



EMPLOYEE
PERSONNEL
MANUAL

“We are what we repeatedly do. Excellence then, is not an act, but a habit.”
- Aristotle

CITY OF WARRENVILLE EMPLOYEE MISSION STATEMENT

As Employees for the City of Warrenville, we are committed to protecting the health, safety, and welfare of all who live, work, visit, and conduct business in Warrenville. We are dedicated to nurturing a strong sense of community and to developing the City's natural and economic resources by sharing ideas, goals, and aspirations with elected officials and residents. Providing the highest quality of service to Warrenville residents, our most important customers, is central to our mission. We are unified in our resolve to practice honesty, integrity, responsiveness, and professional ethics. We are committed to innovation and change in municipal government, while striving to be the City's most valuable strategic resource.

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Introduction

This employee personnel manual is intended to provide City employees with information regarding City of Warrenville employee services, benefits, policies and procedures. The information in the manual is general and is not intended to be exhaustive.

This manual does not in any way constitute a contract guaranteeing employment or benefits and should not be construed as such. The following represents guidelines only of city government employment. The City also reserves the right to revise, delete or add provisions to these guidelines at any time without notice. This publication is not inclusive of all matters affecting employment.

In the event that any of the policies adopted herein shall be in conflict with the laws of the State of Illinois, or the rules and regulations of the Board of Fire and Police Commissioners, or the provisions of any existing labor contract, the latter shall take precedence.

The City of Warrenville's Pledge to Employees

To treat each employee fairly and to show each employee the courtesy and respect due to one individual by another, to compensate employees fairly through wage and benefits comparable with other communities, and to provide an environment in which employees may freely discuss with their supervisor any problem concerning either their welfare or that of the City or its residents.

The City of Warrenville's Request of Employees

To comply with all federal, state and local laws, statutes, ordinances and policies currently in effect, to at all times, represent the City of Warrenville to its citizens, customers, vendors and visitors in a manner which exemplifies the values of the City, and to diligently protect the property and values of the City of Warrenville from harm or abuse.

Employee Receipt

I hereby acknowledge that I have received and read the City of Warrenville's Employee Manual and that I understand the policies and procedures therein.

I agree to abide by the policies and procedures in the Manual. I understand that the Manual is not intended as a binding contract of employment, but rather is provided to describe the City's policies and procedures. I understand that the policies and procedures therein may be changed by the City at any time.

DATE: _____

EMPLOYEE SIGNATURE: _____

PRINT NAME: _____

1. Employment

1.1 Affirmative Action

The City of Warrenville will strive to ensure its workforce appropriately represents the residents and customers of the City, County, and State of Illinois.

1.2 Anti-nepotism

To avoid potential conflicts of interest, the appearance of bias, and to enhance supervision and security, the City generally prohibits the employment of relatives of current employees or elected officials. The provisions of this policy shall only apply to changes in employment status or marriages occurring after June 1st, 2015. However, if a grandfathered employee terminates his or her employment and later re-applies, he/she would be subject to this policy. The following are among the reasons the City discourages the hiring of relatives.

1. Residents may believe that the related person was employed not on the basis of merit but rather on the basis of the relationship with a current employee or elected official. Whether correct or incorrect, such perceptions may weaken the credibility of the City.
2. Submission of an application by a related person creates the risk that other members of the City will feel pressured to act favorable on the application out of loyalty and the need to work with the related member, rather than on the merits of the application.
3. Those who have supervisory authority over a related person may feel reluctance to properly evaluate or discipline that employee, particularly when the person conducting the evaluation or administering the discipline reports directly to the related employee.
4. The related person may be privy to confidential information maintained by the related employee that they would not typically have access to.
5. The related employee's performance and attitude may suffer out of loyalty to a relative suffering adverse employment action.

The City will discourage the hiring of more than one member of a family, or having more than one relative of the same family in its employ at any time. A relative includes spouse, parent, father-in-law, mother-in-law, grandparent, child, grandchild, sibling, brother-in-law, sister-in-law, son-in-law, daughter-in-law, uncle, aunt, niece, nephew, or first cousins. Also included is any person residing in the same household as a current employee or elected official. However, despite an apparent conflict with this policy, the best candidate for a position shall be hired as long as such employment does not conflict with the following section. The City Administrator shall have the authority to make decisions regarding the interpretation and enforcement of this policy.

The City will not employ, transfer, or promote the related person of a current employee or elected official in which:

1. One of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;
2. One party would handle confidential material that creates improper or inappropriate access to that material by the other;
3. One party would be responsible for auditing, supervising, or approving the work of the other;
4. Work involves potential conflicts of interest, due to the relationship;

5. Work involves potential severe safety risk to both employees;
6. The respective positions would require the performance of joint duties;
7. The respective positions would share responsibility or authority; or
8. Both parties function directly in the same chain of command, work the same shift at the same work site, or work for the same department.

1.3 Working During Emergencies

In the event of a civil emergency (natural or manmade), it is the obligation of the City and the duty of the City Administrator to take necessary action to protect life and property, and to carry out the mission of the City. A civil emergency can be declared by the Mayor, Police Chief, or their authorized designees. An emergency may include, but is not limited to, riots, civil disorders, severe weather conditions, terrorism attacks, or other catastrophes or financial emergencies.

Depending upon the size and severity of the event, any and all employees may be ordered back to work. If so ordered, reporting promptly and working as assigned for the duration of the declared emergency will be mandatory. All employees should be prepared to respond in such an event if directed to do so. The employee's direct supervisor or another supervisor from the City will contact employee with instructions in such an emergency.

Hours worked during such emergencies will be compensated according to the City compensation policies and applicable federal and state law.

1.4 Background Investigations

New or prospective employees may be fingerprinted as a prerequisite to employment. A background investigation will be completed on every new or prospective employee prior to employment. Further background checks may be required as determined by the City Administrator or designee.

1.5 Conditions of Employment/At-Will Employment

An employee may be dismissed at the discretion of the City of Warrentville. "Employment-at-will" refers to the traditional relationship between employer and employee, specifying that either party may terminate the employment relationship unilaterally. Thus, nothing in the policies or procedures of the City of Warrentville creates an expressed or implied contract of employment, but rather an overview of working rules and benefits of City of Warrentville employment.

1.6 Employment Relationship

The City of Warrentville considers the employee's first day of work as the beginning of the employment relationship. Upon making an offer of employment, the City places a strong emphasis on ensuring that the offer conforms to the City's hiring process for that position and is suitable for the candidate in question. Any information relating to terms of employment is to be presented in a positive and complete manner and shall be reviewed and approved by the City Administrator. This attention to the beginning of the employment relationship helps to establish good relations, emphasize mutual expectations and contributions, and avoid future misunderstandings with regard to the responsibilities, opportunity, and benefits available to the employee.

The City Administrator may adjust a wage rate by up to 5% and/or grant one additional week of vacation to an existing employee or job candidate as he deems appropriate with notice to the City Council and limited to one time per employee during his/her employment with the City.

1.7 Citizenship and Residency

Except for those positions covered by the Board of Fire and Police Commissioners, United States citizenship is not a requirement for City employment. In accordance with federal law, the City of Warrenville may hire and retain only persons who are eligible to work in this country; citizens or nationals of the United States or aliens authorized. Verification of employment eligibility must be provided at the time of hire. Residency is not a requirement to work for the City of Warrenville.

1.8 Employees with Disabilities or Pregnancy (*Revised 05/15*)

It is the desire and intent of the City of Warrenville to comply with the provisions of the Americans with Disabilities Act (ADA) of 1990, the American with Disabilities Act Amendments Act of 2008 (ADAAA), and Pregnancy Discrimination Act (PDA), which prohibits discriminatory employment practices against individuals with disabilities, physical or otherwise or based on pregnancy.

The City of Warrenville will make a good faith effort to provide reasonable accommodation to an otherwise qualified candidate who applies for a position, or an employee who is able to perform the essential functions of his or her job. Any employee who has a need for such accommodation should make the need known, preferably in writing, to Human Resources and request such an accommodation. After appropriate discussion and consideration, the City Administrator will make a decision, and the affected employee will be informed. If the request is denied, the employee will have an opportunity to appeal in writing to the City Council.

Effective January 1, 2015, P.A. 98-1050 amends the Illinois Human Rights Act (775 ILCS 5/1 et seq.) to create additional protections for pregnant employees. Under this law, the burden is on the employee to make the request and then on the City to grant the accommodation unless the City can show that the accommodation would impose an undue hardship on ordinary City or Department operations. An accommodation would impose an undue hardship on the ordinary operations if granting the accommodation would be prohibitively expensive or disruptive when considered in light of the following factors:

1. The nature and cost of the accommodation needed;
2. The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed by the facility, the effect on expenses and resources, or the impact otherwise of the accommodation upon the operation of the facility;
3. The overall financial resources of the City with respect to the number of employees, and the number, type, and location of its facilities; and
4. The type of operations, including the composition, structure, and functions of the workforce, the geographic separateness, administrative, or fiscal relationship of the facilities in question.

A reasonable accommodation is a reasonable modification or adjustment to the job application process or work environment, or to the manner or circumstances under which the position desired or held is customarily performed.

Employee accommodation requests and related information will be treated as confidential. Any and all documentation pertaining to actions taken by the City of Warrenville under this policy will remain protected and confidential.

1.9 Genetic Information Nondiscrimination Act (GINA)

It is the desire and intent of the City of Warrenville to comply with the provisions of the Genetic Information Nondiscrimination Act (GINA), which prohibits discriminatory employment practices against individuals on the basis of information derived from genetic tests.

1.10 Equal Employment Opportunity

The City of Warrenville is an equal-opportunity employer. In accordance with federal, state and local laws, the City of Warrenville is committed to recruit, hire, promote, train and evaluate all personnel without regard to race, color, religion, sex, age, national origin, citizenship status, sexual orientation physical or mental disability, or past, present, or future status in the uniformed services of the United States. Job applicants and present employees are evaluated solely on performance of job requirements.

1.11 Off Duty Conduct

Employees have the right to participate in off-duty social networking, other Internet activity, and texting that does not involve the City's equipment and does not adversely impact their job or the City's interests. However, no information shall be posted or communicated in such a forum which is discriminatory, derogatory, abusive, profane, or offensive towards another employee, contractor, vendor, citizen, or other person with whom the employee comes in contact in the course of their job. Employees are expected to comport themselves professionally both on and off duty.

1.12 Immigration Reform and Control Act

In compliance with the Immigration Reform and Control Act of 1986, the City of Warrenville requires that all newly hired employees present documented proof of identity and eligibility to work in the United States within three days of date of hire.

1.13 Medical Examination

An employment offer to prospective, regular full-time and part-time employees will be contingent upon passing a physical examination and drug screening conducted by the City's designated physician or business medical services provider, at the expense of the City. At any time during the course of employment, an employee may be required to undergo a medical examination, whenever the department head or City Administrator believes that it is in the interest of the City to do so. Examinations would be used to assess an individual's fitness for duty. Such examinations may include a written, oral, physical, psychological or any other examination, or combination of examinations, which determine the ability of individuals to perform the duties of the position or whether he/she poses danger or a threat to themselves or others.

1.14 Probationary Period

Employees serve probationary periods after hire or a promotion. Its purpose is to assess the employee's ability to perform the responsibilities of the position. Probationary periods are six months from date of employment, except for new police officers. Employees will be evaluated at the end of the probationary period. Employees may be terminated if performance is unsatisfactory at any point of the probationary period. Probation may be extended or reinstated for poor performance. Upon completion of the probationary period, the City Administrator will make all decisions regarding termination, probation extension or reinstatements, or reassignment upon review of a written recommendation from the department head. Employees will remain under "at-will" employment status for the length of their employment.

Sworn police department personnel are to serve an orientation period specified and enforced by the Warrenville Board of Fire and Police Commissioners.

1.15 Job Description

Job or position descriptions are written and periodically reviewed and updated by the City of Warrenville and outline the major duties and responsibilities of the position, and the skills, knowledge, and abilities required to perform the duties. The job description is used as a basis for assessing an employee's abilities to perform the duties of the job and for evaluation and merit increases. The position standards describe types of work, level of responsibility, and amount of supervision.

1.16 Performance Review

Upon offer of employment, job change, or promotion, every employee will be given a job description. The City of Warrenville will measure each employee's job performance against the description. At every evaluation, the job description will be reviewed for changes. In all cases, the reporting supervisor will review and discuss the objectives with the employee and the employee will sign a statement indicating that he or she agrees with and understands these objectives.

Performance reviews will be conducted annually, with the exception of a review at the end of the employee's probationary period. All performance reviews are based on merit, achievement, job description fulfillment, and performance. The department head will review and discuss the employee's position and salary range during a performance review.

Sole responsibility of proof of merit rests with the employee. Sole responsibility of proof of discipline rests with the employer.

Employees who are at the top of their range effective May 1st have the ability to receive a Top of the Range cash merit bonus payment. The Top of the Range cash merit bonus is not included in the base hourly rate of pay. The amount of this lump sum payment is the difference between the top step or top of the salary range for the given employee's position and the calculated annual wages following the completion of the annual performance evaluation process.

1.17 Promotion

The selection of employees for training, transfer, promotion, or upgrading will be based on qualification. Promotions will be made primarily on the ability to perform the position duties. If two or more persons similarly meet all other requirements, seniority may be the deciding element. Seniority alone does not guarantee consideration for promotion. A promotion results in an employee becoming eligible for a salary increase as dictated by the salary range of the new position.

1.18 Transfers

Voluntary transfers of employees between departments, on either a permanent or temporary basis, may be made upon the recommendations of the affected department heads with the approval of the City Administrator. Employees permanently transferred shall conform to the working policies of the department to which transferred, and shall, except for benefit eligibility purposes, be subject to the probationary period.

Salary adjustments shall be made according to the City's annual budget then in effect for that position. No initial salary adjustment will be made as a result of an employee being transferred from one department to another, unless there is a change made to the position classification.

1.19 Seasonal Employment

Seasonal employees are considered temporary employees and are employed for less than two consecutive calendar quarters during the calendar year. There is no assurance that a seasonal employee will be rehired by the City for the same service, or at the same rate of pay, in a subsequent calendar year. The applicant must be at least 18 years old. Duties and responsibilities are dependent on the City's needs.

2. Health and Safety

2.1 Tobacco-Free Workplace

The intent of this policy is to meet the requirements of the Illinois Indoor Clean Air Act and the Smoke-Free Illinois Act and to ensure that all employees have a safe and clean workplace environment.

Smoking, and the use of tobacco products, are prohibited in City buildings, confined spaces, work areas, private offices, vehicles, and equipment. Smoking is permitted only outdoors and not less than 15 feet from any door, window that can open, or other ventilation system.

Employees interested in smoking cessation programs can contact the American Cancer Society at (800) ACS-2345, the City's insurance carrier, the Employee Assistance Program (EAP) at (630) 653-4218, the DuPage County Health Department at (630) 682-7400 x7044, or the Illinois Tobacco Quitline at (866) Quit-Yes. Many of these programs are free.

2.2 Drug/Alcohol-Free Workplace (*Revised 02/14*)

It is the policy of the City of Warrenville to create a drug and alcohol-free workplace that is in compliance with the Drug-Free Workplace Act of 1988. The goal of the Drug-Free Workplace Act is to ensure the safety of all employees, visitors, and citizens of Warrenville and allows the City to operate effectively and efficiently. The use of alcohol or controlled substances is inconsistent with the behavior expected of employees, as it subjects all employees, visitors, and citizens of Warrenville to unacceptable safety risks, and it undermines the City's ability to operate effectively and efficiently. Therefore, the unlawful manufacture, distribution, dispensing, possession, sale, or use of a controlled substance in the workplace, or while engaged in business relating to the City, is strictly prohibited. Such conduct is also prohibited during nonworking time to the extent that it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City of Warrenville, as determined by the City.

Periodically, employees may be required to attend drug/alcohol-free workplace training sessions.

Employees convicted of controlled substance related violations, including pleas of no contest, must inform the City in writing within five days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the City may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment. In addition, an employee must report to their supervisor, the effects from the use of prescription or non-prescription drugs that may affect job performance; this includes cannabis usage by individuals who have been issued a valid registry identification card by the Department of Public Health under the Compassionate Use of Medical Cannabis Pilot Program Act.

2.3 Alcohol/Substance Abuse Rehabilitation

A regular, full-time, non-probationary employee who notifies his/her supervisor that he/she will be entering an alcohol/substance abuse rehabilitation facility shall be allowed to take a leave of absence (as recommended by the rehabilitation facility) using earned vacation, earned sick pay, earned compensatory time, and leave with no pay, subject to the following conditions. Failure to comply with the conditions may result in immediate termination.

1. The employee agrees in writing that he/she will satisfactorily complete the alcohol or drug rehabilitation program; and
2. The employee agrees in writing that he/she will not engage in any conduct occasioned by the use of alcohol or drugs after completion of the rehabilitation program and doing so could result in disciplinary action by the City.

2.4 Employee Alcohol and Drug Testing (*Revised 07/18*)

All employees of the City of Warrenton are subject to drug and alcohol testing. Drug and alcohol testing may be conducted as follows:

1. **Random Testing:** Any full-time, part-time, permanent, and/or temporary employee who regularly operates, or may operate, a City vehicle or heavy equipment at any time during the scope of their employment, will be subject to random drug and/or alcohol testing.
2. **Post-accident Testing:** Alcohol and drug tests may be conducted on all employees involved in an accident when a supervisor has reasonable cause to suspect that an accident or injury may be drug or alcohol related. There will be no retaliation for reporting work-related injuries or illnesses.
3. Testing may also be conducted when an employee commits an unsafe act that may have caused a serious accident or incident, including near misses, in which safety precautions were violated, unsafe instructions or orders were given, vehicles/equipment/property were damaged, or unusually careless acts were performed. This testing will be at the discretion of the supervisor or management.
4. **Reasonable Suspicion:** When a trained supervisor has reasonable suspicion, or observes behavior, speech, appearance, or body odors that may be characteristic of substance misuse, the supervisor shall document his/her observations and the City Administrator shall review these observations.
5. **Reasonable Cause:** At its discretion, the City may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.
6. Testing may also be conducted as required by state or federal laws.

Employees who test positive for either alcohol or drugs, or refuse to submit to alcohol and drug testing, may be subject to disciplinary action, up to and including termination of employment.

Where an employee is subject to discipline due to the City's determination that the employee is impaired by the use of marijuana in the workplace, the City will offer the employee the opportunity to respond to the determination regarding impairment.

2.5 U.S. Department of Transportation Drug and Alcohol Testing - Employees with a Commercial Driver's License (CDL)

The City of Warrentville will comply with the Federal Highway Administration and Department of Transportation rules requiring drivers who hold a position requiring a Commercial Driver's License (CDL) to submit to random alcohol and drug testing, effective January 1, 2006.

The program is administered by the City's third party administrator. All employees required to hold a CDL will receive a *Drug & Alcohol Abuse Policy Receipt Certificate* and a *Drug & Alcohol Abuse Policy* after obtaining a CDL. These documents must be signed and returned to the Administration Department within five working days. The documents will be filed in the employee's personnel file and the information transmitted to City's third party administrator. The employee should keep a copy of the policy as well. The new employee will then be contacted by the third party administrator to undergo an initial random drug screening.

Employees holding a position that requires a commercial driver's license shall be tested on a random, unannounced basis for drugs and alcohol throughout the year. Employees shall be randomly selected for testing from a pool of employees who hold a commercial driver's license. Random drug and alcohol testing may be conducted at any time while an employee is on duty, whether they are in an immediate time proximity to driving or not.

Employees who hold a CDL must notify City of moving violations, suspension, cancellation, or revocation of their license immediately. Any questions about this policy statement or the required Federal Highway Administration Drug and Alcohol Testing rules should be directed to the Administration Department.

2.6 Toxic Substances Information

In accordance with the Toxic Substance Disclosure to Employees Act, the City will require all suppliers to identify whether any substance, mixtures, or compounds purchased and used by the City are considered a "toxic substance" as determined by the Illinois Department of Labor. The City will insure that all employees receive the necessary information concerning the nature of any toxic substances with which the employee must work including the Material Safety Data Sheet (MSDS). In accordance with the Act, the employee may not refuse to work with the toxic substance if the City makes a good faith effort to provide a MSDS and appropriate safety equipment to the employee.

2.7 Fatigue and Maximum Number of Consecutive Hours Worked

The maximum number of consecutive hours an employee can work is sixteen. After sixteen hours, an employee will be requested to leave for a minimum of five hours at which time such employee may be requested to return to work. It is at the supervisor's discretion to require an employee to leave based on observations and the employee's feedback concerning fatigue. It is the employee's responsibility to notify the supervisor if he or she is tired and needs rest.

2.8 Harassment and Discrimination Policy (revised 1/18)

The City of Warrentville is committed to providing a workplace free from all forms of discrimination and harassment, including sexual harassment. The City expects every person to be treated with fairness, respect, and dignity. Harassment of or discrimination against anyone in the workplace, or the community will not be tolerated by City staff, or the City's elected officials. City employees and officials, through their words and actions, are to act in a fair, professional,

respectful, and unbiased way in all City business, service delivery, and communications with residents, businesses, other City employees, elected officials, appointed officials, volunteers, visitors, vendors, etc. City employees, volunteers, elected officials, and appointed officials are all subject to the requirements of this policy. Vendors, contracted employees, or others under contract with the City must have a policy prohibiting harassment that complies with Section 2-105 of the Illinois Human Rights Act.

Although some conduct may not rise to the level of unlawful harassment from a legal perspective, the City wants to create a culture of respect and to protect its employees from such conduct and prevent conduct from becoming severe or pervasive enough to alter the conditions of an employee's employment, create a hostile working environment, or result in a tangible adverse employment action. Accordingly, the City has adopted a zero-tolerance policy against harassment and other forms of discrimination.

Any form of harassment related to an individual's race, color, gender, religion, national origin, age, pregnancy, sexuality, citizenship status, unfavorable discharge from the military, marital status, disability, or other protected class recognized by state or federal law is a violation of this policy. Additionally, any form of harassment due to a known or suspected disability or disease or because of a co-worker's association with a person with a disability or disease is also prohibited. An employee found to be engaging in harassment or discrimination of any sort will be subject to disciplinary action, up to and including termination.

Sexual harassment includes any harassing conduct based on gender, regardless of whether the conduct is sexual in nature. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders. Sexual harassment includes, but is not limited to, conduct based on gender when:

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

Examples of sexual harassment include, but are not limited to:

- Verbal: sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
- Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking" or "kissing" noises.
- Visual: posters, 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 or 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 such as Facebook and Twitter).

While some forms of harassment are obvious, other forms are more subtle and depend, to some extent, on individual perception and interpretation. It is important to understand that these forms may still constitute harassment. The courts will assess harassment by a standard of what would offend a “reasonable person.”

The City of Warrenville will take appropriate steps necessary to prevent any form of harassment from occurring. Diligence is required of all supervisors and managers in any matter where harassment may be involved. Employees with questions about what constitutes harassing behavior should consult with their supervisor or department head. Department heads will be responsible to ensure harassment does not occur in their departments.

2.8.1 Internal Complaint Procedure

Anyone who witnesses or is subjected to harassment or unwelcome sexual advances may take the following action:

If an employee, customer, vendor, visitor or other person covered by this policy experiences or witnesses any conduct by a City employee, contracted employee, or volunteer that he or she believes is inconsistent with this policy, the City expects the person to promptly notify the Assistant City Administrator, the City Administrator, the employee’s Supervisor, or Department Head. This may be done in writing or orally. Any Supervisor or Department Head who receives a complaint or observes conduct which may violate this policy, must immediately report the complaint or observation to the Assistant City Administrator or the City Administrator.

If an employee, volunteer, elected or appointed official experiences or witnesses any conduct by an elected or appointed official, or the City Administrator that he or she believes is inconsistent with this policy, the City expects that person to promptly notify the Mayor, or the Public Safety and Finance Committee Chair. A copy of that complaint should be provided to the City Administrator unless the City Administrator is the subject of the complaint. In that case a copy of the complaint should be provided to the Assistant City Administrator.

Documentation of any incident may be submitted with any report referring to what was said or done, the date, the time, and the place. Examples of documentation include, but are not limited to, written records such as letters, notes, memos, emails, and telephone messages.

This policy does not require reporting conduct to any individual who is engaging in the conduct alleged to be inconsistent with this policy. All such reports will be investigated promptly. The City will endeavor to handle its investigation expeditiously, professionally, and in as confidential a manner as possible. The City will take corrective action if the complaint is determined to be valid.

Violation of this policy will be addressed promptly. Any violation by an employee will subject that employee to disciplinary action, up to and including termination. Any violation by a person other than an employee of the City, will be subject to action as permitted by law.

2.8.2 Resolution Outside the City

The purpose of this policy is to establish prompt, thorough, and effective procedures for responding to every report and incident so that problems can be identified and remedied internally by the City of Warrenville. However, all municipal 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 of the occurrence.

The Illinois Department of Human Rights may be contacted as follows:

CHICAGO (312) 814-6200
CHICAGO TTY (866) 740-3953
SPRINGFIELD (217) 785-5100
SPRINGFIELD TTY (217) 7403953

The United States Equal Employment Opportunity Commission can be contacted as follows:

CHICAGO 1-800-669-4000
TTY 312-869-8001

It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. Falsely reporting or accusing someone of sexual harassment 1) to accomplish some end other than for the purpose of stopping sexual harassment or 2) in retaliation for reporting, is defined as making a false report. A false or frivolous report alleging a violation of any provision of this policy is a severe offense that can result in disciplinary action.

2.8.3 Retaliation

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

All persons should be advised that the City will not tolerate any retaliation against anyone who has filed a complaint in regards to harassment, discrimination or retaliation; or who assists or cooperates in an investigation of a complaint by someone else, whether internally or with an external agency; or who files a charge of discrimination or harassment or retaliation; or who otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws.

Examples of the types of retaliation that are prohibited include intimidation; discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment; termination of employment; or threats of any such actions. Retaliation will result in severe discipline, up to and including termination. Anyone experiencing or witnessing any

conduct he or she believes to be retaliatory should immediately report such conduct using the complaint process set forth above.

In addition, as discussed above, any violation of this policy may result in disciplinary action, up to and including termination.

2.9 Workplace Violence

Deliberate offensive physical contact by any employee, on City property or while performing any work-related duties, to any other person shall constitute misconduct and just cause for disciplinary action, up to and including termination. In all circumstances where this deliberate or reckless physical contact causes bodily harm to another person while on City property, or while an employee is engaged in work-related activities, the City will seek immediate just cause termination.

Threats of violence, whether verbal or by action, shall be treated seriously, and shall not be tolerated. Such threats shall constitute misconduct, and shall constitute just cause for disciplinary action, up to and including termination. For purposes of this policy, “threats by action” shall mean any physical action which results in any other person reasonably anticipating imminent offensive physical conduct.

Any threats of physical violence, or the bringing of an unauthorized gun, or any other instrument meant to be used as a weapon against or towards another person, into any City-owned property will result in immediate termination of employees under the applicable disciplinary system.

All employees shall immediately report any threat or act of physical violence, intimidation, or violation of this policy to their supervisor, department head, the Assistant City Administrator, or the City Administrator.

2.10 Firearms (*Revised 02/14*)

Consistent with the City’s commitment to provide a safe and secure environment, the City maintains a policy prohibiting any individual, including any employee, but excluding any sworn police officer as defined by the Firearm Concealed Carry Act, from possessing, carrying, displaying, brandishing, discharging, or otherwise having control of or using firearms or weapons on his person in any City buildings. City employees are similarly prohibited from possessing, carrying, displaying, brandishing, discharging or otherwise having control of or using firearms or weapons in the performance of duties or when performing work on behalf of the City, whether on or off of City property, including in City vehicles.

The prohibitions of this policy extend to concealed firearms, even if an individual has a permit for “concealed carry” pursuant to Public Act 98-0063, the Firearm Concealed Carry Act. A concealed firearm is defined as a loaded or unloaded handgun carried on or about a person, which is completely or mostly concealed from view of the public or in the vehicle of that person,

Individuals licensed to carry a concealed firearm may transport a firearm into the parking areas on City property if the firearm and its ammunition remain locked in a case out of plain view within the parked vehicle or in the vehicle’s trunk. Any licensed individual must immediately, upon parking the vehicle in any of the City’s designated parking spaces, either: (a) store his or her

firearm or ammunition in a secure case or locked container out of plain view within the vehicle, or (b) store the firearm within the vehicle's trunk. In the event the individual stores the firearm in the vehicle's trunk, the individual must ensure that the firearm is unloaded at the time the individual exits the vehicle.

2.11 Safety

All employees have an individual responsibility for the prevention of accidents and are required to exercise safe work habits. Every employee must comply with their department's safety procedures. Failure to follow safe work habits is cause for disciplinary action.

3. Compensation

3.1 Pay Frequency

Employees will be paid bi-weekly according to the pay plan which is most recently in place and approved by the City Council. The pay plan is reviewed at least annually to ensure fair compensation.

3.2 Payroll Deductions

As required by law, the City of Warrenville will deduct Federal Social Security and income tax from payroll checks each pay period. Group insurance premiums for eligible employees and dependent family members will be deducted from payroll checks on the first and second payroll of every month, once the employee completes the appropriate authorization forms. Employees may request additional deductions. The City of Warrenville abides by all orders of legal garnishment provisions where applicable.

3.3 Personal Information

In order to avoid issues of compromising employee benefit eligibility or having W2's returned, City employees must promptly notify the Administration Department of any change in name, home address, telephone number, marital status, number of dependents, or any other pertinent information which may change. Notification of all such information must be submitted in writing to the Finance Department within thirty days of such change.

3.4 Classifications and Pay Ranges

Each employment position within the City of Warrenville is assigned to a job classification. The classification process groups jobs that are similar enough in duties and responsibilities to be described by the same title, to have the same pay range assigned, and to require the same level of qualifications. Based on the duties and responsibilities involved, each job classification is assigned a pay range. Non-exempt employees are subject to overtime requirements per the Fair Labor Standards Act (FLSA). Exempt employees are not subject to overtime requirements.

3.5 Overtime

The City has the right to schedule overtime work as required in a manner most advantageous to the City. A department head or their designee must authorize all overtime. Failure to report for overtime work when directed will result in disciplinary action, up to and including discharge. Unless otherwise noted in this policy, under no circumstance will a meal period be considered in the total hours worked for any employee. Overtime compensation for non-represented, non-exempt employees is paid as follows:

- Time and a half for all overtime work performed in excess of 40 hours within a seven-day work period.
- Sick leave shall not be considered as hours worked even though they are paid hours.
- Minimal Call-out Time:
 - When called out to work outside normal working hours, the employee shall receive not less than two (2) hours at one and one half (1½) times the regular rate of pay. When called out less than two (2) hours before starting time, employee will be paid for time worked at one half (1½) times the regular rate of pay. This does not apply to overtime that is scheduled in advance.

- When employees are called out to work on a day that is not a normal work day, they shall receive one and one half (1½) times their regular rate of pay for the entire time worked, provided they have worked sufficient hours to qualify for overtime pay. In no case shall employees who have worked sufficient hours to qualify for overtime compensation receive less than four (4) hours of overtime compensation at one and one half (1½) regular rate of pay. This does not apply to overtime that is scheduled in advance.

3.5.1 Public Works Non-Exempt Supervisors

Call-outs on Regular Work Days

When called out to work outside his/her normal working hours, a Public Works Supervisor shall receive no less than two hours at 1½ times the regular rate of pay. When called out less than two hours before starting time, the Public Works Supervisor will be paid for time worked at 1½ times their regular rate of pay. Subsequent call-outs that are placed while Public Works Supervisor is actively engaged in a call-out will not be considered as an additional call-out; under such circumstances, the Employee will be paid for the time worked.

Call-outs on Days Off

Saturday. When Public Works Supervisors are called out to work on a Saturday, they shall receive 1½ times their regular rate of pay for the entire time worked provided they have worked sufficient hours to qualify for overtime pay. In no case shall employees who have worked sufficient hours to qualify for overtime compensation receive less than four hours of overtime at 1½ times their regular rate of pay.

Sunday. When Public Works Supervisors are called out to work on a Sunday, they shall receive two times their regular rate of pay for the entire time worked provided they have worked sufficient hours to qualify for overtime pay. In no case shall employees who have worked sufficient hours to qualify for overtime compensation receive less than four hours of overtime at two times their regular rate of pay.

Holidays. When Public Works Supervisors are called out to work on an authorized holiday, they will be paid two times their regular rate of pay for all time worked regardless of whether they have worked sufficient hours to otherwise qualify for overtime pay. In no case shall they receive less than four hours' time at the applicable rate. This section is over and above the eight hours of holiday pay provided by the City.

Standby Duties

The Deputy Public Works Director may designate certain Public Works Supervisors to be on standby with a cell phone provided by the City. Public Works Supervisors who are designated for standby shall be paid a standby rate of eight hours per week at 1½ times their regular rate of pay.

When the Utility Maintenance Division Supervisor performs specific well checking assignments on Saturdays or Sundays, he/she shall be compensated at one and one half 1½ times the normal rate of pay two hours per day after completion of the 40 hour work week.

When the Street Division Supervisor performs specific cleaning of City Parks/garbage receptacles assignments on Saturdays or Sundays he/she shall be compensated 1½ times the normal rate of pay two hours per day after completion of the forty hour work week.

3.6 Compensatory Time

In lieu of cash payment, a non-exempt employee may request, subject to the sole discretion of the department head, to charge certain overtime work as compensatory time off. The City also has the right to provide compensatory time in lieu of overtime. No employee shall accumulate more than 40 hours of compensatory time off. Compensatory time must be used in a minimum of 15 minute increments.

When compensatory time off is authorized by the department head, it may be taken at a time mutually agreed upon by the employee and the department head. Under no circumstances will compensatory time be granted where a real hardship, as determined by the department head or City Administrator, is created in the operation of a department.

3.7 Workday

The normal workday is eight hours for non-exempt employees, with 40 hours being a normal workweek. Civilian, non-exempt Police Department employees work 7.5 hours with a ½-hour paid, working lunch. Non-exempt employees not covered by a collective bargaining agreement in the Public Works Department work 8 hours with a ½-hour unpaid lunch. All other non-exempt employees not covered by a collective bargaining agreement work eight hours and receive a one hour unpaid lunch. Exempt employees generally work the same hours, but may be required to work more hours as the work responsibilities dictate. While employee's are generally expected to work the number of hours stated above, the City of Warrenville does not guarantee that an employee will actually work that many hours in any given day or week, or be paid for such hours if an employee does not work that many hours. Specifically:

Designation	Hours of Work		Schedule
	Week	Year	
Full-time	40	2,080	Regular Typically, this is five consecutive 8-hour days per week, but this may vary by department.
Part-time	Up to 30	Less than 2,080	Regular
Seasonal	40	Less than 2,080	Regular Seasonal Work regular hours for a part of the year only.
Intermittent, Paid on Call, As Needed, Relief Worker	Varies	Less than 1,000	Generally Irregular Works only when needed. For example, being called in because an extra person is needed.
Interim	Varies	Limited Time Period	Indefinite

			Works when another employee is absent (i.e., filling in for someone who has a long-term illness).
Acting	Varies	Limited Time Period	Limited
			Extra work or performs duties as authorized by the appointing authority. Assumes position and responsibilities of another position for a finite period or extended position vacancy until position is filled.
Emergency	Varies	Limited to 30 Days	Limited
			To meet special demands.

Sworn police personnel work periods are 171 hours in 28 days. The department head with City Administrator approval sets all other work hours. Timesheets will be kept showing exact hours worked, any leave of absence, and scheduled days off. Employees will arrange break and meal periods with their department head. Employees are responsible for accurately completing and signing their timesheet and submitting it to their supervisor for approval. Any deliberate falsification of a timesheet will result in disciplinary action up to and including termination.

3.8 Telecommuting (*Revised 06/15*)

The City of Warrenville considers telecommuting to be a viable alternative work arrangement in cases where individual, job, and supervisor characteristics are best suited to such an arrangement. Telecommuting is not an entitlement, it is not a citywide benefit, and it in no way changes the terms and conditions of employment with Warrenville.

Either an employee or a supervisor can suggest telecommuting as a possible work arrangement. Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or formal, such as working a specific day or time from home each week. All telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

Individuals requesting formal telecommuting arrangements must have been employed with the City for a minimum of 12 months of continuous, regular employment. Additionally, the employee must have exhibited above-average performance, as evidenced through the City's performance appraisal process. Any telecommuting arrangement made will be on a trial basis for the first three months, and may be discontinued, at will, at any time at the request of either the telecommuter or the City. Long-term telecommuting arrangements will be formally documented via a signed agreement between the department head and the employee.

The City accepts no responsibility for damage or repairs to employee-owned equipment and will not be responsible for costs associated with initial setup of the employee's home office. Consistent with the City's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary City information accessible from their home office.

The employee and department head will agree on the number of days of telecommuting allowed each week, the work schedule the employee will maintain, and the frequency of communication. The employee agrees to be accessible by phone or modem within a reasonable time period during

the agreed-on work schedule. Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act (FLSA) will be required to record all hours worked in a manner designated by the department head. Telecommuting employees will be held to a higher standard of compliance than office-based employees due to the nature of the work arrangement. Hours worked in excess of those specified per day and per workweek, in accordance with state and federal requirements, will require the advance approval of the supervisor. Failure to comply with this requirement can result in the immediate cessation of the telecommuting agreement.

Telecommuting is *not* designed to be a replacement for appropriate child/elder care or care for a sick family member. The focus of the arrangement must remain on job performance and meeting business demands.

The availability of telecommuting as a flexible work arrangement for employees can be discontinued at any time at the discretion of the employer. Every effort will be made to provide 30 advanced days' notice of such a change; there may be instances when no notice is possible based solely on City needs.

3.9 Use of Electronic Communications Off Duty

Non-exempt (hourly) employees may perform job duties using a variety of electronic communications depending on the nature of the work and responsibilities involved. Some of the required communication mediums might include City-issued cellular telephones, text messaging devices, computers, and handheld computers such as Personal Digital Assistants (PDA), "Blackberries" or tablets (i.e. iPads).

As with other types of authorized work, all time spent by non-exempt employees utilizing electronic communications for work purposes will be considered compensable hours worked and will count toward overtime eligibility as required by law. Therefore, in order to avoid incurring unnecessary expenses, electronic communications shall not be used outside of regularly scheduled work hours unless expressly directed and authorized by the supervisor. This includes all types of work-related communication, including the use of personal computers to log-in and perform work remotely outside of regularly scheduled work hours, unless otherwise specified in an employee's collective bargaining agreement. Therefore, some key points to remember are:

- Do not check for, read, send, or respond to work-related emails, voicemails, or texts outside of the normally assigned work schedule unless specifically authorized by the supervisor.
- Employees are responsible for tracking their time for work performed remotely and/or outside of the normally assigned work schedule.
- Employees using electronic communications for work-related correspondence during unauthorized times may be subject to discipline for violating this policy.

3.10 Absence Reporting

If an employee cannot report to work or expects to be delayed, it is the responsibility of the employee or a designee to promptly notify a supervisor of the reason and the anticipated length of the absence. This notification should be given no later than the scheduled starting time of the employee or as established by department policy.

When absence from work can be anticipated, prior approval should be obtained from the department head. Absence without proper notification is cause for disciplinary action. Excessive absence after prior written warning by the supervisor, or an unreported absence of three consecutive workdays, is cause for disciplinary action up to and including termination.

3.11 Tardiness

Employees are expected to be on the job prior to their start time and to be prepared to assume duties at the scheduled starting time.

4. Leave/Time Off

4.1 Leave and Outside Employment

Employees on a leave of absence, during which time benefits are maintained, are prohibited from engaging in outside employment. An employee who violates this policy shall be subject to disciplinary action up to and including termination.

4.2 Leave for Family Members in the Military

Employees shall be entitled to the necessary time off per the Illinois Family Military Leave Act.

4.3 Blood Donation Leave

Employees shall be entitled to the necessary time off per the Illinois Employee Blood Donation Leave Act.

4.4 Voting Leave

Employees shall be entitled to the necessary time off per 10 ILCS 5/17-15.

4.5 Nursing Breaks

Per the amended provisions of the Fair Labor Standards Act, nursing mothers will be provided a reasonable unpaid break to express breast milk for her nursing child for up to one year after the child's birth. The following places are set aside for this activity in each City facility.

City Hall: Audio Visual Room
Police Station: Available Interview Room
Public Works Facility: Conference Room

4.6 Family and Medical Leave Act

Employees who have, at the commencement of the leave, at least 12 months total service and who have worked for at least 1,250 hours during the preceding 12 months, will be granted (during any 12-month period following the first day of the leave) a total of up to 12 weeks unpaid leave that may be used for the following reasons:

1. The birth of a child to the employee and care associated with a newborn,
2. The placement of a child with the employee for adoption or foster care,
3. To care for an employee's spouse, child, or parental figure who has a serious health condition, and
4. A serious health condition (including workers' compensation injury or illnesses) of the employee that makes the employee unable to perform the functions of his or her current position.
5. Any qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
6. Any qualifying exigency arising out of the fact that a family member must take time off to arrange for care for the parents or children of military members who are incapable of self-care.

7. Will be granted (during a single, nonrecurring 12-month period following the first day of the leave) a total of up to 26 weeks unpaid leave that may be used to care for a member of the Armed Forces, including veterans or a member of the National Guard or Reserves, who is undergoing the following:
 - Medical treatment, recuperation, or therapy
 - Is otherwise in outpatient status
 - Is otherwise on the temporary disability retired list, for a serious injury or illness.
 - 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 his or her office, grade, rank, or rating;
 - A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The member of the Armed Services must be the employee's spouse, son, daughter, parent, or next of kin (the employee's nearest blood relative.) This leave includes the 12 weeks of leave that may be taken under numbers one through five above. In the event that a husband and wife are both employed by the City of Warrenville, they may only take a combined total of 26 weeks of leave.

Employees seeking leave for any of the above reasons will be expected to provide notice to the Administration Department 30 days' in advance when the leave is foreseeable, or as soon as practical in the case of an emergency. The City requires that for unforeseen situations of leave, such as numbers 5 and 6 above, employees provide reasonable and practical notice to the Administration Department.

4.6.1 Use of FMLA

The use of FMLA is limited to the following:

- Prior to any unpaid day, use of all accrued sick leave, vacation time, and personal days will be required during FMLA leave,
- Combinations of sick leave, vacation time, personal days will be allowed, with the use of sick time being used first,
- Combinations of paid and unpaid days will not be allowed,
- Use of paid time off days may not be substituted for days in which disability benefits are being paid during the FMLA period,
- Paid benefit time off must be exhausted prior to unpaid leave time being granted.

4.6.2 Verification

Employees, if required by the City Administrator, will submit medical verification of illness or birth. Applicable state forms may be required to verify adoption/foster care. Employees returning from a serious illness will be required to submit a fitness for work evaluation from a licensed health care provider. All verification must be provided prior to returning to work.

4.6.3 Administration

Leave may be taken intermittently, or on a reduced leave schedule as arranged with the department head and City Administrator in all cases. In preparation of a child, leave may be taken prior to the event, depending the needs of the department. Job assignment to a comparable position with equivalent pay and benefits may be necessary to provide required staffing needs of the department. While benefits and seniority remain in place during and after the leave, benefit days including sick and vacation time do not accrue during *unpaid* leave. Written notice of the FMLA provisions would be provided to the employee.

4.6.4 Medical Coverage

The employee is responsible for their portion of medical/dental benefit payments during the FMLA period. If the employee does not return to work after the leave, he/she must pay back the premium paid for by the City during the leave period, unless the continuation, recurrence, or onset of a serious health condition of the employee or a family member would otherwise entitle the employee to take leave, or there are other circumstances beyond the employees control. Notice in writing of the terms and conditions of insurance premium payments would be provided by the City of Warrenville.

4.6.5 Reinstatement

Upon expiration of the leave, the City of Warrenville will reinstate the employee to his or her former or equivalent position. The City may deny restoration rights only to “key employees” (among the top 10% of the highest paid employees of the City of Warrenville) if:

- The denial is necessary to prevent grievous economic injury;
- The employee is given notice of intent not to restore; and
- The employee elects not to return upon notice.

4.6.6 Coverage

This leave policy applies to all employees of the City of Warrenville. Use is limited to cover only those situations concerning the employee, their spouse, child, parent, parent-in-law, adoptive parent, or individual who had primary, day-to-day responsibility for care and financial support of the employee when he/she was a child.

4.7 Restricted Duty

Employees who are disabled or have suffered illness or injury on or off duty and cannot perform all the required and normal tasks of their position may be placed on restrictive duty.

The City may require an employee who is on sick leave or workers’ compensation leave to return to work in an available duty assignment.

The department head, upon consultation with the City Administrator, shall (in most cases) make the determination of whether a restricted duty assignment exists. In the event the restricted duty assignment is for ten working days or more, the written approval of the City Administrator is required.

- (a) Under no circumstances will an employee perform restricted duty without a written medical opinion from a physician stating that the employee is able to return to work and perform restricted duty without significant risk that such return to work will aggravate a pre-existing injury.
- (b) Generally, a restricted duty assignment shall not exceed ninety days. The City reserves the right to terminate any temporary light duty assignment at an earlier time if the City physician determines that an employee is capable of returning to his or her normal job duties, or for any other reason deemed appropriate by the City Administrator, his designee, or the department head overseeing the restricted duty assignment.

Nothing in this policy shall be construed to require the City to create restricted duty assignments for any employee. Employees will only be assigned to restricted duty assignments when the City determines that the need exists and only as long as such need exists.

4.8 Disability Compensation

Depending on the employee's department and job responsibilities, the City participates in, and pays a varying share towards, the employee's disability program. These programs are administered through the employee's pension plan.

4.9 Sick Leave

Employees shall accumulate sick leave at the rate of 3.077 hours earned per biweekly payroll period worked or paid, prorated for portions thereof, up to a maximum of 80 hours per year. Sick leave accrual and use is based on the City's fiscal year. New hires may use sick leave, when necessary, after the first credit for sick leave is accrued. An inactive employee in an unpaid leave of absence that extends beyond 30 days will earn no sick leave. Employees may, at their option, be compensated annually for a portion of unused sick leave as listed under *Unused Accrued Sick Leave*. These benefits are paid only when an employee is ill and unable to work due to of non-job related causes and are as follows. Maximum accumulation is limited to 160 days.

4.9.1 Use of Sick Leave

Personal sick leave benefits refer to an employee's time accrued, which is available to be used for absence from work due to personal illness, injury, or medical appointment, but does not include absences from work in which compensation is provided, such as short or long term disability. Employees may use their personal sick leave benefits for absences due to an illness, injury, or medical appointment of their own, or for the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparents, or stepparent. Sick leave is to be used in a minimum of one-hour increments and may not be used to extend the 12 weeks of leave provided through FMLA.

Employees may use up to half of their yearly sick leave benefits for the care of family members without retaliation. If an employee would like to continue using his/her sick leave time to care for a family member beyond half the yearly amount, he/she needs to receive written approval from the City Administrator. In all cases, employees are required to notify their supervisor a minimum of one hour prior to the start of their scheduled workday regarding the use of sick time and the reason for it.

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4.9.2 Sick Leave Bank

Employees may donate accrued sick leave time for allocation to other employees who have exhausted their accrued vacation time, sick leave, personal days, holiday pay and compensatory time due to illness or a medical condition. Participation is voluntary.

A participating employee may transfer as much sick leave as they wish to an eligible employee, retaining not less than 20 days in their personal accounts. Donation includes complete forfeiture of the accrued sick leave by the participating employee. Upon termination, retirement, or death, neither a participating employee nor the participating employees' estate shall be entitled to payment for unused sick leave acquired from the sick leave bank. No employee receiving transferred sick leave hours can sell back unused transferred sick leave hours obtained from another employee. Any unused transferred sick leave hours must be credited back to the original employee that transferred the sick leave hours.

Use of this program will be on a case-by-case basis, determined by the department head and approved by the City Administrator.

4.9.3 Unused Accrued Sick Leave

Non-represented employees may sell back sick time from their sick leave bank at a pro-rated rate as listed below. Such compensation will be paid at any time subject to City cash-flow as determined by the Finance Director and City Administrator. Requests are limited to one time per 24-month period, per employee. Employees must make their request with no less than a 14-day notice. Employees may not accrue at more than 80 days (640 hours) in their sick leave bank.

Sick Leave Accrued	Unused Sick Leave Compensation
Less than 160 hours (20 days)	No compensation
160 hours up to 319 hours (20 – 40 days)	40% of salary of sick hours earned and not used during prior year
320 hours and above (40 days and over)	50% of salary of sick hours earned and not used during prior year

Example: An employee with the maximum accrual who has accumulated 640 hours could sell back a total of 480 hours (640 less the 160 minimum sick leave bank requirement) to the City at the following rates:

159 hours at 40% of salary

321 hours at 50% of salary

An employee with at least five years of continuous, full-time service who retires in good standing and per the applicable pension plan requirements to qualify for a pension, will receive compensation at fifty percent (50%) of the employee's current rate of pay for unused accrued and earned sick leave up to six hundred and forty (640) hours or eighty (80) days. Such compensation will be paid out no sooner than thirty (30) days after employee's date of retirement.

The Illinois Municipal Retirement Fund provides:

- A maximum of one-year pension service credit for unused, unpaid sick leave at the rate of one-month service credit for each 20 days of unused, unpaid sick leave accumulated.
- An employee may request that the sick leave compensation benefit be waived in order to accumulate more unused sick leave to apply to the IMRF pension service credit. The employee must be leaving IMRF participation for retirement and the effective date of pension must be within 60 days of termination.
- Employees wishing to participate in this program must submit their request in writing to the City Administrator at least 60 day prior to retirement.

4.10 Personal Days

Employees are allowed three days of personal leave per year. Use of this leave is contingent upon prior approval of the department head and will be deducted from unused accrued sick leave.

4.11 Vacation Leave Revised (06/15)

Paid vacation time off is provided to eligible employees in accordance with length of continuous service. Employees start to accrue vacation time on the date of hire. Employees may only use vacation up to their maximum accrual in any one-year period. The maximum amount of vacation that can be accrued is 25 working days.

Vacation time accrued in the year prior to an employee's anniversary date of employment, is considered earned and thus eligible to be taken as of that anniversary date. Earned vacation allowance which is not used within twelve (12) months of being earned shall be forfeited without compensation to the employee.

Non-exempt Employees

Vacation time is earned according to the following accrual schedules:

Length of Service	Accrued Vacation
1-4 years:	10 working days (accrual rate: 3.077 hours/pay period)
5-11 years:	15 working days (accrual rate: 4.615 hours/pay period)
12-19 years:	20 working days (accrual rate: 6.153 hours/pay period)
20 years and after:	25 working days (accrual rate: 7.692 hours/pay period)

Exempt Employees

Length of Service	Accrued Vacation
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1-4 years:	15 working days (accrual rate: 4.615 hours/pay period)
5-11 years:	20 working days (accrual rate: 6.153 hours/pay period)
12-19 years:	25 working days (accrual rate: 7.692 hours/pay period)

4.11.1 Vacation Leave Requests

- Employees with less than one year of service may use accrued vacation leave after six months of service at the discretion of the City Administrator.
- Vacation leave will be authorized in minimum one-hour increments.
- Earned vacation time must be taken in the 12-month period following accrual. No vacation days may be carried over to a subsequent anniversary year. Advance leave for employees with one year of service or more may be granted on a case-by-case basis with City Administrator approval.
- Employees are not allowed to take cash payment for vacation pay in lieu of actual time off except at the time of termination of employment or in the case of extreme circumstances where the purpose of the City would be served as determined by the City Administrator
- Employees requesting vacation for more than 15 consecutive calendar days must obtain permission from the City Administrator.

4.11.2 Unused Accrued and Earned Vacation

An employee with more than six months of service who terminates employment shall be compensated for all unused accrued and earned vacation time. The amount of unused vacation time will be reimbursed in the final paycheck according to 820 ILCS 115/5 Sec. 5.

4.12 Holidays

Except as otherwise provided in this Chapter, full-time employees receive the following days off with pay:

New Year's Day	Independence Day	Fall Holiday (Day after Thanksgiving Day)
President's Day	Labor Day	Winter Holiday (Day before Christmas)
Spring Holiday	Thanksgiving Day	Christmas Day
Memorial Day		New Year's Eve

When a holiday falls on a Saturday, it is observed on the preceding Friday. A holiday falling on a Sunday is observed on the following Monday, unless designated otherwise in advance by the City. In the event an employee is required to work on a holiday, that employee shall be entitled to additional pay based on actual time worked and in accordance with the holiday pay provisions applicable to the employee's position.

To be eligible for holiday pay, an employee must have worked the last regularly scheduled day before and the first regularly scheduled day after the holiday, unless on an authorized pre-approved leave such as FMLA leave or vacation.

Full-time, non-exempt employees not otherwise covered by a collective bargaining agreement shall be paid one and one half times their rate of pay for all hours worked on a City designated holiday regardless of the total hours worked during that workweek. Therefore, the employee shall be paid the overtime rate for the hours worked on the holiday (i.e. between 12:00 a.m. to 11:59 p.m.) even if the employee has less than 40 work hours for that workweek. Furthermore, if that employee has worked more than 40 hours for that workweek and must work the holiday, they will receive one and one half times their rate of pay.

Full-time, non-exempt employees not otherwise covered by a collective bargaining agreement who have a regular day off on a holiday will get paid for the holiday at their straight time hourly rate of pay.

Under this provision, holiday pay would apply for all City designated holidays as approved each calendar year by City Council. When the actual holiday falls on a Saturday or Sunday, an employee will be eligible for holiday pay if he/she works on the designated City holiday, which would fall on the corresponding Friday or Monday, and/or the actual holiday.

4.13 Funeral Leave

The City of Warrenville allows up to five paid days off, with department head approval, for a death of an immediate family member. Immediate family includes parents, spouse, children, brothers, sisters, mother-in-law, father-in-law, grandparents, grandchildren, adoptive parents, children or others where a dependent relationship existed.

The department head must approve funeral leave for death of other than immediate family. Absence for such a death is limited to one day. Any additional leave, which may be granted, will be deducted at the employee's request from either unused sick or vacation leave time. Use of sick leave for more than two consecutive days is subject to department head approval.

4.14 Child Bereavement Leave

In the event of the death of a child, an employee is entitled to up to two weeks of unpaid leave under the Child Bereavement Leave Act. For the purposes of this policy, "child" is defined as a son or daughter who is a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person in standing in loco parentis. In order to qualify, an employee must have been employed for the City for at least 12 months total service and have worked for at least 1,250 hours during the preceding 12 months. This time must be used within 60 days and may be used to attend a funeral, make arrangements necessitated by the death, or for grieving purposes.

Reasonable notice of 48 hours must be provided to the City. Upon request, the employee must provide appropriate documentation, which includes a death certificate, published obituary, or written documentation of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.

Child bereavement may not be taken in addition to the twelve weeks of unpaid leave permitted by the Family and Medical Leave Act. Additionally, employees may elect to use any paid leave as a substitute for the unpaid bereavement days. There will be no retaliation against any employee who takes leave under the provisions of this act.

4.15 Abuse Policy

The City of Warrenville provides each employee provisions that enable them to efficiently and effectively carry out their job responsibilities. The City reserves the right to make judgment when and if an employee is considered to be abusing privileges associated with the use of:

- Sick Leave
- Vacation Leave
- Tardiness
- Telephones
- Computing Equipment and Programs
- Electronic and Other Mail
- City Vehicles
- City Equipment
- City Materials
- City Credit Cards
- Any equipment, materials, or vehicles leased or rented by the City for use by the City
- Any and all benefits provided by the City as a provision of employment

In instances of abuse, employees will receive written notification of the specific abuse under consideration from the department head. At that time, the employee will have the opportunity through the formal grievance procedure to address any determination of abuse. Any substantiated abuse is subject to disciplinary action, up to and including dismissal.

4.16 Unpaid Personal Leaves of Absence

Regular full-time employees may be granted a leave of absence (other than an approved FMLA leave) in accordance with certain provisions. Any employee who has exhausted all vacation and personal days may request an unpaid leave of absence from the employee's department head.

An unpaid leave of absence totaling less than 90 days will have no effect on seniority. An employee may continue in the life and health insurance programs provided arrangements are made by the employee to pay the full premium cost for the period the employee is absent from work. An employee on an unpaid leave of absence that extends beyond 30 days will earn no sick leave and will not get paid any holidays.

An unpaid leave of absence longer than 90 calendar days will result in the termination of employment and of all benefits unless otherwise approved by the City Council. The City may determine the unpaid leave of absence to be a resignation of employment if after 90 days the employee does not return to work.

Employees requesting a personal leave of absence must submit a *Request for Leave of Absence* (Appendix D) form from the Finance Department, stating the reason for the leave, as far in advance as possible to his/her supervisor. City Administrator approval is required.

The City will attempt to return an employee to his/her former position or to a similar position when the employee returns from a leave of absence. However, the City's need to fill a position may override its ability to hold a position open. Therefore, the City cannot ensure that it will be able to return the employee to any position after the leave of absence is over, except as otherwise provided under the Family and Medical Leave Act policy.

4.17 Jury Duty/Court Subpoena

An employee called for jury duty or subpoenaed should report for work during his/her scheduled working hours before and after such duty for assignment to available work. The employee shall submit a certificate evidencing that he/she appeared and shall remit any witness fee/jury duty pay in order to receive their regular rate of pay from the City.

4.18 School Visitation Policy

Per the Illinois School Visitation Rights Act 820 ILCS 147/5, employee parents and guardians are permitted time off from work to attend school meetings or behavioral conferences at the school that their children attend when they are unable to meet with teachers or other educators because of work conflict.

4.18.1 Eligibility:

Employees are eligible if they have worked at least an average of half time for during the last six months and have a biological, adopted, or foster child enrolled in any public or private school in the State or a State with a common boundary.

4.18.2 Leave Requirements

In order to be eligible for School Visitation Leave the following requirements must be met:

1. No more than four hours of leave may be taken in any day with a maximum of eight hours of leave to be taken in any school year;
2. Employee must request leave in writing to their supervisor no later than seven days in advance of the expected conference date.
3. Employee must exhaust all accrued vacation, personal, and compensatory leave before unpaid leave under this policy may be taken.
4. School Visitation Leave will not be granted if it unduly disrupts the operation of the workplace.
5. Employees who utilize this leave shall be allowed the opportunity to make up any unpaid leave time.

4.19 Uniformed Services Employment and Re-employment Rights Act

An employee who gives advance notice and who leaves the City for any period of active military or training service in the Uniformed Services of the United States is entitled to continued employment and, after completing longer periods of service, will be reemployed in accordance with federal and state law. Employees should inform his/her department head of training or drill schedules as far in advance as possible. The employee must provide service pay documents to the department head. He/she will be compensated the difference between service pay and the employee's normal rate of pay.

4.20 Family Military Leave Requirement

An employee is entitled up to 30 days of unpaid family military leave for a spouse, parent, child or grandparent of a person called to military service lasting longer than 30 days, subject to the conditions below.

- The employee must give at least 14 days' notice if leave will consist of 5 or more consecutive work days.
- Where able, the employee shall schedule the leave so as to not unduly disrupt the operations of the department.
- The City will require certification from the proper military authority to verify eligibility.
- Eligibility is based on the employee having exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted, except sick leave and disability leave.
- During this leave, the employee can continue their benefits at their own expense.

4.21 Worker's Compensation

Employees, who are injured on the job, are covered by Worker's Compensation Insurance. As permitted by law, the City will compensate injured employees 66 2/3% Temporary Total Disability (TTD) payments beginning after the loss of three workdays. These wages are not subject to state or federal income tax and need not be reported on returns as income. If an employee is off work, merit increases will not be given until the employee has returned to work and been evaluated. All medical expenses related to the treatment of an injury, sustained on the job, are paid in full. After a specified waiting period, an injured employee may be eligible for disability payments through their pension programs.

For non-life-threatening injuries or illnesses, the employee's supervisor shall, whenever possible, accompany any employee taken to the hospital emergency room. For life-threatening injuries or illnesses, 911 will be called and the employee will be taken to the nearest hospital emergency room.

4.21.1 Reporting On-The-Job Injuries/Accidents

It is the employee's responsibility to notify his/her immediate supervisor immediately, but no more than within 48 hours of an accident and injury. In the absence of an immediate supervisor, the employee should notify the next available supervisor. The supervisor will notify the Administration Department. The City encourages injured employees to seek immediate medical attention.

If an injury results in medical treatment and/or lost time, the supervisor must complete an *Employer's First Report of Injury, Form 45* within 48 hours. This form shall be part of the basic investigation conducted by the supervisor. The Administrative Services Coordinator shall be contacted immediately whenever an injury appears severe. If the accident results in damage to private property (i.e. a vehicle), a Property Loss Notice and Supervisor's Investigation Report must be completed and those reports as well as copies of the police report, Illinois Motorist Report, ticket, and any other accompanying documentation must be forwarded to the Administrative Services Coordinator immediately for processing with the City's insurance. Reports submitted for employee injuries resulting from auto accidents, arrests, animal bites, etc. should be accompanied by a Police Report. The Administrative Services Coordinator will file accident reports and will forward them to the City's Employee Safety Committee for investigation for improved safety practices.

Employees are to make every effort to attend treatment, therapy and follow-up appointments off of work hours. If this cannot be accommodated, appointments during work hours will be considered as time worked.

The City's Worker's Compensation third party administrator (TPA) will be notified by the Administration Department. A representative of the TPA will contact affected employees, their supervisors and any witnesses for case management purposes.

4.21.2 Leave

Before becoming eligible for a Worker's Compensation leave, employees are not required to utilize all sick and vacation time. While on a job-related disability, employees are removed from the City payroll. During this time employees continue to accrue service time and seniority, but shall not accrue sick and vacation time. Employees are not eligible for funeral leave pay, holiday pay, or vacation pay while on a job-related disability leave. Employees who are receiving Temporary Total Disability (TTD) payments as a result of a job-related disability are not permitted to work with or without compensation, in any capacity. Employees on Worker's Compensation leave will also be placed on Family Medical Leave (FMLA).

While on a job-related disability leave, (and no longer on the City payroll) employees have the option of continuing their coverage in the City's life and health insurance programs. In order to do so, the employee is responsible for reimbursing the City for their proportionate cost, if any, of coverage from the date the employee is permanently separated from the active payroll. If the separated employee becomes eligible for similar health and life benefits under another group or government plan, participation in the City plan will terminate.

4.21.3 Restricted Duty

Injured employees may not return to work until a physician has released him or her. Employees with long-term recovery or who cannot perform the required tasks of their position may be required to submit to independent medical evaluations for possible restricted duty work. Under no circumstances will an employee perform restricted duty without a written medical opinion from a physician. This opinion must state that the employee is able to return to work and perform restricted duty without significant risk of aggravating an existing injury or suffering re-injury.

The determination of whether a restricted duty assignment exists shall be made by the department head upon consultation with the City Administrator. In the event the restricted duty assignment is for ten working days or more, written approval of the City Administrator is required.

Generally, a restricted duty assignment shall not exceed ninety work days. When restricted duty is not assigned, the employee will not return to work and will remain on Worker's Compensation leave until suitable work is available or the employee is no longer subject to work restrictions. Both the injured employee and his/her immediate supervisor shall be informed of the medical work restrictions. Under no circumstances is the employee permitted to violate these restrictions. If the injured employee refuses restricted duty he/she will be required to use benefit time. Nothing in this policy shall be construed to require the City to create restricted duty assignments for an employee. Employees will only be assigned to restricted duty when the City determines that the need exists and only as long as such need exists.

When the employee returns to full or restricted duty, they are to make every effort to schedule physician and therapy appointments during off-work hours to the best of their ability. When this is not feasible, the employee's time at the physician or therapy office will be counted as time worked.

4.21.4 Blood borne Pathogen Exposure

Infections that may be acquired following occupational exposure to blood and body fluids are hepatitis B, hepatitis C and HIV. The risk of infection is related to the type of exposure and the status of the source individual. An occupational exposure is defined as the contact of blood or body fluid that may be considered infectious with mucous membranes or non-intact skin that results from an employee performing his/her job.

The employee must notify his/her supervisor of an exposure no later than 12 hours after the incident. The employee's supervisor must report the occurrence to the Administrative Services Coordinator and direct the employee to the hospital. The employee may choose to see his/her own physician for testing and treatment. Within 48 hours after the occurrence, the employee's supervisor must complete a *Form 45* and turn it into the Administrative Services Coordinator. The Administrative Services Coordinator is obligated to maintain strict confidentiality of an exposure. Reporting correspondence will use a code number, to protect confidentiality.

The source individual's blood will be requested to supply a blood sample for testing for HIV and HBV (hepatitis). If the exposed employee is a police officer, baseline labs can be obtained from the source individual without his/her consent. The Police Department may be required to transport a source individual to the hospital for the baseline testing.

If an occupational exposure is determined to have occurred, the employee will give a baseline blood sample. It will be tested for HIV and anti-HBs, if appropriate. If the employee refuses to undergo testing, this will be recorded and could impair his/her ability to make a Worker's Compensation claim in the future.

The employee will be counseled at the medical facility regarding the exposure. A written copy of the medical evaluation/testing will be provided to the employee within 15 days of the exposure. If needed, the employee is immediately offered a hepatitis B vaccination.

Valid exposure cases are followed for a least one year from the date of exposure. Follow-up blood tests are covered for 6 weeks and 3-6-12 months post exposure. If test results are negative after 12 months post exposure, the claim will be closed since no additional treatments will be necessary. If the exposure results in a disease, all medically approved treatment costs per Worker's Compensation regulations will be covered.

4.21.5 Catastrophic Illness

Employees diagnosed with a catastrophic illness such as, but not limited to, cancer, heart disease, or HIV Virus (AIDS) are subject to the City's personnel policies and the employee benefit plans in effect at the time. All medical information pertaining to an employee's health is privileged, private, and confidential.

An employee who is diagnosed as having a catastrophic illness and who desires to continue to work is requested to inform his/her department head of the diagnosis. In most instances, no one outside the management team will need to know of the diagnosis.

It is the City's intent to permit an employee with a catastrophic illness to continue to work. The following guidelines have been established to determine the action most appropriate to serve the needs of the individual and the City.

If requested by the employee, the City will make a reasonable attempt to accommodate persons with a catastrophic illness so that he/she may remain productive for as long as possible.

All employees will be expected to meet acceptable performance standards, including attendance. Employment with the City may continue as long as medical evidence indicates that continued work is not a threat to the health and safety of the employee or to the health and safety of fellow employees or citizens.

4.22 Victims' Economic Security and Safety Act (VESSA)

Any employee who is a victim of domestic violence or who has a family or household member who is a victim of domestic violence may take up to a total of 12 weeks unpaid leave during the 12 months following the first day of the leave. At the commencement of the leave, the employee must have completed at least 12 months total service and worked for at least 1,250 hours during the preceding 12 months to be eligible. Leave may be used for the following reasons:

1. 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.
2. Obtaining services from a victim services organization for the employee or the employee's family or household member.
3. Obtaining psychological or other counseling for the employee or the employee's family or household member.
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security.
5. 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 or sexual violence.

Employees will be expected to provide at minimum, 48 hours advance notice, when the leave is foreseeable, or as soon as practical in cases of emergency, to the Administration Department. An employee who is entitled to take other leave (i.e. family, medical, sick, personal, etc.) may elect to substitute any period of the leave for an equivalent period of leave provided under VESSA.

4.22.1 Use of VESSA is limited to the following:

- Combinations of sick leave, vacation time, compensatory time, personal days are allowed,

- Use of VESSA may not exceed the 12 weeks leave time allowed under, or is in addition to leave time permitted by, the federal Family and Medical Leave Action (FMLA).

4.22.2 Verification

Employees, if required by the City Administrator, will provide certification within two weeks of leave. The certification must demonstrate that the employee or the employee's family or household member is a victim of domestic or sexual violence or that the leave is for one of the purposes enumerated above. An employee may satisfy the certification requirement by providing a sworn statement and documents from a victim services organization, attorney, member of the clergy, or other professional providing assistance in addressing domestic or sexual violence; a police or court record; or other corroborating evidence. All information provided to the City, shall be retained in the strictest confidence, except to the extent that disclosure is requested or consented to in writing by the employee or otherwise required by law.

4.22.3 Administration

Leave may be taken intermittently, or on a reduced leave schedule as arranged with the department head and City Administrator in all cases. Job assignment to a comparable position with equivalent pay and benefits may be necessary to provide required staffing needs of the department. While benefits and seniority remain in place during and after the leave, benefit days including sick and vacation time do not accrue. Written notice of the VESSA provisions would be provided to the employee.

4.22.4 Medical Coverage

The employee is responsible for their portion of medical/dental benefit insurance payments during the VESSA period. If the employee does not return to work after the leave, he/she must pay back the premium paid for by the City during the leave period, unless there is a continuation, recurrence or onset of domestic or sexual violence that entitles the employee to take leave, or there are other circumstances beyond the employee's control. The City may require the employee, who claims that he/she is unable to return to work because of the reasons described above, to provide certification that they are unable to work because of that reason. This certification must be provided within a reasonable period of time after making the claim.

The City will provide notice in writing to the employee of the terms and conditions of insurance premium payments.

4.22.5 Reinstatement

Upon expiration of the leave, the City of Warrenville will reinstate the employee to his or her former or equivalent position.

4.22.6 Coverage

This leave policy applies to all employees of the City of Warrenville. Use is limited to cover only those situations concerning the employee and a family or household member.

4.22.7 Retaliation

The City will not interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under VESSA. The City will not discharge or harass, or otherwise discriminate

against any individual because the individual exercised his/her right provided under VESSA or opposed a practice made unlawful by VESSA.

5. Termination of Employment

An employee wishing to leave their position with the City in good standing shall submit a resignation letter to the department head giving at least ten working days' notice. The department head may consent to the employee leaving sooner. A copy of the letter of resignation must be forwarded to the City Administrator and then placed in the employee's personnel file. The department head is responsible for ensuring that all City keys, identification cards, and any other City property or equipment is returned prior to the employee's last day of employment. The department head should notify the Finance Director of the value of any equipment or property not returned and this amount shall be invoiced to the employee. Employee's absent without authorized leave for more than three consecutive work days shall be deemed to have resigned and will be so notified by certified mail.

5.1 Voluntary Termination (*Revised 06/15*)

The City expects employees to report for work on time for every scheduled shift. An employee who is unable to report to work at the designated time is required to notify his or her supervisor in accordance with the sick leave policy and department head direction. Employees who fail to report to work for three consecutive business days without notifying their supervisor or his/her designee of the absence will be considered as having voluntarily resigned as a result of job abandonment.

If the employee is unable to contact the City for any absence, he or she should ask a representative (such as a family member or friend) to do so on the employee's behalf. If the employee or a representative is unable to contact City due to extreme circumstances (such as a medical emergency or natural disaster that prohibits the employee or his or her representative to contact the City within three days), the employee or his or her representative must contact the City as soon as practicable to explain the situation. In extreme circumstances, the City will consider the explanation and its timing before determining if the voluntary resignation will be upheld.

5.2 Retirement (*Revised 06/15*)

Depending on the employee's department and job responsibilities, the City participates in, and pays a varying share towards, the employee's retirement. Sworn Police Officers participate in, and the City contributes to, Social Security and the Police Pension Fund. All other eligible City employees participate in, and the City contributes to, Social Security and the Illinois Municipal Retirement Fund (IMRF). Full-time employees may also participate in voluntary deferred compensation plans offered by the City, although this is an employee contribution only plan. Retired employees shall be eligible for continued health insurance in accordance with the Municipal Employee's Continuation Privilege (215 ILCS 5/367j) or the Police Officer's Continuance Privilege (215 ILCS 5/367g). Retired employees will be responsible for payment of the full premium.

All full-time sworn members of the Police Department, who have successfully completed 20 or more years of continued service, will receive the following equipment upon separation of service due to retirement.

- Retirement badge in wallet case

- Retired officer identification card

5.3 Exit Interviews

Any time an employee permanently separates employment with the City, whether by retirement, resignation or otherwise, the employee's department head may schedule an exit interview between the employee and the City Administrator or his designee.

Exit interviews are entirely voluntary on the part of the employee and in no way affect any monies or benefits due to the employee. During the course of the exit interview, the employee is encouraged to provide input into matters directly associated with their employment with the City of Warrenville such as:

- Job satisfaction
- Personnel matters
- Training
- The employee's impression of their supervision
- Compensation

General suggestions are also appreciated. Information provided during the exit interview will be documented and placed in the employee's personnel file.

6. Benefits

6.1 Eligibility

Only regular full-time employees are eligible for benefits as outlined in this chapter. The exceptions to this are:

- Workers Compensation Benefits
- Part-time employee who are expected to work more than 1,000 hours per year are required to participate in the Illinois Municipal Retirement Fund (IMRF)
- Employee Assistance Program

Employees who are granted leaves of absence with pay are eligible for all benefits associated with the position. Employees must notify the Assistant City Administrator or Administrative Services Coordinator of qualifying events such as marriage, divorce, death, birth, or any change in dependent status with 30 days of the event or risk losing benefit eligibility.

6.2 Hospitalization and Life Insurance

The City offers hospitalization and major medical insurance for both the employee and the employee's dependents. This insurance is provided under the terms of the City's group hospitalization and major medical plans and administered by the City's third party administrator. The City provides life insurance and accidental death and dismemberment insurance for each employee as well. An employee must be employed for 30 days before becoming eligible for hospitalization and life insurance. The Administration Department will provide an Employee Benefit Plan booklet to each employee.

All employees will be required to pay a percentage of the premium up to the percentage noted below, unless otherwise noted in an applicable collective bargaining agreement. Notwithstanding the provisions of this Section, the City may, at its sole discretion, permit employees to pay a lower percentage of the premium for any or all of the medical insurance plans offered by the City, for any entire plan year designated by the City. The Administration Department will provide the current employee premium share annually.

Effective Date	PPO Choice Plus Premium Share	PPO Core Premium Share	HMO Premium Share
May 1, 2015:	15% of the medical insurance premium cost	10% of the medical insurance premium cost	10% of the medical insurance premium cost

6.2.1 Termination of Coverage

Any employee, who separates from employment with the City between the 1st and the 15th of the month, will continue their health insurance coverage until the 15th of the month. Any employee who separates from employment with the City between the 16th and end of the month, will continue their health insurance coverage until the end of the month and be charged the full premium co-pay amount.

6.2.2 Health Insurance Non-enrollment Incentive Program

The City offers an incentive for qualifying employees who do not enroll in the City's health insurance plan. The incentive payment shall be equal to 10% of the difference between the annual premium cost for a particular health insurance coverage category and/or program from which an employee is opting out (i.e. single, single plus spouse, single plus child(ren), or family coverage), and the required employee contribution for that same coverage. The incentive payment is based on the coverage the employee foregoes at the initial time of the opt-out decision in effect. A change in family status (i.e. qualifying event) cannot alter (increase or decrease) the incentive payment during the time the employee is enrolled in the incentive program. The opt-out incentive payments are mutually exclusive, and may not be combined. The incentive payment shall be paid in December, following the employee's election to opt-out. Incentive payments may increase or decrease from year to year, based on the annual premium cost for particular health insurance coverage.

6.2.3 Determining Incentive Payment (Revised 02/14)

For New Hire Employees

When a newly hired employee chooses to opt out of the City's health insurance plan, the incentive payment will be based on the alternate health insurance coverage the new employee is covered by from the non-City source, at the level (i.e. employee only, employee plus child(ren), employee plus spouse, or family) applicable to the new employee. For *example*, if the new employee is single, and covered by a parent's HMO – Family level of coverage, the new employee will be paid the City's calculated incentive payment for the HMO – Employee Only level of coverage for the current plan year, prorated at a loss of (8.33%) per month into the calendar (plan) year, meaning a new employee with a hire date of May 1, will be paid (66.67%) of the City calculated annual incentive payment for the current calendar (plan) year.

6.2.4 Determining Incentive Payment For Current Employees

When a current employee chooses to opt out of the City's health insurance plan, the level of the incentive payment is based upon the most recent coverage and level of insurance, or the level and coverage the employee had with the City. For example, for the current calendar (plan) year the given employee had HMO- Employee and Spouse coverage, and the employee elected to opt out of the City offered coverage for the coming calendar (plan) year. The employee will be paid the City's calculated incentive payment for HMO – Employee and Spouse insurance coverage.

Employees who participate in the incentive program are allowed re-entry into the City's health insurance plan during the plan year in the case of involuntary loss of current coverage. An employee may not voluntarily drop their alternative coverage (i.e. their spouse's insurance) and enter into the City's insurance in the middle of the plan year under a qualifying event. In addition, as a condition of re-entry during the plan year, an employee shall be required to repay a pro-rated share of their opt-out incentive payment for those months that the employee has re-established health insurance coverage through the City. The pro-rated portion would be 8.33% per each remaining month (*i.e.*, an employee requiring six months of coverage would be required to return 50% of the incentive). Employees will retain their status related to premium share payment based on their date of hire, in accordance with the most current City policy in effect, regardless of participation in the incentive program.

Employees who participate in the incentive program, have received the incentive payment, and subsequently terminate employment at any time during the plan year, will be required to reimburse the City for a pro-rated share of their incentive payment, at a rate of 8.33% per month or portion thereof, of the gross payout, before the end of the plan year. For example, any employee who received the incentive payment for the plan year beginning January 1, but ceased to be an employee as of March 1, would be required to reimburse the City 83.3% of the incentive payment they received for that plan year. The reimbursement would be withheld from the employee's final paycheck, or paid directly to the City by the employee before their final paycheck was issued.

6.3 Dental Program

The City provides a dental plan option for employees and their eligible dependents. Employees who elect to take this coverage will be required to pay the 100% of the premium through payroll deductions.

6.4 Vision Program (*Revised 01/13*)

The City provides a vision plan option for employees and their eligible dependents. Employees who elect to take this coverage will be required to pay the 100% of the premium through payroll deductions.

6.5 Continuation of Medical/COBRA

Upon termination from the City of Warrenville for any reason other than gross misconduct, an employee may elect to continue group medical coverage at group rates through the Consolidated Omnibus Budget Reconciliation Act (COBRA). Individuals will be required to pay the entire premium for coverage up to 102% of the cost to the plan. Failure to make timely payments may result in loss of coverage. Premiums may be increased by the plan.

Under COBRA, the employee or family member may qualify to keep group health plan benefits for a set time period, depending on the reason for losing the health coverage. Coverage can continue for a minimum of 18 months and up to 36 months. COBRA also provides that coverage may be extended or cut short in certain cases.

Events that may result in the right to COBRA coverage include voluntary or involuntary termination, reduced hours of work, becoming entitled to Medicare, divorce or legal separation, death of a covered employee, and loss of status as a "dependent child" under plan rules.

6.5.1 Notification Requirements (*Revised 06/15*)

The employee must inform the City of a divorce, legal separation, disability, or a child losing dependent status under the plan within 30 days of the event. The City will in turn notify the plan administrator. The City has the responsibility to notify the plan administrator of an employee's death, termination of employment or reduction in hours, or Medicare entitlement. For any of these scenarios, employees should complete an *Employee Information Change* (Appendix E) form.

Upon notification by the City, the plan administrator will notify each qualified individual of the right to choose COBRA. COBRA allows a person 60 days from the date he/she receives the election notice to inform the plan administrator to continue coverage under COBRA. If a person

changes marital status or a spouse has changed addresses, the plan administrator must be notified. COBRA information is also contained in the plan's summary plan description.

6.6 Public Safety Employee Benefit Act (PSEBA) (*Revised 06/15*)

The Public Safety Employee Benefit Act (PSEBA) allows for public safety employees, who have suffered a catastrophic injury in the line of duty, the opportunity to apply for the City's base health insurance coverage paid at 100% for the disabled and his/her qualified dependents for the period of time defined by the Act or applicable case law. The base coverage is the City's HMO Plan. The PSEBA also allows for the qualified spouse and/or qualified dependent(s), who were granted a surviving spouse/dependent pension, due to a duty related death of a public safety employee, the same opportunity to apply for the City's base health insurance plan paid at 100%, for the period of time defined by the Act for both the surviving spouse or qualified dependent.

Public safety employees who believe they are eligible for PSEBA benefits must file an application per the Public Safety Employee Benefit Act Procedure adopted by City Council via Ordinance 2788 and 2914. Until processing and acceptance of the Public Safety Employee Benefit, the applicant may remain on the City's health insurance plan; however, they will be responsible to pay 100% of the insurance premium cost. Health insurance premiums must be paid for each month's coverage during the PSEBA review process.

A copy of the PSEBA Procedure is available on the City's network or by contacting the Assistant City Administrator.

6.7 Employee Assistance Program (EAP) – (630) 653-4218

The City of Warrenville recognizes that a wide range of problems that are not directly associated with an individual's job function can nonetheless be detrimental to an employee's performance on the job. The Employee Assistance Program (EAP) can assist employees and their dependents in issues ranging from personal and workplace stress, marital, family, or relationship issues, anxiety and depression, substance abuse, financial and legal consultation, work-life balance and grief and loss. Please see the EAP website for more information (www.cdh.org/eap).

All aspects of the EAP are confidential and participation will be held in confidence. While employees are encouraged to seek help when appropriate, participation in EAP does not excuse employees from complying with City policies or from meeting job responsibilities during or after using the EAP. Nor will participation in the EAP prevent the City of Warrenville from taking disciplinary action against any employee for performance problems, or policy or rule violations, that occur before or after the use of the EAP.

6.8 Tuition Reimbursement (*Effective 01/19*)

The purpose of the Tuition Reimbursement Program is to encourage full-time employees to pursue continued education, which will benefit the employee and the City of Warrenville.

6.8.1 Eligibility

The program is available for college level courses that are generally job related, including courses that are part of a general college degree, job related technical degree, business or public policy degree programs. Eligible courses meeting these criteria will be at the discretion of the City

Administrator. An employee must have completed one year of employment and be in good standing before being eligible for this program.

6.8.2 Reimbursement

An employee may be reimbursed for the cost of tuition and books for approved courses. Courses are to be taken on the employee’s own time. Proposed courses shall be reviewed during the pre-approval process and should not interfere with the employee’s job duties.

Participation in the program is subject to the availability of budgeted funds. Reimbursements are based on the type of degree program with a maximum reimbursement allowed per employee, per fiscal year as follows:

Degree	Maximum Reimbursement Per Fiscal Year
Associate’s, Technical or similar program	\$3,000
Bachelor’s Degree	\$6,000
Master’s Degree	\$12,000

A grade of “C” or better is required to qualify for reimbursement. Level of reimbursement is based on the following schedule:

Grade	<i>Percent of Reimbursement</i>
A	100%
B	85%
C	65%
Pass	50%

Note: When an employer pays more than \$5,250 for education benefits during the year on behalf of an employee, the employee must generally pay tax on the amount over \$5,250. Employees in the tuition reimbursement program receiving more than \$5,250 should consult a tax advisor.

6.8.3 Obligation Period

If an employee voluntarily leaves the City within one year of completing a reimbursed course, a percentage amount of reimbursed expenses will be due to the City according to the following schedule. The obligation period will begin upon completion of the course.

0 – 6 months 100%
6 – 12 months 75%

6.8.4 Completion of Forms

Before registering for any courses, an employee must complete a *Request to Participate in the Tuition Reimbursement Program* (Appendix A) form. Forms are to be returned to the department head by January 1 for the upcoming budget year. Tuition reimbursement does not apply to those courses that are taken on City time and paid for by the City.

After a course has been completed, the participant must complete a *Request for Tuition Reimbursement* (Appendix B) form. The following items must be returned with this form:

- An approved *Request to Participate in the Tuition Reimbursement Program* (Appendix A) form
- Receipts and Invoices for applicable expenses
- Grade report
- Class syllabus containing a list of required textbooks
- A receipt for the cost of required textbooks

6.9 Uniforms/Clothing (Revised 06/15)

The City of Warrenville recognizes that for some positions, uniforms and safety shoes are necessary for customer interactions, employee safety, and site security. Uniforms also present a professional, identifiable, and consistent appearance of City workers. As outlined below, certain positions will be provided uniforms or a uniform allowance. Employees covered by a collective bargaining agreement should refer to that agreement for details on uniform and footwear provisions.

For non-exempt positions which entail significant work outdoors and/or off City worksites, uniforms will be required, as selected by the Department Head. Uniforms allow residents, visitors, and business owners to easily differentiate City employees from the general public, making them comfortable and confident to approaching City staff. Appropriate uniforms also enhance safety of the employees in these positions, protecting them from the outdoor elements. Finally, uniforms quickly identify who does or does not belong in specific work areas or job sites, thereby enhancing security.

The positions of Public Works Street Lead Supervisor, Facilities Maintenance Lead Supervisor, Utility Lead Supervisor, Equipment Maintenance Lead Supervisor, Police Community Service/Animal Control Officers, and part-time Police Officers will be issued uniforms. Positions that will be reimbursed for clothing include the Building Inspector/Code Enforcement Officer, part-time inspectors, Civil Engineer and Municipal Van Drivers in an amount not to exceed \$300 each per year. The clothing, which shall be replaced on an as-needed basis, must bear the City's logo, and must be approved by the Department Head in order for the employee to receive the reimbursement. Proof of the purchase of the clothing is required before the reimbursement can be paid.

Non-exempt positions in the Police Department that will be issued a uniform on a quartermaster system include the Records Assistants, Community Service Technician, and the Community Service/Animal Control Officers. For the Records Assistants and Community Service Technician positions, uniforms will be required to give the general public entering the Police Department a sense of security and confidence. Footwear and outer wear will not be provided for the Records Assistants or Community Service Technician position.

6.10 Footwear (Revised 06/15)

Safety shoes act as a risk management tool to provide protection from hazardous sites and outdoor elements, thereby preventing injury and reducing workers compensation claims. The positions of Public Works Street Lead Supervisor, Facilities Maintenance Lead Supervisor, Utility Lead Supervisor, Equipment Maintenance Lead Supervisor, Police Community Service/Animal Control

Officers, part-time Police Officers, Building Inspector/Code Enforcement Officer, and Civil Engineer shall each receive a reimbursement allowance of \$150 for the purchase of safety shoes and/or boots. The footwear shall be replaced on an as-needed basis, and must be approved by the Department Head in order for the employee to receive the reimbursement. Proof of the purchase of the footwear is required before the reimbursement allowance can be paid.

6.11 Exempt Employees (*Revised 06/15*)

Exempt employees are not eligible for uniform or footwear reimbursements. However, the City will provide uniforms for the positions of Police Chief, Deputy Police Chiefs, and Deputy Public Works Director. These positions are not eligible for any other type of clothing or footwear allowance.

6.12 Dress Code (*Revised 06/15*)

Administrative staff, department heads, professional positions, office workers, and clerical personnel should dress professionally in business casual attire¹. From time to time, at the Department Head's discretion, employees engaged in tasks requiring more casual clothing may be excused from the City's dress code for the duration of the assignment. Examples include a scheduled clean-up day, installation of computers, authorized construction site visits, etc.

6.13 City Rights of Subrogation

Pursuant to the Illinois Insurance Code, the City of Warrenville is entitled to be subrogated to any injured or deceased employee provided coverage or that employee's guardian, personal representative, estate, dependents or survivors with reference to any right or claim they might have against a third person to pay for expenses paid for by the City of Warrenville.

¹ Relating to or denoting a style of clothing that is less formal than traditional business wear, but is still intended to give a professional and businesslike impression. Business casual attire does not include jeans of any color, gym shoes, flip-flops or sweat pants/shirts.

7. Discipline and Grievance

7.1 Discipline

Other than those employees covered by the Board of Fire and Police Commissioners (i.e. sworn police officers), when the City determines disciplinary action is appropriate, actions may be taken in a progressive manner in an attempt to work with an employee to correct the work-related deficiency. Steps in the disciplinary process are outlined below. However, based on the seriousness of the offense, history of past violations, or any combination of poor performance and rule infractions, the City may enter into any level of disciplinary action or termination.

1. *Verbal Correction.* The supervisor or department head may provide a verbal correction to the employee. A written record of this correction may be placed in the employee's personnel file.
2. *Written Correction.* If the employee does not correct his or her behavior, the department head may consult with the City Administrator and prepare a written correction. The employee may be asked to sign the correction indicating receipt of a copy, and a copy may be placed in the employee's personnel file.
3. *Suspension without pay.* If the written correction does not rectify the deficiency, an employee may be suspended without pay.
4. *Termination.* When all other means of discipline have been used, or when the offense justifies such action, the employee may be terminated. The department head may recommend termination. The City Administrator will review recommendations and make a decision.

The department head will recommend action to the City Administrator who must approve all suspension over two days and all terminations. The employee may appeal the suspension or termination in a written form and request a meeting with the City Administrator. Such request must be within three working days of action. A final decision by the City Administrator will be made and notification provided to all parties.

7.2 Employee Grievances

Any matter of employee concern or dissatisfaction with interpretation and application of work-related rules, regulations, or the work environment, may constitute an employee grievance. The City of Warrenton recognizes the importance of promptly addressing employee grievances. This is accomplished through a formal grievance system, designed to treat all employees fairly and equally.

- The first step is to discuss the concern with the immediate supervisor. If the concern cannot be resolved at the supervisory level, it may be pursued to the next level.
- Submit the grievance in writing to the department head. If no resolution is agreed to, the employee may take the next step through the department head.
- Submit in writing details of the grievance to the City Administrator. The employee will be notified about the grievance in writing from the City Administrator. The Mayor and City Council will address grievances concerning the City Administrator.

8. General

8.1 Political Activity

Employees will not utilize City time, equipment, resources, or property for any partisan or non-partisan political purpose or activities.

8.2 Public Information/Statements

The City Administrator serves as chief spokesperson for City business and operations. Employees are not to make any statements on behalf of the City to the media, insurance companies, attorneys, investigators, or similar parties, nor provide any documentation directly. All documented information is provided to the requesting party through a Freedom of Information Act (FOIA) request form obtained at the City Clerk's Office. Information requests related to accidents and liability can be directed to the Administrative Services Coordinator or Assistant City Administrator. Media related questions are directed to the Assistant City Administrator or their designee. Exceptions include Police matters, relaying of City business or policy in which the employee is the given expert, or in the capacity of providing customer service to residents, businesses, consultants, vendors, or other employees.

While public employees enjoy First Amendment protections in relation to speech in the workplace, they do not have cart blanche to say whatever they want in the course of their employment. To the contrary, disrespectful, inaccurate, or inflammatory speech in the workplace, about work procedures, or about other employees, is prohibited. Should employees take issue with a particular City process, procedure or decision, they should utilize the chain of command to voice their concerns or speak with the City Administrator directly.

8.3 Employee Identifications Cards

All employees are furnished with an identification card. The department head is responsible for collecting and destroying identification cards of employees upon the employee's separation from City employment or transfer to another department. Employees should carry the identification card with them at all times when conducting City business.

8.4 Attendance at Conference and Travel Allowance

The City recognizes that certain travel expenses are necessary for efficient conduct of public business. The purpose of this policy for Employees is to govern the reimbursement of all travel, meal and lodging expenses. Although the City of Warrenville is a home rule community and exempt from the Local Government Travel Expense Control Act, 50 ILCS 150 (the Act), this Policy is established using the Act as a guideline to ensure the conduct of City business occurs in a proper, cost-effective, ethical, legal, and transparent manner.

Employees are encouraged to expand their knowledge, training, and skills through participation in various training opportunities. Attendance at, and participation in, professional conferences, conventions, and technical meetings are considered part of the employee's normal duties. Employees may attend such functions at the City's expense with the written authorization of the department head in accordance with budgetary provisions.

8.4.1 Definitions

For the purposes of this Policy, the following terms shall have the following meanings:

- 1) **Approved Activities:**
 - Meetings or events that: (i) take the employee outside of the City; and (ii) relate to official business of the city; and
 - Professional training and development such as seminars, conferences, workshops, conventions, and similar events that are designed to further training, education, and knowledge directly related to the employee's duties.
- 2) **Entertainment:** includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.
- 3) **Travel:** any expenditure directly related to an approved activity by an employee of the City involving reimbursement to the employee or direct payment to private agencies providing transportation or related services.

8.4.2 Exempt, Non-department Head Staff

During the budget preparations each year, exempt, non-department head employees should discuss and plan for professional development opportunities, based on the following guidelines.

1. He/she can use the budgeted amount for any professional development (conferences, courses, workshops, etc.) that is directly job related.
2. The City will only pay up to the maximum amount budgeted and approved per year including travel, lodging, registration, and related miscellaneous expenses.
3. The department head must approve in writing any out-of-state conference request.
4. The cost must be included in the budget each year.
5. Written authorization in advance is required from the department head (and in some cases, City Administrator) prior to registering for any conference or training program.
6. If both the department head and the exempt staff member are to be gone at the same time, approval from the City Administrator is required.
7. The department head and exempt employee shall meet to discuss the employee's professional development goals and accomplishments at least annually.
8. This benefit is separate from the tuition reimbursement program.

Exceptions can be made for special circumstances or if the attendee will receive a scholarship or special award to attend the out-of-state seminar. The department head and the City Administrator must approve all exceptions in advance.

Employees traveling on City business shall either be provided with a City vehicle or given an allowance for the use of their private vehicle or reimbursed for other transportation expenses.

8.4.2 Non-exempt Employees

Certain non-exempt employees are required to attend annual trainings to maintain certifications or a minimum amount of training hours under the law. Beyond that, non-exempt employees are

encouraged to seek professional development opportunities that will enhance their skill set related to their job duties. Department Head permission is required in advance. Out-of-town or state travel will only be permitted with Department Head and City Administrator approval and must relate to the employee's job duties. The amount eligible cannot exceed \$2,000 in a five-year period. Compensated hours are addressed under Travel Time.

8.4.3 Allowable Expenses

The following limits on reimbursement of travel and/or business expenses apply to all employees for a single approved activity. Exceptions to these limits must be approved by the Department Head and City Administrator.

CATEGORY	MAXIMUM
Registration fees	Actual cost of registration may be pre-paid by the City at the time of registration
Travel – Personal Vehicle	Current Internal Revenue Service mileage rate
Travel – City Vehicle	100% of cost of fuel incurred
Travel – Public Transportation	100% of best economy option
Travel – Tolls	100% of tolls along direct route of travel
Travel – Parking	100% of best economy option
Lodging	Lowest negotiated event rate; \$195/night if no event rate
Meals – multiple day event	\$55 per day – Employee will be reimbursed actual cost up to the maximum per day when meals are not included in registration and event is more than 50 miles from City Hall.
Meals – single day event or local multiple day event	\$10 for lunch – Employees will be reimbursed actual cost up to the maximum when lunch is not included in registration.

To obtain reimbursement, the employee must submit the Travel Expense Reimbursement Form as follows:

- a. The Travel Expense Reimbursement Form must be submitted to the Finance Director within thirty (30) days of attending the approved activity;
- b. The Travel Expense Reimbursement Form must be accompanied by receipts or other acceptable documentation of the expenses.

8.4.4 Attendance at Off-site Training, Lectures or Seminars

Attendance at lectures, meetings, training programs and similar activities will be compensated as hours worked if all the following criteria are met:

- Attendance is not voluntary and is at the request of the City
- The program is related to the employee's job
- The employee has the prior written approval of their immediate supervisor and department head
- Attendance is subject to the availability of funds

8.4.5 Travel Time (Revised 06/15)

For one-day trips, travel time by non-exempt personnel to a nearby locale (within 50 miles of Warrenville) is not reimbursable nor is it compensable as it is considered ordinary commuting

time. However, travel time beyond 50 miles of Warrenville City limits is reimbursable and considered hours worked. For out-of-town or overnight trips, a non-exempt employee traveling with the approval of their Department Head and the City Administrator is considered to be working (except for regular meal periods, sleep time, and evenings before or after meals). Only a maximum of eight hours per day, not including travel time as noted above, will be compensated, unless otherwise noted in an applicable collective bargaining agreement.

8.4.6 Restrictions

1. **Family Members Accompanying Traveler:** Family members may accompany the employee when traveling for an approved activity. However, no expenses attributable to any family member will be a reimbursable expense. All expenses will be calculated as if the traveler is traveling alone, using the minimum costs to the City for lodging, meals, and transportation. Exceptions to this restriction are permitted for certain events at the discretion of the City Administrator.
2. **Vacation Combined with Approved Activity:** The employee will only be reimbursed for travel and expenses directly related to the approved activity, to and from that destination.
3. **Repayment for Unauthorized Expenses:** Amounts disbursed for travel expenses which are subsequently disapproved by the City Administrator, shall be repaid to the City by the employee within thirty (30) days.
4. No alcoholic beverage expenses will be reimbursed, or paid for, by the City.
5. The City will not pay for any expenses that are considered to be personal in nature, including, but not limited to, the following:
 - Entertainment expenses, unless ancillary to the purpose of the approved activity.
 - Personal phone calls except to report schedule changes to family members.
 - Laundry expenses.
 - Grooming expenses.
 - Traffic violations or court costs.
 - Membership fees for airline or hotel clubs.
 - Other items purchased exclusively for personal use.

8.5 Personal Item Reimbursement

If personal property of the employee is damaged, the employee should immediately report such loss to the department head who will then inform the City Administrator. Any reimbursement will be determined by the City Administrator. In no case shall the amount to be reimbursed exceed \$300 per item.

8.6 Outside Employment

Regular full-time and part-time employees of the City may not be employed in any other capacity without prior written approval of the department head and the City Administrator. Employees wishing to hold outside employment must submit a *Permission for Outside Employment* (Appendix C) form. Outside work is defined as any gainful employment, other than the performance of official duties.

Outside work is permitted to the extent that it does not prevent employees from devoting their primary interest to the performance of their work for the City and does not create a conflict between

the private interest of the employee and the employee's official responsibility. An employee shall not perform outside work:

- Which may be construed by the public to be an official act of the City or a City department
- Which involves City facilities, equipment or supplies
- Which involves the use of official information not available to the public
- Which might appear as a conflict of interest to the public
- If the work is something that the employee would be expected to do as part of his/her regular duties
- If the work would tend to influence impartial judgment on any matter coming before the employee in the course of the employee's official duties

Further, to the extent that the secondary employment violates local City codes or ordinances or brings disrepute onto the Police Department and/or City, the approval of secondary employment may be rescinded. All requests for outside employment, whether approved or disapproved, shall be forwarded to the City Administrator and a copy placed in the employee's personnel file.

8.7 Unauthorized Electronic Surveillance

In accordance with 720 ILCS 5/, unauthorized electronic surveillance of employees is disruptive to employee morale and inconsistent with the respectful treatment required of City employees. For this reason, no employee may record the conversation of another employee without his or her full knowledge and consent. No employee may record, by any means, a conversation with another employee unless all of the following criteria are met:

1. A legitimate purpose for the recording
2. A recording device in plain view
3. Written authorization from the supervisor of the employee who wishes to record the conversation

Secret recordings are strictly prohibited unless authorized in writing by legal counsel. A violation of this provision may result in disciplinary action, including termination.

8.8 Use of Telecommunication Devices

Usage of City telephone, cellular phones, tablets, fax machines, and any other City issued telecommunication devices are intended for City business purposes. The City may monitor phone usage and reserves the right to inspect, copy, access and disclose the voicemails and/or texts of any employee's City telephone or cellular phone. Occasional personal use is allowed with specific limitations and restrictions. Any other use of City issued technology not mentioned above is strictly prohibited and may result in disciplinary action including reimbursement of costs, removal of all such privileges, oral or written reprimand, suspension or termination. Personal telephone calls and texting on City-issued phones should be kept to a minimum at all times and on the employee's own time. When it is necessary to make a personal long-distance call, the call should be made from a personal phone. If made from a City telephone, the call should be charged to the employee's home number or credit card, or the employee must notify the Finance Department of the date, time and number called so that the employee is charged for the call once the telephone bill is received.

When using City-owned cellular phones, all use time, fees, and charges should be kept to a minimum. Legitimate business calls should be kept brief. Any personal use during work hours should be kept brief and infrequent. Texting is permitted for business use only for select, approved users. The employee must reimburse the cost of the personal call or texting to the City. This reimbursement can be done one of two ways.

1. An employee may elect to pay an additional amount annually for personal use of the cellular phone (cell service and/or texting) or similar City-issued communication device.
2. The employee must notify the Finance Department of the date, time and number called or texted so that the employee is charged once the telephone bill is received.

Upon separation of employment or transfer to a position that is not issued a City-owned cell phone, the phone and number and equipment will be maintained by the City and not transferred to the individual for future personal use. For any position that the Department Head determines needs a cell phone, the employee in that position must use their City-issued cell phone. Use of a personal cell phone for City-business is prohibited.

Employees transmitting personal documents on a City fax machine may do so with prior department head permission. However, the employee must pay for long-distance transmissions. The employee must notify the Finance Department of the date, time and number called so that the employee is charged for the call once the telephone bill is received.

8.9 Computer Usage Policy

Computers and accessories are the property of the City of Warrenville. There is no expectation of privacy for use and contents of the computer. Software programs shall only be purchased and installed on City-owned computers or the computer network system under the direction of authorized IT personnel. It shall be the user's responsibility to maintain confidentiality of his/her password(s). For the protection of the City's computer users, data and documents should be stored on the City's computer network.

No one shall copy, install or use any software or data files in violation of applicable copyright or license agreements. Employees shall not create, install or knowingly distribute a computer virus. The City does monitor all Internet and email usage and reserves the right, for operational necessity, to inspect, copy, access and disclose the contents of any employee's computer files. Such access shall include, but is not limited to, the City's need to execute operations, investigate a possible violation of policy, illegal activity, excessive personal use (productivity), liability, damage to the City, or a breach of the computer or e-mail system security.

Under the Illinois Abused and Neglected Child Reporting Act (325 ILCS 5/1 et seq.), employees who have responsibility for the integrity of the IT infrastructure are required to immediately report any child pornography discovered on electronic and information technology equipment. Failing to report a discovery of child pornography is a business offense subject to a fine. Employees who discover any child pornography should immediately report it to their supervisor or the Assistant City Administrator.

No City employee shall sell, distribute or give away any information obtained from the City computer systems unless such material has been approved, in writing, for release by the department head or City Clerk, pursuant to the provisions of the Freedom of Information Act. No employee with authorized access to e-mail shall allow an unauthorized person, employed or not employed by the City, to use the system for any reason.

Any City employee or contractor who develops computer software (or other technological inventions) shall assign all rights to that software to the City if the software:

- Is developed using City equipment, supplies, or facilities
- Is developed during the scope of City employment
- Is copyrighted by the City
- Incorporates or depends on City information
- Is taken directly from City research and development
- Is not developed under a contract between the City and a professional software consultant that specifically assigns rights to the contractor. This applies only to software developed on City equipment or on City time.

Use of the computer shall be in compliance with all local, state and federal laws and regulations. The computer shall not be used to forward sexually harassing, discriminatory or defamatory material, or to create, transmit, accept or access obscene material, or to infringe upon another's intellectual property rights (copyrights). Computers shall be used to conduct City business; however, incidental and occasional personal use shall be permitted. Any expenses or changes incurred related to such personal use will be the sole responsibility of the employee.

Employees may be allowed remote access to their office computer from home in accordance with the City's telecommuting policy. Staff members with remote access shall not download City information or data to their personal computer or utilize City information or data for their personal use.

8.9.1 Internet Usage Policy

The City's Internet access is granted to employees, based upon need related to the job duties. All communication on the Internet by City employees shall be done in a professional manner and in compliance with all applicable federal, state and local laws, and City policies. Internet access shall be granted to employees who have department head approval. Incidental and occasional personal use shall be permitted.

Information, including freeware, should not be downloaded (the transfer of data or programs from a server or host computer to one's own computer) from websites so as to avoid potential contamination by viruses or spyware, or a negative impact on the performance of the City's network. In order to maintain the performance and speed of the City's network, no one shall use audio or video streaming for non-work related purposes. No one shall copy, install or use any software or data files in violation of applicable copyright or license agreements. Websites for which there is a fee shall not be accessed without prior approval of the employee's department head or designee.

External e-mail, instant messages, texts and all other information gathered on the Internet are considered to be the property of the City and are subject to disclosure, inspection, copying and access by the City. Employees should have no expectation of privacy in external e-mail, instant messages, texts, or other material gathered from the Internet. E-mail messages and the transfer of information on the Internet are not secure. Employees may not use a third-party messaging system (personal e-mail or instant messaging accounts) to conduct City business. Content is subject to the same rules and regulations as any other type of record created, used, or received and retained by the City. Employee usage of the Internet can and will be monitored from time to time.

Under the Illinois Local Records Act (50 ILCS 205/1), electronic communication, including email, text messages, instant messages, and voicemails are considered public and can be obtained through a Freedom of Information Act (FOIA – 5 ILCS 140/1) request. Employees are not required to maintain personal emails, spam or other non-business related emails.

The Internet shall not be intentionally misused. Intentional misuse includes any illegal, improper, unprofessional, unethical, sexually explicit or illicit activity, or any activity that could reasonably be construed to be detrimental to the interests of the City. Intentional misuse may subject the user to termination of access rights and/or disciplinary action up to and including termination of employment. Unlawful use may result in referral for criminal prosecution. Examples of intentional misuse include, but are not limited to knowingly accessing or transmitting objectionable or improper material, such as:

- Obscene, harassing, or defamatory messages
- Advocating or supporting a personal, political, or union message or position
- Indecent or sexually obscene material and/or child pornography
- Inappropriate text or graphic files and/or files dangerous to the integrity of the network
- Solicitation of funds not authorized by the department head
- Messages that are sexually explicit or derogatory based on race, national origin, sex, sexual orientation, age, disability, religion or political beliefs, or are offensive to fellow employees
- Creating, installing, downloading or knowingly distributing a computer virus

8.10 Use of City Vehicles, Equipment, Supplies or Tools (*Revised 06/15*)

Employees are responsible for the care and proper use of City equipment. Personal use of City property, tools, or equipment, except as otherwise provided in this manual, is strictly prohibited. Theft or damage of City property is cause for disciplinary action up to and including dismissal. It is the employee's responsibility to report any loss, theft, or damage of City property to their immediate supervisor. The employee may be required to complete a police report in the event a follow-up investigation is required. Seat belts must be worn at all times while operating any City vehicle. Texting and Internet usage on a cell phone is not permitted while driving, per Illinois state law. No employees shall be permitted to use their cell phone while driving without a hands free device per Illinois Public Act 98-0506 or at all through a school or construction zone.

In order for any employee to operate a City vehicle, he/she must possess the appropriate valid driver's license. In the event an employee's driver's license is suspended, revoked, or any restrictions placed on it, the employee must immediately notify the supervisor. City vehicles,

equipment, supplies and tools shall not be used for an employee's personal use or for any other unauthorized purpose.

City-owned vehicles may not be taken home unless expressly authorized by the City Administrator. When using the City's vehicles, employees must keep in mind that they are representatives of City government and that their conduct in adhering to the rules of safety and courtesy on the road is a reflection on the entire organization.

For City employees who take a City vehicle home, the value of the usage of that vehicle to and from home is taxable income. Employees will be charged \$1.50 per direction, and \$3.00 per day for use of that City vehicle. Vehicle usage is to be reported to the Finance Department on a bi-weekly basis for all vehicle usage during the pay period.

Public Safety employees in the following positions are exempt from the taxability provisions of this policy: Police Chief, Deputy Police Chief, and Investigations Sergeant. These employees are required and are officially authorized to operate a City vehicle at all times, including trip to and from home. It is anticipated that by operating these vehicles at all times, these positions would have decreased response times to emergency calls and serve as a potential deterrent to crime by their presence.

For some positions and circumstances, employees may be required to use their personal vehicle to conduct City business. Accidents involving personal vehicles used in the course of City business are covered by the employee's personal auto liability insurance. All mileage should be submitted to the Department Head for approval and then the Finance Department. Mileage will be reimbursed at the current IRS standard mileage rate, which covers gas, wear and tear, and insurance costs related to the trip.

For those City vehicles equipped with Global Positioning System (GPS), the employees using those vehicles should have no expectation of privacy. All data associated with the GPS unit shall be inspected for reasons including, but not limited to, operational/productivity purposes, to investigate a possible violation of policy, illegal activity, liability purposes, or because of damage to City equipment.

8.11 Driver's License Standards (*Revised 08/13*)

Any employee whose work requires that he/she drive City vehicles must hold a valid state driver's license and, in some instances, a commercial driver's license (CDL).

An employee, prospective or current, whose work duties include the operation of a City vehicle will be required to annually submit to a Department of Motor Vehicles driving record check as a condition of employment. Such check shall be instituted through the Administration Department and processed by the Police Department. A report back indicating a suspended or revoked license status or other moving violations that are inconsistent with the requirements of the job, safety standards, or other operational considerations may be cause to deny or terminate employment.

Employees may be disqualified from driving based on the employee's driver's record, as determined by the City with consideration to the nature of violations, job duties, safety standards,

and other operational considerations. If an employee's record reflects disqualifying moving violations or motor vehicle history, the employee may be transferred to an alternative position and corresponding wage rate that does not involve driving. In the event that no appropriate position exists, the employee may be subject lay off. The City reserves the right to impose disciplinary action or to discharge an employee with a disqualifying driver's history.

Employees performing work which requires the operation of a City vehicle must immediately notify their supervisor in those cases where their license is expired, suspended, revoked, or lost. In the event employees fail to report such instances, they are subject to disciplinary action, including suspension, demotion, or termination.

8.12 Radio and Cell Phone Frequency Usage

When using the City's radio frequencies or two-way radio feature on cellular phones, employees must keep in mind that they are representatives of City government and that their language heard on the frequencies is a reflection on the entire organization. Therefore, all employees are expected to be professional while using these devices.

8.13 Loss of Driving Privileges

An employee whose job description includes the requirement of a valid Illinois Driver's License shall be subject to disciplinary action in the event that the employee's driver's license is suspended. Failure to notify a supervisor of said suspension shall be cause for disciplinary action. After the supervisor has received notification, the supervisor shall submit the information to the department head and the City Administrator who shall determine on a case-by-case basis the necessary disciplinary action. This determination shall be based in part on the length of the suspension and the effect of the suspension will have on the employee's ability to perform the duties and responsibilities that the job demands.

8.14 Request for Personnel Information/Employment Verification

Professional references and employment verifications on current and past employees will be administered by the Administration Department. All such inquiries should be directed to the Assistant City Administrator or the Administrative Services Coordinator.

8.15 Personnel Records

Per 820 ILCS 40/1, employees may at any time request to view or get copies of the contents of their personnel file. If the employee disagrees with any of the file's contents, he/she may respond in writing for placement in the file. Employees are prohibited from altering the file in any way. The City has seven days to respond to the request and the viewing must within normal business hours. The City has a right to charge a fee for copies.

8.16 Disclosure Requirements

Certain City employees are required to comply with the annual ethics statement as outlined in Title I, Chapter 1, Section 1-9 of the City of Warrenville municipal code. Failure to comply will result in disciplinary action in addition to any penalties specified by City Code.

8.17 Conflict of Interest

City employees must be alert to avoid any relationship or activity that might be interpreted as a conflict of interest. An established reputation for integrity and a high standard of ethics are two of the most valuable assets that the employees of the City of Warrentville have. Confidential information must not be used for the financial advantage of an employee, or his/her family or friends.

8.18 Ethics (Revised 06/15)

The City conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations. Warrentville is committed to conducting its business with integrity underlying all relationships, including those with citizens, customers, suppliers, and among employees. The highest standards of ethical conduct are required of City employees in the performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the City's honesty, impartiality or reputation or otherwise cause embarrassment to the City. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- Using public office or public position for private gain.
- Giving preferential treatment to any person or entity.
- Losing impartiality.
- Adversely affecting the confidence of the public in the integrity of the City.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. This policy constitutes the standards of ethical conduct required of all employees. Department Heads and Supervisors are responsible for supporting these standards' implementation and monitoring compliance.

Employees should not solicit, accept, or allow premiums provided from vendors for their personal use when they are receiving such items as part of the purchase, acquisition, or use of goods and services from a vendor doing any business with the City. Consumable items shall be made available to all employees. Any item that is provided by a vendor as a sample should be used exclusively for City business or returned. No City employee should accept free gifts or meals as a result of being employed by the City.

Each person subject to the provisions of this Chapter shall file with the City Clerk a statement disclosing any gifts or services rendered as a gift, valued in excess of \$100 in the aggregate in any calendar year, which have been received from a person or business entity doing business or having substantial potential of doing business with the City. Employees are expressly prohibited from accepting gift certificates other cash equivalents from vendors, suppliers, City contractors, etc.

Appendix A



REQUEST TO PARTICIPATE IN THE TUITION REIMBURSEMENT PROGRAM

Name: _____ Department: _____

Position: _____ Employment Date: _____

Name of Course(s): 1.) _____ 2.) _____

Name of Institution: _____

Date of Course(s): From: _____ To: _____

Day & Time that Course(s) Meet: _____

Briefly explain how this course(s) relates to the job: _____

Degree or Certificate Requirement? Yes No Degree or certificate type: _____

Number of credit hours completed: _____ Number of credit hours required: _____

Grade point average _____ Approximate cost of tuition and required text(s): \$ _____

Total Request: \$ _____ Total reimbursed to date: \$ _____

Have you attempted to receive other forms of tuition assistance: Yes No

I have read and fully understand the rules and regulation of the City's Tuition Reimbursement Program, including the obligation period requirement. I understand that the only expenses, which the City will reimburse, are for tuition, laboratory fees, and required textbooks.

 Employee Signature Date

Funds have been budgeted

	Approved	Disapproved	Date
_____ Department Head			
_____ City Administrator			

Appendix B



REQUEST FOR TUITION REIMBURSEMENT

Name: _____ Department: _____

Position: _____ Employment Date: _____

Tuition Charges:	\$ _____	<u>Grade</u>
Book Fees:	\$ _____	A: 100%
Other _____:	\$ _____	B: 85%
Total Fees:	\$ _____ x _____ %	C: 65%
		Pass: 50%

Total amount requested for reimbursement: \$ _____

Attach the Following Documents:

1. Signed approval for participation in the Tuition Reimbursement Program.
2. Copy of the tuition bill/invoice.
3. Copy of the syllabus for each course. Syllabus must include the name(s) of required text(s).
4. Copy of receipts for *required* text(s) only.
5. Copy of grade report. Only courses in which a grade of “C” or better will be reimbursed.

I understand that I am obligated to continue employment with the City of Warrenville for a period of one year upon the completion of a reimbursable course. Should I voluntarily leave within one year, I must repay the City the amount of reimbursement received based on the obligation period schedule in the Personnel Manual.

Note: When an employer pay more than \$5,250 for education benefits during the year on behalf of an employee, the employee must generally pay tax on the amount over \$5,250. Employees in the Tuition Reimbursement Program receiving over \$5,250 should consult a tax advisor.

Employee Signature _____
Date

	Approved	Disapproved	Date
_____ Department Head			
_____ City Administrator			

Appendix C



PERMISSION FOR SECONDARY EMPLOYMENT

Name: _____ Position: _____

I hereby request permission to work part-time in outside employment as explained below:

Company: _____ Location: _____
 Governmental Entity Private Business Non-profit agency

Days per week: _____ Hours of work: _____

Detailed description of responsibilities: _____

I am currently engaged in other secondary employment with another employer: Yes No
 I have received prior approval for this other secondary employment: Yes No

I understand that my secondary employment is approved only to the extent that it does not prevent me from devoting my primary interest to the performance of my work for the City of Warrenville. I understand that my secondary employment cannot create a conflict between my private interests and my official responsibility at the City. I shall not perform outside work which:

- may be construed by the public to be an official act of the City or a City department
- would be done while on City work time
- involves City facilities, equipment, materials, or supplies
- involves the use of official information not available to the public
- might appear as a conflict of interest to the public
- involves work that would be expected to do as part of my regular City duties
- would tend to influence impartial judgment on any matter coming before the me in the course of the my official City duties
- violates local City codes or ordinances or brings disrepute onto any City Department and/or the City as a whole

To the extent that my secondary employment violates any of the tenants above, I understand that the approval of my secondary employment may be rescinded. To the extent that my secondary employment requires me to attend court in a criminal or civil proceeding, I understand that I will not be compensated by the City to attend that proceeding and that I would be unable to attend while on duty in my position at the City of Warrenville.

 Employee Signature _____
 Date

	Approved	Disapproved	Date
_____ Department Head			
_____ City Administrator			

Appendix D



REQUEST FOR LEAVE OF ABSENCE

Name: _____ Department: _____

Date Employed: _____ Hours Worked per Week: _____ Title: _____

Type of Leave:

- 1. Medical
- 2. Personal
- 3. Funeral
- 4. Jury Duty
- 5. Military
- 6. Other

Attach doctor's statement, notice of jury duty, copy of military orders, or other pertinent documents related to the leave request.

Date Requested: _____

Contact inform while on leave: _____

Employee Signature _____ Date _____

Finance Department

Sick Day Available: _____ Vacation Days Available: _____

	Approved	Disapproved	Date
_____ Department Head			
_____ City Administrator			

Appendix E



EMPLOYEE INFORMATION CHANGE FORM

Employee Name: _____

Nature of Change (check all that apply):

- 1. Name Change
- 2. Address Change
- 3. Phone Number Change
- 4. Marital Status Change
- 5. Number of Dependent(s) Change
- 6. Emergency Contact Change

Employee's New Name: _____

Employee's New Address: _____

Employee's New Phone: _____

Employee's New Marital Status: Single Married

New Dependent Information:

Dependent's Name	Remove	Add

Employee's New Emergency Contact: _____

Name _____

Address _____

Relationship _____ Phone _____

Employee Signature

Date

Appendix F



SICK HOURS TRANSFER REQUEST

Name: _____ Department: _____

I request to transfer _____ of my accumulated sick hours to _____

Employee Signature _____ Date

Finance Department

Hours available before transfer: _____

Hours available after transfer: _____

Director of Finance

	Approved	Disapproved	Date
_____ Department Head			
_____ City Administrator			

Appendix G



DRIVER'S LICENSE CHECK RELEASE FORM

In connection with my retention as an employee, I understand and give permission to obtain a copy of my driving record since I do drive or operate a City vehicle.

I hereby authorize without reservation, any party or City contacted by this employer to furnish the above-mentioned information.

I further authorize ongoing procurement of the above-mentioned report at any time during my employment.

Name (please print): _____
Last Name First Name Middle Name

Driver's License: State: _____ License Number: _____

Date of Birth: Month: _____ Day: _____ Year: _____

Other or former names: _____

Signature: _____ Date: _____

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter, or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is (1) a current 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 (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

* **The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 month*s, and if at least 50 employees are employed by the employer within 75 miles.

* **Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV



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