



# Employee Handbook

Effective January 1, 2023



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## **INTRODUCTION**

### **WELCOME!**

On behalf of the City of Highland Park (the “City”), we welcome you to our organization and wish you success during your employment with the City.

This employee handbook was developed to assist employees in understanding the organization of Highland Park’s municipal government and to outline the policies, programs, and benefits applicable to employees of the City.

This handbook provides employees with a general overview of the policies and procedures of the City. Administrative Orders and other City policies can be found in the tabs of this handbook. In addition to these City-wide policies and procedures, Departments and Divisions may establish policies and procedures that each employee is expected to familiarize themselves with and follow.

The City strives to have an honest, open and enjoyable work environment. This is further expressed in our Mission and Value statements. We value your opinion and encourage you to share your thoughts, concerns, or suggestions with your supervisor.

We hope you have a long and prosperous career with the City of Highland Park. Again, welcome and congratulations on your employment with the City!

## INFORMATION ABOUT THIS HANDBOOK

This employee handbook has been prepared as a general reference guide to help familiarize you with the City's basic policies, procedures, and rules, as well as the many employee benefits that it provides. This handbook applies to all full-time, regular part-time, temporary, and seasonal employees. Except where specifically stated otherwise, the benefits described in this handbook are available only to full-time employees. It specifically supersedes and replaces all previous employee handbooks, manuals, and policy statements, whether oral or written, issued by the City.

Please note that this handbook is *not a contract or an offer to form a contract*. It does not create any binding contractual commitment between the City and any employee. Furthermore, it does not provide any guarantee or assurance of continued employment with the City for any particular term. Notwithstanding anything contained in this handbook or in any other current or future policy statement or practice, *the City and its "at-will" employees retain the mutual right to terminate the employment relationship "at will," with or without warning, notice or cause*. No representative of the City, other than the City Manager, has the authority to make any binding representations, whether oral or written, contrary to the foregoing or purporting to guarantee any particular benefits, procedures, terms or conditions of employment. Even as to the City Manager, such representations will be binding on the City *only if* they are set forth specifically in a written employment agreement signed by the City Manager and the employee or the employee's bargaining agent.

The City expressly reserves all of its traditional management rights, including, without limitation, the right to unilaterally revise, interpret or discontinue any of the policies, procedures, rules or benefits set forth in this handbook at any time. In no case, however, may any such action alter any existing "at will" employment relationship or guarantee any particular benefits, procedures, terms or conditions of employment.

The City encourages employees, as well as management, to talk openly to each other about work and working relationships so that effective, continuous, employee/management communications exist. Employees who have questions about the contents of this handbook, or about any aspect of their employment, are encouraged to raise them with their Supervisors, Human Resources staff or the City Manager. They will gladly provide you with the information you need or direct you to someone who can do so. Keeping open lines of communication is essential for all of us.

To the extent a collective bargaining agreement, the Rules and Regulations, or departmental policies for non-union 24-hour shift Fire Department employees cover a subject contained in or conflicts with a provision of this handbook, the union contract, Rules and Regulations, or departmental policies for non-union 24-hour shift Fire Department employees, as applicable, will control.

## ORGANIZATION

The Mayor and the six (6) Council members comprise the City Council and govern the City of Highland Park organization. The City Council establishes policy for the City. The City Manager is responsible for implementing the City Council's policies and managing the day to day operations of the City.

As outlined in the organizational chart below, departments within the City report to the City Manager. There are six (6) main operating departments: City Manager's Office, Community Development, Finance, Fire, Police and Public Works.



There are various divisions that are included within the operating departments. Organization charts for each department are available in the Human Resources folder on HP Share.

Our goal is to provide excellent customer service and exceed our residents' expectations. With that goal in mind, the Council has adopted the following mission statement:

*The mission of the City of Highland Park municipal government is to provide fiscally responsible, high-quality services through effective, transparent and collaborative governance.*

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## **POLICIES & PROCEDURES**

### **CODE OF VALUES**

#### **Open and Accessible Government**

An open and accessible government is a fundamental value of the City. The integrity and reputation of the City is essential to being an effective organization. To further the City's service goals, employees must remain accessible to the public they serve.

#### **Fiscal Responsibility**

The City has a responsibility to the community to manage public funds as efficiently as possible and in accordance with all rules and regulations governing their use.

#### **Personal Honesty and Integrity**

We have a responsibility to both the organization and to our colleagues to maintain the highest standards of integrity and honesty in all public activities.

Employees must:

- Comply with all applicable laws, ordinances, regulations and resolutions in the carrying out of their duties;
- Eliminate any and all circumstances that could result in personal gain, or the appearance of personal gain, exclusive of authorized compensation, from the performance of official duties;
- Accept gifts only as allowed by Chapter 37 of the City Code and the City's Purchasing Policy;
- Avoid all interests or activities that are in conflict with the conduct of official duties.

#### **Professionalism**

All City employees must demonstrate a professional attitude and be free of personal biases. The spirit of professionalism demands a cooperative approach to problem solving within the organization and a commitment to the same in dealing with the public.

#### **A Humane Organization**

A productive and rewarding work environment is crucial to the success of the City. The City recognizes the following attributes contribute greatly to a positive work environment: creativity; dedication; respect for others; open communication; humility; and humor. The City believes such qualities ensure the work place leads to personal growth and satisfaction.

## WHISTLEBLOWER PROTECTIONS POLICY

The City is committed to maintaining an environment free from improper governmental action and retaliation against those who report, testify about, or participate in investigations regarding alleged improper governmental activities as required by Section 4.1 of the Public Officer Prohibited Activities Act (50 ILCS 105/4.1 *et seq.*).

The City will not tolerate improper governmental action or retaliation against employees based on the employee's reporting of alleged improper governmental activities against City employees, independent contractors or appointed officials by anyone, including the City, any agent or representative of the City, or another employee, contractor or appointed official.

It is the policy of the City to prohibit any official from retaliating against any employee, independent contractor or appointed official who:

- reports an improper governmental action;
- cooperates in the investigation related to a report of an improper governmental action;  
or
- testifies in a proceeding or prosecution of an improper governmental action.

### Improper Government Action

An improper governmental action is defined as follows.

“Improper governmental action” includes any action by a unit of local government employee, an appointed member of a board, commission, or committee, or an elected official of the unit of local government that is undertaken in violation of federal, State, or unit of local government law or rule; is an abuse of authority; violates the public's trust or expectation of their 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 a unit of local government 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 the actions amount to retaliation.

### Retaliation

For the purposes of this Policy, “retaliation”, “retaliate” or “retaliatory action” means any adverse change in an employee's employment status or terms and conditions of employment that results from an employee's protected activity of reporting improper governmental action, cooperating

# POLICIES & PROCEDURES

in the investigation, proceeding or prosecution of a reported improper governmental action. Retaliation includes, but is not limited to, denial of adequate staff to perform duties; frequent staff changes; frequent and undesirable office changes; refusal to assign meaningful work; unsubstantiated letters of reprimand or unsatisfactory performance evaluations; demotion; reduction in pay; denial of promotion; transfer or reassignment; suspension or dismissal; or other disciplinary action made because of an employee's protected activity under this policy.

## **Covered Individuals**

All employees of the City are covered under this policy, whether in a regular or temporary position, including full-time, part-time, and intermittent workers. This Policy also covers contractors and members of appointed boards or commissions, whether or not paid. Further, this policy covers persons who have been terminated because of any report or complaint submitted under this policy.

## **Designation of Auditing Official**

The City designates the City Manager to serve as the Auditing Official of the City, with the duties and responsibilities set forth in 50 ILCS 105/4.1 and this Policy.

The Auditing Official may transfer the complaint to another auditing official, including the States Attorney, if they determine that it is appropriate. The Auditing Official may also delegate some or all tasks to other individuals to assist in the investigation and resolution of complaints.

## **Reporting Improper Governmental Action**

To secure the protections of this Policy and Section 4.1 of the Public Officer Prohibited Activities Act (50 ILCS 105/4.1, et seq.), an employee or other individual covered by this policy must file a written report with the Auditing Official as follows:

1. If a covered individual believes that they have witnessed an improper governmental action, as defined in this Policy, they must submit a written report of the improper governmental action to the Auditing Official.
2. If a covered individual believes that they have been retaliated against for reporting improper governmental action, cooperating in the investigation, or procedure involving an improper governmental action, they must report such alleged retaliation to the Auditing Official in writing within sixty (60) days of gaining knowledge of the retaliatory action taking place.

If the Auditing Official is also the subject of the complaint, the covered individual may file the written report with any States Attorney.

# POLICIES & PROCEDURES

## **Duties of the Auditing Official; Covered Individual Protections**

### *Identity of the Complainant is Confidential*

- The Auditing Official will keep the identity of a covered individual who files a report of improper governmental action or retaliation (“Complainant”) confidential to the extent allowed by law.
- The Complainant may choose to waive confidentiality.

### *Investigation*

Upon receipt of a report of improper government action or retaliation, the Auditing Official shall investigate the complaint promptly and thoroughly. The investigation by the Auditing Official may, but is not obligated to, include, without limitation, the following:

- Interviews of the Complainant and witnesses;
- Interviews of governmental officials who may have knowledge about the complaint or may be the subject of the complaint;
- Inspection of documentation (in written, printed, or electronic format) relevant to the complaint;
- Transfer of a report to outside investigators, including but not limited to a state’s attorney;
- Take any other appropriate measures to ensure that the complaint has been thoroughly investigated.

### *Determination and Remedial Action If Necessary*

Upon the conclusion of the investigation, the Auditing Official shall make a determination whether the complaint has merit or whether the complaint does not have merit.

If the Auditing Official determines that the complaint has no merit, the Auditing Official may dismiss the complaint.

If the Auditing Official determines that improper governmental action or retaliation has taken place, the Auditing Official may take remedial action on behalf of the complainant, including reinstatement, reimbursement for lost wages or expenses, promotion, or other remedial action that the Auditing Official deems appropriate. The Auditing Official may also make their investigation findings available to the Complainant’s attorney if the Auditing Official finds that restitution is not sufficient. Further, the Auditing Official is also responsible for taking appropriate remedial measure if a complaint is determined to be fraudulent or submitted for purposes other than reporting improper governmental activities.

Any person who engages in prohibited retaliation under this policy or under Section 4.1 of Public Act 101-652 may also be subject to fines, appropriate employment action, civil or criminal prosecution, or any combination of these actions.

# POLICIES & PROCEDURES

If the Auditing Official determines that improper governmental action has taken place or the Auditing Official determines City employees or officials hindered the investigation, the Auditing official must notify the Chief Executive and any other individual or entity the Auditing Official deems necessary under the circumstances.

## Employee Responsibility and Acceptance of Policy

All City employees have a responsibility to conduct themselves in compliance with this policy and to report any observations of conduct inconsistent with this policy.

Copies of this Policy along with a copy of Section 4.1 of Public Act 101-652 will be given to every employee upon hiring. Additionally, these same documents will be furnished or made available to all employees on an annual basis.

## Out of Scope Violations

Nothing in this policy is intended to limit the City's ability to discipline, discharge and/or remove an employee or official for conduct that violates other City policies, procedures and/or work rules, even if such conduct does not technically qualify as an "improper governmental action" or "retaliation" under this Policy and/or the Act.

## CITY ETHICAL GUIDELINES

For purposes of the City Ethical Guidelines section, the following definitions will apply:

***Conflict of Interest:*** Any direct or indirect interest or direct or indirect benefit accruing to an employee or his or her family member, whether in the employee's own name or the name of any other person, association or trust from which the employee or family member is entitled to receive any financial benefit, as a result of a contract or transaction that is, or that is known will become, the subject of official action by or with the City; provided, however, that such "interest" or "benefit" shall not be deemed to include the following:

- Benefits accruing as a result of contracts or transactions that by their terms and substance confer on all citizens of the City the opportunity and right to realize similar benefits.
- Benefits accruing to an employee or family member solely by reason of ownership of less than one-half of one percent of the stock or other ownership of a business entity realizing such a benefit.

***Family Member:*** Employee's spouse, civil union partner or domestic partner and any of the following relatives of an employee or of an employee's spouse, civil union partner or domestic partner: child or grandchild; spouse of child or grandchild; parent; grandparent; and sibling.

## POLICIES & PROCEDURES

***Indirect:*** Participating in discussions where an employee or his or her family member has a contract or is bidding on a contract, or is proposing or intending to bid or propose to bid on a contract, is employed on a part-time or full-time basis or has applied for employment, and/or has some form of ownership (e.g., partnership interest, equity) with an entity that has a directly competitive business with the entity having business before the City staff, task force, commission and/or the City Council.

***Transaction:*** Any matter, including, but not limited to ownership of real estate within the corporate limits of the City; contracts, work, or business with the City; the sale or purchase of real estate by or to the City; or any request for zoning amendments, variations, and/or special use permits, involving or requiring any official action, including but not limited to any vote, whether part of a final action or part of a recommendation.

### **Declaration of Policy**

In order to serve and protect the common good and well-being of the community, employees of the City must exercise independent, impartial, and responsible judgment. City employment shall not be used for personal, financial or political gain, or to advance the interest of family, relatives, or friends. It is of vital importance that the public has confidence in the integrity of its City government.

### **Conflicts of Interest**

Employees should not engage in any business or transaction, or have a financial or personal interest, whether direct or indirect, that is incompatible with the proper discharge of their official duties or that may tend to impair their judgment, or action in the performance of these duties. If a conflict of interest arises, employees are responsible to disclose the conflict to their supervisor and/or Human Resources as soon as possible.

### **Disclosure of Interest**

Employees who have a personal interest in a transaction should disclose the nature and extent of such interest to the City Manager. During any deliberation, discussion, and/or action, employees of the City having a Conflict of Interest must excuse themselves and leave the room until such deliberation, discussion, and/or action has been concluded. During this time, employees should not have any contact with any other employee, commission member, or elected official directly involved in the matter from which the employees excused themselves.

### **Abuse of Power**

Employees shall not use the authority or status of their positions for their direct or indirect private gain.

# POLICIES & PROCEDURES

## Gifts

Employees must not accept gifts other than other than minor advertising novelties and food and in all cases must comply with Chapter 37 of the City Code and the City's Purchasing Policy.

Employees must not seek gifts from other employees and are under no obligation to give a gift or provide a service to any other employee or supervisor.

## Confidentiality

Employees shall not disclose confidential information concerning the property, government or affairs of the City or use such information to advance their own financial gain or other interests.

## Incompatible Employment

Employees shall not engage in or accept private employment, or render services for private interests, if such employment or service would create a Conflict of Interest or impair their judgment or action in the performance of their official duties in the public interest. Outside Employment must be approved in advance, per the guidelines in the Outside Employment section of this Handbook.

## Public Property

Employees shall not use or permit the use of City-owned vehicles, equipment, materials or property for profit or for personal convenience, except as authorized by the City Manager.

## Fairness and Impartiality

Employees must perform their duties fairly and impartially, without bias, prejudice or politics.

## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of the City to provide equal employment opportunities to all employees and applicants for employment and to abide by all applicable federal, state, and local equal employment opportunity laws. All employment decisions, including, but not limited to, recruitment, hiring, placement, promotion, and compensation, for all job classifications will be made without regard to race, religion, color, national origin, ancestry, sex, age, disability (except when physical fitness is a valid occupational qualification), sexual orientation, veteran or military discharge status, or any other legally protected category.

## AMERICANS WITH DISABILITIES ACT

The City does not discriminate on the basis of disability or handicap in employment or the provision of services. It is the intent of the City to provide people with disabilities equal opportunity to participate in or enjoy the benefits of City services, programs, or activities, and to provide a bias-free work environment for employees with disabilities. The City is committed to making reasonable accommodations in accordance with applicable law with respect to applicants and employees with disabilities who are otherwise qualified for the position. Requests for reasonable accommodations should be directed to the respective department director.

## NON-DISCRIMINATION, ANTI-HARASSMENT, AND INAPPROPRIATE CONDUCT

The City is committed to maintaining an environment free from discrimination, harassment, retaliation and inappropriate/offensive conduct (referred to collectively as “prohibited conduct”). In keeping with this commitment, the City will not tolerate any form of prohibited conduct. This policy forbids an employee, elected official, appointed official, vendor, client, customer or other person, from engaging in such conduct. Employees who engage in prohibited conduct are subject to disciplinary action, up to and including immediate termination, as determined by management.

### Prohibited Conduct

#### *Discrimination*

Discrimination includes any conduct or action (1) directed toward or about any employee or applicant or, (2) taken with respect to any employee or applicant because of that employee’s or applicant’s actual or perceived:

- Race
- Gender
- Age
- National origin
- Disability
- Religion
- Sexual orientation
- Veteran or military discharge status
- Membership in any other legally protected category

#### *Harassment*

Harassment includes unwelcome verbal, physical, visual, or other conduct that is based upon or relates to a person’s actual or perceived protected status. Protected status includes:

- Race
- Gender
- Age
- National origin



## POLICIES & PROCEDURES

- Disability
- Religion
- Sexual orientation
- Veteran or military discharge status
- Membership in any other legally protected category

The City will not tolerate harassing conduct that results in tangible employment action (a significant change in employment status) or otherwise adversely affects employment opportunities, unreasonably interferes with an individual's work performance, or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. Harassing conduct will not be tolerated by the City in the work environment of any employee, regardless of whether or not the space is owned or operated by the City.

The conduct forbidden by this policy specifically includes, but is not limited to:

- Epithets, slurs, jokes, negative stereotyping, or intimidating acts that are based on a person's protected status;
- Referring to a person's protected status, particularly when making decisions affecting the individual in the workplace and which affect the individual's ability to perform his or her job;
- Written or graphic material circulated, available on the City's computer system, or posted or distributed within the workplace that shows hostility towards a person(s) because of their protected status.

Even where such conduct is not sufficiently severe or persuasive to constitute legally actionable discrimination or harassment, it is prohibited in the City workplace.

### **Sexual Harassment**

Harassment based on gender, including sexual harassment, deserves special mention. Harassing conduct based on gender is often, but not always, sexual in nature. This policy forbids harassment based on gender whether or not the offensive conduct is sexual in nature and also prohibits expressions of hostility or dislike or other inappropriate conduct based on gender. Any unwelcome or unwanted conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders.

Sexual harassment includes any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct based on sex, gender or of a sexual nature when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, or (3) the conduct has the purpose or effect of unreasonably interfering

## POLICIES & PROCEDURES

with an individual's work performance or creating an intimidating, hostile or offensive working environment.

This policy forbids harassment based on sex/gender regardless of whether it rises to the level of a legal violation.

The City considers the following conduct to represent some, but not all, of the types of acts that violate this policy:

- Physical assaults of a sexual nature, including, but not limited to, rape, sexual battery, molestation, intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, etc.;
- Unwanted sexual advances, propositions or other sexual comments, including, but not limited to, sexually oriented gestures, noises, remarks, jokes, comments, or verbal abuse of a sexual nature;
- Preferential treatment and promises of preferential treatment to an employee for submitting to sexual conduct; and
- Sexual or discriminatory displays or publications anywhere in the City work place by City employees including, but not limited to, pictures, posters, calendars, graffiti, emails, objects, reading materials, or other materials that are sexually suggestive, demeaning, or pornographic.

### **Employee Responsibility**

All City employees should be able to assume that the workplace is free from prohibited conduct. All employees are expected to avoid any behavior or conduct that could reasonably be interpreted as discriminatory, harassing, inappropriate or offensive and to report such conduct. No employees, elected officials, or appointed officials in the City are exempt from this policy.

### **Reporting Complaints of Prohibited Conduct**

Employees who feel subjected to prohibited conduct or feel that another individual has been subjected to prohibited conduct, should immediately report the conduct to their supervisors, Human Resources, the appropriate Department Director or the City Manager. These individuals are authorized, by this policy, to receive and act upon complaints on behalf of the City. If an employee is uncomfortable or sensitive about discussing a complaint with an individual of the opposite gender, the employee may report the conduct to any Department Director of the same gender. This policy does not require that the employee report the conduct to any individual who is engaging in the conduct. If the employee believes that any person to whom such a report should be directed is involved in or associated in any way with the alleged conduct, then the report should be directed to another Department Director, supervisor, Human Resources, or the City Manager not involved in the conduct.

## POLICIES & PROCEDURES

Supervisors are required to report any prohibited conduct to their Department Director and to the Human Resources Manager or to another Department Director who is not involved in the conduct.

It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. At the same time, the purposes of this policy against harassment in the workplace are not furthered where a complaint is found to be false and frivolous and made to accomplish some other end than stopping harassment. A complaint that is determined to be false and frivolous can result in a severe level of discipline or discharge. A false or frivolous complaint does not refer to complaints made in good faith that cannot be proven.

The City hopes that any incidents of prohibited conduct can be resolved through the internal process outlined above. Employees, however, have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC) within 300 days of the incident. In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint.

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| <u>Illinois Department of Human Rights</u><br>Chicago (312) 814-6200<br>TTY Chicago (312) 263-1579<br>Springfield (217) 785-5100<br>TTY Springfield (217) 785-5125 | <u>Equal Employment Opportunity Commission</u><br>Chicago District Office (312) 353-2713<br>TTY Chicago District Office (312) 353-2421<br>General Number (800) 669-4000<br>TTY General Number (800) 800-3302 |
| <u>Illinois Human Rights Commission</u><br>Chicago (312) 814-6269<br>Chicago TTY (312) 814-4760<br>Springfield (217) 785-4350<br>Springfield TTY (217) 557-1500    |  |

An employee who is retaliated against after filing a complaint with the IDHR or the EEOC may file a retaliation charge with either of these agencies. The charges must be filed within 300 days of the retaliation.

### Investigation

All complaints or reports of prohibited conduct will be investigated promptly. This may include, but is not necessarily limited to, interviewing the complaining employee, the alleged perpetrator, supervisors, and other personnel as necessary to obtain sufficient factual information upon which to base a decision. In all cases the investigation will be conducted by a person or persons who are not involved in the alleged prohibited conduct.

## POLICIES & PROCEDURES

The City may put in place reasonable interim measures, such as a leave of absence or a transfer, while the investigation takes place. The City will take further appropriate action once the complaint or report has been investigated. That action may be a conclusion that a violation occurred and appropriate follow-up action. The City might also conclude, depending on the circumstances, either that no violation of the policy occurred or that the City cannot conclude whether or not a violation occurred.

If the City concludes that a violation of this policy has occurred, the City will take corrective action, up to and including immediate termination, as is appropriate under the circumstances as determined in the City's discretion, regardless of the job positions of the parties involved. The City may discipline an employee for any inappropriate conduct, regardless of whether the conduct amounts to a violation of law or even a violation of policy. If the City does not employ the person engaged in the conduct, then the City will take whatever corrective action it deems reasonable and appropriate under the circumstances.

### **Retaliation Policy**

The City forbids any employee to treat any other employee or applicant adversely for making a making a good-faith complaint of harassment; assisting or cooperating in an investigation of a complaint by someone else, whether internally or with an external agency; filing a charge of discrimination or harassment; or otherwise providing information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws. Examples of the types of retaliation that are prohibited include intimidation; discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment; termination of employment; or threats of any such actions. Retaliation is a serious violation of this policy that may result in discipline up to and including immediate termination. All employees who experience or witness any conduct they believe to be retaliatory should immediately follow the reporting procedure described above.

### **Confidentiality**

Although total confidentiality in investigating and imposing any discipline cannot be assured, the City will preserve confidentiality to the extent that the needs of the situation permit and as allowed by law.

### **Acceptance of Policy**

All City employees have a responsibility to conduct themselves in compliance with this policy and to report any observations of conduct inconsistent with this policy. The failure to follow this policy may result in disciplinary action, up to and including immediate termination, as determined in management's discretion. Any questions concerning this policy should be directed to a Department Director or the Human Resources Manager.

# POLICIES & PROCEDURES

## Elected and Appointed Official Complaint Process

Because the City promotes civility and respectful interactions at all levels of the organization, it is critical that elected and appointed officials understand their responsibility to comply with this policy. Elected and appointed officials are also expected to treat each other in a manner consistent with this policy.

Any elected or appointed official who believes they have experienced prohibited conduct by another elected or appointed official that is inconsistent with this policy may notify the Human Resources Manager or the Assistant City Manager. After receiving the complaint, the City will initiate an investigation through the use of an independent investigator experienced in investigating workplace harassment complaints.

Any elected or appointed official who believes they have experienced prohibited conduct by a City employee may notify the City Manager, Assistant City Manager, or Human Resources Manager. Complaints of prohibited conduct by a City employee will be investigated per the Investigation section of this policy.

## **SUPPORT AND RESOURCES**

The City has a strong commitment to a safe and supportive organizational climate. It is the intent of the City to provide staff with the support to be safe and successful at all times. Understanding that personal circumstances can impact the workplace, the City provides a variety of resources to employees.

The Handbook provides information on the City's policies regarding various accommodations and leaves that may apply depending upon personal circumstances. Information on benefits available to employees, such as the City's Employee Assistance Program, can be found on HPShare, by contacting Human Resources, or from the employee's supervisor.

The City strongly encourages any employee in need of support to seek out available resources. Should an employee believe that their personal circumstances are affecting their work, he or she should contact their supervisor or Human Resources to discuss the impact on the employees work and collaboratively address the impact.

## **SOLICITATION AND DISTRIBUTION**

To maintain a workplace free of potential coercion, undue distraction and litter, the City applies the following solicitation and distribution rules:

- Employees may not engage in solicitation of any kind during working time.
- Employees may not distribute literature in working areas at any time.
- Employees may not distribute literature in non-working areas during working time.

## POLICIES & PROCEDURES

- Non-employees are not permitted to distribute literature or solicit City employees at any time within the City's facilities.

For purposes of this policy:

- The term "solicitation" includes, among other things, sales of products, services or raffle tickets, requests for donations or contributions, solicitations for lotteries or sports pools, and solicitations for membership in or support of any organization or cause.
- The term "working time" means the period of time when an employee is supposed to be performing his or her job duties for the City. It includes the time when either the employee soliciting or distributing literature, or the employee being solicited or receiving literature, is supposed to be working. The term "working time" does not include free time such as time allotted for meal or rest periods or periods before or after work.
- The term "working areas" includes, without limitation, the City's electronic communications systems (e.g., e-mail, Internet access, City-sponsored social media sites) and does not include break areas.

### **BULLETIN BOARDS**

The City maintains bulletin boards to communicate information to employees. Employees are encouraged to check bulletin boards on a daily basis to keep informed of City news.

Only Department Directors, other supervisory level employees or designees are authorized to post notices on the bulletin board. Non-supervisory employees generally are not permitted to post notices on the bulletin board and must not remove, deface or damage materials posted by the City.

Please refer to the appropriate collective bargaining agreement for guidelines concerning Union bulletin boards.

### **ELECTRONIC COMMUNICATION AND SOCIAL MEDIA**

Electronic communication and information technologies present valuable opportunities for the City. These technologies, when properly used, support the City's activities and enable City employees to serve residents by providing timely and quick access to vast resources of information. The Electronic Communication Administrative Order (AO) and Social Media Policy, AO Number 9, located in this handbook under the Administrative Orders section outline the City's electronic communication and social media policies and review the proper and improper usage of communication tools. The guidelines in the AO and Social Media Policy address the appropriate use of the City's communications tools. Electronic communication related to City business is subject to the Freedom of Information Act.

## CUSTOMER SERVICE AND CITY REPRESENTATION

E-mail and voicemail messages should always be written or left in a professional manner. In the public sector, all employees' electronic files are subject to discovery and may subsequently be used in litigation. Inappropriate use of the City's communication facilities may damage the City's reputation and could give rise to City and individual liabilities. Accordingly, every effort must be made to be professional in all usage of the City's communications tools.

### Telephone Usage

Providing excellent customer service to all residents and visitors of the City is an imperative role for all City employees. When using a City telephone, employees should answer each call using a pleasant tone; state their name and department and treat each caller respectfully.

## MEDIA RELATIONS

The City is dedicated to the principles of open and honest government. To further the service goals of the City, employees must remain accessible to the public to whom they serve. It is the policy of the City to make information concerning City business available to the news media. The City's policy regarding communicating information to the news media can be found under AO Number 1, under the Administrative Orders section of this handbook.

## NEPOTISM POLICY

When it comes to the hiring and rehiring of regular and temporary positions, it the City's policy not to hire more than one family member or relative within the same Department unless approved by the City Manager. Family members or relatives will not be placed in supervisory and or subordinate relationships. In no case shall relatives be appointed in the same division within a department.

In this policy, the terms family members and relatives refers to: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, civil union partner, domestic partner, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half-brother, half-sister, grandchild, or grandparent.

## INTERPERSONAL RELATIONSHIPS AND FRATERNIZATION

While the City encourages a collegial and supportive atmosphere at work for its employees, interpersonal relationships between employees may become a concern if they impair the work of any employee; involve harassing, demeaning, or creating a hostile working environment for any employee; disrupt the smooth and orderly flow of work within the office; or harm the reputation of the City. For this reason the following guidelines apply in relations with other employees, both on and off duty:

## POLICIES & PROCEDURES

- A supervisor should not engage in any form of relationship with a subordinate employee that could have the appearance of creating or promoting favoritism or special treatment for the subordinate employee. In the event such a relationship develops, the employees involved must report the relationship to their Supervisor or Human Resources so that the situation can be evaluated.
- If a relationship or social activity between two or more employees:
  - has the potential or effect of involving the employees, their coworkers, or the City in any kind of dispute or conflict with other employees or third parties;
  - interferes with the work of any employee;
  - creates a harassing, demeaning, or hostile working environment for any employee;
  - disrupts the smooth and orderly flow of work within the office, or the delivery of services to the company's clients or customers;
  - harms the reputation of the City ; or
  - tends to place in doubt the reliability, trustworthiness, or sound judgment of the persons involved in the relationship,the employee(s) responsible for such problems may be subject to counseling and/or disciplinary action, up to and potentially including termination of employment, depending upon the circumstances.
- No employee may use City equipment or facilities for furtherance of non-work-related activities or relationships unless done through channels available to the public.
- Employees who conduct themselves in such a way that their actions and relationships with each other become the object of gossip among others in the office, or cause unfavorable publicity in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such a situation, the employees involved should request guidance from their Supervisor or Human Resources to discuss the possibility of a resolution that may avoid such problems. Depending upon the circumstances, failure to seek such guidance may be considered evidence of intent to conceal a violation of the policy and to hinder an investigation into the matter.

Friendships and social contacts between employees are encouraged and not a matter of concern as long as they are consistent with the above guidelines.

### REFERENCE CHECKS AND EMPLOYMENT VERIFICATION

The Human Resources Division is responsible for answering all requests for reference and salary information. No other City employee is authorized to respond to these inquiries, except when directed to do so by the City Manager's Office. All requests for information from the City must be in writing and must include a waiver signed by the employee about whom information is sought. Copies of requests and responses will be kept in the respective employee's personnel file.



## EMPLOYEE CONDUCT AND WORK RULES

The City has established standards of employee conduct and supervisory practices that support effective operations in the interest of the City and its employees. An employee who violates these standards or who engages in any form of inappropriate or offensive conduct, as determined in management's discretion, may be subject to discipline, up to and including termination, as deemed appropriate by management.

The following non-inclusive partial list describes conduct and inappropriate behavior, that will typically result in discipline, up to, and including immediate termination, as determined in Management's discretion.

- Failure to follow the orders of one's supervisor or a rule or regulation of one's department;
- Insubordination;
- Absence from work without permission or failure to report to one's supervisor or department director when absent;
- Continual and repeated absences or tardiness;
- Failure to perform assigned work in an efficient manner or unsatisfactory performance;
- Incompetence, nonfeasance, misfeasance, or malfeasance in office or in the performance of any job duty;
- Inability to work with fellow employees, particularly when work is hindered and/or does not meet required levels;
- Continued and repeated failure to pay just debts, leading to the employee being subjected to multiple garnishments;
- Using, possessing, selling, or being under the influence of alcohol, illegal drugs, drugs without a prescription, cannabis and cannabis-infused products, or any other controlled substance or narcotic when reporting to work, or while being on duty, or while performing any duties on behalf of the City, or while driving a City vehicle;
- Conduct which is unbecoming of a City employee;
- Filing a false report, falsifying any City records, and/or lying to a superior;
- Conviction of any criminal offense;
- Violation of any Civil Service Rule, if applicable, or an applicable departmental rule;
- Violation of any provision contained in the City's Employee Handbook;
- Failure to maintain required certification/s or license/s;
- Failure to maintain one's physical condition and/or job-related skills required for the employee's position, or failure to participate in physical conditioning maintenance programs and additional training programs as required by the rules and regulations promulgated by one's department;

## POLICIES & PROCEDURES

- Nondisclosure of any fact or making a false statement that would have required or constituted a ground for disqualification from appointment or would have substantially affected the decision to appoint the applicant;
- Any act or occurrence, after appointment, that would have required or constituted cause for disqualification from appointment;
- Theft or unauthorized removal of any property not belonging to the employee;
- Violating the City's policies on discrimination, harassment, or retaliation.

When appropriate, a progressive corrective approach may be taken to address workplace conduct issues. Corrective counseling may include warnings, suspensions or discharge. Nothing in this policy alters any existing "at-will" employment relationships. At all times, management retains the discretion to determine the appropriate level or form of discipline, taking into account the employee's work history, prior discipline, and the nature and seriousness of the offense, among other factors.

Some forms of disciplinary action against employees in the Civil Service classification will fall under the rules of the Civil Service Commission. If a conflict occurs between this section and the Rules of the Civil Service Commission, the latter will take precedence. Similarly, in the event of any conflict between this provision and a union contract, the contract will control.

### EMPLOYEE TYPES, STATUS AND PAY ADMINISTRATION

Full-time employees are eligible to participate in benefits offered by the City. Part-time and temporary employees are not eligible for benefits, unless specifically noted or where mandated by law. Specific eligibility is determined by the employee benefit plan documents.

**Full-Time Employees:** Employees who are employed year-round on a regularly scheduled 40 hour or more per-week basis in accordance with Chapter 34 of the City Code.

**Part-Time Employees:** Employees who are employed year-round on a regularly scheduled basis of less than 30 hours per week.

**Seasonal and/or Temporary Employees:** Employees who work only for a pre-determined period of time; or employees who do not work for the City year-round.

### PROBATIONARY PERIOD

Employees have a probationary period of twelve (12) months. In this period, employees are required to perform satisfactory service in their job classification before becoming a non-probationary employee of the City. During the probationary period, employees will be evaluated and instructed on the requirements of their position. If at any time during this probationary period it is determined that a new hire probationary employee is not making satisfactory progress or that work habits are not acceptable, the probationary employee should be released from

# POLICIES & PROCEDURES

employment. A probationary employee must meet or exceed expectations on the core competencies of their position in order to become a non-probationary employee.

## **Promotions**

Current employees who are promoted, transferred, reassigned or demoted to another position are also required to serve a probationary period of twelve (12) months in the new position. During this probationary period, the employee will be evaluated and instructed on the requirements of the position. The employee must meet or exceed expectations on the core competencies of their position in order to become a non-probationary employee of the new position.

Probationary periods may be extended upon written notification to the employee by the employee's supervisor.

## **WORK DAY AND WORK WEEK**

Due to the nature of services provided by the City, the normal workday may vary from department to department. With the exception of certain employees in the Water Plant, Telecommunications, Community Service and sworn police and fire personnel, full-time employees are assigned an 8-hour workday and a 40-hour workweek.

The employee workweek begins at 12:00 a.m. on Monday and ends at 11:59 p.m. the following Sunday, except for shift employees at the Water Plant where the workweek begins on Sunday at 12:00 a.m. and ends the following Saturday at 11:59 p.m. The normal workday (shift) for employees assigned to the Water Plant, Telecommunications, and certain sworn police and fire department employees is defined in policies and procedures for their respective departments. Nothing in this section is intended to restrict management's ability to implement alternative work schedules (e.g., four 10-hour shifts, flex schedules) as necessary to address the need to deliver services to the community. Absent emergencies, efforts will be made to provide employees with a minimum of 48-hours notice prior to any change in schedule which may alter the employee's normal schedule more than two hours.

## **PAY PERIODS**

Employees are paid on a bi-weekly basis, every other Friday. Typically, there are 26 pay periods in one calendar year. A pay period runs from Monday through Sunday, for a total of 14 days in each pay period. When employees receive their check on Friday, they are being paid for the two-week period ending on the Sunday prior to payday.

## COMPENSATION

It is the policy of the City to pay its employees a fair and equitable amount for their services without regard to race, sex, age, national origin, color, religion, or mental or physical disability and to maintain fair and competitive salaries consistent with the economic requirements of the City and commensurate with the City's competitive strategy in the labor market in order to attract, retain and reward qualified employees.

The City's Compensation Policy can be found in the Additional Information section of this Handbook.

## DEDUCTIONS FROM EXEMPT EMPLOYEES SALARIES

Exempt employees are not answerable merely for the number of hours they work. They work as few or as many hours as are necessary to accomplish the tasks expected of them. For this reason, and subject to the exceptions below, City policy provides the compensation of exempt employees should not be reduced for any partial-day absence (other than intermittent or reduced schedule FMLA leave); any partial-week absence occasioned by the City or its operating requirements, including holidays and partial-week shutdowns; or because of variations in the quality or quantity of work performed.

Deductions from the compensation of exempt employees are proper under the following circumstances:

- Partial day absences for intermittent or partial day FMLA leave;
- Full-day absences for personal reasons, other than sickness or disability;
- Full-day absences due to the employee's own sickness or injury (including work-related injuries and FMLA-related absences). Such deductions will be made in accordance with the City's paid time off plans and state workers' compensation laws and regulations;
- Deductions from pay for penalties imposed in good faith for infractions of safety rules of major significance;
- Any portion of a workweek that the exempt employee does not work at the commencement and termination of employment; and
- Full workweeks in which no work is performed.

The City reserves the right to require an employee to use paid time off benefits for partial-day absences occasioned by personal reasons or by the employee's own illness or injury. The City also reserves the right to offset from an exempt employee's compensation any amount received in a particular workweek in jury duty fees, witness fees or military pay.

Improper deductions from the salary of exempt employees are a serious violation of City policy. The City encourages any exempt employee who believes his or her salary has been improperly reduced to report the problem immediately to his or her Department Director or the Human

# POLICIES & PROCEDURES

Resources Manager. The City will review the deduction to determine if it was proper. The review process may require the employee to provide information or present documents to the City. The employee will be notified of the results of the City's review. If the City determines that the deduction was improper, the employee will be reimbursed for the improper deduction as soon as practicable. The City is committed to comply, and expects all supervisors and department directors to comply with this policy and to carefully avoid making improper deductions from the salary of exempt employees. No retaliatory action will be taken for reporting improper deductions. Employees who suspect retaliation should report their concerns immediately to his or her Department Director, the Human Resources Manager or the City Manager.

The City's attendance and disciplinary action policies are applicable to exempt employees even though an absence may not be one for which a deduction from salary may be taken.

## **PAY ERRORS**

Payroll errors will be rectified in a timely manner upon discovery of the error. Employees shall report any errors promptly to their supervisor.

## **EMPLOYEE WORK HOURS**

The schedule of a City employee may require employees to work beyond normal workweek hours. It is the policy of the City to keep work assignments limited to the normal workweek absent unique circumstances and to avoid regular overtime. However, the City recognizes certain circumstances require the use of overtime.

These circumstances include, but are not limited to:

- Unanticipated emergencies
- Inability to cover staffing shortages caused by position vacancies or leave
- Contractual obligations

### **Non Exempt**

Non Exempt positions are positions that do not fall under exempt capacities as defined by the Fair Labor Standards Act. These positions may not work overtime without prior supervisory approval. Employees are required to record all hours worked on the appropriate time sheet and system within one business day after the close of the applicable pay period.

### **Exempt Positions**

Exempt Positions are positions in which the employee is paid on a salaried basis and works in an executive, administrative or professional capacity (as defined by the Fair Labor Standards Act ("FLSA")), which is determined by the City to be exempt from the overtime provisions of the FLSA and the Illinois Minimum Wage Law. Exempt salaried employees are not entitled to overtime compensation under the FLSA and Illinois Minimum Wage law and are not entitled to

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compensatory time. The City reserves the right to designate positions as exempt or non-exempt, including any change in designation, as it determines appropriate and in compliance with the FLSA and the Illinois Minimum Wage law.

### **Seasonal and Temporary Employees**

Seasonal and Temporary employees work a specific number of hours and do not exceed the number of hours without their supervisors' approval.

### **Overtime Pay**

Non-exempt employees shall be compensated for hours worked in excess of their normal workweek (i.e., 40 hours) at a rate of 1.5 times the regular rate of pay.

Although not required to do so, the City will consider paid time off (except sick leave) as well as hours actually worked in calculating eligibility for overtime compensation. Meal periods and other break periods lasting in excess of 20 minutes are not counted as hours worked. Overtime is calculated each workweek, and is paid with the payroll period in which the overtime occurs.

There are certain positions that are considered exempt from the provisions of the FLSA and are not legally entitled to overtime compensation, however, the City has determined at its own discretion to pay overtime to those positions. The City reserves the right to modify or rescind the payment of overtime to these positions for any reason, without notice.

## **DRUG AND ALCOHOL FREE WORKPLACE POLICY**

Employees must be free from illegal drugs and alcohol at all times when in the workplace, performing any work or job-related duties, or driving a City vehicle. No detectable amount of alcohol, illegal drugs (illegal drugs includes legal drugs used without a valid prescription and cannabis, including cannabis-infused products), controlled substances, or any combination thereof, can be present in the employee's system while on the job, either during the regularly scheduled workday, during performance of any overtime or during an emergency response.

The sale, transfer, distribution, or possession of alcohol, illegal drugs, controlled substances, drug paraphernalia, or any combination thereof on any City premises or work sites (including City vehicles and any private vehicles parked on any City property or work sites) is prohibited. The City may, at its discretion, search any City property at any time.

An employee who is taking prescription or non-prescription medicine should notify his or her immediate supervisor if the product information or doctor or pharmacist warnings indicate that the substance may be reasonably expected to impair the employee's performance. Any precautions that should be taken as a result of the drug's use (i.e., should not drive or operate equipment, should avoid exposure to the sun, etc.) are to be furnished to the supervisor as well. An employee taking prescription or non-prescription medicines may be required to submit a

## POLICIES & PROCEDURES

Doctor's clearance certificate, upon request by the supervisor, if the supervisor reasonably believes the employee's performance may be impaired.

Employees of the City are required to submit to a test for the presence of drugs, narcotics or alcohol as outlined below:

- A. When there is reasonable suspicion that an employee is under the influence of drugs or alcohol in violation of this policy using the factors on the City's Reasonable Suspicion Checklist.
  1. The City's [Reasonable Suspicion Checklist](#) can be found in the FORMS section of this Handbook.
  2. The contents of the documentation shall be made available to the employee upon request.
- B. Where there is serious on-duty injury to the employee or another person, or
- C. Where there is damage to City equipment in excess of \$1,000
- D. Where there is property damage in excess of \$1,000

Prior to any testing, a Reasonable Suspicion Checklist should be completed by a supervisor or department director. A drug test will be required as part of each routine physical examination and physical examination required for promotion or specialized assignment based on departmental policy or as otherwise indicated in this handbook except as prohibited by law.

A complaint will be submitted by the department director to the City Manager's Office for immediate action which may result in disciplinary action, up to and including immediate termination, as determined in management's discretion, when test results positively indicate any of the following:

- The presence of illegal drugs, alcohol or narcotics;
- The use of prescription drugs without a prescription; or
- The abuse of any over-the-counter drug.

Disciplinary action, up to and including immediate termination may result from an employee's refusal to submit to any of the following:

- A lawful drug or alcohol examination (interview, testing by lawful electronic devices, etc.);
- A search or inspection of the employee's personal property, vehicle, respective work area, storage area, and work sites located on City premises, facilities, and any other property owned by the City;
- A search or inspection of City-assigned vehicles or equipment;
- Physical testing (i.e., urine sample, blood sample, physical examination, sobriety examination, etc.).

### WORKPLACE SEARCH POLICY

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Employees should not have an expectation of privacy with regard to any personal property stored or placed in the work place. The City reserves the right to search personal property of employees stored in the work place for work-related purposes or for the investigation of work-related misconduct. The City also reserves the right to search all City property, including, but not limited to, employee offices, desks, lockers and City vehicles, for work-related purposes or for the investigation of work-related misconduct. Employees who fail to submit to or cooperate fully in such searches will be subject to disciplinary action, including termination.

## WORKPLACE VIOLENCE POLICY

The safety and well being of City employees are top priorities of the City. To ensure these, the City has established a zero-tolerance policy for any violent acts or threats directed by or toward any City employee or individuals conducting business with the City. This policy applies at all times during which an employee is conducting City business, during working hours, and on City property.

Violence includes, but is not limited to:

- Any physical behavior that involves aggressive physical contact with any other person, including pushing, hitting, fighting, throwing objects or otherwise intentionally injuring another person or attempting to injure another person;
- Any physical behavior that would place a reasonable person in fear of receiving imminent physical injury or other aggressive physical contact of the sort described above;
- Verbal behavior which involves threatening physical harm, either directly or implicitly, against any person;
- Any act of vandalism or other intentional damage or destruction of City or private property.

Workplace violence also includes instances where a non-employee makes such acts or threats against an employee.

Employees who become aware of any violence or threat of workplace violence, whether by an employee or non-employee, are required to immediately report such action to their supervisor or department director. Employees should not confront the person against whom the complaint is lodged.

If a supervisor or a department director receives a complaint, it is his or her responsibility to notify Human Resources as soon as is reasonably possible. All complaints will be given a high priority and an investigation of the incident may be initiated.

When an employee reasonably and in good faith suspects or reports any workplace violence or threat, or testifies, assists, or participates in an investigation of or hearing concerning allegations of threats of violence, no person or group of persons may retaliate against the employee. Violations of this policy may result in disciplinary action up to and including immediate



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termination. Employees should also understand that such behavior may constitute criminal conduct and may result in criminal prosecution.

Workplace violence does not include activities covered by Police Department regulations concerning the use of force in the performance of law enforcement duties, which are treated separately under the Department's General Orders.

## **WEAPONS POLICY**

In accordance with the City's desire to maintain a safe workplace environment for its employees and visitors, the City has established a policy regarding weapons found in AO Number 25. This policy has been established to enhance workplace safety by adopting a strict "no-weapons" protocol.

## **SAFETY POLICY**

The City recognizes the need for the development of safe working practices for every employee and desires to promote on-the-job safety by encouraging the proper design and use of buildings, equipment, tools, and other devices.

Employees are responsible for creating and maintaining a safe work environment. Employees are responsible for the following:

- To be informed of and observe established safety practices;
- Notify supervisors of any unsafe conditions they discover;
- Use personal protective equipment such as steel-toed shoes, safety vests, safety glasses, and hard hats where required;
- Not remove guards or other protective devices from machinery or equipment;
- Not engage in "horseplay";
- Attend any required training or orientation to increase safety awareness;
- Not report to work under the influence of alcohol or drugs (see Drug and Alcohol Free Workplace);
- Promptly report all job-related injuries or illnesses to their supervisor;
- Assist supervisors in the investigation of any accident of which they have knowledge;
- Refrain from operating, modifying, adjusting or using equipment in an unauthorized manner;
- Maintain clean and orderly work areas;
- Adhere to Departmental standard operating procedures.

## ATTENDANCE POLICY

Employees must notify their supervisors if they are unable to come to work as scheduled, or cannot avoid being late to work, at the earliest possible opportunity but no later than fifteen (15) minutes prior to the start of their shift. Employees must make every effort to speak with a supervisor if possible. If a Department has established a policy regarding notification, that policy should be followed. Failure to provide timely notice, excessive tardiness or absenteeism of three (3) consecutive days or more without calling or reporting to work may result in disciplinary action, up to and including immediate termination of employment, as determined in management's discretion.

## OUTSIDE EMPLOYMENT POLICY

Employees may not hold other employment that conflicts with their work schedule or presents a potential or actual conflict of interest. Employees are required to have a written determination from the City Manager that the employment will not interfere with their job or present an actual or perceived conflict of interest. Contact a department director if considering or seeking outside employment.

The process for evaluating all outside employment is as follows:

- The employee requesting permission shall complete a "[Determination Regarding Outside Employment](#)" form (See the FORMS section of this Handbook) and submit it to his or her department director.
- A determination of outside employment is effective from the date signed by the City Manager through the end of the fiscal year during which the determination is made.
- Requests for a "[Determination Regarding Outside Employment](#)" must be renewed on an annual basis prior to the beginning of each fiscal year (January 1 - December 31) and should be submitted to the department director no later than December 1 each year.

The department director will carefully review the request to determine that the outside employment:

- Will not interfere with the employee's responsibilities to, or duties as an employee of, the City of Highland Park;
- Will not include duties to be performed for the outside employer during the Highland Park workday\*;
- Will not result in any real or perceived conflict of interest or negative reflection on the City organization.

*\*Workday is defined as the time period from the employee's starting time to when his or her workday ends. Lunch and break periods are not suitable for outside employment.*

# POLICIES & PROCEDURES

The request form will be sent to the Human Resources Manager to make a recommendation to the City Manager to approve, approve with modification, or deny the determination for employees who follow the above procedure and receive approval from their department manager.

All documentation will be forwarded to Human Resources for record keeping. The Human Resources Division will keep a complete list of all approved requests for the current fiscal year. A copy of the request form signed by the City Manager will be forwarded to the department director who will be responsible for giving the signed form to the employee.

## **DRESS CODE AND UNIFORM POLICY**

Employees are to present a professional appearance at all times and are required to dress and groom themselves in a manner appropriate for their position that will reflect a positive City image. Department Directors have the discretion to implement a dress code policy that is reflective of their employees' work environment and job duty(s). Department Directors may opt to allow field personnel to wear appropriate attire suitable for their work and establish appropriate guidelines.

General dress code guidelines noted below:

### **Uniforms**

Employees issued uniforms must wear them during working hours including all official City events or emergency responses or as provided for under Department policy. Employees may dress at home and wear their uniforms to work, but uniforms should not be worn when performing non-City work or during non-duty hours, except during lunch breaks and rest periods. Upon separation from the City, employees are required to return City-issued uniforms.

### **Non Uniform Attire**

Employees who are not required to wear a uniform should wear attire that reflects positively on the City and is appropriate to the employees' job duties and schedule. Revealing attire, such as shorts, crop tops and tank tops, clothing made of see-through materials, clothing that exposes areas of the body usually covered in the workplace, or clothing that has a bare midriff, is not appropriate to wear and may be subject to disciplinary action. City Logo attire is appropriate to wear in supplement of formal shirt. Employees who have meetings with the public are required to wear appropriate dress and may be required to dress more formally by their Department Director as outlined below.

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Employees are required to follow the following clothing and footwear guidelines:

## **Slacks**

*Appropriate:* All slacks should be pressed and neat. Dress khakis, Business capri pants, linen, cotton, and wool fabric pants are acceptable.

*Inappropriate:* Cutoffs, shorts, casual skorts, sweat pants, bib overalls, painter's pants, leggings, or other form-fitting pants.

## **Shirts**

*Appropriate:* Shirts with collars, City Logo shirts, sweaters or sweater vests.

*Inappropriate:* T-shirts, sweatshirts, flannel work shirts, hooded shirts, halter-tops, sports jerseys, and shirts with political or other inappropriate slogans or pictures.

## **Dresses and Skirts**

*Appropriate:* Dresses and skirts that are part of a professionally styled outfit or which are otherwise in keeping with our professional environment.

*Inappropriate:* Dresses and skirts that are inappropriately short.

## **Footwear**

*Appropriate:* Loafers, boots, flats, clogs, dress sandals, heels and shoes.

*Inappropriate:* Athletic shoes, thong sandals, flip-flops, and slippers.

## **When City Buildings are Closed to the Public**

On days when City buildings are closed to the public the following adjustments are allowable.

*Appropriate:* Jeans (must not be ripped, torn, frayed, or cutoff), t-shirts with sleeves (no prints or logos or other than City of Highland Park), sweatshirts with sleeves (no prints or logos other than City of Highland Park), gym shoes/sneakers (clean and without holes).

*Inappropriate:* Shorts, sweat pants, loungewear, t-shirts with sayings or logos, sleeveless t-shirts, sweatshirts with logos or sayings, sleeveless sweatshirts, flip-flops.

Formal situations, such as presentations and citizen contact, typically require traditional business dress, including on days when City buildings are closed to the public. City employees should be aware of scheduled meetings or other business commitments and plan ahead. Senior Executive and Management Staff are expected to keep traditional business dress (business suits, ties, etc.) available in the office in the event of an unexpected meeting, citizen visit, public appearance or other responsibility where less formal dress would not be appropriate. Non-uniformed employees who have planned meetings with outside vendors, residents or other stakeholders are expected to dress in full business attire.

The City Manager reserves the right to make modifications to the dress code at any time.

## **CITY VEHICLE USE POLICY**

# POLICIES & PROCEDURES

As outlined in the Administrative Order number two (2), located in the Administrative Order section of this workbook, the City provides officers and employees vehicles for business and personal use, and reimburses officers and employees for operating personal vehicles for business use.

Employees who fall into the guidelines listed in the AO are required to abide by such guidelines, and have an understanding of the City's policy when utilizing City vehicles. As stated in the AO, an employee may use his or her own vehicle for City-related matters only if no City vehicle is available and the employee has received permission from his or her supervisor. Employees may receive mileage reimbursement when using their vehicles for City business.

Employees who use their own cars for City business, if involved in an accident, are required to use their own personal automobile insurance as their primary coverage on their vehicle. Damage to an employee's personal car is not covered by City insurance.

For additional information, see Administrative Order "[Vehicle Usage Policy](#)".

## **DRIVER'S LICENSE POLICY**

If an employee is required to drive a City vehicle or a personal vehicle as part of or in conjunction with job-related duties, the employee must hold a valid state driver's license at all times during which the employee drives a City vehicle or personal vehicle for City business. In some instances, a commercial driver's license (CDL) is required.

An employee performing work requiring the operation of a City vehicle or the employee's personal vehicle must immediately notify his or her supervisor if his or her license is expired, suspended, or revoked and he or she is unable to obtain an Occupational Permit from the Secretary of State's Office. Employees who fail to report such instances to their direct supervisors are subject to disciplinary action, up to and including immediate termination, as determined in management's discretion.

## **SMOKING POLICY**

Smoking is prohibited in City-owned vehicles and all City-owned or leased buildings in line with City code. Employees are required to use designated smoking areas at their work sites.

## **RESIGNATION POLICY**

To leave the City in "Good Standing," employees must give their department director written notice of resignation at least two (2) weeks prior to the date they actually desire to leave. The notice should contain the termination date and the reason for resignation. Employees who are unable to provide two weeks' notice and wish to leave the City in Good Standing are required to submit in writing to the Human Resources Manager an explanation of why the two weeks

## POLICIES & PROCEDURES

cannot be given to their department. The Human Resources Manager will make the determination if the employee can leave in Good Standing. Employees must work their regular schedule during their notice period without using paid time off (if available). A terminating employee will have the opportunity to conduct an exit interview with the Human Resources Division.

### **WORKERS' COMPENSATION POLICY**

Medical and hospital expenses for accidental work-related on-the-job injuries may be paid through the City's Workers' Compensation Program in accordance with City policy and the Illinois Workers' Compensation Act (the Act). A non-work-related injury may be covered under the City's medical plan. The following guidelines will be applied in accordance with the Act and any other applicable federal or state law.

#### **Notifying Employer of Injuries**

Immediate reporting of an injury is necessary to ensure prompt and accurate submission of a workers' compensation claim. Failure to immediately report a work-related injury may result in disciplinary action, up to and including immediate termination. The supervisor should complete a Supervisory Report and any other required documentation within twenty-four (24) hours of being advised of the work-related injury. If an employee personally receives bills related to an injury, the bills must be given to his or her supervisor immediately so that they may be submitted to the City's workers' compensation claims processor for prompt payment.

#### **Injury Status Reports**

Employees who are unable to work due to a work-related injury are responsible to keep their supervisor informed as to the status of the injury. Injured employees should call their supervisor on a weekly basis (or other pre-determined interval as approved by the supervisor) to report on the status of the injury and indicate when they are expected to return to work. Failure to call a supervisor as required may result in disciplinary action, up to and including immediate termination. All time away from work shall be supported by a physician's statement.

#### **Convalescent Duty Assignment**

Whenever possible, the City attempts to provide temporary, convalescent duty work. This is done to allow an employee to return to duty as soon as possible when an on the job injury limits the employee's ability to perform their essential job functions. Convalescent duty assignments are made only when there is a reasonable expectation that the employee will be able to resume full duty with six (6) months. The City is not obligated to create new convalescent duty positions. If convalescent duty is available and an employee refuses the offer of convalescent duty, the employee may cease to be eligible for temporary total disability benefits under workers' compensation provisions. For additional information, see Administrative Order Number 3, located in the Administrative Order section of this handbook.

## **First Three (3) Days of Lost Time**

Under the Workers' Compensation Act, no compensation is payable to an employee for a work-related injury for the first three (3) complete working days of the employee's incapacity, unless the incapacity continues for 14 or more calendar days. It is the City's policy, however, to compensate employees at full salary for the first three (3) days of lost time due to a work-related injury. If the injured employee is incapacitated for more than 14 calendar days, workers' compensation will pay the employee retroactively for the first three (3) days of incapacity. When the workers' compensation carrier pays an employee for the first three (3) days of lost time, the employee shall reimburse the City for any pay received from the City for the same three (3)-day period.

## **Doctor Appointments for Work-Related Injuries**

Employees who return to work following a work-related injury and continue to receive medical treatment or therapy for the injury must make every effort to schedule doctor or treatment appointments outside of working hours. If it is not possible to schedule an appointment for medical treatment of a work-related injury outside of working hours, employees will be paid for up to a total of three (3) hours for the time of the appointment and travel time. To be paid for this time, employees must provide documentation from the treating provider. Employees should return promptly from all appointments and failure to do so may be cause for discipline. Employees will be considered to be off duty while attending and traveling to and from these appointments and this paid time off will not count as hours worked or toward the calculation of overtime.

When follow-up care for a work-related injury requires employees to be absent from work for more than three (3) hours and if employees wish to be paid for time away from work, they may:

- Use accrued benefit time, to be drawn down in the following sequence: sick time, incentive time, HP21-C, HP20-D, vacation, holiday, personal days;
- Receive approval from their department director to have their work schedule adjusted within the same workweek as the appointment, in order to allow employees to work a regular work-week. No overtime shall accrue or be paid unless employees work more than 40 hours in that workweek.

## **Workers' Compensation Leave of Absence**

Except as superseded by State law, an employee of the City who sustains a work-related injury which prevents him or her from working and who is entitled to compensation under the Act may choose either of the options described below by completing the ["Workers' Compensation Employee Election Form"](#) (See FORMS in the back section of this Handbook). Employees who lose work time due to a work-related injury must complete a ["Leave of Absence Request"](#) (See FORMS in the back section of this Handbook).

## POLICIES & PROCEDURES

### Option 1.

- The employee may elect to go off the City's active payroll and receive workers' compensation benefit checks until he is able to return to work.

### Option 2.

- The employee may elect to remain on the City's active payroll by utilizing his or her paid time off benefit hours to supplement the workers' compensation checks in order to receive full salary. Paid time off benefits include sick time, time accumulated in the HP 21-C and HP 20-D accounts, vacation time, personal days, accrued holidays, and incentive time.

Under Option 2, employees would receive two (2) checks: the workers' compensation check, and a check from the City for the employee's full salary or regular weekly pay. The employee would endorse the workers' compensation check to the City and the Finance Department would deduct the appropriate number of benefit hours on a pro-rata basis to make up this difference. In the event an employee is not able to return to work after all benefit time is utilized, he or she would be removed from the City's active payroll and would receive only workers' compensation checks.

Under both of the options described above, the following shall apply.

- All time away from work due to a work-related injury must be supported by documentation from a physician indicating how long the employee is expected to be off work and shall include an expected return to work date.
- Any changes in the expected return to work date must be supported by documentation from a physician.
- If an employee fails to return to work by the date indicated on the physician's statement, he shall be deemed to have voluntarily resigned from the City's employ and the employee will be voluntarily terminated from payroll.
- All lost time due to a work-related injury shall, where applicable, be counted as Family and Medical Leave Act (FMLA) hours (see Leaves of Absence).
  - If leave under FMLA is not available or if the employee has exhausted such leave, the City cannot guarantee that an employee's position will be held open or that, upon the employee's return to work, there will be a position available for which the employee is qualified.
  - If no such position is available upon the employee's release to return to work, the employee may be terminated unless otherwise prohibited by law.
- An employee is required to submit a doctor's release confirming the employee is able to perform the essential functions of his or her position with or without an accommodation before returning to work.
  - If it so desires, the City shall have the right to send an employee to a physician of its choice to determine if he or she is fit to return to work.



## POLICIES & PROCEDURES

- No employee shall return to work without the written approval of the Human Resources Office.
- For as long as an employee is on a workers' compensation leave of absence and remains unable to work, the following apply.
  - Vacation time, sick time, holiday and personal day credits will not be earned and accrued.
  - Such benefits may be earned and accrued as from the date the employee returns to work.
  - Medical/dental coverage remains in force provided the employee pays their portion of the premium.
  - An employee's continuous service shall not be interrupted; however, the duration of the leave will be deducted from the amount of continuous service accrued as allowed by law.
- The maximum leave period is 12 months, subject to limited extensions as a form of accommodation.

**Important Note:** Employees covered by IMRF who elect to go off of the active payroll or who are disabled and on medical leave for more than 30 consecutive calendar days, should contact the Finance Department regarding IMRF disability provisions in order to avoid loss of benefits. Employees who are members of the Highland Park Police Pension Fund or Highland Park Firefighters Pension Fund should contact their department director concerning applicable disability provisions.

### NOTIFICATION OF CHANGE TO PERSONNEL RECORDS

Employees are responsible for notifying the Human Resources Division on any change pertaining to their personnel information, insurance coverage, pension programs, emergency contacts, etc. It is the employee's responsibility to communicate these changes to Human Resources. Any failure on the part of the employee to provide this information may affect benefits.

#### Notification of Contact Information Changes

Any time an employee's name, address, or telephone number changes, he or she must immediately notify his or her department director in writing. This information will then be forwarded to the Human Resources Division.

# POLICIES & PROCEDURES

## Notification of Life Events

A life event is defined as something that is a major life change and often impacts employees' benefit eligibility. Employees must immediately notify Human Resources in writing of life events such as marriage, divorce, birth, and adoption. Health and dental insurance providers and/or third party administrators must receive written notification of any changes in dependent coverage within 31 days of the date of the event, or pre-existing conditions might apply. To avoid the possibility of a lapse in coverage or of coverage denial, employees must submit written notification to the Human Resources Division requesting addition of dependents as soon as possible so the necessary change forms can be filled out and sent to the specific insurance company or companies within the 30-day period. Failure to provide the required written notification could result in a lapse of dependent insurance coverage.

Written notification of life events adding a dependent or dependents should be provided to Human Resources within 31 days of the event and must include the information indicated below. Also see information regarding change of name in Notification of Contact Information Changes in the preceding section.

### **In the Event of Marriage:**

- Date of marriage;
- Copy of the marriage certificate;
- Name of spouse;
- Spouse's date of birth;
- A written request to add the spouse as a dependent onto the City's health/dental insurance.

### **In the Event of Childbirth or Adoption:**

- Child's Name;
- Child's date of birth;
- Copy of the birth certificate;
- A written request to add the child as a dependent onto the City's health/dental insurance.

### **In the Event of Divorce:**

- Copy of that portion of the divorce decree indicating the date the divorce became final;
- Copy of the section of the divorce decree indicating who has responsibility for the children's health insurance must also be included, when children are involved.

Employees are responsible to notify Human Resources in writing immediately after a divorce becomes final so that appropriate changes are made to insurance coverage. If written notification is not provided within 60 days of the date of a divorce, employees may be held

## POLICIES & PROCEDURES

responsible for payment of premiums and any medical or dental benefit payments made for services provided to an ineligible dependent after the date of the divorce.

Following an employee's written notification of divorce, spouses are mailed written notification of their options for electing to continue coverage in accordance with COBRA provisions.

**Note:** Employees should contact Human Resources for forms to change beneficiaries for life insurance coverage or pension benefits.

### POLICY CONCERNS

Should any employee have a concern regarding the interpretation or application of the City's policies they should discuss the matter initially with their immediate as soon as possible. If the matter is not settled informally, the employee may present the concern to their department director who will follow up with the employee.

If an employee still feels their concern has not been satisfactorily resolved, they can refer the matter to the Human Resources Manager who will respond to the employee. If an employee is still not satisfied, the employee may refer the entire matter, in writing, to the City Manager. The City Manager will discuss the matter with the employee personally and render a final decision.

# POLICIES & PROCEDURES

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## BENEFITS

### EMPLOYEE BENEFITS

The City offers a number of benefits to full-time employees. Only a general overview of benefits is provided in the Employee Handbook. Employees are responsible for becoming familiar with the specifics of the benefit plans that are described in more detail in benefit brochures, summary plan descriptions, or plan documents, which are included in each new employee packet for full-time employees. Information regarding benefits that are department specific, such as Police and Fire pensions, is available from the respective department representatives. All employee benefits will be administered in accordance with the applicable Plan Documents. As with all policies, the City reserves the right to change, modify, or eliminate any of these benefits at any time, for any reason, without notice. Employees whose terms and conditions of employment are subject to a collective bargaining agreement may have different benefits.

### HEALTH AND DENTAL COVERAGE

The City of Highland Park offers the following health and dental coverage for full-time employees.

**Important Note:** Employees must immediately notify Human Resources in writing of life changes that affect their health/dental coverage (i.e., marriages, divorces, births, etc.) within 31 days of the event. Failure to provide the required written notification could result in a lapse of insurance coverage.

#### Supplemental Health Coverage

The City also offers supplemental health insurance. The program provides a cash benefit for covered accidents and/or illnesses. The program is voluntary and employees are responsible for 100% of the premium costs. With the employee's written consent, premiums can be paid through automatic payroll deduction. For further information contact the Human Resources Division.

### LIFE INSURANCE

The City provides the following life insurance benefit to full-time employees when still employed at the time of death:

#### Schedule of Life Insurance Coverage

| <u>Classification</u>     | <u>Amount of Insurance</u>   |
|---------------------------|--|
| Employees under age 70    | Annual base salary plus longevity pay rounded to the next highest multiple of \$1,000, if not already a multiple thereof, subject to a maximum of \$125,000. |
| Employees age 70 and over | 50% of the entitled amount if under 70.  |

**Note:** In addition to the above, IMRF members may elect a voluntary life insurance plan offered by the National Conference on Public Employee Retirement Systems (NCPERS). This optional group term life insurance benefit is available to IMRF employees at their expense and premium deductions are deducted monthly from the employee’s paycheck. Enrollment is offered upon date of hire and once annually thereafter. Employees covered as a sworn officer should contact their Pension Plans regarding eligibility in the NCPERS system.

## CITY WELLNESS PROGRAM

To promote a culture of health, all City employees are encouraged to participate in a variety of City sponsored wellness activities throughout the year. Full-time employees may elect to participate in the City’s Wellness Initiatives (WIN) program. The WIN program is a benefit available to full-time employees and spouses who utilize the City’s health insurance for their primary healthcare coverage. The program is voluntary and will be made available for enrollment annually for existing employees and at other times as determined by the City. Employees covered by a collective bargaining agreement may not be eligible for the benefit and should consult the bargaining agreement to determine eligibility.

## FITNESS BONUS TEST

Full-time employees are eligible to earn a maximum of twelve (12) hours paid time off (eighteen (18) hours for unionized firefighters and thirty-six (36) hours for Battalion Chiefs) from work each calendar year by performing a minimum of three (3) physical fitness assessments with the City’s Wellness Coordinator. Each physical fitness assessment allows the employee to earn four (4) hours off (six (6) hours for unionized firefighters and twelve (12) hours for Battalion Chiefs) provided the employee meets all standard requirements. Part-time employees are also eligible to participate in this bonus, but the allowable time off is pro-rated as appropriate to reflect part-time status. To receive time off, a participating employee must achieve the 75th percentile according to the Cooper Institute of Aerobics Research normative data as noted below. The 75th percentile represents an individual who has maintained above average fitness levels.

The physical fitness assessment is comprised of five (5) fitness-oriented tests as follows:

1. Absolute strength;
2. Muscular endurance;
3. Cardiovascular power;\*
4. Flexibility;
5. Body composition.

| TEST | SEX | 20-29 | 30-39 | 40-49 | 50-59 | 60-69 |
|------|-----|-------|-------|-------|-------|-------|
|------|-----|-------|-------|-------|-------|-------|

## BENEFITS

|                         |   |      |      |      |      |      |
|-------------------------|---|------|------|------|------|------|
| <i>Body Composition</i> | M | 10.6 | 14.9 | 17.3 | 19   | 19.3 |
|                         | F | 18.2 | 19.1 | 22.4 | 25.8 | 26.7 |
| <i>Sit-Ups</i>          | M | 46   | 42   | 37   | 33   | 28   |
|                         | F | 42   | 33   | 28   | 22   | 15   |
| <i>Cardio.</i>          | M | 1.62 | 1.57 | 1.53 | 1.41 | 1.3  |
|                         | F | 1.41 | 1.35 | 1.29 | 1.2  | 1.17 |
| <i>Flexibility</i>      | M | 20   | 19   | 18   | 17   | 16.5 |
|                         | F | 22   | 21   | 20   | 20   | 18   |
| <i>and</i>              |   |      |      |      |      |      |
| <i>Bench Press</i>      | M | 1.26 | 1.08 | 0.96 | 0.87 | 0.79 |
|                         | F | 0.77 | 0.65 | 0.6  | 0.53 | 0.53 |
| <i>or</i>               |   |      |      |      |      |      |
| <i>Push-Ups</i>         | M | 44   | 36   | 29   | 24   | 22   |
|                         | F | 34   | 29   | 21   | 20   | 15   |

### EXPLANATION:

#### Cooper Institute of Aerobics Research Normative Data

|                         |   |
|-------------------------|---|
| <i>Body Composition</i> | Body composition. This number is representative of a person's estimated percent body fat after a skin-fold caliper test has been performed. |
| <i>Sit-Ups</i>          | Represents the number of sit-ups an individual must perform in a one-minute time period.  |
| <i>Cardio.</i>          | Represents the distance (in miles) an individual must run or walk in a twelve-minute time period.   |
| <i>Flexibility</i>      | With the use of a special measuring device this number represents a specific unit of measure upon the device.                               |
| <i>Bench Press</i>      | This number represents the percent of the individual's body weight that he or she must press during the bench press activity.               |

\*An alternate standard has been developed for cardiovascular power. The alternate standard involves testing of cardiovascular power utilizing a cycle ergometer. Aerobic fitness is determined by a short ride on a bicycle ergometer. The output combined with data from a heart-rate monitor estimates VO<sub>2</sub> max, a measure of the ability to utilize oxygen when you exercise. The ranges below represent the 75th percentile of the Cooper Institute of Aerobics Research normative data for VO<sub>2</sub> max.

| <u>TEST</u> | <u>SEX</u> | <u>20-29</u> | <u>30-39</u> | <u>40-49</u> | <u>50-59</u> | <u>60-69</u> |
|-------------|------------|--------------|--------------|--------------|--------------|--------------|
|-------------|------------|--------------|--------------|--------------|--------------|--------------|

|                     |   |    |    |    |    |    |
|---------------------|---|----|----|----|----|----|
| <i>Cardio. Bike</i> | M | 41 | 37 | 34 | 31 | 28 |
|                     | F | 35 | 33 | 30 | 27 | 26 |

The minimum time between fitness assessments is three (3) months, allowing the employee to re-test if he or she does not meet the requirement to earn the four (4) hours time off.

Employees are able to use the time off after it is accrued at the discretion of their department director. Only four (4) fitness incentive bonus hours (six (6) hours for unionized firefighters and twelve (12) hours for Battalion Chiefs) may be carried over from one calendar year to the next. All other unused earned and accrued fitness hours are lost at the end of the calendar year. To schedule use of Fitness Bonus Hours, an employee must complete a [Request for Paid Time-Off](#). (See FORMS in the back section of this Handbook)

For an employee who has an impairment that prevents him or her from participating, the City will provide an alternative to allow the fitness bonus.

**DEFERRED COMPENSATION**

A deferred compensation plan is an agreement between a full-time or part-time employee and the City whereby the City defers a portion of the employee's salary or wages for payment at a later date. The amount of compensation deferred is not taxed until the money is withdrawn from the plan, normally at retirement age, when the employee will likely be in a lower tax bracket. Employees are allowed to defer a portion of their total annual salary or wages up to a maximum dollar amount that is determined and periodically adjusted by the Federal Government. Deferred compensation participants have a choice of participation in at least two different plans and have numerous investment options within each plan. For more details, contact the Human Resources Division.

**FLEXIBLE SPENDING ACCOUNT**

Full-time employees may elect to participate in a Section 125 Flexible Spending Account (FSA) plan. An FSA plan allows full-time employees to pay for certain expenses with pre-tax dollars. The FSA is funded by money that employees direct to be deposited into the FSA. During the plan year, FSA plan participants submit claims to the third-party administrator and are “reimbursed” from the FSA for eligible claims. An important provision of the FSA plan is that it is a “use it or lose it” plan. This means that if more money is deposited into the spending account than is submitted on a timely basis as an eligible expense, the excess money is forfeited.



**LONGEVITY PAY**

In appreciation of dedicated long-time service to the City, full-time employees with a minimum of 10 years of continuous completed service as of December 1 will receive Longevity Pay except where a specific provision of a collective bargaining agreement may conflict. Longevity pay shall be determined in accordance with the schedule provided in the table below. For the purpose of calculating longevity pay, a “year” is defined as a full twelve (12) months of continuous service (since the most recent date of hire) as of December 1 of each calendar year.

| <u>Continuous Service</u>  | <u>Longevity Pay</u> |
|----------------------------|----------------------|
| 10 years (120 full months) | \$800                |
| 15 years (180 full months) | \$1,000              |
| 20 years (240 full months) | \$1,200              |
| 25 years (300 full months) | \$1,400              |
| 30 years (360 full months) | \$1,600              |

Longevity payments are disbursed in the first week of December. A full-time employee terminating employment prior to December 1 who, as of the date of termination, has worked the required years of service, will receive a pro-rata share of that year's longevity pay calculated from the preceding December 1 to the time of termination. Prior service time interrupted by separation from employment will not be credited to any former employee in the event the employee is later rehired.

Longevity payments are not cumulative. As employees transition between continuous years of service, only the current longevity pay applies. For instance, an employee transitioning from 14 years of service to 15 years of service will receive \$1,000, not \$1,800.

**PENSION PROGRAMS**

**Illinois Municipal Retirement Fund**

The Illinois Municipal Retirement Fund (IMRF) covers regular full-time and part-time employees who work at least 1,000 hours per year (referred to as “eligible employees”), except sworn Police Officers and Firefighters who participate in the Police or Fire pensions. IMRF provides retirement, disability, and death benefits for eligible employees. Highlights of IMRF are noted below but employees should refer to the booklet, “Illinois Municipal Retirement Fund – Your IMRF Benefits” for details on IMRF provisions.

Additional information regarding benefits under IMRF can be found at [www.imrf.org](http://www.imrf.org) or by calling 1-800-ASK-IMRF.

## Police and Fire Pension Funds

Details concerning pension, disability and death benefits for Police and Fire Department employees are available in the respective departments.

## **TUITION REIMBURSEMENT PROGRAM**

The City provides a tuition reimbursement program to encourage full-time employees to continue their education. Tuition reimbursement is available to full-time employees in good standing who have been with the City for more than one (1) full year of active, continuous service and have received a meets expectations or better rating on their most recent performance evaluation.

If an employee who is participating in the program receives a disciplinary suspension of more than five (5) working days during the fiscal year, the City Manager has the option of revoking reimbursement privileges.

The City's tuition reimbursement program is contingent on the allocated budgeted funds for the year the tuition is requested.

### Course Qualification

To qualify for full Tuition Reimbursement, a course must be:

- Related to the employee's current position;
- Related to a promotional opportunity;
- Related to work in the employee's Department; or
- To learn a second language.

To qualify for full (100%) reimbursement, all courses at any level (except foreign or second language courses) must be directly related to the job the employee is currently performing, a promotional opportunity, or work performed in the employee's Department. Courses which are required as part of a work related degree program, but which are not directly job related will be reimbursed by the City at 50% of its cost. The City will not provide reimbursement for any course which is largely comprised of material covered in a course previously taken by the employee and which was approved for reimbursement or otherwise funded by the City. Classes must not interfere with an employee's ability or availability to perform his or her job.

### Sign-up Procedure

Reimbursable expenses must be approved in advance of the employee's completion of the course. An employee must submit a "[Request for Tuition Reimbursement](#)" form (See FORMS in the back section of this Handbook) to the department director describing how the course is directly job related and how it will benefit both the employee and the City. In addition, the employee must include the cost of tuition and estimated cost of books. Preliminary approval to take the course must first be obtained from the department director and then sent to the Human Resources Manager for final approval.

**Amount of Reimbursement for Courses**

Employees who have been approved for tuition reimbursement may be reimbursed only for tuition and books in accordance with the schedule below and up to a maximum of \$5,000 per fiscal year. The balance of the tuition limit in any fiscal year cannot be carried over into the next fiscal year. Participation in the tuition reimbursement program in no way obligates the City to pay the entire cost of a degree program.

| Grade      | Reimbursement for Job-Related Course |
|------------|--------------------------------------|
| A          | 100%                                 |
| B          | 75%                                  |
| C          | 50%                                  |
| D or lower | None                                 |

When courses are graded on a pass/fail system, a course in which an employee received a passing grade will result in full reimbursement and a "failing" grade will result in no reimbursement.

The City is not obligated to reimburse any tuition if the employee resigns or is terminated prior to receiving reimbursement. In exchange for providing tuition reimbursement, an employee must agree to remain a full-time employee of the City for at least three (3) years following completion of the course for which reimbursement was granted. If an employee leaves prior to that time, the employee will be obligated to repay to the City a pro-rated amount of the total reimbursed expenses.

**Reimbursement Procedure**

After the course is completed and a grade of "C" or better is obtained, the final grade report and copies of all receipts for tuition must be given to the department director for transmittal to the Human Resources Manager. No carryover payments into the next fiscal year will be allowed. Participation in the tuition reimbursement program in no way obligates the City to pay the entire cost of a degree program.

The City Manager's Office may consider waiving any of the above criteria upon written request and justification by the employee.

**EMPLOYEE ASSISTANCE PROGRAM**

The City offers employees and employees’ families a confidential Employee Assistance Program (EAP) to assist employees and families with any personal problems that might impact the employees’ work performance and employees’ and employees’ families’ health and well-being.

Participation in the EAP program is completely confidential and voluntary. The City does not know who utilizes the EAP services unless an employee submits a written request for the EAP to share information with the City or the employee chooses to personally share the information. The following service is offered to full-time employees and their families.

Brochures related to the EAP can be found with Human Resources or by contacting your Department Director.

**VACATION**

The City encourages employees to utilize their vacation time. Full-time employees are eligible to earn and accrue vacation based on continuous service\*. Vacation is earned and accrued as described in the table below. Accrual rates are based on twenty-six (26) pay periods per one (1)-year or twelve (12)-month period. Vacation begins accruing as of the date of employment.

| Continuous Service Period  | Vacation Hours Accrued Per Pay Period* | Annualized Vacation Accrual (26 Pay Periods x Pay Period Accrual Rate) |
|--|--|--|
| From Date of Hire and Continuing through the 4 <sup>th</sup> Year of Service   | 3.0770                                 | 80 Hours   |
| Upon Completion of the 4 <sup>th</sup> Year or Beginning of the 5 <sup>th</sup> Year and Continuing through the 11 <sup>th</sup> Year of Service | 4.6154                                 | 120 Hours  |
| Upon Completion of the 11 <sup>th</sup> Year and Continuing through the 21 <sup>st</sup> Year of Service   | 6.1539                                 | 160 Hours  |
| During the 22 <sup>nd</sup> Year of Service  | 6.4615                                 | 168 Hours  |
| During the 23 <sup>rd</sup> Year of Service  | 6.7692                                 | 176 Hours  |
| During the 24 <sup>th</sup> Year of Service  | 7.0769                                 | 184 Hours  |
| During the 25 <sup>th</sup> Year of Service  | 7.3846                                 | 192 Hours  |
| Upon Completion of 25 or More Years of Service   | 7.6923                                 | 200 Hours  |

*\*Continuous service generally means service not interrupted by separation from employment. Layoffs of less than 40 hours, suspensions of less than 31 days in duration and leaves of absence authorized by the City Manager, will not interrupt continuous service.*

The following stipulations apply to the City's vacation policy:

- Vacation time does not accrue during unpaid leaves of absence.
- The maximum vacation accrual that may be carried from one year into the next is 240 hours.

Any accrued vacation time exceeding 240 hours must be used by the end of the second pay period in the new calendar year or it will be forfeited.

### Use of Vacation Time

Vacation requests should be submitted in writing at least two (2) weeks prior to the desired date of the vacation and must be approved by the employee's immediate supervisor. In considering approval of vacation requests, supervisors review departmental operating needs and staffing requirements.

Vacation time may be used as it is accrued but not before it is accrued. An employee may request an advance on vacation time. A request for an advance of vacation time will only be considered when the employee authorizes the City in writing to withhold the amount of the advance vacation pay from his or her final paycheck should he or she leave prior to earning the vacation.

Accrued vacation time will be drawn upon in the event employees are ill and have used all of their available sick leave, sick leave bank time and personal days.

### Termination

When employment terminates, all unused vacation time that has accrued through the last day of employment will be paid to the employee up to a maximum of 300 hours. An employee in good standing who has given a two-week notice must work on his or her last day of work and cannot use vacation time that would otherwise not be paid out upon termination of employment.

## JURY DUTY

Jury duty is an opportunity for all employees to be of direct service in helping to solve community problems. Employees must immediately notify their Supervisor in writing if they are called to jury duty, so that time off can be scheduled. The City will pay the difference between an employee's regular base salary or wages and pay received from court for being a juror. To receive jury pay, employees must sign and turn over to the City their jury duty check(s). In exchange, employees will receive their regular payroll check covering the period of jury duty. Court-provided checks for mileage or travel expenses are not turned over to the City. Jury duty does not constitute a break in continuous service, and benefits accrue as usual. To schedule time off for Jury Duty, an employee must complete a [Request for Paid Time Off](#). (See FORMS in the back section of this Handbook)

## HOLIDAYS

Eligible full-time City employees are paid for the following observed holidays:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- The Friday after Thanksgiving Day
- Christmas Day

Whenever a listed holiday falls on a Sunday, the holiday will be observed on the following Monday; and if the holiday falls on a Saturday, the holiday will be observed on the preceding Friday.

In order to receive holiday pay, new employees must have worked five full days before the holiday.

Employees may not substitute other forms of paid leave for holiday pay.

### Holiday Work Pay

Employees who work on shifts for which they are regularly scheduled to work during the hours of 8:00 a.m. to midnight on the holidays of Christmas Day, New Year's Day, Independence Day, or Thanksgiving Day (referred to as the "holiday period") will receive an additional half-time pay for hours worked during the holiday period (1.5x pay). Alternatively, not in addition to 1.5x pay, employees who are regularly scheduled to work on a City Holiday may bank the amount of hours worked or the balance of holiday hours (if they worked less than their regular holiday hours) for use in the same calendar year.

Employees who work on an observed City holiday because of an emergency call-in situation will be paid 2x their regular rate of pay for hours actually worked and may the balance of their holiday hours for use in the same calendar year.

## PERSONAL TIME

At the beginning of each year, non-bargaining unit full-time employees will receive 40 hours of personal time to use during the calendar year. Part-time employees will receive a prorated amount of personal time based on the number of hours they're expected to work during the year. Employees hired mid-year will receive personal leave on a pro-rated basis as well. Bargaining unit employees should consult their collective bargaining agreement for any personal time benefits.

Earned personal time must be utilized in a minimum of 30-minute increments and requires prior approval of the employee's supervisor or department director. Personal time may not be carried over at year-end; any unused time will be forfeited. Unused personal time is not paid out at time of termination of employment.

## BEREAVEMENT LEAVE

Full-time employees are allowed bereavement leave of up to twenty four (24) working hours in the event of a death in the employees' immediate family without loss of pay and without a deduction from paid time off benefits. If an employee is notified of the death of a member of the employee's immediate family during the workday, at the employee's request, the employee will be relieved from his job for that day. That portion of the workday that the employee is relieved will not count as a bereavement day, but such hours will be paid by deductions from accumulated sick leave, vacation, and personal, or other accrued benefit time.

If more than twenty four (24) working hours off are needed, or if bereavement leave is needed for individuals not defined as immediate family under this section, additional time will be granted as required under law. These additional days off may be deducted from available accrued paid leave or may be unpaid.

*Immediate family under this section is defined as the employee's spouse, child, parent, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandchild, grandparent, grandparent-in-law, legal ward, step-parents, step-children, step-brother, step-sister and any other relative living in the employee's home.*

## SICK LEAVE

Full-time employees accrue sick leave at the rate of 3.7 hours per pay period (based upon a typical year of 26 pay periods). Employees covered by a collective bargaining agreement will earn sick leave in accordance with that agreement if such agreement is in conflict with this policy. Employees not in pay status due to unpaid leave, suspension, etc. for at least half of the pay period will not earn sick leave for that pay period. To align the accrual of sick leave with the Sick Leave Incentive Program, sick leave accruals begin in the first pay period in December and end with the last pay period in November of each year.

Employees with less than 3 years of full-time service may request an advance of sick leave under the following conditions:

- Employees may request to borrow up to 40 hours of sick leave.
- Employees must place the request in writing, including the reason for the need to borrow, and receive authorization from their department director.
- When sick leave is advanced, future accruals will automatically be applied to the deficit, until all sick leave advanced has been repaid.
- The employee must authorize the City in writing to withhold the amount of the advance sick leave from his or her final paycheck should he or she leave prior to earning the sick leave.
- If an employee's sick leave balance is negative as of the end of the first pay period in November, accrued vacation, personal or other leave time will be utilized to repay the borrowed time.

Sick leave shall be used in a minimum of 30-minute increments.

At the discretion of the department director, sick leave with pay may be authorized for the following purposes only:

- Personal illness;
- Medical or dental appointments (Whenever possible, appointments should be scheduled during non-work hours);
- Enforced quarantine of the employee;
- Sickness in the immediate family;\*
- Whenever bereavement leave has been exhausted;
- Leave taken related to birth of the employee's child or placement/adoption of a child with the employee, provided the leave is approved under other City leave policies. Leave taken related to the birth of the employee's child or placement/adoption of a child with the employee on its own qualify for sick leave.

*\*For purposes of sick leave use, "immediate family" includes an employee's spouse, child, step-child, parent, step-parent, brother, sister, father-in-law, mother-in-law, grandchild, grandparent, legal ward, and any relative living in the employee's home.*

When an employee's absence is due to a "serious medical condition" as defined under Family and Medical Leave Act a ["Leave of Absence Request"](#) must be completed even though the employee may be using available sick leave time. (See [Leave of Absence Request](#) under FORMS in the back section of this Handbook).

A physician or dentist's report may be required before any sick leave with pay is allowed. In the event a department director feels an employee is abusing sick leave, requests for sick leave may be denied. It is the employee's responsibility to keep his or her supervisor informed of his or her condition and when he or she expects to return to work. Should the employee not wish to share personal health information with his or her supervisor, the employee should contact Human Resources.



In the event an employee is ill and has exhausted all of his or her current sick leave accruals, catastrophic sick leave bank hours (HP 21-C) will be utilized followed by HP 20-D (if applicable), personal time, vacation time and any other applicable benefit time. This provision is aimed at assisting the employee during a severe and/or long-term illness; employees utilizing this provision on a regular basis may be required to provide an explanation for such absences and a plan for reducing the number of sick days taken during each year. Any paid time utilized for periods of illness may be counted as FMLA days.

## SICK LEAVE INCENTIVE PROGRAM

At the end of each calendar year, unused sick leave (SL) hours are converted into bank eligible hours (BE) and credit hours (CR), for the next calendar year.

Bank eligible hours are defined as those hours that can, at the employee's discretion, be placed into the catastrophic sick leave bank named HP 21-C. Hours put into the HP 21-C catastrophic bank can only be used for sick leave circumstances as outlined in the previous section. There is no maximum on the hours that can be accrued in HP 21-C. HP 21-C days will not be paid out upon separation from employment.

### Credit hours:

Credit hours are defined as those hours that can be used toward time off (maximum of twenty-four (24) hours or three (3) days) and/or converted to cash (pre-tax dollars) and deposited into a Section 125 Flexible Spending Program (see Flexible Spending Account Program) and/or a Deferred Compensation program (see Deferred Compensation). Credit hours are calculated on a graduated scale that corresponds to the number of sick leave hours used during the calendar year. Credit hours must be used or accounted for by the end of the calendar year during which the hours were converted. Credit hours cannot be carried over from year to year and any unused or unaccounted for credit hours will be forfeited. Upon termination, any unused credit hours that were converted to paid time off will not be paid out.

The following table illustrates the conversion for bank eligible and credit hours.

| <b>*Sick Leave Hours Used By End Of Calendar Year</b> | <b>**Bank Eligible Hours For Next Calendar Year</b> | <b>***Credit Hours for Next Calendar Year</b> |
|---|---|---|
| 0   | 96  | 48  |
| 8   | 88  | 40  |
| 16  | 80  | 32  |
| 24  | 72  | 24  |
| 32  | 64  | 16  |
| 40  | 56  | 8   |

|    |    |   |
|----|----|---|
| 48 | 48 | 0 |
| 56 | 40 | 0 |
| 64 | 32 | 0 |
| 72 | 24 | 0 |
| 80 | 16 | 0 |
| 88 | 8  | 0 |
| 96 | 0  | 0 |

*\*Sick Leave Hours Used = Number of sick leave hours used during the calendar year*

*\*\*Bank Eligible Hours = Number of hours that can be added to the HP 21-C bank in the immediately following calendar year*

*\*\*\*Credit Hours = Number of hours that can be converted to additional time-off and/or cash for deposit in a Section 125 account or a Deferred Compensation Account*

### **HP 21-C Catastrophic Sick Leave Bank Hours:**

- Are only available for sick leave circumstances;
- Are banked as indicated by employee;
- Have no maximum accumulation;
- Are not paid out upon separation;
- Can be applied to IMRF service credit upon retirement. IMRF employees can receive one (1) month of service credit for every twenty (20) days of unused, unpaid sick time in the HP 21-C bank up to a maximum of one (1) year of service credit.

### **Credit Hours:**

May be used for time off (maximum twenty-four (24) hours/used in minimum four (4) hour increments), with the department director's recommendation and City Manager's Office approval;

- May be converted to cash (pre-tax dollars) and deposited in a lump sum into a Section 125 Flexible Spending Program and/or the Deferred Compensation Program;
- May be utilized as a combination of time off and a deposit into a Flexible Spending Program and/or a Deferred Compensation Program;
- May not be carried over from year to year;
- Are not paid out at termination of employment.

Credit hours that are converted to cash are done so utilizing the average hourly rate for all City employees, and not the employee's individual rate of pay.

**Example:** Bob has worked for the City as a full-time employee for over three (3) years and was not sick at all during the last calendar year. As a result, he has earned and accrued ninety-six (96) sick hours. All ninety-six (96) hours may be converted to bank eligible hours, and forty-eight

(48) of the ninety-six (96) hours may be used as credit hours. Bob has various options. Examples include the following:

- Ninety-six (96) hours may be placed into his HP 21-C bank;
- 72 hours may be placed into his HP 21-C bank and twenty-four (24) credit hours used toward time off;
- Forty-eight (48) hours may be placed into his HP 21-C bank; twenty-four (24) credit hours used toward time off; and twenty-four (24) credit hours utilized toward a Section 125 Flexible Spending Program and/or a Deferred Compensation Program;
- Forty-eight (48) hours may be placed into his HP 21-C bank and forty-eight (48) credit hours utilized toward a Section 125 Flexible Spending Program and/or a Deferred Compensation Program.

**Note:** Use of Bob's time may be divided between bank eligible hours and credit hours as he desires as long as the total does not exceed ninety-six (96) hours. Bob may convert up to forty-eight (48) credit hours to twenty-four (24) hours of paid time-off and/or a Section 125 Flexible Spending Program and/or a Deferred Compensation Program.

### **SICK LEAVE INCENTIVE PROGRAM - HIRED PRIOR TO 5/1/94**

Employees who were hired before May 1, 1994, may have a "draw down bank", HP 20-D. This Program is basically the same as the Sick Leave Incentive Program as discussed above, with some additional options. Employees in this Program may have both an HP 21-C catastrophic sick leave bank and an HP 20-D sick leave draw down bank.

The HP 20-D draw down bank represents sick leave earned and accrued, but unused, as of April 30, 1994, or up to the date of promotion to a bargaining unit position (if after 4/30/94) for Fire Department employees. Upon separation, an employee who has worked for the City for five (5) or more years is eligible to receive up to 50% of his or her accrued sick leave that remains in HP 20-D at his or her current rate of pay. For IMRF employees, the remaining 50% of unused, earned and accrued sick time can be applied to IMRF service time upon retirement, as IMRF employees are eligible to receive one (1) month of service credit for every twenty (20) days of unused, earned and accrued sick time up to a maximum of one (1) year of service credit. If an employee dies while employed and is not on disability pension or injury leave, the employee's estate or survivors will be paid for all of the employee's unused, earned and accrued sick leave in his or her HP 20-D bank calculated at his or her final rate of pay.

As of April 30, 1994, employees are no longer allowed to accrue sick leave from year to year in HP 20-D. Employees may only accrue sick leave from year to year in their HP 21-C bank. Accrued sick leave in the HP 21-C is not paid out upon separation from employment.

Employees with five (5) or more years of service are eligible to draw down their HP 20-D bank at the end of the calendar year (payroll period #26) by the following methods:

- Receive cash on a 50% basis at their current rate of pay up to a fifteen (15) day maximum payout (thirty (30) day draw down);
- Receive time off on a 50% basis to a maximum of ten (10) days (twenty (20) day draw down);
- Deposit cash on a 50% basis at their current rate of pay (no maximum) into the Section 125 Flexible Spending Program;
- A combination of the above.

An employee's request to draw down his or her HP 20-D bank must be submitted to his or her department director for approval on forms provided at year-end by the Finance Department.

### SICK LEAVE DONATION PROGRAM

An employee may donate sick leave to another employee who has a catastrophic illness or injury or to an employee who must take time to care for an immediate family member who has a catastrophic illness or injury.

#### Eligibility

The employee receiving donations (*recipient*) must have exhausted all available paid time off benefits (sick, HP 21-C and/or HP 20-D, vacation, personal days, etc.) before becoming eligible for this program. The circumstance resulting in the need for additional leave must be one that meets the criteria of a catastrophic illness or injury as defined in this policy.

The employee who is donating time (*donor*) must have at least one-hundred sixty-eight (168) hours in the HP 21-C, the HP 20-D, or that total in the two banks combined. The donor may donate sick leave time in eight (8) hour increments provided that the donation will not reduce the balance in the donor's HP 21-C, HP 20-D, or the combined balance of the two accounts, to less than one-hundred sixty (160) hours. This minimum level of one-hundred sixty (160) hours in the HP 21-C and HP 20-D will ensure that the donor retains one-hundred sixty (160) hours of sick time to cover four (4) weeks in the event the donor should need to draw upon banked sick leave in the future.

#### Definitions

The following definitions will apply to this policy. Other definitions may apply to the same terms in other policies.

"Immediate family member" will be the same as the definition under Sick Leave Policy and includes an employee's spouse, child, parent, brother, sister, father-in-law, mother-in-law, grandchild, grandparent, legal ward, and any relative living in the employee's home. A "parent" is any biological parent, or any individual who assumed day-to-day and financial responsibility for the employee when the employee was a child. A "child" is any person under eighteen (18) years of age who is the biological child of the employee or who is adopted by the employee, or

whom the employee supervises on a day-to-day basis and for whom the employee is financially responsible or who is an eligible dependent of the employee under the City's health benefits plan (e.g., a step child or foster child.) A "child" is also a person over eighteen (18) years of age who is incapable of self-care because of a mental or physical disability and who is dependent upon the employee.

A "catastrophic illness or injury" is one that is expected to incapacitate the employee or an "immediate family member" for an extended period of time. The employee must have exhausted all sick leave and other paid time off. Examples may include, but are not limited to, life threatening injury or illness, cancer, AIDS, heart surgery, stroke, etc. Circumstances which do not typically qualify as a "catastrophic illness or injury" include common or routine surgical procedures. The City Manager or designee has the final authority to determine whether an employee's situation qualifies as a "catastrophic illness or injury".

### **Procedure**

The recipient must submit a "[Recipient Request – Donation of Sick Time](#)" to Human Resources. The written request must provide the Human Resources Manager with authorization to post the employee's request for donations of sick time and include specific direction regarding what information, if any, should be included in the posting or be released to other individuals. No donations will be accepted without the recipient's written request.

Donors must submit a "[Donor Request – Donation of Sick Time](#)" to the Human Resources Manager, noting how much and what type of sick time is being donated. Sick time may be donated from the donor's current year's allocation, the HP 21-C Bank, or the HP 20-D Bank. If a donor wishes to remain anonymous in his or her donation, this must also be stated in the written notice. Donated sick time will be deducted from an employee's current sick time or sick leave bank(s). Donated sick time will be considered used sick time and is not be available for any other buy-back programs. Donated sick time will not affect the status of donors who participate in the WIN program. All donated time must be in minimum increments of eight (8) hours. Donated time will be considered on an hour-for-hour basis, regardless of the pay level of the donor and recipient. Any unused donated time will be returned to the donors on a prorated basis. The donor and recipient are responsible for all taxes associated with the donation and/or receipt of donated sick time.

### **Coordination with Other Policies**

The donation of sick time under this policy shall not extend any leave. The receipt of donated sick time under this policy will not necessarily result in the employee being granted a "Medical Leave of Absence Without Pay."

## **FAMILY AND MEDICAL LEAVE**

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work provided the employee continues to pay their portion of the premium costs. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

### **Employee Eligibility Criteria**

To be eligible for FMLA leave, an employee must have been employed by the City for at least 12 months (which need not be consecutive) at the time the leave is expected to commence; and have completed at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

### **Events Which May Entitle an Employee to FMLA Leave:**

FMLA leave may be taken for any of, or for a combination of, the following reasons:

- the birth of the employee's child or to care for the newborn child;
- the placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- to care for the employee's spouse, child or parent (but not in-law) with a serious health condition;
- the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job; and/or
- Because of a qualifying exigency arising out of an employee's parent, spouse, or child's active duty or call to active duty.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider, or any other condition that qualifies as a serious health condition under applicable federal law.

### **How Much FMLA Leave May Be Taken**

An eligible employee is entitled to up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying reason(s). The 12-month period is defined as the rolling year. For example, Mary Smith is pregnant and requesting a leave of absence for 12 weeks through FMLA to care for her newborn child. Mary's last day of work is June 10, 2013; therefore, Mary will return to work on September 2, 2013. Mary would not be eligible to take FMLA until the following September 2014.

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

### **Limitations on FMLA Leave**

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child.

Where two spouses are both employed by the City, their aggregate leave will be limited to 12 workweeks during any 12-month period, except in the case of their own serious health condition or to care for their spouse or child, in which case both spouses will be eligible for the full 12 weeks of leave during the 12-month period. For example, if each spouse took 6 weeks of leave to care for a newborn child, each could later use an additional 6 weeks due to his or her own serious health condition or to care for a child with a serious health condition.

### **Intermittent or Reduced Work Schedule Leave**

Under certain circumstances, an employee may take leave intermittently or on a reduced work schedule. Intermittent leave is leave taken in separate blocks of time due to a single qualifying event. Reduced work schedule leave is a reduced work day or workweek schedule. If the need for intermittent or reduced work schedule leave is foreseeable based on planned medical treatment, the employee generally must schedule the treatment in a manner that does not unduly disrupt the City’s operations. Also, if intermittent or reduced work schedule leave is foreseeable, the City may temporarily transfer the employee to another position with equivalent pay and benefits that better accommodate the recurring periods of leave.

Leave to care for a newborn or for a newly placed child must be taken all at once and may not be taken intermittently or on a reduced work schedule.

### **Requests for FMLA Leave**

An employee should request FMLA leave by completing the Employer's Request for Leave form and submitting it to the Human Resources Division.

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for the employee's or family member's serious health condition, the employee must provide the City with at least 30 days advance notice, or such shorter notice as is practicable (i.e., within 1 or 2 business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide the City with notice of the need for leave as soon as practicable (i.e., within 1 or 2 business days of learning of the need for the leave).

## **Required Documentation**

An employee may be required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. When leave is taken to care for a family member, the City may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court document). Medical certification forms are available on the HP Share.

If the City has reason to doubt the employee's initial certification, the City may: (i) with the employee's permission, have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification; and/or (ii) require the employee to obtain a second opinion by an independent City-designated provider at the City's expense. If the initial and second certifications differ, the City may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, the City may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide the City with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the City with reasonable notice (i.e., within 2 business days) of the employee's changed circumstances and new return to work date. If the employee gives the City notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

## **Use of Paid and Unpaid Leave**

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12 workweek leave period.

## **Designation of Leave**



The City will notify the employee that leave has been designated as FMLA leave. The City may provisionally designate the employee's leave as FMLA leave if the City has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified the City of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the employee must notify Human Resources within 2 business days of the employee's return to work that the leave was for an FMLA reason.

### **Maintenance of Health Benefits**

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid in accordance with the City's rules for leave without pay. If the employee's payment of health insurance premiums is more than 30 days late, the City may discontinue health insurance coverage upon notice to the employee.

### **Return from FMLA Leave**

Upon return from FMLA leave, the City will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms. A return to work certification must be provided by the employee if on leave due to his or her own medical condition.

### **Limitations on Reinstatement**

An employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The City reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid 10 percent of the City's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to the City's operations.

### **Failure to Return To Work Following FMLA Leave**

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The City may recover health insurance premiums that the City paid on behalf of the employee during any unpaid FMLA leave except that the City's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, the City may require the employee to provide medical certification of the employee's or the family member's serious health condition.

For further information or clarification about FMLA leave, please contact the Human Resources Division.

## **LEAVES OF ABSENCE WITHOUT PAY**

A leave of absence is defined as an excused absence without pay. An absence involving paid time off from work (i.e., sick leave, HP 21-C or HP 20-D leave, jury duty, military reserve training, etc.) is not considered a leave of absence. Medical and personal leaves of absence without pay may be granted by the City Manager to full-time employees who have worked for the City for at least six (6) months, and may be revoked by the City Manager at any time after reasonable notice has been sent to the last known address of the individual. To apply for any type of leave of absence, an employee must complete a [Leave of Absence Request](#) form. (See FORMS in the back section of this Handbook)

Failure to return to active work following the conclusion of any authorized leave of absence shall constitute a voluntary resignation from employment by the employee as of the last day of the authorized leave. Upon the conclusion of an authorized leave of absence, if the employee fails to return to work and does not submit a written request for an extension of the leave of absence, including the necessary physician's statement supporting the need for an extension of the employee's leave of absence, if applicable, the employee will be deemed to have resigned from the City's employ.

It is important that employees participating in IMRF first contact the Finance Department and that Police Officers and Firefighters contact their department directors to determine how a leave of absence without pay would affect their pension contributions, disability benefits, etc. Unauthorized leaves of absence may result in disciplinary action, up to and including immediate termination, as determined in management's discretion.

### **Medical Leave**

A medical leave of absence without pay may be granted by the City Manager's Office to an employee who is not eligible for FMLA leave or who has exhausted all FMLA leave and/or all accrued paid sick leave including time accrued in HP 21-C and HP 20-D accounts (see Sick Leave), holidays, personal days, vacation and incentive time benefits.

A written request for a medical leave of absence without pay must be sent to the department director for recommendation and subsequent transmittal to the City Manager's Office. The leave request must be supported by a physician's statement, and a doctor's release will be required before the employee may return to work.

During a medical leave of absence without pay, employees are responsible for paying the premium cost of group health/dental insurance.

Continuous service shall not be interrupted; however, loss of service credit will occur for the duration of the medical leave, and no benefits will accrue (i.e., vacation, sick leave, holidays, personal days, etc.). In the event the leave of absence is more than six (6) months, the employee's anniversary date will be adjusted accordingly. The maximum medical leave period is 12 months, subject to limited extensions as a form of accommodation.

### **Personal Leave**

A personal leave of absence without pay may be granted by the City Manager's Office to an employee to take care of pressing personal obligations provided that management determines, in its discretion, that the employee's absence will not cause a hardship to others in carrying out City operations. All accumulated vacation, holidays, personal days and incentive time must be utilized prior to requesting a personal leave. A written leave request must be sent to an employee's department director for recommendation and transmittal to the City Manager's Office.

Continuous service shall not be interrupted; however, loss of service credit will occur for the duration of the personal leave, and no benefits will accrue (i.e., vacation, sick leave, holidays, personal days, etc.). During a personal leave of absence without pay, employees are responsible for paying the premium cost of group health/dental insurance if they desire continued coverage.

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**ILLINOIS PUBLIC ACT 101-652 SECTION 4.1**

**(50 ILCS 105/4.1) PUBLIC OFFICER PROHIBITED ACTIVITIES ACT**

**Sec. 4.1. Retaliation against a whistleblower.**

- (a) It is prohibited for a unit of local government, any agent or representative of a unit of local government, or another employee to retaliate against an employee or contractor who:
  - (1) reports an improper governmental action under this Section;
  - (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.
- (b) To invoke the protections of this Section, an employee shall make a written report of improper governmental action to the appropriate auditing official. An employee who believes he or she has been retaliated against in violation of this Section must submit a written report to the auditing official within 60 days of gaining knowledge of the retaliatory action. If the auditing official is the individual doing the improper governmental action, then a report under this subsection may be submitted to any State's Attorney.
- (c) Each auditing official shall establish written processes and procedures for managing complaints filed under this Section, and each auditing official shall investigate and dispose of reports of improper governmental action in accordance with these processes and procedures. If an auditing official concludes that an improper governmental action has taken place or concludes that the relevant unit of local government, department, agency, or supervisory officials have hindered the auditing official's investigation into the report, the auditing official shall notify in writing the chief executive of the unit of local government and any other individual or entity the auditing official deems necessary in the circumstances.
- (d) An auditing official may transfer a report of improper governmental action to another auditing official for investigation if an auditing official deems it appropriate, including, but not limited to, the appropriate State's Attorney.
- (e) To the extent allowed by law, the identity of an employee reporting information about an improper governmental action shall be kept confidential unless the employee waives confidentiality in writing. Auditing officials may take reasonable measures to protect employees who reasonably believe they may be subject to bodily harm for reporting improper government action.
- (f) The following remedies are available to employees subjected to adverse actions for reporting improper government action:
  - (1) Auditing officials may reinstate, reimburse for lost wages or expenses incurred, promote, or provide some other form of restitution.

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- (2) In instances where an auditing official determines that restitution will not suffice, the auditing official may make his or her investigation findings available for the purposes of aiding in that employee or the employee's attorney's effort to make the employee whole.
- (g) A person who engages in prohibited retaliatory action under subsection (a) is subject to the following penalties: a fine of no less than \$500 and no more than \$5,000, suspension without pay, demotion, discharge, civil or criminal prosecution, or any combination of these penalties, as appropriate.
- (h) Every employee shall receive a written summary or a complete copy of this Section upon commencement of employment and at least once each year of employment. At the same time, the employee shall also receive a copy of the written processes and procedures for reporting improper governmental actions from the applicable auditing official.
- (i) As used in this Section:
- "Auditing official" means any elected, appointed, or hired individual, by whatever name, in a unit of local government whose duties are similar to, but not limited to, receiving, registering, and investigating complaints and information concerning misconduct, inefficiency, and waste within the unit of local government; investigating the performance of officers, employees, functions, and programs; and promoting economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the municipality. If a unit of local government does not have an "auditing official", the "auditing official" shall be a State's Attorney of the county in which the unit of local government is located.
- "Employee" means anyone employed by a unit of local government, 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. "Employee" also includes persons who have been terminated because of any report or complaint submitted under this Section.
- "Improper governmental action" means any action by a unit of local government employee, an appointed member of a board, commission, or committee, or an elected official of the unit of local government 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. The action need not be within the scope of the employee's, elected official's, board member's, commission member's, or committee member's official duties to be subject to a claim of "improper governmental action". "Improper governmental action" does not include a unit of local government personnel actions, including, but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals,

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suspensions, demotions, reprimands, or violations of collective bargaining agreements, except to the extent that the action amounts to retaliation.

"Retaliate", "retaliation", or "retaliatory action" means any adverse change in an employee's employment status or the terms and conditions of employment that results from an employee's protected activity under this Section. "Retaliatory action" includes, but is not limited to, denial of adequate staff to perform duties; frequent staff changes; frequent and undesirable office changes; refusal to assign meaningful work; unsubstantiated letters of reprimand or unsatisfactory performance evaluations; demotion; reduction in pay; denial of promotion; transfer or reassignment; suspension or dismissal; or other disciplinary action made because of an employee's protected activity under this Section.

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## **FORMS**

Current forms can be found on HPSHare, the [Employee Information Site](#), or upon request from Human Resources.

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## **ADMINISTRATIVE ORDERS**

Administrative Orders can be found on HPSHare, the [Employee Information Site](#), or upon request from Human Resources.

# ADMINISTRATIVE ORDERS

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