

The Village of Northfield

Employee Handbook

Updated 2/1/2024

**Village of Northfield
Employee Handbook- Updated 2/1/2024
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SECTION 1

GENERAL

1.1 Purpose of Employee Handbook

This volume of the Employee Handbook is current as of February 1, 2024, and may be supplemented, from time to time, thereafter. This Employee Handbook supersedes all prior versions and supplements. Should you have any questions, please feel free to contact your Supervisor, Department Head, Administrative Services Director, or Village Manager.

This Employee Handbook contains certain policies of the Village of Northfield relating to employment. The policies serve as guidelines to help Village employees understand the personnel program of the Village, clarify action to be taken to minimize the possibility of unauthorized personnel actions, and work together in achieving common goals.

The contents of this Employee Handbook are presented for your information. Except as otherwise specifically set forth, employment with the Village is at will and can be terminated at any time, with or without cause¹. All provisions in this Employee Handbook are subject to change by the Village, at any time, when it is believed to be in the best interest of the Village to do so. No policy, benefit, or procedure set forth in this Employee Handbook implies or may be construed to imply that this Employee Handbook is an employment contract. No promise of employment for any specific period of time is offered or established or is to be implemented on account of any statement in this Employee Handbook. No representative of the Village has any authority to enter into any agreement for employment for any specified period of time. Any oral or written statements or promises to the contrary are expressly disavowed and should not be relied upon by any existing or prospective employees.

It is intended that this Employee Handbook will help Village employees to understand their roles and to act appropriately in carrying out their duties. Please note that individual Departments may promulgate rules that may be stricter, but consistent with, the rules set forth in this Employee Handbook. In addition, Police Department employees are required to comply with all Board of Police Commissioners Rules as well as all General Orders. Similarly, employees of the Public Works/Fire-Rescue Department are required to comply with all policies, regulations, and Standard Operating Guidelines.

This handbook supersedes any and all other employment manuals and policies. However, if there is any conflict between this Employment Handbook and the codes and ordinances of the Village, the codes and ordinances shall prevail. Any agreements or assurances relating to the terms and conditions of your employment that differ in any way with the provisions of this handbook must be in writing and formally adopted or approved by the Board of Trustees.

¹ For sworn Police personnel, please see Section 17 of this Employee Handbook and the Rules and Regulations of the Board of Police Commissioners of the Village of Northfield

It is anticipated that this Employee Handbook will be referred to regularly. It is meant to help all employees to have a common understanding of Village policies and benefits. The Village encourages you to provide your opinions regarding this Employee Handbook to your Supervisor, Department Head, Administrative Services Director, or Village Manager.

1.2 Key Participants

The following individuals and groups are primarily responsible for formulating and carrying out personnel and employment policies. Reference to any of the following in this Employee Handbook shall include any persons designated to act in place of the officially elected or appointed body or officer:

Elected Officials:

An elected Village President and a six-member Board of Trustees govern the Village. The Employee Handbook is approved by the Board of Trustees. They are the elected representatives of the people and determine the general policies, programs, and goals of the Village. These, in turn, are carried out by the Village Manager and the staff.

The Village President and the Board of Trustees play a major role in personnel matters. They establish goals for the Village and direct Village employees to accomplish those goals. The goals which they establish form the framework for Village personnel policies and rules. The elected officials also approve salaries and benefits, the size of the work force, and the establishment or elimination of positions. The President and Board of Trustees appoint the Boards and Commissions that advise the Village Board on a wide variety of matters.

Village Manager:

The Village Board appoints the Village Manager who serves as their Chief Administrative Officer. The Village Manager is responsible for the overall administration of this Employee Handbook. The Village Manager has the authority to implement the policies adopted by the Village Board. In addition, the Village Manager may recommend amendments to the Employee Handbook for consideration by the Village President and Board of Trustees. The Village Manager may also review, approve, and amend actions taken pursuant to this Employee Handbook by Department Heads.

Board of Police Commissioners:

The Board of Police Commissioners is responsible for the recruitment, testing, selection, and promotion of sworn police officers. Additionally, the Board has the authority to conduct hearings and make determinations related to disciplinary proceedings. The Board of Police Commissioners is a three (3) member board appointed by the Village President with the approval of the Board of Trustees.

Department Heads and Supervisors:

Department Heads and Supervisors are responsible for directing the work of Departments and determining operational procedures and methods. They are responsible for determining work

assignments and methods as well as maintaining necessary discipline. Department Heads and Supervisors frequently administer personnel policies and play an important role in recommending policy changes.

Non-Supervisory Employees:

Non-supervisory employees fill a major role in delivering Village services to the public. For this reason, these employees are encouraged to make suggestions that will improve the delivery of these services.

1.3 Principles of Employment

This Employee Handbook is intended for use by all employees. The Employee Handbook is based upon the following principles, which are subject to the reasonable judgment of Supervisors:

- A. The Village will provide equal opportunity as set forth in Section 2.1 of this Employee Handbook.
- B. The provision of competitive compensation and benefits as determined in the judgment of the Village Board of Trustees.
- C. The improvement and efficient utilization of employee skills, in order to provide high quality job performance, personal growth, and satisfaction.
- D. The recognition of employees who meet or exceed performance standards, the improvement of adequate performance, and the discharge of those whose inadequate performance cannot be improved.
- E. The encouragement of understanding and communication among employees at all levels of the organization.
- F. The recruitment, selection, and retention of employees based upon their knowledge, skills, and ability to perform the duties of their position.
- G. The provision of a professionally administered personnel system based upon policies that are uniform, reasonable, fair, and provide protection against arbitrary and capricious decisions.
- H. The provision of safe working conditions conducive to effective and efficient public service.

1.4 Definitions

As used in this Handbook, the following words and terms, unless the context clearly indicates otherwise, shall have the meaning indicated below:

"FULL EMPLOYMENT STATUS" means the status achieved by an employee who has successfully completed the probationary period of employment. The Police Department shall have its own definition of "full employment status" for "sworn" personnel.

"FULL-TIME EMPLOYEE" means an employee of the Village who is hired for year-round work and regularly works at least 37.5 hours per week.

“HARASSMENT” In addition to any other express or implied definition, “harassment” shall include any unwelcome conduct on the basis of an individual’s actual or perceived race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy, unfavorable discharge from military service, or citizenship status that has the purpose or effect of substantially interfering with the individual’s work performance or creating an intimidating, hostile or offensive working environment.

“ORDER OF PROTECTION STATUS” means an employee who has sought or is being protected by an Order of Protection.

"PART-TIME EMPLOYEE" means an employee of the Village who regularly works more than six months per year, but less than the applicable, normal Departmental workweek (29 hours per week or less; 126 hours per month or less). A part-time employee is not entitled to the benefits of full-time employment. A Village employee employed full-time in one department is not permitted to be employed part-time in another Village Department. This restriction does not preclude a full-time Village employee from performing emergency work for another department or from serving as a member of the Fire/Rescue Department.

"PERSONNEL ACTION REPORT (PAR)" is a report form that must be used for any request for a change regarding the employment status of an employee including appointment, status change, separation, time-off requests, and compensation changes.

"PROBATIONARY PERIOD" means a working test period during which an employee is required to demonstrate, by actual performance of duties, a fitness for the duties to which the employee is appointed.

“RETIREMENT” means an employee of the Village is leaving the employment of the Village after achieving the required number of years of service and age to qualify for retirement benefits. If an employee’s hours are reduced or an employee switches to an alternate Village position in order to collect retirement benefits, that person shall not be deemed “retired” under this handbook.

“SEASONAL EMPLOYEE” means an employee of the Village who is hired to perform work associated with a particular season of the year that is six (6) months or less in duration.

“SUPERVISOR” means persons designated, in writing, by the respective Department Head as a Supervisor or any person who has the right to direct the work activity of one or more fellow employees.

"TEMPORARY EMPLOYEE" means an employee of the Village who was hired for the duration of a specific short-term task, project, or substitution in a position where the full-time employee is unable to perform the job. A temporary employee’s work will relate to a specific assignment or project. Such an employee may fill more than one temporary position and may from time to

time work a full workweek. A temporary employee is not a full employment status employee and is not entitled to the benefits of full-time employment.

“TEST RESULTS” a. “Negative Test Results” means that the results of the testing in question showed no use of or ill-effects of drugs or alcohol. b. “Positive Test Results” means that the results of the test in question showed use of or ill-effects of drugs or alcohol.

SECTION 2

CONDITIONS OF EMPLOYMENT

2.1 Equal Opportunity in Employment

The Village is firmly committed to equality of opportunity in employment. The Village Manager shall have the authority to establish programs and procedures that assure that employment, training, compensation, promotion, and other conditions of employment are provided without regard to race, color, religion, sex, national origin, ancestry, age, sexual orientation, military discharge status (except dishonorable), place of residence, marital status, political affiliation, order of protection status, physical or mental disability, and genetic information, all in accordance with applicable law. Furthermore, the Village Manager shall have the authority to assure that the Village does not deny equality of opportunity to any qualified individual who is able, with reasonable accommodation, to perform the functions of the job the employee holds or for which an applicant applies.

In the event that an employee has a complaint of discrimination or retaliation or believes that conduct prohibited by the Village's policy may be occurring, the employee may:

- A. Immediately report the complaint or incident in writing to his or her Supervisor. If the Supervisor is involved in the incident, the employee should report the incident to the next individual in the chain of command that is not involved, including their Department Head, Administrative Services Director, Village Manager or Village Attorney.
- B. File a charge of discrimination with the U.S. Equal Employment Opportunity Commission (contact information can be found in the Appendix A Resource Guide); or
- C. File a charge of discrimination with the Illinois Department of Human Rights (contact information can be found in the Appendix A Resource Guide).

It is best to contact the Commission or Department promptly when discrimination or retaliation is suspected. There shall be no discrimination or retaliation against any employee who, in good faith, makes a complaint or report of discrimination, retaliation, or harassment.

2.2 Americans with Disabilities Act Guidelines

It is the policy of the Village to comply with all provisions of the Americans with Disabilities Act ("ADA"). The Village will not discriminate against any qualified employee or job applicant with respect to any term or condition of employment based on a physical or mental disability or the perception of a physical or mental disability.

The Village shall make reasonable modifications or adjustments to a job or the work environment so as to enable performance of essential job functions for any employee with a disability that is known to the Village, if such accommodation does not result in an undue hardship to the Village.

Employees should notify their immediate Supervisor, Department Head, Administrative Services Director, or the Village Manager of any needed accommodation.

Any applicant or employee who believes that they have been discriminated against based on a physical or mental disability, or based on a perception that they suffer from a physical or mental disability, should follow the Village's Complaint Procedure as set forth in Chapter 2, Article VIII of the Village Code. In addition, an employee who believes that they have been discriminated against because of a disability may, within 180 days of the alleged discriminatory act, file a charge of discrimination with the U.S. Equal Employment Opportunity Commission (contact information can be found in the Appendix A Resource Guide).

Employees who wish to receive more information regarding the federal ADA regulations relating to workplace accommodations may contact the United States Department of Justice, Civil Rights Division (contact information can be found in the Appendix A Resource Guide).

2.3 Policy Prohibiting Sexual Harassment

A. Prohibition on Sexual Harassment

It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations. It is a policy of the Village to prohibit harassment of any person by any Village official, agent, employee or agency or office on the basis of sex or gender. All Village officials, agents, employees and agencies or offices are prohibited from sexually harassing any person, regardless of any employment relationship or lack of employment relationship.

B. Definition of Sexual Harassment

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

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

Conduct which may constitute sexual harassment includes:

- Verbal: sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
- Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, “catcalls”, “smacking” or “kissing” noises.
- Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic: “sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a “reasonable person.”

C. Procedure for Reporting an Allegation of Sexual Harassment

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

Any employee may report conduct which is believed to be sexual harassment, including the following:

- *Electronic/Direct Communication.* If there is sexual harassing behavior in the workplace, the harassed employee should directly and clearly express their objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- *Contact with Supervisory Personnel.* At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a department head, the Village Manager or the Village President.

The employee experiencing what they believe to be sexual harassment must not assume that the employer is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the Village will not be presumed to have knowledge of the harassment.

- *Resolution Outside Municipality.* The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the Village. However, all Village employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the municipality. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

D. Prohibition on Retaliation for Reporting Sexual Harassment Allegations

No Village official, agency, employee or agency or office shall take any retaliatory action against any employee due to an employee's:

1. Disclosure or threatened disclosure of any violation of this policy,
2. The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy, or
3. Assistance or participation in a proceeding to enforce the provisions of this policy.

For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any Village employee that is taken in retaliation for an employee's involvement in protected activity pursuant to this policy.

No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion, or denial of

promotion or transfer that occurs in retaliation for an employee who does any of the following:

1. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, agency, or other employee that the employee reasonably believes is in violation of a law, rule, or regulation,
2. Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, agency or other employee, or
3. Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, the Village may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. (740 ILCS 174/15(b)).

According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because that person has opposed that which the person reasonably and in good faith believes to be sexual harassment in employment, because that person has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

An employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge – due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.

E. Consequences of a Violation of the Prohibition on Sexual Harassment

In addition to any and all other discipline that may be applicable pursuant to Village policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreement, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable discipline or discharge by the Village and any applicable fines and penalties established pursuant to local ordinance, State law or Federal law. Each violation may constitute a separate offense. Any discipline imposed by the Village shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a State or Federal agency.

F. Consequences for Knowingly Making a False Report

A false report is a report of sexual harassment made by an accuser using the sexual harassment report to accomplish some end other than stopping sexual harassment or retaliation for reporting sexual harassment. A false report is not a report made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable municipal policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.

In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State's Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.

2.4 Workplace Anti-Violence Policy

It is the Village's policy to promote a safe and comfortable working environment for its employees. The Village is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Violence, threats, harassment, intimidation, and similar behavior in the workplace will not be tolerated. All reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal prosecution, or both.

If an employee observes or experiences any violent behavior, they must report it immediately to a Supervisor. If the Supervisor is involved in the incident, the employee should report the incident to the next individual in the chain of command that is not involved, including their Department Head, Village Manager, or Village Attorney. If the employee feels a direct or indirect threat of physical harm, they should call 9-1-1. All reports will be investigated, and the appropriate action will be taken to remedy the situation. No retaliation will be taken or tolerated against any individual who participates in an investigation or complaint reported under this Policy.

In accordance with the Workplace Violence Prevention Act, the Village may seek an order of protection to prohibit violence or threats of violence made against an employee in certain circumstances in accordance with the Act.

2.5 Drug-Free Workplace Policy²

As required by the Drug Free Workplace Act, it is the policy of the Village that the public has a right to expect that an individual employed by the Village will be free from the effects of drugs or alcohol. The Village requires each employee to be fit for duty and to set a positive example for the community.

The potential effects of alcohol and drug abuse are substantial in terms of lives lost, personal injuries, property damage, business losses (lost productivity, absenteeism, increased health care costs, etc.) and environmental damage. This policy sets forth the Village's expectations and requirements for creating and maintaining an alcohol and drug free environment, and for dealing with substance abuse in the workplace. This policy establishes guidelines to provide a safe, healthy, and secure work environment for Village employees and other individuals doing business with the Village.

Any reference to a specific disciplinary action in this Policy shall not be a limitation on the Village's right to invoke any other disciplinary measures that may be permitted by law. Further, this Policy is not meant to expand or limit the jurisdiction of the Board of Police Commissioners. These rules shall not apply to a police officer when, in the course of authorized duty, the officer may be required to engage in activity, often covert, which may otherwise appear to violate this policy.

This policy is applicable to all employees. However, federal law requires that persons who hold a Commercial Driver's License (CDL) be subject to particular testing rules. Therefore, certain provisions of this policy will apply specifically to those CDL employees. If there is a conflict between a general provision of this policy and CDL specific provisions, the more restrictive provision shall apply to CDL employees.

The purpose of this policy is to:

- A. Establish and maintain a safe and healthy working environment for all employees.
- B. Avoid accidental injury to persons or property.
- C. Prevent absenteeism, tardiness, and poor job performance.
- D. Provide, in appropriate circumstances, rehabilitation assistance for an eligible employee who seeks the Village's help in overcoming any addiction to, dependence upon, or problem with alcohol or drugs.
- E. Comply with federal regulations with respect to CDL License employees.

All employees are subject to this policy while on property owned, controlled or operated by the Village, including all offices, facilities, land, buildings, structures, fixtures, installations, automobiles, trucks, and all other vehicles and equipment, whether owned, leased, rented, or used by the Village.

All employees working for the Village are expected to report fit for duty for scheduled work and be able to perform assigned duties safely and acceptably without any limitations due to the use

² For purposes of this paragraph 2.5, the rules that apply to alcohol usage shall also apply to cannabis usage.

or after-effects of alcohol, illicit drugs, prescription and nonprescription medications, or any other substances.

This policy is intended to target and rectify current abuse. The Village will not discriminate against persons who have abused alcohol or drugs in the past and will give the same consideration to persons with diagnosed chemical dependencies as to employees with other diseases, as required by federal and/or state law.

The Village recognizes that substance abuse is a medical problem that can be successfully treated. Early detection and treatment of alcohol or drug abuse is important for successful rehabilitation. The Village therefore encourages employees who may have a drug or alcohol problem to seek out its Employee Assistance Program as set forth in Section 8.8 of this Employee Handbook.

Village ordinances provide certain limited occasions when alcohol may be served on Village premises. An employee may consume alcohol on Village premises on these limited occasions if the employee is not working, is not using a Village vehicle or equipment, or is not on-call for duty.

Prohibited Conduct

The Village strictly prohibits manufacturing, distributing, dispensing, possessing, using and/or selling a controlled substance, including any of the following items, by any employee on Village premises:

- A. Illegal or unauthorized drugs (including excessive quantities of a prescription drug or any other chemical substances that may affect an individual's mood, senses, responses motor functions or that may alter or affect a person's perception, performance, judgment, reactions or senses. Illegal drugs are those defined as illegal under federal, state, or local laws. They include, but are not limited to, cannabis, heroin, hashish, cocaine, hallucinogens, and methamphetamine.
- B. Drug related paraphernalia (material or equipment used or designed for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing into the human body any illegal, unauthorized drugs or cannabis).
- C. The bringing, keeping, or consuming of an alcoholic beverage into or upon Village premises. Except during the course of and at a special event authorized by the Village Board or Village Manager, alcohol may be possessed.
- D. Drinking alcoholic beverages or using cannabis while on duty.
- E. Having a blood alcohol content of higher than 0.04 or being under the influence of cannabis during working hours, during breaks or meal periods, while performing assigned duties, while on Village premises, on Village business, or in Village vehicles or equipment, or while on-call for duty.
- F. Refusal to submit to an alcohol screen or drug screen when the demand for such is permitted pursuant to this Policy.
- G. Failure to comply with conditions of a treatment program as determined and ordered by the Village.
- H. Failure to immediately report, in writing, a suspension of driving privileges to one's Supervisor.
- I. Use of alcohol or cannabis during the four (4) hours before going on duty.

- J. Use of alcohol or cannabis within eight (8) hours following an accident requiring a post-accident test.
- K. The use or possession of an illegal drug at any time whether or not on duty.
- L. Tampering with, adulterating, or substituting a test specimen or causing another person to tamper with, adulterate, or substitute a test specimen.

Medication:

Employees who are prescribed medication are expected to consult with their personal physician or pharmacist to determine if medication use will have any potential negative effects on job performance. They are required to report to their Supervisor if there is any potential risk, limitation, or restriction for whatever reason that may require modification of duties or temporary reassignment and provide appropriate medical verification on restrictions in the performance of duties. For purposes of this Medication section, cannabis, if prescribed by a physician, shall be deemed a medication (also, see below, Medical Marijuana).

The following acts, usage and omissions are prohibited:

- A. Prescription or over the counter drugs that may adversely influence performance or behavior when taken in prescribed quantities.
- B. The on-duty use of medication other than in the manner, quantity, or combination prescribed by a physician or as recommended by the manufacturer or use by a person other than for whom prescribed.
- C. Use of medication at such a time or in such a manner as to create a safety hazard.
- D. Using a legally prescribed controlled substance, without inquiring of the treating physician and being advised that the prescribed substance does not adversely affect the person's ability to safely operate a motor vehicle.
- E. Failure to report in writing the use of medication which may affect job performance to a Supervisor.
- F. Reporting for duty while impaired from any therapeutic drug use.

To avoid being disciplined for violation of this policy, an employee must notify the Village of his or her use of prescription or nonprescription medication before any Village required laboratory test is performed on the employee's specimen. Any positive test result must be consistent with the ingredients and prescribed use of such medication.

Medical Marijuana:

In compliance with the Compassionate Use of Medical Cannabis Pilot Program Act, the Village shall continue to enforce a policy concerning drug testing and a drug free workplace provided the policy is applied in a nondiscriminatory manner. The Village respects the rights of those employees who are Registered Qualifying Patients and who engage in the medical use of marijuana in compliance with the law. All employees who are Registered Qualifying Patients are subject to all of the Village's normal drug testing requirements, personnel policies, and disciplinary penalties for policy violations. A Registered Qualifying Patient who tests positive for cannabis may not be penalized solely for his or her status as a Registered Qualifying Patient unless

failing to do so would put the Village in violation of federal law or cause the Village to lose a monetary or licensing-related benefit under federal law or rules.

All Registered Qualifying Patients are expected to consult with their personal physician to determine if the use of medical cannabis will have any potential negative effect on job performance. All Registered Qualifying Patients are required to report to their Supervisor if there is any potential risk, limitation or restriction, for whatever reason, that may require modification of duties or temporary reassignment. Such employees are required to provide appropriate medical verification on restrictions in the performance of duties. The following employees are prohibited from becoming a Registered Qualifying Patient: active-duty police officers, firefighters, and CDL holders.

Each Qualifying Patient must carry his or her Registry Identification Card, issued by the Department of Public Health. Law enforcement personnel will have access to a verification system maintained by the Department of Public Health.

Cannabis, Marijuana

All employees, including Registered Qualifying Patients as defined by the Act, are strictly prohibited from using, possessing, selling, distributing, or being impaired by cannabis while on the Village's premises. All employees are subject to this policy while on property owned, controlled or operated by the Village. This includes, without limitation, all offices, facilities, structures, fixtures, installations, land, parking areas, sidewalks, common areas under the control of the Village, automobiles, trucks, and all other vehicles and equipment whether owned, leased, rented, or used by the Village.

All employees working for the Village are expected to report fit for duty for scheduled work and be able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of medical cannabis. Any employee found to use, sell, possess or distribute cannabis while on Village premises or performing Village related duties or while operating any Village equipment, is subject to disciplinary action, up to and including termination of employment and criminal prosecution. An employee must also not be impaired by medical cannabis during work hours to an extent that his or her job performance is affected, as observed by his or her Supervisor. Any cannabis found on the premises will be turned over to the appropriate law enforcement agency. All employees, including Registered Qualifying Patients, are subject to testing as set forth elsewhere in this policy to the same extent as any other employee.

Roles and Responsibilities:

Village Management, at all levels, shall endeavor to provide a safe and effective working environment and to support the well-being of each employee through awareness and appropriate training regarding drug, cannabis and alcohol issues. Supervisors shall have the authority to identify, report, or remedy concerns about an individual's ability to perform his or her job. Any employee who is suspected of violating the provisions of this policy will be removed from Village premises, pending an investigation and a decision on appropriate consequences up

to and including termination. Employees possessing a CDL should annually receive at least sixty minutes of training on recognizing alcohol and cannabis misuse and receive at least sixty minutes of training on recognizing controlled substance use. The training should cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and controlled substance use.

If an employee, visitor, or contractor arrives at the workplace (on Village property) and there is a reasonable suspicion that the employee, visitor, or contractor is under the influence of alcohol, cannabis or drugs, a Supervisor may immediately remove him or her from the work environment. In the event that there is any doubt as to whether the employee is or is not impaired, the Supervisor may err on the side of caution and remove him or her from the work environment.

Unexpected circumstances can arise when an off-duty employee is requested to work. It is the employee's responsibility to refuse the request to work and ask that the request be directed to another person, if the employee believes that they are unfit due to the influence of alcohol, cannabis or drugs.

If an employee believes an individual holding a more senior position is in violation of this policy, the employee should immediately notify a Supervisor, Department Head, Administrative Services Director, or Village Manager.

Testing Subjects:

1. Pre-Employment and Promotional Testing-

Any applicant or employee may be required to submit to drug, cannabis and/or alcohol testing as a condition of the promotional process, initial employment, being rehired, or during a change in job assignment.

Pre-employment testing may be performed only on applicants who have received a conditional offer of employment from the Village. However, refusal to submit to or a failure to pass a drug, cannabis and/or alcohol test will result in termination of the hiring process. Applicants may reapply for employment with the Village six (6) months after having a positive drug test.

2. Reasonable Suspicion-

Supervisors may order a drug, cannabis or alcohol test when there is reasonable suspicion or observation that gives rise to evidence that an employee is impaired or incapable of performing his or her assigned duties. Testing may not be based on a hunch or guess alone; suspicion must be based on observations concerning physical appearance, behavior, speech, and smell that are commonly attributed to controlled substances or alcohol use.

Reasonable suspicion may include: reduced productivity, unnecessary use of force, irrational behavior, excessive vehicle accidents, an accident inflicting damage to Village equipment, high absenteeism, and behavior inconsistent with previous performance, including long term physical or personality trait changes. Arrangements will then be made for taking the employee home.

Tests should be performed immediately. Employees are required to submit to any test (whether drug, alcohol, or both) that a Supervisor requests based on reasonable suspicion.

Testing steps are as follows:

- A. A Supervisor who has a reasonable suspicion that an employee is (1) using alcohol or cannabis during a duty period; (2) impaired by alcohol, cannabis or drugs; or (3) using illegal drugs; shall immediately relieve the employee from assigned work in order to protect the employee, fellow employees, and the public from harm.
- B. The Supervisor should immediately attempt to notify the Department Head of the action taken and the suspicion of impairment.
- C. Whenever practical, both the Supervisor and the Department Head shall interview the employee. If either reasonably suspects that the employee is impaired by drugs, cannabis or alcohol, then the employee will be taken to the Village's designated medical facility or the Police Department, as appropriate. The Police Department may conduct breath analysis for alcohol or conduct a field cannabis test.
- D. The Supervisor shall complete the Reasonable Suspicion Form no later than the end of the workday. A copy shall be sent to the Village Manager. It is important that a Supervisor documents the reasons and observations while the matter is fresh and details can be recalled.
- E. Upon reasonable suspicion of impairment, the employee will be ordered to submit to the appropriate screening test(s) as determined by the Supervisor. The employee will be given an opportunity to sign the appropriate release form and the medical facility or the Police Department will perform the appropriate test(s). If the employee refuses a test, the refusal may be deemed to be a positive result and the employee will be deemed insubordinate and subject to disciplinary procedures.
- F. After a screen is administered, the employee may be placed on leave until results are available.
- G. The employee will be provided with transport to and from the collection or testing facility.

Refusal of an employee to comply with the order to submit to a drug, cannabis or alcohol test under any of the above circumstances may result in discipline, up to and including, discharge.

3. Post-Accident-

Any of the following are sufficient grounds for a Supervisor to order a drug or alcohol test:

- A. Involvement in or responsibility for a work-related accident;
- B. Receipt of a moving traffic violation; or
- C. The vehicle incurs disabling damage.

Under the following circumstances, a drug, cannabis and alcohol test must be ordered:

- A. The accident involves a fatality; or
- B. Bodily injury requiring immediate medical treatment away from the scene.

An employee who is required to submit to a post-accident test will not be allowed to return to work until the test result is received by the Village.

4. Random Testing-

Random testing is required for those employees who hold a CDL license and for those who perform safety-sensitive functions. In either instance, the testing shall be conducted pursuant to Section 9.6 of this Employee Handbook.

5. Follow-up, Training and Disciplinary Process for Drug Testing-

Independent Testing:

Except for a breath analysis, when an employee has been tested pursuant to this Policy, and there is a positive result, the employee may request, in writing, that a sample of the original specimen be sent to another National Institute of Drug Abuse certified laboratory for an independent test. The employee may then have the sample tested independently within ten (10) days of the date of notice of the Village's test results.

The independent test shall be at the employee's expense and shall use the same testing process and threshold levels used by the Village or its laboratory. The result of the independent test may be considered when the Village evaluates an individual case. The Village may order a third test, at its expense, if the first two results are in conflict. If the Village believes that its initial test was incorrect, it may reimburse the employee for the cost of the independent test. Failure of the Village or its agents to retain or send to an independent laboratory the additional sample shall not invalidate the original test or be grounds for the employee's avoidance of appropriate discipline.

Disciplinary Action:

If there is reason to suspect that an employee is working while under the influence of an illegal drug, cannabis or alcohol, the employee will be suspended with pay until the results of a drug, cannabis or alcohol test are made available to the Village. Where drug and/or alcohol or cannabis testing is part of a routine physical or random screening, there will be no adverse employment action until receipt of the test results. Employees violating this policy will be subject to disciplinary action up to and including termination. Registered Qualifying Patients may be subject to disciplinary action to the same extent as any other employee but will not be subject to disciplinary action based solely on their status as Registered Qualifying Patients, unless failing to take an action would (1) put the Village in violation of federal law, or (2) cause the Village to lose a monetary or licensing-related benefit under federal law or regulations.

Any employee violating this policy: (a) while on Village premises; or (b) performing Village related duties; or (c) while operating any Village equipment, is subject to disciplinary action, up to and including termination of employment and may result in criminal prosecution. Any suspected illegal drug confiscated will be turned over to the appropriate law enforcement agency.

Where the employee tests positive on both the initial and confirmatory tests for drugs and/or cannabis or alcohol, the employee shall be subject to disciplinary action which can include

discharge, even for the first offense. The employee may also be required to undergo a drug and/or alcohol or cannabis evaluation by a properly certified and credentialed Substance Abuse Professional (SAP). If the SAP concludes that the employee should undergo further treatment or testing, the employee may be required to enter an approved counseling/treatment program, successfully complete the program and consent in writing to the disclosure by the program of its recommendations, any dangers it perceives in connection with the employee's continued performance of his or her job. The Village may require reports as to whether the employee is complying with and/or has successfully completed the program and the ongoing requirements of the program. Any refusal or failure to comply with the SAP's recommendations will subject the employee to immediate discharge. Complying with any prescribed counseling or treatment does not create any right to return to duty, it is merely a condition to such return. The costs for any evaluation and/or counseling and treatment shall be paid by the employee unless covered by the employee's insurance plan.

- Refusal to Provide a Specimen: An employee's refusal to provide a specimen for testing when ordered by the Village shall constitute cause for disciplinary action of a minimum suspension of five (5) working days. Such refusal may give rise to discharge of the employee, even for the first offense. If an employee is physically unable to provide a urine specimen, the Village may request a blood specimen for testing.
- Tampering With, Adulterating, or Substituting a Specimen: Intentionally tampering with, adulterating, or substituting a test specimen, or causing another person to tamper with, adulterate, or substitute a specimen, whether the employee's own specimen or another employee's specimen, shall constitute cause for disciplinary action which can include discharge of the employee who engages in such activity, even for the first offense. Any specimen that is deemed adulterated, diluted, or otherwise appears tampered with, by the collection agent, will result in an employee being requested to immediately give a second specimen. If the second specimen is invalid, it will be treated as a positive test result.
- Drug-Related Criminal Proceedings: A finding of guilty for any violation of a criminal drug statute shall constitute cause for disciplinary action, even for the first offense. Any such finding of guilt must be reported to the employee's Supervisor within five (5) calendar days of the finding. In deciding appropriate disciplinary action, the Village will consider the nature of the charge(s), the sentence, the employee's job assignment, the employee's record with the Village, any adverse impact of the employee's standing on the public's trust in the ability of the Village to carry out its responsibilities, and any other relevant factors. An Order of Supervision or Conditional Discharge is a finding of guilty.
- Disciplinary Appeal Process: Any employee being suspended or dismissed under this policy may file an appeal to the Village Manager for a review of the suspension or dismissal within 48 hours after notice or knowledge of the action. The appeal must be made in writing to the Village Manager and should state the basis of the appeal and what

action the employee is asking the Village Manager to take. A hearing shall then promptly be held by the Village Manager.

Upon such appeal and in the case of a suspension, the Village Manager may sustain the Department Head's action, reverse it with instructions that the employee so suspended receive pay for the period involved, suspend the employee for a different period of time, or discharge the employee, depending on the evidence presented. In the case of a dismissal, the Village Manager may reinstate the employee, change the dismissal to a suspension, or uphold the dismissal. The Village Manager's action shall be final.

- Sworn Police officers' activities in this regard shall fall under the purview of the Board of Police Commissioners.

Coordination with Law Enforcement Agencies:

The sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is a violation of the law. The Village will report information concerning possession, distribution, or use of any illegal drugs to law enforcement officials and will turn over to the custody of law enforcement officials any such substances found during a search of an individual or property.

Leaving Work:

The Village will arrange transportation for any employee who may be impaired from use of drugs, cannabis or alcohol.

Alcohol or Cannabis Use and Abuse:

The use or personal possession (e.g., on the person or in a desk, locker or vehicle) of alcohol or cannabis during work time or on Village property is a dischargeable offense. For all employees, alcohol or cannabis consumption is prohibited during the workday, including rest periods or meal periods.

Treatment and Counseling:

Self-referral by employees to the Employee Assistance Program (EAP) is encouraged. The earlier a problem is addressed, the higher the success rate. An employee who requests and is granted referral for treatment will not be subject to discipline based solely upon the seeking of treatment. Such voluntary treatment, standing alone, will not jeopardize an employee's job security or promotional opportunities. An employee may not, however, avoid discipline by requesting such treatment or leave if the employee is suspected of violating this Policy or any other Department or Village rule or regulation. A request for voluntary treatment will be kept CONFIDENTIAL. The cost of treatment, counseling or rehabilitation resulting from EAP referral will be the responsibility of the employee. EAP related activities, such as referral appointments, will be treated on the same basis as other personal business or health matters with regards to the use of sick or vacation leave or compensatory time. EAP contact information can be found in the Appendix A Resource Guide.

When documented job impairment has been observed and identified, a Supervisor may recommend participation in the EAP. Any action taken by the Supervisor, however, must be based on job performance.

Supervisor's referrals to the EAP will include the employee's release of information consent form to be returned to the Village by the EAP. Refusal to participate in, or failure to complete the EAP directed program, will be documented. Should performance not improve after a reasonable amount of time, the employee is subject to progressive discipline up to and including termination of employment.

Evaluation, Development of Treatment Plan, Return to Duty, and Reassignment:

When evaluation is required or permitted by this policy, it will be made at a designated treatment facility. A treatment plan may be developed, as necessary, based on the recommendation of the treatment professionals and the requirements of the Village. Such a treatment plan may include referral to another treatment facility or program. As part of the evaluation, the evaluating treatment professionals, in consultation with the respective Department Head, may request that an employee be reassigned to a different position or to different job duties, or to take a leave of absence for a reasonable period of time. Reassignment may be limited or denied depending on the Village's operating requirements. A leave of absence will typically be unpaid. However, the employee may use sick leave or personal leave time for this reason.

In cases where treatment is a condition of continued employment, the employee will be required to cooperate in and comply with all aspects of the treatment program (including referrals for additional treatment), undergo unannounced random drug, cannabis or alcohol screens, successfully complete all aspects of prescribed treatment, remain free of drug, cannabis and alcohol use, and sign an agreement consenting to these conditions.

Before any employee returns to duty requiring the performance of a safety sensitive function after engaging in alcohol related, prohibited conduct, the employee shall undergo a return to duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

Before any employee returns to duty requiring the performance of a safety sensitive function after engaging in cannabis or controlled substance related, prohibited or conduct, the employee shall undergo a return to duty urine drug test with a result indicating a verified negative result for controlled substances use.

Failure to comply with these conditions shall be cause for discharge. Moreover, positive test results from a random drug, cannabis and/or alcohol screening during treatment will be cause for discharge. The employee shall cooperate fully in the completion of all phases of testing and rehabilitation.

Upon returning, the employee is subject to at least six (6) unannounced follow-up tests during the first twelve (12) months after they return to duty. The employee may be subject to a maximum of three (3) additional unannounced follow-up tests during the following two years,

when recommended by the employee's SAP. Any employee who is off work for more than three (3) months for whatever reason, will be subject to the testing set forth in this Policy, including drug and/or alcohol testing.

Any employee reinstated to active duty following a positive drug and/or alcohol test, a refusal to test, or another violation of this policy may be required to submit to a return-to-duty drug and/or alcohol or cannabis test. The employee will not be allowed to return to work until the test result is received by the Village.

Completion of Treatment:

Refusal of an employee to cooperate in any prescribed additional treatment and testing following initial successful completion of the treatment program, will be cause for discharge.

Treatment Costs:

Participation in a treatment plan or program will ordinarily be at the employee's cost, utilizing health insurance coverage where available. Employees who continue to work or have available sick leave benefits will remain in pay status during treatment until or unless such benefits expire. Employees who do not have sick leave available and are required to undergo treatment without being allowed to work, may be permitted to take an unpaid leave of absence pursuant to any restrictions or guidelines established for such leave at the time it is allowed.

Records:

Confidentiality of Records: All alcohol and drug test results and any refusal to test records are maintained under strict confidentiality by the Village, the drug testing laboratory, the Medical Review Officer and, where applicable, the SAP.

Employee Entitled to Information: An employee is entitled, upon a written request to obtain copies of any records pertaining to his or her use of alcohol, cannabis and/or drugs including any records pertaining to conducted tests. The employee's access to the records shall not be contingent upon payment for the records.

Conditions under which the Village is mandated to release records:

- A. To the employee upon written request.
- B. When requested by any federal regulatory authority.
- C. When requested by the National Transportation Safety Board as part of an accident investigation.
- D. To a subsequent employer pursuant to written consent of the former employee.
- E. To the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee and arising from the results of an alcohol, cannabis and/or drug test.

2.6 Smoking Policy

In compliance with state and county regulations and in keeping with the Village's intent to provide a safe and healthful work environment, smoking in the workplace is prohibited in all Village buildings and Village vehicles. This policy applies equally to all employees and visitors.

This policy bans smoking in all Village-owned buildings, which include common work areas, private offices, conference and meeting rooms, elevators, employee lounges, staircases, hallways, restrooms, and the interior of all Village owned vehicles. Furthermore, smoking is also not permitted within 15 feet of any public entrance. E-cigarettes, vaporizers and pipes are also banned in all Village-owned buildings and from the interior of all Village-owned vehicles.

2.7 HIPPA Policy

1. Employees with Access to Protected Health Information ("PHI")

The Village as a single legal entity intends to fully comply with the provisions of the Health Insurance Portability and Privacy Act ("HIPAA"). However, the Village recognizes that only those persons or classes of persons as described below in their capacity as employees of the VILLAGE shall have access to PHI:

- a. PHI of Village Employees:
 - i. Village Manager
 - ii. Administrative Services Director
 - iii. Village Attorney
- b. PHI of individuals to whom Emergency Medical Service is provided:
 - i. Fire Chief
 - ii. Assistant Fire Chief

The employees described in this section shall have access to the minimum amount of PHI necessary to perform their employment operations. Any person or class of person described above who obtains access to or use of PHI in a manner that is contrary to requirements of this policy shall be subject to appropriate discipline, up to and including termination of employment. Regardless of whether a person is disciplined or terminated pursuant to this section, the Village reserves the right to modify or revoke any person's access to or use of PHI.

2. Village of Northfield Health Insurance Plan

The Village is a member of the North Suburban Employee Benefits Cooperative (NSEBC) and contracts with Blue Cross Blue Shield (BCBS) to provide health insurance benefits to participating employees of the Village. All requests for the use or disclosure of protected health information maintained by BCBS shall be governed by the BCBS policy on HIPPA privacy use and disclosure.

3. Permitted Uses and Disclosures for Payment, Treatment, and Operations

The Village is and shall be entitled to use and disclose any PHI, without the individual's authorization or consent, regardless of the source of such information, for purposes of payment, treatment and health care operations.

a. Payment includes:

- i. The activities undertaken by a Plan, or by a Business Associate on behalf of the health plan, to obtain premiums or to determine or fulfill its responsibility for coverage under the health plan and for provision of benefits under the health plan; or
- ii. The activities of a health care provider or health plan, or Business Associate on behalf of such plan or provider, to obtain reimbursement for the provision of health care.
- iii. Examples of Payment include:
 1. Determinations of coverage, adjudication or subrogation of health benefit claims;
 2. Risk adjusting any amounts otherwise due, based on enrollee health status and demographic characteristics;
 3. Billing, claims management and medical data processing;
 4. Review of health care services with respect to medical necessity, coverage under a health plan, appropriateness of care or justification of charges;
 5. Utilization review activities, including precertification and preauthorization of services.

b. Treatment means the provision, coordination, or management of health care and related services by one or more health care providers, including the coordination or management of health care by a health care provider with a third party; consultation between health care providers relating to an individual; or the referral of an individual for health care from one health care provider to another.

c. Health Care Operations means:

- i. The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan; or
- ii. Examples of health care operations are any of the following activities of the Village to the extent that the activities are related to the use or disclosure of PHI as a function of the Village:
 1. Conducting quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, provided that the obtaining of generalizable knowledge is not the primary purpose of any study resulting from such activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment;
 2. Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance,

health plan performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of non-health care professionals, accreditation, certification, licensing, or credentialing activities;

3. Underwriting, premium rating, and other activities relating to the creation, renewal or replacement of a contract of health insurance or health benefits, and ceding, securing, or placing a contract for reinsurance of risk relating to claims for health care (including stop-loss insurance and excess of loss insurance);
4. Conducting or arranging for medical review, legal services, and auditing functions, including fraud and abuse detection and compliance programs;
5. Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the entity, including formulary development and administration, development or improvement of methods of payment or coverage policies; and
6. Business management and general administrative activities of the entity, including, but not limited to:
 - a. Management activities relating to implementation of and compliance with the requirements of this Policy;
 - b. Customer service, including the provision of data analyses for policy holders, plan sponsors, or other customers, provided that protected health information is not disclosed to such policy holder, plan sponsor, or customer;
 - c. Resolution of internal grievances;
 - d. The sale, transfer, merger, or consolidation of all or part of an entity which is covered by the HIPAA Privacy Rule with another covered entity, or an entity that following such activity will become a covered entity, and due diligence related to such activity; and
 - e. Creating de-identified health information or a limited data set and fundraising for the benefit of the entity which is covered by the HIPAA Privacy Rule.

4. Required Uses and Disclosures Of PHI

The Village is permitted to use and/or disclose PHI for the following:

- a. To an individual in order to provide an individual with access to his or her own PHI;
- b. To an individual in order to provide an individual with accounting of disclosures of that individual's PHI;

- c. When required by the Secretary of the Department of Health and Human Services, or those acting under the authority or at the direction of the Secretary, to investigate or determine the Village's compliance with the HIPAA Privacy Rule.
5. Permissive Uses and Disclosures of PHI: Legal and Public Policy Purposes
PHI may be disclosed in the following situations without a participant's authorization, when specific requirements are satisfied. This Section of the policy describes the specific requirements that must be met before these types of disclosures may be made. The requirements include the prior approval of the Village Manager. Permitted are disclosures:
 - a. about victims of abuse;
 - b. about victims of neglect;
 - c. for judicial or administrative proceedings;
 - d. for law enforcement purposes;
 - e. for public health activities or health oversight activities;
 - f. about decedents;
 - g. for cadaveric organ, eye or tissue donation purposes;
 - h. for certain limited research purposes;
 - i. to avert a serious threat to health or safety;
 - j. for specialized government functions;
 - k. that relate to workers' compensation programs and certain employment related requirements.
6. Prohibited Uses and Disclosures of PHI
The Village shall not be entitled to use or disclose PHI for any purpose for which use and disclosure is not expressly allowed under this Policy, including but not limited to:
 - a. using or disclosing PHI other than as permitted or required under this Policy or applicable law, or in a manner inconsistent with the HIPAA Privacy Regulations, 45 C.F.R.160.101 et seq. and 164.501 et seq.;
 - b. taking adverse employment action against individual, except with respect to any fraud or unlawful act committed by the person, reasonably suspected to have been committed by the person or related to the person to whose PHI the Village has access, (provided, however, that the Village must still comply with requirements of Section IX).
 - c. for the payment or operation of the Village's non-health benefits, including, but not limited to, disability, workers' compensation and life insurance.
7. Disclosures Pursuant to Authorizations
PHI may be disclosed for any purpose where an authorization that satisfies all of the HIPAA Privacy Rule requirements for a valid authorization is provided by the participant. All uses and disclosures made pursuant to a signed authorization must be consistent with the terms and conditions of the authorization.

8. Incidental Disclosures Related to the use and Disclosure of PHI by the Village as a Health Care Provider

The Village understands that there will be times when there are incidental disclosures about PHI in the context of caring for a patient. The privacy laws were not intended to impede common health care practices that are essential in providing health care to the individual. Incidental disclosures are inevitable, but these may occur in radio or face-to-face conversation between health care providers.

The Village will be sensitive about the importance of maintaining the confidence and security of all material created or used by the Village that contains patient care information. Further it is the policy of the Village to be sensitive to avoiding incidental disclosures to other health care providers and others who do not have a need to know the information.

9. Business Associates

Disclosures of PHI may be made to Business Associates of the Village provided that the Village has obtained an assurance from the Business Associates in the form of a Business Associates Contract approved by the Privacy Official, stating that the Business Associates will appropriately safeguard the PHI.

10. "Minimum Necessary" Standard

When using or disclosing PHI or when requesting PHI from another party, the Village and its employees who have access to PHI must make reasonable efforts to limit PHI to the minimum amount necessary to accomplish the intended purpose of the use or the disclosure, and limit any request for PHI to the minimum necessary to satisfy the purpose of the request.

The minimum necessary standard does not apply to:

- a. disclosures to or requests by a health care provider for treatment;
- b. uses or disclosures made to the individual;
- c. uses or disclosures made pursuant to a valid authorization that was not requested by the Village;
- d. disclosures made to the Secretary of the Department of Health and Human Services;
- e. uses or disclosures required by law;
- f. uses or disclosures that are required for compliance with the applicable requirements of the HIPAA Privacy Rule.

11. Mitigation

It is the policy of the Village to mitigate, to the extent possible, any harmful effects that become known regarding the use or disclosure of an individual's PHI in violation of this Policy. Any use or disclosure of PHI, either by an employee of the Village or a Business Associate that is not in compliance with this Policy shall be immediately disclosed to the

Privacy Official, so that appropriate steps to mitigate potential harm to the individual may be taken.

2.8 Political Activity

All Village residents are entitled to equal treatment by Village employees. The political opinions and affiliations of any resident shall in no way affect the amount or quality of service received from the Village.

Political affiliation, preference, or opinion will not in any way influence the appointment, retention, or promotion of a Village employee.

State law prohibits employees from engaging in certain types of political activities during compensated time. The activities that are defined as “PROHIBITED POLITICAL ACTIVITIES” are as follows:

- A. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event;
- B. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event;
- C. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution;
- D. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question;
- E. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question;
- F. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question;
- G. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls;
- H. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question;
- I. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office;
- J. Preparing or reviewing responses to candidate questionnaires;
- K. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question;
- L. Campaigning for any elective office or for or against any referendum question;

- M. Managing or working on a campaign for elective office or for or against any referendum question;
- N. Serving as a delegate, alternate, or proxy to a political party convention; or
- O. Participating in any recount or challenge to the outcome of any election.

Political activities in regard to state, local, and national offices are not prohibited, but such activities must take place outside of compensated time and the employee shall not use an official position for the purpose of political coercion or influence.

During compensated time, an employee shall not directly or indirectly, demand, solicit, collect, or receive any assessment, subscription, or contribution, whether voluntary or involuntary, intended for any political purpose whatsoever from fellow employees or from the general public.

At no time, shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

Nothing in this Section prohibits an officer or employee from engaging in activities that are part of his or her official duties so long as those activities are otherwise permissible.

No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because they are a member or an officer of a political committee, of a political party, or of a political organization or club.

2.9 Conflict of Interest

An employee of the Village shall avoid conflict between individual private interests and the public welfare. Employees are directed to refer to the Village's Ethics Code as amended from time to time, which sets forth standards for a conflict of interest and the actions which should be avoided. See Sections 1-16(F) and 1-17 of the Village Code.

2.10 Acceptance of Gifts

- A. Article 10, "Gift Ban," of the State Officials and Employees Ethics Act (5 ILCS 430/1-1 *et seq.*) was adopted by the Village as required by Section 70-5 of the Act (5 ILCS 430/70-5). No officer or employee or his or her immediate family living with him or her shall accept any gift, favor or consideration, from any prohibited source. Per the State Officials and Employees Ethics Act, "prohibited source" means any person or entity who:
- a. Is seeking official action (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;
 - b. Does business or seeks to do business (i) with the member or officer or (ii) in the case of an employee, agency, or other employee directing the employee;
 - c. Conducts activities regulated (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;
 - d. Has interests that may be substantially affected by the performance or non-performance of the official duties of the member, officer, or employee;
 - e. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
 - f. Is an agent of, a spouse of, or an immediate family member who is living with a "prohibited source".
- B. Nor shall such officer or employee:
- a. Accept any gift, favor, or other consideration of value that may tend to influence the official in the discharge of his or her duties; or
 - b. Grant in the discharge of his or her duties any improper favor, service, or thing of value.
- C. The following are the exceptions to the prohibition on acceptance of gifts from prohibited sources (each of the exceptions listed in this Section is mutually exclusive and independent of every other):
- a. Opportunities, benefits, and services that are available on the same conditions as for the general public.
 - b. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
 - c. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
 - d. Educational materials and missions.
 - e. Travel expenses for a meeting to discuss business.
 - f. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law,

brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

- g. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
 - h. Food or refreshments not exceeding \$75 per person in value on a single calendar day.
 - i. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee and are customarily provided to others in similar circumstances.
 - j. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
 - k. Bequests, inheritances, and other transfers at death.
 - l. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$1.
- D. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Section if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

2.11 Outside Employment

The Village reserves the right to limit and prohibit outside employment for full-time employees. Outside employment is prohibited if it:

- A. Is conducted on Village time;
- B. Interferes with working hours or overtime requirements of the employee's position;
- C. Involves the use of Village uniforms, facilities, equipment, or supplies of any kind;
- D. Involves the use of official information not available to the public;
- E. May reasonably be construed by the public to be an official act of the Village; or
- F. Is in conflict with the employee's position with the Village. The outside employment shall be strictly construed as a conflict if it is or includes: work that the employee would be expected to do as part of Village work duties; work requiring approval or review of the Village, or work which would tend to influence the exercise of independent judgment on any matter coming before the employee in the course of Village employment.

While the Village understands the desire to undertake a second working opportunity, the employee must remember employment with the Village has priority. Employees who are subject to call at any time for emergencies, special assignments, etc. must recognize that outside employment cannot infringe on this obligation. The Village Manager and Department Head/Supervisor will consider the following regarding an employee's request for outside employment:

- A. Full-time employees must complete the Secondary Employment Form (Appendix B) and receive permission from both the Department Head/Supervisor and Village Manager before engaging in secondary employment (including self-employment).
- B. Outside employment is limited to a maximum of twenty (20) hours per week. The twenty (20) hours per week may be exceeded only if the employee is off work from the Village, while on vacation or if the hours are otherwise approved by the Department Head.
- C. Outside employment may be revoked at the discretion of either the Department Head/Supervisor or Village Manager at any time. This may be based on, but not limited to, the following: excessive use of sick leave, demonstrated inability to sustain both departmental and outside employment, or functions which show that the employee cannot perform his or her job safely and effectively.
- D. An employee's secondary employment is subject to review as needed.

2.12 Relatives

It shall be the policy of the Village not to hire relatives of currently elected officials, currently appointed officials, Department Heads, or the Village Manager for full-time, part-time, or seasonal positions. For purposes of this section the term "relatives" shall mean spouse, children, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, grandmother, or grandfather.

2.13 Confidentiality

Except as required by the Illinois Freedom of Information Act, employees are not permitted to disclose information obtained from another employee's personnel file. Personnel records shall not be released to a third party unless authorized by the employee whose records are being considered or required by law. Medical records shall be confidential and stored in a file separate from an employee's personnel record file. Copies of such documents will be made available to an employee upon advance written request in accordance with the Personnel Records Review Act. All inquiries and reference checks shall be handled by the Administrative Services Director in conjunction with the applicable Department Head. A breach of confidentiality by an employee shall be considered a disciplinary event, with penalties up to and including discharge.

2.14 Privacy

The Village provides employees with the communication systems and/or equipment necessary to an extent practicable, to promote the efficient conduct of business. Employees have no right or expectation of privacy regarding any communication, whether business or personal, that is sent, received, or stored on any of the Village's communication systems and/or electronic equipment.

2.15 Whistleblower Protection

The Village expects all its employees to be honest and ethical in their conduct and to comply with applicable federal, state, and local laws and regulations. The Village encourages employees to report any violation of federal, state, or local law or regulation. This includes any financial wrongdoing, witnessed or learned of by an employee. This will enable the Village Manager to investigate and, if applicable, correct the situation or condition. If the Village Manager is involved or believed to be involved in the matter being reported, employees may, in the alternative, make a report to the Village Attorney.

The organization will conduct an investigation and take appropriate action within a reasonable period of time. Such complaints will be held in confidence to the extent the needs of the investigation permit. This policy is not intended to discourage or prevent an employee from disclosing information to a government or law enforcement agency if the employee has reasonable cause to believe that acts or omissions are a violation of state or federal law, rule, or regulation.

An employee making a report shall be protected from discipline, retaliation, or reprisal so long as the employee made such a report based on a reasonable and good faith belief that the report is accurate and not based on the employee's intent to harm, harass, intimidate, or retaliate against another individual. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly or recklessly making a false report under this policy.

2.16 Subpoenas and Depositions

Upon receiving a subpoena to appear for a deposition on Village matters, the employee must immediately relay that information to the appropriate Department Head. The Department Head will give a copy of the subpoena to the Village Attorney. A copy of the subpoena shall be placed in the employee's personnel folder. If time must be taken during work hours, this must also be discussed with the Department Head so arrangements can be made in order to cover a shift. A subpoena for a non-work-related issue requires the use of vacation time, personal time, or compensatory time.

2.17 General Appearance

Since an employee's appearance makes an impression upon those with whom the employee comes into contact, each employee must, while on duty, maintain a professional appearance that is appropriate to the job. Employees must conform to any written standards set by the Department for which the employee works.

2.18 Employee Recognition

One of the ways in which the Village recognizes the importance of employee commitment and service to the community's residents is with an Employee Tenure Recognition Program. Each December, during the annual Employee Holiday Luncheon and Service Award Program, the Employee Tenure Recognition Program provides an opportunity to officially recognize employees' service to the Village. Awards are made only to employees in good standing celebrating 5, 10, 15, 20, etc. (5-year increments) years of service. Years of service are based on the first day of employment. A certificate and a cash award are presented to the employee on their actual anniversary date as follows:

5 years	\$250
10 years	\$300
15 years	\$350
20 years	\$400
25 years	\$450
30 years	\$500
35 years	\$550
40 years	\$600

2.19 Solicitations for Charitable Donations

Many employees have favorite charities and causes to which they like to contribute and from time to time, even encourage others to contribute. However, charitable and political solicitation for donations can become disruptive and uncomfortable for fellow employees when done in the workplace. Therefore, employees should not actively solicit (including using Village e-mail) for the purchase of goods or services or for the donation of money, gifts, or services. It

also includes any posted notes or suggestions of contributions for one's participation in a walk or race for a charitable or political cause.

The charitable sale of consumables or placing an order form in a public area of a Village building is exempt from this policy. This exemption does not include Department Heads.

SECTION 3

PAY AND CLASSIFICATION

3.1 Purpose

The objective of the Village's Pay Policy is to attract, retain, and provide positive motivation for employees while controlling Village costs. The position classification plan is intended to:

- A. Establish educational and work experience qualifications for recruiting, testing, and other selection purposes.
- B. Provide Department Heads with a means of analyzing work distribution, areas of responsibility, lines of authority, and other relevant employment relationships.
- C. Assist Department Heads in determining personnel service costs and projections for annual budget requirements.
- D. Provide a basis for developing standards of work performance and requirements for each position.
- E. Establish standards for promotional opportunity.
- F. Indicate employee training and career development needs.
- G. Provide uniform and appropriate titles for all positions.
- H. Provide the basis for compensation (pay plan) and other matters of employee concern.

3.2 Position Classification Plan

A position classification plan, based upon and graded according to the nature of work, principal duties, responsibilities, knowledge, abilities, and skills required for the work, shall be developed and maintained by the Village Manager. Subject to budgetary constraints and the Village Code, the Village Manager may establish, combine, or eliminate positions in the Village organization. The position classification plan shall include a listing of positions in the Village organization arranged in appropriate occupational categories and job descriptions for each position.

3.3 Salary Ranges

The Village has established pay ranges for both its sworn and non-sworn personnel. The plan provides for a minimum and maximum salary for all positions with the exception of Village Manager and Department Heads. Employees may consult with their Supervisor for specific information regarding the salary range classification.

3.4 Progression Through Salary Range

Each employee's salary will be reviewed prior to the start of each fiscal year. Whether an employee progresses through a salary range will be based on, but not be limited to, performance. This shall include job knowledge and quality, productivity, disciplinary actions, professionalism, dependability, safety, attendance/punctuality, and availability of funds as adopted by the Corporate Authorities.

SECTION 4

PAYDAYS AND PAY DEDUCTIONS

4.1 Pay Periods

Employee salaries shall be payable bi-weekly on Friday. If payday falls on a holiday, paychecks shall be distributed or deposited on the last working day preceding the holiday. Paychecks shall be distributed only to the employee and not to members of the employee's family or others unless the Village is so directed, in writing, by the employee. An employee whose employment is terminated in the middle of a pay period shall be paid for the actual time worked during that pay period. Such an employee shall receive the final paycheck on the first regularly scheduled payday that follows the date of termination.

4.2 Deductions

Deductions from each paycheck shall include the following:

- A. Illinois Municipal Retirement Fund (IMRF)- All full and part time employees who are anticipated to work a minimum of 1,000 hours a year (except for sworn police personnel who qualify for the police pension) shall participate in the IMRF. The contribution is based on a percentage of the participating employee's qualifying wages.
- B. Federal and State Income Taxes- These shall be based on the employee's pay, marital status, number of dependents, and other factors as required by law.
- C. Police Pension- This shall be based on a percentage of the qualifying wages of each participating sworn member of the police force.
- D. Other Deductions- These may be taken out of the employee's pay as required by law or at the employee's written request, such as the employee's share of group insurance (if required), ICMA-RC, 2.4% Cafeteria Plan, etc.

SECTION 5

PERFORMANCE REVIEWS

5.1 Responsibility

The Village Manager, in cooperation with Department Heads, will administer a formal system of evaluating the performance of all employees. The standards of performance recommended as a basis of such rating will have reference to quality and quantity of work done, the manner in which the work is done, the conduct of employees and adherence to their duties and other characteristics which measure the value of the employee to the Village.

5.2 Purpose of Evaluation

The purpose of these evaluations is to enable employees and supervisory personnel to work together to improve job performance and, therefore, the service provided to the residents of the Village. A copy of the job performance evaluation will be provided to and discussed with the employee involved. The employee as well as all individuals involved in the rating process will be required to sign and date the form. The original evaluation shall be placed in the employee's personnel file.

5.3 Use of Evaluations

Performance evaluations may also be used as follows:

- A. Determining the successful completion of the employee's probationary period;
- B. Disciplinary actions or dismissal;
- C. A factor in salary considerations;
- D. A factor in determining order of layoff;
- E. A basis, where appropriate, for training, promotions, demotions, and transfer;
- F. For such other purposes as may be set forth in this Handbook.

5.4 Frequency of Evaluations

Each Department Head or Supervisor shall prepare and record on forms prescribed by the Village Manager, evaluations of the performance of all probationary, full-time, and part-time employees. Job performance evaluations for all personnel, including sworn and non-sworn personnel, will be due at the end of the defined probationary period for probationary employees, and thereafter at least once annually for all full and part-time employees. This does not preclude more frequent evaluations, which may be prepared by the Supervisor or the Department Head. A copy of the evaluation shall be provided to the employee and the original shall be filed in the employee's personnel file.

SECTION 6

RECORDS AND IDENTIFICATION

6.1 Maintenance of Time Records

Department Heads shall maintain and approve all daily time records. Each Department Head shall furnish the Finance Department with payroll records for all employees within the Department on the working day after the close of the payroll period, unless otherwise authorized or required.

6.2 Status Change

Payroll and status changes shall be made only after execution of a PAR form approved by the Department Head and the Village Manager.

6.3 Change of Name, Address, Marital, or Family Status

Employees shall report all changes in name, address, telephone number, and marital or family status on a PAR form to the Finance Director within ten (10) days of the change. When any such changes require the submission of new W-4 or ILW-4 forms (income tax withholding form), a copy of the revised form shall be attached to the PAR form. Any other forms needed to update information on life and health insurance and pension records shall be attached to the PAR form and entered in the B-swift portal located on the Village's intranet.

6.4 Identification Cards

Identification cards shall be issued to employees for use in the performance of official business for the Village such as identification to citizens or to local merchants when making inspections or authorized purchases. Misuse of the ID card is prohibited.

The employee must immediately notify his or her Department Head if an ID card is lost or stolen. Upon termination of employment, the ID card shall be surrendered to the employee's Department Head.

6.5 Personnel Files

The Village maintains personnel files of all employees in the Village's service. These files shall be confidential and contain the history of each employee during employment by the Village. The files shall consist of, but not be limited to, dates and records of sick leave, injuries, vacations, commendations, reprimands, performance evaluations, accidents, or damage involving Village property, education, and special training received at Village expense. Medical and Worker's Compensation information shall be kept in a separate file. Access to an employee's personnel

file shall be limited to the employee, the employee's Department Head, the Village Manager and such personnel as the Village Manager may designate.

Number of Inspections Per Year:

The Village shall, upon an employee's written request, grant up to two (2) inspections of their personnel file in any calendar year. The Village shall provide the employee or designated representative with the inspection opportunity within seven (7) working days after the employee or designee makes the request. Inspection of a "Discipline" file by a Police Department employee must first be approved by the Village Attorney and then take place in the presence of the Police Chief or Deputy Police Chief. Other personnel file inspections shall take place in the presence of the relevant Department Head at the Village Hall and during normal Village Hall working hours. If an employee demonstrates an inability to review the personnel file at the Village Hall, the Village shall, upon the employee's written request, mail a copy of the requested record to the employee at the employee's expense. In addition, an employee may request a copy of part or all of his or her personnel file, and copies shall be made at the employee's expense. The fee for copies shall be the actual duplication cost.

Prohibitions:

The Village shall not gather or keep a record of an employee's associations, political activities, publications, communications, or non-employment activities. This prohibition shall not apply to the activities that occur on the Village's premises or during the employee's working hours.

Exemptions:

The right of the employee to inspect the personnel file does not apply to:

- A. Letters of reference for that employee.
- B. Any portion of a test document, except that the employee may see a cumulative total test score for either a section of or the entire test document.
- C. Materials used by the Village for management planning that affect more than one employee.
- D. Information of a personal nature, about a person other than the employee, if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- E. Records relevant to a pending claim between the Village and the employee that may be discovered in a judicial proceeding.
- F. Investigation or security records maintained by the Village related to possible criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the Village's property, operations, or business or could by the employee's activity, cause the Village financial liability, unless and until the Village takes action based on information in such records.
- G. Other materials excludable by law.

Due Process:

If the employee disagrees with any information contained in the personnel file, the employee may submit a written statement explaining the employee's position. The Village shall attach the

employee's statement to the disputed portion of the personnel file. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party as long as the disputed record is a part of the file. The inclusion of any written statement attached in the record without further comment or actions by the Village shall not imply or create any presumption of Village agreement with its contents.

Release of Information to Third Parties:

Under ordinary circumstances, it is Village policy to refuse to divulge the contents of a disciplinary report, letter of reprimand, or other disciplinary action to a third party or to a party who is not a part of the Village organization. However, if such information is inadvertently divulged, this statement of policy shall create no liability against the Village.

There is no prohibition against disclosure to third parties if:

- A. The employee has specifically waived confidentiality as part of a written, signed employment application with another employer;
- B. The disclosure is ordered to a party in a legal action or arbitration;
- C. Information is requested by a government agency as a result of a claim or complaint by an employee, or as a result of a criminal investigation by such agency;
- D. The Village has mailed written notice of intent to divulge such information to the party's last known address, and the disclosure is otherwise permitted by law; or
- E. The disclosure is otherwise required by law.

SECTION 7

NEW EMPLOYEES

7.1 Hiring

The Village is an equal opportunity employer and as such prohibits unlawful discrimination in the hiring, promotion, transfers, compensation, administration of benefit plans, training, termination, and all other conditions of employment. The Village hires what it judges as the best qualified candidate for each available opening.

As an equal opportunity employer, the Village prohibits any discrimination based on age, race, color, sex, religion, national origin, ancestry, sexual orientation, marital status, genetic information, order of protection status, military status, disability, or unfavorable discharge from the military.

Recruitment:

Notice of employment opportunities, depending on the position, will be published by posting the announcement on the Village's website, as deemed appropriate, in official bulletin boards, newspapers, other municipalities, or related professional organizations. The announcement may specify the title, salary range, nature of the work to be performed, minimum qualifications, and all information on the time, place, and manner of making application.

Whenever an applicant is rejected or disqualified, notice of such rejection or disqualification may be provided to the applicant if deemed appropriate. Applications, whether accepted or rejected, shall not be returned.

Examinations:

Examinations shall relate to those matters which fairly test the aptitude and qualifications of applicants and employees for a position. Examinations may include written, oral, or work simulation tests; ratings of experience and training; fingerprinting and background investigation; polygraph test (only if permitted by law); post offer physical examinations; post-offer alcohol/drug screen; post-offer psychological evaluation; any combination of these; or any other tests deemed necessary and permitted by law. A formal driver's license history check and background checks may be required, depending on the position.

7.2 Orientation

All new employees should receive the proper orientation to ensure the success and understanding of their new position with the Village. The goal is to create not only a well-trained employee, but to welcome them into the Village.

New employees shall meet with the Administrative Services Director or his or her designee for orientation, which includes filling out W-4 forms, access to the Employee Handbook, payroll services, employee benefits, etc., according to the New Employee Orientation Checklist.

New employees shall be trained in the telephone system, computer set-up, and other specialized equipment pertaining to the department.

The employee's Supervisor shall take the employee on a tour of all of the Village buildings, introduce him or her to the Village staff, and review Village policies and procedures.

7.3 Duration of Probationary Period

Any person appointed to an employment position shall, prior to being accepted into full employment status, successfully complete a probationary period. Additionally, all employees transferred or promoted to a different job position must complete the probationary period required by the position.

The probationary period shall be utilized for closely observing the employee's work, for obtaining the most efficient adjustment of a new employee to the appointed position, and for rejecting any employee whose performance does not meet required standards or expectations. At any time during the probationary period an employee may be discharged without cause. Probation periods are as follows:

- A. Sworn Police personnel: Twenty-four (24) months
- B. Fire/Rescue Personnel: Twenty-four (24) months
- C. All other personnel: Six (6) months

At least ten (10) days prior to the expiration of an employee's probationary period, the employee's Supervisor shall complete an evaluation report and submit it to the Village Manager, stating whether the employee has successfully completed his or her probationary period, and recommending whether the employee should be appointed to full employment status. If an adequate evaluation cannot be made, the probationary period for an employee (other than sworn Police personnel) can be extended for a specific period of time but no more than an additional six (6) months and only upon the written recommendation of the Department Head and the approval of the Village Manager.

SECTION 8

EMPLOYEE BENEFITS

8.1 Health and Life Insurance

The Board of Trustees has approved group life and health insurance for full-time employees as follows:

- A. **Life Insurance:** (employee only) at the following coverage (or per the stipulations of the insurance carrier):
 - a. Village Manager and Department Heads: 2.5 x salary (maximum = \$245,000)
 - b. All other positions: 1.5 x salary (minimum = \$50,000, maximum = \$100,000)

Employees are taxed annually for life insurance coverage in excess of \$50,000. Employees may elect to limit life insurance to \$50,000. Employees may decline Village provided life insurance coverage by submitting a completed PAR form to the Finance Department.

- B. **Medical Benefits:** (employees and their dependents):
The premiums and coverage vary according to plan selection. The Village offers a health insurance buy-back program for employees with alternate health insurance coverage.
- C. **Dental Benefits:** (employees and their dependents):
Employees pay 100% of the premium for coverage.
- D. **Vision Benefits:** (employees and their dependents):
Employees pay 100% of the premium for coverage.

Insurance coverage shall become effective on the date of hire and shall cease at the end of the month of termination. Retired employees who wish to participate in the Village's group health insurance must notify the Finance Department. The Finance Department has information regarding premiums and coverage, which shall be furnished to each employee.

8.2 Patient Protection and Affordable Care Act

The Patient Protection and Affordable Care Act (PPACA) requires that employers provide health care coverage to all full-time employees. PPACA defines "full-time employee" as one working an average of thirty (30) hours or more per week during a measurement period that began in 2014. Under this new system, even part-time, seasonal, or temporary employees could be deemed full-time for PPACA purposes. In order to preserve part-time, seasonal or temporary employment positions, the following policy shall be followed:

Part-Time Employees:

All part-time employees must be budgeted, scheduled, and work no more than twenty-nine (29) hours per week or one hundred twenty-six (126) hours in a month.

If circumstances arise that require a part-time employee to work thirty (30) or more hours in any particular week, then that employee’s schedule must be adjusted for the following weeks to ensure that, in total, that employee works no more than one hundred twenty-six (126) hours in that calendar month.

Seasonal Employees:

Seasonal employees are employees engaged to perform work associated with a particular season of the year that is six (6) months or less. Seasonal employees' hours are measured using the look-back measurement period, even if their hours are expected to exceed an average of thirty (30) hours per week. As such, Supervisors must consult with the Village's Finance Director regarding the number of hours worked by seasonal employees to ensure that seasonal employees work an acceptable number of hours.

Temporary Employees:

PPACA does not address temporary employees as a category of employee. Therefore, if a temporary employee is reasonably expected to work more than an average of thirty (30) hours per week, that employee must be offered health insurance coverage before the last day of the third full calendar month of employment. If it cannot be determined whether a temporary employee is reasonably expected to work an average of at least thirty (30) hours per week, then the look-back measurement periods are used. As such, Supervisors must consult with the Village's Finance Director regarding the number of hours worked by temporary employees to ensure that temporary employees work an acceptable number of hours.

This procedure may be adjusted at any time in order to assure compliance with the Internal Revenue Code or IRS regulations promulgated thereunder.

Supervisors do not have the authority to deviate from these procedures. Any questions about these procedures and about the PPACA should be directed to the Village’s Finance Director.

8.3 Flexible Benefit Plan (2.4% Cafeteria Plan):

For full-time employees hired before January 1, 2019, a flexible benefits plan is in place to assist with health insurance premiums and flexible spending accounts. Employees hired after January 1, 2019 are not eligible for this benefit. Employees who choose to receive this benefit as cash are taxed accordingly.

Date of Hire	Benefit
Before January 1, 2013	2.4% of employee’s salary (minimum of \$650 annually)
January 1, 2013- January 1, 2019	2.4% of employee’s salary (minimum of \$650, maximum of \$2,400 annually)
After January 1, 2019	0%

8.4 Health Savings Benefit Contributions

Employees have the option of contributing the 2.4% cafeteria plan amount to their Health Savings Benefit Contribution Plan.

8.5 Consolidated Omnibus Budget Reconciliation Act

Through the Consolidated Omnibus Budget Reconciliation Act (COBRA), federal legislation provides that employees and their dependents have the right to continue group Health Insurance at their own expense for a specified time in the event of loss of such benefits because of termination (except for gross misconduct), death, divorce, or child's loss of dependent status. The specified time is determined by law and varies from 18 months to 3 years, depending on the circumstances. Further information can be obtained from the Finance Department.

8.6 Workers' Compensation

If an employee is injured on the job, the injury must be promptly reported to the immediate Supervisor and a written accident report must be filed with the Administrative Services Director within 5 days of the injury. Medical and hospital expenses incurred due to a bona fide work-related injury will be paid in accordance with applicable provisions of the Illinois Workers' Compensation Act.

If the work-related injury for which the employee is taking a Workers' Compensation absence is a serious health condition as defined by the Family and Medical Leave Act (FMLA), the twelve (12) week FMLA leave entitlement shall run concurrently with the Workers' Compensation absence.

Full-Time Sworn Police Officers:

Full-time sworn police officers, who are injured in the line of duty and consequently unable to perform police duties, are entitled to benefits pursuant to the Public Employee Disability Act (PEDA 5 ILLS 345/1). This act provides up to 365 days of full compensation paid on the same basis as before the injury with no assessment for federal or state taxes. In accordance with PEDA, there are no deductions from sick leave, vacation, compensatory, or other accumulated time, and the officer receives full benefit accrual. There are also no deductions for service credits in the Police Pension Fund. However, such officers may not be employed in any other manner even if no monetary compensation is paid.

After 365 days of PEDA, full-time sworn officers will be entitled to workers' compensation payments of 66.66% of the employee's salary based on the previous 12 months of earnings. The officer may also apply for disability from the Police Pension Fund and should consult the rules of the Fund for such benefits.

All Non-Sworn Employees:

According to the Illinois Workers' Compensation law, no compensation is payable to an employee for a work-related injury for the first three complete working days (not including the day of injury)

of the employee's incapacity. If the incapacity continues for 14 or more scheduled working days, workers' compensation will revert to the first scheduled working day. Although not required by law, it is the Village's policy to compensate employees for the first three days of lost time.

After the first three days, workers' compensation pays 66.66% of the employee's salary based on the previous 12 months of earnings. The Village will pay the balance of the employee's paycheck for one year and will deduct taxes as required by law. While a full-time employee is in full paid status, all benefits will accrue at the employee's regular rate.

An eligible employee may also apply for disability and should consult with IMRF regarding disability benefits.

Doctor Appointments for Work-Related Injuries – All Employees:

When an employee returns to work following a work-related injury and continues to receive treatment for the injury, the employee must make every effort to schedule these appointments outside of working hours.

8.7 Death of Employee

In the event of the death of an employee, in addition to Village paid life insurance and pension benefits, if applicable, the employee's surviving spouse or estate shall receive the deceased's final paycheck and the monetary equivalent of the employee's accumulated over-time/compensation time, accrued vacation leave, and eligible accrued sick leave. This payment shall be based on the hourly straight time rate of pay received by the employee and shall be subject to all applicable withholdings that were in effect at the time of the employee's death. Sick leave shall be paid in accordance with Section 14.7. This payment shall be made on the regular pay period immediately following the employee's death.

8.8 Employee Assistance Program

The Village provides full and part-time employees and their immediate family members with an Employee Assistance Program (EAP). The following procedures establish guidelines for recognizing, referring, and providing professional guidance and treatment to employees experiencing personal problems. The primary objective in implementing an EAP is to provide distracted employees with a confidential, convenient, initial no-cost opportunity to resolve personal problems independently and at an early stage, before they lead to more serious difficulties. Should work performance deteriorate and should non-work-related problems appear to be contributing to noted deficiencies, the EAP will serve as a resource that Supervisors may recommend to employees to assist them in restoring their performance to a satisfactory level. EAP contact information can be found in the Appendix A Resource Guide.

The EAP is voluntary, and the employee is responsible for deciding whether to request assistance and accept treatment through the EAP. All issues relating to the EAP are strictly confidential; records are maintained at the provider's office and the only information provided to the Village is a statistical summary of the type and number of requests for help received. An employee shall

not be subject to any reprisal or negative consequences for utilizing the EAP. Employees utilizing the EAP remain responsible for performing the duties of their position according to Village standards.

Confidentiality exceptions may occur only with the written permission of the employee. This would typically apply when a Supervisor encourages the employee to seek assistance for job-related reasons and the employee wants the Supervisor to be informed of follow through or progress. This exception may also apply when special accommodations affecting work are necessary, such as a Leave of Absence.

Qualified EAP counselors are available by telephone and are available for emergencies 24 hours a day, 7 days a week. EAP contact information can be found in the Appendix A Resource Guide. Problem assessment will be provided to each employee (or family member) initially at no cost. Should longer-term treatment be required, the employee will be responsible for any additional costs incurred. The EAP is designed to assist with personal problems in areas including, but not limited to marital and family, alcohol and chemical dependencies, financial, legal, stress, depression, and emotional difficulties.

Self-Referrals:

Upon calling the EAP for assistance, depending upon the outcome of the telephone conversation, a staff counselor will generally schedule an appointment at a mutually convenient time and office location. In the event of a "crisis", these issues will be dealt with on an immediate basis.

Following the assessment session(s), if the problem is not resolved, the counselor will recommend further treatment by an outside therapist or suggest another course of action. In referring an employee to an external source, whether it is a counselor or rehabilitation center, the EAP will consider the nature and severity of the problem, the desired geographic area for treatment, the employees benefit coverage, and the employee's ability to pay. In any case, the initial EAP counselor will follow up to ensure that the employee is satisfied with the treatment received, and, if not, provide a more appropriate referral.

Supervisory Referrals (Performance Related):

In adherence to the Village's performance policy, supervisory personnel are responsible for identifying employees whose performance and/or behavior is marginal or below standard. Performance deficiencies are to be documented, employees advised, and expectations for improvement clearly set forth.

When there is reason to believe that an employee's work-related difficulties are due to personal problems, the Supervisor may recommend that the employee seek assistance through the EAP. The Supervisor's role is to make the employee aware of the EAP and motivate the employee to utilize the service. It is important that the focus of this discussion be on encouraging the employee to accept personal responsibility for correcting the performance and/or behavior problem, whether the employee seeks help through the EAP or corrects the problem on his or her own. The employee is ultimately responsible for his or her job performance. A Supervisor

should not attempt to diagnose an employee's problems or accuse or label an employee of having any type of psychological, emotional, or substance abuse problem.

The Supervisor should contact the Village Manager for guidance in handling potentially difficult situations. The Supervisor may also consult with the EAP staff directly for advice in specific cases. In situations where an employee's job is in jeopardy, and with the written permission of the employee, the EAP will inform the Supervisor of the employee's follow-through and/or progress. Note that this will only occur when the employee voluntarily signs a written consent form.

Regardless of participation in the program, it is the responsibility of the Supervisor to document and monitor performance. If performance/behavior problems are not satisfactorily corrected within a specified period of time, the Village's usual disciplinary procedures must be followed. Employees who want to utilize the EAP during regular working hours must use sick or vacation time. If illness is involved, sick time may be used for treatment or rehabilitation on the same basis that it is granted for other health problems.

8.9 Illinois Municipal Retirement Fund

The Illinois Municipal Retirement Fund (IMRF) provides pension and disability protection as mandated by Illinois law. All full-time and part-time employees who are expected to work a minimum of 1,000 hours per year qualify for IMRF (except for sworn members of the Police Department who qualify for the Police Pension Fund). A percentage of each employee's salary shall be deducted from the wages earned and credited to the employee's IMRF account. IMRF contact information can be found in Appendix A Resource Guide.

Part-Time Fire-Rescue IMRF Participation

To become eligible for IMRF service credit, part-time members of the Village's Fire-Rescue Department must first meet IMRF's threshold of working 1,000 hours in a calendar year. After working 1,000 hours in a calendar year and submitting a signed Certification Form to the Administrative Services Director, the employee will be enrolled in IMRF the following calendar year. For example, an employee must work a minimum of 1,000 hours in year 1 to be enrolled in IMRF for year 2. Year 1, the calendar year in which the employee works 1,000 hours and becomes eligible for IMRF participation, is not eligible for retroactive service credit.

The Department may hire individuals who are reasonably expected to work 1,000 hours in their first calendar year with the Village. These individuals will sign and submit a Certification Form as part of their on-boarding process and will be enrolled in IMRF.

If an employee who is enrolled in IMRF works fewer than 1,000 hours in a calendar year, their participation in IMRF will be automatically discontinued for the next calendar year. Employees will only become eligible for reinstatement in IMRF the calendar year following a year where they again meet the 1,000-hour standard and they sign and submit the Certification Form.

If an employee's IMRF participation is discontinued three times for not meeting the 1,000-hour standard, they will no longer be eligible for IMRF participation.

For those individuals applying for omitted service credit for a year when the Department was operating under a paid-on-call system (prior to May 2004), the number of hours worked is equivalent to the number of paid “calls for service.”

8.10 Northfield Police Pension Fund

The Village provides pension and disability benefits to sworn members of the Police Department, as mandated by Illinois law. Contact information can be found in Appendix A Resource Guide.

8.11 457 Deferred Compensation Plan

Through the International City/County Management Association Retirement Cooperation (ICMA–RC), the Village offers a voluntary 457 deferred compensation plan. Based on the employee's direction, the tax deferred income is deposited into the employee's ICMA-RC account through payroll deduction and is invested in the employee's choice of IMCA-RC's investment funds. For more information about this retirement benefit, please see the Finance Department or call ICMA-RC (contact information can be found in Appendix A Resource Guide).

SECTION 9

VEHICLES AND EQUIPMENT

9.1 Clothing Allowance

Certain Village Departments provide uniforms or a uniform allowance. Check with your Department Head for the policy in the Public Works, Police, and Fire-Rescue departments.

9.2 Use of Badges

It is the policy of the Village to issue badges to certain employees of the Village who, although not sworn peace officers or Fire-Rescue personnel, are invested with a limited measure of enforcement authority, such as the power to write tickets for ordinance violations, to issue stop work orders, and to perform similar administrative actions.

The Village Manager will determine who shall be issued a badge. The badges may be used only during the course of such an employee's performance of his or her official duties, and then only as needed to identify the employee to the public as a duly empowered Village representative. When displaying such a badge for identification purposes, the employee shall inform the individual to whom they are presenting identification of the employee's job title.

Such badges may never be used to imply that the employee is authorized to act as a police officer, to affect an arrest, or to detain, search, or question an individual. The display of such a badge while off duty is prohibited. The badge may never be displayed in an attempt to influence, gain favor, or to avoid being ticketed, charged, or detained by a law enforcement officer of any jurisdiction. Any misuse of a badge shall be considered a disciplinary event, with penalty up to and including discharge. Badges must be returned upon termination of employment with the Village.

9.3 Vehicle Assignment

Certain employees in the Village's service may be assigned a Village-owned automobile, if it is determined by the Village Manager that one of the following applies:

- A. The nature of the employee's work requires that the employee's time be spent in field activities requiring extensive travel throughout the Village; and
- B. The nature of the employee's work requires that the employee is on call twenty-four (24) hours a day and is expected to respond immediately. Village vehicles, although assigned to particular individuals, are to be made available for department use when not in use by the individuals to whom they are assigned subject to approval of the Department Head. This shall not apply to Public Safety vehicles.

The Village retains the right to inspect all Village-owned vehicles, at any given time. The Village also retains the right to examine the contents of such vehicles.

9.4 Use of Vehicles and Equipment

In using the Village's vehicular equipment, employees must keep in mind that they are serving as a representative of the Village. The Village's objectives for vehicle use are:

- A. To ensure that all Village employees have access to safe, well-maintained vehicles that are appropriate to the intended use;
- B. To maximize the useful life of the Village Fleet;
- C. To establish responsibilities of employees toward vehicles entrusted to them;
- D. To permit employees to carry out their assigned mission in a manner that is consistent with the professional image of the Village; and
- E. To be consistent with Internal Revenue Code requirements.

Operation of Village Vehicles:

- A. Village vehicles shall at all times be driven in accordance with the laws of the State of Illinois and the ordinances of the Village. At no time shall an employee operate a Village vehicle while under the influence of drugs and/or alcohol. Employees must wear seat belts at all times as required by law. Village vehicles shall be operated at all times in a safe and courteous manner. An employee who is found to have operated a Village vehicle in an unsafe or illegal manner, or to have otherwise violated this policy, shall be subject to discipline. Nothing in this policy shall be construed to waive any of the immunities provided by the Illinois Governmental and Governmental Employees Tort Immunity Act or to create any legal duties toward third persons.
- B. The municipal vehicle is a symbol and a reflection of the Village. Employees will not be permitted to park in fire lanes, designated handicapped parking spaces (unless handicapped and displaying the required sign) and other types of spaces not available for parking by the general public unless it is in conjunction with an emergency response.
- C. Employees are responsible for the general operational condition of vehicles assigned for their use. Employees shall monitor fluid levels, lighting equipment, tire pressure and the like of vehicles assigned to them. Defects and operational difficulties are to be promptly reported to the Fleet Manager. Employees are expected to make a reasonable effort to make the vehicle available to the Fleet Manager to expedite repairs.
- D. At the beginning of a new shift, employees must do a vehicle safety check before driving a Village vehicle. This safety check consists of, but is not limited to, securing the doors and compartments, checking for any broken headlights, windows, body damage, etc.
- E. Village vehicles and equipment shall be properly locked whenever the vehicle is left unattended, or the equipment is not in use. The Village retains the right to examine the contents of such vehicles.
- F. No employee shall request or permit the use of the Village owned vehicles, equipment, materials, or property for convenience, profit, or political purposes, except when such services are available to the public generally or are provided as Village policy for the use of such public official or employee.

- G. Vehicles are considered “workplace” and are subject to search at any time. Smoking is not permitted.
- H. Village vehicles, except as otherwise noted, shall bear permanent municipal license plates issued by the State of Illinois. Unmarked Police vehicles may be assigned regular State of Illinois passenger car plates.
- I. Employees who are only authorized to drive Village vehicles while on duty shall use these vehicles for Village business only. Employees shall be permitted to use Village vehicles during their meal break in the immediate area of assigned duties.
- J. Vehicles assigned to employees for use only while on duty shall be garaged or parked on Village property when not in use for Village business (except for on-call assignments).
- K. Employees will be responsible for any parking or traffic tickets incurred during the use of a Village-owned vehicle.
- L. The Village will maintain automobile liability insurance for Village-owned vehicles at coverage levels equal to or greater than the minimum required by law.
- M. If an employee, who is authorized to operate a Village vehicle, should have his or her driver’s license revoked suspended or at any time for any reason, that employee shall immediately alert the Department Head, in writing, of that revocation. Failure to do so will result in discipline up to and including discharge.
- N. Employees must not operate a cell phone, for texting, calling, or other purposes, while driving except in accordance with State and local laws. Hands-free calling may be used in accordance with state law.

Personal Use of Village-Owned Vehicles:

- A. The personal use of Village-owned vehicles is limited to *de minimus* use. Such use would exclude vacations and/or recreational trips.
- B. The personal use of a Village-owned vehicle is subject to the rules and regulations of the Internal Revenue Service (IRS). IRS regulations state that the value of an employee’s personal use of an employer-owned vehicle is included in the employee’s taxable income, even if such use is *de minimis*. According to the IRS, personal use includes the use of a vehicle for commuting to and from work. To comply with IRS regulations, employees’ personal use of an assigned Village-owned vehicle must be recorded with written records of the mileage of the personal use of the vehicle and the vehicle’s total mileage. These records must be submitted to the Village Finance Department on an annual basis as directed by the Finance Director.
- C. If an employee fails to submit the records required by subsection B above, then all of the employee’s use of Village-owned vehicles will be treated as personal use and the value of the same will be included in the employee’s taxable income.
- D. The payment of any taxes on the value of the personal use of Village-owned vehicles is the responsibility of the employee who is granted use of a Village-owned vehicle.
- E. The Village will separately withhold income taxes from an employee’s wages for the value of their personal use of a Village vehicle.

- F. No employee shall operate a Village-owned vehicle beyond a 350-mile radius of the Village except when on Village business or unless specifically approved by the Village Manager.
- G. No employee who is regularly assigned a Village vehicle to take home, shall allow any non-Village employee to operate a Village-owned vehicle at any time, except in the case of an emergency when the employee is also in the vehicle.

The Village Manager may, from time to time, permit exemptions from the usage restrictions set forth in this policy. Exemptions will only be approved if the Village will benefit from such exemptions.

- 1. Only usage of Qualified Non-Personal Use Vehicle (QNPUV) is tax exempt (fire truck, dump truck).
- 2. A regular passenger vehicle (RPV) such as a sedan, coupe, pickup truck, station wagon or SUV is NOT a QNPUV (even if clearly marked).
- 3. However, an RPV may qualify for certain tax-exempt usage as follows:
 - A. Clearly marked fire and police vehicles; provided:
 - a. Clearly marked means easily readable painted insignia and other identifiers as a public safety vehicle.
 - b. The vehicle is used only for commuting and response to emergencies within the area where the employee may be required to respond. (This means that if the vehicle is used for family trips or vacation, that use is not tax-exempt, even if the employee may be required to cut the trip short to respond to an emergency.)
 - c. Any use of any kind other than on duty use, commuting or response to an emergency is subject to taxation and records of such usage must be kept and reported to the Director of Finance on a monthly basis.
 - B. Unmarked police vehicles, provided:
 - a. The vehicle is used only for commuting and response to emergencies within the area where the employee may be required to respond. (This means that if the vehicle is used for family trips or vacation, that use is not tax-exempt, even if the employee may be required to cut the trip short to respond to an emergency.)
 - b. Any use of any kind other than on duty use, commuting or response to an emergency is subject to taxation and records of such usage must be kept and reported to the Director of Finance on a monthly basis.

9.5 Mileage Reimbursement

The use of privately owned vehicles for official Village business may also be necessary. The use of private transportation for official business will be allowed provided the employee receives prior approval from the Department Head or Village Manager. The amount of reimbursement for private automobile use shall be in accordance with the IRS rate.

9.6 Commercial Driver's License

Testing shall be performed on employees who operate commercial motor vehicles and those who perform safety-sensitive functions related to the operation of vehicles requiring a Commercial Driver's License (CDL) driver to deter them from reporting to work or remaining on the job when under the influence of alcohol or controlled substances/drugs. In addition to the application of the other regulations set forth in this Employee Handbook, CDL holders will be subject to the rights and regulations of this Section 9.6.

Employees who are required to hold a CDL based on duties performed are subject to testing. Such employees are required to submit to drug and alcohol tests in accordance with this Policy.

A CDL is required for:

- A. Vehicles with a gross weight rating of 26,001 or more pounds,
- B. Vehicles designed to transport 16 or more passengers, including the driver, and
- C. Vehicles used to transport hazardous materials are required to be placarded in accordance with the Hazardous Materials Transportation Administration.

All testing is conducted by a certified testing facility that complies with all applicable federal regulations.

Testing Procedures:

- A. Alcohol Testing Rules That Must Be Applied to CDL Holders: The Village will conduct alcohol testing in accordance with Federal Motor Carrier Safety Administration (FMCSA) rules. These rules require that the alcohol test be a breath test. This test shall be done on an Evidential Breath Testing (EBT) device approved by the National Highway Traffic Safety Administration (NHTSA). The prescribed EBT must be a model capable of printing out the results, date, time, a sequential test number and name and serial number of the EBT. All alcohol tests must be conducted by a Breath Alcohol Technician (BAT). A screening test is conducted first. Any result less than 0.02 blood alcohol concentration is considered a negative test. If the blood alcohol concentration is 0.02 or greater, a second confirmation test must be performed not less than 15 minutes or greater than 30 minutes after the screening test.

If an operator, during a breath alcohol test, fails to provide an adequate amount of breath or the operator alleges an inability to provide adequate breath, the operator shall be instructed to attempt again to provide a sufficient amount of breath and about the proper way to do so. If the operator refuses, this will be considered a refusal to test. If the operator attempts and fails again to provide a sufficient amount of breath, the operator may be given another opportunity to provide an adequate amount of breath if the tester believes that there is a strong likelihood that it could result in providing a sufficient amount of breath to perform the test. If the employee is still unable to provide a sufficient amount of breath the following can be done: (1) If the tester is using an EBT that has the capability of operating manually, the test may be conducted in manual mode; (2) If the testing is still in the screening test stage, and

the tester is qualified to use a saliva alcohol screening device (ASD), the tester may change to a saliva ASD to complete only the screening test.

If an operator fails to provide an adequate amount of breath, the operator shall be directed to obtain, within five days, an evaluation from a licensed physician who is acceptable to the employer and who has expertise in the medical issues raised by the operator's failure to provide a sufficient specimen. The evaluation by the physician will be used to develop information to verify a medical condition, which prohibits the driver from providing an adequate amount of breath. If the driver's inability to complete the test is verified, it will not be recorded as a refusal to test. If the physician does not verify such a condition, it will constitute a refusal to test.

- B. Drug Testing Rules That Must Be Applied to CDL Holders: The testing required to be conducted by the Village in accordance with FMCSA rules for drugs shall be an analysis of an operator's urine sample. The analysis will be performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS). The drugs to be analyzed for are Marijuana metabolites, Cocaine metabolites, Amphetamines, Opiates, and Phencyclidine (PCP). The testing is a two-stage process. First, a screening test is conducted. If there is a positive result on the screening test for one or more of the above drugs, then a confirmation test shall be conducted for each identifying drug in accordance with federal and state regulations.

All urine samples shall be split samples. The "primary sample" shall consist of at least 30 ml. of urine and the "secondary sample" shall be at least 15 ml. of urine. If the result of the primary test is positive, the operator may, within 72 hours of being notified of the verified positive drug test or refusal to test because of adulteration or substitution, request that the MRO have the "secondary sample" tested by a different DHHS-certified laboratory. If the result of the test of the "secondary sample" fails to confirm the presence of the drugs found in the "primary sample" the tests shall be cancelled. The operator shall be paid but remain out of service pending the result of the "secondary sample" analysis.

If an operator fails to provide a sufficient amount of urine to permit a drug test, the operator should be urged to drink up to 40 ounces of fluid, distributed reasonably through a period of up to three hours, or until the individual has provided a sufficient specimen, whichever occurs first. It shall not be considered a refusal to test if the operator declines to drink. If the operator refuses to make an attempt to provide a new urine specimen, the collection must be discontinued and will be noted as a refusal to test. If the operator has not provided a sufficient specimen within three hours of the first unsuccessful attempt to provide specimen, the collection must be discontinued and the DER notified. In such a case, the operator shall be immediately referred for a medical evaluation by an employer selected physician. The evaluation will be to develop information to verify a medical condition, which prohibits the operator from providing the required specimen.

If the operator's inability to complete the test is verified, it will not be recorded as a refusal to test. If a medical condition restricting the operator from participating in the test is not verified, it will constitute a refusal to test. The operator shall be paid, but placed out of service until this determination is made.

Diluted Specimens:

Verified positive diluted specimens are treated as positive test results. The Village will require operators with negative dilute specimens to undergo immediate unobserved recollection.

Prior CDL Employer Testing Records:

An applicant for a position with the Village involving the operation of a motor vehicle who has had previous CDL driving experience with another employer, must provide the Village with a signed written consent form for the release of the applicant's prior test records. The following records must be requested from all DOT-regulated employers who have employed the operator during the three years before the date of the operator's application or transfer: (1) all alcohol tests with a concentration result of 0.04 or greater, (2) all verified positive drug tests, (3) all refusals to be tested (including verified adulterated or substituted drug test results), (4) all other violations of DOT agency drug and alcohol testing regulations; and (5) with respect to any operator who violated a DOT drug and alcohol regulation, documentation of the operator's successful completion of DOT return-to-duty requirements (including follow-up tests).

It is preferable that test records from prior CDL employers be received before the hiring of an applicant and his or her operating a Village motor vehicle for the first time. If this is not possible, the Village must receive this information no later than fourteen (14) days after the first time a probationary operator first operates Village equipment. If this information is not received by the fourteenth day, the probationary operator will not be allowed to continue to perform safety-sensitive work functions.

If the information received from a prior employer shows that the probationary operator had a positive test result or had refused to take a test, the Village shall immediately remove the operator from service. If such information is received, the Village will need the results of the SAP's evaluation, a verification that any SAP required treatment was completed, and the results of the return-to-work alcohol and/or drug test.

The probationary operator cannot legally operate a commercial motor vehicle for any employer without complying with all of these requirements. The Village will not retain a probationary operator who is found to be prohibited from operating a commercial motor vehicle.

Pre-Employment Testing:

The employee may begin performing duties only after a negative drug and/or alcohol test result has been received by the Village.

In addition, during the application process, the prospective employee will be asked whether they have tested positive, or refused to test, on any previous pre-employment drug or alcohol test for safety-sensitive transportation work covered by DOT testing rules during the past three years. If yes, the employee may not perform safety-sensitive functions, unless the employee successfully completes the return-to-duty process.

Prohibited Conduct:

As stated above, the following prohibitions apply to operators:

- A. Use of alcohol during the four (4) hours before going on duty;
- B. Use of alcohol within eight (8) hours following an accident requiring a post-accident test; and
- C. Use of a legally prescribed controlled substance, without inquiring of the treating physician and being advised that the prescribed substance does not adversely affect the operator's ability to safely perform the job.

Random Testing:

CDL-licensed employees are subject to unannounced on-duty or off-duty random urine drug and alcohol testing on a regular basis to comply with federal regulations. The employee must cease performing safety-sensitive duties and report to the collection or testing facility immediately. If the employee is not at work, the employee will be notified to report for testing on return to work.

The procedure used to determine which employees will be subjected to the random drug or alcohol testing in a given year shall ensure that each CDL holder has an equal chance of being selected.

Frequency of Testing:

- A. The Village shall conduct random drug testing on the required testing percentage of the average number of CDL holders in safety-sensitive positions in a calendar year. The minimum annual percentage rate in a given year shall be determined by the rate set by the FMCSA Administrator, as published in the Federal Register (pursuant to 49 CFR Part 382 (Sec. 382.305)) for the previous year.
- B. The Village shall conduct random alcohol testing on at least ten percent (10%) of the average number of CDL holders in safety-sensitive positions in a calendar year. The minimum annual percentage rate in succeeding years shall be determined by the rate set by the FMCSA Administrator, as published in the Federal Register (pursuant to 49 CFR Part 382 (Sec. 382.305)).

Reasonable Suspicion Testing:

If a Supervisor who has received required training under Department of Transportation (DOT) rules is notified of or observes behavior or other signs of possible alcohol or controlled substance abuse immediately before, during, or immediately after performing safety-sensitive duties, the employee shall be directed to undergo testing. The operator will be provided with transport to and from the collection or testing facility and arrangements will be made for transporting the operator home. Tests should be performed immediately. If an alcohol test is not conducted

within two hours of the determination of reasonable suspicion, the reasons that the test was not promptly administered shall be documented. If the alcohol test is not conducted within eight hours, the alcohol test shall not be administered. The operator must not engage in safety-sensitive duties until negative test results are received.

Post-Accident Testing:

An operator must be tested as soon as practical upon the occurrence of the following:

- A. A fatality where the operator is involved,
- B. Where the operator receives a moving traffic violation,
- C. Either bodily injury occurred requiring immediate medical treatment away from the scene, or
- D. A vehicle incurred disabling damage.

Alcohol Specific Requirements

A required post-accident alcohol test shall be conducted within two (2) hours after the accident. If a required post-accident alcohol test is not administered within two (2) hours following the accident, the Village shall prepare and maintain a record stating the reason the test was not promptly administered. If after eight (8) hours following the accident, the alcohol test still has not been conducted, there shall be no further attempts to administer the test and a complete record made of why it was not accomplished. The operator required to be tested is prohibited from consuming any alcohol for at least eight (8) hours following an accident or until after the breath alcohol test.

Drug Specific Requirements

A required post-accident drug test shall be conducted within thirty-two (32) hours after the accident. If the drug test is not administered within this time limit, the Village shall prepare and maintain a record stating the reasons the test was not completed.

Positive Test Results and a Return to Duty:

If positive drug test results or alcohol tests of 0.04 BAC or greater are received, the operator must immediately be removed from safety-sensitive duties. The Administrative Services Director or Village Manager will report any positive drug and alcohol test results, other than pre-employment, to the Division of Motor Vehicles within five business days following the receipt of confirmation of a positive drug test.

In addition, the operator shall be subject to disciplinary action, up to and including dismissal for violating this policy. An operator who is not dismissed shall be required to obtain a substance abuse evaluation by a SAP. If allowed to return to work, the operator must complete the SAP evaluation and any recommended treatment and produce a negative test result prior to return. The operator shall be subject to a minimum of six follow-up tests during the twelve months after return to duty. The Village is not required to pay for rehabilitation or to hold a job for such an operator.

If positive alcohol tests of 0.02 to 0.039 are received, the operator must be removed from safety-sensitive duties for 24 hours and then be evaluated by his or her Supervisor for approval to return to duty. The operator shall be subject to disciplinary action, up to and including dismissal.

An operator who has a positive result on a drug test shall be contacted by the Village's Medical Review Officer (MRO) for an interview. The operator testing positive will be given an opportunity to discuss the test results with the MRO before the Village is notified. At that time, the operator must provide documentation of a valid legal prescription for any controlled substance for which the operator tested positive. The MRO may verify a confirmed positive test (for any drug or drug metabolite, including opiates), without interviewing or consulting the operator in the following situations: (1) if the employee expressly declines the opportunity to discuss the test; (2) If a Designated Employer Representative (DER) has successfully made and documented a contact with the operator and instructed the operator to contact the MRO and more than 72 hours have passed since the time the operator contacted the employee; or (3) If neither the DER or MRO, after making and documenting all reasonable efforts, has been able to contact the employee within ten days of the date on which the MRO receives the confirmed test result from the laboratory.

A removed operator cannot resume the operation of a motor vehicle or a safety sensitive function for any employer until the operator is evaluated by a SAP, and complies with and completes any SAP recommended rehabilitation, and has a negative result on a return-to-work drug test and/or alcohol test. Nothing in this subparagraph shall prevent the Village from discharging an impaired or drug abusing operator.

Refusal to be Tested:

All of the following are considered a refusal to be tested.

- A. Failure to appear for testing.
- B. Not appearing for testing in a timely manner as determined by the employer.
- C. Leaving the collection site before testing is completed.
- D. Failure to provide a specimen.
- E. Failure to allow direct observation for reasonable suspicion.
- F. Providing an insufficient specimen without a valid medical reason.
- G. Failure to undergo medical examination when directed.
- H. Failure to cooperate with the testing process.
- I. Providing an adulterated or substituted specimen.

Any operator who refuses to be tested shall be prohibited from performing safety sensitive functions. Operators who refuse to be tested are subject to disciplinary action, up to and including dismissal.

Other Consequences of a Confirmed Positive Test Result:

In addition to being removed from service and evaluated for possible treatment, a removed operator will also be subject to any federal or state regulatory authority and/or disqualifications provided under the State of Illinois CDL Program.

A removed operator may be subject to criminal charges for illegal drug and alcohol activities, or disciplinary action for the violation of other Village rules and regulations not covered by this Policy. These violations will be reviewed on a case-by-case basis.

The continued employment of a removed operator with a verified positive drug test or confirmed alcohol test will be governed by these provisions.

SECTION 10

TECHNOLOGY

10.1 Communication Systems Use

The Village provides employees with communication systems and/or equipment necessary, and to an extent practicable, to promote the efficient conduct of business. Examples of communication systems and equipment provided by the Village include, but are not limited to all telephone, radio, computer, mobile data computers, voice mail, telefacsimile, pagers, e-mail, Internet access, wireless access, smart phones, tablets, and all other computer and/or computer related communication systems. All such communication systems and equipment are to be used as prescribed within this policy.

The purpose of this policy is to ensure the responsible and acceptable use of all of the Village's communication systems and/or equipment resources noted above, as well as those technologies which may be introduced in the future. This policy applies to all individuals who utilize this equipment or are provided with access to these systems. This policy applies to Village-owned property or personal property for which the Village provides a stipend.

Communications Systems and/or Equipment Privacy:

The Village's communication systems and/or equipment and all information stored on them, or on removable media, are provided at the Village's expense and are the Village's sole property. Communications are not private; they are business records that can be reviewed by the Village or subpoenaed under law and may be accessible to the public pursuant to the Freedom of Information Act (FOIA). Accordingly, employees should have no expectation of privacy regarding any communication, business-related or personal, that they create, send, receive, or store on any of the Village's communication systems, equipment, or removable media.

The Village reserves the right to access, monitor, and review the use of its communication systems, as well as to retrieve or delete data that is stored and transmitted, for training purposes, quality assurance purposes, and to determine if there have been any breaches of security or confidentiality, misuse, or other violations of Village policy. The Village may inspect the contents of any device at any time, for any reason, including purposes of investigation.

Communications Systems and/or Equipment Security:

- A. Employees shall not share passwords with others unless authorized to do so. The Village retains the right to access Village-provided communications systems even when protected by passwords. Employees should not construe the use of codes or passwords as creating an expectation of privacy.
- B. Regardless of whether the Village has chosen to monitor any or all of the communications systems and/or equipment, either in the past or at any time in the future, the Village's right to monitor such systems and/or equipment is not and may not be waived. Employees should not consider the Village's choice to not monitor as

- creating an expectation of privacy. All employees shall understand and agree that there is no expectation of privacy for any communication sent or received by Village owned communication systems and/or equipment.
- C. To ensure that software is properly installed according to manufacturer's specifications and in order to avoid system malfunctions and/or failure, the Administrative Services Director will coordinate the purchase and installation of all software, under the direction of the Village Manager.
 - D. Employee or consultant owned software or removable media may not be installed on Village owned computers without the prior authorization of the Village Manager. If approved, only original installation media or assigned software keys may be used. The Administrative Services Director will archive and inventory the installation media, software keys, and license agreements.
 - E. Computer systems are at risk of being invaded by viruses or other malware through loaded software or downloaded material through the Internet or other sources. Only software acquired through licensing agreements or shared software through public domain that is authorized by the Village Manager, may be loaded onto Village computers. All foreign removable media are banned from use without prior authorization by the Village Manager. External attachments or website links (URLs) shall not be opened if the attachment or link is suspicious, from an unknown source, sent via unknown file extensions, ".exe" files or is otherwise not expected by the recipient. All programs, files or macros downloaded from the Internet shall be scanned immediately for computer viruses. If a virus is detected, the Administrative Services Director must be notified immediately.
 - F. Employees shall not attempt to provide any computer system, files, or messages to others without proper authorization, or gain unauthorized access to remote computers or other systems. Further, employees shall not damage, alter, or disrupt any computers or systems in any way. Employees shall not use another employee's code or password or disclose anyone's code or password, including their own. Employees shall not enable unauthorized third parties to have access to or use the Village's communication systems and/or equipment. In addition, employees shall not otherwise jeopardize the security of the Village's communication systems and/or equipment.
 - G. All electronic data files must be stored on the Village file server and not on the local hard drive, unless approved by the Administrative Services Director. If a laptop is in use, electronic data should be copied to the file server at least once each week.
 - H. All employees have an affirmative duty to report any abuse or misuse of any Village systems and/or equipment to the employee's Department Head immediately. Failure to do so may subject the non-reporting employee to disciplinary action including, but not limited to, termination.
 - I. Employees using Village-owned smart phones must ensure the operating system and all applications are updated. Employees who use Village and non-Village phones to access their Village e-mail must have their device secured with a password, swipe lock, fingerprint, facial recognition, etc.

Communications Systems and/or Equipment Acceptable Use:

- A. The Village's communication systems are to be used to conduct Village business. Personal use of any Village system (such as a telephone call or e-mail to/from family and friends) should be avoided whenever possible and kept to a minimum. Although the Village recognizes that certain limited de minimus personal use of Village systems and/or equipment may occur, all employees understand and agree that all messages and information created, generated, and/or received on Village systems or equipment shall be treated the same as business related communications. Thus, all employees should be aware that all personal communications made using Village communications systems or equipment are subject to monitoring. Employees have no expectation of privacy in any such personal communication, or any other communication made with and/or received by Village communication systems or equipment.
- B. Likewise, all employees should be aware that any expense(s) caused by personal and/or unauthorized use of Village systems and/or equipment shall be the sole responsibility of the employee who caused said expense(s) to be incurred. Such expenses shall include, but are not limited to, long distance or toll charges, Internet charges, service charges, international data charges, purchases over the Internet, etc. Any employee incurring such expenses shall indemnify the Village for the entire amount of such costs and expenses, as well as any additional return or cancellation fees that may be incurred.
- C. Utilization of the Internet shall be for Village business. Occasional de minimus use of the internet for personal use is allowed. Internet usage is filtered and logged by the Village and may be used for determining individual compliance with this policy.
- D. Further, the Village reserves its right to monitor de minimus personal use of all communication systems and/or equipment. De minimus use has been defined to include periodic communications with family and friends, Village approved educational sites (homework, term papers, etc.) and periodic miscellaneous personal correspondence via any of the Village's systems and/or equipment.
- E. When using the Village's communication systems and/or equipment, employees shall use the same standards of care and professionalism as used in other business communications. Individual users must be aware of and at all times attempt to prevent potential Village liability in their use of its communication systems.
- F. All usage shall be in full compliance with all copyrights and licensing agreements.
- G. Employees shall not represent the Village on social media without authorization.
- H. Examples of prohibited use of Village communications systems and/or equipment include, but are **not** limited to:
 - a. Sending abusive, threatening, or harassing messages, including those containing racial epithets, ethnic slurs, or any other language involving the harassment of others.
 - b. Faxing, downloading, transmitting, distributing, or possessing sexually explicit, harassing, or otherwise objectionable materials.
 - c. Use of communication systems for chain letters, inappropriate or objectionable jokes, pools or other sorts of gambling, non-professional chat rooms, online

- game rooms, illegal activities, listservs or news groups for non-Village purposes.
- d. Engaging in solicitation or proselytizing for non-Village related commercial, religious, political, or other causes.
 - e. Furthering an employee's secondary employment outside the employee's scope of employment with the Village.
 - f. Passing off personal views as representing those of the Village.
 - g. Electronic forgery.
 - h. Unauthorized encryption tools and/or technology.
 - i. Engaging in any improper activity that could adversely affect the Village.
 - j. The communication of proprietary or confidential information via any Village system or equipment without prior approval by the Village Manager.
- I. An employee who receives harassing/offensive or inappropriate messages should immediately report the incident in accordance with the Village's harassment policy.
 - J. An employee who receives an email message that the employee finds offensive shall immediately report the receipt of the message to the Administrative Services Director (or their Supervisor, or Village Manager). An employee who inadvertently accesses an Internet site, which is prohibited under the Village's system security rules, shall immediately report the incident to the Administrative Services Director and his or her Supervisor. Failure of an employee to report incidents covered by this paragraph shall be deemed to constitute voluntary participation in the inappropriate communication or intentional attempted access to prohibited internet material, as the case may be, and may result in disciplinary consequences.
 - K. Employees must return their communications equipment to the Village when no longer required for their work assignment and/or upon separation from the Village. Village issued communications equipment, including cellular phone and telephone number, is the property of the Village and persons separated from Village employment employees may not take the equipment or telephone number with them unless approved by the Village Manager. If the Village Manager determines that the fair market value of the cellular phone is minimal, the Village Manager may authorize the individual to pay the fair market value to the Village and to keep the equipment.
 - L. Reasonable care should be taken to prevent equipment loss or damage. When traveling with Village communications equipment, care should be taken to keep the equipment secure. Equipment should be kept within reach, and when it is necessary to leave equipment, it should be stored in a locked environment and out of sight. Employees are responsible for the cost of intentional damage or reckless loss of assigned communications equipment.

Due to limited resources, the Village is not able to offer all of the available communication technologies to every employee. However, all employees that use the available communication technologies are responsible for learning, via in-house or outside training opportunities, the various technologies offered them in order to perform their duties effectively. Any access to the communication systems and/or equipment provided by the Village is a privilege and is revocable at any time or for any reason.

10.2 Cell Phone Stipend

A Village-owned cell phone will be issued to certain employees upon approval by the Village Manager. If it is determined that an employee is eligible for a Village-owned cell phone, and the employee chooses to utilize his or her personal phone for Village business, that employee may be reimbursed a monthly stipend as set by the Village Manager.

10.3 Technology Asset Control Policy

In order to maximize effective use of technology and minimize security concerns, appropriate measures must be taken in the purchase, management, and disposition of technology-related assets.

Technology related assets include, but are not limited to, personal computers (PCs) or workstations, laptops, PDAs, smart phones, tablets, copiers, servers, network connectivity devices, telephones, phone systems, and other devices that include a Central Processing Unit (CPU) and non-volatile storage.

- A. Technology-related assets should be procured and installed in coordination with the Finance and the IT functions.
- B. As appropriate, all technology assets should be equipped with security software as recommended by IT and/or the IT Committee. Examples of approved security software include, but are not limited to, virus protection software, anti-spyware or malware software, internet-site filtering software, encryption software, local firewalls, and others as approved by the Village Manager.
- C. Portable assets, such as laptops, smart phones, and tablets shall not store personal identifying information for Village staff, residents, or constituents without hard drive or disk level encryption.
- D. Technology asset disposal is the responsibility of the Finance Department and the IT function. Any technological assets with non-volatile memory or disk shall be audited. All memory and disk shall be cleaned using at minimum a DOD certified MIL specification "5220.22-M" product before disposal.
- E. The IT function shall review all technology asset disposals and verify that any disk has been cleansed before certifying the asset for disposal.
- F. All technology assets will be disposed of using an environmentally sound disposal method, if such a method is cost effective, as determined by the Finance Department.

10.4 Computer Passwords

In order to preserve the security of the Village's computer network, passwords will be changed at regular intervals. Employees will change their network passwords every 90 days. The system will be configured so that each employee will be required to change his or her password at the established interval. Passwords for Village network equipment will be changed every 180 days.

Password Attributes:

Passwords must be random and not contain any word that can be found in the dictionary or family, pet, or proper names. Passwords cannot be identical to the username or any of the

user's ten (10) previous passwords. Passwords will be a minimum of 8 characters and must meet three of the following four conditions:

1. Uppercase letters
2. Lowercase letters
3. Numbers
4. Special characters (@, ?, !, # etc.)

Security:

Passwords are not to be kept or displayed in any format. However, if a document has been assigned a password, the employee and one other employee, preferably the employee's Supervisor should keep the password.

Upon retirement, resignation, or discharge of an employee, the Administrative Services Director will disable the employee's user ID. The files will be assigned administrative rights only until a determination is made with respect to the distribution of the files. The same frequency, attribute, and security procedures will apply to department specific software programs as appropriate. After ninety days, the employee's user ID will be removed, and any unassigned files will be destroyed per the Village's Electronic Records Retention and Destruction Policy below.

10.5 Computer Log-on/Log-off Policy

Users should log on under their own user ID and password and log off when they are finished. If another user wishes to use the machine, the first user should log off and the new user should log on. Users should log off or shut down computers at the end of the day, except for certain users in departments with 24-hour operations.

When practical, users should password protect their computers so that their workstation will be unavailable to others when they are away from their desk. A locked workstation may only be unlocked by the user who locked it, or an administrator.

10.6 Identity Protection Policy

No officer or employee of the Village shall do any of the following:

- A. Intentionally communicate or otherwise intentionally make available to the general public, in any manner, an individual's social security number.
- B. Print a social security number on any card required for the individual to access products or services provided by the Village.
- C. Require an individual to transmit his or her social security number over the internet, unless the connection is secure, or the social security number is encrypted.
- D. Require an individual to use his or her social security number to access an internet website.
- E. Print a social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the social security number to

be on the document to be mailed. Notwithstanding any provision in this subsection to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Illinois Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this subsection may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or is visible on an unopened envelope.

- F. Collect, use, or disclose any social security number, unless:
 - a. required to do so under state or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that officer's or employee's official duties and responsibilities;
 - b. the need and purpose for the social security number is documented before collection of the social security number; and
 - c. the social security number collected is relevant to the documented need and purpose.
- G. Use a social security number for any purpose other than the purpose for which it was collected.
- H. Encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Policy.

The prohibitions above do not apply to the following collection, use, or disclosure of social security numbers:

- A. To agents, employees, contractors, or subcontractors of the Village, or disclosure to another governmental entity or its agents, employees, contractors, or subcontractors, if disclosure is necessary in order for the Village to perform its duties and responsibilities. If disclosing a social security number to a contractor or subcontractor, prior to such disclosure, the officer or employee of the Village must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements of this Policy on the Village, to protect an individual's social security number, will be achieved.
- B. Pursuant to a court order, warrant or subpoena.
- C. In order to ensure the safety of:
 - a. Village employees;
 - b. persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers;
 - c. wards of the State; and
 - d. all persons working in or visiting a Village facility.
- D. For internal verification or administrative purposes.

- E. To investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act.
- F. To undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act.
- G. To locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.
- H. As required by state or federal law, rule, or regulation, Supreme Court Rule or the Constitution of the State of Illinois.
- I. If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, the Village's compliance with said program shall not be deemed a violation of this Policy or the Act.

Additional Rules:

- A. All officers and employees of the Village, identified as having access to social security numbers in the course of performing their duties, shall receive training in regard to protecting the confidentiality of social security numbers. Said training shall include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information.
- B. Only officers and employees of the Village who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request. Notwithstanding any other provision of this Policy to the contrary, all officers and employees of the Village must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. All officers and employees of the Village must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents, as such information is exempt from disclosure under the Freedom of Information Act, pursuant to 5 ILCS 140/7(1)(b) as "private information," as defined by 5 ILCS 140/2(c-5).
- C. When collecting a social security number, or upon request by the individual providing the social security number, a statement of the purpose or purposes for which the Village is collecting and using the social security number shall be provided. The statement of purpose shall also inform the individual whether disclosure is mandatory or voluntary, and by what statutory or other authority the social security number is solicited, as required by the federal Privacy Act of 1974, 5 USC 552(a).
- D. The federal Privacy Act also prohibits the Village from denying an individual any right, benefit, or privilege provided by law because the individual refuses to disclose their social security account number, unless required by federal statute. Therefore, an individual will not be denied any right, benefit, or privilege provided by law because

that person refuses to disclose his or her social security number unless disclosure is required by federal law.

- E. A written copy of this Policy and any amendments, shall be filed with the Village Board within thirty (30) days after approval of this Policy.
- F. The Village Manager shall endeavor to assure that all officers and employees of the Village are aware of the existence of this Policy, and shall make a copy of this Policy available to each officer and employee. If the Village amends this Policy, then the Village Manager shall endeavor to advise all officers and employees of the Village of the existence of the amended Policy, and shall make a copy of the amended Policy available to each officer and employee of the Village.
- G. Any person who intentionally violates the prohibitions in Section 10 of the Act (which are set forth in this Policy) shall, pursuant to the Act, be guilty of a Class B misdemeanor.
- H. This Policy does not supersede any more restrictive law, rule, or regulation regarding the collection, use, or disclosure of social security numbers. Any other currently valid adopted standards of the Village, for the collection, use, or disclosure of social security numbers, that are stricter than the standards under this Policy with respect to the protection of those social security numbers, shall control over the provisions of this Policy.

10.7 Identity Theft Program and Prevention Policy

This policy is to implement the requirements of the Fair and Accurate Credit Transactions Act of 2003 and the associated final “Red Flag” rules promulgated by the Federal Trade Commission requiring certain municipal utilities and departments to enact policies and procedures regarding Identity Theft Red Flags and Prevention. The risk to the Village, its employees, and customers from data loss and identity theft is of significant concern to the Village and can be reduced only through the combined efforts of every employee, contractor, consultant, temporary worker, and other worker at the Village, including all personnel affiliated with third parties.

The Village adopts this Policy to help protect employees, customers, contractors, and the Village from damages related to the loss or misuse of sensitive information. This policy will define sensitive information, place the Village in compliance with state and federal law regarding identity theft protection, enable the Village to protect existing customers, reduce risk from identity fraud, and minimize potential damage to the Village from fraudulent new accounts.

The Policy will help the Village identify risks that signify potentially fraudulent activity within new or existing covered accounts, detect risks when they occur in covered accounts and respond to risks to determine if fraudulent activity has occurred, and act if fraud has been attempted or committed.

Village personnel are encouraged to use common sense judgment in securing Sensitive Information. Furthermore, this section should be read in conjunction with the Illinois Local

Records Act and the Village's local records policy. If an employee is uncertain of the sensitivity of a particular piece of information, that person should contact his or her Supervisor.

Sensitive Information: Sensitive Information includes the following, items, whether stored in electronic or printed format, which could be used to commit identity theft:

- A. Credit card information, including any of the following:
 - a. Credit card number (in part or whole)
 - b. Credit card expiration date
 - c. Credit card Validation Value (CVV)
 - d. Cardholder name
 - e. Cardholder address
- B. Tax identification numbers, including:
 - a. Social Security number
 - b. Business identification number
 - c. Employer identification numbers
- C. Payroll information, including, among other information:
 - a. Paychecks
 - b. Pay stubs
- D. Other personal information belonging to any customer, employee, or contractor, examples of which include:
 - a. Date of birth
 - b. Address
 - c. Phone numbers
 - d. Maiden name
 - e. Names
 - f. Customer number

Identity Theft Prevention Program:

- A. Definition of a Covered Account: Any customer account that involves or is designed to permit multiple payments or transactions. Every new and existing account that meets the following criteria is a Covered Account and is covered by this Policy:
 - a. Business, personal, and household accounts for which there is a reasonably foreseeable risk of identity theft; or
 - b. Business, personal, and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the Village because of identity theft. This includes financial, operational, compliance, reputation, or litigation risks.
- B. Definition of a Red Flag: Any potential indicators of fraud. Any time a Red Flag, or a situation closely resembling a Red Flag, is apparent, it should be investigated for verification. Examples of Red Flags include:
 - a. Alerts, notifications, or warnings from a consumer reporting agency or service provider.
 - b. Suspicious documents, such as:
 - i. Documents provided for identification that appear to have been altered or forged.

- ii. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
 - iii. Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.
 - iv. Other information on the identification is not consistent with readily accessible information that is on file with the Village.
 - v. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.
- c. Suspicious personal identifying information, such as:
- i. Personal identifying information provided is inconsistent when compared against external information sources used by the Village. For example:
 - 1. The social security number has not been issued or is listed on the Social Security Administration's Death Master File.
 - 2. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the social security number information and date of birth.
 - ii. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the Village. For example, the address on an application is the same as the address provided on a fraudulent application.
 - iii. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the Village. For example:
 - 1. The address on an application is fictitious, a mail drop, or a prison.
 - 2. The phone number is invalid or is associated with a pager or answering service.
 - iv. The social security number provided is the same as that submitted by other people opening an account or other customers.
 - v. The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other customers or other people opening accounts.
 - vi. The customer or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
 - vii. Personal identifying information provided is not consistent with personal identifying information that is on file with the Village.
 - viii. When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account or the customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- d. Unusual use of, or suspicious activity related to, a Covered Account, such as:

- i. Shortly following the notice of a change of address for a covered account, the Village receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.
- ii. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments.
- iii. A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
 - 1. Nonpayment when there is no history of late or missed payments.
 - 2. A material change in purchasing or usage patterns.
- iv. A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
- v. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.
- vi. The Village is notified that the customer is not receiving paper account statements.
- vii. The Village is notified of unauthorized charges or transactions in connection with a customer's covered account.
- viii. The Village receives notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the Village.
- ix. The Village is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

Responding to Red Flags:

- A. Once potentially fraudulent activity is detected, an employee must act quickly as a rapid appropriate response can protect customers and the Village from potential damage and loss.
- B. Once potentially fraudulent activity is detected, the employee should gather all related documentation and write a description of the situation. This information should be presented to the Finance Director and the Police Chief for review, assessment, and determination.
- C. The Finance Director and/or Police Chief will complete additional investigation and authentication to determine whether the attempted transaction was fraudulent or authentic.
- D. If a transaction is determined to be fraudulent or an attempt at fraud, appropriate actions should be promptly taken including:
 - a. Closing the existing covered account
 - b. Notifying and cooperating with appropriate law enforcement agencies
 - c. Determining the extent of liability of the Village

- d. Notifying the actual customer that fraud appears to have been committed or attempted.

Periodic Updates to Policy:

- A. At least annually, this Policy should be re-evaluated to determine whether all aspects of the Policy are up to date and applicable in the current business environment and whether any changes need to be made in response to any instances of identity theft or to changing identity theft risks.
- B. Periodic reviews will include an assessment of which accounts are covered by the Policy and whether there are any new accounts.
- C. As part of the review, Red Flags may be revised, replaced or eliminated. Defining new Red Flags may also be appropriate.
- D. Actions to take in the event that fraudulent activity is discovered may also require revision to reduce potential damage or losses to the Village and its customers.

Policy Administration:

- A. Involvement of Management
 - a. This Policy shall be a separate program and operation and shall not be operated as an extension to existing fraud prevention programs, and its importance warrants the highest level of attention.
 - b. Implementation of this Policy is the responsibility of the corporate authorities of the Village and approval of the initial Policy is to be appropriately documented and maintained.
 - c. Operational responsibility for the Policy is delegated to the Village Manager.
- B. Staff Training
 - a. Staff training shall be conducted for all employees for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the Village or its customers.
 - b. The Village Manager shall have the authority to require identity theft training for all requisite employees.
 - c. To ensure maximum effectiveness, employees may continue to receive additional training as changes to the Policy are made.
- C. Oversight of Service Provider Arrangements
 - a. It is the responsibility of the Village to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.
 - b. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the Red Flag rules and validated by appropriate due diligence, may be considered to be meeting these requirements.
 - c. Any specific requirements should be specifically addressed in the appropriate contract arrangements.

10.8 Retention and Destruction of Public Records

One of the unique aspects of working in a governmental setting is that document usage and retention is strictly regulated by law. A failure to properly account for and retain public records can have serious legal consequences for employees and the Village. The purpose of retaining records is to allow the public access to them pursuant to the Illinois Freedom of Information Act and to have them available for court proceedings where the public records are pertinent to the issues being litigated.

What are Public Records?

Illinois law defines public records generally as follows: A public record under the Local Records Act means any book, paper, map, photograph, electronic material or other official documentary material regardless of physical form which is of the following character: (1) made, produced, executed or received by the public body or any appointed or elected official; (2) pursuant to law or in connection with the transaction of public business; and (3) preserved or appropriate for preservation by such agency or officer and as evidence of the organization, function, policies, decisions, procedures or other activities of the Village.

Retention and Destruction

As can be seen from the definition set forth above, most of the documents received or produced in the course of your work for the Village qualify as public records. As such, these documents must be inventoried and then retained for a certain period of time. State law allows us to periodically destroy files and documents. A schedule of the statutory retention periods is kept with all department heads. Please consult your department head with respect to these retention periods. It is of the utmost importance that the destruction schedules, as well as the retention periods, be observed.

REMEMBER: There is no law against keeping a document that is not a public record, but there are penalties for deleting or destroying public records. Err on the side of caution.

Documents with Historical Significance

There are certain types of documents which must be retained in perpetuity. These are primarily found in the Departments of Community Development and Public Works. Such documents primarily pertain to property ownership, zoning matters and location and ownership of Village utilities. However, there may be other documents which are suitable for preservation beyond the statutory retention periods.

REMEMBER: There is no law against keeping a document for too long, but there are penalties for not keeping documents through the retention period. Err on the side of caution.

Examples that Generally Constitute Public Records

- A. A document or correspondence that facilitates action, such as initiating, authorizing or completing a transaction in connection with Village business
- B. Policies and directives
- C. Work schedules and assignments

- D. Drafts of documents that are circulated for comment or approval
- E. Correspondence responding to inquiries and requests from members of the public for Village services
- F. Any document that initiates, authorizes, or completes a business transaction
- G. Final reports or recommendations
- H. Correspondence that provides substantive comments on an action taken by a Village official (i.e., comments add to the proper understanding of the execution of final Village action)
- I. Documents or correspondence providing documentation of significant official decisions and comments reached orally and not otherwise documented in the Village's files

Examples that Generally do not Constitute Public Records

- A. Personal messages and announcements not related to Village business
- B. Copies of documents or portions of documents circulated merely for convenience or reference
- C. Memos among Village employees scheduling internal meetings or other ordinary activity
- D. Internal correspondence created by employees on work-related topics which do not facilitate action (i.e., cover notes, etc.)
- E. Announcements of social events
- F. Messages received via a listserv
- G. Spam
- H. Other communications that are routine and non-substantive in nature.

Electronic Messages (Email and Text Messages)

There has been significant litigation and activity with the Illinois Public Access Counselor with respect to electronic messages. There is no longer any question as to whether or not electronic messages may be deemed to be public records. If an electronic message meets the definition of a public record set forth in B. above, IT IS A PUBLIC RECORD and is subject to retention. This means if you send out or receive an email or text message that pertains to Village business, it must be retained, EVEN IF IT IS ON YOUR PERSONAL PHONE OR TABLET! However, the Illinois Local Records Act permits the destruction of "administrative files and correspondence" after only one year. AS A MATTER OF POLICY, THE VILLAGE DEEMS EMAILS TO BE WITHIN THIS CATEGORY. As such, the Village email server is configured so that emails in an employee's inbox, sent, and deleted folders are automatically deleted after one year. If you believe that an email is of significant import or that it is in the best interest of the Village or in your own best interest to retain an email beyond one year, you must create a personal folder within Outlook for such emails and assure that the email is put into that folder before one year has elapsed. Emails in personal folders will not be deleted automatically by the email server. The Village understands that this policy vests the employee with considerable discretion with respect to email retention beyond one year. If you have any question with respect to whether an email should be retained beyond the one-year period, please consult with your Department Head or the Village Attorney.

Employees must remember that there is no expectation of privacy in communications with the use of the Village's e-mail system, including the creation, entry, receipt, storage or transmission of data.

Since any messages that involve Village business are subject to citizen demand pursuant to the Freedom of Information Act, regardless of the medium by which the messages are sent or received, the conduct of Village business by text is prohibited.

Copy of a Public Record

Where communication is among Village employees or officers, it is the sender's copy that is the designated copy of record. All other copies are merely duplicates and can be disposed of under the routine operation of this policy.

Freedom of Information Act (FOIA) and Email

The intent of FOIA is to allow all persons access to public records regarding the affairs of municipal government. Any correspondence pertaining to public business is a "public record" under FOIA. Documents or texts created or stored on Village computers or cell phones are subject to FOIA regardless of physical form or characteristics, even though the records are personal correspondence, downloads for personal use, records of sites visited, etc. See FOIA procedure for further information.

If in doubt as to whether an e-mail message is a public record or contains exempt information, contact the Village Freedom of Information Officer.

A periodic review of this policy shall be undertaken to keep the policy current with best practices and new technology.

10.9 Personal Information Protection Act (PIPA)

The Village shall maintain a central list of all electronic files that contain personal identification information of employees, contractors, or citizens. These files shall be called PIPA List Files. PIPA List Files shall include the file name, file location, the person who is the subject of the file, and all individuals authorized to use the file and any information within the file.

Employees, contractors, and others with access to PIPA List Files are prohibited from emailing, downloading to an electronic device or transmitting these files without the written permission of the Village and the file subject. Any approved transmission or download of a PIPA List File shall utilize encryption for storage and transport.

Should an employee, contractor, or other interested party become aware that a PIPA List File and the data residing in it has been lost or stolen, or that the information from a PIPA List File has been in any way acquired by someone other than the authorized users of the information, the individual aware of the potential violation is required to report this information to the Finance Director immediately.

The Finance Department, Information Technology, and the PIPA List File owner will work together to determine if the information included in the PIPA List File was acquired by an unauthorized person and the notification clause of PIPA should be invoked.

If a PIPA List File is deemed to have been acquired by an unauthorized person, the Finance Director shall coordinate the distribution of written notice of unauthorized acquisition to all individuals whose records were located in the file at the time of the acquisition using the following procedure:

- A. The Village Manager and Village Attorney shall be notified of the PIPA violation.
- B. Information Technology shall provide Finance with the PIPA file that was last updated as close to the date and time of unauthorized acquisition as possible.
- C. The Finance Department shall use the information in the PIPA file to create a mailing list and a mail merge with a PIPA notification letter.
- D. The Village Manager and the Village Attorney shall review the PIPA file, the mailing list and the mail merge and approve issuance of the PIPA notification letter.
- E. The Finance Department shall issue the PIPA notification letter to the affected individuals via US Mail.

Definitions:

- A. Personal identifying information: Does not include information that is already public. First name or initial and last name that is stored in conjunction with:
 - a. Social security number;
 - b. Driver's license number or social security number;
 - c. Account number or credit card number or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account.
- B. File owner: The individual or department responsible for updating and maintaining the information in the file.

10.10 Social Media Policy

Village Employees and Personal Social Media Sites

It is recognized that most people have Personal Social Media Sites. Village employees are no exception. This section is intended to provide guidance with respect to the use of Personal Social Media Sites and the discussion of work-related matters.

Prohibitions

- A. Village employees shall not use a Village e-mail account or password in conjunction with a Personal Social Media Site. Nor shall a Village employee be compelled, as a condition of employment, to disclose to the Village a username and password for Personal Social Media Sites. However, if the Village issues an electronic device and/or a social media or

e-mail account, the Village is not precluded from requiring or requesting a Village employee to disclose a username, password or other method of access for the purpose of accessing that device or account.

- B. Village employees may not discuss Village business transactions (i.e. contracts, land sale or purchase or any zoning applications), Village litigation or Village personnel matters involving a specific employee.
- C. Village employees may not use a Personal Social Media Site to speak on behalf of the Village.
- D. Village employees may not operate or participate in any Social Media Sites that use the name "Village of Northfield" or any department of the "Village of Northfield".

Comments on Village Matters Not Included in Prohibitions

Village employees must recognize that the content of messages posted on Social Media websites are public and may be erroneously cited as official Village statements. If a Village employee has a Personal Social Media Site and comments on work related matters, the employee must state his or her name and, if relevant, his or her Village position, and use a disclaimer such as: "The postings on this site are my own and don't reflect or represent the opinions of the Village for which I work."

Village Employees and Village Social Media Sites

Village Employees that comment on the Village's Social Media Sites in their personal capacity are bound by the Comment Policy of the Village's Social Media Policy. An employee, using his or her Personal Social Media Site, may post comments to a Village Social Media Site according to the following rules:

- A. Employees must not use official Village Social Media Sites to conduct private commercial transactions or to engage in private business activities.
- B. While a non-employee who abuses the Village Social Media Sites may be subject only to having their comment taken down; Village employees who abuse the Village's Social Media Sites are subject to disciplinary action.
- C. In addition, the Village reserves the right to revoke the privilege of participating in Village Social Media sites, blogs, or other social media features.
- D. Employees who post comments on a Village Social Media Site should follow professional standards for good grammar, spelling, brevity, clarity and accuracy, and avoid jargon, obscure terminology or acronyms.

Record Retention

Village Social Media Sites contain communications sent to or received by the Village and its employees. Such communications are, therefore, public records subject to the retention requirements of the Illinois Federal Freedom of Information Act. These retention requirements apply regardless of the form of the record (for example, digital text, photos, audio, and video). The Village shall preserve records pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible.

Retention of social media records shall fulfill the following requirements:

- A. Social Media records are captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social networking site.
- B. Social Media records are maintained in an authentic format (i.e. ideally the native technical format provided by the social network, such as XML or JSON) along with complete metadata.
- C. Social Media records are archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.
- D. Social Media records are indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (e.g. PDF).
- E. Each employee who administers one or more social networking sites on behalf of the Village has self-service, read-only access to search and produce relevant social media records to fulfill public information and legal discovery requests as needed.

Management of Village Social Media Sites

Neither a Village employee nor a Village department may create or alter content on any Village Social Media Site. Such creation or alteration may be done only by the Village Manager or the Village Public Information Coordinator.

SECTION 11

HOURS OF WORK

This section is intended to define the normal hours of work within various Village Departments and provide the basis for leave and for calculation and payment of overtime. Different hours and days of work may be established for certain positions as approved by the Department Head and Village Manager.

11.1 Village Hall Hours

The Village Hall shall be open from 8:00 a.m. to 4:30 p.m., Monday through Friday.

11.2 General Work Hours

The work week begins at 12:00 AM on Monday. The work week or work period for Village employees shall generally be as follows:

- A. Administrative Personnel: 37.5 hours/week
- B. Sworn Police Personnel Assigned to Patrol: 170 hours, 30-day work period
- C. Sworn Police Personnel Assigned to Support Services: 40 hours/week
- D. Non-Sworn Police Personnel: 40 hours/week
- E. Public Works Personnel: 40 hours/week
- F. Fire/Rescue Personnel: 29 hours/week or 126 hours/month maximum

11.3 Attendance and Punctuality

Employees shall be in attendance and prepared for work. Prompt appearance for work at the specified hour is required of all employees. Each Department shall set up such requirements as may be necessary to enforce this rule.

11.4 Lunch

Administrative Personnel: Each employee is entitled to a one-hour unpaid lunch period for each full work shift. Department Heads may schedule these in the most appropriate manner for maintaining Departmental operations. An employee does not have the right to work through lunch periods for the purpose of accumulating compensation time or leaving their shift early.

Public Works Employees: Employees of the Public Works Department shall be permitted lunch periods consistent with ongoing departmental requirements as determined by the Director of Public Works.

Sworn Police Personnel: Sworn police personnel shall be permitted lunch periods consistent with ongoing departmental requirements and the Rules and Regulations of the Police Department and as required by law.

11.5 Overtime

Departments shall make every effort to maintain service level standards while keeping overtime use to a minimum. Any approved hours worked past general work hours will be considered overtime.

Overtime Eligibility

Except as listed below, eligible employees shall be compensated for periods worked in excess of their regular work week, as outlined in section 11.2, at a rate of one and one-half (1-1/2) times their regular straight-time rate of pay. Employees in the Police Department are governed by the applicable General Order and employees in the Fire-Rescue Department are governed by the Standard Operating Guideline.

Unless otherwise authorized, exempt personnel shall not be eligible for overtime. These employees will be expected, as part of their responsibilities, to work in excess of their regular work week from time to time as required by their job duties. Employees should consult Departmental rules and regulations for Departmental overtime policies.

Employees Not Eligible for Overtime (Exempt Employees)

Village Manager
Administrative Services Director
Community Development Director
Building Commissioner
Finance Director
Assistant Finance Director
Fire/Rescue Chief
Assistant Fire/Rescue Chief
Public Works Director
Assistant Public Works Director
Police Chief
Deputy Chief of Police
Police Services Coordinator
(Others that may be added from time to time)

Under certain emergencies or other specialized circumstances, overtime may be granted subject to approval by the Village Manager.

Overtime Callout

Employees should consult Departmental rules and regulations relating to the payment of overtime for employees who are subject to emergency or unscheduled callouts.

Prior Approval Required

All overtime work must be approved by the Department Head or designee prior to commencing work beyond the normal workday, unless there is an emergency.

Compensatory Time

In lieu of compensation, employees eligible for overtime pay may receive compensation for time worked by paid time off, so long as this method of compensation is agreed upon. Compensatory time shall be provided at a rate equal to the applicable overtime rate. A maximum of forty (40) hours of compensatory time can be accumulated without prior approval by the Village Manager. For the specifics of departmental compensatory time off policies, employees should consult Departmental rules and regulations.

SECTION 12

HOLIDAYS

12.1 General

Full-time employees shall have the following paid holidays:

- A. New Year's Day
- B. Memorial Day
- C. Independence Day
- D. Labor Day
- E. Thanksgiving Day
- F. Day after Thanksgiving
- G. Christmas Eve Day
- H. Christmas

12.2 Floating Holidays

On January 1 of each calendar year, in addition to the set forth holidays above, three (3) floating holidays will be allowed. The floating holidays shall be taken at times approved by the Department Head. Floating holidays that are not used in a calendar year will be forfeited. Floating holidays for new employees will be pro-rated as follows:

Starting Date	Number of Floating Holidays Awarded
1/1 – 4/30	3 Days
5/1 – 8/31	2 Days
9/1 – 12/1	1 Day
12/1 – 12/31	0 Days

During a calendar year, should a paid holiday fall on either a Tuesday or Thursday, the Village Manager may designate the Monday or Friday as a mandatory floating holiday. (e.g.: if New Year's Day, January 1 falls on a Thursday, then Friday, January 2 may be designated a mandatory floating holiday for that calendar year.) If this situation occurs more than once during a calendar year, only one (1) floating holiday shall be designated as mandatory.

12.3 Holidays Falling on Weekends

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. A schedule of holidays will be provided annually by the Village Manager.

12.4 Holidays Falling on Vacation

When a holiday falls within an employee's vacation period, the employee shall be paid for the holiday and that day shall not be charged against the employee's vacation balance.

12.5 Holidays – Police Department Personnel

Sworn officers and Public Safety Officers (with the exception of administrative staff) in the Police Department shall elect whether to take six (6) days paid and five (5) days off or all eleven (11) days paid. Payment shall be based on the employee's salary at the beginning of the May 1 fiscal year. If an employee receives compensation for a holiday that has not yet occurred and terminates employment prior to the end of the fiscal year, the employee must reimburse the Village for that pre-paid holiday on a pro-rata basis by means of an adjustment to the employee's paycheck per the agreement on the Holiday Pay Form.

SECTION 13

VACATION

13.1 General

All full-time employees are eligible for vacation time with pay. Vacation time is provided for the recreation and relaxation of Village employees. Employees are encouraged to take leave on an annual basis. Unless specifically permitted by the Department Head, a single vacation should not exceed ten (10) working days.

Full-time employees may not use vacation time during the first six months of employment with the Village. Exceptions may be made with the prior approval of the Department Head; provided that the vacation will not cause a disruption in the Village's ability to deliver services to the residents.

Part-time employees of the Village shall be provided with one day of paid leave (8 hours) on January 1 of each year, or on their 90th day of employment, whichever occurs later, for use during the calendar year. Seasonal and temporary employees of the Village shall be provided with one day of paid leave (8 hours) on their 90th day of employment for use during the calendar year. Unused paid leave provided to part-time, seasonal, and temporary employees shall expire at the end of the calendar year and shall not carry over.

13.2 Full-Time Employee Vacation Accumulation Schedule

Vacation time shall accrue on a monthly basis starting from the employee's employment anniversary date. Further, if the employee begins employment after the 15th of any month or finishes employment before the 16th of any month, the employee shall accrue only one-half of the vacation accrued for that month. Vacation leave shall not accrue for any month that the employee was absent on any leave without pay (including any unpaid portion of FMLA leave) for more than one-half of that month's workdays.

<u>Years of Consecutive Full-Time Employment</u>	<u>40-hour work week</u>	<u>37.5 hour work week</u>
One through four years completed	80 hours	75 hours
Five through ten years completed	120 hours	112.5 hours
Eleven years completed	128 hours	120 hours
Twelve years completed	136 hours	127.5 hours
Thirteen years completed	144 hours	135 hours
Fourteen years completed	152 hours	142.5 hours
Fifteen years completed	160 hours	150 hours
Sixteen to seventeen years completed	168 hours	157.5 hours
Eighteen to nineteen years completed	176 hours	165 hours
Twenty years completed and above	184 hours	172.5 hours

13.3 Scheduling Vacation

An employee's vacation times will be determined by the Department Head with due regard to the wishes of the employee and the needs of the Village. Vacation for employees shall be requested on a PAR form.

13.4 Full-Time Employee Accumulated Vacation Time

Employees may accumulate two years of earned vacation time, calculated from the employee's anniversary date. In the event an employee has accumulated the maximum allowable amount of vacation, the employee will not earn additional vacation leave until the employee's accumulated vacation leave falls below the maximum accrual amount. The Village Manager may approve exceptions on a case-by-case basis. Accumulated time maximums are as follows:

<u>Years of Consecutive Full-Time Employment</u>	<u>40-hour work week</u>	<u>37.5 hour work week</u>
One through four years completed	160 hours	150 hours
Five through ten years completed	240 hours	225 hours
Eleven years completed	256 hours	240 hours
Twelve years completed	272 hours	255 hours
Thirteen years completed	288 hours	270 hours
Fourteen years completed	304 hours	285 hours
Fifteen years completed	320 hours	300 hours
Sixteen to seventeen years completed	336 hours	315 hours
Eighteen to nineteen years completed	352 hours	330 hours
Twenty years completed and above	368 hours	345 hours

13.5 Full-Time Employee Accumulated Vacation Time- Separation

Accumulated, unused vacation time shall be paid to employees at the time of separation from Village employment.

SECTION 14

SICK LEAVE

14.1 General

Sick leave is provided to all full-time employees for personal illness or injury. Part-time, seasonal and temporary employees are not entitled to paid sick leave. Abuse of sick leave privileges may result in discipline. There is no limit to the number of accumulated sick days that may be used for the purposes of subsection 14.2. However, the use of accumulated sick days for any other purpose is strictly prohibited.

14.2 Purpose of Sick Leave

In addition to personal illness or injury, sick leave may be granted, at the discretion of the Department Head, for the following reasons:

- A. Medical appointments that cannot be scheduled outside of working hours;
- B. Illness or injury of a member of the employee's immediate family, or the birth or adoption of a child that necessitates the employee's absence from work. For the purpose of this section, the term "immediate family" shall mean husband, wife, children, father, mother, stepchildren, father-in-law, or mother-in-law.

14.3 Reporting

Notice of absence due to illness or injury shall be given by the employee to the employee's Supervisor as far in advance of the starting time as possible for the scheduled workday, but never less than one-half hour prior to the start of the shift.

14.4 Return to Work

A medical certificate may be required to verify an employee's illness or injury for any length of absence. However, a medical certificate shall be required for absences of three (3) or more workdays in any seven day period. The verification shall be at the employee's expense. The medical certificate shall consist of a written statement by a qualified physician indicating:

- A. The employee has been examined by the physician immediately before, during, or immediately after the period of absence;
- B. The dates on which the employee was ill or injured; and
- C. Authorization of employee's ability to return to work.

If as a result of an illness or injury, an employee was required to visit an emergency room, or required to have a hospital stay, this employee may be required to complete a fitness for duty examination through the Village's occupational medical facility, and submit proof of such to the Department Head, prior to being allowed to return to work.

If a physician has given an opinion that an employee should return to work for restricted duty only, or restricted from work, the employee shall, without exception, inform his or her Supervisor of such opinion.

14.5 Use of Sick Leave

If an employee should become sick for a period of time greater than the amount of sick leave accrued, the time may be deducted from floating holidays, vacation time, and any compensatory time due. An employee who is unable to return to work after having exhausted paid leave allowances may apply for disability benefits available under the applicable retirement plan and/or FMLA leave.

14.6 Accrual of Sick Leave

Sick leave is accumulated on a basis of one day per month. Further, if the employee begins employment after the 15th of any month or finishes employment before the 16th of any month, the employee shall accrue only one-half of a sick day for that month. However, sick leave shall not accrue for any month that the employee was absent on any leave without pay (including any unpaid portion of FMLA leave) for more than one-half of that months' workdays.

14.7 Separation/Retirement

Upon separation or retirement in good standing, an employee shall be paid for one half (1/2) of his or her accumulated unused sick days, up to a maximum of sixty (60) days. Examples:

30 days accumulated	=	15 days pay at full rate
120 days accumulated	=	60 days pay at full rate
500 days accumulated	=	60 days pay at full rate

IMRF employees who retire are eligible to apply uncompensated, accumulated sick leave days toward IMRF service credit within IMRF guidelines. Sick days paid at a full rate will be deducted from accumulated sick days and the balance will be used for IMRF reporting.

14.8 Interaction of Sick Leave and FMLA Leave of Absence

When an employee has been absent on sick leave for five (5) consecutive workdays and does not report for work on the sixth (6th) consecutive workday, the sick leave period will be deemed to be a qualified leave under the FMLA, and the FMLA leave will be deemed to run concurrently with the employee's sick leave retroactive to the first day of absence.

SECTION 15

SPECIAL LEAVE

15.1 Death of Village Official/Employee

A Department Head may authorize special leave, subject to approval by the Village Manager, in the event of the death of a Village Official or employee.

15.2 Jury or Witness Duty

An employee in full employment status shall receive full pay for regularly scheduled time not worked while serving on jury duty or testifying as a witness at the request of the Village or testifying on subpoena to matters related to employment with the Village.

An employee who serves on jury duty for more than two (2) days will be required to work, to the extent possible, during the time that person is serving on a jury. The employee should work with his or her Department Head to review work required during this time.

An employee shall be allowed to retain his or her compensation from the Court received for jury duty to offset the costs of parking and meals but shall be required to pay to the Village any compensation received for witness duty at the request of the Village or testifying on subpoena to matters related to employment with the Village. An employee shall not receive pay under this section for time not worked while testifying as a witness in a case filed by the employee against the Village.

An employee subpoenaed to court for any reason unrelated to employment with the Village (for example, divorce proceedings, custody suits, inheritance suits, bankruptcy, traffic violations, etc., or for criminal actions) must use earned leave time for the time spent in court.

15.3 Family and Medical Leave Act Time

It is the policy of the Village to provide up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) of unpaid family and medical leave during a 12-month period to eligible employees in accordance with the Family and Medical Leave Act (FMLA).

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns, or disputes with this policy, you may contact the Administrative Services Director.

Eligibility

In order to qualify to take family and medical leave under this policy, an employee must meet all of the following conditions:

- A. The employee must have worked for the Village 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- B. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

Reasons for Leave

A leave may be requested for any of the following reasons:

- A. The birth of a child and in order to care for that child.
- B. The placement of a child for adoption or foster care with the employee in order to care for the newly placed child.
- C. To care for a spouse, child, or parent with a serious health condition (described below).
- D. Your own serious health condition renders you unable to perform the functions of your position (described below).

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice per year.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the Village may designate

all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

The determination as to whether or not a condition is a “serious health condition,” as that term is defined in FMLA and the federal regulations promulgated thereunder, shall be made by the Village on a case-by-case basis.

Military-Related Leave

FMLA also covers qualifying exigency leave for families of members of the National Guard or Reserves of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member’s call-up or service. The qualifying exigency must be one of the following:

- A. Short notice deployment;
- B. Military events and activities;
- C. Childcare and school activities;
- D. Financial and legal arrangements;
- E. Counseling;
- F. Rest and recuperation;
- G. Post-deployment activities;
- H. Parental care; and
- I. Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

“Covered Active Duty” means:

- A. In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- B. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under Federal call or order to active duty in support of a contingency operation pursuant to certain sections of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

The leave may commence as soon as the individual receives the call-up notice. A son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor. This type of leave would be counted toward the employee’s 12-week maximum of FMLA leave in a 12-month period.

FMLA also offers military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran. An employee whose son, daughter, parent, or

next of kin is a covered service member may take up to 26 weeks in a single 12-month period to care for that service member. Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered service member” means:

- A. A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- B. A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness” means:

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

Comprehensive Assistance for Family Caregivers.

Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (excluding military caregiver leave) under this policy during any 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Village will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for military caregiver leave during a single 12-month period. For this military caregiver leave, the Village will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total 26 weeks available.

If a husband and wife both work for the Village and each wish to take leave for the birth of a child, adoption or placement of a child in his or her foster care, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the Village and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

While an employee is on leave, the Village will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Village will require the employee to reimburse the Village the amount it paid for the employee's health insurance premium during the leave period.

Under current Village policy, the employee pays a portion of the health premiums. While on paid leave, the Village will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Director's office by the 5th day of each month.

The employee will be required to assume the cost of all other benefits for each day of absence as these costs become due. The employee is not entitled to receive the Village's contribution to the employee's 2.4% flexible benefits plan during any unpaid portion of the leave. No sick, holiday, personal, or vacation time shall accrue for any month that the employee was absent on the unpaid portion of FMLA leave for more than one-half of that month's workdays except as may otherwise be provided in this Employee Handbook. Holiday time and personal days will be prorated for the following calendar year.

Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the serious health condition of a family member or to care for a child after their birth or placement for adoption or foster care must use all available sick, compensatory, vacation, and personal days at the same time as FMLA leave is being used. After all paid time is exhausted, FMLA leave is unpaid.

An employee who is taking FMLA leave because of their own serious health condition must use all available sick leave followed by available compensatory, vacation, and personal days at the same time FMLA leave is being used. After all paid time is exhausted, FMLA leave is unpaid. An employee that is on workers' compensation leave will also use FMLA leave at the same time.

An employee who is using FMLA military caregiver leave or military FMLA leave for a qualifying exigency must use all available vacation and personal days at the same time as the FMLA leave.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The Village may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

Intermittent Leave or a Reduced Work Schedule

An employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The Village may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule. This is applicable to instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the Village and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

If an employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the Village

before taking intermittent leave of working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

Certification for the Employee's Serious Health Condition

The Village will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition. You may obtain this form from the Administrative Services Director or at www.dol.gov/whd/forms/WH-380-E.pdf

The Village's Administrative Services Director may directly contact the employee's health care provider for verification or clarification purposes. Before the Administrative Services Director makes direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Village will obtain the employee's permission for clarification of individually identifiable health information.

The Village has the right to ask for a second opinion if it has reason to doubt the certification. The Village will pay for the employee to get a certification from a second doctor, which the Village will select. The Village may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Village will require the opinion of a third doctor. The Village and the employee will mutually select the third doctor, and the Village will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification for the Family Member's Serious Health Condition

The Village will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition. This form may be obtained from the Administrative Services Director or at www.dol.gov/whd/forms/WH-380-F.pdf

The Village's Administrative Services Director may directly contact the employee's family member's health care provider for verification or clarification purposes. Before the Administrative Services Director makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Village will obtain the employee's family member's permission for clarification of individually identifiable health information.

The Village has the right to ask for a second opinion if it has reason to doubt the certification. The Village will pay for the employee's family member to get a certification from a second doctor, which the Village will select. The Village may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Village will require the opinion of a third doctor. The Village and the employee will mutually select the third doctor, and the Village will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification of Qualifying Exigency for Military Family Leave

The Village will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave. This form may be obtained from the Administrative Services Director or at www.dol.gov/whd/forms/WH-384.pdf

Certification of Military Caregiver Leave

The Village will require certification of the serious injury or illness of a covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide the certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave. This form may be obtained from the Administrative Services Director or at www.dol.gov/whd/forms/WH-385.pdf

Recertification

The Village may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the Village may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The Village may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Administrative Services Director. Within five business days after the employee has provided this notice, the Administrative Services Director will complete and provide the employee with the Department of Labor Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the Village with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days

in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the Village's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Administrative Services Director will complete and provide the employee with a written response to the employee's request for FMLA leave using the Department of Labor's Designation Notice.

Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the Village may require an employee on FMLA leave to report periodically on their status and intent to return to work.

Employees who wish to obtain additional information about Family and Medical Leave should contact the Wage and Hour Division of the United States Department of Labor (contact information can be found in the Appendix A Resource Guide).

15.4 Medical Leave of Absence *Without Pay* (Other than FMLA):

After 12 weeks of FMLA have been exhausted and an employee has used all remaining accumulated sick, vacation, compensatory, and holiday time on a medical leave with pay, the employee may request a medical leave without pay. Leaves of absence without pay shall only be granted when the granting of the leave request will not unduly interfere with the best interests of the Village.

The following conditions shall attach to a Medical Leave of Absence Without Pay:

- A. Notice to Village. If the need for the leave is foreseeable, the employee must give 30 days written notice before taking the leave, otherwise the employee must give notice as soon as practicable. At a minimum, however, the employee will observe the Village's normal procedures for calling in absences. The notice shall set forth the reasons for the requested leave, duration of leave, the anticipated start of leave, and anticipated return to work, and must be supported by a medical certification.
- B. Leave Period. The medical leave without pay combined with medical leave with pay and FMLA, may not exceed a total of twenty-six (26) weeks.
- C. Maintenance of Benefits. The Village will pay the Village's normal share of health and life insurance premiums during medical leave without pay. No sick, vacation, holiday time, or personal days will accrue for any month that the employee was absent without pay for more than one-half of that month's workdays. The employee is not entitled to receive the Village's contribution to the employee's 2.4% flexible benefits program during the medical leave without pay.

- D. Return to Work. The employee may be placed in the employee's former position if circumstances permit or may be placed in another position with different pay and benefits. As a condition of job restoration, the employee shall obtain and present certification from the employee's health care provider that the employee is able to resume work. If the employee does not return to work on the first workday immediately after an approved leave is over, the employee will be deemed to have resigned. An employee on a medical leave of absence without pay will be deemed to have no seniority with respect to a reduction in force. Additionally, an employee on a medical leave of absence without pay will accumulate no additional seniority while on leave.

15.5 Leave of Absence *Without Pay* (Other than FMLA and Medical Leave)

At any employee's request, the Village Manager may grant, upon the recommendation of the Department Head, a leave of absence without pay for a period not to exceed twenty-six (26) weeks. This leave may be requested for personal reasons. All requests for such leaves of absence must be in writing and attached to a PAR form and submitted to the Department Head. Leaves of absence without pay shall only be granted when the granting of the leave request will not unduly interfere with the best interests of the Village. The following conditions shall attach to Leave of Absence Without Pay:

Maintenance of Benefits

If an employee desires to maintain any benefits during the leave without pay, the employee must notify the Village of that desire in writing. The employee will be required to assume the cost of all benefits for each day of absence as these costs become due. The employee is not entitled to receive the Village's contribution to the 2.4% flexible benefits program during leave of absence without pay. No vacation days, sick time, holiday time, or personal days will accrue for any month that the employee was absent on leave of absence without pay for more than one-half of that month's workdays.

Return to Work

The employee may be placed in the employee's former position if circumstances permit or may be placed in another position with different pay and benefits. If an employee does not return to work on the first workday immediately after an approved leave is over, the employee will be deemed to have resigned. An employee on a leave of absence without pay will be deemed to have no seniority with respect to a reduction in force. Additionally, an employee on a leave of absence without pay will accumulate no additional seniority while on leave.

15.6 Military Leave

Military leave will be provided in accordance with applicable state and federal law.

15.7 Victim's Economic Security and Safety Act Leave

An employee who is a victim of domestic or sexual violence, or has a family or household member who is a victim of domestic or sexual violence, may request and shall be granted an unpaid leave of absence not to exceed twelve (12) workweeks to address domestic or sexual violence by:

- A. Seeking medical attention for or recovering from physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- B. Obtaining services from a victim services organization for the employee or the employee's family or household member;
- C. Obtaining psychological or other counseling for the employee or the employee's family or household member;
- D. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the employee's safety or that of the employee's family or household member from future domestic or sexual violence or ensure economic security; or
- E. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence.

The following conditions apply to Victim's Economic Security and Safety Act Leave:

- A. An employee who qualifies under this section is entitled to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period.
- B. This section does not entitle the employee to take unpaid leave that exceeds, or is in addition to, unpaid leave time allowed under the federal FMLA, discussed in section 15.3 of this handbook; when this leave is taken for reasons that also qualify for leave under FMLA and Section 15.3 of this handbook, such leave shall be concurrent with FMLA leave.
- C. The Village may require the employee to periodically report on the status and intention of the employee to return to work.
- D. In order to preserve his or her entitlement to unpaid leave, the employee must give the Village forty-eight (48) hours advance notice of the employee's intention to take the leave if such notice is practicable. Otherwise, the employee must provide certification as provided below, within a reasonable period after commencing an unscheduled absence.
- E. The Village may require the employee to provide certification that the employee or the employee's family or household member is a victim of sexual or domestic violence, and that the leave is for one of the five eligible purposes described above.

An employee can satisfy the request for certification by:

- A. Providing a sworn statement of the employee;
- B. Providing documentation from an employee, an agent or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other

professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence; or

- C. Providing the Village with a copy of a police or court record, or other corroborating evidence.

All information provided to the Village related to leave under this section shall be retained in the strictest confidence by the Village except to the extent the employee requests or consents to disclosure in writing, or disclosure is required by any law.

Taking leave under this section shall not result in the loss of any employment benefit accrued prior to commencement of the leave; however, the employee is not entitled to accrue seniority or employment benefits during any period of leave taken under this section.

The Village shall maintain coverage for the employee or the employee's family or household member under the Village's group health insurance during the period of the leave just as if the employee had continued in employment continuously. The Village may recover the premium that it paid if:

- A. The employee fails to return after the period of leave to which the employee is entitled has expired; and
- B. The employee fails to return to work for a reason other than:
 - a. The continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave pursuant to this section; or
 - b. Other circumstances beyond the control of the employee.

Any employee who believes his or her rights under the Victim's Economic Security and Safety Act have been violated may, within three (3) years after the alleged violation occurs, submit a complaint requesting a review of the alleged violation to the Illinois Department of Labor (contact information can be found in the Appendix A Resource Guide).

15.8 Unauthorized Absence Without Leave

Absence without leave is any absence from duty including a single day or any portion thereof that has not been excused or approved in accordance with established policies and procedures. In such cases, pay is denied for the entire period of absence and the employee may be subject to disciplinary action including discharge. Any employee absent without leave for three (3) consecutive days shall be deemed to have resigned. This section shall not be construed as limiting the Village's right to discipline employees for absenteeism of less than three (3) consecutive days as circumstances warrant, with discipline up to and including dismissal. Where such absence is determined excusable and there were conditions that rendered prior approval impossible, the employee may be deemed to have been on vacation, sick leave, or leave without pay, as applicable.

Part-time, temporary, and seasonal employees are not entitled to compensation for days absent for any reason, except statutory benefits under workers compensation for job related injuries.

15.9 Bereavement Leave

All employees who have been employed for one (1) year and have worked not less than twelve hundred fifty (1,250) hours during the preceding twelve (12) months, shall be entitled to use a maximum of 2 weeks (10 workdays) of unpaid bereavement leave to:

1. Attend the funeral or alternative to a funeral of a covered family member;
2. Make arrangements necessitated by the death of a covered family member;
3. Grieve the death of a covered family member; or
4. Be absent from work due to:
 - a. A miscarriage;
 - b. An unsuccessful round or intrauterine insemination or of an assisted reproductive technology procedure;
 - c. A failed adoption match or an adoption that is not finalized because it is contested by another party;
 - d. A failed surrogacy agreement;
 - e. A diagnosis that negatively impacts pregnancy or fertility; or
 - f. A stillbirth.

The employee shall receive three (3) paid bereavement days per death of a covered family member. Bereavement leave under this policy must be completed within sixty (60) days after the date on which the employee receives notice of the death of a covered family member or the date on which an event listed under paragraph 4 above occurs.

Employees shall provide at least forty-eight (48) hours' advance notice of their intention to take leave under this policy, unless providing such notice is not reasonable and practicable. Employees shall provide reasonable documentation of the need for leave, which may include a death certificate, a published obituary, or written verification of death, burial or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency. For leave resulting from an event listed under paragraph 4 above, reasonable documentation may include a form provided by the Illinois Department of Labor to be filled out by a health care practitioner who has treated the employee or the employee's spouse or domestic partner, or surrogate, for an event listed in paragraph 4 above, or documentation from the adoption or surrogacy organization that the employee worked with related to an event listed in paragraph 4 above, certifying that the employee or his or her spouse or domestic partner has experienced an event listed in paragraph 4 above. The employee is not required to identify which category of event the leave pertains to.

In the event of the death of one or more covered family member in a twelve (12) month period, an employee is entitled to up to a total of six (6) weeks of bereavement leave during the twelve (12) month period. This policy does not create a right for an employee to take unpaid leave that

exceeds the unpaid leave time allowed under or is in addition to the unpaid leave time permitted by the federal Family and Medical Leave Act.

An employee who is entitled to take paid or unpaid leave from employment, pursuant to federal, State, or local law, a collective bargaining agreement, or an employment benefits program or plan may elect to substitute any period of such leave for an equivalent period of unpaid leave provided under this policy.

For purposes of this policy, the following definitions apply:

“Assisted reproduction” means a method of achieving a pregnancy through an artificial insemination or embryo transfer and includes gamete and embryo donation. “Assisted reproduction” does not include any pregnancy achieved through sexual intercourse.

“Child” means an employee’s son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.

“Covered family member” means an employee’s child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, stepparent, niece, nephew, grandparent-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunt, or uncle.

“Domestic partner”, used with respect to an unmarried employee, includes (1) the person recognized as the domestic partner of the employee under any domestic partner or civil union law of a state or a political subdivision of a state, or (2) an unmarried adult person who is in a committed, personal relationship with the employee, who is not a domestic partner to or in such a relationship with any other person, and who is designate to the employee’s employer by the employee as the employee’s domestic partner.

“Employee” means an eligible employee as defined by Section 101(2) of the federal Family and Medical Leave Act of 1993.

SECTION 16

EMPLOYEE DEVELOPMENT AND WELFARE ACTIVITIES

16.1 Types of Training

It is Village policy to foster and promote programs of in-service training for Village employees that will improve the quality of employee services rendered to the Village. The following types of training are offered to employees:

- A. Recruitment Training: Formal training programs, which must be completed during the probationary period following original appointment as a prerequisite to continued employment.
- B. In-Service Training: Training conducted during working hours on an individual or group basis to improve skill performance, introduce new techniques, and/or keep abreast of developments in the employee's field.
- C. Specialized Training: Attendance at vocational, technical, or professional training programs directly related to service functions, based on available funds and at the discretion of the Department Head and Village Manager.
- D. Academic Instruction: Completion, by correspondence or classroom attendance, of course work provided by accredited educational institutions where such information will benefit the Village, based on available funds and at the discretion of the Department Head and Village Manager.
- E. Harassment Training: Formal training conducted during working hours on a group basis to familiarize employees with the Village's harassment policy and proper procedures for addressing harassment.
- F. Supervisory Training: Formal training conducted during working hours for Supervisors to become familiar with supervisory responsibilities and personnel laws.

16.2 Supervisor Training

Training that provides harassment prevention, discrimination prevention, workplace ethics, risk prevention techniques, as well as other training, is essential for Supervisors. The Village, in conjunction with Intergovernmental Risk Management Agency (IRMA) has initiated an on-line training program with My Community Workplace. This training is specifically designed for public and nonprofit entities and offers a wide variety of essential supervisory training classes.

Each Department Head shall maintain an up-to-date roster of all supervisors within his or her department. Each Supervisor shall be registered into the My Community Workplace as an authorized user. All classes will be monitored by the office of the Village Manager to assure that each is completed by its due date.

The Program consists of courses, which are updated annually and/or supplemented with other relevant "bulletins". Each course must be completed within a predetermined two (2) month

period, ending on a specific date (the "Completion" Date). Supervisors receive information regarding the Completion Date for each course, as well as periodic e-mail reminders.

The courses must be completed during scheduled work hours. Department Heads are responsible for seeing that Supervisors complete the training by the Completion Date. This will include making computer assistance available, and, where necessary, ensuring that Supervisors are given on-duty time to complete the training.

Department Heads may extend the Completion Date due to a Supervisor's unavailability, such as extended vacation, sick time, or assignments. Such an extension must be documented, in writing, prior to the Completion Date. A copy of that extension decision must be forwarded to the Village Manager. Such an extension shall not be granted for more than one (1) month, unless approved, in writing, by the Village Manager.

In order to achieve 100% participation, the following process will be followed:

- A. Upon a Supervisor's failure to complete a course by the designated Completion Date, the applicable Department Head will give written notice to the Supervisor advising of such noncompliance and that the failure to complete the course within ten (10) workdays of the Supervisor's receipt of the notice (the "Second Completion Date") is "unacceptable behavior" pursuant to Section 17.2 of this Handbook and will result in a written reprimand.
- B. If the course is completed by the Second Completion Date, no further action will be taken.
- C. If the course is not completed by the Second Completion Date, the Department Head will give a written reprimand to the Supervisor and advise that the training course has not been completed as required. The notice shall also advise the Supervisor that that person has an additional ten (10) workdays from the Supervisor's receipt of that notice to complete the training course (the "Final Completion Date") or the Supervisor will be subject to the remaining steps in the progressive discipline set forth in Section 17.2, including suspension without pay, demotion and termination.
- D. Demotions shall not become effective unless approved by the Village Manager. An employee has the right to appeal such a decision to the Village Manager within five (5) days of the Department Head's decision. Therefore, a demotion shall not become effective until the time for appeal has expired, and, if appealed, until a decision on the appeal has been rendered.
- E. Sworn Police Supervisors, being subject to the Board of Police Commissioners, are not subject to this Section. In the event that a sworn Police Supervisor fails to complete a course by the designated Completion Date, the Police Chief will take such disciplinary action as may be appropriate under that Act.
- F. In the event that a Fire-Rescue Supervisor fails to complete a training course by the designated Completion Date as described above, they must complete the training course within five (5) scheduled shifts.

16.3 Membership in Professional Organizations:

The Village Manager may authorize, subject to budget approval and availability of funds, the payment of individual memberships in organizations from which the Village will substantially benefit from the employee's participation. Every effort will be made to minimize the number of individual memberships paid by the Village to the same organizations. However, even if funds cannot be allotted, employees are encouraged to identify and associate with conferences and professional societies in their respective fields. The Village shall pay the cost of federal and state license registration and certification fees if such licensure or registration is a condition of employment.

16.4 Travel Policy and Reimbursement Procedures

It is the policy of the Village to reimburse employees and elected and appointed officials for reasonable authorized travel expenses incurred in the performance of their duties. The Finance Director annually reviews and revises rates to reflect, as accurately as possible, the actual amounts necessary to reimburse employees.

Prior to making any travel arrangements, an employee must complete and submit to the Department Head the Request to Travel on Village Business form (Appendix C). This form is used for both approval of the travel, as well as for advance payment of certain expenses such as registration, lodging confirmation, per diem meals, etc. Receipts are required for all reimbursements, except per diem meals.

All travel subject to this policy must be approved by the Village Manager and is subject to the availability of funds in the annual budget.

Types of Expenses

Transportation

- A. The cost of transportation to the site of the event and return, whether by public conveyance or personal car is reimbursable. Travel should be by the most economical mode available, with consideration given to travel time, cost, and work requirements. Modes of transportation authorized for official travel include automobiles, railroads, airlines, buses, taxicabs, and other usual means of conveyance.
- B. Auto rental must be requested on the Request to Travel on Village Business form and justified, as required, for official business. If reasonable public transportation is available or a less expensive means of transportation is available, a rental car should not be requested. A car may be rented if the local transportation is impractical or more expensive than renting a car for the period in question. It is required that Employees on official Village business purchase optional collision, liability, or medical coverage. This coverage is reimbursable.
- C. Reimbursement to employees using personal cars shall be on a mileage basis as set forth by current IRS guidelines.

- D. If two (2) or more employees will be attending the same meeting, and personal vehicles will be used, they are encouraged to minimize expenditures by carpooling.

Accommodations/Lodging

- A. Every effort must be made to obtain arrangements at a hotel/motel honoring the "government rate" or honoring the "conference/seminar rate". Employees must be conservative when spending Village funds by contacting a reasonable number of hotels/motels to obtain the most economical rates. However, should an employee choose other than those facilities honoring these rates, payment of any rates which exceed the government's conference rate must be borne by the employee.
- B. The single rate is reimbursable when it meets "A" above, unless employees share a room, then the double rate is reimbursable.

Meals

- A. Meals during the events that are not made available as a part of the event's registration fees are reimbursable. Meals, while traveling, the day before or following the day in which the last official function is held may be reimbursable with the prior approval of the Department Head.
- B. Employees are encouraged to attend all functions for which meals are provided as a part of the registration fee.
- C. The per diem schedule for breakfast, lunch, and dinner follows the [current GSA meals rate](#) for the Chicago area, regardless of travel destination.
- D. Only meals occurring during work or travel time are eligible for per diem reimbursement.

Miscellaneous Expenses

- A. Reasonable miscellaneous expenses such as fares for taxi, airport limousine or van, local bus, parking, tolls, tips, etc. are generally reimbursable. Some expenses for the day immediately preceding the first official function and the day following the day in which the last official function is held may be reimbursable with the approval of the Department Head.
- B. Registration and training fees will normally be paid directly by the Village. When paid by the employee, such fees are generally reimbursable. Requests should be submitted with sufficient documentation detailing the event, who is attending, when, where, and the cost involved, allowing sufficient time to generate the required check. A purchase order may be sent, if requested, to secure training and registration by a particular deadline.

Some travel expenses are not reimbursable. Some examples of non-reimbursable expenses are:

- A. Alcoholic beverages,
- B. Entertainment,

- C. Early check-in and late check-out charges (unless under appropriate circumstances with pre-approval by Department Head),
- D. Parking or traffic tickets,
- E. Pay per view movies,
- F. Expenses incurred by a spouse, dependents and/or additional guest(s), and
- G. Other non-work-related charges.

Administration

Following an employee's return to work, the employee shall itemize expenses as required on the Travel and Expense Report (Appendix D). Travel and Expense Reports must be submitted to the employee's Department Head within fourteen (14) days after the employee's return to work and then forwarded to the Village Manager for approval.

- A. All receipts must be submitted with the expense statement. In addition, receipts or documentary evidence must be attached for such expenses as airport taxi, parking, etc.
- B. When two (2) or more employees on Village business jointly incur expenses, each participant, where practical, will pay and report individual expenses. Where this is not practical, the employee requesting reimbursement shall list the names or identify the group of other employee(s) for whom expenses have been reported have been incurred.
- C. If certain required receipts are not available, a statement signed by the employee documenting the amounts paid may be acceptable.
- D. Enforcement and interpretation of this policy and review of expense vouchers shall be in accordance with normal administration and fiscal controls. The Village Manager's decision with respect to reimbursement shall be final.

16.5 Tuition Reimbursement Policy

This statement of policy is established in order to provide equitable standards and consistency among all persons incurring expenses for tuition costs while in the employ of the Village.

Tuition reimbursement for college/university or technical school credit will be based upon the following criteria:

- A. The direct and immediate benefit derived by the Village as a result of this particular employee completing the course/program.
- B. The amount budgeted for training available in the department.
- C. Full-time employees will be given priority over part-time employees.
- D. The specific job-related nature of the course/program.
- E. The compatibility of the course schedule and the employee's work schedule.
- F. The overall performance of the employee requesting reimbursement.
- G. The employee's technical or supervisory responsibility.
- H. Other factors which may be relevant.

Where the course is directly and immediately related to the employee's work responsibilities and where the Village will receive a significant benefit, the employee may qualify for up to 100

percent tuition reimbursement, book fees, lab fees, and other miscellaneous course-related fees, upon successfully completing the course. All courses subject to tuition reimbursement shall be taken during non-work hours, unless otherwise approved by the Department Head and the Village Manager.

Depletion of Funds:

When requests for educational reimbursement exceed funds specifically budgeted for that purpose, the Department Head may request that the Village Manager authorize partial reimbursement of expenses in order to extend training opportunities to as many employees as possible.

Qualifications:

To qualify for tuition reimbursement an employee shall:

- A. Have been an employee with the Village for at least two (2) years;
- B. Complete the request for Tuition Reimbursement Form (Appendix E), and submit it to the employee's Department Head before enrolling in the course;
- C. Obtain tuition reimbursement approval from the employee's Department Head and the Village Manager;
- D. Successfully complete the course with a grade of "B" or better (The Village Manager has the authority to reimburse a grade of "C" if it is determined that the employee incurred extraordinary Village work requirements that were in conflict with course demands); and
- E. Submit to the Finance Department proof of successful course completion and proof of amount spent for tuition.

Termination of Employment:

If an employee's employment with the Village is terminated for any reason within a four (4) year period after completing a course, the employee agrees that the Village shall deduct a pro-rata portion, of the amount of tuition reimbursement previously granted for any such course from the employee's final paycheck or make other arrangements to repay the Village for tuition reimbursement funds which have been granted to the employee.

Other Tuition Resources:

The Village will not reimburse employees for education or training that is obtained at no cost to the employee. If federal, state or other funds or grants are available, the employee may apply for such funds before or after requesting reimbursement from the Village. If such funds are received but do not cover the entire cost of tuition, the Village may reimburse the employee for the difference.

Payment of Tuition:

If a private university, the Village will typically only reimburse a comparable cost for a public university. Vouchers for tuition reimbursement must be submitted with a registration receipt showing costs that are to be reimbursed and evidence of a course grade of "B" or better. Also,

indicate to whom the tuition reimbursement check should be made payable. Reimbursement for coursework in excess of \$5,250 in a calendar year is fully taxable, per the IRS.

SECTION 17

DISCIPLINARY ACTION

17.1 General

Employees are expected to maintain reasonable standards of conduct and performance, and display a proper regard for the welfare and rights of other employees and the public. To ensure that employees clearly understand the policies, rules, and procedures, and that disciplinary procedures are applied on an equitable and consistent basis, certain guidelines have been established.

All employees may be discharged with or without cause. When an employee is disciplined for misconduct, in determining the degree or type of discipline applicable, the Department Head shall take into account the seriousness of the offense, the employee's previous work record and other information related to the offense. The Village may apply progressive discipline. However, an employee, particularly in instances of serious acts of misconduct, shall be subject to discharge without the application of progressive discipline.

This Section does not apply to non-probationary sworn police personnel.

17.2 Guide for Determining Unacceptable Behavior

The following are examples of acts and practices for which disciplinary action is appropriate. The illustration of offenses listed is not intended to be all inclusive; rather, the illustrations provide a general guide for determining unacceptable behavior. Other conduct not specifically covered below may result in disciplinary action.

- A. Incompetence, inefficiency, or negligence in the performance of duties.
- B. Breaching confidentiality.
- C. Any act which endangers the safety, health, or well-being of an employee or citizen.
- D. Any act of sufficient magnitude that the consequences cause or lend to disruption of work or discredit the Village.
- E. Violation of the Village's Drug Free Workplace Policy.
- F. Theft or destruction of property.
- G. Use of Village equipment, property, or material for personal gain or without the required approval.
- H. Falsification or alteration of time sheets, personnel records, employment applications, or any other Village records.
- I. Repeated absences, tardiness, or leaving early; abuse of sick leave privileges; absence without leave.
- J. Abusive attitude, language, or conduct toward fellow employees or the public, including any form of aggressive or violent conduct during work hours or on Village property before or after work hours.
- K. Sleeping on duty, except as permitted for Fire/Rescue Personnel.

- L. Failure to observe safety rules or failure to use safety devices and/or equipment when required to do so.
- M. Refusal to comply with the instructions or directions of Supervisors.
- N. Misuse of Village computers or cell phones.
- O. Failure to comply with requirements as set forth in this Handbook.

17.3 Forms of Discipline

The following types of discipline shall apply to all employees except sworn police officers. Sworn Police Personnel shall refer to the department procedures and the Board of Police Commission Rules and Regulations regarding forms of discipline.

Oral Reprimands:

- A. An oral reprimand consists of a conference between the Supervisor issuing the reprimand and the employee. The purpose of the conference is to express disapproval of conduct or poor work performance, and to clarify applicable rules or standards of performance, policies, and procedures. Supervisors should inform the employee that the Supervisor is counseling the employee or issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action.
- B. A record of oral reprimands will be maintained in the employee's personnel file.

Written Reprimand:

- A. A written reprimand must include a conference between the Supervisor issuing the reprimand and the employee and shall include a document setting forth the nature of the misconduct or poor work performance. It will clarify applicable rules, policies, or procedures and warn that repetition of the misconduct or failure to improve work performance may result in more severe disciplinary action.
- B. A copy of the written warning or written reprimand is to be handed to the employee at the time of the discussion of the discipline. The employee must sign the written warning or written reprimand to acknowledge receipt. If the employee refuses to sign the acknowledgment, then the Supervisor should note on the warning or reprimand that the employee received a copy and refused to sign it. Copies of written reprimands shall be maintained in the employee's personnel file.
- C. Written reprimands may be used for misconduct of a minor nature.

Suspensions:

- A. A suspension is a temporary removal from employment, accompanied by a concurrent temporary loss of the privileges of employment, including, but not limited to salary and, where applicable, benefits.
- B. A suspension may be used to discipline employees for serious misconduct or performance problems that warrant more severe corrective measures than a

reprimand. A suspension may also be used for repeated misconduct or performance problems of a minor nature.

- C. The Department Head must notify the Village Manager, in writing, of any suspension no later than 24 hours before commencement of the suspension.
- D. A Department Head may suspend an employee for a maximum of three (3) days without prior approval of the Village Manager. For suspension periods longer than three (3) days, approval of the Village Manager shall be obtained prior to notification of the suspension.

Demotion:

- A. Demotion is the reduction in position of employment with a corresponding reduction in salary.
- B. Demotion may be used to address serious misconduct or performance problems and may be used in addition to other forms of discipline.
- C. Demotions must be approved by the Village Manager.

Discharge:

- A. Discharge is the permanent removal from employment with the corresponding permanent loss of all privileges of employment.
- B. In general, discharge may be used for serious misconduct or performance problems and/or repeated misconduct or performance problems of a less severe nature.
- C. Discharge must be approved by the Village Manager.

Each form of discipline, except for an oral reprimand, is to be processed by the Department Head on a PAR form and maintained in the employee's personnel file. The PAR form shall be attached to written documentation of the performance problem and/or work misconduct.

17.4 Appeals

An employee may appeal a written reprimand, suspension, demotion, or any disciplinary action other than an oral reprimand in accordance with the provisions of Section 22.2 of this Employee Handbook.

17.5 Reinstatement

In the event that a demotion, suspension, or dismissal is reversed by the Village Manager, the employee may be reinstated to the former position, and may be reimbursed for all back straight-time wages, minus any unemployment compensation received by the employee, if applicable.

SECTION 18

CRIMINAL CHARGES

Any employee, other than a non-probationary police officer, charged with a criminal offense may be immediately suspended from employment with the Village, with or without pay by the Village Manager.

18.1 Investigation

If an employee is suspended following a charge for a criminal offense, the Village will investigate the charges to determine whether Village disciplinary action is warranted. If a person has been suspended based on criminal conduct and if, upon investigation, the Village Manager believes that the criminal charges are without foundation or are of questionable merit, the Village Manager may reinstate the employee to the regular position.

18.2 Termination or Suspension

A finding of not guilty on the criminal charge or charges shall not be binding on the Village in any disciplinary action taken or to be taken by the Village.

18.3 Arrest

All employees have a duty to inform their immediate Supervisor and/or Department Head, at the earliest practical opportunity after arrest (but never later than forty-eight (48) hours), of the fact that they have been arrested, the arresting agency, and the charge. Advised Supervisors and/or Department Heads shall then notify the Village Manager of the arrest. An employee failing to make a candid and prompt disclosure of an arrest shall be regarded as an event calling for employee discipline up to and including discharge.

SECTION 19

INDEMNIFICATION FOR LEGAL FEES

19.1 Indemnification

An employee, who must defend a civil suit arising out of his or her scope of employment with the Village may be indemnified in whole or in part for legal fees and expenses provided that:

- A. Such civil suit was not instituted by the Village; and
- B. The Village's independent investigation of the incident which is the subject of the civil suit shows that the employee was competently performing assigned duties; and
- C. The payment is approved by the Village Board who shall have absolute discretion in determining whether such payment is appropriate.
- D. Such indemnification shall not apply to any portion of a judgment representing an award of punitive or exemplary damages.
- E. If an employee is a defendant in any criminal action arising out of or incidental to the performance of his or her duties, the Village shall not provide representation for the employee in that criminal action. However, subject to c and d above, the Village may reimburse the employee for reasonable defense costs only if the criminal action was instituted against the employee arising out of his or her scope of employment and that action is dismissed or results in a final disposition in favor of that employee.
- F. Subject to b and c above, the Village may provide representation to an employee who is a witness in a criminal matter arising out of the employee's scope of employment.

SECTION 20

SEPARATION

20.1 Return of Village Property

An employee, leaving Village employment, whether through retirement, resignation, lay-off, or dismissal, shall return any Village property that may be in the employee's possession.

20.2 Resignation/Retirement

An employee in good standing wishing to separate from Village employment voluntarily shall submit a letter of retirement or resignation to their Department Head stating the reason for the separation. The letter shall be submitted no less than ten (10) business days before the separation date. The Department Head shall immediately give the letter of retirement/resignation to the Village Manager, and it shall become part of the employee's personnel file. With the approval of the Village Manager, the Department Head may agree to permit a shorter period of notice.

The Village Manager or designee shall transmit the employee's equipment receipt, pension, and health insurance cancellation forms to the Department Head for completion and return before the employee's last working day.

Voluntary separation of seasonal or temporary employees is accomplished by submitting the equipment receipt and PAR form to the Village Manager on or before the employee's final working day.

The employee's voluntary separation of employment without adequate notice shall be accomplished in the same manner as if sufficient information was given, except that the lack of proper notice shall be indicated on the PAR form.

Employees separating from the Village in good standing will be offered a reception. Each reception shall be held during regular business hours and coordinated by the department from which the employee is leaving. Unless the employee has requested otherwise, a reception invitation shall be sent to all Village Departments.

1 – 9 years	Cake and coffee reception
10 – 19 years	Cake and coffee reception and engraved plaque
20 years or more	Luncheon reception, engraved plaque, Village Board Resolution, and retirement gift

Departmental discretion is given regarding formal dinner receptions with all expenses paid for by participants. Employees may take up a collection to purchase a farewell gift.

In addition, employees may request, and the Village Manager or Department Head may require an exit interview with either their current Department Head or Village Manager.

20.3 Computation of Final Paycheck

Any employee leaving Village employment shall be entitled to receive the monetary equivalent of all earned vacation time and accrued compensatory time. All payroll withholding shall be deducted from the final paycheck. If the employee qualifies for a reimbursement for unused sick leave, this will also be included.

20.4 Disposition of the Final Paycheck

The final paycheck shall be prepared by the Finance Department on the next regularly scheduled pay day following the termination date.

SECTION 21

LAYOFF

21.1 Authority

The Department Head, with the approval of the Village Manager, may lay off an employee when it is deemed necessary due to shortage of work or funds, the abolition of the position, material change in the duties or organization, or for other reasons which may be determined by the Village. No disciplinary action or temporary or permanent separation of an employee from employment shall be deemed a layoff.

21.2 Duties of Affected Employees

The duties normally performed by a laid off employee may be reassigned to other employees.

21.3 Notification

Employees to be laid off shall be notified in writing by a completed PAR form at least ten (10) business days prior to the effective date of the layoff.

21.4 Transfer/Demotion

If an employee is scheduled to be laid off, the employee may request a demotion or transfer to another position in the employee's occupational category. The granting of the request shall be entirely within the Village's discretion.

21.5 Approval of Village Manager

Prior to the implementation of layoffs, the names and position titles of any and all employees scheduled for layoffs shall be submitted to the Village Manager for review and approval.

21.6 Recall List

Employees who are laid off shall be placed on a recall list for a period of one (1) year from the date of layoff. If there is a recall, employees who are on the recall list shall be recalled in the inverse order of their layoff, provided they are presently qualified, without further training, to perform the work in the position classification to which they are recalled.

SECTION 22

HANDLING OF SUGGESTIONS, COMPLAINTS, AND GRIEVANCES

(Police Civilian Employees Will Use Departmental Grievance Procedure)

22.1 Suggestions

The Department Heads and the Village Manager welcome suggestions from employees for improving municipal services. These suggestions may be presented to the Department Head or the Village Manager by letter, memorandum, or in person. Suggestions will be considered and, if feasible, may be adopted, or where required, recommended to the Corporate Authorities.

22.2 Complaints

I. Purpose:

To establish guidelines and procedures for receiving, investigating, reporting and adjudicating complaints of alleged misconduct by Village employees. This procedure is not intended to apply to a supervisor's periodic review of an employee's work performance and subsequent recommendation for counseling, training, and/or discipline, etc.

II. Policy:

In order to preserve public confidence and ensure professional conduct, it is the policy of the Village to thoroughly and promptly investigate all complaints of alleged misconduct by employees. Investigations related to internal discipline shall be fair and impartial and shall fully recognize the rights of the community as well as those of the individual employee. This order does not preclude a supervisor from taking corrective action, including disciplinary action, for poor work performance.

Misconduct: Misconduct is an act or omission by an employee, which if proven true would normally result in some form of discipline, sanction or remediation. This would include:

- A. Commission of a criminal act,
- B. Neglect of duty,
- C. Violation of a Village or Department policy, procedure, general order, rule or regulation,
- D. Violation of the Employee Handbook,
- E. Conduct which may tend to reflect unfavorably upon the employee and/or the Village, or
- F. Unacceptable Behavior, which includes, but is not limited to, the following:
 1. Incompetence, inefficiency, or negligence in the performance of duties,
 2. Breaching confidentiality,
 3. Any act which endangers the safety, health, or well-being of an employee or citizen, or which is of such sufficient magnitude that

- the consequences cause or act to cause disruption of work or discredit the Village,
4. Possession or being under the influence of alcoholic beverage or illegal drugs on Village property, or while operating Village equipment, or while performing the duties associated with the employee's position,
 5. Theft or willful destruction of Village property or the property of another employee,
 6. Use of Village equipment, property, prestige or material without the required approval or for personal gain,
 7. Falsification or alteration of time sheets, personnel records, employment applications or any other Village records,
 8. Repeated absences, tardiness, or leaving early; abuse of sick leave privileges; absence without leave,
 9. Abusive attitude, language or conduct to fellow employees or the public,
 10. Failure to observe safety rules or failure to use safety devices and/or equipment when required to do so,
 11. Use of ethnic slurs, indecent, profane, sexist or abusive language or otherwise engage in harassment of other employees or the public,
 12. Refusal to comply with the instructions or directions of Supervisors

III. Procedure:

A. Administration:

1. Employee Misconduct Internal Affairs Function: The Employee Misconduct Internal Affairs Function is a specialized feature of internal control that serves to protect the character, integrity and reputation of the Village. The activities and tasks associated with the Employee Misconduct Internal Affairs Function shall include:
 - a. Recording and registering complaints against employees,
 - b. Supervising and controlling the investigation of citizen complaints and other suspected employee misconduct within the agency.
 - c. Maintaining the confidentiality of the employee internal affairs investigations and records, to the extent allowed by law.
2. Scope of the Employee Misconduct Internal Affairs Function: As a matter of procedure, the Employee Misconduct Internal Affairs Function shall handle complaints which include, but are not limited to, the following:
 - a. All complaints of misconduct against an employee, whether the complaint is initiated externally by a citizen or internally by an employee of the Village.
 - b. Employee misconduct detected by a supervisor that involves criminal behavior, corruption, harassment, reckless conduct,

or behavior that places others in danger, other serious infraction that would likely result in dismissal or suspension.

3. Control of the Employee Misconduct Internal Affairs Function: The overall responsibility for the administration and control of the Employee Misconduct Internal Affairs Function rest with the Director of Administrative Services, who shall report directly to the Village Manger in writing and shall be responsible for immediately informing the Village Manager about internal affairs matters that fall within the scope of a formal investigation. The Director of Administrative Services will work in partnership with the Village Attorney on all employee internal affairs investigations.
 4. Employee Rights and Responsibilities during an Investigation: Any employee who is the subject of a formal investigation will receive a general notice of the nature of the investigation.
- B. Operational Procedures:
1. Scope of Investigations: All misconduct complaints against employees, regardless of their source or nature shall be investigated and promptly adjudicated.
 2. Record Keeping: A written report shall document the receipt, investigation, and adjudication of all complaints against the Village's employees. The Director of Administrative Services shall be responsible for the maintenance, security, and confidentiality of all internal affairs records. A summary of the investigation and results of all complaints, excluding complaints determined to be unfounded, not sustained, or exonerated, shall be placed in the employee's personnel file.
 3. Acknowledgement of Complaints: The Director of Administrative Services shall acknowledge receipt of any complaint, when the identity of the complainant is known. During lengthy investigations, periodic status reports shall be given to the complainant and documented in the case file. Further, the person making the complaint shall be notified of the conclusion of the investigation.
 4. Disciplinary Power:
 - a. For disciplinary purposes, the employee's Department Head has full power and authority to reprimand, suspend with or without pay up to 3 days without approval of the Village Manager, suspend more than 3 days or discharge with the approval of the Village Manager. However, the Department Head shall consult the Village Attorney prior to any suspension or dismissal. The Village Manager and Director of Administrative Services shall be notified in writing no later than 24 hours after commencement of any suspension.
 - b. The Department Head, after consultation with the Director of Administrative Services, may assign an employee to

- temporary administrative leave. Employees assigned to temporary administrative leave shall be on leave with pay pending investigation for a reasonable period of time not to exceed 10 days without approval of Village Manager.
5. Findings: All investigations pertaining to an allegation of misconduct must result in a "finding of fact". Based on the findings of fact, each allegation must be classified as stated below and the classification of each alleged misconduct provided to the employee involved.
 - a. Sustained: The investigation disclosed sufficient evidence to prove by preponderance of evidence the allegations of misconduct made in the complaint.
 - b. Not Sustained: The investigation produces insufficient information to prove or disprove by a preponderance of evidence the allegation of misconduct.
 - c. Exonerated: The alleged act occurred but was justified, legal or proper.
 - d. Unfounded: The alleged act did not occur.
 - e. Policy/Procedure Failure: The alleged act did occur and was inappropriate; however, the employee was acting in accordance with established Village policy/procedure.
 - f. Resolved Informally: The Department Head and/or Director of Administrative Services resolved the complaint through a conference between the parties, to all parties satisfaction.
 6. Complaint/Grievance Procedure:
 - a. An employee may file a complaint and/or grievance under this procedure if the employee believes that the Village or an employee within the Village violated a Village policy or otherwise engaged in misconduct. Employees may report misconduct whether it directly affected them, another employee, a member of the public, or the Village as a whole.
 - b. Complaints should be directed to the employee's Department Head. If for any reason, the employee is not comfortable submitting the complaint to their Department Head, the complaint may be submitted to the Director of Administrative Services and/or Village Manager.
 7. Complaint Reception and Investigation:
 - a. Receiving Complaints:
 - i. The Village shall document all complaints alleging misconduct by employees, regardless of their source or nature.
 - ii. Complaints received in person or by telephone should be referred immediately to the Department Head. Complaints received by mail shall be forwarded to the Department Head who will assign or investigate the complaint.

- iii. Upon receipt of a complaint, the Department Head shall complete a Complaint Receipt Form (Appendix G). A copy of this completed form shall be given/sent to the complainant. The Complaint Receipt Form shall be forwarded to the Director of Administrative Service.
 - b. Complaint Investigation:
 - i. The Department Head and Director of Administrative Services may attempt to address the complaint informally or through a conference with the employees. However, if a resolution is reached in an informal way, the complaint and informal resolution shall still be documented.
 - ii. In most cases, an investigation will be initiated by the accused employee's Department Head, who during the course of the investigation, may interview the complainant, witnesses and Village personnel for the purpose of gathering essential facts and information.
 - iii. The investigation shall be documented on the Inquiry Report Form (Appendix F) and copies of the report shall be forwarded to the Director of Administrative Services. The Director of Administrative Services shall determine what further action is to be taken.
 - iv. When an investigation is initiated, the Director of Administrative Services and/or Department Head, shall:
 - a) Gather evidence, complete the investigation, and prepare written reports concerning the findings, and
 - b) Compile the complete investigative report together with supporting documentation, evidence, findings and recommended classifications of the allegations and recommended discipline.
 - c) The Director of Administrative Services and Department Head shall conference and discuss the recommendations.
 - v. The Department Head shall provide the final disciplinary decision to the employee and complainant. A copy of the final disciplinary decision shall be sent to the Director of Administrative Services and Village Manager.
- C. Maintenance of Disciplinary Records
 - a. Oral reprimands, written reprimands, suspensions and dismissals shall be recorded on Department letterhead and become a permanent addition to an employee's personnel record, as set forth in Section 17.3 of the Village's Employee Handbook.

- b. The Director of Administrative Services shall be responsible for the filing, maintenance, and security of all disciplinary records.
- D. Disciplinary Appeals. All employees can follow the appeals process laid out in Section 22.2 of the Village Employee Handbook.
- E. Conduct with May Result in Potential Discipline
 - 1. The Director of Administrative Services and the Village Attorney must be informed of the following alleged conduct even if it does not result in discipline:
 - a. Any violation of federal or state law.
 - b. Any misconduct involving intoxicants.
 - c. Any sexual misconduct.
 - d. Any unlawful discrimination or harassment.
 - e. Any falsification or misrepresentation in official Village documents and records.
 - f. Any misconduct which may bring disrepute or discredit to the Village.

22.3 Grievances

An employee may grieve any disciplinary action other than an oral reprimand. An employee having a grievance may discuss the matter with their immediate Supervisor in an attempt to resolve it. If no resolution is reached, the employee may file a grievance by following the following steps:

Step 1 – Written to Immediate Supervisor

An employee who wishes to grieve an action shall file a written statement with their Supervisor within five (5) business days from the effective date of the Supervisor's action or in the case of a work rule, at any time the rule is in effect. Such written statements shall include:

- A. The action or rule that is being appealed;
- B. The date the action occurred; and
- C. The reason(s) the action or rule is being appealed.

The Supervisor shall be responsible for making an inquiry into the facts and circumstances of the appeal and for providing the employee with a written decision within five (5) business days after receipt of the statement. A copy of this decision is to be given to the Department Head.

Step 2 – Appeal to Department Head

If the employee is not satisfied with the decision of the Supervisor, the employee may appeal the decision, in writing, within five (5) business days from the effective date of the Supervisor's decision to the Department Head. If the employee's Supervisor is the Department Head, the employee may appeal to the Director of Administrative Services. The filing shall include:

- A. The original grievance to the Supervisor;
- B. The reasons the employee believes the Supervisor's ruling is incorrect.

The Department Head or designee shall make a separate investigation and provide the employee with a copy of the written findings and decision within five (5) business days after receipt of the employee's appeal. A copy of the decision shall be provided to the Village Manager or designee.

Step 3 – Final Appeal to the Village Manager

If the employee is not satisfied with the decision of the Department Head, the employee may appeal the decision in writing within five (5) business days from the effective date of the Department Head's decision to the Village Manager. The filing shall include:

- A. All documents filed with the Supervisor and Department Head;
- B. The specific reasons why the employee believes the Department Head's decision was incorrect.

The Village Manager shall render in writing the findings and decision within ten (10) business days after receiving the request for review. Copies of the finding and decision shall be provided to the employee and the Department Head. The decision of the Village Manager shall be final and binding on the employee.

22.4 Complaints and Grievances for Police Personnel

Sworn Police Personnel must refer to the departmental procedures and the Rules and Regulations of the Board of Police Commissioners regarding complaints and grievance procedures. In addition, civilian employees in the Police Department shall be subject to the departmental grievance procedure.

Appendix A Resource Guide

Employee Assistance Program (EAP), Perspectives, LTD. can be reached three ways:

1. Phone- Professional counselors are available 24/7 to answer your questions, provide counseling, or assist you with locating resources at (800)456-6327.
2. In Person- Counselors will listen to your concerns, assess the situation and help you develop an action plan best suited to your needs. Call (800)456-6327 from 8:00 AM to 6:00 PM weekdays to schedule an appointment.
3. Online- Perspectives' website provides information, resources, and tools for a vast number of issues, ranging from parenting and childcare to health and wellness. Visit www.perspectivesltd.com and log in using username: NSE006 and password: perspectives

Illinois Department of Human Rights

100 W. Randolph Street, 10th Floor, Intake Unit
Chicago, IL 60601
(312)814-6200

Illinois Department of Labor

State of Illinois Building
160 North LaSalle Street, Suite 1300
Chicago, IL 60601
(312)793-6797

Illinois Municipal Retirement Fund (IMRF)

2211 York Road, Ste 400
Oak Brook, IL 60523
(800)275-4673

International City-County Management Association Retirement Corporation (ICMA-RC)

P.O. Box 96220
Washington, DC 20090-6220
(800)669-7400

Police Pension Fund, managed by Lauterbach & Amen

(866)952-6329
benefits@lauterbachamen.com

U.S. Department of Justice, Civil Rights Division

950 Pennsylvania Avenue NW, Disability Rights Section – NYA
Washington, DC 20530
(800)514-0301

U.S. Equal Employment Opportunity Commission

500 West Madison Street, Suite 2000

Chicago, Illinois 60661

(800)669-4000

Wage and Hour Division of the United States Department of Labor

230 S. Dearborn Street, Room 412

Chicago, Illinois 60604

(312)789-2950 or (866)487-9243

www.dol.gov/whd/fmla/

Appendix B
Secondary Employment Request Form

Employee Name: _____ Title: _____

Department: _____

Name of Outside Employer (If Self-Employment, Indicate): _____

Address of Firm: _____

Telephone Number: _____ Supervisor's Name: _____

Type of Firm: _____ Shift to be Worked: _____

Hours a Week to be Worked: _____ Days a Week to be Worked: _____

Type of Work to be Performed: _____

Does This Job Allow you to Leave if Responsibilities w/the Village of Northfield Require? _____

Will This Job Represent a Conflict of Interest/Negative Image on the Village of Northfield? _____

Does This Job Require that you Travel? _____

I do hereby affirm that the information contained herein is accurate to the best of my knowledge.
I agree to promptly update this information should any of the conditions of my part-time
employment change.

Employee Signature

Date

Department Head Signature

Date

Approved by Department Head:

NOT Approved by Department Head:

Village Manager Signature

Date

Approved by Village Manager:

NOT Approved by Village Manager:

Appendix C
Request to Travel on Village Business

This form must be submitted 14 days before travel and approved by the Employee's Department Head and the Village Manager prior to any travel expenditures or a cash advance. Attach a copy of the event registration form to this form. Following approval, this form should be forwarded to the Finance Department. Upon completion of travel, a "Travel and Expense Report" form, including receipts for expenses must be submitted and approved.

Employee Name: _____ Department: _____

Date(s) of Travel: _____ Destination: _____

Purpose of Travel: _____

Account Number: _____ Date Cash Advance is Needed: _____

	Total Expense	Cash Advance
Transportation Method: _____	\$ _____	\$ _____
Lodging Location: _____	\$ _____	\$ _____
Per Diem Meals: _____	\$ _____	\$ _____
Registration Fees: _____	\$ _____	\$ _____
Other Expenses: _____	\$ _____	\$ _____
Total:	\$ _____	\$ _____

Employee Signature _____
Date

APPROVED BY:

Department Head Signature _____
Date

Village Manager Signature _____
Date

CASH ADVANCE PAYMENT INFORMATION:

Account Number: _____ Check Number: _____ Amount of \$ _____

Received by: _____ Date: _____

**Appendix D
Travel and Expense Report**

This form must be completed by any employee returning from travel on Village business and must be submitted to the Employee's Department Head within 14 business days. The Employee must attach all receipts for expenses other than per diem meals. The per diem schedule for breakfast, lunch, and dinner follows the [current GSA meals rate](#) for the Chicago area, regardless of travel destination. Signing this form certifies that the expenses were incurred in the conduct of Village business.

Employee Name:					Department:			
Purpose of Trip:					Destination:			
EXPENSES	Saturday / /	Sunday / /	Monday / /	Tuesday / /	Wednesday / /	Thursday / /	Friday / /	TOTAL
Airfare:								
Personal Vehicle:								
Lodging:								
Breakfast:								
Lunch:								
Dinner:								
Registration:								
Other: (List Specifics)								

Total Expenses:

Pre-Paid by Village:

Cash Advance:

Balance Due Village:

Balance Due Employee:

PAYMENT:

Account Number: _____

Check Number: _____ Date: _____

Received by: _____

Employee Signature

Date

APPROVED:

Department Head Signature

Date

Village Manager Signature

Date

Appendix E
Application for Tuition Reimbursement and Policy Acknowledgement

Employee Name: _____ Title: _____

Department: _____ Estimated Cost: \$ _____

Name of School: _____

Address: _____

Course Title: _____ Credit Hours: _____

Undergraduate: _____ Graduate: _____

Starting Date: _____ Ending Date: _____

Instruction Time Start: _____ End: _____

Department Head Comments: _____

As an employee of the Village of Northfield, I acknowledge that the Tuition Reimbursement Policy provides that should my employment be terminated for any reason within a four (4) year period after completing a course, I am responsible for repaying a prorated share of the amount of the tuition reimbursement previously granted. Tuition reimbursement funds shall be repaid by either of the following two methods: (1) a deduction from my final paycheck or (2) by a mutually agreed upon repayment schedule. I further understand that the Tuition Reimbursement Policy provides that at the time of my leave of employment, I will be asked to provide written consent as to my method of repayment. Vouchers for tuition reimbursement must be submitted with a registration receipt showing costs that are to be reimbursed and evidence of a course grade of "B" or better. Also, indicate to whom the tuition reimbursement check should be made payable. Reimbursement for coursework in excess of \$5,250 in a calendar year is fully taxable, per the IRS.

Employee Signature

Date

Department Head Signature

Date

Village Manager Signature

Date

Appendix G
Complaint Receipt Form

COMPLAINANT _____ SEX _____ RACE _____ DOB _____
ADDRESS _____ CITY/STATE _____

COMPLAINT RECEIVED BY: _____ DATE: _____
IN PERSON _____ BY TELEPHONE _____ BY LETTER _____ TIME _____

LOCATION OF INCIDENT _____ DATE _____ TIME _____

WITNESS _____ ADDRESS _____

WITNESS _____ ADDRESS _____

ACCUSED EMPLOYEE(S) _____

I UNDERSTAND, AND IT IS MY DESIRE, THAT THIS COMPLAINT WILL BE INVESTIGATED DILIGENTLY. I FURTHER UNDERSTAND THAT, IF THE INVESTIGATOR PROVES THE ALLEGATIONS TO BE FALSE, I MAY BE LIABLE TO BOTH CRIMINAL AND CIVIL PROSECUTION.

COMPLAINANT'S SIGNATURE _____ DATE _____

SIGNATURE OF PARENT/GUARDIAN _____ DATE _____
(IF UNDER 18 YEARS OF AGE)

SUPERVISOR'S SUMMARY:

(Cont on Next Page)

NARRATIVE CONTINUED:

ISSUING EMPLOYEE:

DATE:

COMPLAINT RESOLVED

COMPLAINT REQUIRES ADDITIONAL FOLLOW UP

SUPERVISOR'S SIGNATURE

APPROVED () NOT APPROVED ()

DIRECTOR OF ADMINISTRATIVE SERVICES

