected violations of City, local, State, or Federal laws and policies to the appropriate administrator, agency, or law enforcement authority, and will cooperate fully in the investigation of any activity which may violate established law or doctrine.

Violations of this Acceptable Use Policy will be investigated by appropriate City personnel. Where appropriate, corrective action will be taken against employees violating any provision of this Policy.

### **Online Social Networking**

The City is committed to maintaining a good relationship with its employees and the community. The way the public views the City is vital to retaining first-class employees, recruiting new employees and

marketing our community. While the City has no intention of controlling employee actions outside of work, employees should practice caution and use discretion when posting content online. Employees have the right to use social media for personal expression on their own time, and the City will not violate employee privacy by attempting to access content that has not been made available publicly. Online social networking and the legal, moral and societal environment in which it exists evolves at a pace that may exceed our ability to address. In the event that specific language or site-specific terms are not addressed, this policy should be interpreted in a manner that aligns with the City's Vision and Values.

The purpose of this policy is to encourage a constructive relationship between the City and its employees, manage risk and preserve the City's positive reputation, discourage the use of City time for personal social media activities, and promote awareness among employees of the number of individuals who can access information presented on social networking sites.

**For the purpose of this policy, the following terms are defined as follows:**

- Social networking or social media: Any activity that involves interaction in online communities including, but is not limited to, browsing profiles and photos, reading messages sent through social networking forums, and participating in instant messaging services.
- Social networking site: A website that links individuals electronically and provides a forum where users can connect and share information including sites like Facebook, Twitter, Instagram, TikTok, Pinterest, Tumblr, Snapchat or LinkedIn. The list of social networking sites is constantly growing and changing and is not limited to the examples listed above.
- A social networking profile: A user's personalized page within a specific social networking site, usually containing personal information such as name, birthday, photo, and interests.
- Micro-blogging: The practice of publishing your recent whereabouts, thoughts or activities on a social networking site for other users to see. While not all social networking sites use micro-blogging, this is a primary focus of sites such as Twitter and Facebook.

It is important that employees use their time while at work to conduct City business. Employees are not blocked from access to social networking sites on City computers because, under some circumstances, social networking is a powerful business tool that can be channeled to gain positive publicity for the community. However, access to such websites does not mean they can be used at any time. The following actions are prohibited during working hours:

- Using social networking sites to conduct personal or non-City business;
- Browsing social networking sites for non-City business on City time;
- Reading email alerts regarding personal social networking account activity or using City email to correspond with personal social networking contacts;
- Updating information, uploading photos or otherwise engaging with one's personal social networking profile for non-City purposes;
- Micro-blogging for a non-business purpose on a social networking site throughout the day, whether it is on a City-provided computer or a personal smart phone device.

Having your own individual social networking account and using it on your own time is certainly permissible. However, keep in mind that some actions on your personal site are visible for the entire social networking community and may no longer be considered private matters. The City has put in place a set of conduct guidelines to protect its position and prevent the unwanted disclosure of confidential information. Please follow these guidelines:

- Do not use micro-blogging features to disclose confidential or any information which is not considered public knowledge.
- We urge you to resolve workplace grievances internally. If you choose to address a grievance using social media, refrain from posting comments and materials that could be viewed as malicious, obscene, threatening, intimidating or that could create a hostile environment on the basis of race, sex, disability, religion or any other status protected by law.
- Refrain from posting any scornful, reckless, or maliciously untrue comments. These communications may not be protected by law.
- Do not impersonate the City or other employees/officials, make statements on behalf of the City, or make statements that can be construed as establishing the City's official position or policy on any particular issue.
- In order to avoid confusion or perceived misinterpretation of the City's position on issues, if an employee mentions the City and also expresses either a political opinion or an opinion regarding the City's actions, the employee should specifically state that the opinion expressed is his/her



personal opinion and not the City's position.

As stated above, the purpose of this policy is to encourage a constructive relationship between the City and its employees, manage risk and preserve the City's positive reputation, discourage the use of City time for personal social media activities, and promote awareness among employees of the number of individuals who can access information presented on social networking sites. It is not the City's intent to interfere with its employees' legal rights. Whenever state or federal law govern an area of social media participation, the City's policies should be interpreted as to comply with them.

### **Media Relations**

The City is committed to providing the media with accurate information. To avoid discrepancies, specific guidelines should be followed when a media inquiry is received.

All media inquiries regarding the City and its operation must be immediately referred to the City Administrator who is authorized to determine who is the most appropriate spokesperson. In many instances, the Mayor or another elected official is the preferred spokesperson. Media inquiries on Police operations must be directed to the Chief of Police or his/her designee. Unless specifically designated by the City Administrator or Chief of Police, employees are not authorized to make statements. Please contact the City Administrator with any questions or concerns you have regarding the Media Relations Policy.

## **Lactation/Breastfeeding**

The City will provide reasonable break time each day to an employee who needs to express breast milk for her infant child for up to one year, unless doing so would unduly disrupt the City's operations. The break time may, if possible, run concurrently with any break time already provided to the employee. The City will make reasonable efforts to provide a room or other location other than a toilet stall, in close proximity to the work area.

## **Smoking and Tobacco**

It is always the policy of the City of Washington to provide an environment that protects the well-being of its employees, visitors and residents. Moreover, it is the policy of the City to comply with all applicable federal, state and local regulations regarding smoking and tobacco use in the workplace.

In an effort to help ensure the City employees' welfare, the City is a smoke-free and tobacco-free entity. Violation of this policy will result in disciplinary action. The City does not discriminate against smokers or tobacco users in its hiring practices.

Guidelines are as follows:

- Smoking, use of an electronic cigarette or personal nicotine vaporizer or substantially similar device that simulates the act of tobacco smoking, and use of tobacco in any form is completely banned, and without exception, anywhere on City of Washington property, including outdoors, parking lots, and employees' personal automobiles during working hours.
  - This extends to vehicles owned, rented, or leased to the City of Washington.
- Employees may not leave the worksite or campus during their work hours to smoke or use tobacco products.
- The Human Resources Manager is responsible for monitoring and enforcing smoking and tobacco regulations, and supervisors are expected to assist in enforcement. Any questions regarding regulations can be directed toward the Human Resources Manager.
- Employees who do not work directly on City-owned property must refrain from smoking or tobacco use when they are considered "on the job."
- Employees are encouraged to contact the Human Resources Department for information regarding the availability of smoking or tobacco cessation programs. The City of Washington will make every reasonable effort to provide all support possible in assisting its employees in their efforts to quit tobacco usage.

### **Tobacco Cessation Assistance Program**

The City strives to help employees live happier and healthier lives, by creating a culture of well-being and assisting employees to help them take control of their lives. In order to do so, the City will:

- Reimburse any employee or covered family member who uses tobacco for the full price of a covered tobacco cessation drug minus the copay. All employees and their covered family



members are limited to two (2) attempts per year, and six (6) attempts per lifetime. This benefit will be administered through the medical plan's prescription drug card.

- Reimburse any employee or their covered family member who uses tobacco for the full price of nicotine patches (generic brand), minus the copay, for a maximum of 12 weeks per attempt. All employees and their covered family members are limited to two (2) attempts per year, and six (6) attempts per lifetime. All purchase receipts of approved Nicotine Patches must be provided to the Human Resources Manager.
- Reimburse any employee or their covered family member who uses tobacco for the full price of nicotine gum (generic brand), minus the copay, for a maximum of 12 weeks per attempt. All employees and their covered family members are limited to two (2) attempts per year, and six (6) attempts per lifetime.

Any employee or covered family member who seeks reimbursement of tobacco cessation pharmaceuticals must enroll in the Illinois Tobacco Quitline program. Users will speak with a medical professional who will design a unique program that will best help beat addiction. Employees and their covered family members will be asked to sign a form documenting participation.

Contact the Human Resources Manager to learn more about this program, obtain necessary forms, coordinate with the Illinois Tobacco Quitline and submit receipts for reimbursement.

# Employee Benefits

## General Provisions

### **Group Health, Dental, Vision**

Group medical, hospitalization, disability income, and dental insurance plans shall be offered to all full-time, non-union City employees and other employees as required by collective bargaining agreements. Medical and Dental insurances may be available to qualifying part-time employees regularly working 30 hours or more per week as required by the Affordable Care Act (ACA). The terms, benefits, content, provider and level of employee contribution to the monthly premium may be amended from time to time at the sole discretion of the City. **Eligible employees will be provided with notice of any rights to COBRA, IMRF or Police continuation coverages following a loss of coverage. Employees should refer to the Summary Plan Descriptions of the City's plans for more detailed information.**

### **Defined Contribution Post Employment Health Savings Plan**

The provision applies exclusively to full-time, non-union employees, of the City of Washington, IL, who are eligible for and elect the health insurance benefit, including the Chief of Police, Deputy Chief of Police and Police Sergeants. Laborer's and Police Officer benefits are covered in their respective collective bargaining agreements.

The City shall establish and maintain a defined contribution post-employment health savings plan except for those employees hired before August 1, 1998, who participate in the defined benefit plan. The City agrees to make bi-weekly contributions to each eligible employee's post-employment health savings plan in an amount equal to one and three-fourths (1.75%) percent of each employee's base wage plus longevity pay earnings.

Employees shall be eligible to purchase, at retirement, medical/dental insurance coverage in accordance with 215 ILCS 5/367(j) for "municipal employees" as defined therein or 215 ILCS 5/367(g) for "police officers" as defined therein.

Employees who leave the employ of the City prior to meeting the requirement of 215 ILCS 5/367(j) or 215 ILCS 5/367(g), whichever shall apply, or who have met the requirements but choose not to continue participation in the City's medical/dental insurance plan shall be entitled to use accumulated funds in the post-employment health savings plan for qualifying medical expenses consistent with the plan as well as applicable law.

### **Life and AD&D Insurance - Standard Insurance Company**

Basic Life and Accidental Death and Dismemberment (AD&D) insurance from Standard Insurance Company is provided to all full-time employees to help provide financial protection in the event of an eligible member's covered death.

### **Unreimbursed Medical/Dependent Care Flexible Spending Account**

Also known as Unreimbursed Medical, the Flexible Spending Account (FSA) is available to employees eligible for IMRF and full-time police officers to deduct money on a pre-tax, per-paycheck basis up to a designated maximum established by the IRS to be used for any qualified, out-of-pocket medical expenses. A maximum as set by the IRS may be rolled over into the next succeeding year.

The voluntary dependent care benefit is available to eligible employees on a pre-tax basis up to a designated maximum amount established by the IRS to be used to cover dependent care expenses. Please see the Human Resources Manager for further information.

### **Retirement Savings**

All non-sworn employees working a minimum of 1,000 hours per year are enrolled in the *Illinois Municipal Retirement Fund (IMRF)*, which is a Defined Benefit Pension Program mandating employee contributions of a certain percentage of gross pay. The City's contribution is determined annually by IMRF. Upon retirement, distributions will be taxed. Those participating in the Washington Police Pension Fund are not eligible for this benefit.

Both regular part-time and full-time employees also have the option of contributing to a 457 Retirement Savings Account, which is a Deferred Compensation Plan. This voluntary, pre-tax benefit

can be adjusted at any time in the year. For more information, contact the Human Resources Manager or Finance Department.

## Cellular Phones

The purpose of the City cellular phone policy is to establish guidance and restrictions pertaining to the use of City owned/leased cellular telephone equipment/service. The City provides cellular telephone equipment and service to select employees at taxpayer's expense. City Department Heads shall be responsible for evaluating the necessity and potential use of cellular phones by City employees, and for determining which employees require cellular phones to be provided by the City with the consent and approval of the City Administrator. It is the responsibility of every employee to report inappropriate or prohibited use to their supervisor. All supervisors are responsible for ensuring this policy is followed by their direct reports. The final decision to issue cellular phones will be based on the assessment as to whether the cellular phone and service features will either 1) enhance employee's productivity, 2) improve the employee job performance, 3) help meet department responsibilities and enhance service to the public sufficient to justify cost.

All cellular phones and accessories (including but not limited to batteries, chargers, covers, headsets, belt clips, etc.) are the property of the City. Employees with City-issued equipment are responsible to protect all cellular equipment from loss, damage, and theft. Equipment must be returned to the City upon resignation, termination, or when requested by the employee's supervisor or City management.

Use of all cellular phone equipment, regardless of ownership, while operating any motorized vehicle or heavy equipment or performing traffic control, is prohibited. Exceptions to this rule are:

- a) Hands-free operational phones being used in that manner while driving a car or light truck. However, hands-free equipment shall be suspended when heavy traffic or dangerous weather conditions are encountered.
- b) Communications by Police personnel in accordance with the Illinois Vehicle Code.
- c) Calling 9-1-1 for help or to help others in an emergency is allowed in all situations where it is safe to do so.

If cellular phone use becomes necessary for the driver/operator, the vehicle should be stopped and/or safely parked before continuing the conversation. It is important for all City employees to remember that all other actions are secondary to driving safely.

### **Monitoring, Reporting, and Investigations**

Use of City-issued equipment and service is subject to monitoring by supervisors and City management. This includes a review of detailed call reports and vendor billing statements that reflect use. All reports of alleged policy violations are to be directed to the employee's supervisor or City management. Alleged policy violations will be thoroughly investigated. Cellular telephone usage reports are records under the Freedom of Information Act and can be retrieved and disclosed pursuant to that.

## Travel Request/Training Expenses

The City of Washington recognizes the direct relationship between meaningful training and development activities and the level of employee performance. Therefore, the City will endeavor to provide meaningful training and development opportunities while balancing labor needs and financial considerations.

**Program Registration** 100% City-Paid.

**Transportation** If personal vehicle is used, City pays in accordance with rates as established by the Internal Revenue Service each year. If City vehicle is used, City reimburses for actual expenses incurred; if air transportation is authorized, City pays 100% for air fare, but in no case greater than coach class.

**Meals** For training outside the City requiring overnight stays the City will advance/reimburse in accordance with the Employee/Elected Official Travel, Training and Development Policy as revised on October 8, 2018.

**Lodging** 100% City-paid for actual costs of single room, single occupancy, plus applicable taxes.

**Miscellaneous** City will pay 100% of reasonable miscellaneous expenses incidental to the training, such as parking fees, tolls, business related phone charges, etc.

The City shall not pay for expenses incurred by the spouse or family members of an employee who travel with the employee to authorized training. Additionally, the City shall not pay for entertainment or recreational expenses which are not considered a part of the authorized training program.

## Uniform Allowance

Uniforms and/or uniform allowances shall be provided to employees who are required to wear uniforms in the performance of their duties as authorized and approved by the City Administrator. Uniform allowances are determined by collective bargaining agreements and are subject to change.

All newly hired part-time officers shall receive the clothing and equipment as deemed necessary by the Chief of Police. In addition, on an annual basis prior to October 1, part-time officers shall receive a check for \$325. The first year of this allowance will be pro-rated based upon the date of hire.

## Vehicles

City vehicles are to be driven for City business only, with no personal stops, outside of stopping while in route to next location (e.g. gas station or drive-thru during a break or lunch time). Vehicles should be operated in a reasonable and lawful manner and not be used to run errands outside of those required by the City. An employee working at his or her assigned location, i.e., the Street Department shop, Legion Road facility, or the water and wastewater treatment plants, shall not use a City pool vehicle (assigned to a department as opposed to an individual) to go to break or to lunch. City vehicles are not allowed to be taken home without the approval of a supervisor or through a contractual agreement.

### **Mileage Reimbursement**

Mileage reimbursement for the use of personal vehicles in the conduct and/or performance of City business shall be paid at the prevailing Internal Revenue Service mileage reimbursement rate, provided said reimbursement has received the prior authorization of the appropriate Department Head or City Administrator.

# Pay Practices

## Pay Plan

The City's Official Pay Plan establishes the hourly and salaried pay schedules and the pay range assigned to each full-time and year-round part-time employee position. Each position is assigned a range number and a minimum and maximum wage. An appropriate number of steps shall be included which provides for a logical progression from the minimum to the maximum within each range. An additional Pay Plan is in place for Sergeants. Department Heads are not included in a Pay Plan.

The City Administrator shall be responsible for developing a uniform and equitable Pay Plan, approved by the City Council. The City Administrator may recommend amendments to the Pay Plan, which shall become effective only after approval by the City Council. Recommendations to amend the Pay Plan will be based upon such factors as: significant changes to the assigned duties of a position, or positions; recruiting experience; prevailing rates of pay for comparable positions in the marketplace; budgetary constraints; or other pertinent conditions.

### **Pay Plan Administration:**

- a. Initial Appointment Rate: New hires who meet the minimum qualifications for their position shall be paid at the beginning rate of pay established for the position's assigned pay range. Limited exceptions may be granted by the City Administrator if the new employee substantially exceeds the minimum qualifications and has demonstrated through prior work experience superior job skills and abilities.
- b. Advancement within a Range: Employees whose performance has been determined to meet the expectations of the City and the Department to which they are assigned, will be eligible to advance one interval, or step in the assigned range for their position.

An employee whose performance has been determined to be outstanding may, at the discretion of the City Administrator and approval of the City Council, be eligible to receive a two-interval, or double step advancement in the assigned range for their position.

An employee whose performance has been determined to be either below City and Departmental expectations, or unsatisfactory, may at the discretion of the City Administrator receive no advancement in interval or step.

- d. Timing of Pay Range Advancements for non-union employees excluding Sergeants. Eligibility for any pay range advancement shall be determined as provided in paragraph (c) of this Article.

Employees hired at the minimum rate of pay for their assigned pay range (Step 1) will be eligible to advance to Step 1A upon their one-year anniversary of their date of employment. Employees hired and assigned to Step 1A or above will be eligible for a pay range advancement upon completion of one year of service to the City. Employees with one year or more of continuous service to the City will be eligible for future advancement in their assigned pay range each May 1.

- e. Effect of Promotion or Demotion: Employees who are promoted to a position assigned a higher pay range will be assigned to the minimum pay rate of the applicable range, or to the next higher step in the new range which pays at least five percent (5%) above the pay rate in effect immediately prior to the promotion. Employees who receive a promotion mid-year will be eligible for advancement in the pay plan one year from the date of promotion and then on May 1 in the following years. The original date of hire continues to be the anniversary date for purposes of longevity, etc.

If an employee is demoted, the employee will be assigned a step in the pay range for the position to which the employee has been demoted. The step assignment will be set at the discretion of the City Administrator, but the wage paid the demoted employee shall, at a minimum represent at least a five percent (5%) reduction from the wage paid prior to demotion.

- f. Temporary Assignment of Non-Supervisory Employees to Supervisory Position: When, in the discretion of the City Administrator, the Administrator temporarily assigns a non-union, non-

supervisory employee (Range 40-66) to act in the capacity of a supervisory employee (Ranges 70-94), the temporarily assigned employee shall receive a five percent (5%) increase in the employee's regular hourly rate of pay. This increase shall be applied only to the hours worked while in the temporary assignment, and shall be applied only when the duration of the temporary assignment is for five consecutive work days or longer. (Amend. R381 4/6/92)

- g. Voluntary Transfer to Lower Classification. At the request of an employee and the approval of the City Administrator, an employee may be transferred to a position which is assigned a pay range lower than the employee's current position. In such an instance, the voluntarily transferred employee shall continue to be compensated at the rate of pay earned immediately prior to the transfer, or compensated at the maximum rate for the new position, whichever is lower.

#### **Longevity**

Full-time employees not otherwise covered by a collective bargaining agreement are eligible to receive longevity pay as established in a schedule determined by the City Council. Longevity is granted based on actual consecutive years of full-time service and not based on service including lateral transfer years. For information regarding a current longevity schedule, see Appendix 1 or contact the Human Resources Manager.

#### **Pay Days and Pay Deductions**

Employees' wages shall be payable every two weeks, in accordance with the schedule as determined by the Finance Director. If the regularly scheduled pay day falls on a City-designated holiday, paychecks will be distributed on the preceding day.

Pay deductions are made according to law, City Council policy, or those mutually agreed upon the City and the employee.

### **Overtime**

Non-exempt full-time and part-time employees will be eligible to receive overtime compensation at a rate of time and one-half their regular hourly rate for time worked in excess of forty (40) hours of time worked in a work week. Time worked in excess of forty (40) hours in a work week must be approved by the employee's supervisor in advance. Failure to obtain approval will result in unauthorized overtime.

For purposes of this section, time worked shall be defined as time actually worked, vacation time, compensatory time taken, minimum credit time, and holiday hours credited. Time worked shall be computed to the nearest one quarter hour. All other time paid, but not worked shall not be considered time worked for the purpose of determining overtime compensation.

#### **Minimum Credit Time**

Employees who are eligible to receive overtime compensation and who are authorized to work overtime where such overtime is not a continuation of their regular workday, will be credited a minimum of two hours' time, or the actual time worked, whichever is greater.

#### **Saturday/Sunday Overtime**

Employees whose regular work week does not include a Saturday or Sunday work schedule shall be compensated at one and one-half times their regular hourly rate for authorized overtime worked on a Saturday or Sunday. Time worked on these days will be subject to the Minimum Credit Time provision.

#### **Paid Time Off**

Exempt full-time employees not eligible for overtime compensation shall be granted forty-eight (48) hours paid time off per fiscal year. The paid time off can be taken in any ¼ hour increment. Any paid time off granted to an exempt full-time employee under this section that is unused after the next succeeding April 30 shall be paid in cash, in a lump sum, at the then prevailing, regular straight time rate of pay. A newly hired or promoted employee shall receive his or her initial paid time off allotment on a prorated basis calculated from his or her date of hire or promotion to the next succeeding April 30.

### **Compensatory Leave**

All full-time, non-union, non-exempt employees may request to take paid compensatory leave subject to the following limitations:

- A request to take paid compensatory leave in lieu of overtime pay shall be made by the employee at the time of the biweekly submission in the timekeeping system. **The City reserves the right to deny the request and pay the overtime hours.**
- Employees may accumulate no more than 64 hours of compensatory leave at any time. Police Sergeants may accumulate no more than 160 hours of compensatory leave.
- Hourly employees may take no more than 40 hours of paid compensatory leave during any fiscal year beginning May 1. Police Sergeants may take no more than 160 hours of paid compensatory time during any fiscal year beginning May 1.
- All earned and unused compensatory leave shall be paid in full, lump sum, at separation or layoff at the employee's regular rate of pay as mandated by the Fair Labor Standards Act.
- The scheduling and taking of compensatory leave shall be subject to the prior approval of the employee's supervisor or Department Head in accordance with the directives of the City Administrator, but employees shall be allowed to use the leave in accordance with the Fair Labor Standards Act.

### **Timekeeping**

In order to be properly paid, it is your responsibility to record your hours worked and request leave on the City's timekeeping system. Non-exempt (hourly) employees are expected to log in to the timekeeping system when they leave at the end of the workday, and document being late or leaving early. If you miss a daily entry, please correct it prior to payroll. Should you be unable to do so, please contact the Finance Support Specialist at City Hall or your supervisor. Altering, falsifying, or tampering with time records, or recording time on behalf of another employee without proper authorization may result in corrective action up to and including immediate termination.



# Time Away from Work

## Bereavement

We understand the deep impact that a death can have on an individual or family. To aid in this difficult time, all regular, full-time employees are eligible for three consecutive paid days of Bereavement Leave for a death involving a family member. The definition of *family member* as defined for this section covers a wide range of relationships, including spouse; parents; parents-in-law; children; brothers; sisters; grandparents; grandchildren; step parents; step children; foster parents; foster children; guardianship relationships; same sex and opposite sex domestic partners; and spouses or domestic partners of the aforementioned, as applicable.

Depending on the circumstances such as relationship, distance, and the individual's responsibility for funeral arrangements, the employee may request additional paid time off by using other available benefit time or request unpaid time off. Evidence of relationship may be requested by your supervisor or the Human Resources Manager.

Employees may also be entitled to take unpaid bereavement leave in accordance with the Illinois Family Bereavement Leave Act.

## Family and Medical Leave Act (FMLA)

Full-time employees of the City are eligible to take unpaid family and medical leave under the federal law, the Family and Medical Leave Act (FMLA). This policy provides an introduction to the rights and provisions of the federal FMLA. If you have questions regarding the FMLA, please contact Human Resources.

### Eligibility

To be eligible for leave, you must have been employed by the City for at least 12 months. In the 12 months immediately preceding the beginning of the leave, you must also have worked at least 1,250 hours to qualify for federal FMLA.

### Amount of Leave Available

Eligible employees may take up to a total of 12 weeks of FMLA leave within a rolling 12-month period, measured backward from the date an employee uses any FMLA leave, for any combination of the following reasons:

- To care for the employee's son or daughter during the first 12 months following birth;
- To care for a child during the first 12 months following placement with the employee for adoption or foster care;
- To care for the employee's spouse, child, or parent with a serious health condition;
- For incapacity due to the employee's pregnancy, prenatal medical problems, or childbirth;
- Because the employee has a serious health condition that makes him or her unable to perform an essential function of their job; or
- A qualifying exigency that arises because the employee's spouse, child, or parent is a covered military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty)

Where leave is taken to care for a covered servicemember with a serious injury or illness, a spouse, child, parent or next of kin may take up to 26 weeks of unpaid FMLA leave during a single 12-month period.

Under the FMLA, spouses employed by the City are jointly entitled to a combined total of 12 weeks of leave for the birth of a newborn child, for the placement of a child for adoption or foster care and to care for the same parent who has a serious health condition. The FMLA does not cover care for parent-in-laws. Spouses employed by the City are jointly entitled to a combined total of 26 weeks of leave to care for a covered servicemember with a serious injury or illness.

### Types of Leave Available

**Birth or Placement for Adoption or Foster Care:** FMLA leave is available to eligible employees (regardless of sex) for the birth of a child or for the placement of a child with the employee for purposes of adoption or foster care. FMLA leave must be completed within 12 months of the birth or placement. This type of leave may not be taken intermittently or on a



reduced schedule, unless the City agrees to this request. See below for more details on non-continuous leave.

**Serious Health Condition of Employee:** If, as an eligible employee, you experience a serious health condition as defined by the FMLA, you may be permitted to take medical leave under this policy (see "Definitions" for the definition of serious health condition). A serious health condition generally occurs when you:

- Receive inpatient care in a hospital, hospice or nursing home.
- Suffer a period of incapacity accompanied by continuing outpatient treatment or care by a health care provider.
- Have a history of a chronic condition that may cause episodes of incapacity.
- Experience pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically require bed rest).

The following provisions apply to leave for the serious health condition of an employee:

- **Continuous or Non-continuous leave**—Medical leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
- **Certification process**—The need for leave must be documented by your treating health care provider through our medical certification process (see below).
- **Fitness-for-duty statement**—A fitness-for-duty statement will be required in order for you to return from a medical leave. Failure to provide the statement will result in a delay in your return to work.

**Serious Health Condition of Immediate Family Member:** If, as an eligible employee, you need family leave in order to care for your child, spouse, or parent who experiences a serious health condition as defined by the FMLA (see "Definitions" for definitions of child, spouse, parent and serious health condition), you may be permitted to take a leave under this policy.

**Qualifying Exigency Because of Active Duty:** If, as an eligible employee, you need family leave because of any qualifying exigency arising out of the fact that your spouse, son, daughter or parent is on covered active duty in the Armed Forces (including the National Guard or Reserves), or has been notified that they will be called or ordered to covered active duty in the Armed Forces (including the National Guard or Reserves), you may be permitted to take family leave under this policy. (See "Definitions" for a definition of qualifying exigency)

- **Continuous or Non-continuous leave:** Family leave for any qualifying exigency arising out of the covered active duty of a family member may be taken all at once, intermittently or on a reduced leave schedule (see below).
- **Certification process:** The need for leave must be documented through our certification process (see below).

**Servicemember Family Leave:** If, as an eligible employee, you need family leave to care for a covered servicemember who is your spouse, child, next of kin, or parent, who is a current member of the Armed Forces (including a member of the National Guard or Reserves) and who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness, you may be permitted to take up to 26 weeks of unpaid leave during a single 12-month period under this policy. (See "Definitions" for a definition of serious injury or illness.)

An eligible employee may also take servicemember family leave to care for a covered veteran who is the employee's spouse, child, next of kin, or parent and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. A serious injury or illness is one that was incurred in the line of duty when the veteran was on active duty in the Armed Forces, including any injury or illness that resulted from the aggravation of a condition that existed before the veteran's service in the line of duty on active duty. The condition may manifest itself during active duty or may develop after the servicemember becomes a veteran.

A "covered veteran" means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under

conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

- **Continuous or Non-continuous leave:** Servicemember family leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
- **Certification process:** The need for leave must be documented through our certification process (see below).

In accordance with the Illinois Family Military Leave Act, eligible employees may be entitled to up to 30 days of unpaid family military leave as the spouse, parent, child, or grandparent of a soldier called to active military duty for more than 30 days. This leave is reduced by the number of days provided to the employee under the FMLA because of any qualifying exigency arising out of the fact that the employee's spouse or child is on covered active duty. Thus, this leave is only available in certain circumstances when FMLA Military Leave does not apply. For additional information, employees should contact the Human Resources Manager.

### **Notifying the City of the Need for Family or Medical Leave**

Generally, an application for leave must be completed for all leave taken under this policy. The need to take foreseeable leave should generally be requested from the Human Resources Manager at least 30 days, or as soon as practical, in advance of the date the leave is expected to begin. In cases of unforeseeable leave, notice should be given as soon as possible. Failure to timely provide sufficient notice may result in a delay or denial of the leave. This means that, under certain circumstances, the absence may then be counted against your record for purposes of discipline for attendance or similar matters. It is your responsibility to notify the Human Resources Manager of absences that may be covered by FMLA.

### **Medical Certification Process**

In addition to an application for leave, you will be required to complete a medical certification form when leave is for a family member's or your own serious health condition. The certification form needs to be signed by the health care provider. The short-term disability certification may be sufficient where the information required is duplicative. These forms are available from Payroll. Second or third certifications from health care providers and periodic recertification may be required under certain circumstances.

On a basis that does not discriminate against employees utilizing FMLA leave, the City may also require periodic reports during federal FMLA leave regarding your status and intent to return to work.

### **Military Family Leave Certifications**

In addition to an application for leave, you will be required to complete a Certification of Qualifying Exigency for Military Family Leave form when applicable. A copy of the military member's active duty orders or other military documentation may also be required to substantiate your need for FMLA leave.

If you request leave to care for a covered servicemember with a serious injury or illness, you will be required to complete a medical certification form, which must be signed by the servicemember's health care provider. The certification form will request additional information, such as information regarding the relationship between you and the covered servicemember, to substantiate your need for FMLA leave.

### **Required Use of Paid Leave**

Federal FMLA leave is unpaid. However, the City allows for accrued sick and vacation time to be exhausted at the employee's direction, before FMLA leave is taken.

An employee is not required to substitute paid time off for an absence covered under workers' compensation or a disability benefit plan. However, any such absence that meets the definition of serious health condition under the FMLA will be counted toward an employee's FMLA leave entitlement.

**Non-Continuous Leave**

Intermittent or reduced leave will be permitted only when it is medically necessary, or for a qualifying exigency as explained above. In all cases, the total amount of leave taken in a calendar year should not exceed your total allotment as defined earlier in this policy.

Intermittent and reduced schedule leave must be scheduled with minimal disruption to an employee's job. To the extent an employee or family member has control, medical appointments and treatments related to an employee's or family member's serious health condition should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work.

If you request non-continuous federal FMLA leave which is foreseeable based on planned medical treatment for yourself, a family member or a covered servicemember, you may be required to transfer temporarily to an available alternative position offered by the City for which you are qualified and which better accommodates recurring periods of leave than your regular employment position. You will be entitled to equivalent pay and benefits, but will not necessarily be assigned the same duties in the alternative position. This provision may also apply if the City approves a non-continuous leave for the birth of a child or the placement of a child for adoption or foster care.

**Benefit Continuation during Leave**

The City will maintain your group health plan coverage and certain other employment benefits (such as life insurance, and unreimbursed medical and dependent flexible spending accounts) during your FMLA leave on the same terms as if you had continued to work, if these benefits were provided to you before the leave was taken. You will be required to pay your regular portion of premiums - contact Payroll for an explanation of your options.

Benefits that are accumulated based upon hours worked will not accumulate during the period of unpaid FMLA leave. In some instances, the City may recover premiums it paid to maintain health plan coverage for an employee who fails to return to work from FMLA leave.

**Returning to Work**

If the reason for FMLA leave is for your own serious health condition, you will be required to present a fitness-for-duty certification immediately upon return to work.

If you wish to return to work before the scheduled expiration of FMLA leave, you must notify the City of the changing circumstances as soon as possible but no later than two working days prior to your desired return date.

If you exhaust all leave under this policy and are still unable to return to work, your situation will be reviewed to determine what rights and protections might exist under other City policies.

**Rights upon Return from Leave**

Employees taking FMLA leave are guaranteed the right to return from FMLA leave to their previous position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. However, if upon the expiration of an employee's 12-week entitlement to FMLA leave, the employee is unable to perform an essential function of his/her position because of a physical or mental condition, including the continuation of a serious health condition, the employee will have no right to restoration under the FMLA. This does not necessarily mean that the employee will not be returned to work. If, due to an employee's own medical circumstances, he/she is no longer able to perform his/her original job, the City may attempt to transfer the employee to alternative work for which he/she is qualified, if such work is available.

The law provides that an employee has no greater rights upon a return from leave than the employee would have if the employee had continued to work. Therefore, you may be affected by a layoff, termination, or other job change if the action would have occurred had you remained actively at work.

The City may choose to exempt certain "key employees" from the requirements set forth in this section and not return them to the same or similar position when doing so would cause substantial and grievous economic injury. This fact-specific determination will be made by the City on a case-by-case basis. A key employee is defined as a salaried and FMLA-eligible employee who is among the highest paid ten (10) percent of all the employees-both salaried and non-salaried, eligible, and

ineligible—who are employed by the City. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

#### **Other Types of Leave**

If you do not qualify for the types of leave described in this policy, the City may approve a personal leave of absence, depending on your circumstances. Except where mandated by law, we cannot guarantee that benefits will continue or that your position will remain open in your absence.

#### **Definitions (referring specifically to FMLA):**

**Spouse:** Refers to the other person with whom an individual entered into a marriage as defined or recognized under state law for purposes of marriages in the state in which the marriage was entered into. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the U.S. if the marriage could have been entered into in at least one state.

**Parent:** A biological parent, adoptive parent, stepparent, foster parent or any other individual who stood in loco parentis to the employee when the employee was a child. Parent does not include a parent-in-law under this law.

**Child:** A biological, adopted, or foster child, stepchild, legal ward or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and is incapable of self-care because of a mental or physical disability at the time FMLA leave is to commence. For military family leave, the child does not have to be a minor (under the age of 18) and can be of any age.

**Incapable of self-care:** The child requires active assistance or supervision to provide daily self-care in three or more “activities of daily living,” or “instrumental activities of daily living,” including adaptive activities such as caring appropriately for one’s grooming and hygiene, bathing, dressing, eating or instrumental activities such as shopping, taking public transportation or maintaining a residence.

**Physical or mental disability:** A physical or mental impairment that substantially limits one or more major life activities of the individual.

**Next of kin:** Used with respect to an individual, this means the nearest blood relative of that individual, other than the spouse, parent or child.

**Serious health condition:** Illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care in a hospital, hospice or residential medical care facility.
- A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves: 1) treatment two or more times within 30 days of the first day of incapacity, unless extenuating circumstances exist, by or under the orders of a health care provider; or 2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider. The first (or only) visit must occur in person within seven days of the first day of incapacity.
- Any incapacity due to pregnancy or for prenatal care.
- Chronic conditions requiring periodic treatment by or under the supervision of a health care provider, which continue over an extended period of time and may cause an episodic rather than a continuing period of incapacity (for example, asthma, diabetes and epilepsy).
- Permanent or long-term conditions requiring supervision for which treatment may not be effective (for example, Alzheimer’s, a severe stroke or the terminal stages of a disease).
- Multiple treatments by or under the supervision of a health care provider either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy), severe arthritis (physical therapy) or kidney disease (dialysis).

**Serious Injury or Illness (Armed Forces):** In the case of a member of the Armed Forces, including a member of the National Guard or Reserves, an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s

active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.

- In the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran and is:
  - A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank or rating;
  - A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave;
  - A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  - An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

**Qualifying Exigencies:**

- Short-notice deployment (seven days or less)
- Military events and related activities
- Issues related to child care and school activities
- Issues related to financial and legal arrangements
- Counseling
- Rest and recuperation (up to 15 days)
- Post-deployment activities
- Parental care
- Additional activities agreed to by the City and the employee.

## Holidays

The following and other days as may be designated by the City Council are holidays, and premium pay shall be provided for work on these days, if applicable, for all non-union employees except Sergeants and Police Administrative Support Specialists (PASS) who recognize the same holidays as Police Officers under the collective bargaining contract.

New Year's Day	Labor Day	Christmas Eve Day
Martin Luther King Jr. Day	July Fourth	Christmas Day
Good Friday	Thanksgiving Day	
Memorial Day	Day After Thanksgiving	

In order to be eligible for holiday pay, the employee must work their full scheduled shift before and after the holiday.

Eligible Full-time employees who do not work on the holiday shall receive straight-time pay for the holiday. Eligible Full-time employees, other than Sergeants and PASS, who are not scheduled but get called in to work on a holiday, shall receive double time for hours worked in addition to eight hours straight-time pay for the holiday. Eligible Sergeants will receive double time and a half for all hours worked in excess of 8 hours on holidays as well as double time and a half for all hours worked if they were not scheduled to work the holiday yet were called in. Eligible Full-time PASS employees who work on the holiday shall receive double time for hours worked in addition to eight hours straight-time pay for the holiday. Eligible Part-time PASS employees receive double time for hours work on holidays.

Whenever a holiday falls on a Saturday, the Friday immediately preceding the holiday shall be considered the holiday, unless otherwise designated by the City. Whenever a holiday falls on a Sunday, the following Monday shall be considered a holiday unless otherwise designated by the City. The holiday premium pay (e.g. double

time for hours worked on a holiday) applies to the actual day of the holiday and not the City-designated day if legal holiday falls on a weekend.

### Jury, Court, Public Duty

Employees are encouraged to fulfill their civic duties. To do so, the City provides paid Jury Duty leave. Employees must show the jury duty summons to their supervisor as soon as possible so that the department may make arrangements to accommodate the absence. The City or the employee may request to be excused from jury duty, if in the City's judgment, the absence would create serious operational difficulties.

Employees are required to produce jury authorization each day to support the absence from work. To be compensated, you must present a court voucher and proof of actual jury duty service. You are also expected to report for work whenever the court schedule permits.

### Leave of Absence

An employee requesting a leave of absence for any reason must submit a request to his/her Department Head. A leave of absence will not be granted unless both the Department Head and the City Administrator agree to the request. Upon approval of both, the Department Head shall return written approval to the employee. Requests for annual leave must be made far enough in advance to allow time to carry out this procedure. (R-381)

#### **Absence Without Leave**

An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these rules shall be considered absent without leave. Any such leave shall be without pay and may be subject to disciplinary action. Any employee who is absent for three consecutive days without leave shall be considered to have resigned.

#### **Leave Without Pay**

Leave without pay shall be granted with approval from the Department Head and City Administrator.

- The City Administrator may grant a regular employee leave of absence without pay not to exceed one year. Employees on disability pension are not classified as on leave of absence.
- No leave of absence without pay shall be granted except upon written request of the employee, unless the employee is incapacitated.
- Upon expiration of a regularly approved leave without pay, the employee shall be reinstated in the position held at the time the leave was granted, or a comparable position within a reasonably practicable time period.
- Failure of an employee on leave of absence to report to duty at the time specified shall be cause for dismissal.

#### **USERRA**

The City provides military leave to eligible employees in compliance with federal and state laws, including the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Local Government Employees' Benefits Continuation Act (50 ILCS 1401/1, et seq.). Employees should notify their supervisors as soon as they become aware of a military service obligation. Detailed information regarding continuation of compensation and benefits during military leave, and employee rights to reinstatement, can be obtained from the Human Resources Department.

#### **VESSA (Victim's Economic Security and Safety Act)**

Eligible employees may be entitled to unpaid leave in accordance with the Illinois Victims' Economic Security and Safety Act ("VESSA"). An eligible employee's entitlement to VESSA leave is calculated as a rolling 12-month period measured backward from the date of any VESSA leave usage.

You may be required to submit certification to substantiate that the leave will be taken for purposes covered by VESSA. If requested certification is not timely provided or is insufficient, the request for leave may be delayed or denied.

VESSA leave is unpaid. However, employees may substitute all paid vacation and other leave time for all or part of any VESSA leave.

## Part-time Employee Leave

Only eligible employees working in excess of 1,000 hours in the prior calendar year qualify for this benefit.

Qualified employees shall receive paid leave as per the following:

- Total hours of leave available =  $\frac{\text{total hours worked during prior calendar year}}{2080} \times 80$
- Said leave shall be paid at the customary hourly rate of pay in effect at the time leave is taken.
- Leave hours will be granted on May 1 and must be taken on or before the following April 30 or they will be forfeited.
- All leave must be scheduled and approved in advance by appropriate supervisory personnel.

## Personal Days

Full-time, non-union employees shall receive one paid day off (8 hours) for personal business each calendar year. Such time off shall be paid at the employee's regular hourly rate and shall not be counted as time worked for the purpose of computing overtime compensation. Personal Days must be used in the calendar year in which they are earned. They may not be carried forward into a succeeding calendar year. Personal Day time may not be substituted or traded for pay. The scheduling of a Personal Day must be first approved by the employee's supervisor. (R-402)

## Sick Leave

Sick leave is accumulated one weekday per month of service. For non-union employees, paid Sick leave shall be credited to all full-time employees at the date of hire at the rate of 12 days per year (96 hours). Sick Leave will begin accruing on the first anniversary date at the rate of 8 hours per month, to a maximum of one hundred sixty (160) working days for each employee, or one hundred twenty (120) for Sergeants. Employees eligible for IMRF who have accumulated the maximum of 1,280 sick leave hours shall be entitled to earn an additional 640 sick leave hours above the 1,280-hour cap. Said additional 640 hours shall be accounted for separately and shall be used toward IMRF service credit only, not for any other sick leave purpose. Leave shall only be credited to this IMRF bank if and when the regular sick leave bank has accumulated the 1,280-hour maximum.

Sick leave is designed for absences due to short-term illness or injury and to support preventive health care and to care for short-term health needs for the employee, employee's spouse, child, or parent. An employee may use a total of 6 of the 12 days per year (or 48 of the 96 hours per year) for absences due to an illness, injury, or medical appointment of the employee's domestic partner, sibling, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. This time shall not be considered as a privilege which an employee may use at his/her discretion, but shall be allowed only in case of necessity.

**Notification** To receive compensation for sick leave, the employee shall notify his/her immediate supervisor prior to beginning his/her daily duties.

**Verification** The City reserves the right to require documentation from a health care professional to verify the need for sick leave and/or authorizing the employee to return to work.

**Sickness on Vacation** An employee on vacation who becomes ill or injured may, upon proper notification to his/her supervisor, change the leave status to sick leave.

**False Pretenses** Claiming sick leave under false pretenses may be cause for dismissal from City service.

**Using Compensatory Time and Vacation Time in lieu of Sick Leave** Employees may use available vacation time and compensatory time in lieu of sick leave. This must be approved by the Department Head.

**Sick Leave Pay at Separation** Any earned and unused Sick Leave shall be forfeited at separation and will not be paid out, except in the event of retirement in which Sick Leave may be converted to service credit for purposes of the Illinois Municipal Retirement Fund (IMRF).

**Sick Leave Pay as a Sergeant** Sergeants are eligible for the same Sick Leave Buy Back benefit as police officers in the Collective Bargaining Unit. In addition, Sergeants are eligible to be paid at termination for all



accumulated sick leave except any sick leave accrued for Sergeants during the period February 20, 2012 through July 20, 2020, less any sick leave taken during that period is not eligible to be paid.

**Good Health Incentive Program** All full-time, non-union employees, excluding Sergeants, who use no more than eight (8) hours of sick leave in any calendar quarter shall receive either eight (8) hours paid personal time off, eight (8) hours of accumulated sick leave, or eight (8) hours pay, at the employee's option. Such pay is to be paid at the completion of each quarter and will be paid at the employee's regular hourly rate. Employees electing the eight (8) hours paid personal time off must take the time off within the calendar year in which the time off was awarded. Such time, when taken off, shall not be counted as time worked for purposes of computing overtime compensation.

## Temporary Illness or Injury

An employee shall at once inform his/her supervisor of any medical conditions affecting or restricting the employee's ability to perform his or her job duties. The individual may continue his/her regular employment so long as his/her healthcare provider states in writing that he/she is able to perform his/her normal work assignment.

At any time during either a temporary illness, medical condition or injury, the City Administrator may request a letter from his/her treating healthcare provider authorizing continued employment in the present position. If at any time the healthcare provider's letter indicates that employment should no longer be continued at the present position, the City Administrator may request the individual to take a leave of absence without pay.

- Once an employee is requested to take a leave of absence without pay, the employee shall first exhaust all accrued sick leave and vacation time. At that time, the individual may petition the Illinois Municipal Retirement Fund or the Police Pension Board for disability compensation.
- On the proposed return from leave due to illness, medical condition or injury that continued for more than three consecutive days, the employee or officer shall submit to the City Administrator or Chief of Police a letter from the treating healthcare provider stating that the individual is able to return to work.
- An individual must notify the City Administrator within seven days of the date of receipt of any notice that disability compensation has been terminated. Within an additional seven-day period, the individual must either return to work or notify the City Administrator of his intention not to return to work. Failure to return to work within the time specified shall be cause for dismissal.

## Vacation

Each regular full-time City employee not otherwise covered by the terms of a collective bargaining agreement shall earn paid vacation leave pursuant to schedules as determined by the City Council. For more information regarding current vacation schedules, see Appendix 2 or contact the Human Resources Manager.

**Vacation Accrual** In accordance with the payroll system, vacation will be accrued twice per month (the first and second pay periods only) at the rates indicated above (i.e. accrual rate of 80 hours will be 3.33 hours per pay period accrued).

**Vacation Approval** The time at which an employee may take his or her vacation shall be determined by the supervisor or Department Head, taking into the account the wishes of the employee, and the needs of the department.

**Half-Hour Units** Vacation leave shall be charged against employees in half-hour units. For purposes of administration, vacation available may be rounded up to the nearest whole number.

**Accumulation** Ordinarily, vacation leave must be taken in the calendar year following the year in which it was accrued. However, accrued vacation, not to exceed 5 days for employees with up to 15 years of service, and not to exceed 10 days for employees with 15 years of service or more, may be accumulated and carried over from one year to the next. The allowable carryover will consist of the amount as indicated above that may be carried over to the following year plus the actual vacation accrued during the current year.



**Separation from Service** Regular full-time employees who are separated from service shall be compensated for vacation accrued up to the date of separation. With respect to employees who are eligible for IMRF retirement benefits, all earned and unused (and non-forfeited) vacation leave may be used to extend the date of separation.

# Safety and Security

## Drug Free Workplace

The use of illegal drugs and the abuse of legal, recreational drugs and alcohol by City employees presents unacceptable risks to the safety and well-being of other employees and the public, invites accidents and injuries, and reduces productivity. In addition, such conduct violates the reasonable expectation of the public that the employees who serve and protect them will obey the law and be fit and free from the adverse effects of drugs and alcohol abuse.

In the interest of having employees who are fully fit and capable of performing their jobs, and for the safety and well-being of employees and residents, the City has established this program that will allow the necessary steps, including drug and/or alcohol testing, to implement the general policy regarding drugs and alcohol. The City requires ongoing compliance as a condition of employment. Failure to comply may result in disciplinary action up to and including termination.

The City recognizes that substance abuse is a medical problem that may be successfully treated. Early detection and treatment of alcohol or drug abuse is important for successful rehabilitation and for reduced work, personal, and social disruption.

Employees are strictly required to comply with this policy and to report any conduct in violation of this policy immediately. By law (30 ILCS 580/3 et al.) employees are mandated to notify the employer of any criminal drug and alcohol statute conviction for a violation occurring at the workplace no later than five days after such conviction.

### **Prohibited Activities**

All City employees shall be governed by the principles of an alcohol and drug free workforce and workplace. The workplace includes all buildings, offices, lockers, facilities, grounds, parking lots, places and vehicles owned, leased or managed by the City, and the employee's personal vehicle while engaged in the business of the City, and all areas where City-business is conducted, whether on or off-City premises.

The term "drug" shall include any controlled substance listed in 720 ILCS 570/101 et seq. of the Illinois Compiled Statutes, known as the Controlled Substance Act, for which the person tested does not submit a valid, pre-dated prescription. The term "drug" includes both illegal drugs, cannabis, and prescription and over-the-counter medication, which have not been legally obtained, are not being used for prescribed purposes, are not being taken according to prescribed dosages or are otherwise wrongfully used or sold. In addition, it includes "designer drugs" which may not be listed in the Controlled Substance Act, but which adversely affect perception, judgment, memory, and coordination.

The following actions are strictly prohibited:

- Being impaired by or under the influence of alcohol, illegal drugs, cannabis or controlled substances while on duty or on City property.
- Having illegal drugs, cannabis, or controlled substances present in their bodily systems while on duty or on City property.
- The manufacture, distribution, dispensation, sale, possession or use of alcohol, illegal drugs, cannabis or controlled substances while on duty ("on duty" includes working hours, on-call time, and rest breaks and meal periods) in the workplace.
- Tampering with, adulterating, or substituting a test specimen or causing another person to tamper with, adulterate, or substitute a test specimen.
- Refusing to submit to testing according to the procedures outlined in this policy or failing to cooperate in the testing process, including any refusal to sign any required form consenting to testing and to the release of test results to the City.

Violation of these policies may result in disciplinary action up to and including termination.

### **Use of Prescribed or Over-the-Counter Medication**

Use of medication administered, prescribed by, or under the supervision of a healthcare provider and according to the prescribing healthcare provider's lawful directions or non-prescription medication in conformity with the manufacturer's specified dosage is not prohibited by this policy.

Employees are prohibited from being under the influence of prescribed medical cannabis and recreational cannabis or any derivative thereof during work hours. Further, an employee taking medication must notify their supervisor of any known side effects that might affect the employee's job performance.

In addition, if the employee drives a vehicle or operates equipment in connection with his or her job, the employee must obtain the advice from the healthcare provider that the medication will not affect the employee's ability to safely operate a motor vehicle or equipment, or otherwise function in his or her position. If required by the City, the employee shall produce written evidence that any prescription medication has been lawfully prescribed, as well as information from the practitioner concerning any potential side effects of the medication.

### **Testing**

In addition to procedures set forth in an applicable collective bargaining agreement, employees are subject to testing when a supervisor or manager has reasonable suspicion to believe that their work behavior or ability are impaired from possibly being under the influence of alcohol, illegal drugs, cannabis, or other dangerous substances. Testing also occurs when there is direct evidence of cannabis, other drug or alcohol use or possession on-the-job.

Tests will be conducted at a qualified medical facility selected by the City. Failure or refusal of an employee to submit to testing will be treated as a positive test result and could result in immediate termination. Test results will be maintained in the employee's medical file and will be released to the employee if requested in writing.

### **Voluntary Requests for Assistance**

An employee may desire to come forward on a self-initiated basis to seek help for an alcohol or drug problem. Employees are encouraged to do so before they are found in violation of this policy. Voluntary requests for help will be kept confidential in accordance with federal and state law. However, an employee will not avoid discipline up to and including termination by seeking such assistance after being requested to take an alcohol and/or drug test or violating City policies.

If an employee continues working while seeking recovery assistance, the employee must continue to meet all established standards of conduct and job performance set forth by the City. If an employee has violated City policies, compliance with a prescribed treatment will not guarantee an employee a right of reemployment.

### **Unpaid Leave of Absence for Treatment**

An employee will be permitted to take an unpaid leave of absence for the purpose of undergoing treatment pursuant to an approved alcohol or drug use clinic or facility.

1. Any leave of absence shall be on a one-time basis and for a maximum of sixty (60) days. If accumulated sick and vacation time is used on said leave, benefits will be accrued accordingly.
2. An employee requesting to return to work from a leave of absence for drug and/or alcohol use shall be required to present evidence of successful completion of treatment or a rehabilitation program sponsored by a recognized hospital, clinic, facility or agency.
3. Upon written evidence of successful completion of treatment, the employee will return to active status in the same manner as other employees returning from leaves of absences.
4. The Employer shall have the right to request an employee to submit to chemical and/or alcohol testing if a reasonable basis for such request exists. Random testing shall not be used to gain a reasonable basis for such request.

### **DOT Driver Testing Policy**

In addition to testing under this policy, the City will comply with provisions of the United States Department of Transportation rules and regulations that require employers to test drivers (who hold a Commercial Driver's License (CDL)) for the misuse of alcohol and controlled substances.

## **Worker's Compensation**

All work-related accidents, illnesses and injuries, no matter how minor, must be reported to supervisory personnel immediately (immediately means at the time of the accident or injury). You and your supervisor are responsible for completing an accident report containing all of the pertinent details, and notifying the Human

Resources Manager of the accident within twenty-four hours of its occurrence. In an emergency situation, please seek emergency medical treatment immediately.

The City provides workers' compensation benefits, a type of insurance that compensates an employee for lost time, medical expenses and loss of life or dismemberment from an injury or illness arising out of or in the course of work, in accordance with state statute.

#### **Immediate Report of Injury.**

Employees who are injured while on duty for the City must immediately report the injury to their supervisor.

#### **Return to Work Policy**

The goal of the Return-to-Work Policy is to return workers to employment at the earliest possible date following an injury or illness. The policy applies to regular full-time and part-time employees who are on leave as a result of injury or illness and who are receiving workers' compensation benefits.

The City defines transitional work as temporary, modified work assignments within the worker's physical abilities, knowledge and skills. Where possible, transitional positions will be made available to injured workers to minimize or eliminate time lost. For any business reason, at any time, we may elect to change the position such as working shift, location, etc. based on the needs of the City. The City cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement.

In the event an employee refuses transitional work (outside the employees' FMLA benefits period) and are within the restrictions and ability to perform the transitional position, the City is not obligated to provide an alternative position. In such cases, the City will notify the insurance carrier.

#### **Procedure**

To obtain a transitional assignment, the employee must request a Return-to-Work Form and a Job Description Form from the Human Resources Manager to provide to the healthcare practitioner for completion. If the healthcare practitioner releases the employee to return to work on modified duty and has completed the Return-to-Work Form and Job Description Form, the forms must be returned to the Human Resources Manager within 24 hours following the medical treatment for assessment. The employee cannot return to work without a medical release.

Human Resources will review the Return-to-Work Form with the Department Head to determine if a transitional position is appropriate and within organizational needs. A transitional position job description may be prepared for review and approval by a healthcare practitioner. Transitional positions are developed based on the capability of the worker, the needs of the City and availability of transitional work. The City will determine appropriate work hours, shifts, duration and locations of all work assignments. The City reserves the right to determine availability, appropriateness and continuation of all transitional work assignments and job offers.

The employee must notify the Human Resources Manager within 24 hours of any and all changes in medical conditions that would affect work restrictions or capabilities.

## **Emergency Action Plan**

An Emergency Action Plan is designed to provide guidance of what to do in an emergency including how to exit the workplace. Learn the location of fire exits, alarm boxes, extinguishers, safe zones and emergency exits. Check with your supervisor regarding your duties in case of a fire, medical emergency or hazardous weather.

All employees are reminded that sources of ignition, such as matches, lighters and cigarettes are not permitted in areas where there are products that represent potential physical hazards based on their flammability, combustibility, explosivity, etc. Accordingly, familiarize yourself with the products in your workplace by reading labels and material safety data sheets (MSDS).

### **Emergency Closings**

At times, emergencies such as severe weather, fires, power failures, flooding or earthquakes can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. When operations are officially closed due to emergency conditions, the time off from scheduled work for non-exempt employees will be unpaid. Exempt employees will receive pay unless the closure is for a full week, and may be required to use accumulated paid time off during any such closure. Employees in essential operations may be asked to work on a day when operations are officially closed.

## **Safety**

The City of Washington adheres to all applicable, state and federal safety laws. It is the policy of the City to plan safety, loss control, and operating efficiency in all aspects of our operations. We have every incentive, both moral and financial, to minimize the hazards that adversely affect the safety of our personnel, the security of our property, and the well-being of residents and visitors exposed to our operations and personnel.

The purpose of the City's policy is to develop a culture of safety throughout all operations of the City. It is our intention to initiate and maintain complete accident prevention and safety training programs. Each individual is responsible for the health, safety and wellbeing of those persons in their charge and everyone around them. Employees displaying reckless, unsafe behavior or those employees acting in ways outside of the City's Vision and Values and against the culture of safety will be addressed immediately and, depending on the severity of the safety issue, may be terminated.

## **Weapons**

The City seeks to protect the safety of employees, visitors and citizens of the City. In recognition of the Illinois Firearm Concealed Carry Act (430 ILCS 66), employees of the City, except law enforcement officers who are specifically authorized by law to carry a firearm or any other employee specifically authorized by law, are prohibited from carrying or possessing firearms in prohibited areas, regardless of any license or permit that an individual may have which would otherwise authorize the individual to carry firearms:

The following prohibited areas include:

- At any work location controlled by the City;
- At any job site controlled by the City;
- In any vehicle owned, leased or under the control of the City;
- In any area prohibited by the Illinois Concealed Carry Firearm Act or other federal or state law;
- In any area where firearms are prohibited under federal law.

Any employee who violates this policy is subject to discipline up to and including termination of employment, and shall be considered as acting outside the scope and course of his/her duties and/or employment.

## **Workplace Violence**

It is the City's policy to provide a workplace that is safe and free from all threatening and intimidating conduct. Therefore, the City will not tolerate violence or threats of violence of any form in the workplace, at work-related functions, or outside of work if it affects the workplace. This policy applies to City employees, guests, vendors, and persons doing business with the City.

It is a violation of this policy for any individual to engage in any conduct, verbal or physical, that intimidates, endangers or creates the perception of intent to harm persons or property. Examples include but are not limited to:

- Physical assaults or threats of physical assault, whether made in person or by other means (e.g., in writing, by phone, social media or email).
- Verbal conduct that is intimidating and has the purpose or effect of threatening the health or safety of a co-worker.
- Any other conduct or acts that management believes represent an imminent or potential danger to work place safety or security.

Anyone who has questions or complaints about workplace behaviors that fall under this policy may discuss them with their supervisor or City Administrator. The City will promptly and thoroughly investigate any reported occurrences or threats of violence. Violations of this policy will result in disciplinary action up to and including immediate termination of employees. Where such actions involve non-employees, the City will take action appropriate for the circumstances. Where appropriate and/or necessary, the City will also take whatever legal actions are available and necessary to stop the conduct and protect City employees and property.

## Appendix 1

**Longevity Schedule** Full-time employees shall earn longevity which is added to base pay in accordance to the following schedule:

Start of Year	Below Range 70	Pay Ranges 70 and above, Department Heads
<b>11-15</b>	\$700.00	\$900.00
<b>16 - 20</b>	\$1050.00	\$1325.00
<b>21</b>	\$1425.00	\$1775.00
<b>22</b>	\$1500.00	\$1865.00
<b>23</b>	\$1575.00	\$1955.00
<b>24</b>	\$1650.00	\$2045.00
<b>25</b>	\$1725.00	\$2135.00
<b>26</b>	\$1810.00	\$2235.00
<b>27</b>	\$1895.00	\$2335.00
<b>28</b>	\$1980.00	\$2435.00
<b>29</b>	\$2065.00	\$2535.00
<b>30</b>	\$2150.00	\$2635.00

*Effective May 1, 1997. Updated September 2022.*

## Appendix 2

**Vacation Accrual Schedule** Full-time employees shall earn and accrue annual paid vacation leave in accordance with the following schedule:

Start of Year	Sergeants and Below Range 96	Range 96 and Department Heads
<b>1-5</b>	80	80
<b>6</b>	88	120
<b>7</b>	96	120
<b>8</b>	104	120
<b>9</b>	112	120
<b>10</b>	120	120
<b>11</b>	128	160
<b>12</b>	136	160
<b>13</b>	144	160
<b>14</b>	152	160
<b>15</b>	160	160
<b>16</b>	168	200
<b>17</b>	176	200
<b>18</b>	184	200
<b>19</b>	192	200
<b>20 and over</b>	200	200

*Updated September 2022.*



# Acknowledgment of Receipt

The Employee Handbook describes important information about the City of Washington, and it is my responsibility to comply with the policies contained in this handbook.

I have received my copy of the Employee Handbook and know where to find policy information. Should I have any questions relating to working for the City of Washington or questions relating to any of the information held within this document, I know and understand that I can and should consult my supervisor or the Human Resources Manager. I also understand that I can and should contact my supervisor or the Human Resources Manager regarding any questions not answered in this handbook.

A few items that were reviewed with me in detail include:

- \_\_\_\_\_ Anti-Harassment and Discrimination Expectations
- \_\_\_\_\_ IT/Social Media and Media Relations Guidelines and Expectations
- \_\_\_\_\_ Tobacco Policy/Cessation Assistance

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

TO BE PLACED IN EMPLOYEE PERSONNEL FILE