

Ordinance No. 23-25

**AN ORDINANCE APPROVING AND ADOPTING A REVISED AND UPDATED
PERSONNEL MANUAL FOR THE VILLAGE OF EAST DUNDEE, ILLINOIS**

WHEREAS, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village President (“President”) and the Village Board of Trustees (the “Village Board,” and together with the President, the “Corporate Authorities”) are committed to ensuring the effective and efficient administration and operation of municipal government; and

WHEREAS, the Corporate Authorities desire to replace the existing personal manual with an updated employee manual containing the employment rules, policies, procedures, expectations, and benefits available to eligible employees (the “Personnel Manual”), a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Corporate Authorities have determined that it is necessary, advisable, and in the best interests of the Village to approve and adopt the Personnel Manual;

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Cook and Kane County, Illinois, as follows:

SECTION 1: the preceding recitals contained in the preamble to this Ordinance are complete, true, and correct and are hereby incorporated by reference and made a part of this Ordinance as legislative findings.

SECTION 2: the Corporate Authorities hereby approve and adopt the Personnel Manual, dated May 15, 2023. The Corporate Authorities further authorize and direct the President, or his designee, to perform all necessary acts to effectuate the intent of this Ordinance.

SECTION 3: all ordinances, resolutions, orders, rules, policies, and procedures or parts of ordinances, resolutions, orders, rules, policies, and procedures in conflict with this Ordinance are superseded to the extent of such conflict.

SECTION 4: the provisions of this Ordinance are hereby declared to be severable. If a court of competent jurisdiction determines that any provision of this Ordinance conflicts with any law, statute, or regulation, that provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein. All other provisions shall remain unaffected, unimpaired, valid and in effect.

SECTION 5: the Village Clerk is directed to immediately publish this Ordinance in pamphlet form.

SECTION 6: this Ordinance shall be in full force and effect after passage and publication as provided by law.

PASSED this 15th day of May, 2023, pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Saviano, Brittin, Treiber and Sauder

NAYES: 0

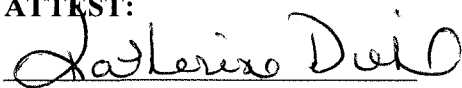
ABSENT: 0

APPROVED by me this 15th of May 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Katherine Diehl, Village Clerk

Village of East Dundee

Personnel Manual



Adopted
May 15, 2023

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About this Personnel Manual

Our Employee Personnel Manual is a general summary of our personnel practices at the time it was written and will answer many of your questions about how to make your work experience at the Village of East Dundee (referred to in this Personnel Manual as the "Village") rewarding and pleasant.

This Personnel Manual (as well as any Federal, State supplement, or addendum) does not constitute a contract between the Village and its employees and should not be construed as such. This Personnel Manual supersedes and replaces all other policies, handbooks, memoranda, summaries and/or bulletins previously distributed as well as any verbal representations which may have previously been made to you by any person(s) employed by the Village, except that this Personnel Manual does not supersede any properly negotiated and approved Collective Bargaining Agreement ("CBA") which may apply to certain employees' employment. If an employee's employment is subject to an approved CBA and there is a conflict between the terms of the CBA and this Personnel Manual, the terms of the CBA will govern, except where otherwise required by applicable law.

Absent a CBA applicable to your employment which states otherwise, employment with the Village is at-will, meaning that either you or the Village may terminate the employment relationship at any time, for any reason or no reason, and with or without cause or notice.

The at-will nature of the employment relationship may only be modified in an approved writing signed by the duly authorized Village Administrator, through the President and Board of Trustees, such as a CBA. Thus, nothing contained in this Personnel Manual or in any other writing provided by the Village shall alter the at-will nature of your employment. Furthermore, no verbal or written communication made by any Village or management representative at the time of hire or subsequently can create an employment contract, guarantee employment, or alter, waive or supplement any provisions of this Personnel Manual.

Except for the foregoing policy on at-will employment, the provisions of this Personnel Manual may, in the discretion of the Village, be modified, revoked, or changed at any time, with or without notice. In addition, benefits, and other terms and conditions of employment, may be modified or discontinued by management from time to time at the Village's sole discretion. This Personnel Manual is not intended to be an exhaustive or complete presentation of the Village's employment policies and may not deal precisely with every situation that arises.

The personnel policies, procedures, rules and regulations set forth in the Personnel Manual shall be applicable to all employees of the Village of East Dundee. The Village Administrator, through the President and Board of Trustees, shall administer or cause to be administered these rules and regulations. Employees of the Police Department shall also operate under the Rules and Regulations of the Board of Police Commissioners. In case of a conflict between these rules and the rules of the Board of Police Commissioners, the latter shall take precedence over any rules found herein.

To the extent that any state, federal or local laws conflict with any provision of this Personnel Manual, the state, federal and/or local law most beneficial to employees shall govern.

Failure to comply with policies contained in the Personnel Manual may result in disciplinary action, up to and including termination. Please direct questions on any Employee Personnel Manual policies to Village Human Resources representative(s).

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Chapter 1 - Introduction

Section 1.1 Welcome

Congratulations on your employment with the Village of East Dundee, Illinois. In accepting employment with the Village, you take the important responsibility of being a part of a municipal organization, which provides essential services to its citizens. Please keep in mind that our primary goal is to serve the best interests of the citizens of the Village, our ultimate employer. As local public officials and employees, we are the primary service organization for Village residents. Customer service is a priority, and each public contact is an opportunity for excellent performance. As such, you are a representative of the Village of East Dundee municipal organization and are expected to conduct yourself in an appropriate and courteous manner.

The Village also recognizes that the well-being of its employees is essential to the maintenance of a high standard of operation. It is believed that the interests of the Village and its employees are complementary, rather than conflicting. As a Village employee, you receive many employment benefits in addition to a highly competitive salary. In return, you are expected to perform your job to the best of your ability, to be dependable, and to abide by the policies of the Village.

This Village of East Dundee's Personnel Manual provides relevant information regarding Village policies and benefits. Familiarity with this material will be to your advantage and is also your responsibility. If you have questions regarding the information provided herein, your supervisor or the Village Administrator's Office will be happy to discuss them with you. From time to time, you will receive email notifications when there are updates to the Manual. The most recent version of the Manual will always be available to all employees on the Village's shared online storage system.

Section 1.2 Administration of the Manual

The Village Administrator shall be responsible for the administration and interpretation of these personnel policies and procedures and may, from time to time, develop and promulgate procedural rules, interpretations, and administrative and/or technical changes or modifications. The Village Administrator may delegate the administration and implementation of the policies and procedures as they deem appropriate.

In addition, the Village Administrator may recommend amendments to these policies and procedures to the Village President and Board of Trustees.

Section 1.3 Amendments to the Manual

The policies, procedures, and practices in the Village of East Dundee's Personnel Manual are subject to modification and further development as determined by the administration, the Board of Trustees, as well as changes in state and federal law. Each member of Village management can assist in keeping the Manual up to date by notifying the Village Administrator's Office whenever problems are encountered, or improvements can be made in the administration of the personnel policies.

Section 1.4 Departments

The Village workforce is organized into departments with specific functional responsibilities. The following are brief descriptions of Village Departments' functions:

1. **Administration Department**

The Administration Department coordinates inter-departmental actions as assigned by the Village Administrator and makes recommendations to the Village President and Board of Trustees regarding administrative policy.

2. **Building Department**

The Building Department is responsible for the process of issuing building permits, building inspections, code enforcement, and zoning requirements for the Village of East Dundee.

3. **Finance and Administrative Services Department**

The office is responsible for the administration of human resource functions including employee benefits, payroll, risk management program, employee relations, and provides financial reporting which encourages sound fiscal policy decision and provides support in finance and investments.

4. **Police Department**

The Police Department provides community service, protection, and enforcement, including administrative support functions, crime prevention, criminal investigations, patrol and community protection services, juvenile services and education, accident investigation and preventive measures, parking and traffic enforcement.

5. **Public Works Department**

The Public Works Department directs and coordinates the functions of generating and supplying water and sanitation services, treating wastewater, street construction and maintenance, maintenance of public rights-of-ways and public properties, snow and ice control, engineering, fleet management, and forestry conservation.

This manual shall not be construed as limiting in any way the power and authority of any Department Head to make departmental rules and regulations governing the conduct and performance of employees. Such rules and regulations shall be submitted to and approved by the Village Administrator. Departmental rules and regulations shall not conflict with the provisions of this manual except to make policies contained within more restrictive and when necessary for the unique function of the department. A copy of departmental rules and regulations should be furnished to each employee to whom they apply and to the Village Administrator. Such rules and regulations shall have the force and effect of rules of that department and disciplinary action may be based upon breach of any such rules and regulations.

Chapter 2 – Employees’ Code of Ethics

Section 2.1 Statement of Code

Employees are expected to conduct themselves in a professional and business-like manner without any appearance of impropriety. As in any organization, Village employees are ambassadors for the Village and represent the values and accepted practices of the Village.

Employees should avoid possible conflicts of interest and are required to abide by the following rules:

Fiduciary Duty

Employees shall at all times in the performance of their public duties owe a fiduciary duty to the Village of East Dundee. This means that the funds they are authorized to spend or the reimbursements they receive for expenditures that they incur are public moneys, and should be spent in a prudent, conservative fashion consistent with the appropriate account and reporting, budget approval, supervisor authorizations, and other good internal controls.

Conflict of Interest/Outside Business Activities

Village employees have an obligation to conduct Village business within guidelines that prohibit actual or potential conflicts of interest. Accordingly, the following rules apply:

- No employee shall be engaged in or involved in outside employment, business or other venture which utilizes the resources of the Village.
- No employee shall work for or receive compensation for personal services from any supplier, vendor, or customer of the Village, or any business entity that does or seeks to do business with the Village without first getting written approval from Human Resources representative(s).
- No employee shall maintain an outside business or financial interest, or engage in any outside business or financial activity, which conflicts with the interests of the Village, or which interferes with the employee’s ability to fully perform their job responsibilities for the Village.
- No employee shall have a financial interest in a company which is a vendor or supplier to the Village.
- No employee shall be able to influence a decision that leads to a personal gain for that employee, for a relative, or friend as a result of the Village's business dealings. Please refer to Section 2.4 for definition of relative.
- No employee may benefit directly or indirectly from a third party who furnishes products, materials, or services to the Village.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a company with which the Village does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the organization. Business dealings with outside companies should not result in unusual gains for those companies or any individuals. Unusual

gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks and other windfalls designed to ultimately benefit either the employer, the employee or both.

No “presumption of guilt” is created by the mere existence of a relationship with outside companies. However, if an employee has any influence or transactions involving purchases, contracts, or leases it is imperative that he/she/they disclose, as soon as possible, to a supervisor the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Confidential information (as defined in this Personnel Manual) of the Village is the property of the Village and should never be given to an outside company or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible discharge.

While the Village will not discriminate against any employee because of their lawful off-duty conduct, if an employee’s personal conduct begins to adversely affect their performance on the job, or to create a material conflict of interest with the Village, disciplinary action up to and including discharge may result.

Employees will be appointed to all Village positions as authorized and in accordance with current Village ordinances. Where the Village Administrator has appointment power, each department head has full responsibility and authority, subject to the approval of the Village Administrator, for the selecting, retaining and separating employees within their department.

Misuse of Village Resources

No employee shall engage in any activity or enterprise that uses the Village’s name, time, facilities, equipment or supplies for personal gain or advantage or any activity that may be subject at any time, directly or indirectly, to the control, inspection, review, audit, or enforcement by the department in which he/she/they are employed.

Criminal Misconduct

An employee shall not commit an act of bribery, intimidation, official misconduct, perjury or other criminal behavior.

Gift Ban

In compliance with the provisions of the State Officials and Employees Ethics Act, 5 ILCS 430/10-10, the Village Board adopted Ordinance 04-14 and Chapter 31 of the East Dundee Municipal Code was amended adding Section 31.04 – State Officials and Employee Ethics Act, is applicable to all elected and appointed officials, and all employees of the Village of East Dundee, without exception. This ban applies to and includes spouses of and immediate family living with the member, officer, or employee.

In accordance with the State Act, Ordinance 04-14 places a Ban on Gifts, which states: “The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the Village, is hereby prohibited.” The State Act identifies the following

as “prohibited sources”: a person or entity who is attempting to influence, do business, is regulated, has interests affected by performance or non-performance of officials or registered lobbyists. Examples of prohibited sources include, but are not limited to, vendors, contractors, and lobbyists.

Ordinance 04-14 is subject to certain exceptions. “When anything of value is offered to you, your spouse or a member of your immediate family living with you by a Prohibited Source, the Village requires you to review Ordinance 04-14 before accepting the gift.” If you have any questions about the appropriate conduct, please consult your department head. If necessary, thereafter, please contact the Village Attorney.

Confidential Information/Non-Disclosure Policy

As a Village employee, you may have access to information that people outside the Village never see and to confidential information of third parties. Such confidential information can be in spoken, printed, electronic, or any other form or medium. “Confidential information” includes, but is not limited to: (a) the identities, contact information, financial information, or other personal information of any of the Village’s constituents or residents; (b) any technical information owned or created by the Village or licensed from another entity; (c) any inventions, techniques or proprietary methods; (d) any pending or issued patents; (e) financial or tax records of Village residents; (f) personal information belonging to the Village’s current or former employees, residents and/or vendors unrelated to terms or conditions of employment (including, but not limited to, Social Security numbers, birthdates, home addresses and telephone numbers, banking or credit card information, and medical information); and/or (g) such other confidential information or data of any kind, nature, or description as may be designated as “confidential” from time to time by the Village.

The definition of “confidential information” does not include a statutory employee’s terms and conditions of employment. Moreover, this policy is not intended to restrict any rights that statutory employees may have under the National Labor Relations Act (NLRA) or other similar laws to discuss their wages, terms, and conditions of employment, and/or legally required activities.

No employee is prohibited from inquiring about, disclosing, comparing, or otherwise discussing their wages or the wages of another employee. The Village will not terminate or otherwise discriminate against employees because they make such inquiries, disclosures, comparisons or discussions about their wages or the wages of another employee. The Village also will not terminate or otherwise discriminate against any employee who files a charge, institutes a proceeding, provides information in connection with an inquiry or proceeding, or testifies in any proceeding related to the Illinois Equal Pay Act or encourages another employee to exercise their rights under the Illinois Equal Pay Act. This exception to the Confidential Information/Non-Disclosure Policy does not apply to disclosure of other employees’ wage information by Village Human Resources representative(s), payroll, accounting, or other representatives who have access to such information solely as part of their essential job functions and who make unauthorized disclosure of that information.

All confidential information, no matter where or when obtained, must always be kept confidential both during employment and after employment with the Village ends. Confidential Information may only be disclosed to those employees of the Village who are authorized to receive such information and who also have a demonstrated need for such information.

Unless specifically consented to in writing by Human Resources representative(s), each employee agrees that they will not, in any manner use, divulge, disclose, or communicate to any person or entity, in any manner whatsoever, either directly or indirectly, any confidential information of any kind, nature or description concerning any matters affecting or relating to the Village. If you are in doubt as to whether information should be disclosed, you should err in favor of non-disclosure and discuss the situation with your supervisor. In addition, you should not access any confidential information that you have not been authorized to receive.

In addition to non-disclosure, you may not use confidential information for personal profit or gain, or for any purpose outside your employment by the Village.

Violation of this policy will result in discipline, up to and including termination of employment. Notwithstanding the foregoing, nothing in this policy prohibits any employee from reporting possible violations of federal or state law or regulation to any governmental agency or entity, including but not limited to the Department of Justice, the Securities and Exchange Commission, the Congress, and any agency Inspector General, or making other disclosures that are protected under the whistleblower provisions of federal law or regulation.

Employee Economic Interests Disclosures

All employees required by State Statute to file an annual economic interest report shall do so. Evidence of the proper filing of these disclosures must be filed with the Village Clerk.

Section 2.2 Political Activity

Employees shall not be appointed, retained, or discharged on the basis of their political activity. Employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support, for the purpose of supporting or opposing the appointment or election of candidates for municipal office. Employees are urged and encouraged to exercise their individual right to vote as a citizen in any election. The support or promotion of political activities or interests by Village employees during working hours or with Village resources is strictly prohibited. Furthermore, no employee shall engage in political activities while wearing apparel or supplies provided by the Village. No employee is required or expected to contribute money to any candidate or political party, or referendum supporters or opponents except on a purely voluntary basis.

Section 2.3 Seeking Public Office

No Village employee shall seek election to public office of the Village of East Dundee without first having obtained an unpaid leave of absence from his/her position in the Village service. Such leave of absence shall continue until after the election takes place. Upon taking the Oath of the Village Office, the leave shall automatically cease, and the employee shall be deemed to have forfeited his position as a Village employee.

Section 2.4 Nepotism and Inter-Organizational Dating

This Village is committed to fair employment and career opportunities for all its employees. Therefore, it is the policy of the Village that employment and personnel decisions shall not be made on the basis of nepotism, nor under circumstances which reasonably create the appearance of nepotism, to the public, and/or creates conflict of interest.

- The Village 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.
- For the purposes of this section, a “relative” is any person who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage.
- “Employment” does not include uncompensated appointed service on Village commissions, committees, boards, or volunteers.
- This policy does not apply to employees whose hiring precedes the candidacy and election of a family member to the Board of Trustees or other appointed positions.
- The following employment shall be prohibited:
 - Hiring relatives of elected Village officials, Police Commission Board members, Police Pension Board members or the Village Administrator.
 - Hiring relatives of department heads in any department.
 - Hiring a second family member in the same division in which a relative currently works, whether or not the current employee/relative is in a supervisory position.

Similarly, if an employee subsequently develops a close, personal relationship with, or becomes a relative of, a subordinate, supervisor, or co-worker with whom he/she/they regularly works, one or both of the involved employees must notify Human Resource representative(s) immediately to determine whether a conflict of interest exists. Supervisors/managers are never permitted to oversee, direct, or have any authority (whether direct or indirect) over a relative.

While inter-organizational dating relationships are not outright prohibited, if an employee is dating or involved in a physical or intimate relationship with another employee, the following rules apply:

- Both parties must mutually and voluntarily consent to the relationship.
- Once either party ends his/her/their consent, the relationship must end – no harassment, stalking or other behavior violative of the law or Village policy may occur.
- Both parties must immediately disclose the relationship (and, as applicable, its end) to the Human Resources representative(s).
- A dating, intimate or physical relationship is not permitted between a manager/supervisor and a subordinate.
- The relationship cannot interfere with the judgment or performance of either employee’s job duties or either employee’s fiduciary duty or duty of loyalty to the Village (where applicable).

The Village will review situations which arise as described in this policy. If the Village determines that a conflict of interest exists, the Village may take appropriate action, up to and including termination of both employees. Failure to notify a Human Resource representative(s) of a relationship that may be governed by this policy may result in discipline, up to and including termination.

Section 2.5 Outside Employment

No full-time employee shall accept outside employment, whether part-time, temporary, or permanent, without prior written approval from their department head, and that notice is given to the Village Administrator. Each employee who wishes to engage in outside employment shall notify their department head in writing: 1) the name of the employee, 2) the name of the employer, 3) the nature of the outside work, and 4) the schedule of the outside work. Each change in outside employment shall require separate approval. Approval shall not be granted when such outside employment conflicts or interferes with the employee's municipal service. No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates conflict of interest with his official duties. A department head, with concurrence of the Village Administrator, may prohibit employment which, in their judgment, might be detrimental to the best interests of the Village. In such cases, the employee will be given appropriate notice and then must decide if he or she wants to continue their service with the Village, or with the outside employer. Employees of the Village may not engage in outside business activities on normal duty, nor will Village property be used at any time except for Village functions.

Section 2.6 Whistleblower Protection Policy

The Village is committed to maintaining a work environment that is free of improper governmental activities including misconduct, inefficiency, and waste as well as a work environment that is free from retaliation against those who report, testify about, or participate in investigations regarding alleged improper governmental activities required by the Public Officer Prohibited Activities Act (50 ILCS 105/0.01. and 50 ILCS 105/4.1).

Examples of improper governmental activities include violation of state, federal or local law; abuse of authority, public trust, or expectations in the position; creating substantial and specific danger to public health and safety or engaging in a gross waste of public funds are prohibited. Governmental activity exercised or within the scope of the individual's official duties, *e.g.*, approval of purchases for the police department, is not an improper governmental activity. *See* 50 ILCS 105/0.01 *et. seq.*

If a person covered by this policy feels that he or she has knowledge of improper governmental activities or has experienced retaliation based on the reporting of alleged improper governmental activities, he or she is to immediately report the act of retaliation to Human Resources representative, or their designee, who is responsible for investigating complaints of misconduct, inefficiency, and governmental waste within the Village of East Dundee. This person can be reached at hr@eastdundee.net.

All reports identifying conduct that is inconsistent with this policy will be promptly and thoroughly investigated and, where appropriate, remedial measures will be taken.

The Village shall provide a copy of this policy on an annual basis to each employee to ensure employees understand their rights and the process in which they can report retaliation based on this policy.

Chapter 3 – Equal Employment Opportunity

Section 3.1 Non-Discrimination

Employment-related decisions are made on the basis of individual suitability. It is Village policy that there shall be no discrimination with respect to any of the terms or conditions of employment, because of race (including, but not limited to, hair texture and protective hairstyles), color, sex (including married women and unmarried mothers), religion, age (40 or older), national origin, ancestry, marital status, protective order status, military status, unfavorable discharge from military service, sexual orientation (including actual or perceived orientation and gender identity), physical or mental disability, citizenship status, work authorization status, genetic information, ancestry, pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth, lactation, past pregnancy condition and the potential or intention to become pregnant), status as a victim or perceived victim of domestic or sexual violence, certain arrest or criminal history records, homelessness (i.e., lack of a permanent mailing address or a mailing address that is a shelter or social services provider) and use of lawful products outside of work during nonworking hours. The Village will not tolerate discrimination or harassment based upon these characteristics or any other consideration protected by applicable federal, state, or local law.

Please note that the minimum age for employment as a sworn police officer shall be 21 years of age. All other employees shall be at least 18 years of age.

The Village also will not penalize a person solely because of their status as a registered qualifying patient or registered designated caregiver for purposes of medical marijuana, unless failing to do so would put the Village in violation of federal law or cause it to lose a monetary or licensing-related benefit under federal law or rules. Notwithstanding the above, no applicant or employee may use, possess, or be impaired by marijuana on the Village's premises, while performing work for the Village, or during working hours. The Village's zero tolerance policy includes medical marijuana use in the workplace.

The Village may consider a registered qualifying patient to be impaired when they manifest specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of their position.

The Village also complies with the Illinois law that restricts the circumstances under which employers may base employment-related decisions on an individual's credit report or credit history and with the Illinois law prohibiting sexual harassment of unpaid interns, or any other basis protected by applicable federal, state, or local law.

In addition, it is against Village policy to refuse to do business with, discriminate against or harass any independent contractor, customer, supplier, or other business associate based upon these characteristics or any other characteristic protected by applicable federal, state, or local law.

Upon termination or resignation of an employee, the department head shall notify the Village Administrator that a vacancy exists. Upon determination by the Village Administrator that the vacancy is to be filled, the department head, upon notification, shall commence recruitment consistent with this policy.

Overall responsibility for the direction and enforcement of this Equal Employment Opportunity (“EEO”) Policy has been assigned to the Village Administrator, who will serve as the EEO Officer.

If you believe that you have been discriminated against with respect to the terms and conditions of your employment in violation of this policy, you should report your concerns to your supervisor, Human Resources representative(s), the EEO Officer or any member of management with whom you feel comfortable.

Section 3.2 Anti-Harassment

The Village is committed to providing a work environment that is free of prohibited harassment. As a result, the Village maintains a strict policy prohibiting sexual harassment and harassment against applicants and employees based on any legally-recognized status, including, but not limited to: race including, but not limited to, hair texture and protective hairstyles), color, sex (including married women and unmarried mothers), religion, age (40 or older), national origin, ancestry, marital status, protective order status, military status, unfavorable discharge from military service, sexual orientation (including actual or perceived orientation and gender identity), citizenship status, genetic information, ancestry, pregnancy (including childbirth or medical or common conditions related to pregnancy or childbirth, past pregnancy condition and the potential or intention to become pregnant), certain arrest or criminal history records, homelessness (i.e., lack of a permanent mailing address or a mailing address that is a shelter or social services provider) and use of lawful products outside of work during nonworking hours, or any other basis protected by applicable federal, state or local law.

The Village’s anti-harassment policy applies to all persons involved in its operations, including employees (regardless of their position), applicants, interns (paid or unpaid), vendors, contractors, subcontractors, consultants and any other third party involved in its operations. This policy prohibits harassing conduct by any employee of the Village, including supervisors, supervisors, and nonsupervisory employees. This policy also protects employees from prohibited harassment by third parties, such as customers, vendors, clients, visitors, or temporary or seasonal workers. If such harassment occurs in the workplace by someone not employed by the Village, the procedures in this policy should be followed. The workplace includes actual worksites, any setting in which work-related business is being conducted (whether during or after normal business hours), online and electronic interactions with Village employees and third parties involved in Village operations, Village-sponsored events, or Village owned/controlled property.

The Village prohibits unlawful harassment, sexual harassment, and retaliation, as well as such conduct that does not rise to the level of being unlawful.

Individuals who observe conduct that may violate this policy are encouraged, but not required, to communicate to the offending person that the conduct is offensive and unwelcome. Individuals who observe any behavior directed at others that may violate this policy are encouraged to take reasonable action to defuse such behavior, if possible, such as intervening directly, alerting a supervisor or Human Resources representative(s) to assist, or making a report under this policy.

Prohibited harassment includes, but is not limited to:

- Verbal conduct including taunting, jokes, threats, epithets, derogatory comments, or slurs based on an individual's protected status.
- Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, emails, text messages or gestures based on an individual's protected status.
- Physical conduct including assault, unwanted touching or blocking normal movement because of an individual's protected status.

Complaint Procedure

Any applicant or employee who believes they have been subjected to prohibited harassment, sexual harassment or retaliation should report it immediately.

Complaints can be made verbally, or in writing, to your supervisor, the EEO Officer, any supervisor with whom you feel comfortable or to Human Resources representative(s).

Individuals who observe any behavior directed at others that may violate this policy are encouraged to take reasonable action to defuse such behavior, if possible, such as intervening directly, alerting a supervisor or Human Resources representative(s) to assist, or making a report under this policy.

Any supervisor or supervisor who observes or receives a complaint of harassment, sexual harassment, or retaliation or receives information about suspected harassment, sexual harassment, or retaliation must immediately report it to Human Resources representative(s).

Upon notice, a fair, timely, thorough, and objective investigation will be undertaken. The Village will maintain confidentiality surrounding the investigation to the extent possible, consistent with a thorough and objective investigation, and to the extent permitted or required under applicable law and related information will only be shared with others on a need-to-know basis. The Village will document and track the progress of the investigation, afford all parties the appropriate due process and will reach reasonable conclusions based on the information collected.

Once the investigation is completed and a determination is made, the complaining party will be advised that the investigation has been completed and may be informed of the resolution.

All employees are required to cooperate with any investigation of workplace misconduct of any kind fully and truthfully, including providing written statements when requested to do so.

In addition to the complaint procedures set forth above, any employee who believes that they have been harassed or discriminated against may file a complaint with the EEOC or the Illinois Department of Human Rights (IDHR).

U.S. Equal Employment Opportunity Commission (EEOC)
Chicago District Office
230 South Dearborn St., Suite 1866

Chicago, Illinois 60604
321-872-9744
866-740-3953 (TTY)
<https://publicportal.eeoc.gov/Portal/Login.aspx>

The IDHR may be reached at the following locations:

Chicago Office: 555 West Monroe Street, Suite 700, Chicago, Illinois 60661, telephone number (312) 814-6200, (866) 740-3953 (TTY), fax number (312) 814-6251.

Springfield Office: 524 S. 2nd Street, Suite 300, Springfield, Illinois 62701, telephone number (217) 785-5100, (866) 740-3953 (TTY), fax number (217) 785-5106.

Website: www.illinois.gov/dhr. Email: IDHR.Intake@illinois.gov.

The employee may also report their concerns to the IDHR's Illinois Sexual Harassment and Discrimination Helpline at (877) 236-7703. Retaliation for reporting harassment is illegal.

Supervisor's Responsibility

All supervisors and supervisors are responsible for:

- Implementing this policy, which includes, but is not limited to, taking steps to prevent harassment and retaliation.
- Ensuring that all employees under their supervision have knowledge of and understand this policy.
- Promptly reporting any complaints to the designated Human Resources representative(s) Representative so they may be investigated and resolved in timely manner.
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with this policy.
- Conducting themselves, at all times, in a manner consistent with this policy.

Failure to meet these responsibilities may lead to discipline, up to and including termination.

Protection Against Retaliation

Retaliation is prohibited against any person by another employee or by the Village for using this complaint procedure, reporting proscribed harassment, objecting to such conduct or filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

Individuals who believe they have been subjected to retaliation or believe that another individual has been subjected to retaliation, should report this concern to a supervisor or supervisor or to

Human Resources representative(s). Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation prohibited by this policy is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. If a complaint cannot be substantiated, the Village may take appropriate action to reinforce its commitment to providing a work environment free from retaliation.

Corrective Action/Discipline

If the Village determines that this policy has been violated, including in the event that a supervisor knowingly allows the policy to be violated without reporting it, prompt remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment.

In addition to being subject to discipline for engaging in harassing or sexually harassing conduct themselves, supervisors and supervisors will be subject to discipline (up to and including termination) for failing to report suspected harassment or sexual harassment, or otherwise knowingly allowing harassment or sexual harassment to continue. Supervisors and supervisors will also be subject to discipline for engaging in prohibited retaliation.

Section 3.3 Disability Accommodation

The Village complies with all applicable laws regarding the accommodation of disabilities and will provide, upon request, reasonable accommodations if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would be an undue hardship. If you believe that you need an accommodation, you must advise Human Resources representative(s) of the nature of your work restrictions and the nature of accommodations you believe are necessary to enable you to perform the essential functions of your job. Human Resources representative(s) will work with you and your supervisor to determine reasonable accommodations that may be available, and which does not cause undue hardship to the Village. Documentation from a health care provider supporting your need, duration, frequency, and the nature of your work restrictions in connection with your requested accommodation will be required as part of this process. Employees are required to cooperate with the Village as part of this interactive process. Any information regarding a disability will be kept confidential to the extent required by law.

Section 3.4 Pregnancy Accommodation

Employees and applicants for employment may request reasonable accommodation for pregnancy, childbirth or related medical or common conditions to enable them to perform the essential functions of their job. In accordance with the Illinois Human Rights Act, a reasonable accommodation will be provided unless the accommodation would impose an undue hardship to the Village's ordinary business operations. Reasonable accommodations may include but are not limited to: more frequent or longer bathroom, water or rest breaks; assistance with manual labor; light duty; temporary transfer to a less-strenuous or less-hazardous position that the employee is qualified for; acquisition or modification of equipment; reassignment to a vacant position that the employee is qualified for; private, non-restroom space for expressing breast milk and breastfeeding; job restructuring; a part-time or modified work schedule; appropriate adjustment to or modification of examinations, training materials or policies; seating; an accessible worksite;

and time off to recover from conditions related to childbirth or a leave of absence necessitated by pregnancy, childbirth or medical or common conditions resulting from pregnancy or childbirth.

Employees who take leave as an accommodation under this policy will be reinstated to their original job or to an equivalent position with equivalent pay, seniority, benefits and other terms and conditions of employment upon their notification to the Village of their intent to return to work or when the employee's need for a reasonable accommodation ends. Reinstatement is not required, however, if an undue hardship would result to the Village's operations.

The Village may request certain documents from the individual's health care provider regarding the need for accommodation. It is the employee's or applicant's duty to provide requested documentation to the Village.

The Village will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will the Village retaliate against applicants or employees who request accommodations or otherwise exercise their rights under the Illinois Human Rights Act.

Employees who have questions about this policy or who wish to request reasonable accommodation under this policy should contact Human Resources representative(s).

Section 3.5 Accommodation for Victims of Domestic, Sexual or Gender Violence

The Village will provide reasonable accommodations for qualified employees or applicants for employment who are the victim of domestic violence, sexual violence (including sexual assault and stalking) or gender violence, or who are the family or household member (i.e., spouse, civil union partner, parent, son, daughter, or other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter or a person jointly residing in the same household with the employee) of such a victim, unless providing the accommodation will impose an undue hardship on the Village's operations.

Employees may also be entitled to a leave of absence under the Domestic Violence, Sexual Violence or Gender Violence Victims Leave policy set forth in Section 11.19 of this policy and should consult that policy and or Human Resources representative(s) for additional information.

The Village will not discriminate, harass or retaliate against any employee or applicant for employment: (1) because the individual is, or is perceived to be, a victim of domestic, sexual or gender violence or requests a reasonable accommodation in accordance with this policy; or (2) when the workplace is disrupted or threatened by the action of a person that the individual states has committed or threatened to commit domestic, sexual or gender violence against the individual or the individual's family or household member.

Employees who have questions about this policy or who wish to request reasonable accommodation under this policy should contact Human Resources representative(s).

Section 3.6 Religious Accommodation

Employees and applicants for employment may request a reasonable accommodation for their sincerely held religious beliefs, practices, and/or observances, including but not limited to the wearing of any attire, clothing, or facial hair in accordance with the requirements of their religion. When brought to the Village's attention, it will review the request and identify potential accommodations which will best serve the needs of the employee and the Village without imposing an undue hardship on the conduct of the Village's business. The Village will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will the Village retaliate against applicants or employees who request accommodations or otherwise exercise their rights under the Illinois Human Rights Act. Employees who have questions about this policy or who wish to request reasonable accommodation under this policy should contact Human Resources representative(s).

Section 3.7 Lactation Accommodation

The Village will not discriminate in any way against an employee who chooses to express breast milk in the workplace.

The Village will provide a reasonable amount of paid break time to accommodate an employee desiring to express breast milk for the employee's child up to the age required by applicable law. The lactation break time, if possible, should run concurrently with scheduled rest breaks and meal periods already provided to the employee. Where breaks or additional time are required, the employee should work with her supervisor or Human Resources representative(s) regarding scheduling and reporting the extra break time in the timekeeping system. (Exempt employees who need lactation accommodation breaks do not need to report any extra break time.)

The Village will provide employees with the use of a room or a private area in the workplace, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The Village will make a reasonable effort to identify a location within close proximity to the work area. Employees should discuss with Human Resources representative(s) the location for storage of expressed milk.

Please be sure to contact Human Resources representative(s) during your pregnancy or before you return to a Village worksite to identify your need for a lactation area.

Chapter 4 – Recruitment, Selection, and Appointment

Section 4.1 Recruitment

The Village Administrator, or their designee, shall be responsible for the recruitment and screening of all Village employees, except those positions governed by State Statutes. As vacancies occur, qualified applicants will be sought through several means of recruitment via advertisement in various media. Consideration will first be given to current employees to fill vacancies for which they are at least as qualified as other candidates for the position.

Section 4.2 Appointment Authority

The Village President appoints persons to fill the principal appointive offices of the Village as identified in the Village Code with the advice and consent of the Board of Trustees, with consideration of the recommendation of the Village Administrator.

The Village Administrator shall have the authority to hire, discipline, and terminate all employees, except those principal appointive officers appointed by the Village Board. The Village Administrator shall have the authority to discipline those employees serving as principal appointive officers.

The Board of Police Commissioners is responsible for the appointment, promotion, and removal of all sworn Police department personnel except the Police Chief and Deputy Chief.

Section 4.3 Age

The minimum age for employment as a sworn police officer shall be 21 years of age. All other employees, including seasonal, shall be 18 years of age.

Section 4.4 Residency

Although employees are encouraged to live within the Village limits, residency is not a requirement for initial or continued employment. However, the proximity of prospective employees to their place of work may be considered when choosing which applicant to select for a vacant position.

Section 4.5 Application for Employment

All individuals seeking employment will be required to complete and submit a standard application form which will be provided by the Village. Such applications shall be directed to the Human Resource personnel unless directed by the Administrator to another department head. All employment applications received from qualified candidates will be kept on file for a period of one (1) year.

Applicants seeking employment as sworn employees shall be subject to the procedures established by the Village President and Board of Trustees and/or by State statutes.

Any applicant who knowingly submits false or misleading information by affirmative statement or omission on an employment application shall be subject to disqualification. False or misleading information on an application shall be grounds for dismissal. Unsolicited resumes, applications, and job inquiries shall not be accepted.

Section 4.6 Pre-employment Testing and Evaluation

The Village may require applicant testing prior to selection. Such testing shall measure the job skills, ability and background required to perform the minimum duties of the position. All elements of the selection process will be administered, scored, evaluated, and interpreted in a uniform manner specific to the job classification/description.

Testing may include evaluation of experience and training; oral interview; written examinations; oral examinations; performance examinations; physical strength and agility test; physical examination; drug and alcohol testing; background checks; credit checks; and reference checks. All required examinations and testing shall be at the expense of the Village and conducted by a medical facility or agents of the Village's choosing.

- **Physical examinations:** Prospective employees who have received a conditional offer of employment from the Village will be required to undergo and satisfactorily pass a complete physical examination prior to employment by the Village. The purpose of this examination is to determine whether or not the prospective employee possesses the standards of health and fitness necessary to perform the duties, essential functions, and responsibilities of the position for which they are being considered. The physical examination shall include a drug and alcohol test that the prospective employee must pass satisfactorily.
- **Other testing and examinations:** The Village may require additional testing and examinations as it deems appropriate and as is permitted by law. These examinations may include, but are not limited to, fingerprinting, driver's license search, psychological, polygraph, background, and credit checks.
- **Reference checks:** When considering the applicant for employment, the Village will conduct reference checks by contacting the applicant's previous employers, pertinent institutions, and other appropriate sources. The falsification of any information contained on an employment application or other written material submitted by the applicant, or any misrepresentation during the interview process, whenever discovered, is considered dishonest and grounds for not hiring the applicant or discharging the employee at a later date.
- **Background and credit checks:** All positions within the Village will be required to pass a background and/or credit check. Notice will be given to the applicant prior to conducting a background or credit check. The prospective employee must sign a waiver to allow for the background and/or credit check. Credit and background checks will comply with all applicable state and federal laws, including the Fair Credit Reporting Act (15 U.S.C. § 1681 et seq.) and the Employee Credit Privacy Act (820 ILCS 70/1 et seq.).

Section 4.7 Probationary Period

All appointments to the Village service shall be for a probationary period as follows:

- Twelve (12) months after graduating from the academy or hire (if no academy required) for sworn employees of the Police Department.
- Six (6) months for all other employees.

During an employee's probationary period, an employee may be terminated without reason, without cause, and without appeal, at the discretion of the department head, with concurrence of the Village Administrator.

Section 4.8 Promotion Selection Procedures

Any position vacancy will be posted as set forth in Section 4.1 above. The Village will decide whether or not candidates from outside the organization will be solicited and considered when a vacancy that would be considered promotional occurs.

The promotion process may include one or more of the following, as determined by the Village Administrator: evaluation of experience and training; oral interview; written examinations; oral examinations; performance examinations; physical strength and agility test; physical examination; drug testing; background checks; credit checks; and reference checks. All testing procedures must relate to the knowledge, skills, and abilities for the job.

In promotional appointments that involve a candidate already within the Village service, the Village Administrator may at his or her discretion conduct an additional drug screening test, background, credit, and reference check. Such tests shall be conducted only if the responsibilities of the new position differ from the employees' present position if the employee will be performing safety-sensitive functions, or if the employee has a federally regulated license (e.g., CDL).

Chapter 5 – New Employee Orientation and Probationary Performance Evaluation

Section 5.1 New Employee Orientation

It is important for employees to understand the benefits and conditions of employment from the very onset of employment. A New Employee Orientation session will be coordinated by the Administrative Services Director, typically within the first two weeks of employment. New Employee Orientation is intended to give an overview of municipal government, specific information about major departments and review Village policies and programs. During orientation, employees will be given enrollment information for the Village's benefit plans and any other employment related documents that are to be completed at that time.

Section 5.2 Purpose of Probationary Performance Evaluation

The evaluation period shall be an integral part of the selection process and shall be utilized by the department head and other supervisory staff as an opportunity to observe the new employee's work performance, for securing the most effective adjustment of a newly employed employee to their new position, and for determining whether to terminate any employee whose work performance fails to meet required work standards.

Section 5.3 Duration

All original and promotional appointments shall be tentative and are subject to an evaluation period of one year except that appointment of new police officers will be for 18 months and shall include completion of training as required by State statute.

Section 5.4 Performance Evaluation during Probationary Period

During the evaluation period, the employee's performance will be subject to review and evaluation on a regular and closed basis by his or her immediate supervisor. There will be two formal performance evaluations for employees during the evaluation period. The first will be conducted six months after beginning work or being promoted to a new position. The second will be conducted prior to completion of the first year of service in the position.

Section 5.5 Termination during Probationary Period

At any time during the evaluation period, the appointing authority may terminate an employee if such employee does not satisfactorily perform the duties of the position. A new employee who is terminated within six months of his or her first date of employment will not be eligible for any benefits accumulated during the evaluation period, except for the payout of accrued but unused vacation time.

Section 5.6 Benefits during Evaluation Period

Village employees receive the same benefits as other employees during their evaluation period.

Chapter 6 – Hours and Compensation

Section 6.1 Work Hours

The standard workday of Village personnel shall vary between departments due to service and operational demands. The standard workday may be changed on occasion to accommodate Village and/or employee needs.

Department heads shall establish, with approval of the Village Administrator, the working schedule for subordinate employees. Any proposed changes in work schedules, temporary or permanent, shall first be submitted to the Village Administrator for approval.

It is your responsibility to report to work where and when scheduled. Failure to do so could result in disciplinary action, up to and including termination from employment. For some employees, overtime, alternate shifts, or out-of-town travel may be required. By accepting employment with the Village, you understand and agree that you will be available for and will attend such work. Similarly, if you are scheduled to attend meetings or training sessions, you are expected to attend, just as with any other work assignments.

Any employee required to attend Village Board and/or Commission/Council meetings will be permitted to adjust their schedule to accommodate the meeting schedules.

Section 6.2 Rest Periods and Meal Breaks

Employees working at least seven and one-half hours shall be permitted an unpaid a thirty (30) minute or a one (1) hour unpaid meal rest period(s) within the first five hours of the employee's shift, the time of which shall be scheduled and designated by department and properly documented on their bi-weekly timesheet. Employees who work in excess of 7.5 hours shall be permitted an additional unpaid 20-minute break for every 4.5 continuous hours worked.

Sworn employees of the police department shall be permitted meal breaks consistent with department requirements as may be approved by the department head and in accordance with the provisions of the Fair Labor Standards Act.

Employees of the Public Works department shall be permitted to meal breaks consistent with their Collective Bargaining Agreement.

Section 6.3 Punctuality and Attendance

Regular attendance at work is a requirement of employment or continued employment with the Village. Absenteeism is costly, disrupts operations and work schedules, and creates additional work for your fellow employees. Tardiness also negatively impacts the overall functioning of the Village; in that it affects staffing needs and imposes additional burdens on other employees and supervisors.

All employees are required to report to work, meetings, trainings, and the like on a timely basis and to be responsive, reachable and at their workstations throughout their scheduled work hours.

In situations where absence, a late arrival or an early out is unavoidable, employees are required to inform their supervisor as soon as possible, but no later than one (1) hour before their scheduled start time. Calling in does not necessarily excuse the tardy or the absence.

Excessive, unexcused tardiness and absences will be the cause for disciplinary action up to and including termination. Absences protected by applicable law are not considered unexcused if notice of such absences is provided timely and, in the manner required or permitted by applicable law.

Employees who will be absent from work for any reason must notify their supervisor via telephone, voicemail, email, or text message at least two hours before their scheduled start time on the first day of their absence and, if applicable, must estimate the number of days the absence is expected to last. You must call in every additional day unless your absence has been approved, in writing, for an extended period of time.

If you do not report to work and do not contact your supervisor or Human Resources representative(s) for three (3) consecutive workdays, you will be considered to have voluntarily resigned and abandoned your job. However, please note that failure to return to work after an approved absence or failure to promptly notify the Village of even one absence (i.e., one “no call, no show”) may result in disciplinary action, up to and including termination of employment.

Section 6.4 Timekeeping for Non-Exempt, Hourly Employees

Each non-exempt employee will be given instructions on how work time is recorded, typically in the Village’s payroll system. Non-exempt, hourly employees must clock in/out or otherwise record in the payroll system the time they begin, and end work each day, the beginning and end of each meal period (if required), and the beginning and end of any split shift. Such employees may not clock in or begin performing work of any kind whatsoever more than 4 minutes before their scheduled start time and must stop working and clock out no more than 4 minutes after their scheduled ending time unless overtime is otherwise approved by their supervisor.

The Village pays only for the actual time spent working. Employees who make an error, or forget to record their time properly, must notify their supervisor immediately. It is strictly forbidden to record or alter another employee’s time. Disciplinary action, up to and including termination, will be taken against anyone who violates any part of this policy.

Section 6.5 Working off the Clock

Non-exempt, hourly employees are required to clock in before performing any work of any kind, no matter how minimal. Moreover, such employees are strictly forbidden from performing any work, no matter how minimal, after they have clocked out for breaks or at the end of their shift. Working “off the clock” will result in discipline, up to and including termination of employment.

If you become aware that a supervisor is requesting, encouraging or requiring that non-exempt employees work “off the clock,” you should report the conduct to the Human Resources representative(s) immediately. Such reports will be kept confidential to the extent possible. Retaliation against any employee who reports a violation of this policy in good faith will not be tolerated. Any supervisor who requests or requires that non-exempt employees work “off the clock” or who retaliates against any employee(s) who reports in good faith their belief that a

supervisor is requesting or requiring that non-exempt employees work “off the clock” will be subject to discipline, up to and including termination of employment.

Section 6.6 Compensation for Overtime Worked

Employees may be required by the Village to work more hours than their normal work week. The amount and type of compensation for these additional hours shall depend upon the employees’ classification as stated below. For the purpose of the application of this section, hours worked shall not include hours charged to sick leave, unpaid suspension, or leave without pay. This Section applies to non-union employees. The applicable Collective Bargaining Agreements govern this issue for union members.

All employees will be expected to work overtime in case of emergency or whenever necessary in the best interests of the Village. **If overtime is necessary for a non-exempt employee, it must be authorized by the respective department head and authorized by the Village Administrator prior to being worked.** All emergency overtime must be approved by the respective department head and reported the next working day to the Village Administrator. Failure by the non-exempt employee to obtain approval before working overtime, failure to report emergency overtime and/or any employee’s refusal to work overtime may result in disciplinary action, including termination.

Non-exempt employees: all employees are eligible to receive overtime compensation at the rate of time and one-half times their regular rate of pay for hours worked in excess of forty hours each workweek, provided that the employee actually “worked” the forty hours in the workweek prior to working overtime hours.

For the purpose of calculating overtime, hours “worked” shall not include hours charged to sick leave, vacation leave, suspension days, or leaves without pay. If the employee has not worked the minimum hours required in a forty (40) hour work week the requirement is met. Overtime compensation at time and one half will not be paid for time worked which is less than 15 minutes in excess of scheduled work hours per pay period.

There are two work weeks within the Village’s payroll period, and overtime must be calculated for each individual forty (40) hour work week.

Compensatory Time for Non-Exempt Employees: all employees classified as non-exempt by the Village Administrator in accordance with the Fair Labor Standards Act, may, at the discretion of the Village Administrator be eligible for compensatory time. For an employee to earn compensatory time, the employee must have worked at least forty (40) hours during the workweek (or the equivalent if the employee is on a schedule other than forty (40) hours per week). For each overtime occurrence, if an employee agrees to accumulate compensatory time instead of receiving overtime pay, he/she must receive consent to do so prior to accruing any compensatory time.

Compensatory time earned is the same rate as overtime earned; time and one half or double time. Unless specifically outlined in a CBA, the maximum number of hours of compensatory time that can be accumulated by an employee is fifty (50) hours. Once an employee reaches the 50 hour threshold, the Village will pay the employee compensatory time at the rate of time and one-half for the number of hours that exceed fifty (50). Authorization of said time off must not unduly

disrupt operations as determined by the authorizing supervisor. Employees must request compensatory time leave at least one (1) week in advance of the requested time off.

Section 6.7 Reporting Time Pay

A full-time non-exempt employee called back to work, having completed a normal work day, or called back in on their day off shall receive a minimum of two (2) hours compensation, or their actual time worked, whichever is greater. The compensation shall be at one and one half times their straight time hourly rate, provided the employee has worked the minimum number of hours established for their normal work week. If the minimum has not been worked, the compensation for call-out will be at the employee's regular straight time hourly rate consistent with any applicable CBA.

Section 6.8 Court Time

All police officers who are required as part of their employment to appear in court during off duty hours shall receive a minimum of two (2) hours compensation, or their actual time worked, whichever is greater. The pay will be at one and one half times the regular hourly rate provided the employee has worked the minimum number of hours established for his normal workweek. If the minimum has not been worked, the compensation for court time will be at the employee's regular straight time hourly rate.

Section 6.9 On-Call Status

Definition of "On-call": An on-call employee is instructed verbally or in writing by their supervisor, department head, or designee, or previously assigned from a written, rotational schedule to be continually available to report to work during an off-duty period.

Definition of "State of Alert": State of alert is a time frame designated by the Village Administrator, department head, or designee in which more than one employee, an amount determined by the department head, is on-call.

An employee on-call, including state of alert employees, must be:

- Continuously available to be contacted by the Village through a telephone or electronic device.
- Must be able to report to work immediately but in no event later than thirty (30) minutes after receiving a request from the appropriate Village personnel unless an applicable CBA dictates a different time frame.
- Must report in a fit-for-duty physical condition which allows the efficient performance of the employee's job position.

After hours Monday through Friday, the supervisors of each division will be on-call. Any hours on Saturdays, Sundays, or holidays an employee from the rotational schedule, developed by the department head or designee, will be on-call.

During a state of alert, any number of employees determined by the department head or designee will be on-call. The employees will first be selected from the department the State of Alert will affect. If more employees are to be selected, they will be selected from the same rotational schedule used for weekends and holidays.

Call-out procedures during normal operations Monday through Friday are as follows: the supervisor in charge of the emergency will call their department's employees first, on a rotational basis. If more employees are necessary, the supervisor will then utilize the rotational schedule.

Call-out procedures during normal operations on a weekend or holiday are as follows: if the emergency requires only one employee, the on-call employee will make necessary repairs alone. If the emergency requires more than one employee, the on-call employee will first call the supervisor responsible for the emergency, then the employees of that particular department will be called on a rotational basis. If more employees are necessary, the supervisor will then utilize the rotational schedule.

Call-out procedures during a state of alert Monday through Friday are as follows: the supervisor in charge of the emergency will call in all of the designated employees. If more employees are necessary, the supervisor will utilize the rotational schedule.

Call-out procedures during a weekend or holiday are as follows: the on-call employee will call the designated supervisor and the supervisor will call the other designated employees. If more employees are necessary, the supervisor will utilize the rotational schedule.

Section 6.10 Temporary Assignment to a Higher Position Level

Subject to the final approval of the Village Board, the Village Administrator may recommend a temporary pay increase to an employee acting at a higher position such as supervisor, manager or department head for the length of the assignment/appointment. The increase shall not exceed fifteen percent (15%) of that employee's regular salary or rate of pay when that employee is called upon to perform additional or different job duties or functions during two or more consecutive weeks that would not otherwise be the responsibility of that employee. The amount of a given pay increase shall be determined by the department head based on the amount or nature of additional or different duties or functions that an employee is assuming and approved by the Village Administrator. All pay increases recommended and approved under this policy shall only constitute temporary adjustments to an employee's salary or rate of pay to reflect the temporary increase or change in the duties and functions of the employee during the period of time that the employee is actually assisting in carrying out the duties and functions of the vacant position, and under no circumstances shall any such pay increase constitute a permanent change in the employee's salary or rate of pay.

The department head recommending a temporary pay increase for an employee under this policy shall, upon the approval of such increase by the Village Administrator, notify the employee in writing of the amount of the increase, the additional or different duties and functions to be performed by the recipient, and the expected duration of the assignment. Such notice shall also inform the employee that any pay increase granted under this policy shall be temporary and shall last no longer than the period of time during which the employee actually performs additional or

different job duties or functions and shall be transmitted to the employee together with a copy of this policy.

Section 6.11 Paydays

The payroll period shall be two (2) weeks in duration with twenty-six (26) payroll periods per year. Checks will be distributed on the Friday following the end of a payroll period, except when the payday is a holiday. In this case, checks will be issued the day before. The two-week pay period begins at 12:01 a.m. on alternate Saturdays. Employees are not to cash paychecks on Village time.

Employees will be paid via direct deposit if they have elected direct deposit and provided the Village with the necessary paperwork. Otherwise, you may pick up your paycheck from your regular worksite. Paychecks will be distributed to the employee only and not to any other person unless directed, in writing, by the employee. If a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. In no case will pay advances, loans, or extensions of credit on unearned wages be provided to employees for any reason.

Section 6.12 Errors in Pay

Village takes precautions to ensure that employees are paid correctly; however, if an error does occur, the employee should notify a supervisor within two weeks. The Village will make every attempt to adjust the error no later than the employee's next regular pay period.

Additionally, the Village will comply with the requirements of the Fair Labor Standards Act and no improper deductions from the salary of exempt employees will be permitted.

Section 6.13 Payroll Deductions

When an employee is hired by the Village, he/she must submit to the Village the following information:

- Social Security number
- Documentation proving U.S. citizenship or legal alien status
- Information for pension deduction

Compulsory deductions currently include state and federal withholding, Medicare, Social Security and the Illinois Municipal Retirement Fund (for all employees working 1000 hours or more per year, except sworn Police personnel who contribute to their respective pension plans). The Village also provides employees the opportunity to participate in several voluntary payroll deduction programs, which may include, but may not be limited to, group health insurance, group dental plan, a flexible spending plan, a deferred compensation plan, supplemental insurance plans, a credit union savings program and others as approved by the Village Administrator. Information on these programs may be obtained through the appointed Human Resources representative. All changes in any employee's status or address must be reported to the appointed Human Resources representative.

Section 6.14 Wage Garnishment

If the Village receives a wage garnishment notice on any employee, it shall be processed for the next pay period in accordance with law. Whenever the Village is served with an order to withhold income from an employee, pursuant to any statute, the Village may charge the applicable statutory administrative fee (processing fee for wage assignment, child support, withholding order, etc.) from the employee's income.

Section 6.15 Record Keeping of Hours

It shall be the responsibility of the department head or designee, to assure proper record keeping of hours worked. Before records of time worked are submitted to payroll, they are to be reviewed, approved, and signed by the department head. Anyone who knowingly falsifies a record of hours shall be subject to disciplinary action, including dismissal.

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Chapter 7 – Remote Work

A telecommuting arrangement may be considered in situations where there is a mutual benefit for the community, the Village, and the employee. The intent is to allow full-time exempt and non-exempt employees and their supervisors/supervisors to design a telecommuting arrangement which will allow an employee to work away from his/her principal work site. Remote work may be available to part-time employees on a case-by-case basis.

Telecommuting is not an entitlement; it is an option to be used at the department head's discretion and where IT software and equipment needs can be easily facilitated. The telecommuting schedule must allow adequate regular office time for meetings and access to facilities and supplies. Telecommuting may be discontinued at any time, for any reason, at the sole discretion of the Village and in no way alters the terms and conditions of employment with the Village of East Dundee.

Telecommuting arrangements may be utilized for short-term assignments, occasional, temporary, and sporadic assignments, or long-term assignments.

It is the telecommuting employee's responsibility to handle the setup, configuration, administration, and maintenance of personal hardware and software required to facilitate telecommuting. Village IT personnel will **NOT** provide any application, hardware, connectivity, or network support beyond any required third-party remote connectivity applications for personal devices.

The responsibility of establishing and paying any costs of telephone or data services related to performing remote work for the Village belongs to the employee.

While telecommuting may facilitate an employee working around family responsibilities, it is not intended to be a substitute for family care. The focus of the arrangement must remain on job performance and meeting business demands.

Supervisors may consider telecommuting as a flexible work site arrangement for assisting disabled workers, or in returning to work those employees on personal medical leave, or on Workers Compensation temporary total disability (TTD). Requests for restricted duty assignments must be approved by the Village Administrator or designee and will be reviewed on a case-by-case basis.

Workers' Compensation

- Employee injuries. This arrangement will not change, diminish, or expand the rights or responsibilities of the Village or the employee under the Workers Compensation Act.
- Family and visitor injuries. The Village does not assume responsibility for injury to any persons, other than the employee, at the employee's alternate worksite.
- Reporting. All injuries must be reported to the employee's supervisor as soon as possible and no later than the end of the normal business hours on the date of the injury. Failure to report may result in corrective action.

Remote Work Security Requirements:

Village employees may have access to confidential and proprietary information not accessible to the general public. Generally, confidential, and proprietary information shall not leave the assigned primary work location. Further, duplicating or disclosing confidential or proprietary information, unless it serves as a business necessity, is strictly prohibited. When telecommuting, employees are required to maintain the same confidentiality of all Village information as they would at their primary work location. Employees shall also take the necessary precautions to ensure that confidential and proprietary information is protected while in transit between the principal work location and alternative work location. Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to Village networks or databases to anyone who is not authorized to have access.

Failure to exercise due care in safeguarding the Village's confidential and proprietary information is a job performance matter and may result in disciplinary action, up to and including termination.

Chapter 8 – Performance Appraisals/Evaluation

Performance appraisals shall be conducted annually at the beginning of the calendar year (January) for all full-time and part-time employees, except as otherwise noted, with salary increases implemented on the first day of the new budget year. Promoted employees, new employees, and employees changing to full-time status shall be appraised at the conclusion of their introductory period and on their one-year anniversary date for their first year of service in the new position. Thereafter, promoted, new and part-time to full-time status employees with anniversary dates before November 1st shall be eligible for subsequent increases each budget year. Employees with anniversary dates six (6) months prior to the start of a new budget year shall be eligible for subsequent increases one (1) year after the next budget year following their anniversary date and each new budget year thereafter.

Section 8.1 Purpose

The main purpose of the Performance Evaluation is to:

- Promote productivity and raise the level of performance.
- Strengthen employer-employee relations.

Identify employee training and development opportunities. Provide a basis for merit increases within the Classification and Compensation Plan.

Section 8.2 Administration of Evaluations

Timing – Each employee, except those employees on a probationary status, will be evaluated annually on the anniversary date of their employment.

Evaluators – the immediate supervisor will evaluate the employees for whom they are directly responsible. If an employee has had more than one immediate supervisor during the previous year, each of those supervisors should evaluate the employee individually, and then meet amongst themselves to develop and agree upon a joint evaluation. The evaluations conducted by the immediate supervisor(s) will be reviewed, in turn, by their supervisors and by their department head.

Evaluation Interview and Discussion – the current immediate supervisor will meet with the employee being evaluated. The written evaluation will be shared with the employee. The employee will be provided with an opportunity to respond to their evaluation. At the conclusion of the evaluation interview, the employee will sign the evaluation form, indicating they are in receipt of the evaluation. If the employee does not sign the evaluation, the department head or supervisor must indicate the date and time the evaluation was provided to the employee.

Merit Increases – At the Village Administrator's discretion and based on their performance, employees will be eligible to advance by percentage increases determined annually by the Village Board on their anniversary date of employment. These percentage increases may vary depending on their performance evaluation.

Chapter 9 – Employee Benefits

Section 9.1 Benefits Overview

It is the Village's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as paid time off and holidays, insurance, and other plan benefits. Staff are constantly studying and evaluating benefit programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

Every year, the Village provides an Employee Benefits Guide to its employees.

The descriptions of the insurance and other plan benefits in that Guide merely highlight certain aspects of the applicable plans for your general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon your request from the Village's Human Resources representative(s). Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPD's and this manual.

Further, the Village (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as the full discretionary authority about administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility, and entitlement.

While the Village intends to maintain these employee benefits, it reserves the absolute right to modify, amend, or terminate these benefits at any time and for any reason.

If you are subject to a CBA, the terms of the CBA will govern your benefits.

If you have any questions regarding your benefits, please contact the Village's Human Resources representative(s).

Chapter 10 – Travel and Training

Section 10.1 Business Expenses

The Village will pay reasonable expenses for department heads and other employees who make trips required Village or professional business. Eligible business expenses shall be reimbursed after submission of an itemized statement of travel expenses accompanied by receipts.

Village vehicles may be used in travel to destinations up to 200 miles from East Dundee. Destinations greater than 200 miles must be approved by the Village Administrator. If using a Village vehicle and gas is purchased, receipts must be obtained for reimbursement. Private cars may be used for travel, up to 300 miles, on Village business if required, and reimbursement will be made at the standard IRS mileage reimbursement rates then in effect. If the employee is choosing to travel via vehicle, the employee must provide the cost of a airfare travel as well as the cost for mileage reimbursement for comparison purposes at least two months prior to the travel date. The employee must travel using the least expensive method of the two options.

To be reimbursed for use of private vehicles, proof of insurance must be provided as delineated by Air, train, or bus travel reimbursement is limited to coach or economy fares, if required, verified by receipts.

Hotel reimbursement shall be limited to the minimum number of nights required to conduct Village business. No lodging expense will be reimbursement for meeting or training sessions held in the Chicago Metropolitan are unless it can be demonstrated that it is impractical for an employee to commute due to late evening and early morning sessions. Expenses incurred for meals while on authorized Village business during the course of travel will be reimbursed at actual cost verified by receipts, but not to exceed **\$50.00** per day. This allowance will be prorated based upon the number of meals required.

The following items are not reimbursable: laundry and dry cleaning, entertainment, alcoholic beverages and personal telephone charges or movies (includes streaming).

In cases where a travel advance is requested, it must be made to the department head and approved by the Village Administrator in time for inclusion on the claims warrant sheet for approval by the Village Board. The amount of the travel advance should be substantiated by an estimate of travel expenses.

Requests for reimbursement must be made within 30 calendar days following the business travel or training. If not requested within 30 days, no reimbursement will be permitted.

Section 10.2 Tuition Reimbursement

At the discretion of the Village Administrator and budget permitting, the Village will reimburse tuition, for Full-Time employees, for an approved course at colleges and universities under the following conditions:

1. The individual course and underlying degree are job-related to the employee's present or future job responsibilities as determined by the department head.

2. The department head recommends, and the employee receives written approval from the department head prior to the course beginning.
3. The employee achieves a grade of "C" or better.
4. Employees who anticipate requesting tuition reimbursement should do so by December 31 of the year preceding the budget year in which they will request such reimbursement. The Village will then determine during the budget process whether there are sufficient funds to be budgeted and available to cover such costs.
5. Reimbursement per employee shall not exceed \$500.00 per budget year.
6. At separation, employees are required to reimburse the Village for any college tuition cost paid by the Village during the last twelve months of the employee's employment with the Village.

Employees who participate in the tuition reimbursement program will be required to sign an authorization form when applying for tuition reimbursement acknowledging that they will need to reimburse the Village for any tuition funds received during the last 12 months of employment.

Section 10.3 Training Programs

The Village of East Dundee recognizes it has a responsibility to the community to maintain a capable, responsive, and professional work force. Career development planning is a way to train and educate an employee to perform in the capacity where the employee desires to serve at a level that meets the needs of the department and the community. In order to achieve this result, each department is responsible for developing a training program that will provide the opportunity for each employee to pursue a variety of career development options.

Minimally, the training will include topics such as harassment, ethical conduct, diversity, supervision (if employee is in a supervisory role), team building, communications, safety, and other related topics. These topics are mandatory, and it is the responsibility of the employee and the department head to ensure training requirements are met.

When employees voluntarily attend meetings, lectures, college courses, or other training sessions conducted by independent schools, colleges, associates, or entities, their attendance shall be unpaid, even if the Village pays the tuition for such courses under the tuition reimbursement program.

Section 10.3 Training Expenses

The Village supports employee training to the extent that an employee may perform work more efficiently, improve job skills, or be able to qualify for positions of increasing responsibility.

All related expenses for recruitment or mandatory training will be reimbursed by the Village based upon department budget allocations. In-service training and specialized training tuitions or registration fees will be reimbursed based upon department budget allocations and approval of the Village Administrator. Department Heads and the Village Administrator shall approve all training. This approval shall be secured prior to registration for the training to be eligible for reimbursement.

Chapter 11 – Time Off and Leaves of Absences

Section 11.1 Holidays

All employees who have full time employment status shall receive time off and be paid for the following holidays:

- New Year's Day
- Martin Luther King, Jr Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Employees covered by a collective bargaining agreement should consult the current applicable union contract for details on holidays and holiday pay. Temporary and seasonal employees do not receive pay for holidays.

If one of the above holidays falls on Saturday, it normally is observed on the preceding Friday. If a holiday falls on Sunday, it normally is observed on the following Monday.

Eligible employees receive a paid holiday only if the observed holiday falls on a day they are normally scheduled to work and only for the number of hours they are regularly scheduled to work on the day the observed holiday falls. Employees who are off work, who are suspended, who are on pension, unpaid leave of absence, or any other inactive payroll status shall not be eligible for holiday pay.

Holiday pay is calculated at the employee's regular, straight-time pay rate. Holidays do not count as hours worked for purposes of determining overtime.

Exempt employees paid a weekly salary will receive no more than their normal weekly salary for any week in which a holiday falls irrespective of whether they perform work on the holiday.

Scheduling Holiday Time Off (for non-bargaining unit and staff)

In situations where operations do not allow for multiple employees to be off at the same time, the Village will use a rotational lottery. The lottery, if necessary, will be conducted in January of each year for particular weeks in which multiple employees have requested time off and the Village cannot grant all of their requests without adversely affecting Village operations. The Village's rotational lottery will be used in instances where multiple Village employees want to take time off during the same week. For example, suppose three of four office staff members want December 25th week off, but Village operational needs can only support two. Under the Village's rotational lottery system, in year 2023, the supervisor will select two employees, via lottery, then pick another two employees who would receive priority for year 2024. Selected employees who do not wish to use their lottery rotation may give their turn to another employee.

Alternatively, the Village may decide to close Village Hall the week of Thanksgiving and Christmas. If the offices are closed, non-union employees will work remotely.

Section 11.2 Personal

Three personal day(s) will be provided to employees during each calendar year. The personal day shall be taken at the discretion of the employee, provided that the schedule date is approved by the department head. Employees shall request the personal day at least one week in advance. Personal days may be paid in increments of one (1) hour.

The personal day must be utilized during the calendar year and cannot be accumulated or reimbursed in the form of an extra day of pay. Any personal day not utilized before December 31st, or prior to an employee's termination is to be considered "lost."

Employees shall not be eligible to receive a personal day until completion of six (6) months of continuous service. Employees hired prior to June 1st shall be entitled to receive (1) personal day during the year of hire. Employees hired after June 1st shall not be entitled to receive a personal day until the following calendar year.

Section 11.3 Vacation

Full-time, regular employees are eligible to accrue paid vacation time off upon hire. Vacation is not available to part-time, seasonal, or temporary employees. Vacation provides eligible, full-time employees with paid time away from work that can be used for any reason after they have completed six (6) months of continuous, active service to the Village.

Your vacation amount depends on your employment agreement, job title, and length of service with the Village. Employees covered by collective bargaining agreements should consult the current applicable contract for specific details regarding vacation accrual rates. Non-union accruals are as follows:

Completed Years of Service	Days/Hours Earned	Hours Earned per Pay Period
0 – 4	10 days/70 hours	2.6923
5 – 10	15 days/105 hours	4.0385
11 – 15	20 days/140 hours	5.3846
16	21 days/147 hours	5.6538
17	22 days/154 hours	5.9231
18	23 days/161 hours	6.1923
19	24 days/168 hours	6.4615
20	25 days/175 hours	6.7308

Before taking any unpaid time off work and to the extent permitted by applicable law, employees must exhaust their vacation time. Vacation may not be used during any period of furlough, as the employee is not scheduled to work. Unless protected, unpaid time off in excess of an employee's entitled vacation time will be viewed as a performance issue subject to an unsatisfactory review and possible disciplinary action.

As vacation hours are used, they are subtracted from the employee's account balance. Vacation is not part of any overtime calculation for non-exempt hourly employees as it is non-working time. Vacation is paid based on the employee's regular base rate of pay at the time vacation is taken.

Employees may carry over only 35 hours of accrued, but unused vacation time from one anniversary year to the next – any other accrued time remaining on the employee's anniversary date is forfeited.

Vacation will continue to accrue while an employee is on paid leave by the Village. If an employee is on leave without pay from the Village, vacation does not accrue. Disability benefits are governed separately. Employees may be eligible to receive payments under State disability insurance programs, workers' compensation insurance programs, State paid bonding/caregiver programs or other third-party benefit programs such as IMRF or Aflac. Employees who are unable to work for covered reasons under such programs are required to apply for any and all benefits for which they may be eligible under any of these programs.

All vacation must be earned before being taken. Employees are not permitted to take vacation until it is earned.

All planned time off must be requested at least 7 days in advance to your supervisor unless there are extenuating circumstances or noted otherwise in this manual or a CBA. Whenever possible, employees' requests for prescheduled vacation will be accommodated, but where scheduling conflicts arise, seniority and workload priority will prevail. The Village reserves the right to require the use of vacation or require that vacation be scheduled or taken during certain times of the year, in accordance with business needs and its sole discretion.

Unless otherwise mandated by law, the Village reserves the right not to approve a request for vacation if it will interfere with Village operations or adversely affect coverage of job and staff requirements. All vacation requests must be requested in either half day or full day increments.

In the event of separation from employment, accrued, but unused vacation will be paid out.

Section 11.4 Sick Leave

The Village provides eligible employees with sick leave. The guidelines in this policy do not supersede applicable federal, state, or local laws regarding leaves of absence, including but not limited to leave taken under the Family and Medical Leave Act (FMLA), leave taken as a reasonable accommodation under the Americans with Disabilities Act (ADA), or any other applicable federal, state, or local law, including those prohibiting discrimination and harassment. Where applicable, leave under this policy will run concurrently with all other applicable leaves.

Full-time employees shall accumulate sick leave at the rate of 3.2308 hours per pay period worked (12 days/84 hours per year). New employees shall not be eligible for paid sick leave until thirty (30) days from the date of hire. Sick leave will be paid in increments of one (1) hour. Any use of sick leave which is less than one (1) hour will be rounded up to the nearest whole hour.

Sick leave may be accumulated from year to year, subject to a maximum accumulation of 700 hours (union employees should consult CBA for confirmation of maximum accumulation).

Employees will not accrue paid sick leave during periods of unpaid leaves of absence, furlough, pension collection or suspension.

Paid sick leave may be used when the employee or the employee's family member is ill or injured; is receiving medical care, medical treatment, medical diagnosis, or preventative medical care; or needs to recuperate from an illness or injury.

For purposes of this policy, "family member" includes the employee's:

- Child (defined as biological child, adopted child, stepchild, or foster child);
- Domestic partner or Spouse; or
- Parent (defined as a biological parent, adoptive parent, foster parent, stepparent, or parent-in-law).

Additionally, if an employee is eligible for leave under the federal Family and Medical Leave Act ("FMLA"), paid sick leave may be used for any reason that an employee can take job-protected leave pursuant to the FMLA. An employee's use of paid sick leave for FMLA purposes runs concurrently with the employee's use of leave under the FMLA or any applicable state law.

When the need for paid sick leave is reasonably foreseeable, employees must provide (7) seven days' notice of the need for sick leave. A reasonably foreseeable absence includes, but is not limited to, any non-emergency, prescheduled appointment with a health care provider for the employee or the employee's family member.

If the need for paid sick leave is unforeseeable, employees must provide notice as soon as practicable on the day the employee intends to take the paid sick leave but no less than one (1) hour before the employee's scheduled starting time for sworn police personnel and thirty (30) minutes before the employee's schedule starting time for all other Village employees.

Employees may provide notification of their need for unforeseeable leave via phone, e-mail or text message, and the Village will accept notice from any other person providing such notice on the employee's behalf.

Failure to make proper notification will deem the employee ineligible for sick leave compensation. The employee is responsible for making a daily report thereafter for the duration of the illness or injury.

If paid sick leave is used for more than three consecutive workdays, the Village may require that the employee provide certification that the leave was used for a covered purpose. An employee can satisfy this requirement by providing documentation signed by a licensed health care provider. The Village does not require any documentation to reveal the nature of any illness or injury; however, for an employee who was using sick leave due to a contagious disease or who was exposed to a contagious infectious disease, a written statement from a physician shall be required before an employee may again report for work.

If, upon investigation, any employee is found to have abused the intent of the sick leave benefit, he/she shall be subject to disciplinary action. Excessive absenteeism may result in disciplinary action, up to and including immediate termination of employment. "Excessive" shall be defined as those absences occurring more than two (2) times per month (i.e., two consecutive days absent from work would be considered as one (1) occurrence).

Accrued but unused paid sick leave may be carried over from year to year. Paid sick leave will not be paid out in lieu of use or carryover, except upon separation of employment under the terms and conditions set forth herein.

Benefits and leave rights herein will run concurrently with benefits or leave rights under any other applicable law or policy, where permissible and applicable.

The Village may provide other forms of leave for employees to care for medical conditions under certain other laws. In certain situations, leave under this policy may run at the same time as leave available under another law, provided eligibility requirements for that law are met. The Village is committed to complying with all applicable laws. The Village will keep confidential any medical documentation regarding leave use, in accordance with applicable law. The Village may require an employee to use accrued paid sick leave when the employee can do so instead of taking an unpaid absence from work.

Employees terminating employment with the Village shall be compensated for unused earned and accrued sick leave as follows:

By dismissal:	No compensation
Resignation before 20 years of service:	No compensation
Retirement after 20 years of service:	½ accrued amount
Layoff/reduction in force:	½ accrued amount
Death of employee:	½ accrued amount

To receive a sick leave payout upon resignation after 20+ years or due to disability, an employee must give at least two weeks' written notice of their intent to resign or retire. Failure to do so will render the employee ineligible for a sick leave payout.

Sick leave necessary beyond the earned and accrued amount will require the employee to use vacation time.

Section 11.5 Parental Leave

The Village strives to maintain modern, competitive, and compliant policies and practices to ensure the attraction, retention, engagement, and loyalty of our talent. The purpose of our parental leave policy is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave and any other State leave law, as applicable.

Eligibility

Eligible employees must meet the following criteria:

- Have been employed and actively working with the Village for at least one year.
- Be a full- or part-time, regular employee (temporary employees and interns are not eligible for this benefit) working a minimum of 30 hours per week.

Paid Benefits for Childbirth Related Disability

Up to 60% of base pay to eligible employees for consecutive weeks of disability before and following childbirth by an employee. This paid benefit runs concurrently with, and is part of, the salary continuation benefits provided as a result of employee pregnancy or childbirth-related disability under IMRF, or other short-term disability programs offered through Aflac, as well as any State-mandated or State-run programs. Please refer to our current benefits summary and contact Human Resources for details.

Parental Leave Benefits

Up to 100% of base pay to eligible employees who are the parent of a newly born, adopted or foster-care-placed child (age 17 or under) belonging to the employee, for up to three (3) workweeks to be taken and completed within the first 6 months after the birth or home placement of the child. This benefit may be used in conjunction with FMLA.

Paid bonding benefits begin upon (1) birth of the employee's child or (2) placement of the child in the employee's home or (3) cessation of any paid benefits for the employee's childbirth-related disability – whichever is later. Only one paid bonding leave period is available in any rolling 12-month period and is regardless of the number of children who join the employee's family at any one time.

All paid bonding benefits run concurrent with, and will be integrated with, federal, State, or local leave laws as well as any salary continuation benefits provided under any applicable paid family leave policy or program, including private insurance, State-mandated or State-run programs. Employees will be "grossed up" for the difference between such paid benefits and their typical weekly pay for the maximum number of weeks set forth above. Additional paid time off or unpaid leave beyond the time frames listed above are subject to applicable law and the approval of your supervisor and a Human Resources representative.

Paid time off and/or other benefits under this section is available on a non-discriminatory basis to all eligible employees regardless of gender, sexual orientation, and/or marital status. Thirty (30) days advance written notice of the dates of leave, including documentation verifying the adoption, birth, parental lineage and/or disability as well as proof that the employee has applied for any State or private benefits will be required to receive benefits under this policy. In the event of unforeseen circumstances, such as premature birth, you must provide notice as soon as practicable.

Unused benefits may not be carried over beyond six months after the birth of the child or after placement of the child in the employee's home through adoption, legal guardianship or foster care, and there is no payment under this policy of unused benefits.

For salaried employees, "pay" is your base salary. For hourly employees, "pay" is based on your hourly base wage rate based on the number of regularly scheduled hours worked. "Pay" excludes participation in any overtime, incentive programs, and pay differentials. When a paid holiday falls during an employee's Paid Parental Leave benefits, the employee does not receive additional pay (other than Paid Parental Leave pay) for the holiday.

PPL benefits paid by the Village will coordinate with and be offset by any state-paid benefits that you may receive. Employees eligible for state-paid benefits should apply for them and report to the Village amounts received. PPL is a paid benefit only – not a right to time off – and is separate from any leave time or time off for bonding, pregnancy, or childbirth-related disabilities to which the employee otherwise may be eligible or entitled. Employees must pay their share of health insurance and other benefit premiums while on PPL, the same as if they had been actively working. This policy runs concurrently with all other time off and leave policies of the Village as well as all applicable federal, state, and local law. It does not extend or increase the amount of time off any employee may be entitled to take under any applicable law.

Section 11.7 Donated Sick Leave

The Village sponsors a donation program in which employees may donate specific amounts of their sick leave, compensatory time, personal time, or vacation time, not to exceed, in an aggregate, forty (40) hours per employee annually to another employee who needs to take sick leave but has exhausted his or her accrued sick leave or other paid leave.

- An employee must complete the Leave of Absence Request form, including the Certification of Health Care Provider, prior to receiving any donation of time.
- An employee receiving a donation must first have used all of their accrued sick, vacation time, personal time, and compensatory time (collectively known as accrued time off). However, all donated time can be used only as sick time for the employee in need.
- Both the donating employee and the recipient employee must be full-time employees, and have completed their probationary period.
- Time donated will be counted on an hour for hour basis. For example, an employee receiving an hour of sick time from a supervisor will receive one hour of sick time regardless of hourly rate differential.
- An employee donating time must retain not less than 40 hours of their own sick time following the donation of the hours.
- Once the donation has been made, all donated time is the property of the receiving employee. Unused time may not be transferred back.

Section 11.8 Jury Duty

We recognize that it is your civic duty to serve on jury duty. Employees will receive time off to fulfill jury duty. When you receive a notice to serve on a jury, you should immediately notify your supervisor and Human Resources so proper scheduling can be arranged. Employees must provide their supervisor with notice of any jury summons or subpoena within 10 days after receipt. To eliminate any financial hardship caused by serving on a jury, the Village will pay the difference between your regular pay and that received from your jury service. To receive this pay, you must provide your supervisor and Human Resources with a signed certificate of jury service from the Court Clerk and pay received. If you are excused from service for any full day or partial day, you

are expected to report to work on that day. However, employees who work for the Village at night will not be required to work while serving on a jury during the day.

The Village encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service or serve as a juror. Under no circumstances will employees be terminated, threatened, coerced or penalized because they request or take leave in accordance with this policy.

Section 11.9 Bereavement Leave

We know the death of a family member is a time when you wish to be with the rest of your family. Village employees are eligible for three (3) workdays of paid and seven (7) workdays of unpaid bereavement leave.

Eligible employees may take leave under this policy for any of the following reasons:

To attend the funeral (or funeral alternative) of the covered family member;

To make arrangements necessitated by the death of the covered family member; or

To grieve the death of the covered family member;

To be absent from work due to:

A miscarriage;

A stillbirth;

An unsuccessful round of intrauterine insemination or of an assisted reproductive technology program;

A failed adoption match or an adoption that is not finalized because it is contested by another party;

a failed surrogacy agreement; or

a diagnosis that negatively affects pregnancy or fertility.

Village employees must also have worked for the Village for at least twelve (12) months and at least 1,250 hours over the past twelve (12) months in order to be eligible for bereavement leave. Any request for bereavement leave in excess of ten (10) working days will be subject to approval of the Village Administrator and will be chargeable to other accrued leaves.

For the purposes of this policy, a covered family member includes a spouse, domestic partner, child (defined as biological, adopted, step or foster), parent (defined as biological, adoptive, foster, step or in-laws), grandparent, grandchildren, or sibling.

Employees are also eligible immediately upon hire for one paid day to attend the funeral of siblings-in-law, children-in-law, grandparents-in-law, aunt, uncle, or cousin.

Paid leave days only may be taken on regularly scheduled, consecutive workdays following the date of death. You must request permission from your supervisor before commencing bereavement leave. Employees should give at least 48 hours' advance notice of leave. If 48 hours is not reasonable, employees should give as much advance notice to the Village as possible. Leave must be completed within sixty (60) days after the date on which the employee receives notice of the death of the covered family member or other qualifying reason. In administering this policy, the Village may require verification of death and your relationship to the deceased.

In the event of the death of more than one covered family member in a twelve (12) month period, an employee is entitled to up to a total of six (6) weeks of bereavement leave during the twelve (12) month period.

Employees may elect to substitute other types of leave for bereavement leave, including but not limited to any available paid leave, such as accrued vacation. While bereavement leave does not run concurrently with the FMLA, employees who have already exhausted their FMLA leave are ineligible for leave under this policy.

The Village will not retaliate or tolerate retaliation against employees who request or take leave in accordance with this policy.

Section 11.11 Family Military Leave

Eligible employees who are the spouse, parent, child, or grandparent of a person called to military service are entitled to up to 30 days of unpaid leave during the time federal or state deployment orders are in effect. To be eligible for leave, employees must:

- Have been employed by the Village for at least 12 months;
- Have worked for the Village for at least 1,250 hours during the 12-month period immediately preceding the leave; and
- Be the spouse, parent, child, or grandparent of a person called to military service lasting longer than 30 days with the state or the United States pursuant to orders of the Governor or the President.

The Village may require verification of an employee's eligibility for leave from the proper military authority.

Employees may not take family military leave until they have exhausted all accrued vacation.

Employees taking family military leave for five or more consecutive workdays must notify their supervisor of the intended date of the leave at least 14 days in advance.

If possible, employees must consult with their supervisor regarding the scheduling of the leave to minimize disruption to the Village's operations. Employees taking family military leave for fewer than five consecutive days must give their supervisor as much advance notice as is practicable.

During family military leave, employees may continue any benefits, if applicable, at their own expense. No loss of seniority status will occur as a result of leave taken under this policy, nor will

leave result in the loss of any benefits accrued prior to the leave. Where applicable, time off under this policy will run concurrently with time off under the federal Family and Medical Leave Act.

Upon return from leave, employees will be restored to their prior position or to a position with equivalent seniority status, benefits, pay and other terms and conditions of employment.

The Village will not discriminate against, or tolerate discrimination against, any employee who seeks or obtains leave under this policy.

Section 11.12 Military Leave

Village employees who are members of the uniformed or military services shall be extended employment rights as set forth in the Illinois Services Employment and Reemployment Rights Act (ISERRA) (330 ILCS 61/1-1 et seq.), the Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 USCA 4301, et seq.) and all other applicable state and federal laws. This policy is not intended to grant any rights or impose any responsibilities in excess of those contained in state and federal law.

If an employee needs leave for uniform or military service, the employee shall provide notice to their Department Head and the office of Human Resources as soon as they become aware of their need for leave. The Village will provide leave for uniformed or military service in accordance with the requirements of state and federal law.

During periods of uniformed or military leave, the Village's health-plan benefits will continue in accordance with state and federal law. For periods of leave for active duty, the Village shall continue to pay the employer's share of the full premium and administrative costs related to the continuation of health-plan benefits.

During periods of military leave for annual training, employees shall continue to receive full concurrent compensation for up to 30 calendar days per year. During periods of leave for active service, employees shall receive differential compensation, meaning pay due when the employee's rate of compensation for military service is less than his or her daily rate of compensation as a public employee. In the case of differential pay, the employee shall receive his or her regular compensation as a public employee minus the amount of base pay for active service. To receive any differential pay, employees must submit their military pay stubs to their supervisor so the Village can calculate the differential pay. Differential compensation for voluntary active service is limited to 60 workdays in a calendar year. Employees may elect, but are not required to, the use of accrued vacation, annual or similar leave with pay in lieu of differential compensation during any period of military leave. Differential compensation will not be paid for active service without pay. Employees who have exhausted concurrent compensation for annual training may receive differential pay for annual training, as set forth and limited by law.

For more information regarding the benefits and requirements related to military leave, please contact the Human Resources Department.

Section 11.13 Illinois School Visitation Rights Act

Eligible employees who are the parent or legal guardian of a child (including a biological, adopted, foster or stepchild) enrolled in a public or private primary or secondary school located in Illinois

or a state that shares a common border with Illinois may take time off to attend certain academic activities related to their child. Eligible employees are those who have worked for the Village for at least six consecutive months immediately preceding the leave request and who have worked, on average, a number of hours equal to or greater than one-half of a full-time position during the six-month period.

Employees will not be permitted to take leave under this policy unless they have first exhausted all accrued vacation. Employees are also required to submit a written request for leave at least seven days in advance in nonemergency situations, and, in emergency situations, 24 hours in advance.

Eligible employees will be allowed up to eight hours of leave during any school year to attend school conferences, behavioral meetings or academic meetings related to the employee's child if those conferences or meetings cannot be scheduled outside of work hours. No more than four hours of leave may be taken on any single day. Employees must consult with their supervisor or Human Resources representative(s) to schedule the leave so as not to unduly disrupt the Village's business operations. Time off under this policy will be unpaid except that exempt employees will be paid when required by applicable law.

Employees must provide verification of the academic activity from the school within two working days of the school visit. The verification should include the time and date of the employee's visit. For employees who fail to timely submit the verification, the absence may be treated as unexcused.

The Village will allow, but not require, nonexempt employees to make up the amount of hours taken for the leave, as long as there is a reasonable opportunity to make up the hours in a manner that does not require payment of overtime. Exempt employees may be required to make up the leave hours within the same pay period.

The Village will not terminate or otherwise discriminate against employees who take leave in accordance with this policy.

Section 11.14 Emergency Responder Leave

Employees who are volunteer emergency workers will be allowed time off when needed to respond to an emergency call. For purposes of this policy, "volunteer emergency workers" include volunteer firefighters, emergency medical technicians, ambulance drivers and attendants, first responders, volunteers under the Illinois Emergency Management Agency Act and auxiliary public safety officials. Employees will not be terminated for being late to or absent from work for this purpose. The Village also will not discipline employees who are volunteer emergency workers because they respond to an emergency call or emergency text message requesting their volunteer emergency medical services or firefighter services during work hours, so long as the employee does not violate the Village's policies.

Employees must make a reasonable effort to notify the Village of an emergency call. Upon return, the Village may require that employees provide a written statement certifying that they were responding to an emergency.

Time off under this policy will be without pay, except that exempt employees may receive pay as required by applicable law.

Section 11.15 Blood Donor Leave

Upon request, eligible employees will be allowed up to one hour of paid leave to donate, or attempt to donate, blood every 56 days.

Employees who attempt to donate blood but are unsuccessful (as determined by the blood bank) will still be allowed to use the blood donor leave benefit.

“Eligible employees” are full-time employees who have been employed by the Village for six months or longer and have obtained company approval for the time off.

Employees will not be required to use accrued or future vacation or sick leave while taking time off to donate blood.

When requesting time off for this purpose, employees must submit documentation of the appointment to donate blood in advance of the appointment. The Village may require that employees provide a written statement from the blood bank confirming the employee’s attendance at the appointment.

Employees who have questions regarding this policy or who feel they have been wrongfully charged leave, denied leave or denied pay for leave under this policy should promptly notify their supervisor or Human Resources representative(s).

Section 11.16 Civil Air Patrol Leave

Eligible employees who are members of the civil air patrol may be entitled to up to 30 days of unpaid leave for the purpose of serving on a civil air patrol mission. “Eligible employees” are those who have worked for the Village for 12 months and have worked 1,250 hours during the 12-month period immediately preceding the leave request.

If the leave lasts five or more consecutive workdays, employees must provide at least 14 days’ notice of the intended date upon which the leave will begin. If the leave lasts fewer than five consecutive days, employees must provide as much notice as is practical. When possible, employees must consult with their supervisors about scheduling time off under this policy, in order to minimize the disruption to business operations.

The Village may require certification from the proper civil air patrol authority to verify an employee’s eligibility for leave.

Employees returning from leave will be reinstated to the same position or one with equivalent seniority status and the same pay and benefits as they had prior to the leave unless factors other than the exercise of leave under this policy prevent reinstatement.

Employees on civil air patrol leave are entitled to continue benefits at their own expense. Taking such a leave will not result in employees losing any benefits earned prior to the leave.

Section 11.17 Election Judge Leave

Employees who have been appointed as an election judge will be allowed time off without pay to serve in that capacity. Employees must provide at least 20 days' written notice of the need for leave under this policy.

Leave under this policy will be unpaid, except that exempt employees will receive pay when required under applicable federal or state law.

Section 11.18 Witness Leave

Employees who witness a crime will be allowed time off from work for the purpose of responding to a subpoena to attend a criminal proceeding relating to that crime. Employees will also be allowed time off to provide information in connection with a domestic violence proceeding or to testify in such a proceeding.

Leave under this policy will be unpaid except that exempt employees will not incur any reduction in pay for a partial week absence.

Section 11.19 Victim's Economic Security and Safety Act – VESSA

Eligible employees will be allowed up to 12 weeks of unpaid leave in any 12-month period to address domestic violence, sexual violence, or gender violence. An employee is eligible for leave under this policy if:

- The employee is the victim of domestic, sexual or gender violence; or
- The employee's family or household member (i.e., spouse, civil union partner, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter or a person jointly residing in the same household with the employee) is a victim of domestic, sexual or gender violence and does not have interests adverse to the employee as it relates to the domestic, sexual or gender violence.

Eligible employees may use leave available under this policy to do any of the following for themselves or for a family or household member identified above:

- Seek medical attention for or recover from physical or psychological injuries caused by domestic, sexual or gender violence;
- Obtain services from a victim service organization;
- Obtain psychological or other counseling;
- Participate in safety planning, relocate temporarily or permanently, or take other actions to increase safety from future domestic, sexual or gender violence or to ensure economic security; or
- Seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding relating to or derived from domestic, sexual or gender violence.

Leave may be taken intermittently or on a reduced-schedule basis.

If applicable, time off under this policy will run concurrently with time off under the federal Family and Medical Leave Act.

Employees seeking leave under this policy must provide at least 48 hours' advance notice unless such notice is impractical. Employees may also be required to periodically report on the status of their circumstances and intent to return to work. The Village reserves the right to require documentation to substantiate the eligibility and need for the leave, such as documentation provided by a victim service, attorney, police report, court records, etc.

The Village will keep all information pertaining to an employee's request for leave and/or certification of the need for leave confidential, except in cases where an employee requests or consents in writing to disclosure or disclosure is required by federal or state law.

Time off under this policy is unpaid, except that employees will be allowed, but not required, to substitute any available paid leave, including accrued sick leave.

Upon return from leave, employees will be restored to the same position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

The Village will consider making reasonable accommodations to an employee or job applicant for a known limitation resulting from gender, domestic or sexual violence, unless the accommodation would cause the Village an undue hardship.

The Village will not retaliate or tolerate retaliation against employees who request or take leave in accordance with this policy.

Section 11.20 Time Off to Vote

The Village encourages all employees to fulfill their civic responsibilities and to vote in all public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Employees who have fewer than two consecutive hours outside of work during which the polls are open will be allowed up to two hours of time off to vote, without loss of pay. The Village may specify when the leave must be taken.

Employees must provide notice of the need for time off prior to Election Day.

Proof of having voted may be required.

Section 11.21 Family and Medical Leave

This policy defines the rights and obligations of employees who take leave under the federal Family and Medical Leave Act ("FMLA"). Except to the extent that other paid leave (such as vacation) is substituted, FMLA leave is unpaid.

Eligibility

An employee is eligible for FMLA leave if, on the date the leave begins, he/she has been employed by the Village for at least 12 months, has worked at least 1,250 hours during the 12 months

immediately preceding the date of commencement of the leave, and works at a location with at least 50 employees in a 75-mile radius.

Types of Leave Available

The FMLA provides up to twelve (12) workweeks in a rolling 12-month period, measured backwards, for any one or combination of the following reasons:

1. Birth/Adoption/Foster Care of a Child - To be used in one continuous block of time, within 12 months of the birth/placement of the child.
2. Care for an Immediate Family Member with a Serious Health Condition - Immediate family member is defined as a spouse, child, or parent. Parent/child includes legal ward, stepchild, stepparent or *in loco parentis*.
3. Care for Self if You Have a Serious Health Condition - Medical leave may be requested for an employee's own serious health condition.
4. Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.

Please contact Human Resources representative(s) for more information if you believe that you may be eligible for and require leave for any of these reasons.

Benefits

To the maximum extent permitted by applicable law, employees are required to substitute any and all accrued, but unused paid time off (including sick time, vacation time, personal days, compensatory days, etc.) to compensate the employee during an otherwise unpaid FMLA leave.

Throughout the employee's FMLA leave, the Village will continue his/her/their group health, life, long-term disability insurance and any elective benefits plans coverage at their currently elected levels as if he/she/they were not on FMLA leave period provided that the employee continues to pay his/her/their share of the premiums via a monthly check to the Village.

Employees who are on paid leave will have their premium payments withheld through payroll deduction. Employees who are on unpaid leave will be advised in writing at the beginning of the leave period of the amount, method, and due date of their premium payments. Failure to make the required payments may result in the cancellation of coverage.

If an employee's premium payment is more than 30 days late, the benefit coverage will cease, except as required by state law. An employee who does not return from family or medical leave may be responsible to reimburse the Village for the employee's share of insurance premiums that it may have paid on her/his/their behalf during the leave.

If an employee fails to return to work after the leave, other than for continuing disability, the Village is entitled to recover the Village's share of the premium paid during the leave.

Employees on FMLA leave accrue employment benefits (such as vacation time, etc.) only when paid leave (such as vacation time) is being substituted for unpaid leave and only if the employee

would otherwise be entitled to such accrual. Employees will not be eligible for paid holidays and will accrue no such benefits otherwise.

An employee is not entitled to seniority or benefit accrual during periods of unpaid leave, unless otherwise stated in the Village Personnel Policies and Procedures of law. However, the employee will not lose any benefit accrued prior to the leave.

Additional Leave Time for Military Caregivers

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

Notice Requirements

An employee must notify the Village in writing at least 30 days before the leave is to begin when requesting leave for the birth or adoption of a child or for a foreseeable family care leave or personal medical leave. For events that are unforeseeable 30 days in advance and are not emergencies, the employee must notify the Village, in writing, as soon as he or she learns of the need for the leave, ordinarily no later than one to two (2) working days after the employee learns of the need for the leave.

If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the Village's operations. If medical treatment is on an emergency basis, employees must notify the Village as soon as possible, but in no event more than 48 hours after the occurrence of the reason for the leave. Failure to notify the Village in a timely manner may result in the delay of leave until a proper notice is received.

Medical Certification

Medical certification of the health care provider is required for requests for medical leave for the employee and requests for family leave to care for an immediate family member. It is the employee's responsibility to provide medical certification, which includes the following:

- The date on which the serious health condition commenced.
- The probable duration of the condition.
- The appropriate medical facts within the knowledge of the health care provider regarding the condition.
- For leave requests for the care of an immediate family member, the certification must also include a statement that the employees are needed to care for the family member with an estimate of the amount of time needed for this care.

The Village may request that an employee provide a second health care provider certification form from a health care provider chosen, and paid for, by the Village. If the original certification and

the second certification conflict, a third health care provider will be agreed upon and a certification obtained. The opinion of the third health care provider will be binding.

An employee's failure to provide medical certification may result in delay of approval or denying continuation. If certification is not provided prior to the start of a foreseeable leave, leave may be denied until certification is provided.

When the leave is not foreseeable, the employee must provide certification within 15 calendar days. If certification is not provided the Village may deny continuation of leave. The Village may request medical recertification every 30 days.

Upon return to work from a personal medical leave, the Village may require a return-to-work certificate from the health care provider.

For intermittent leave or reduced leave schedule requests, certification must include the dates and duration of the planned medical treatment. For intermittent leave requests of an unplanned nature, the certification must include a statement of the medical necessity for the intermittent leave and expected duration of the leave.

For a family leave request to care for an immediate family member with an unplanned serious health condition, certification must include a statement that the intermittent leave is medically necessary for the care of the family member and the expected duration of the leave.

Leave May Be Taken Continuously or Intermittently

Leave taken for the birth, adoption or foster care placement of a child must be concluded within one year of the birth, adoption, or placement.

Leave for the care of an immediate family member with a serious health condition, and medical leave for the employee's own serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary.

Employees requesting a foreseeable intermittent or reduced schedule leave based on planned medical treatment may be temporarily transferred to an "alternative position" for which he/she is qualified, and which better accommodates his/her recurring periods of leave. The alternative position must only be equivalent in pay and benefits; equivalent duties are not required.

An employee must attempt to schedule such leave so as not to disrupt the Village's operation.

Return to Work

Upon return to work, the employee will be returned to his/her/their original position or a similar position.

Reinstatement may be denied to employees who are among the highest paid ten percent (10%) of the Village's employees ("key employees") and whose reinstatement would cause substantial economic injury to the Village's operations. "Key employees" will be notified of their status in writing when they request FMLA leave and informed as to whether there is a possibility that

reinstatement will be denied after leave. Restoration may be denied if it causes substantial and grievous economic injury as defined by FMLA regulations.

An equivalent position includes one:

- With equivalent pay, benefits, working conditions, privileges prerequisites and status.
- With the same work site or a geographically proximate work site.
- With substantially the same or similar duties and responsibilities, and entails substantially equivalent skill, effort, responsibility and authority.

Upon return to work, benefits will be reinstated to the level existing before the leave was taken, without preexisting conditions, exclusions or waiting periods.

Should an employee on an approved family or medical leave require an extension of the leave for any reason or duration, the employee must submit an extension request, in writing, to Human Resources representative(s) no less than fourteen (14) days before the expiration of the current leave.

The employee's request must be accompanied by appropriate medical documentation reflecting the reason for the request and a new estimated return-to work date.

A family or medical leave will terminate on the earliest of the following: (1) the last day of the requested leave; (2) the date on which the employee exhausts their leave entitlement under the policy; (3) the date on which the employee is no longer entitled to or qualified for leave under this policy.

Before an employee may return from a medical leave prompted by their own serious health condition, the employee may be required to present to Human Resources representative(s) a certification from a health care provider that the employee is able to resume work.

An employee on family leave may not commence other full-time or part-time employment (whether for another or as self-employment or on an independent contractor basis) during the term of the leave if such employment is inconsistent with the purpose of the leave.

Failure to return to work upon the expiration of family or medical leave or request additional leave in advance may be grounds for immediate termination.

If you have any questions regarding the interpretation of this policy, please contact Human Resources representative(s).

Section 11.22 Personal Leave of Absence

If you require leave for a reason not covered by the FMLA or by a Village policy, you may be eligible for a personal leave of absence without pay. However, employees must be employed for at least one (1) year prior to the requested leave.

Requests for leave must not exceed three (3) months. Requests for leave shall be made in writing to the department head along with an explanation of the reason for the request. Unpaid leaves may be granted with the approval of the Village Administrator. One additional three (3) month leave of absence may be granted by the Village Administrator upon request. Unpaid leave of absences for sworn personnel shall be subject to state statutes.

The requesting employee's supervisor and the Human Resources representative(s) Department will review requests on a case-by-case basis. The decision to approve or disapprove is based on the circumstances, the length of time requested, the employee's job performance and attendance and punctuality record, the reasons for the leave, the effect the employee's absence will have on the work in the department and the expectation that the employee will return to work when the leave expires.

Sick leave, vacation, holiday benefits and seniority will not accrue during leave of the absence, and the employee's anniversary date shall be adjusted according to the length of service. During general leaves of absence in excess of 30 consecutive days the employee may, at the employee's option, remain a member of any group hospital or medical plan provided by the Village, provided the employee pays the full monthly premium/deduction for each coverage, to the Village. Failure to make regularly scheduled payments will result in cancellation of the benefits.

If a leave of absence is granted for a period of one (1) calendar month or less, the employee's position will remain vacant until the expiration of the leave. Reinstatement shall only occur if the position has not been eliminated due to reorganization or budgetary constraints. Unpaid leaves in excess of one (1) month provide no guarantee of reinstatement to the former positions, unless approved by the Village Administrator.

Upon expiration of a leave of absence the Village Administrator shall attempt to reinstate the employee to his/her former position or one that is similar, depending upon qualifications. If no position is available upon expiration of the leave of absence, the employee may be considered for future openings depending upon qualifications.

Employees considering a general leave of absence must be aware that any position may be eliminated or substantially changed. Therefore, assurance of reinstatement cannot be given. An effort will be made to place the employee in a suitable position at the first opportunity. Failure to report for duty within two (2) working days of the end of the leave granted shall result in termination of the employee.

Section 11.23 Short-Term Disability

If an employee shall require a leave of absence for disability or medical reasons as defined in the Family & Medical Leave Act of 1993, and such leave extends beyond any accrued sick, leave, vacation, personal days or compensatory time due, the employee may request to be placed on short-term disability/medical leave status. During such unpaid leave, the employee may be eligible for disability earnings subject to the pension and/or insurance policy in force.

Any short-term disability/medical leave shall be documented with a written medical statement. Approval of short-term disability/medical leave status shall be determined by the Village Administrator.

Sick leave, vacation, holiday benefits and seniority will not accrue during the short-term disability/medical leave and the employee's anniversary date shall be adjusted according to the length of absence. Health and life insurance benefits will be maintained during the disability leave, according to the provisions of the policy in effect, and shall be unpaid by the Village provided that the employee has been employed for a period of not less than one (1) year, and has worked over one thousand two hundred fifty (1,250) hours during the previous year.

If the employee receives paid health insurance and does not return to work following the expiration of the leave, the Village may recover the cost of premiums paid. If a short-term disability/medical leave is granted for a period of ninety (90) days or less, the employee's positions will remain vacant until the expiration of the leave. Reinstatement shall only occur if the position has not been eliminated due to reorganization or budgetary constraints.

Unpaid leaves in excess of three (3) months provide no guarantee of reinstatement to the former position, unless approved by the Village Administrator. The Village will provide written notice of termination to an employee who has not returned to work within two (2) days after the disability period.

Full-time employees are eligible to receive short-term (temporary) disability through IMRF. Please contact IMRF to determine eligibility.

Section 11.24 Light Duty

Employees who are unable to perform their regular duties on a temporary basis, but are capable, as advised by a physician, of working at some level of capacity to benefit the Village, may be assigned to light duty work until they are able to return to regular duty in the sole discretion of the Village Administrator working in conjunction with an employee's department head.

- Such assignment to light duty may remain, depending upon the availability of light duty work but normally shall not exceed 120 days.
- The determination of the light duty assignment shall be made, adjusted, and terminated by the department head in consultation with the Village Administrator, the employee and the appropriate professional, medical personnel.
- The light duty assignment need not be confined to the employee's home department. A review of the employees' capabilities and the needs of the department may result in an assignment to any department in the Village.
- An employee's light duty assignment shall not exceed 120 days unless an employee requests an extension, which can be medically documented by the physician as necessary. Such an extension must be approved by the Village Administrator or designee.
- Assignment of personnel to light duty is a management prerogative. Light duty assignments will be performed as needed and assigned.

Chapter 12 – Group Benefits

Section 12.1 Employee Assistance Program

The Village makes available an Employee Assistance Program (EAP) which is free to employees and members of their households. The EAP is a third-party resource and referral program designed to assist employees who are experiencing personal problems in areas including, but not limited to marital and family problems, alcohol, and chemical dependencies, financial, legal, stress, depression, and emotional or psychological difficulties.

The Village's primary objective in offering and implementing an EAP is to provide employees with a confidential, convenient opportunity to resolve personal problems independently and at an early stage, before they lead to more serious difficulties. The EAP maintains a confidential relationship with the employee and/or household members and their counselors. The Village is not informed on who uses the services or the reason for use of service.

Use of the EAP may occur as follows:

- Self-referral: an employee or family member may request and accept assistance from the EAP on a voluntary and confidential basis.
- Supervisory referral: should the work performance of an employee deteriorate and should non-work related problems appear to be contributing to noted deficiencies, the EAP can serve as a resource that supervisors may recommend to provide assistance restoring performance to a satisfactory level.
- Mandatory participation: the EAP may be required as a condition of ongoing employment for employees who have violated the Village's drug and alcohol-free workplace and testing policies. In situations such as this in which an employee's job is in jeopardy, and with the written permission of the employee, the EAP will inform the supervisor of the employee's progress. This will only occur when the employee signs a written consent form from the EAP provider.

EAP counselors are available by telephone 24 hours per day, seven days per week. Problem assessment and short-term counseling (if appropriate) will be provided to each employee or family member at no cost. Should longer term treatment be required, the employee will be responsible for any additional costs incurred. Depending on the nature and diagnosis of an employee's problem, the Village's group health insurance plans may provide for some coverage. Any employee utilizing the EAP will be provided the same benefits coverage available under the existing plans as employees who do not participate in the program. Any costs incurred that exceed limitations of the benefit plans are the responsibility of the employee.

An employee who seeks assistance through the EAP will not be terminated or be denied any job opportunity due solely to his/her participation in the program. Should an employee refuse a recommendation to seek treatment through the program, he/she will be handled according to the same progressive disciplinary procedures and corrective action as any other employee whose work performance is of an unsatisfactory nature. Similarly, participation in the program does not relieve an employee of the responsibility to perform his/her job duties at an acceptable level.

Section 12.2 Group Insurance

All regular full-time employees may participate in the comprehensive group health insurance plan provided by the Village. Each new employee shall receive a complete description of each plan offered by the Village in the "New Employee Orientation" packet available through the Administrative Services Director. Part-time, temporary, and seasonal employees are not eligible for health insurance coverage.

The current health insurance coverage includes medical, hospitalization, dental and vision. Coverage is available for employees and dependents. The Village may, from time to time, as conditions warrant, make changes to the coverage, cost, and eligibility provisions of the group health plan.

The Village of East Dundee adheres to the Health Insurance Portability & Accountability Act of 1996 (HIPAA).

Employees who leave the Village's employment for reasons other than retirement may be eligible for continued group health insurance membership as provided for in the Comprehensive Omnibus Budget Reconciliation Act (COBRA) as outlined in the health insurance booklet or summary analysis. Any terminated employees who choose to remain in the group health insurance plan will be required to pay the premium rate currently in effect for their particular class of membership (individual, family, etc.) plus a two percent (2%) administrative fee. Terminated employees, who opt to remain in the group program, as provided for by COBRA, shall have their membership limited to, and contingent upon meeting the requirements of the federal law as stipulated in the health insurance booklet or summary analysis.

Village Police Officers and municipal employees who retire or become disabled, as defined in the Illinois Insurance Code, may elect to continue their participation in the comprehensive group health insurance plan provided by the Village. In order to be eligible, the Police Officer or municipal employee must have been a member of the group health insurance plan on the day immediately preceding the day in which the retirement or disability period began. If the Police Officer or municipal employee elects to continue coverage, it is their obligation to pay the entire cost of the applicable monthly premium. Continued group health insurance coverage must be provided at the same premium rate that is being offered to active Police Officers with equivalent coverage.

Section 12.3 Life and Disability Insurance

The Village currently provides all full-time employees with life insurance coverage. Disability coverage is provided to employees enrolled in the Illinois Municipal Retirement Fund. Upon termination of employment, the provisions of paid life and disability insurance shall cease except as may be provided by state or federal law. At that time, information will be provided for obtaining individual coverage.

Section 12.4 Insurance Stipend

Full-time employees that do not participate in the Village group health and dental insurance policy receive a stipend of \$3,000 per year to be paid over 24 pay periods.

Section 12.5 Retirement Programs

Village employees are eligible to participate in several retirement programs, depending upon their employment status with the Village. The retirement programs available are listed as follows:

Police Pension Fund: Full-time employment status sworn police officers will participate in the police pension and be eligible for retirement benefits in accordance with state statutes.

Illinois Municipal Retirement Fund (IMRF): IMRF is a state retirement and disability program for public employees in Illinois. All sworn and non-sworn employees working 1,000 or more hours annually must participate. Both the Village and employee contribute a percentage of earnings to this program. All employee earnings contributed are tax deferred in accordance with applicable state and federal regulations. Vesting refers to the number of years of service credit you need to qualify for an IMRF pension. Employees become vested based on whether they are in Tier 1 or Tier 2. Public Act 96-0889 created a second tier for IMRF's Regular Plan. Effective January 1, 2011, IMRF assigns a benefit "tier" to a member when he or she is enrolled in IMRF. The tier is determined by the member's first IMRF participation date. If you first participated in IMRF:

- Before January 1, 2011, you participate in Regular Tier 1 – you qualify for an unreduced pension at age 60 (normal retirement age) if you have at least eight years of service credit or at age 55 if you have 35 or more years of service credit.
- On or after January 1, 2011, you participate in Regular Tier 2 – you qualify for an unreduced pension at age 67 (normal retirement age) if you have at least 10 years of service credit or at age 62 if you have 35 or more years of service credit.

Social Security: Social Security is a federally mandated retirement and disability program. All sworn and non-sworn personnel, regardless of employment status, are required to participate. Both the Village and employee contribute a percentage of earnings to the program.

Deferred Compensation: The Village offers one deferred compensation program, Mission Square (formerly ICMA-RC). This is a voluntary program designed to provide supplemental retirement benefits and reduce the current taxable income of employees. All employees with full time employment status are eligible to participate in this program.

Section 12.6 Workers' Compensation

The Village wants to ensure employees who sustain job-related injuries receive prompt medical attention, are given assistance towards full recovery and return to work as soon as they are able. We will make every effort to accommodate an employee's return by offering a variety of flexible alternatives whenever necessary and practicable.

The Village provides a comprehensive workers' compensation insurance program at no cost to employees. The program provides salary continuation while you are recovering from any work-related injury or illness sustained in the course of employment that requires medical or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits immediately if you are hospitalized, and if not, after a short waiting period.

If you sustain work-related injury or illness, you MUST inform your supervisor immediately. No matter how minor it may appear, it is important that all workplace accidents be reported

immediately, regardless of whether an injury results. This will enable you to qualify for coverage as quickly as possible if necessary.

Employees must provide the Village's insurance carrier with medical documentation when a work-related injury or illness occurs. Information concerning an employee's illness or injury is considered confidential and will be discussed on a need-to-know basis only. An employee's medical information will be kept separate from other documentation in her/his/their personnel file.

The insurance carrier may request that the injured employee submit to a medical examination by a health care provider of the insurance carrier's choice with results available to the Village and the insurance carrier.

Employees should notify the Human Resources representative(s) Department of any concerns arising from filing a workers' compensation claim.

Neither the Village nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during your voluntary participation in an off- duty recreational, social, or athletic event sponsored by the Village.

All employees are required to follow all safety guidelines/procedures and wear any/all appropriate personal protective equipment at all times. Employees should only operate equipment that they have been trained and authorized to operate.

It is the employee's responsibility to notify their supervisors of any treatment schedules, doctor's appointments, surgery dates, etc., in advance of such appointments. Such notification is expected to be provided the same, or next, business day from the date the appointment was made.

Employees on light duty, in accordance with any CBA or applicable personnel rules, who miss or cancel appointments, as listed above, due to their own circumstances are responsible for notifying their supervisors immediately and are expected to report for work, or remain at work.

An employee who is determined to be temporarily totally disabled and off work as the result of any injury or illness arising out of and in the course of their employment shall not be charged with paid sick leave during any period of temporary total disability or incapacity in which he is also eligible to receive statutory Illinois Workers' Compensation benefits. Injured employees will only accrue sick leave, vacation time and other fringe benefits in accordance with applicable personnel rules or CBAs. All accruals are subject to the limits as outlined in the personnel manual or the appropriate CBA.

According to the Illinois workers' compensation act, no temporary total disability (TTD) is payable to an employee for a work-related injury for the first three (3) complete working days of the employee's incapacity, unless the incapacity continues for 14 or more calendar days. However, employees eligible for PEDAs are not subject to this limitation.

FMLA or any other applicable state/local leave runs concurrently with Workers' Compensation leave.

Employees who are found to have violated any of the above stated guidelines/procedures will be subject to discipline in accordance with all applicable personnel policies or the appropriate CBA.

Section 12.7 Public Safety Employee Benefits Act (PSEBA)

The Public Safety Employee Benefits Act 820 ILCS 320, provides that the employer of a full-time law enforcement or full-time firefighter who suffers a catastrophic injury or is killed in the line of duty shall pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each dependent child of the injured employee until the child reaches the age of 25. The term "basic health insurance plan" does not include dental or vision benefits that are not part of the basic group health insurance plan. Any employee receiving this benefit shall be enrolled in the Village's lowest cost basic health plan available.

An employee seeking PSEBA benefits should carefully review the requirements of the Ordinance Establishing the Administrative Procedure for the Village of East Dundee to Determine Eligibility Under the Public Safety Employee Benefits Act before filing his or her PSEBA application.

Section 12.8 Public Employee Disability Act (PEDA)

The Public Employees Disability Act, 5 ILCS 345 provides that whenever full-time law enforcement officers or full-time firefighters suffer an injury in the line of duty that causes them to be unable to perform their duties, they shall continue to be paid by the Village of East Dundee on the same basis as they were paid before the injury for a period not to exceed one year. The Village will determine whether an employee is eligible for PEDA benefits. If the employee is eligible for benefits, the eligible employee will continue to accrue sick and vacation leave and receive pension credits in the pension fund during the time that the employees are unable to perform their duties due to or as a result of the injury, but not longer than one year in relation to the same injury. During this period of disability, the injured person shall not be employed in any other manner, with or without monetary compensation. Any person who is employed in violation of this paragraph forfeits the continuing compensation provided by this Act from the time such employment begins. Any salary compensation due to the injured person from workers' compensation shall revert back to the Village of East Dundee during the time for which continuing compensation is paid to the employee under this Act. These payments are non-taxable.

Chapter 13 – Health Insurance Portability and Accountability Act & Personnel Records

Section 13.1 Personnel Records

All Village personnel records shall be kept confidential and are maintained by the Village Administrator's designee. Department heads may maintain personnel records for the purpose of managing the day to day operations of their departments; however, the official Village personnel file will be maintained by the Village Administrator's designee. If an employee seeks to examine the contents of his/her official personnel file, a written request must be directed to the Village Administrator's designee. An employee may make no more than two (2) inspection requests during a calendar year.

An employee may have access to his/her file in accordance with the Illinois Personnel Records Act (820 ILCS 40). The Village will allow inspections upon written notification and in accordance with applicable law. All contents will be provided to the employee except those exempt under State law. If the employee disagrees with any of the information contained in the personnel file, that employee shall have the right to submit a written rebuttal which will be made part of the official file.

Each personnel file shall include the employee's original application for employment and all subsequent records developed while employed by the Village.

It is the responsibility of each employee to keep their personnel records current. Each employee shall be required to notify the Village Administrator's designee and department head immediately of any change of address, telephone number, marital status, beneficiary status, emergency contact, bank information, right to work status, outside training and educational achievements, and similar matters which may occur during the course of employment.

Chapter 14 – Information Technology and Equipment Usage

Section 14.1 Media Interactions

To ensure a consistent and controlled Village message and minimize risk of liability, statements made to the news media pertaining to the business of the Village on behalf of the Village – whether for publication or not --- must have prior clearance from Human Resources representative(s). Absent such clearance, no employee is authorized to make statements on behalf of, or which purport to be on behalf of, the Village and/or which can bind the Village in any way. This includes informal and formal interviews and statements and press releases.

If you receive an inquiry from a member of any type of media outlet, be polite, but do not answer any questions on behalf of the Village or please do not say “no comment.” Rather, ask for the person's name and contact information, what he/she/they would like to discuss, and the deadline of the response, and quickly forward the message to your supervisor or Human Resources representative(s) for a response.

Section 14.2 Computer/Network Usage

The Village’s computer systems (including VPN, internet and networks), electronic mail system and voicemail system are made available to employees for use in connection with Village matters and, in the course, and scope of the performance of employee job duties. The internet, network, servers, hub, electronic mail, voicemail systems, computers, laptops, cameras, headsets, monitors, hardware, and software are all Village property (“Computer Systems”).

Employees do not have a personal privacy right in any matter created, sent, or received from the Village’s Computer Systems. The Village expressly reserves the right to access, inspect, monitor, copy, remove, delete and/or disclose any and all hardware, software, applications, documents, data, messages, or other files generated, used, or stored on the Village Computer Systems in its absolute discretion and without the employees’ prior knowledge, consent, or authorization.

While incidental personal use is permitted during non-working time, the Village's Computer Systems shall not be used for illegal or outside business activities or result in a violation of any Village policy. As noted, no right to privacy in such use exists and the Village reserves the right to monitor or record even such personal use.

The Village also reserves the right to service the systems as necessary. All system passwords and security codes must be made available to the Village upon request by the IT Supervisor.

The Village assumes no liability for the loss, damage, destruction, alteration, disclosure or misuse of any data or communication transmitted over or stored on Village Computer Systems. The Village accepts no responsibility or liability for the loss or non-delivery of any voicemails, emails, or other data stored on Village Computer Systems.

Use of the Computer Systems must comply with the law and Village policy. Use should not involve words, images or references that would arguably violate any policies contained in this Personnel Manual. Moreover, the Village’s Computer Systems may NOT be used to post or transmit any disparaging messages or content about the Village or to solicit others for commercial ventures,

religious or political causes, outside organizations, or other non-business matters. For example, eliciting or requesting emails to be received on Village email accounts (for example, by using your Village email to sign up for e-mail updates or “alerts” for an online retailer you use for personal shopping) is strictly prohibited. Notwithstanding, the foregoing is not intended to restrict statutory employee rights under the National Labor Relations Act to discuss with other terms and conditions of employment.

For security reasons, employees shall always log off of the network prior to leaving Village premises and shall never share their passwords with anyone other than authorized members of the Village’s IT Department.

Potential dangers exist in accepting or opening data or files from unknown internet or email sources. Be alert to the potential dangers of accepting programs from public sources such as bulletin boards and conferences, or unsolicited emails. Do not open or execute a file or attachment if you are uncertain of expected results or do not know the source of the file or attachment.

Employee-users are prohibited from downloading content from the internet or from external drives without prior written approval of the Village’s IT Supervisor. Downloading of games or other applications is prohibited. Downloading of any executable files or programs, which change the configuration of the computer system, is prohibited. The employee-user should take extreme caution when downloading files from the internet. All files or software should be passed through virus protection programs prior to use. Failure to detect viruses could result in corruption or damage to files and/or unauthorized entry into the Village’s network.

If the employee finds that any damage occurred as a result of downloading files, the incident must be reported immediately to your supervisor. The intentional introduction of any virus-containing program or code is grounds for immediate termination and may be grounds for criminal action. Any employee receiving a prompt or message stating that the Village software system has detected a potential virus must contact the IT Department immediately.

When downloading materials from the internet, most information is subject to copyright or other intellectual property right protection. Therefore, nothing may be copied or downloaded from the internet for use within the Village unless express permission to do so is stated by the material owner. Similarly, the Village’s electronic mail system may not be used to send (upload) or receive (download) copyrighted materials or Village confidential information (as defined in this Personnel Manual) without prior written authorization from the Village’s IT Department.

The Village purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Village prohibits the illegal duplication of software and its related documentation to personal laptops or devices. Downloading of music, movies, images, etc. from the internet is not allowed.

Employees must seek assistance and approval from their supervisor before incorporating anything downloaded from the internet (or any external online service) into material the Village intends to distribute externally.

Prior to or upon separation of employment, no employee shall print, forward, transmit or remove any information whatsoever from the Village's Computer Systems, without written permission from management. Also, upon separation of employment, all Village-provided phones, computers and other equipment must be returned. Once the device is returned to IT, all data on the device will be erased. Employees are not permitted to forward to themselves or otherwise save or print any the Village data, including emails, business contacts, customer lists, or other information. If you do not return the device to the IT Department prior to leaving on your last day, the Village reserves the right to electronically "cleanse" your mobile device, which will remove all data from the phone. Failure to return the device when required to do so may have additional legal consequences.

Employees who violate this policy may be subject to disciplinary action, up to and including, termination of employment. If you have any questions about this policy, please contact your supervisor, Human Resources representative(s) or the IT Supervisor.

Section 14.3 Social Networking

The Village has a dedicated social media presence which is utilized by the Village to communicate with the public, generate good will, answer questions and/or resolve disputes. Only certain personnel authorized to do so by the Village as part of their job descriptions may post, transmit or communicate with the public utilizing the Village's owned and operated social media platforms and handles. Any other employee who posts to or from the Village's social media platforms without permission will be subject to discipline, up to and including termination.

The Village also recognizes that employees may engage in social networking on their personal accounts and for personal reasons while off duty. "Social networking," for purposes of this policy, means posting or uploading information, photos, videos, links, opinions, images, memes, GIFs or anything else on a personal or public website, social networking or affinity website, bulletin board, or chat room.

Employees who engage in personal, non-work-related social networking should be mindful that their postings, even if done off site and off duty, could have an adverse effect on the Village's legitimate business interests and/or subject the employee or the Village to liability. For example, the information posted could be the Village's (or another's) trade secret, copyrighted or confidential business information. In addition, some readers may view the employee as a *de facto* spokesperson for the Village even when you are acting in your personal capacity. To reduce the risk of legal liability for employees or the Village, the Village asks that employees observe the following guidelines:

- NEVER engage in social networking using any Village resources during working time, including the Village's Computer Systems or Smartphones, unless doing so is part of your job duties and you are doing so on behalf of, and with explicit authorization from, the Village;
- NEVER disclose any Confidential Information, as defined in this Personnel Manual or as defined in any separate non-disclosure agreement you may have with the Village;

- Conform social networking to comply with all of the policies in this Personnel Manual, including (but not limited to) the Village's policies against harassment, discrimination and workplace violence;
- If the social networking includes any information related to the Village, please:
 - Ensure it is clear to your readers that the views expressed are yours alone and that they do not reflect the views of the Village.
 - Do not maliciously defame any employees of the Village.
 - Do not unlawfully use any photographs of the premises or materials of the Village, its partners, affiliates, or vendors.

Notwithstanding, the foregoing is not intended to restrict statutory employee rights under the National Labor Relations Act to discuss terms and conditions of employment. If you need clarification of any aspect of this policy, contact your supervisor.

Failure to comply with this policy may lead to discipline up to and including termination and if appropriate, the Village will pursue all available legal remedies.

Section 14.4 Use of Personal Communication Devices

Village-provided communication devices (“Devices”), including cell phones, iPads, or laptops, should be used primarily for business purposes. Employees have no reasonable expectation of privacy regarding the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes permitted the right to monitor personal communications as necessary.

Some employees may be authorized to use their Device for business purposes. These employees should work with the IT Department to configure their Device for business use. Communications sent via a personal Device also may be subject to monitoring if sent through the Village's networks, and the Device must be provided for inspection and review upon request.

All conversations, text messages, and e-mails must be professional. When sending a text message or using a Device for business purposes, whether it is a Village-provided or personal device, employees must comply with applicable Village guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles.

Using a Village-issued Device to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergencies.

If an employee who uses a personal Device for business resigns or is terminated, the employee will be required to submit the device to the IT Department for resetting on or before their last day of work. At that time, the IT Department will reset and remove all information from the device, including but not limited to, Village information and personal data (such as contacts, e-mails, and photographs). The IT Department will make efforts to provide employees with the personal data in another form to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their Device for Village business unless they agree to submit the device to the IT Department on or before their last day of work for resetting and removal of Village information.

Please note that whether employees use their Device or a Village-issued device, the foregoing Computer/Network Usage Policy remains in effect.

Employees are prohibited from using in any manner a Device (whether Village or personally owned or leased) whenever driving for Village business unless using a hands-free configuration in accordance with local safety laws. Employees who need to communicate with a Device while driving should safely find a location to park the vehicle and engage in such communication while the vehicle is parked. Employees using a hands-free configuration may make brief phone calls relating to Village business while driving but must park when road conditions are poor, traffic is heavy, or the conversation is involved.

All employees are strictly prohibited from text messaging, using the features of a Device (other than as a cell phone in conjunction with a hands-free configuration), sending e-mails, viewing photographs, or otherwise reading or viewing any item on their Device while driving while on Village business or time. Employees are solely responsible for the consequences of any moving violation resulting from their use of a Device while driving. Failure to comply with this policy may also result in discipline, up to and including termination from employment.

Section 14.5 Laptops and Mobile Devices

The laptops and mobile devices provided by the Village remain at all times the property of the Village and must be returned to the Village upon resignation/dismissal or at any other time upon the Village's request. Employees are responsible for taking reasonable precautions to secure their devices and computing environment.

Any employee who is assigned a laptop or mobile device (on a full-time or loaner basis) must:

- Never leave the device visible in a parked vehicle (locked or otherwise);
- Never check the devices as or in checked luggage at the airport;
- Never let friends or family use your equipment;
- Always have the devices with you in a taxi or car service and not in the trunk; and
- Only store Confidential Information (as defined in this Personnel Manual) on the Village network - never store Confidential Information on laptops, mobile devices, home computers, or USB "thumb drives."

Any employee who uses any device (Village issued or personal) to access Village data or systems must:

- Never save Village passwords on the hard drive of laptops or mobile devices;
- Only access Confidential Information from Village issued and managed devices;

- Configured the device to lock after a period of inactivity and require a PIN or password for access;
- Configure multi-factor authentication for mobile devices;
- Enable encryption on all devices;
- Always lock your screen when you're away from your device; and
- Notify the IT and Legal Departments immediately if your laptop or mobile device is lost or stolen.

Any employee who discovers misuse of the Computer Systems should immediately contact his/her/their supervisor or the IT Supervisor. Every Village employee is responsible for using the Computer Systems properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources representative(s) Department or the IT Supervisor. Violations of these policies may result in disciplinary action, up to and including discharge.

Section 14.6 Telephone Usage

Employees are permitted to use Village telephones for personal reasons only in cases of absolute necessity otherwise personal use of Village telephones is prohibited. Any personal long distance or toll calls are prohibited and if they occur, will be charged to the employee.

Section 14.7 Cellphone Usage

Cellular telephones may be provided to employees of the Village for the purpose of completing their duties in a professional and efficient manner. As such, cellular telephones may be used for official use only and may not be used for personal use. Unauthorized or private use of Village-owned cellular telephones is prohibited. Employees are responsible for the care and maintenance of cellular telephones assigned to them. Any damaged, malfunctioning, or lost cellular telephones must be reported to the employee's Supervisor immediately in order that the necessary repairs or replacement may be made in accordance with established administrative procedures. Employees are responsible for damage or loss of Village-owned cellular telephones and, if found to be negligent, may be required to replace the telephone and/or face disciplinary action. Employees are also required to comply with state and local regulations relative to the use of cellular telephones while driving a vehicle.

Employees are permitted use of personally owned cell phones, while at work, as long as such use does not interfere with their productivity and performance. The Village shall have no liability for loss or damage of personally owned cell phones.

Section 14.8 Credit Cards

Credit cards may be provided to employees of the Village for the purpose of completing their duties in a professional and efficient manner. As such, credit cards may be used for official use only and may not be used for personal use or for purchasing alcoholic beverages. Unauthorized or private use of Village-owned credit cards is prohibited. Corresponding receipts shall be attached to the expense credit card statement before processing. Any lost credit cards must be reported to

the employee's Supervisor immediately in order that the necessary replacement may be made in accordance with established administrative procedures.

Employees are responsible for the use of authorized and assigned Village-owned credit cards and if found to be negligent in their use may be required to face disciplinary action. Authorized users are also responsible for destroying expired credit cards appropriately.

Section 14.9 Keys

Village employees may use only the keys which they have been authorized to use. Village keys shall not be provided to persons outside the employment of the Village without approval from the employee's Supervisor. The loss of keys must be reported to the appropriate Supervisor immediately. Department Heads are responsible for the control and assignment of keys within their respective departments and facilities. Upon termination of employment, Village keys are to be returned to the appropriate Supervisor.

Section 14.10 Tools and Supplies

Village employees are provided tools and supplies for the purpose of completing their duties in a professional and efficient manner. Such tools and supplies are issued to employees for official use only and may not be used for personal use. Unauthorized or private use of Village owned property is prohibited except when such services are available to the general public. Employees are responsible for the care and conservation of Village tools and supplies. Any damaged, malfunctioning, or lost items must be reported to the employee's Supervisor immediately in order that the necessary repairs may be made in accordance with established administrative procedures. Employees are responsible for damage or loss of Village property and if found to be negligent, may be required to replace the item and/or face disciplinary action.

Section 14.11 Uniforms

Employees are responsible for the uniforms supplied by the Village. Uniforms provided for employees shall be worn only during working hours, or for conducting official Village business outside working hours. Uniforms may be worn to or from work, unless department rules specify otherwise, but are not to be worn during any personal activity other than defined in this section.

Employees must make every effort to take proper care of the uniforms provided by the Village. Damaged and/or lost uniforms must be reported to the employee's immediate Supervisor. If the uniforms are damaged or lost due to the neglect of the employee, it shall be the responsibility of the employee to reimburse the Village for the damaged or lost uniform(s). Reimbursement by the employee to the Village must be made within thirty (30) days of receiving the invoice from the Village.

Employees receiving a uniform allowance or reimbursement shall be subject to IRS withholding regulations and rules.

Section 14.12 Vehicles

Village vehicles may only be used in the conduct of Village business. Only permitted Village employees, elected, and appointed officials shall be allowed to drive Village-owned vehicles, as authorized by the respective Department Head and/or the Village Administrator.

Employees shall not take Village vehicles home unless authorized by the employees' Supervisor. Village vehicles that employees are authorized to take home must be available for Village business at all times. No passengers shall be transported in Village vehicles other than those on Village business, without the approval of the employee's Supervisor or the Village Administrator.

Authorized users are responsible for the care, conservation, and correct and safe usage of Village vehicles. When using Village-owned vehicles, authorized users shall make every effort to obey the laws of the Village and the State and shall use every available precaution to safeguard the condition of the vehicle and the public. When not in use, Village-owned vehicles and equipment shall be properly locked so as to avoid any theft or destruction. Smoking is prohibited in all Village vehicles.

All accidents and moving violations involving Village vehicles must be reported to the employee's supervisor immediately. If an authorized user experiences an accident, equipment loss, or damage to the vehicle derived from the negligence of the employee, he/she may face disciplinary action and may be required to replace the damaged items. Additionally, any fines for violations incurred by the employee or authorized user under these circumstances must be paid for by the employee.

Authorized users must possess a valid driver's license of proper classification to operate a Village vehicle and must be at least eighteen (18) years of age. In the event an authorized user's driver's license is suspended or revoked, the user must immediately notify his/her supervisor or the Village Administrator. Failure to do so may be cause for disciplinary action.

Village vehicles are a symbol and a reflection of the Village of East Dundee and shall be operated at all times in a safe and courteous manner. An employee who is found to have violated this policy shall be subject to discipline.

In addition, the employee and his/her supervisor, or authorized user, are required to submit accident reports on forms designated for this purpose to the Village Administrator as soon after the accident occurs as possible. Failure to adhere to this policy may be cause for disciplinary action and/or dismissal.

Employees shall receive authorization from their supervisor to use their personal vehicle when conducting Village business. All Village of East Dundee employees using a personal vehicle for the purpose of Village business are required to have his or her own automobile liability coverage, as well as a current and valid driver's license (appropriate for the class of vehicle being driven on the job). Proof of a valid driver's license and insurance shall be submitted to the employee's immediate Supervisor whenever there is a change and/or renewal to the insurance coverage and/or the driver's license. In addition, employees authorized to use personal vehicles for work purposes shall sign a "Responsibility for Personal Vehicle Insurance" form.

Chapter 15 – Employee Conduct and Disciplinary Procedures

Section 15.1 No Solicitation/Distribution

Employees must not solicit other employees or distribute literature or printed matter of any kind for any purpose during your working hours, or the working hours of the employee solicited, unless authorized by the Village. Solicitation does not include mere discussions without a concurrent request for action. Working hours does not include breaks or other off-duty time. Employees are also not permitted to distribute literature or printed matter of any kind at any time in the work areas of the Village.

People who do not work for the Village are prohibited from distributing literature of any kind or soliciting employees for any purpose at any time on Village premises.

Section 15.2 Personal Appearance/Grooming

Personal appearance, proper hygiene and appropriate attire are important to our work practices. Our customers gauge the quality of our Village by the attention we show to personal appearance and attire. Each employee personally represents the Village and is required to groom and dress in a professional manner, whether that person is appearing for work in person or via Zoom, WebEx, Microsoft Teams or any other video/audio platform.

Employees are expected to report to work clean and with a neat, well-groomed appearance. Examples of inappropriate clothing that should not be worn include sweatpants, warm-up or jogging suits and pants, short shorts, spandex or other form fitting pants, ripped clothing, sheer clothing, miniskirts, T-shirts or sweatshirts with offensive messages or images, tank tops, visible undergarments, slippers, flip flops.

The Village has the sole discretion to determine an appropriate dress code. Any employee who violates the dress code will be sent home to change and will be subject to disciplinary action, up to and including termination of employment.

Each budget year a uniform/clothing allowance in the form of a credit will be set aside for: 1) non-union employees as determined by annual budget approvals, and 2) members of the police department who by department policy must wear uniforms, and 3) members of the public works department who must work in the field, in an amount stipulated by the Village Administrator or the applicable CBA. The expenditure of this credit allowance will be on the approval of the Department Head.

Section 15.3 Political Activity

Employees shall not be appointed, retained, or discharged on the basis of their political activity. Employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support, for the purpose of supporting or opposing the appointment or election of candidates for municipal office. Employees are urged and encouraged to exercise their individual right to vote as a citizen in any election.

No Village employee shall seek election to public office of the Village of East Dundee without first having obtained a leave of absence from his/her position in the Village service. Such leave of

absence shall continue until after the election takes place. Upon taking the Oath of the Village Office, the leave shall automatically cease, and the employee shall be deemed to have forfeited their position as a Village employee.

No employee may engage in political activity during working hours, while on Village premises, attending any Village-connected function or use their official Village office or title while engaging in political activities after working hours.

“Political Activity” is defined as: any activity in support of or in connection with any campaign for elective office or any political organization. Examples of prohibited political activity include, but are not limited to, preparing for, organizing, or participating in political meetings, or rallies; soliciting contributions for political events; soliciting votes on behalf of a candidate for elective office, referendum questions or efforts to get voters to the polls; involvement in petitions on behalf of a candidate for elective office or referendum; distributing campaign literature, signs, or other material.

Employees are specifically prohibited from wearing political buttons, t-shirts, hats, or similar clothing items during working hours, on Village premises, attending any Village-connected function or while using their official Village office or title.

Employees are specifically prohibited from having car top signs or any political sign larger than a normal bumper sticker on personal vehicles parked in Village employee parking lots.

Village bulletin boards, including those provided by the Village for union business as specified in union contracts, shall not contain any political statements regarding candidates for elected public office at the federal, state, or local level.

These rules do not prohibit an employee’s right to hold membership in and support a political party, to vote as he chooses, to express an opinion on political subjects and candidates, to maintain neutrality, and to attend political meetings, as long as such activities do not conflict with the above prohibitions.

Section 15.4 Standards of Conduct and Disciplinary Action

It shall be the duty of all employees to maintain high standards of conduct, cooperation, efficiency, and economy in their work for the Village. The Village has the right and authority to impose any form of discipline, up to and including discharge that it determines to be appropriate, in its sole discretion, based upon the facts of any given situation. No employee is guaranteed that disciplinary action will be progressive, or that disciplinary action will be taken in any specified sequence. The Village retains the right to discipline and/or discharge an employee with or without cause or notice.

Forms of discipline that the Village may elect to use include oral reprimands, written reprimands, suspensions, reductions in pay, demotions and/or terminations. The Supervisor, with the approval of the respective Department Head, may deviate from any order of progressive disciplinary actions and any of the following disciplinary action as deemed appropriate under the circumstances, up to and including immediate termination of employment. The Village's policy for discipline does not limit or alter the “at will” employment relationship between the Village and the employee.

Discipline may include the following steps as considered appropriate to the infraction, but not necessarily in the following order:

1. **Oral reprimand:** An oral reprimand consists of a conference between the employee's Supervisor, or other Village official issuing the reprimand, and the employee for the purpose of expressing disapproval of misconduct or poor work performance, clarifying applicable rules or standards of performance, policies, and procedures, and warning that repetition of the misconduct or failure to improve work performance may result in more severe discipline.
 - a. Records of oral reprimands shall be maintained in the employee's personnel file in the Village Administrator's Office.
 - b. Oral reprimands may be used for minor misconduct or performance problems or for first offenses where the offense is not of a sufficiently serious nature to warrant more severe disciplinary action. Generally, oral reprimands may be given only for the first instance of misconduct (e.g. tardiness, discourtesy).
2. **Written Reprimand:** A written reprimand consists of a conference between the employee's Supervisor or other Village official issuing the reprimand and the employee and a letter or notice expressing disapproval of the misconduct or poor work performance, clarifying applicable rules, policies or procedures, and warning that repetition of the misconduct or failure to improve work performance may result in more severe discipline.
 - a. The employee shall be given an opportunity to review the written disciplinary letter or notice and to respond to it. The employee is required to sign the letter or notice, which means only that the employee has read the notice or letter and understands what it means, not that the employee necessarily agrees with the discipline. An employee's refusal or failure to sign a disciplinary notice shall constitute separate grounds for disciplinary action, up to and including immediate termination of employment. An employee shall receive a copy of said notice. Copies of written reprimands shall be maintained in the employee's personnel file in the Village Administrator's Office.
 - b. Written reprimands may be used for repeated misconduct of a minor nature or for more serious misconduct which does not warrant suspension, demotion, or dismissal.
3. **Suspensions:** Suspensions are a temporary removal from employment, accompanied by a concurrent temporary loss of the privileges of employment, including, but not limited to wages or salary. The employee's group health and life insurance coverage shall remain in effect during the unpaid suspension. Suspensions may be used to discipline employees for serious misconduct or performance problems or for repeated misconduct or performance problems of a less severe nature.
 - a. Suspensions may be imposed for not less than one (1) but not more than five (5) days. Written notice of the suspension shall be placed in the employee's personnel file in the Village Administrator's Office.

- b. The employee's Collective Bargaining Agreement may provide for grievance arbitration. Suspensions of full-time police officers are subject to the rules and regulations of the Board of Police Commissioners.
 - c. Employees may be suspended without pay by their immediate Supervisor or Department Head. The immediate Supervisor or Department Head shall give written notification of the suspension to the employee, specifying the reason, duration, and effective date. This notice may be given to the employee after the fact, as in the case of an immediate suspension by the immediate Supervisor.
 - d. Suspended employees shall not be allowed to use any paid leave including vacation leave, sick leave, personal leave, safety day or compensatory time during suspension.
 - e. In the event any order of suspension is reversed or reduced, the employee shall be paid any lost wages, salary, or benefits and such reversal or reduction shall be documented in the employee's personnel file in the Village Administrator's Office.
4. **Reduction in Pay:** A reduction in pay is a temporary or permanent reduction in salary or hourly wage. Permanent means that the employee's base compensation is reduced and is not brought up to the previous level at the time of the next performance appraisal. It does not mean that the employee's compensation is frozen permanently.
- a. Reductions in pay may be used to discipline serious misconduct and may be used in addition to other forms of discipline.
 - b. All other conditions of regular ongoing performance appraisal expectations must be met by the employee.
 - c. Reductions in pay must be approved by the Village Administrator.
 - d. Written documentation of the reduction in pay shall be placed in the employee's personnel file in the Village Administrator's Office.
5. **Demotion:** A demotion is the reduction in grade or class of employment or assignment to a position of less responsibility, with a corresponding reduction in wage or salary.
- a. All demotions shall be in writing, and written notice of a demotion shall be placed in the employee's personnel file in the Village Administrator's Office.
 - b. Demotion may be used to punish serious misconduct and may be used in addition to other forms of discipline or may be voluntarily requested by the employee.

Demotions must be approved by the Village Administrator.

6. **Discharge (Termination):** Discharge, or termination of employment, is the permanent removal from employment with the corresponding permanent loss of all privileges of employment with the Village.
 - a. Discharges must be approved by the Village President.
 - b. Discharges of full-time police officers are subject to the rules and regulations of the Board of Police Commissioners.
 - c. An employee may be discharged by the Department Head, with approval of the Village Administrator for any reason not prohibited by law, or no reason, with or without notice. Employees may be discharged for any improper or inappropriate conduct including, but not limited to, violation of work rules and general rules and regulations, unacceptable behavior, insubordination, intentional damage to or theft of Village property, gross negligence in performing assigned duties, intoxication in the workplace, misconduct, poor performance, or unacceptable attendance, without ever having received an oral reprimand, a written disciplinary notice or letter, a suspension, a reduction in pay, or a demotion.
 - d. Written documentation of the discharge shall be placed in the employee's personnel file in the Village Administrator's Office.
7. **Appeals:** An employee may appeal any disciplinary action imposed by his/her Department Head by following the grievance procedure outlined in the Complaint Procedures as noted in the section below.

Nothing in this Section is intended to infringe on any rights granted to statutory employees by the National Labor Relations Act or any rights granted to sworn personnel by the Uniform Peace Officer's Disciplinary Act.

In general, the Village will strive to engage in progressive discipline for all employees, which will consist of some combination of verbal and written reprimands before moving to terminations. Notwithstanding, the Village reserves the right to move immediately to termination in its sole discretion whenever the circumstances warrant. Employees covered by a CBA will be subject to disciplinary action as provided for in the applicable CBA.

Section 15.6 Complaint Procedures

The complaint procedure is open to any full time or part time employee who believes that the treatment that he/she has received on the job is inequitable or unfair, disagrees with the interpretation, application, or compliance of the provisions of this Personnel Policy Manual, the issues of pay, promotion, discipline, job operations, performance review, conduct of fellow workers, or supervision needs to be corrected. All employees should address such concerns with their supervisor, another supervisor in their department, or a member of Human Resources. No employee shall be disciplined or discriminated against in any manner because of his/her proper use of the grievance procedure.

A grievance may be filed by following the steps outlined below:

Step 1: All grievances in the first instance shall be submitted within seven (7) working days of the incident in writing to the employee's immediate Supervisor, who shall discuss the matter with the employee in an attempt to arrive at a satisfactory settlement.

The Supervisor shall decide the grievance and shall respond thereto in writing within seven (7) working days after the written grievance was submitted, exclusive of Saturdays, Sundays, and holidays.

No grievance shall be honored if it is not filed within seven (7) working days of the alleged occurrence. If the Supervisor does not reply within seven (7) working days, or if the employee is dissatisfied with the response of the Supervisor, the next step may be initiated. If the employee's immediate Supervisor is a Department Head, the grievance must be initiated at Step 2.

Step 2: The employee shall submit a written grievance to the Department Head. The Department Head shall discuss the grievance with the employee and respond in writing within seven (7) working days, exclusive of Saturdays, Sundays, and holidays after receipt of the grievance. If the Department Head does not respond within seven (7) working days, it shall be considered a "Grievance Denied." If the Department Head does not respond to the written grievance or the employee is dissatisfied with the Department Head's decision, the employee may initiate Step 3.

Step 3: The employee shall submit a written grievance to the Village Administrator within seven (7) working days following the Department Head's response in Step 2. The Village Administrator shall attempt to adjust the grievance as soon as possible but shall give his/her response in writing to the employee within seven (7) working days after receipt of the written grievance. The decision of the Village Administrator is final. If a written grievance is appealed to the Village Administrator, the Village Administrator, regardless of his/her final decision, shall inform the Village President and the Board of Trustees regarding the circumstances of the matter at the earliest opportunity.

Collective bargaining unit members' grievances shall follow the steps outlined in their current collective bargaining agreement. Sworn police officers shall follow the steps as established in the Police Commission rules.

Section 15.7 Safety and Security

To maintain a safe and secure work environment, we need your cooperation. Any injuries or illnesses you incur while on the job, even minor ones, **MUST** be immediately reported to your supervisor or to Human Resources representative(s). Employees are also required to report any unsafe work conditions they become aware of promptly to their supervisor or to Human Resources representative(s).

All employees are expected to follow all federal, state, and local health, safety and security regulations, advice, and procedures. Failure to follow safety policies may result in disciplinary action, up to and including termination of employment.

In addition to protecting you, we are concerned about protecting employee personal property and the Village's property, from theft, vandalism, and fire. During work hours and/or on Village premises, handbags, wallets, jewelry, money, or other valuables should not be left unattended. Do

not leave any personal belongings overnight. The Village does not assume liability or responsibility for the loss of employee's personal belongings brought onto the worksite or with them during Village business.

Section 15.8 Workplace Violence

The Village's commitment to providing a safe working environment for all employees includes a workplace that is free from any form of violence against any employee. The Village strictly prohibits employees, consultants, clients, visitors, or anyone else on Village premises, while working or while engaging in a Village-related activity from behaving in a violent or threatening manner.

Definition of Workplace Violence

Violence includes, but is not limited to, threatening and intimidating behaviors, verbal comments, physical abuse, use or threatened use of weapons of any kind, including but not limited to guns, knives, mace, pepper spray, bringing any type of weapon onto Village property, vandalism, arson, sabotage or any other act that is deemed by management to be inappropriate in this regard.

Reporting Procedures

Employees who feel that they have been subjected to any type of the above inappropriate behaviors or actions should immediately report the incident to their supervisor or to a member of Human Resources representative(s). Also, employees who observe or have any knowledge of any violation of this policy must report it immediately to their supervisor or to Human Resources representative(s).

Further, employees should notify the Human Resources representative(s) Department if any relevant restraining order is in effect, or if a potentially violent non-work related situation exists that could result in violence in the workplace.

Investigation

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the Village will inform the reporting individual of the results of the investigation. To the extent possible, the Village will maintain the confidentiality of the reporting employee and of the investigation, but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The Village will not tolerate retaliation against any employee who reports workplace violence.

Corrective Action and Discipline

Any employee who violates this policy will be subject to immediate disciplinary action, up to and including termination. If the violent behavior is that of a non-employee, the Village will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

Section 15.9 Smoke-Free Workplace

To maintain a safe and comfortable working environment and to ensure compliance with applicable laws, all the Village facilities are smoke-free. Furthermore, employees are prohibited from smoking within a reasonable distance from outside entrances and in Village vehicles.

Smoking includes any kind of tobacco use, vaping and/or e-cigarettes. There are no exceptions to this policy. Employees found in violation of this policy will be subject to disciplinary action. Employees who observe other individuals smoking in the workplace have a right to object and should report the violation to their supervisor. No employee will be disciplined or retaliated against for reporting smoking that violates the law or Village policy.

While the Village recognizes that, under State law, the use of recreational amounts of marijuana may be lawful, it is not permissible for employees of the Village deemed to be in “sensitive positions.” “Sensitive positions” are defined as those positions involving functions, duties and responsibilities which have a direct and substantial effect on public health or safety or on the health of or safety of co-workers. Sensitive positions include, but are not limited to:

- Senior Management positions
- All positions in the Police departments
- All Finance positions
- All Human Resources positions
- Water Plant Operator
- Sewer Plant Operator
- Positions providing direct health services to the public
- Positions required to drive, maintain or repair heavy equipment
- Positions required to use, maintain or repair dangerous tools and equipment, including high level of electrical voltage

Employees who violate any part of this policy are subject to immediate termination of employment.

Chapter 16 – Drug and Alcohol Procedures

Section 16.1 Drug and Alcohol Use

The Village of East Dundee has a strong commitment to its employees to provide a safe workplace and to establish health care programs that promote high standards of employee health. Consistent with the spirit and intent of this commitment, the Village has established this policy regarding drug and alcohol use. The Village's goal is to maintain a work environment that is free from the effects of alcohol and drug use and its employees do not report to work under the influence of drugs or alcohol.

Village government provides a variety of public services. The employees of the Village of East Dundee are its most valuable resource, since it is through their work that services are provided. When delivering public services, the health and safety of the public and the health and safety of employees are of paramount importance. Drug and alcohol abuse is a problem of serious concern and one which affects all segments of the community, including the workplace. Such behavior poses risks to members of the public and to Village employees. Employees have a right to work in an alcohol and drug-free environment. Members of the public have the right to be free from the harmful effects of alcohol and drug use in the provision of public services. This policy incorporates the 1995 Federal Highway Administration (FHWA) requirements for drug and alcohol testing for Commercial Drivers License (CDL) holders and Federal Transit Administration (FTA) rules for employees performing safety-sensitive work.

All Village employees who are required to have a current CDL as a condition of employment are subject to CDL related provisions of this policy. Employees performing safety-sensitive work on transit vehicles (such as maintenance mechanics and their supervisors) are subject to the requirements of the Transit Administration Specific CDL and Transit provisions.

The Village is committed to a drug-free workplace, to educating employees regarding the dangers of substance abuse, and to providing support for employees undergoing treatment and rehabilitation for chemical dependency. The Village also is committed to the accountability of employees for violations of this policy through appropriate discipline, up to and including termination.

The Village provides an Employee Assistance Program (EAP) for employees needing treatment or rehabilitation as well as medical plan coverage for both inpatient and outpatient treatment. Sick leave, vacation, and personal leave time may be used for treatment and rehabilitation purposes. Employees who think they may have an alcohol or drug usage problem are urged to voluntarily seek confidential assistance from the EAP.

This policy prohibits the following:

- The unauthorized use, possession, manufacture, distribution or sale of an illegal drug, controlled substance, or drug paraphernalia on Village property or while on Village business, in Village supplied vehicles or during working hours.
- The unauthorized use, possession, manufacture, distribution, or sale of alcohol on Village

premises or while on Village business, in Village supplied vehicles, or during working hours.

- Storing any illegal drug, drug paraphernalia, any controlled substance whose use is unauthorized, or any container of alcohol, in or on Village property (including vehicles). Unopened containers of alcohol in a private vehicle parked on Village property shall not be a violation of this policy.
- Reporting to work, or working, while under the influence of illegal drugs or alcohol, whether on Village premises, on Village business, or in Village-supplied vehicles.
- Failing to notify the employee's Supervisor, before beginning work that the employee is taking medications or drugs, which may interfere with the safe and effective performance of duties.
- Refusing to immediately submit to an alcohol and/or drug test when requested by a Supervisor, in accordance with this policy.
- Failing to provide, by the next workday following a request, a valid prescription for any drug or medication identified when the results of a drug test are positive. If the employee is taking prescription drugs, the prescription must be in the employee's name.
- Refusing to submit to an inspection when there is a reasonable suspicion to believe that an employee's job performance may be impaired by drugs or alcohol. In such circumstances, the Supervisor may direct the employee to submit to a drug/alcohol test or search, with or without employee consent, all areas and property in which the Village maintains control or joint control with the employee.
- Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled as a condition of continued employment, or pursuant to a written agreement between the Village and the employee.
- Failing to notify the Village of any arrest or conviction under any criminal drug or alcohol statute by the next workday following arrest or conviction.

Supervisors and Supervisors shall be responsible for enforcement of this policy. The Village shall provide training to all Supervisors authorized to act under this policy in evaluating and working with issues regarding drug and alcohol use in the workplace.

Post-Offer Testing

All new Village employees are required to pass a post-offer drug test prior to hire. The test shall be administered after a conditional offer of employment has been made and prior to any tentative start date. In some cases, additional testing for CDL holders may be delayed until they are ready to begin driving a CDL vehicle or performing a safety-sensitive function on the job. A positive test result may exclude an applicant from being hired. All prospective hires, except uniformed Police personnel, shall be tested under the procedures contained in this policy, which are consistent with the procedures for CDL holders. Post-offer protocols for uniformed Police shall be as determined by the Board of Police Commissioners of the Village of East Dundee.

Pre-Duty Regarding Alcohol: Employees are prohibited from consuming alcohol for four (4) hours before going on duty or before operating a commercial motor vehicle. This regulation is in conformance with FHWA rules and applies to all scheduled shifts and callout situations. If an

employee cannot meet this requirement, it is his/her responsibility to advise their supervisor, or person initiating the callout, that they cannot report to work.

Reasonable Suspicion

Reasonable suspicion is a belief based on objective facts sufficient to lead a reasonable person to suspect that an employee has used drugs or alcohol so that the employee's ability to perform the functions of the job safely is reduced. By way of example and not a limitation, any of the following, alone or in combination, may constitute reasonable suspicion:

- Slurred speech
- Irregular or unusual speech patterns
- Impaired judgment
- Alcohol odor on the employee's breath
- Uncoordinated walking or movement
- Unusual or irregular behavior such as inattentiveness, listlessness, hyperactivity, hostility, or aggressiveness
- Possession of alcohol or drugs
- Post-accident and/or post-injury testing may be required of an employee when his/her supervisor has reasonable cause to suspect that an accident and/or injury may be drug and/or alcohol related.

Any employee who tests positive for drug or alcohol use following an accident or injury may jeopardize workers' compensation benefits.

Employees' Supervisors shall directly observe the employee's behavior and document in writing the facts constituting reasonable suspicion. When circumstances permit, a second person shall also observe the employee to verify that there is a reasonable basis to believe that drug or alcohol use may have occurred. If possible, the Supervisor shall question the employee with regard to the situation. When a determination is made that an employee may have used drugs or alcohol, the employee shall be relieved of his/her duties and placed on paid leave status. The Supervisor shall immediately notify the Department Head, or in his/her absence, the Department Head's designee. In the event that this person is not available, the Supervisor shall immediately contact the Village Administrator for review. Upon review, the Department Head or designee, or in his/her absence the Village Administrator, may authorize the Supervisor to proceed with a drug and/or alcohol test.

Drug and Alcohol Testing

A drug test under this policy is a urinalysis (for drugs) and either saliva devices, breath testing using an evidential breath testing device, or a non-evidential breath testing device approved by the National Highway Traffic Safety Administration (NHTSA) (for alcohol) administered under approved conditions and procedures conducted for the sole purpose of detecting drugs and alcohol. The test shall be conducted by a Village appointed medical collection facility and paid for by the Village. Following authorization for reasonable suspicion or post-accident drug testing, the Supervisor or other authorized person shall transport the employee to the designated collection facility. Should drug and/or alcohol testing need to be conducted after regular office hours or on weekends, the Village's appointed medical collection facility should be contacted and the doctor-on-call shall direct the Supervisor to the appropriate location for testing. In the case of an applicant

for employment, or follow up testing, the individual shall appear at the designated collection facility at the time instructed.

The room where the sample is obtained must be private and secure. Documentation shall be maintained that the area has been searched and is free of any foreign substance. For all general employees, CDL holders, and individuals tested under the reasonable suspicion standard, the collection shall be performed under standard collection guidelines. Procedural actions shall be taken in all tests to ensure that the sample is from the subject and was actually passed at the time noted on the record.

Processing Urine Samples

Each step in the collection and processing of the urine specimen shall be documented to establish procedural integrity and the chain of custody. When requested for CDL, testing shall be under Substance Abuse and Mental Health Services Administration (SAMHSA) testing procedures at approved collection facilities. Unless specifically noted as in testing for uniformed police officers, all testing shall be done using SAMHSA procedures and threshold levels. Uniformed police post-offer testing shall be done in accordance with Village of East Dundee Board of Police Commission policies. Confirmation testing shall be conducted using Gas Chromatography-Mass Spectrometry. The urine sample shall be retained for twelve (12) months by proper storage method to allow for further testing if necessary. Specimen samples shall be sealed and labeled. Samples shall be stored in a secure and refrigerated atmosphere. A large enough sample shall be taken to allow for a split-specimen analysis. Any sample, which has been adulterated or is shown to be a substance other than urine, shall be reported as such. Any applicant or employee providing false information about a urine, saliva, or breath specimen or who attempts to contaminate such sample shall be subject to removal from consideration for hiring or termination.

Drugs Tested

The collection facility shall test for the following drugs at levels that meet or exceed the limits hereafter set forth:

Drug Screening Level		Confirmation Level
• Amphetamines	1000 ng/ml	500+ ng/ml
• Cocaine metabolites	300 ng/ml	150+ ng/ml
• Opiates	2000 ng/ml	2000+ ng/ml
• PCP (Phencyclidine)	25 ng/ml	25+ ng/ml
• THC (Marijuana)	50 ng/ml	15+ ng/ml

Alcohol Screening Confirmation Level

- 0.02 or greater
- SAMHSA specified threshold
- Tested through an evidential breathalyzer instrument at a level of .02 alcohol/breath concentration or greater, expressed in terms of grams per 210 liters of breath.

Results of Drug Testing

The collection facility shall provide the results of the test in order to determine the presence of the drugs being tested for at or above the confirmation cutoff levels. For Village employees who test positive, the results shall be forwarded immediately to the designated Medical Review Officer

(MRO) for further review. A copy of all drug-testing results shall be forwarded to the Village Administrator.

Evaluation of Legal Drug Use

In the case of prescription drug use that may affect an employee's ability to perform his/her job safely, the Village's Medical Review Officer shall require the employee to provide by the next scheduled workday a bona fide verification of a valid current prescription for the drug identified. The applicant shall be dropped from eligibility, or the employee shall be subject to disciplinary action when (a) verification of a valid prescription is not provided and the employee has not previously notified his/her Supervisor, (b) the prescription provided is not in the subject's name.

Alcohol Level at .02 or Greater

The Village adheres to a "zero-tolerance" alcohol policy relative to employees in the workplace or performing official duties of the Village. However, for the purpose of testing, and in accordance with federal standards, the .02 level of alcohol shall be used as a measure of analysis. When there is a confirmed presence of alcohol at the .02 level or greater, the employee is deemed to be unable to safely operate a motor vehicle, operate machinery, or perform safety-sensitive work. If these tasks are part of an employee's job (in the opinion of the Supervisor), he/she shall be considered unable to work and shall be driven home and not allowed to complete the remainder of his/her work shift.

The individual shall be required to take leave without pay. The employee shall not be permitted to take sick leave, vacation, or compensatory time. The employee shall return to work after a period of twenty-four (24) hours or at the beginning of their next workday or shift (whichever period of time is greater) or after another test shows a breath alcohol level of below .02.

Job Applicants

In the case of job applicants, the Village Administrator shall notify the applicant of positive post-offer drug and/or alcohol test results. An opportunity to have the original urine sample retested at the applicant's expense shall be afforded. The applicant must request a retest within seventy-two (72) hours. If there is a confirmed positive test, the Village Administrator shall notify the Department Head and the applicant shall be removed from eligibility for hire as allowed by law. All post-offer test results shall be forwarded to the Village Administrator's Office to be kept on file for the required amount of time. The Village Administrator shall notify the respective Department Head of all drug and/or alcohol test results.

Employees

All employment test results shall be forwarded to the Village Administrator's Office to be kept on file for the required amount of time. The Village Administrator shall notify the respective Department Head of all drugs and/or alcohol test results. Employees shall be advised of any positive test results by their Department Head. The employee shall be afforded the opportunity to have the original urine sample retested. Retests must be requested within a period of seventy-two (72) hours after notification to the employee of an initial positive test by the Department Head. A retest shall be conducted by the original collection facility (at the Village's expense) unless the employee wishes to pay for a retest at different (SAMHSA-certified) collection facility. The second test must be conducted under SAMHSA procedures. If the subject declines a retest, or the

retest confirms the results of the initial test, the Village Administrator shall be notified. The Village Administrator shall notify the Department Head of the results and a determination of appropriate action shall be made by the Department Head, in accordance with disciplinary procedures as outlined in the Village's Personnel Policy Manual.

Disciplinary Action

As with any issue of employee misconduct, an appropriate investigation and assessment of circumstances need to be made with guidance from the Village Administrator and the Village's legal counsel. Advice from medical professionals may be sought. A decision to refer the employee for substance abuse evaluation, treatment, and/or discipline may be made depending on the nature and severity of misconduct, the employee's work history, and other pertinent facts and circumstances. In certain situations, follow-up drug testing may be recommended and conducted to ensure that the employee remains drug and alcohol free. All costs associated with follow-up testing shall be the responsibility of the employee. A referral for evaluation by a substance abuse professional is mandatory for CDL holders when there is a positive test. Any disciplinary action, which may include dismissal, shall be carried out in accordance with Village Personnel Policies, Police Commission Rules, and applicable collective bargaining agreements.

Negative Test Results

Employees who have been tested for drugs and alcohol, where no substance use was found, shall receive notice of such findings from their Department Head after the Department Head has been contacted by the Village Administrator. A record of any drug and/or alcohol test results shall be placed in a confidential folder in a separate, secured file maintained by the Village Administrator. In case of job applicants, (except Police), the hiring department shall be notified by the Village Administrator that the applicant is clear for hire.

Confidentiality

Collection facility reports of positive test results shall not appear in an employee's general personnel file. Information of this nature shall be placed in a separate confidential medical folder that shall be maintained by the Village Administrator's Office. The positive reports or test results shall be disclosed to the Department Head only, who shall then notify the employee. Disclosures of positive test results may also occur when:

1. The information is compelled by law or by judicial or administrative process.
2. The information has been placed at issue in a formal dispute between the Village and the employee.
3. The information is to be used in administering an employee benefit plan such as for drug or alcohol treatment.
4. The information is needed by medical personnel for the diagnosis or treatment of the patient (employee) who is unable to authorize disclosure.

Record Retention Requirements

The Village shall maintain all records related to drug and alcohol testing for each employee in the Village Administrator's Office. Such records shall be kept apart from the general personnel files

in a secure location with controlled access. The following records shall be maintained for a minimum of five (5) years:

1. Records of alcohol test results indicating an alcohol concentration of .02 or greater.
2. Records of verified positive drug test results.
3. Documentation of refusal to take required alcohol and/or drug tests.
4. Evaluations and referrals.
5. Copy of annual report.

The following records shall be maintained for a minimum of two (2) years:

- Records related to alcohol and drug collection process and training.

The following records shall be maintained for a minimum of one (1) year:

- Records of negative and canceled drug test results and alcohol test results with a concentration of less than .02.

No records containing driver information required by this policy shall be released except as provided as follows:

1. Upon written request of the employee.
2. Upon written authorization of the employee, records may be disclosed to a subsequent employer subject to use as specified by the employee.
3. Upon specific, written authorization by the employee, records may be released to an identified person, for use only as specified by the employee.

Records may be disclosed to a decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee, including, but not limited to a workers' compensation, unemployment compensation or other proceeding relating to a benefit sought by the driver.

Drug and Alcohol Testing for Commercial Driver's License (CDL) Holders

All employees of the Village who are required to have a Commercial Driver's License (CDL) as part of their jobs are subject to drug and alcohol testing as required by the U.S. Department of Transportation through the Federal Highway Administration. The following procedures apply to CDL holders:

- 1. Post-offer Testing:** All new employees who must have a CDL as a job requirement must pass a post-offer drug test prior to hire. The test shall be administered after a conditional offer of employment has been made and prior to any tentative start date or before driving a CDL vehicle. This test shall be conducted under the SAMHSA standards and protocols. The

test shall involve an unobserved urine sample collection for drug testing and an evidential breathalyzer test administered by a Breath Alcohol Technician (BAT) for alcohol. The procedures and protocols are identical to those for all Village employees covered above, unless specifically noted. All urine drug testing shall be conducted by a SAMHSA certified collection facility.

2. **Pre-Duty Regarding Alcohol:** Employees are prohibited from consuming alcohol for four (4) hours before going on duty or before operating a commercial motor vehicle. This regulation is in conformance with FHWA rules and applies to all scheduled shifts and callout situations. If an employee cannot meet this requirement, it is his/her responsibility to advise their supervisor, or person initiating the callout, that they cannot report to work.
3. **Reasonable Suspicion Testing:** The definitions and protocols for reasonable suspicion drug and alcohol testing for CDL holders are the same as noted in "Drug and Alcohol Use," "Reasonable Suspicion" section of this Section.
4. **Random Testing:** During the calendar year, fifty percent (50%) of CDL holders shall be tested on a random basis for the presence of drugs and ten percent (10%) shall be tested for the presence of alcohol. Approximately quarterly, although testing could occur anytime during the year, names of CDL holders shall be drawn randomly to select individuals for drug and/or alcohol testing. These individuals shall be scheduled for testing and may be screened for drugs and/or alcohol. No advance warning shall be given to employees regarding the date and time of the random test. The urine sample collection shall be the same as noted above in this Policy. Urine sample collections shall be in an unobserved setting with collection and chain of custody protocols required under SAMHSA regulations. Individuals who are scheduled to drive a CDL vehicle or perform a safety-sensitive function (such as a mechanic working on a Police vehicle, working on brakes, etc.) on the day of the random test shall also take a breathalyzer test for alcohol. Test results and the handling of any positive tests are the same as noted above for all employees.

Post-Accident Testing: Any accident involving a CDL vehicle must be reported as soon as possible by the employee to his/her supervisor and complete the appropriate paperwork. The Supervisor shall investigate the circumstances of the accident and determine if there is reasonable suspicion to require a drug and alcohol test. Testing is mandated in the following circumstances:

- a. An accident that has resulted in the loss of human life.
- b. An accident in which the driver receives a citation and/or there is an injury requiring medical attention away from the scene of the accident.
- c. An accident in which the driver receives a citation and/or any vehicle in the accident must be towed from the scene.
- d. An individual in a safety sensitive position, such as a mechanic, is subject to drug and alcohol testing when in the opinion of a supervisor, employee performance caused or contributed to the accident. For example, a mechanic would be tested when he/she worked on a vehicle's brakes just prior to an accident and a brake problem may have contributed to the accident. A post-accident drug and alcohol test should be completed as soon as possible.

Drug testing must occur no later than thirty-two (32) hours after the accident. Alcohol testing must occur no later than eight (8) hours after the accident. If more than two (2) hours elapse before an alcohol test is administered, the Village is required to prepare and maintain on file an explanation of why a test was not properly administered for the FHWA. A driver is prohibited from consuming alcohol for eight (8) hours after an accident or until he/she has taken a drug and alcohol test. A police officer investigating an accident has legal authority under certain circumstances to order a blood sample to be taken for drug and alcohol testing.

Any employee who tests positive for drug or alcohol use following an accident or injury shall be denied workers' compensation benefits.

Return to Work

When an employee has tested positive for drugs or alcohol during a random, reasonable suspicion, post-accident or post-injury test, the Village may require the employee to sign a "Treatment and Return to Work Agreement" form as a condition of returning to the workplace. Such an agreement can be a constructive part of the recovery process for employees with addictive conditions. The agreement should provide job related motivation and outline job related responsibilities which in turn connect to treatment and recovery. In such instances, the following specific rules apply:

Employees shall be referred to the Employee Assistance Program (EAP) or to other substance abuse counseling as part of their return to work requirements.

- a. The employee must comply with recommended rehabilitation and provide verification that he/she is participating in a treatment program.
- b. The employee must have a negative retest before being permitted to return to work.
- c. The employee must acknowledge and agree that any breach of the agreement or any standards incorporated in it may result in an immediate termination.
- d. Unannounced follow-up tests may be conducted after an employee returns to work.
- e. Testing may be extended for up to sixty (60) months after an employee returns to work.

Treatment and Return to Work Agreements may be obtained from the Village Administrator.

Chapter 17 – Miscellaneous

The following words and phrases shall have the meanings indicated throughout this manual except

Section 17.1 Litigation Involving Village Employees

Any employee of the Village who receives any summons, notice, or complaint alleging any claim or cause of action arising as a result of the performance of official duties as an employee of the Village shall immediately notify his/her immediate supervisor and Department Head and furnish to him/her a copy of said summons, notice, or complaint who shall thereafter forward said materials to the Village Administrator.

The Village Administrator shall thereafter forward said summons, notice, or complaint to the Village's insurance carrier. The Village's insurance carrier shall make a determination whether it shall undertake the defense of the employee and provide coverage for any damages resulting from the claim or cause of action under the terms of the Village's policy. If the Village's insurance carrier determines that the alleged claim or cause of action does not result in a circumstance included in the Village's coverage, then the Village Board shall determine whether the claim or cause of the action did in fact arise as the result of the legitimate and reasonable performance of official duties. If the Village Board's determination is affirmative and, with the consent of the employee, the Village of East Dundee shall undertake the defense of said claim or cause of action at Village expense, and in the further event that a judgment is entered against said employee in the cause of action, the Village of East Dundee shall indemnify the employee from any portion of the judgment, except punitive damages, not satisfied by the Village's insurance carrier.

Section 17.2 Professional Memberships

It is the policy of the Village to encourage qualified employees to become members of professional organizations and associations, which are directly related to the employee's position with the Village. The Village, subject to approval by the Department Head, may pay annual membership fees as well as the costs associated with attendance at annual conferences and periodic luncheons. These payments shall be subject to the amounts approved in the annual budget for this purpose.

Section 17.3 Exit Interview

It is important to the Village to understand your opinion of the many aspects to your employment at the Village in general, as well as your department and division. Exit interviews may be requested by the employee, department head, or Village Administrator upon notice of a pending resignation. Exit interviews are not mandatory on the part of the employee and shall not affect any compensation or benefits due to an employee.

The primary purpose of the exit interview is to provide feedback to Village management on employment matters including working conditions, compensation, job satisfaction, quality of supervision and training, and suggestions for improvement.

The interviews will be conducted in confidence. Any information you provide will be used in combination with information from other terminating employees over a period of time and used to make improvements in a constructive way, while at the same time protect individual confidentiality.

Section 17.4 Return of Village Property

Prior to leaving the employment of the Village, all employees are required to return any Village-owned property to their immediate supervisor. Such property shall include the employment identification card, keys to Village facilities or vehicles, tools, office supplies or any other property. Failure to return all Village property will disqualify the employee from any future employment with the Village and the employee may be charged for any unreturned items.

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Chapter 18 – Definitions of Terms

The following words and phrases shall have the meanings indicated throughout this manual except where context clearly indicates otherwise.

Anniversary date: the effective date of completion of one year of service shall constitute an employee's initial anniversary date for the purposes of determining length of service in calculating employee benefits relating to years of service. When an employee is promoted, their original anniversary date remains in effect for purposes of determining employee benefits. If an employee voluntarily terminates employment with the Village and then is re-hired at a future date, the completion of one year of service from the date of re-employment will serve as the anniversary date for that employee.

Appointing authority: the Village President, Village Administrator, and/or Board of Fire and Police Commissioners having the power of appointment and removal of subordinate positions in any office or department by virtue of ordinance or other legally delegated authority.

Class: one or more positions sufficiently similar in respect to assigned work duties and responsibilities that the same class title may be reasonably and fairly used to designate each position allocated to the class, that the same minimum education and work experience qualifications may be required, and the same salary range may apply with equity.

Classification: the original assignment of a position to an appropriate class on the basis of type, difficulty, and responsibility of work to be performed.

Demotion: the movement of an employee from a position in one class to a position in a lower class, with a lower maximum salary rate because of disciplinary reasons, incapacity to perform the work, inefficiency, or unsatisfactory work performance.

Department: any of the departments under the jurisdiction of the Village.

Department head: the officially appointed head of any department including the Building Inspector, Finance/Administrative Services Director, Police Chief, and Public Works Director, and any additional Department Head positions that may be duly authorized by the Village Board in the future. This term is used interchangeably with "Management Team."

Domestic partner: domestic Partners are defined as two people who have entered into a civil union pursuant to 750 ILCS 75/1 et seq., commonly called the Illinois Religious Freedom Protection and Civil Union Act.

Emergency: a sudden and unforeseen happening that requires the unscheduled services of an employee to protect the health, welfare, and safety of the community.

Employee – Exempt: a position that is determined under the Fair Labor Standards Act (FLSA) to be exempt from mandatory overtime provisions of the law.

Employee – Non-Exempt: a position that is hourly and is entitled to receive overtime pay in accordance with federal and applicable state and local laws.

Employee – Full-Time: a full-time employee is reasonably expected to work an average of 35 or more hours of service per week, or actually works an average of 35 or more hours of service per week during any one year period. Hours of service include each hour an employee is paid or entitled to be paid for, actual hours worked and paid leave (including vacation, holiday, illness, disability, layoff, jury duty, and military leave).

Employee – Regular, Part-Time: a part-time employee is reasonably expected to work, and the employee works an average of fewer than 30 hours of service per week during any one year period. Hours of service include each hour an employee is paid or entitled to be paid for, actual hours worked and paid leave (including vacation, holiday, illness, disability, layoff, jury duty, and military leave).

Employee – Seasonal: a seasonal employee has a typical length of employment of 6 months or less where the period of employment begins at about the same time each year. These employees are not eligible for employee benefits.

Employee – Temporary: a position comprising duties that occur, terminate, and recur seasonally, intermittently, and according to the needs of the department.

Evaluation period: a test period during which a newly appointed or promoted employee is required to demonstrate his or her fitness for the position by the actual performance of the duties and responsibilities of the position.

Grievance: any dispute regarding the meaning, interpretation, application, or alleged violation of the terms and conditions of these policies and procedures.

Immediate family: a legal spouse or domestic partner (as defined in this manual), child, stepchild, adopted child, foster child, parent, stepparent, legal guardian, sibling, stepsibling, grandchild, grandparent or spouse or domestic partner's immediate family.

Job description: a written statement of the characteristic duties, responsibilities, and qualification requirements that distinguish a class of positions from another class.

Layoff: the separation of an employee that has been made necessary by lack of work or funds or other reasons not related to fault, delinquency, or misconduct on the part of the employee.

Management team: employees involved in management of Village affairs, including Village Administrator and department heads (defined above). Management Team positions are exempt positions in which frequent attendance at night meetings or after-hours work is required. The Village Supervisor may recommend additional positions to be classified as members of the "Management Team." This term is used interchangeably with Department Head.

Pay grade: a level of pay within the Compensation Plan that has a minimum and maximum salary rate.

Position: a group of current duties and responsibilities assigned or delegated by competent authority, requiring the full time, part-time, temporary, or seasonal appointment of one person.

Promotion: the movement of an employee from one position of one class to a position of another class having a higher pay grade.

Reclassification: the official determination by the Appointing Authority that a position be assigned to a class different than the one to which it was previously classified.

Relative: those individuals to whom the employee or employee's spouse or domestic partner is related but not considered "immediate family" as defined above. This includes aunts, uncles, nieces, nephews and first cousins.

Sworn Personnel: Police department personnel who are under the jurisdiction of the Board of Police Commissioners, take an oath of office, and meet applicable state and local requirements are considered sworn personnel.

Transfer: the movement of an employee from one department to another; or movement to another class in the same department having the same pay grade and involving the performance of similar duties and requiring essentially the same basic qualifications.

Vacancy: a duly created position that is not occupied and for which funds have been budgeted.

Acknowledgement of Receipt

I have received a copy of the Village's Employee Personnel Manual. I agree to read it and to comply with the policies and procedures described in this Employee Personnel Manual. If I have any questions regarding any of the Employee Personnel Manual's provisions, I will consult with my supervisor, supervisor or Human Resources representative(s). I understand that if I do not follow the policies and procedures contained herein that I may be subject to disciplinary action, up to and including termination of employment.

I also understand that this Employee Personnel Manual is the most up-to-date version of the Village's policies and procedures and replaces any prior written and oral communications about the subjects contained in it.

I acknowledge that my employment relationship with the Village is "at-will", meaning that, regardless of anything contained in this Employee Personnel Manual and regardless of any custom or practice, either I or the Village may terminate my employment at any time, for any reason or no reason, with or without cause, and with or without procedural requirements. I understand that no representatives of the Village, other than the Village Administrator in a writing signed by him/her/them, may enter into any agreements, or make any representations, written or oral, to alter my at-will status or otherwise create any contractual obligation between me and the Village.

I also understand that if my employment is governed by a collective bargaining agreement, the terms of such agreement govern in the event of any conflict between these policies and the collective bargaining agreement.

I further acknowledge that this Employee Personnel Manual and the policies contained herein are not intended to create (and shall not be construed as creating) a contract (express or implied) for employment between the Village and any employee and that said policies can be modified by the Village at any time, with or without notice to me, in its sole and absolute discretion.

Print Employee Name: _____

Employee Signature: _____

Date: _____