



# **Employee Handbook Village of Woodridge**

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## WELCOME TO THE VILLAGE OF WOODRIDGE!

The Village of Woodridge is pleased to provide the updated Employee Handbook to all full and part-time employees of the Village. As an employee, you will find that many of the questions that regularly come up during your employment are answered here. Please take the time to become familiar with this document. It is the responsibility of every employee to read and understand these policies.

If you have questions regarding departmental operating procedures and practices, please contact your supervisor or Department Manager. Certain employees may also be subject to the rules and regulations of the Board of Police Commissioners and/or the terms of a collective bargaining agreement. If any policy, practice or benefit is still unclear and further information is required, please contact your supervisor, Department Manager, or Human Resources.

All employees will receive a printed copy of the Employee Handbook to read and use as a reference. We will maintain an electronic version of the Employee Handbook on the “T” drive so that employees may access the document at any time. From time to time sections of the document may be revised or updated, or a new section may be added. Employees will be notified when an update occurs. The Village will maintain a chronological log of all changes made to the Employee Handbook.

The Village of Woodridge prides itself on being a good place to live, work and play. We consider our employees, as well as the citizens who live and work in the Village, to be among our greatest assets. Village employees must always keep in mind that the citizens of the Village of Woodridge are our ultimate “employer”. We are a service provider for Village residents and the public in general. **Customer Service is our highest priority.** Each public contact is an opportunity for excellent performance. Customer service is not limited to our citizens, local businesses and the general public. Customer service includes the interaction between all Village employees, representatives of other government agencies, suppliers, providers of services, and other outside businesses and organizations with whom we work. Our primary goal must always be to provide all our internal and external customers with quality service in a prompt and courteous manner.

The Village of Woodridge Mission Statement is:

***“To Achieve a High Quality of Life by Providing Superior Services  
in a Fiscally Responsible Manner.”***

The values essential in reaching our goals are outlined on the next page. We hope that you enjoy working for the Village and that you will embrace our mission, values and goals.

## SECTION 1 – INTRODUCTION

### 1.1 VALUES STATEMENT FOR THE VILLAGE OF WOODRIDGE

The government of the Village of Woodridge is an excellent organization. We are proud of the work by the community and its employees.

To understand our commitment to excellence, we state our values:

#### Our Values ...

Pride in Service

Fair and Equitable Treatment  
of Employees and Citizens

Sound Economic Development

Organizational Competence

Community Participation

Sound Economic Development

Clean Environment

Safety and Welfare

Diversity

#### Our Values Defined ...

Personal accessibility reflects our commitment to service. We value a municipality that is sensitive, receptive and responsive to our community.

We value a spirit of professionalism which encourages its members to be cooperative and supportive toward shared goals.

We value a humane organization and believe we should promote fair and equitable treatment, combining a source of enjoyment and satisfaction in service to our community.

We value fiscal responsibility. Careful management of our financial resources demonstrates our respect for our residents.

Organizational competence with professional development and innovation encourages community participation and open, accessible government,

We value sound economic development, protection of our citizens, and a clean environment for them to enjoy.

We value diversity and work to develop interactive relationships with all residents in order to enhance the quality of life throughout the Village.

### 1.2 VILLAGE ORGANIZATION

The Mayor and the six (6) Trustees comprise the Village Board and govern the Village of Woodridge. The Village Board establishes policy for the Village. Individuals serve on the Village's various boards and commissions appointed by the Mayor, with the advice and consent of the Village Board, and play an active role in the policy-making process by advising the Village Board on issues within their purview. The Village Administrator is responsible for implementing the policies as determined by the Mayor and Village Board.

All departments within the Village report to the Village Administrator. There are five (5) main operating departments: Administration (which includes the Village Clerk's Office), Community Development, Finance, Police and Public Works.

### 1.3 APPLICABILITY

All positions now existing or hereafter created shall be subject to the provisions of the Village of Woodridge Employee Handbook. The following positions shall be exempt from the provisions of this Section, as noted:

- Elected officials - exempt in total (except as otherwise noted).
- Members of commissions and committees - exempt in total (except as otherwise noted).
- Legal counsel - exempt in total.
- Those employees who are subject to the provisions of the Board of Police Commissioners' statutes and Police Pension statutes shall be exempt from those provisions of the Village of Woodridge Employee Handbook which are inconsistent with such statutes and with valid rules adopted by the Board of Police Commissioners and the Police Pension Board.
- Those employees who are subject to a collective bargaining agreement or employment agreement shall be exempt from the provisions of the Village of Woodridge Employee Handbook and Regulations which are inconsistent with such collective bargaining agreement.

## **1.4 ADMINISTRATION OF THE PERSONNEL PROGRAM**

The Village Administrator shall be responsible for administration of the Village of Woodridge Employee Handbook. It shall be the purpose of the Village of Woodridge Employee Handbook to provide a framework for a uniform and equitable personnel policy and administration for all employees of the Village of Woodridge.

### **The Administrator shall:**

- Recommend and implement amendments to the Village of Woodridge Employee Handbook and communicate amendments to the Village Board as appropriate.
- Develop and promulgate procedural rules, interpretations and other personnel policies.
- Administer the grievance procedure contained in the Village of Woodridge Employee Handbook.

### **Human Resources Officer**

The Village Administrator may appoint a Human Resources Officer and may delegate to this position any or all duties and responsibilities granted to the Village Administrator by this Section.

### **Human Resources Objectives**

- To recruit, select and retain employees based on their knowledge, skills and ability to perform the duties of his/her position.
- To explain the benefits and compensation offered to employees.
- To train employees in order to assure high quality performance.
- To reward employees for meeting performance standards, to correct inadequate performance, and to separate those employees whose inadequate performance cannot be corrected.
- To provide equal opportunities in all aspects of employment.

## **1.5 EMPLOYEE HANDBOOK NOT A CONTRACT**

The Village of Woodridge Employee Handbook in no way represents a contractually binding agreement between employee and employer. The provisions and benefits set forth herein may be changed or deleted at any time at the employer's discretion. The Village of Woodridge Employee Handbook is meant in no way to represent the product of a collectively bargained agreement between the Village of Woodridge and its employees.

## **1.6 ORAL STATEMENTS**

Any oral statements relating to the terms and conditions of an employee's employment which are in conflict with the Village of Woodridge Employee Handbook are not binding on the Village. Any oral statements promising employment or other employment advantages for an employee are not binding upon the Village unless set forth in a written document signed by an authorized individual of the Village.

## SECTION 2 – GENERAL EMPLOYMENT CONDITIONS

### 2.1 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS (PRE AND POST EMPLOYMENT TESTING)

During the selection process, examinations, skill assessments, tests, screening interviews, examples of work ability, and other pre-employment evaluations and selection tools may be used to determine the qualifications of applicants. The purpose of pre-employment testing is to verify that the candidate is able to perform the requirements of the position for which he/she has been conditionally offered employment. Entry-level positions for Police Department personnel and other certain select positions will have a psychological evaluation and/or a polygraph examination and other tests and examinations as may be deemed appropriate.

Final candidates for regularly scheduled positions with the Village will undergo a physical examination, drug screen and background check. Final candidates for all positions with the Village (full-time part-time, seasonal or temporary) are required to have a drug screen. Candidates, including candidates for temporary positions in the Public Works Department, are required to pass a physical examination conducted by a Village-designated medical provider before the employment appointment becomes final.

Applicants must furnish the Village with appropriate release documents authorizing the examining professional(s) to furnish the Village with medical/psychological information from the exam, as well as background information, if applicable.

#### **Fitness for Duty (Physical/Psychological Examination of Employees)**

The Village Administrator or a Department Manager may require any employee to undergo a physical and/or psychological examination or medical test at any time when, in the judgment of such Village official, such an examination or test may be necessary to determine the employee's fitness to perform the duties of his/her position. All such examinations and tests will be performed by a licensed medical professional or professionals appointed by the Village, and at the Village's expense. The results of this type of evaluation will be shared, as appropriate, with essential management personnel who supervise the employee.

Circumstances that may warrant a special physical examination or medical test will include, but not be limited to, the following:

- An inability to perform job-related duties because of a physical or mental problem or condition.
- The employee's return from an extended absence because of a serious injury, when time lost has exceeded thirty (30) working days.
- The employee's return from a leave of absence, with or without pay.
- The transfer of an employee to a position that requires greater physical capabilities.
- To verify an employee's use of frequent and/or questionable sick time or disability benefits.
- An employee who appears to be working while under the influence of alcohol or drugs.
- Following an on-duty incident or accident.

### 2.2 CONDITIONS OF EMPLOYMENT

#### **Residency Requirements**

Village employees may live outside the Village provided that in no case shall an employee's residence be farther than thirty (30) line miles from the corporate limits of the Village within six (6) months of hire. Any extension to the six (6) month timeline must be approved by the Village Administrator.

#### **Personal Data**

It is the responsibility of employees to report within thirty (30) days any changes in personal data to Human Resources. This includes changes of name, address, telephone number, marital or family status,



dependents, beneficiaries, and emergency contacts. Employees are also responsible to make W-4 Form changes and other payroll deduction changes (i.e. deferred compensation, credit union, direct deposit, etc.) using the appropriate forms. These forms can be obtained from Human Resources.

While Human Resources attempts to keep name/address information updated for all employees for health insurance, dental insurance, and our prescription drug provider, employees may also update this information directly with the providers.

Employees must update contact information with the appropriate pension organization as well as deferred compensation providers.

Employees must provide the Village with their current physical street address. It is unacceptable to provide an incomplete address or a post office box address only.

### **Anti-Nepotism**

The general public and employees must be assured that personnel procedures and hiring practices are based on qualifications rather than on political or family advantage. Therefore, immediate family members of employed Woodridge employees or elected officials are prohibited from working for the Village. The exception to this policy would be where the employee(s) are hired through competitive examinations (police officer testing process). As a general rule, no immediate family member(s) may supervise other family member(s).

#### Definition of Relative

Relative is deemed to mean a spouse, former spouse, parents, grandparents, children or grandchildren, siblings, aunts or uncles, nieces or nephews, cousins, and in-laws and step relatives within these categories.

#### Supervisor/Subordinates

The employment or promotion of a relative (as defined above) of any Village employee, in a full or part-time position, is prohibited if such employment or promotion shall cause an employee to come under, or to provide direct supervision to a related Village employee.

If employees become related after employment, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Human Resources Manager immediately. This disclosure will enable the Human Resources Manager to determine whether any potential, perceived or actual conflict of interest exists because of the relative positions of the persons involved. This policy may not apply to appointments made under the rules and regulations of the Board of Police Commissioners.

#### Personal Relationships

Supervisors, managers and elected officials must ensure that any personal relationships do not impact the workplace or operations and efficiency of the Village and that they do not result in a potential, actual, or perceived conflict of interest, including but not limited to potential, actual, or perceived favoritism.

Employee off-duty conduct is generally regarded as private, as long as such conduct does not have a connection to or create problems within the workplace. An exception to this principle, however, is the following: 1) a personal relationship between a manager or supervisor and a subordinate, if the relationship is deemed to have the potential to create the appearance of or actually impact/influence working conditions; or, 2) a relationship between peers that actually affects the working conditions in a department.

The provisions of this policy are not limited to personal or familial relationships amongst supervisors, managers, and subordinates. The policy also includes personal and/or familial relationships between individuals working as peers in any department when such relationship actually disrupts the operation of the department or the Village.

### Responses to Personal Relationships

In the event that 1) employees are relatives or become relatives (as defined above) and are or become a direct or indirect supervisor/subordinate; or 2) a personal relationship exists or should occur between a direct or indirect supervisor/subordinate; or 3) a personal relationship exists between peers which causes disruption to the operations of a department or the Village, the Human Resources Manager, in conjunction with the Village Administrator, will determine whether the relationship creates an actual or potential conflict, the appearance of a conflict of interest, or disruption to the operation of the Village. If the relationship is determined to create one of these situations, one of the following will occur:

- The Human Resources Manager and Department Manager, in conjunction with the Village Administrator, will work with the affected employees to determine the most appropriate way to address the situation, including whether another suitable position exists elsewhere in the Village to which to transfer one of the employees to eliminate the real, potential or perceived conflict and which employee will be transferred. Transfer decisions may be based on, but are not limited to, such factors as the grade of each affected employee's position, the availability of openings for which the affected employees are qualified, and the availability of replacement candidates for the affected employees' positions.
- If the Human Resources Manager, in conjunction with the Village Administrator and affected employees, determines that no suitable alternative position exists to which to transfer one of the employees, the Human Resources Manager will determine whether a lower level position exists for one of the employees which would eliminate the real, potential or perceived conflict and which employee would be moved to the lower level position.
- If the Human Resources Manager, in conjunction with the Village Administrator, determines no such suitable position exists, the affected employees will be given three (3) weeks to decide which employee will be separated from employment. If the employees are unable to agree, the Human Resources Manager and Village Administrator, in conjunction with the Department Manager, will decide which employee is to be separated from employment.
- Refusal of a reasonable alternative position, if available, will be deemed a voluntary resignation.

This policy is intended to comply with the requirements of all applicable federal, state and local laws.

The Village Administrator and Human Resources Manager are responsible for the coordination, administration and implementation of the provisions of this policy. Prior to the application of this policy regarding employment or transfer decisions with respect to spouses, supervisors must contact the Human Resources Manager to ensure compliance with applicable federal, state, and local laws.

### **Violations of Policy**

Employees who violate this policy may be subject to corrective action, up to and including termination.

## **2.3 PERSONNEL RECORDS**

### **Maintenance and Content of Files**

The Village Administrator shall maintain a personnel file for all employees in the Village's service. These files shall be confidential and contain the complete history of each employee during employment by the Village. The files shall consist of, but not be limited to dates of hire, records of hours worked, pay rate and changes in pay rate or employment status, commendations, reprimands, performance evaluations, accidents or damage involving Village property, education and special training and other such records as related to the performance of job duties and administration of Village policies and benefits. Access to an employee's personnel file shall be granted to the employee or his/her representative in accordance with the Illinois Personnel Record Review Act, 820 ILCS 40/1 et. seq.

### **Purge of Personnel Files**

In the event that a written record of an oral reprimand or a written reprimand has been filed in an employee's personnel file, and should that employee not receive any further discipline for a period of twenty-four (24) consecutive months following any disciplinary action, then the personnel file, upon the employee's request, shall be purged of any written or oral reprimands reduced to writing within the 24-month period, except those leading up to a suspension. More progressive discipline, such as suspensions, and any written or oral reprimands reduced to writing related to the suspension shall not be purged at any time from the personnel files.

## **2.4 RELEASE OF EMPLOYEE INFORMATION**

The Village maintains strict confidentiality of employee records. However, operating and legal requirements may necessitate disclosure of employee information. The purpose of this policy is to outline additional circumstances in which employee information may be disclosed to external organizations.

### **Lenders/Credit Organizations**

Upon receipt of an authorized request that includes the employee's signature, the Village will release information. The Village will not respond to telephone requests for information that include anything other than the employee's job title and current employment status.

### **Prospective Employers**

The Village will provide information for reference purposes which will be limited to job title(s) held and dates of employment.

## **2.5 EMPLOYEE IDENTIFICATION CARDS / KEY CARDS**

All full and part-time employees will be issued Village identification cards. These cards are to be used with the public to identify the holder as an employee of the Village. All full and part-time employees will also be issued key cards for access to Village buildings.

An employee must report lost identification cards or key cards to his/her supervisor immediately.

All identification and key cards are the property of the Village and must be returned to Human Resources upon any termination of employment, or as requested.

## **2.6 PROBATIONARY EMPLOYMENT PERIOD**

### **Purpose**

The probationary period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of the employee to his/her position and for rejecting any employee whose performance does not meet the required work standards.

### **Evaluation During Probationary Period**

The work and conduct of probationary employees shall be subject to frequent evaluation. A written evaluation will be completed on each probationary employee ten (10) days before the probation anniversary date.

### **Duration of Probationary Period for Original Appointments**

All original appointments shall be probationary and subject to a probationary period of six (6) months' service after appointment. At any time during the probationary period, an employee may be transferred by the Village Administrator, or dismissed by the Department Manager if the employee's performance does not meet

the required work standards without right of appeal or hearing in any manner. A probationary period may be extended as recommended by the Department Manager and approved by the Village Administrator for a period not to exceed an additional six (6) months for any new employee.

Any break in service during the probationary period (military leave, on-the-job injury or extended sick leave, for example) does not count towards the six (6) months' service, and the probationary period will be extended appropriately.

This Section may not apply to appointments made under the rules and regulations of the Board of Police Commissioners.

### **Duration of Probationary Period Following Promotion**

All promotions shall be subject to a probationary period of six (6) months following the effective date of the promotion. Employees unsuccessfully making the transition to the responsibilities of the new position may be returned, if a vacancy exists, to the former job classification, or, if no vacancies exist, placed in another vacant lower classification, if qualified, or be terminated.

Any break in service during the probationary period (military leave, on-the-job injury or extended sick leave, for example) does not count towards the six (6) months' service, and the probationary period will be extended appropriately.

The probationary period following a promotion may be extended as recommended by the Department Manager and approved by the Village Administrator for a period not to exceed an additional six (6) months.

This policy may not apply to appointments made under the rules and regulations of the Board of Police Commissioners.

### **Use of Vacation Leave Benefits During Probationary Period**

Employees must successfully complete the initial probationary period or have completed six (6) months of employment prior to using vacation time, unless designated otherwise in the offer letter or approved by the Department Manager. Employees will accrue vacation leave from the beginning of the probationary employment.

### **Completion of Probationary Period**

An employee who has completed six (6) months of probationary service and who has not received before completion of six (6) months plus one day of service a written notice from the Department Manager that the employee's services are terminated, shall be considered to have successfully completed the probationary period, and shall automatically receive status as a permanent employee.

This Section may not apply to appointments made under the rules and regulations of the Board of Police Commissioners.

## **2.7 EMPLOYEE PERFORMANCE EVALUATIONS**

The Village believes it is important for employees to have a formal evaluation of his/her job performance. The performance evaluation expresses the supervisor's opinions and judgments concerning job performance throughout the evaluation period. Employees may request that their evaluation be reviewed by their Department Manager, but the evaluation is not subject to review or appeal through the grievance procedures or other formal review process.

Newly appointed non-sworn employees and promoted employees will receive a probationary performance evaluation six (6) months from his/her appointment date.

Performance evaluations are conducted on non-probationary employees twice on an annual basis with the schedule set by the Village Administrator. The first evaluation of the year usually occurs in the late spring of each year and is used as a check up to review professional and/or personal goals for the

remainder of the evaluation period. The second evaluation of the year usually occurs in late fall and is used to assess the performance of employees during the past year and to set goals for the upcoming year. Employees are asked to sign the performance evaluation document whether or not they agree with the contents. The employee's signature on the completed appraisal means that the employee has had an opportunity to review the document and does not necessarily signify agreement with the supervisor's opinions. Further, failure of the employee to sign the performance evaluation document does not preclude the evaluation from becoming part of the employee's personnel file. Completed appraisals are then forwarded to the Department Manager, or designee, and then to Human Resources to be included in the employee's personnel file.

### **Performance Improvement Plan**

When an employee's performance is determined to be at a below standard level, a written Performance Improvement Plan may be completed by the Department Manager and/or supervisor in conjunction with the Human Resources Manager. The purposes of the Performance Improvement Plan are to document the specific job related functions or areas that the employee needs to improve upon, indicate specific milestones that will be used to measure the employee's progress in those areas, and establish a time frame for achieving each listed goal. The completed Performance Improvement Plan shall be discussed by the Department Manager or supervisor and a representative from Human Resources with the employee, and they each shall sign and date it. The employee will be given a copy, and the original will be placed in the employee's personnel file. Generally, an employee on a Performance Improvement Plan will have regular progress reports and meetings with the manager or supervisor and Human Resources. An employee will complete the Performance Improvement Plan when the Department Manager and Human Resources have determined that the employee's performance goals have satisfactorily been met.

Failure to meet the goals and standards of the Performance Improvement Plan may result in disciplinary action up to and including separation of employment.

## **2.8 POSITION RECLASSIFICATION**

Whenever, in the opinion of a Department Manager, the duties and responsibilities of a particular position change so drastically that the current position title and/or range no longer apply, the Department Manager may recommend a position reclassification to the Village Administrator. The Village Administrator shall determine whether or not to forward the request with his/her approval to the Mayor and Village Board for inclusion in the annual salary ordinance.

All such requests shall occur during the annual budget preparation, unless circumstances otherwise require.

## **2.9 PROMOTION**

Promotion is defined as a change of an employee's status from a position in one class to a position in another class, which entails greater skills and/or added responsibilities and having a higher maximum salary rate. All promotions shall be subject to a probationary period of six (6) months following the effective date of the promotion. Probationary employees are not eligible for the annual January salary adjustment.

As vacancies occur, the Village will evaluate the vacancy and will develop a recruitment plan to fill the vacancy. Applications may be accepted from qualified employees and may be accepted from outside applicants identified through various sources of recruitment.

## **2.10 COMPLAINTS AND GRIEVANCES**

### **Grievance Policy**

It is the overall policy of the Village that each employee has the right to pursue grievances through the chain of command. Full-time and part-time employees who have completed the probationary period will be entitled to use the Village grievance procedure.

The Village Administrator is the final authority in resolving a grievance. If an employee does not appeal a grievance to the Village Administrator under this policy, then the Department Manager's decision is final and binding.

This grievance policy does not apply to any employee who is covered by a collective bargaining agreement which contains a grievance procedure.

Questions concerning the validity of an order of a supervisory employee shall not exempt any employee from the responsibility of completing the task assigned.

Oral and written reprimands are not subject to review or appeal through the grievance procedure or other formal review process.

Performance evaluations and performance improvement plans are not subject to review or appeal through the grievance procedures or other formal review process.

### **Grievance Procedure**

It shall be the policy of the Village to give all employees an opportunity to discuss their grievances with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. In the presentation of grievances at any supervisory level, employees are assured of freedom from restraint, interference, discrimination or reprisal.

While this grievance procedure is offered to employees as a means to express concerns over issues that arise in the workplace, this policy is not intended to limit employees' rights under the law to bring concerns over workplace practices to outside governmental agencies, and the Village will not retaliate against an employee who exercises such rights within the law. The grievance procedure shall be as outlined below.

### **Oral Report**

An employee who has a grievance shall first present the grievance to the employee's immediate supervisor. This grievance must be raised by the affected employee within seven (7) calendar days after the occurrence of the event giving rise to the grievance, or within seven (7) calendar days after the date when the employee should reasonably have become aware of the event giving rise to the grievance. The immediate Supervisor has ten (10) business days to respond to the oral grievance.

### **Written Report**

If the oral grievance presentation fails to settle the grievance, the employee may, within three (3) business days, submit a written grievance report to the employee's supervisor. Within three (3) business days after receiving such grievance, the supervisor shall furnish the employee with a written reply to his grievance.

### **Appeal to the Department Manager**

If within three (3) business days the employee is not completely satisfied with the action of the supervisor, the employee shall, if he/she desires:

- Notify the supervisor in writing of the unsatisfactory result.
- Present the grievance in writing to the Department Manager.

The supervisor shall then supply the Department Manager with the record of the initial meeting. The employee will meet with the Department Manager to discuss the grievance at a mutually agreeable time. If no agreement is reached in such discussion, the Department Manager shall answer the grievance in writing within seven (7) business days of the discussions.

### **Exceptions**

In those cases where an employee does not have a supervisor or Department Manager, the written grievance shall be presented to the Village Administrator within three (3) business days after the oral report and shall thereafter be processed in the same manner as an appeal to the Village Administrator.

### **Appeal to Village Administrator**

If the employee is not completely satisfied with the action of the Department Manager, the employee may, within three (3) business days, if so desired, notify the Department Manager of the unsatisfactory result.

The Department Manager shall then forward a copy to the Village Administrator for review, except in those matters pertaining to disciplinary matters concerning sworn personnel who are governed by the rules of the Board of Police Commissioners.

The employee will meet with the Village Administrator to discuss the grievance at a mutually agreeable time. If no agreement is reached in such discussion, the Village Administrator will answer the grievance in within ten (10) business days of the discussion. The Village Administrator's determination shall be final and binding. The Village Administrator shall forward a copy of the grievance to the Village Board of Trustees and advise them of the determination.

## **2.11 REPLACEMENT OF PERSONAL PROPERTY**

The Village is not responsible for any loss or damage to personal property on Village premises. Therefore, employees are encouraged not to store personal items in the workplace. If, while at work, employees do have personal property in the workplace, they must exercise caution and store personal items out of public view and in locked desks or cabinets whenever possible. Further, as stated in the ***Personal Electronic Devices Policy***, the Village will not be liable for the loss of personal cell phones or other electronic devices brought into the workplace.

The Village may reimburse an employee for the reasonable cost, not to exceed two hundred dollars (\$200) per item, of replacing eyeglasses, or contact lens(es), which are damaged or destroyed in the course of performing his/her duties, provided that the employee, before leaving work on the day of the incident, must notify his/her supervisor and provide proof regarding the damage or destruction.

## **2.12 SEPARATION FROM EMPLOYMENT**

### **Reduction in Force**

If the Village Administrator or his/her designee, at his/her discretion, determines it is necessary to reduce the overall workforce due to lack of work, lack of available funds, or for any other reason, the Village may consider the skills, abilities and past work performance of employees in determining the continuing scope and composition of the workforce. Seniority will not have a direct bearing on who is or is not subject to a reduction in the workforce, rather the Village will consider what needs will fulfill the Village's objectives and mission and will implement a reduction in force based on such business reasons within its discretion.

### **Involuntary Severance Pay**

In case of involuntary termination by the Village, excluding termination for cause, severance pay may be awarded to regularly scheduled employees as determined by the Village Administrator.

### **Voluntary Resignations**

Non-exempt employees shall give their Department Managers and the Village Administrator at least fourteen (14) calendar days' notice prior to resignation. Exempt employees shall give the Village Administrator at least twenty-eight (28) calendar days' notice prior to resignation. Following the voluntary resignation of any employee, the Village Administrator or his/her designee may elect to ask the employee to leave the workplace without completing the notice period with or without pay.

### **Eligible for Reappointment**

An employee who resigns or is separated from Village employment and is considered in good standing and who subsequently applies for re-employment may be considered in filling positions in the Village for which he/she is qualified. An employee who has resigned from Village employment in good standing and is re-employed shall not be credited with prior Village service in the computation of seniority or vacation time earned.

### **Ineligible for Reappointment**

A non-exempt employee who resigns without fourteen (14) calendar days' written notice or an exempt employee who resigns without twenty-eight (28) calendar days' written notice prior to resignation may not be eligible for re-employment.

Any employee who resigns while disciplinary action is pending against him/her, or any employee who is dismissed from employment, shall not be eligible for re-employment.

### **General Separation Provisions**

An exit interview conducted by the Village Administrator or his/her designee is required for all status changes involving separations from Village employment in order to account for all Village property, the surrender of identification cards, uniforms, etc.

Any employee who terminates Village service in good standing and not under the threat of dismissal shall be entitled to the payout of vacation leave per our Vacation Leave Policy and to the payout of sick leave per the provisions of both our Sick Leave Policy and the provisions of our Retirement Health Savings (RHS) Plan.

The final compensation for any employee shall normally be paid on or before the next regularly scheduled pay day following the effective date of said employee's separation from Village employment.



## SECTION 3 –EMPLOYEE CONDUCT

### 3.1 ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY

#### Purpose

The Village is committed to maintaining an environment free from discrimination, harassment, retaliation and inappropriate/offensive conduct (referred to collectively as “prohibited conduct”). Our “zero tolerance” policy must be adhered to by all Village Department Managers, supervisors and employees. The Village will not tolerate any form of discrimination, harassment, retaliation, or inappropriate/offensive conduct. This policy forbids an employee, elected official, appointed official, vendor, client, customer or other person, from engaging in such conduct. Employees who engage in prohibited conduct are subject to disciplinary action, up to and including termination, as determined by management.

#### Equal Employment Opportunity

The Village of Woodridge affords equal employment opportunity to all qualified persons in all aspects of employment without regard to race, color, religion, sex, pregnancy, sexual orientation, age, national origin, ancestry, disability, marital status, order of protection, military status or unfavorable discharge from military service (except dishonorable), or any other protected status under applicable local, state or federal law. This policy applies to recruitment, hiring, compensation, promotion, transfer, disciplinary action, layoff, return from layoff, discharge, training, and all other terms, conditions or privileges of employment.

#### Sexual Harassment

Sexual harassment includes any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct based on sex, gender or of a sexual nature when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders.

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

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

- Physical assaults of a sexual nature, including, but not limited to, rape, sexual battery, molestation, intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, etc.;
- Unwanted sexual advances, propositions or other sexual comments, including, but not limited to, sexually oriented gestures, noises, remarks, jokes, comments, or verbal abuse of a sexual nature;
- Preferential treatment and promises of preferential treatment to an employee for submitting to sexual conduct;
- Sexual or discriminatory displays or publications **anywhere** in the Village work place by Village employees including, but not limited to, pictures, posters, calendars, graffiti, emails, objects, reading materials, or other materials that are sexually suggestive, or pornographic, or demeaning or derogatory of any protected status.
- Jokes about another person’s protected status, or kidding, teasing or practical jokes directed at a person based on his or her protected status.
- Epithets, slurs, negative stereotyping, or intimidating acts that are based on a person’s protected status.

### **Individual Employee Responsibility**

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

### **Reporting Complaints of Harassment**

Employees are encouraged to inform others in the workplace whenever their conduct is unwelcome, offensive, inappropriate or in poor taste. Employees are expected to come forward promptly and report any violations of this policy to his/her supervisor, Department Manager, Human Resources Manager, and/or Assistant Village Administrator before the alleged offending behavior becomes severe or pervasive.

Any complaints may be reported to the Human Resources Manager or Assistant Village Administrator at any time, as these individuals are authorized by this policy to receive and act upon complaints on behalf of the Village.

If an employee is uncomfortable or sensitive about discussing a complaint with an individual of the opposite sex, the employee may report the conduct to any Department Manager of the same sex.

This policy does not require that the employee report the conduct to any individual who is engaging in the conduct. If the employee believes that any person to whom such a report should be directed is involved in or associated in any way with the alleged conduct, then the report should be directed to another Department Manager not involved in the conduct and/or the Human Resources Manager.

The Village prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports whether internally or with an external agency, or files a charge of discrimination or harassment or provides information in a proceeding related to violations of discrimination or harassment laws. Examples of the types of retaliation that are prohibited include intimidation; discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment, termination of employment; or threats of any such actions. Retaliation will result in severe discipline, up to and including termination. Anyone experiencing or witnessing any conduct he or she believes to be discriminatory or retaliatory should immediately report such conduct using the complaint procedure set forth above.

The Village hopes that any incident of harassment can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). Charges are investigated in accordance with the rules of the IDHR and/or the EEOC. The following agencies may be contacted as follows:

The Illinois Department of Human Rights	Chicago TTY	312-814-6200 217-785-5125
The United States Equal Employment Opportunity Commission	Chicago TTY	800-669-4000 800-669-6820

### **False and Frivolous Complaints**

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

### **Responsibility of Supervisory/Managerial Employees**

Any supervisor or manager who has knowledge of prohibited conduct, or to whom a complaint has been made, must promptly report the conduct both to the department manager and to the Human Resources Manager or to another member of the senior management staff who is not involved in the conduct. A supervisor's failure to make such a report may constitute a violation of this policy.

### **Investigation**

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

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

### **Confidentiality**

Although total confidentiality in investigating and imposing any discipline cannot be assured, the Village will attempt to preserve confidentiality to the extent that the needs of the situation permit.

### **Violations of Policy**

All Village employees have a responsibility to conduct themselves in compliance with this policy and to report any observations of conduct inconsistent with this policy. The failure to follow this policy may result in disciplinary action, up to and including immediate termination, as determined in management's discretion.

Any questions concerning this policy should be directed to a Department Manager, the Human Resources Manager, or the Assistant Village Administrator.

## **3.2 WORKPLACE ANTI-BULLYING POLICY**

The Village of Woodridge defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.

Bullying may be intentional or unintentional. However, when an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration. As with any form of harassment it is the effect of the behavior on the individual that is important.

### **Types of Bullying**

The Village considers the following types of behavior examples of bullying:

- **Verbal bullying:** ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes, abusive and offensive remarks.
- **Gesture or Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Exclusion:** Socially or physical excluding or disregarding a person in work-related activities

## Examples of Bullying

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace.

- Persistent singling out of one person for no valid reasons;
- Shouting or raising voice at an individual in public or in private, using verbal or obscene gestures;
- Not allowing the person to speak or express him/herself during a public conversation;
- Personal insults and use of offensive nicknames;
- Public humiliation in any form;
- Constant criticism on matters unrelated or minimally related to the person's job performance;
- Public reprimands which results in the individual being humiliated;
- Repeatedly accusing someone of errors that cannot be documented;
- Spreading rumors and gossip regarding individuals;
- Manipulating the ability of someone to do his or her work (i.e., overloading, under loading, withholding information, assigning meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions);
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings;
- Unwanted physical contact;
- Physical abuse or threats of abuse to an individual or an individual's property.

## Responsibility of Supervisory/Managerial Employees

Any supervisor or manager who has knowledge of prohibited conduct, or to whom a complaint has been made, must promptly report the conduct both to the Department Manager and to the Human Resources Manager or to any another Department Manager and/or Assistant Village Administrator who is not involved in the conduct.

## Violations of Policy

All Village employees have a responsibility to conduct themselves in compliance with this policy and to report any observations of conduct inconsistent with this policy. The failure to follow this policy may result in disciplinary action, up to and including immediate termination, as determined in management's discretion.

Any questions concerning this policy should be directed to a Department Manager, the Human Resources Manager, or the Assistant Village Administrator.

## 3.3 CONFIDENTIALITY OF INFORMATION POLICY

Village employees who have access to information through the performance of their job duties are to maintain the confidentiality of such information unless the performance of their official duties requires the information to be disclosed.

Confidential information is to be used only in connection with the legitimate functions of an employee's job duties. Otherwise, the release of confidential information shall occur only with proper authorization and to the extent consistent with law. If contacted personally about confidential information, the employee should direct the inquiring party to the supervisor or the Department Manager.

Confidential information encompasses information about citizens and non-public information about operations and employees. Such confidential information includes personal or private information of employees, customers, citizens and vendors, such as personal telephone numbers, personal email addresses, home addresses, personal license plates or other unique identifiers, personal financial information, medical information, information about minors, and other sensitive information. Other confidential information includes trade secrets, reports and analysis prepared by the Village or third parties that have not been released to the public, information provided for audit purposes that has not been released to the public, information related to other actions that remain under review or in a preliminary or draft state, attorney-client communications, or other information that is not subject to disclosure under state or federal law.

### **Village Records**

No Village-related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Village) may be removed from Village premises without permission from the employee's supervisor or Department Manager. Additionally, the contents of Village records or information otherwise obtained in regard to Village business shall not be disclosed to anyone, except where required for the performance of official duties.

### **Verbal Disclosure of Confidential Information**

Employees shall not disclose any confidential information, purposefully or inadvertently through casual conversation, to any unauthorized person inside or outside the Village. Employees who are unsure about the confidential nature of specific information or an employee's authorization to share such information internally or externally must ask their supervisor or Department Manager for clarification.

### **Violations of Policy**

Employees may be subject to appropriate disciplinary action for knowingly or unknowingly revealing information of a confidential nature.

## **3.4 CDL ALCOHOL AND SUBSTANCE ABUSE POLICY**

### **Introduction**

The Village shall comply with the provisions of the U.S. Department of Transportation Federal Highway Administration's (FHWA) published rules and regulations (49 CFR parts 40 and 382) that require employers to test drivers who have a commercial driver's license for the misuse of alcoholic and controlled substances. In the event the regulations are amended, this policy shall be deemed to have been amended automatically at that time, without the need for redrafting.

### **Definitions**

The terms used in this policy shall have the same meanings ascribed to said terms in 49 CFR 382.107 or 49 CFR 40.3, as applicable.

### **Applicability**

This section applies to every employee who is required to maintain a commercial driver's license as part of their job requirements, including full time, part-time, seasonal or intermittent employees and, for purposes of pre-employment testing only, any person applying for a job who will be required to drive a commercial motor vehicle. This section is also applicable to leased drivers and independent, owner operated contractors who are either directly employed by or under lease to the Village or who operate a commercial motor vehicle at the direction of or with the consent of the Village.

### **Purpose**

The purpose of this section is to prevent accidents and injuries resulting from the misuse of alcohol and/or controlled substance abuse by drivers of commercial motor vehicles. It is intended to comply with the Department of Transportation and FHWA's published regulations (49 CFR parts 40 and 382) that require employers to test drivers who have a commercial driver's license for the misuse of alcoholic and controlled substances. Nothing in this section shall preclude the Village from establishing rules, regulations, policies and/or procedures otherwise permitted by law, as long as such rules do not conflict with the special requirements of said regulations. The Omnibus Transportation Employee Testing Act of 1991 requires the testing of employees and mandates anti-drug and alcohol misuse and prevention programs.

## Testing Requirements

The Village shall test for controlled substances and alcohol in the following circumstances:

1. **Pre-employment.** Testing of this kind shall occur prior to the first time an employee performs a safety sensitive function. Said employee shall not be allowed to perform a safety sensitive function unless the alcohol test result indicates an alcohol concentration less than four one-hundredths (0.04) and the controlled substances test result indicates a verified negative result. If the alcohol test result is two one-hundredths (0.02) or greater but less than four one-hundredths (0.04), the Village shall conduct confirmation testing consistent with the procedures set forth below. The Village may choose not to administer such alcohol or controlled substance tests if an exception set forth in 49 CFR 382.301 is applicable.
2. **Post-Accident.** Testing of this kind shall occur when any employee is involved in an accident involving a commercial motor vehicle. After the test, the employee shall remain at home with pay until test results are received by the Director of Public Works.

Post-accident testing is required of each employee who was performing safety sensitive functions with respect to the vehicle on Village property or on a public road if there is 1) a fatality, or; 2) if the employee receives a citation for a moving traffic violation arising from the accident in connection with one of the following:

- a) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- b) One or more motor vehicles incur disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

If an alcohol test required under this subsection is not administered within two (2) hours following the accident, the Village shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If an alcohol test required by this subsection is not administered within eight (8) hours following the accident, the Village shall not administer the test and shall prepare and maintain the same record.

If a controlled substance test required under this subsection is not administered within thirty two (32) hours following the accident, the Village shall not administer the test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered.

An employee subject to a post-accident test shall remain readily available for such testing, or may be deemed to have refused to submit to testing; provided, however, that this subsection shall not be construed to require the delay of necessary medical attention for injured people or to prohibit an employee from leaving the scene of the accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

The Village shall provide employees with all necessary post-accident information, procedures and instructions prior to an employee operating a commercial motor vehicle.

The results of a breath or blood test for alcohol or a urine test for controlled substances conducted by federal or state officials having independent authority for the test shall be considered to meet the requirements of this section, provided such tests conform to applicable law and the results are obtained by the Village.

3. **Reasonable Suspicion.** Testing of this kind shall occur when there is reasonable suspicion to believe that an employee has violated any of the provisions of this policy. Such reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. With regard to suspected controlled substance use, such observations may include indications of the chronic and withdrawal effects of controlled substances.

The observations required for a reasonable suspicion test shall be made by a supervisor who is trained pursuant to 49 CFR 382.603. The person making the determination of reasonable suspicion shall not conduct the test.

Alcohol testing under this section of the policy may be done only if the required observations are made during, just preceding or just after the period of the work day that the employee is required to be in compliance with this section. An employee may be directed to undergo a reasonable suspicion test while the employee is performing safety sensitive functions, just before the employee is to perform safety sensitive functions, or just after the employee has ceased performing such functions.

If an alcohol test required under this section of the policy is not administered within two (2) hours following the determination that reasonable suspicion exists, the Village shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If an alcohol test required by this subsection is not administered within eight (8) hours following the determination that reasonable suspicion exists, the Village shall not administer the test and shall prepare and maintain the same record.

Notwithstanding the absence of a reasonable suspicion alcohol test, no employee shall report for duty or remain on duty requiring the performance of safety sensitive functions while such employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. The Village shall not permit the employee to perform or continue to perform safety sensitive functions until:

- a) An alcohol test is administered and the employee's alcohol concentration measures less than two one-hundredths (0.02); or
- b) Twenty-four (24) hours have elapsed following the determination of reasonable suspicion.

Except as stated above, the Village shall not take any action under this policy against an employee based solely on the employee's behavior and appearance, with respect to alcohol use, in the absence of an alcohol test. This does not prohibit the Village from taking any otherwise authorized action consistent with law.

A written record shall be made of the observations leading to a controlled substance reasonable suspicion test, and signed by the supervisor who made the observations, within twenty-four (24) hours of the observed behavior or before the results of the controlled substance test are released, whichever is earlier. Such record shall be filed with the Director of Public Works.

Employees required to submit to this test will be escorted by a supervisor or his designee to the test site. After the test, the employee will remain at home with pay until test results are received by the Director of Public Works.

4. **Random.** Testing of this kind shall occur as required by the U.S. Department of Transportation, in which all employees required to have a commercial driver's license will be subject to random drug and alcohol testing in accordance with federal regulations. From the average number of employees required to have a commercial driver's license at the Village, fifty percent (50%) shall be randomly selected each year for controlled substance testing and twenty-five percent (25%) shall be randomly selected each year for alcohol testing as required by 49 CFR 382.305. If the FHWA administrator adjusts the percentage for alcohol testing pursuant to 49 CFR 382.305, the Village shall adjust the testing accordingly.

The selection of employees for random testing shall be made by a scientifically valid method by which each employee has an equal chance of being tested each time selections are made. The tests shall be unannounced and the dates for administering the tests shall be spread reasonably throughout the year.

An employee who is selected for a random test shall proceed to the test site immediately; provided, however, that if the employee is performing a safety sensitive function, said employee shall cease to perform the safety sensitive function and proceed to the test site as soon as possible.

An employee shall only be tested for alcohol under this subsection while said employee is performing safety sensitive functions, or just before or just after performing such functions.

After the test, the employee shall return to duty until test results are received by the Director of Public Works.

5. **Return to Duty.** Testing of this kind shall be administered to employees who have violated the provisions of this policy. If the employee violated the alcohol provisions, a return to duty alcohol test must be administered and indicate an alcohol concentration of less than two one-hundredths (0.02) before an employee may resume safety sensitive functions. If the employee violated the controlled substances provision, a return to duty controlled substances test must be administered and indicate a verified negative result before such employee is permitted to return to duty requiring the performance of a safety sensitive function.
6. **Follow Up.** An employee who tests positive, and who is reinstated to employment, will have to take unannounced follow-up tests for at least one (1) year (and may have to take them for five (5) years as established by a substance abuse professional). After the test, the employee shall return to duty until test results are received by the Director of Public Works. Follow-up alcohol testing shall be conducted only when the employee is performing safety sensitive functions or just before or just after performance of such functions.

### **Alcohol and Controlled Substances Prohibitions**

The following prohibitions are applicable to all employees subject to this policy.

1. No employee shall be on duty or operate a commercial motor vehicle while possessing alcohol, unless the alcohol is manifested and transported as part of a shipment.
2. No employee shall use alcohol while performing safety sensitive functions.
3. No employee shall perform or continue to perform safety sensitive functions, including driving a commercial motor vehicle, for twenty-four (24) hours following an alcohol test result indicating an alcohol concentration of two one-hundredths (0.02) or greater but less than four one-hundredths (0.04).
4. No employee shall report for duty or remain on duty requiring the performances of safety sensitive functions while having alcohol concentration of four one-hundredths (0.04) or greater and/or a positive test for controlled substances.
5. No employee shall perform safety sensitive functions if they have consumed alcohol within the last four (4) hours.
6. No employee shall report to duty, or remain on duty requiring the performance of safety sensitive functions, with any amount of controlled substances in their system, except when the use is prescribed by a physician who has informed the employee that the substance will not affect the employee's ability to safely operate a commercial motor vehicle. Employees shall inform the Director of Public Works of any therapeutic drug use.
7. No employee shall use alcohol for eight (8) hours following an accident where a post-accident test is required or until he/she undergoes a post-accident test, whichever occurs first.



8. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, or follow up alcohol test and/or controlled substances test.
9. If the Village has actual knowledge that an employee has violated any of the provisions of this subsection, said employee shall not be permitted to perform any safety sensitive functions.

Employees remain subject to all other applicable state and federal motor carrier safety rules and regulations and other Village rules, including but not limited to rules prohibiting using, possessing, buying, selling, manufacturing, distributing, dispensing, or transferring illegal drugs while on Village premises.

### **Alcohol Testing**

All alcohol testing required by this section shall be performed pursuant to the procedures set forth in 49 CFR part 40 and as follows:

1. Before performance of a test under this section, the employee shall be notified that such test is required by 49 CFR Part 382.
2. All testing shall be performed by using an evidential breath testing device. The test shall be conducted by a breath alcohol technician who is trained in the operation of the testing device.
3. Any result less than two one-hundredths (0.02) alcohol concentration is considered a negative test. If the result is two one-hundredths (0.02) or greater, a second confirmation test shall be conducted.
4. If the alcohol concentration is two one-hundredths (0.02) or greater but less than four one-hundredths (0.04), the employee will immediately be removed from duty for at least twenty-four (24) hours. A concentration of four one-hundredths (0.04) or greater will require immediate removal from duty and referral to a substance abuse professional pursuant to this policy.
5. Employees who violate the alcohol misuse rules and are not terminated or permanently removed from safety sensitive functions shall be referred to a substance abuse professional prior to resuming safety sensitive duties.

### **Controlled Substance Testing**

All controlled substances testing required by this policy shall be performed pursuant to the procedures set forth in 49 CFR part 40 and as follows:

1. Before performance of a test under this section, the employee shall be notified that such test is required by 49 CFR Part 382.
2. For the purposes of this policy, prohibited substances shall be defined as any controlled substance as listed in the Illinois Controlled Substances Act (710 ILCS 570) or Cannabis Control Act (720 ILCS 550) and substances listed in Schedules I through V of Section 202 of the Controlled Substance Act, 21 U.S.C. § 812, any drug which is not legally obtainable and/or any drug which is legally obtainable, such as a prescription drug, but which is not legally obtained, is not being used for prescribed purposes, and/or is not being taken according to prescribed dosages, or any other intoxicating substance. Prohibited substances include, but are not limited to: narcotics (heroin, morphine, etc.) cannabis (marijuana, hashish), stimulants (cocaine, crack, etc.), depressants (tranquilizers), and hallucinogens (PCP, LSD, “designer drugs”, etc.)
3. All positive drug test results shall be reviewed and interpreted by a medical review officer (MRO). The MRO shall be a licensed physician with knowledge of substance abuse. The MRO shall not be an employee of the testing laboratory.

4. In the event that the primary specimen is verified as positive, the employee shall have the option to have the split specimen sent to a different laboratory for analysis. To exercise this option, the employee must make a request to the MRO within seventy-two (72) hours of being told that the primary specimen was positive.
5. An employee who does not pass a required drug test (a primary specimen is verified as positive) shall be relieved immediately from duty.
6. Employees who violate the controlled substance misuse rules and who are not terminated or permanently removed from safety sensitive functions shall be referred to a substance abuse professional prior to resuming safety sensitive duties.

### **Procedures and Records**

All records required by 49 CFR part 382 and part 40 will be maintained by the Director of Public Works and remain confidential except as required by law or authorized or required by 49 CFR 382.405. The Village shall prepare and submit an annual calendar year summary of test results as required by 49 CFR 382.403.

An employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of controlled substances or alcohol, including test results. Records shall be provided promptly, and shall not be contingent upon payment for records other than those specifically requested. Records shall be made available to a subsequent employer or other identified person upon receipt of a written request from the employee.

The Village shall notify an employee of the results of a pre-employment controlled substances test if such employee requests such results within sixty (60) calendar days of being notified of the disposition of the employment application. The Village shall notify an employee of the results of random, reasonable suspicion and post-accident tests for controlled substances if the results are verified positive, as well as which substance or substances were verified as positive.

Employees who are tested and are waiting for the results of their test(s) are to remain in contact with the Village. Employees are also required to advise the Village of their whereabouts and the telephone number of where they can be reached during this time.

The Village shall, no later than fourteen (14) days after the first time an employee performs a safety sensitive function, obtain, pursuant to said employee's consent, information from the employee's previous employers regarding alcohol tests with a result of four one-hundredths (0.04) or greater, positive controlled substance test results and refusals to be tested, within the preceding two (2) years.

If an employee has an alcohol test with a concentration of four one-hundredths (0.04) or greater, or a verified positive controlled substance test or refuses to be tested, the Village shall not permit such employee to perform safety sensitive functions without obtaining information on a subsequent substance abuse professional evaluation and return to duty testing.

By law, acknowledgement and agreement to this policy is required of covered employees is a condition of employment.

No employee who has violated any section of this policy shall perform safety sensitive functions, including driving a commercial motor vehicle, unless said employee has been evaluated by a substance abuse professional pursuant to this policy.

All employees who are covered under this policy shall receive all of the educational material required by 49 CFR 382.601 and shall sign a statement, to be maintained by the Village, certifying receipt of such material.

The Director of Public Works shall make reasonable efforts to contact and request anyone who submitted a specimen under this section hereof, regardless of his or her employment status, to contact and discuss the results of the controlled substance test with an MRO who has been unable to contact such person. The Director of Public Works shall immediately notify the MRO that the employee has been notified to contact the MRO within twenty-four (24) hours.

### **Referral and Treatment**

Any employee who violates any of the provisions of this policy shall be advised by the Village of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances, including names, addresses and telephone numbers of substance abuse professionals and treatment programs. In addition, if the employee is permitted to return to safety sensitive duties, such employee shall be evaluated by a substance abuse professional to determine what, if any, assistance such employee needs in resolving problems associated with alcohol misuse and controlled substances use.

Prior to returning to duty requiring the performance of a safety sensitive function, any employee who has been identified as needing such assistance shall, in addition to being subject to return to duty testing required by this policy, be evaluated to determine that such employee has properly followed any prescribed rehabilitation program. Such employee shall also be subject to follow up testing at least six (6) times in the first twelve (12) months following return to duty in accordance with 49 CFR 382.605.

All referrals by a substance abuse professional shall comply with all the requirements of 49 CFR 382.605(e).

The requirements of this section of the policy shall not apply to applicants who refuse to submit to a pre-employment test or who have a pre-employment alcohol test with a result of four one-hundredths (0.04) or greater or a verified positive controlled substances test.

### **Disciplinary Action**

Anyone who violates any of the requirements of 49 CFR part 382 is, pursuant to 49 CFR 382.507, subject to the penalty provisions of 49 USC 521(b). In addition, independent of the provisions of 49 CFR part 382, an employee may be subject to disciplinary action by the Village up to and including termination of employment for violation of any of the provisions of this policy.

## **3.5 DRESS CODE AND UNIFORM POLICY**

Employees are expected to be well groomed and dressed in a manner that is suitable to his/her responsibilities and positions. An employee's appearance must be business-like and reflect professional standards. Each Department Manager will make the final determination on appropriate dress for his/her department.

For all employees, meeting the Village's professional standards may require covering visible tattoos while in the workplace. Additionally, employees may be required to remove visible body piercings while at work, other than two piercings per ear.

If an employee has any questions regarding the dress policy, he/she should contact his/her Department Manager or the Human Resources Manager. Employees who report to work inappropriately attired will be asked to leave work to change clothes and will be required to use personal, vacation, or compensatory time to do so.

In conducting the day-to-day tasks and duties of his/her position, certain employees are required to wear certain uniforms. Uniforms are required because:

- Uniforms identify employees of the Village to the general public.
- Uniforms lessen the financial burden of the employee who is involved in job tasks that are conducted under undesirable conditions, subjecting the clothing to great wear and tear.
- The Village desires to insure that the employee is protected from inclement weather.
- The Village desires to protect employees.

When uniforms are furnished or required, they must be kept clean and neat and must be worn while performing the duties for the Village. The prescribed uniform will be specified by each department.

### **3.6 DRUG-FREE WORKPLACE POLICY**

#### **Philosophy**

The Village of Woodridge is committed to the promotion of a drug-free workplace. The illegal, prohibited, or misuse of controlled substances is a major cause of preventable disease, injury and death in this country. Thus, it is the Village's intent and obligation to provide a drug-free, healthful, safe and secure work environment for all Village personnel.

#### **Responsibility**

The Village Administrator or his/her designee shall be responsible for the administration of this policy. Department Managers shall be responsible for ensuring compliance with the letter and spirit of this policy.

#### **Eligibility**

All full-time, part-time, and temporary/seasonal employees are required to abide by the requirements of this policy.

#### **Definition**

The unlawful manufacture, distribution, possession or use of any controlled substance is strictly prohibited in any of the following situations:

- By on-duty Village employees on Village premises,
- While conducting Village business off Village premises, or
- While representing the Village by volunteering for Village events, whether on or off Village premises.

For the purposes of this policy, prohibited substances shall be defined as any controlled substance as listed in the Illinois Controlled Substances Act (710 ILCS 570) or Cannabis Control Act (720 ILCS 550) and substances listed in Schedules I through V of Section 202 of the Controlled Substance Act, 21 U.S.C. § 812, any drug which is not legally obtainable and/or any drug which is legally obtainable, such as a prescription drug, but which is not legally obtained, is not being used for prescribed purposes, and/or is not being taken according to prescribed dosages, or any other intoxicating substance. Prohibited substances include, but are not limited to: narcotics (heroin, morphine, etc.) cannabis (marijuana, hashish), stimulants (cocaine, crack, etc.), depressants (tranquilizers), and hallucinogens (PCP, LSD, "designer drugs", etc.)

#### **Reporting Provision**

All Village personnel must, as a condition of employment, abide by the terms of this policy and report to the Village Administrator, any conviction under a criminal drug statute for violations occurring on or off Village premises while conducting Village business. The reporting of a conviction must be made to the Village Administrator or his/her designee within five (5) calendar days after the conviction.

#### **Assistance Program**

The Village recognizes controlled substance dependency as an illness and a major health problem. The Village also recognizes the use of controlled substances as a potential health, safety, and security problem. Village personnel who require help in dealing with such problems are encouraged to use our confidential employee assistance program and our health insurance plans as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.

## **Violations of Policy**

Violations of this policy may result in disciplinary action, up to and including the following:

- Termination,
- Legal prosecution, and/or
- Required participation in a controlled substance abuse rehabilitation treatment program.

## **3.7 FLEET SAFETY POLICY**

### **Policy Statement**

The safe and effective operation of vehicles is essential in conducting the local government business of the Village of Woodridge. How each Village vehicle is maintained and operated directly impacts the overall ability of the organization to meet its goals and objectives. Vehicular accidents are one of the most costly losses the organization faces in terms of bodily injury, property damage, workers' compensation and liability claims, and other indirect costs, which greatly reduce the effectiveness and efficiency of government services. This Village fleet safety policy establishes guidelines and procedures to be followed to prevent further injuries or property damage due to accidents and reduce the associated loss costs, which impact every department's operations.

### **Program Goals**

The primary goal of the program is to maintain a high level of driver safety awareness and foster responsible driver behaviors to reduce or eliminate vehicle accidents.

### **Driver Selection**

It will be determined as part of an employee's job responsibilities whether or not driving is a part of his/her position. The Village will ensure that employees have met all appropriate guidelines and standards. These steps may include:

- Specific questions during the employment interview regarding driving experience, previous training completed and necessary driver skills.
- Pre-employment reference checks and/or background investigation to develop information on the employee's character as well as previous driver training and driver skills.
- Drug and alcohol testing.
- Review of the applicant's driver's license abstract report provided by the State of Illinois Department of Motor Vehicles that shows a current or prior suspension of the driver's license or a pattern of disobedience. The criteria to be considered for review will be suspensions and a history or pattern of violations.

### **Driver Physical Fitness**

The physical fitness of the driver will be considered before hiring and will be included in the post-offer medical evaluation. The examining physician will be made aware of the physical demands placed on the driver. The examining physician will also be aware of the requirements of the job so that it can be determined if the applicant is qualified for the position.

### **Driver Training**

Training must supplement the driver selection program because the Village cannot always be sure that all employees have the required knowledge and skills necessary to operate a vehicle in the manner that is expected. This training must be documented in the employee's personnel file. For some employees, vehicle operation is a secondary task. The first phase of training should develop a proper attitude on the part of the employee toward the Village of Woodridge and his/her job. Training may be accomplished through in-house programs or trainings offered by IRMA (Intergovernmental Risk Management Agency),

such as National Association of Professional Drivers (NAPD) hands-on driving classes or on-site National Safety Council classroom defensive driving programs.

Driver training may occur:

- Initial Training:
- Continual Training:
- Improvement Training:
- At time of driving responsibility
- Annual update
- As a result of an accident, Secretary of State record, operator deficiency observation, etc.

### **Verification of Driver Qualifications**

1. Annual Driver's License Check

The Administration Department will conduct a driver's license check on an annual basis for all employees who operate Village-owned vehicles or who may drive any vehicle while conducting Village business.

2. Road Test/Driver Ride Check

Examinations and tests are ways not only to obtain information about drivers, but also to provide information to drivers. A road test or driver ride check is one way to find out if employees can do the job expected of them. The primary motor vehicle that is assigned to the employee will be used in the test and the test should be long enough to cover a variety of situations. This test will not establish a passing or failing grade, but should indicate the employee's competent areas and weak points. This will be conducted for employees in positions that include operation of a motor vehicle as a primary job responsibility, and will be conducted on an annual basis.

### **Accident/Incident Reporting**

In each and every vehicle accident, the driver/employee must immediately contact their supervisor. In any accident in which there is any injury, damage of any kind to any vehicle, equipment, or property involved in the incident, or if a Village vehicle makes contact with private property or a third party, the vehicle shall not be moved until the supervisor arrives at the scene unless there is a safety issue by leaving it in the current position. In the event of an accident or incident with a third party, the employee shall contact his/her supervisor as well as the police department having jurisdiction by calling "911" to complete an Illinois Traffic Crash Report.

The driver/employee must complete an accident report for each and every incident or accident in which he/she is involved. Vehicle accidents must be reported to IRMA within five (5) days using the IRMA Non-Workers' Compensation Report form.

### **Accident Investigation**

The employee's supervisor is then required to interview the employee and complete a Supervisor's Accident Investigation Report using all available information.

Determining the root causes and preventability of each accident will provide the necessary recommendations to prevent further accidents.

Specific recommendations with strategies to complete the directive should be developed and implemented for each accident. It is important that disciplinary action, if appropriate, be implemented promptly based on applicable department policies/procedures. Therefore, discipline will be determined and presented to the employee as soon as practicable; not to exceed sixty (60) days from the time of the incident or accident, unless approved by the Village Administrator and communicated to Human Resources.

1. Completing the Accident Investigation Report Form

The immediate supervisor of the driver/employee is responsible for completing the Supervisor's Accident Investigation Report for all "accidents". This report should be completed as soon after the incident as is reasonably feasible.

To complete the report, the supervisor must:

- Observe the accident scene and damaged vehicle(s);
- Interview witnesses;
- Obtain a copy of the police report, if available;
- Review the completed driver's report of accident; and
- Interview the employee/driver.

2. Submit all Completed Forms

The supervisor must complete the initial forms and required information and submit to the Department Manager and claims coordinator within five (5) days of the accident. This information will then be submitted to IRMA, if appropriate, and will be submitted to the Employee Safety Committee for preventability determination.

## **Vehicle Inspection and Preventative Maintenance**

Proper inspection and maintenance of equipment are essential elements of a Fleet Safety Program. The goal of the inspection/maintenance program is to provide a means to assure reliability of equipment, comply with all applicable regulations, and to place into service the safest vehicle possible for our drivers.

1. Preventative Maintenance

The groundwork for a good preventative maintenance system usually starts with the manufacturer's recommendations concerning necessary maintenance and the time or mileage at which it should be performed. In some cases, maintenance must be performed in order not to void the manufacturer's warranty. Written records should be maintained on all repairs and maintenance work performed on any vehicle. Analyzing maintenance records will identify problem equipment, maintenance dollars spent, and when vehicles have exceeded their economic life.

2. Vehicle Inspections

Drivers should be expected to conduct a pre-shift and post-shift inspection of his/her vehicle and make a written report. The vehicle inspection should be done in an organized manner using a single, complete inspection method. Each Village of Woodridge vehicle operator should be taught how to correctly make a vehicle inspection and proper procedure on reporting defects in writing so that problems can be corrected accurately and quickly. Drivers should not operate any vehicle if it is determined to be hazardous. Every six (6) months, CDL vehicles require a safety lane certification and other vehicles get a complete inspection from a Village of Woodridge mechanic or designated repair/maintenance facility. The exception to this requirement is certain administrative vehicles driven by the Village Administrator, Director of Public Works, Superintendent of Operations, Chief of Police, Deputy Chiefs, and Detective Sergeant.

## **General Fleet Safety Responsibilities**

The responsibilities of Department Managers, supervisors, and employees under this policy are listed below.

1. Department Managers

- Required to adhere to all procedures outlined in this policy.
- Establish firm internal requirements for personnel to adhere to and frequently verify compliance.
- Personally review findings of Employee Safety Committee and take all necessary steps to prevent a reoccurrence, including implementing appropriate corrective action.
- Follow current disciplinary procedures to hold supervisors accountable for their responsibilities in administering the Fleet Safety Policy for their employees.
- Ensure that accountability standards are fairly and consistently applied throughout the department.
- Ensure vehicles are sent for vehicle maintenance promptly.
- Establish guidelines for periodic inspection of all vehicles.
- Ensure that all department employees, including supervisors, are receiving appropriate driving training as required by this policy.

- Review each accident determined to be preventable by the Employee Safety Committee with the appropriate supervisor and employee and confirm Employee Safety Committee recommendations will be followed.

## 2. Supervisors

- Required to adhere to all procedures outlined in this policy.
- Ensure that all employees operating Village vehicles have a valid driver's license and acceptable Secretary of State report within this policy's guidelines.
- Report to the Department Manager and Human Resources any report from an employee operating a vehicle as part of their job, either regularly or occasionally, that they have received any suspension or revocation of their driver's license. **Failure of any supervisor to report any reported change in license status as stated here may result in disciplinary action and/or termination.**
- Confirm that no employee will operate a vehicle in which he/she has not met all operating requirements and can satisfactorily demonstrate complete familiarity with the vehicle and its functions.
- Be alert in observing unsafe employee driving behaviors and make sure immediate corrective action is taken when necessary.
- Review all preventable vehicle accidents with employees and discuss corrective actions needed.
- Hold all employees accountable for preventable accidents according to Village of Woodridge progressive disciplinary procedures.
- Perform and document periodic ride checks with all employees that operate vehicles to confirm each employee's driving competence. Findings must be documented in writing, and the information from the ride checks should be used to identify patterns of unsafe behavior for training purposes.
- Implement policy that all unsafe vehicles are not operated until such discrepancies are corrected.
- Confirm that all employees have received and have been briefed on this Fleet Safety Policy and have signed the acknowledgement form. The original signed forms must be sent to Human Resources for inclusion in the employees' personnel files.

## 3. Employees

- Required to adhere to all procedures outlined in this policy.
- Review Fleet Safety Policy with supervisor and sign acknowledgement form once all questions have been addressed.
- Conduct all required vehicle inspections for all vehicles operated and document findings.
- Report all unsafe behavior or findings to the supervisor.
- Continue to hold a valid license of the type needed to operate all required Village of Woodridge vehicles.
- All employees operating a vehicle as part of their job, either regularly or occasionally, are required to report immediately any suspension or revocation of their driver's license to their direct supervisor, who, in turn, will notify the Department Manager and Human Resources. **Failure of any employee to report any change in license status may result in disciplinary action and/or termination.**
- Report all vehicle accidents immediately to supervisor.
- Use of Village of Woodridge vehicle is restricted to official Village of Woodridge business unless prior written approval is granted from the Department Manager.
- A "Driver" may not operate a "Motor Vehicle" at any time, when his/her ability is impaired, affected, or influenced by alcohol, illegal drugs, medication, illness, fatigue, or injury.
- Comply with all required aspects of the Village of Woodridge Drug & Alcohol Testing Program.
- Comply with all required local, state, and federal motor vehicle regulations, laws, and ordinances.
- The "Driver" and ALL OCCUPANTS are required to wear safety belts when operating or riding in a "Motor Vehicle". The "Driver" is responsible to ensure all passengers are wearing their safety belts. Children under four (4) years of age or under forty (40) pounds



in weight are required to be secured in a Department of Transportation (DOT) approved child safety seat, unless more restrictive state requirements apply.

- Each “Driver” is responsible for ensuring that the “Motor Vehicle” is maintained in safe driving condition. At the beginning and end of each shift, a walk-around safety inspection by the “Driver” is required.
- To push or pull another vehicle, or tow a trailer without authorization is prohibited.
- Do not transport flammable liquids and gases unless a DOT or UL approved container is utilized, and only then in limited quantities and when necessary.
- Trailers or other towed equipment must be fastened securely to hitches. Safety pins and pintel locks will be used. Safety chains will be crossed under the hitch and securely fastened before moving the vehicle. Trailer lights will be inspected for operation and utilized as required.
- Trucks or trailers will not be overloaded or loaded in such a way that items being transported extend beyond the confines of the bed haphazardly. Items subject to being picked up by the wind or falling from the cargo bed must be secured by use of chains, ropes, straps, or other means. Loads extending beyond the limits set by state law must be equipped with appropriate warning equipment.
- Loose objects such as tools, flashlights, soft drinks, lunches, etc., are not to be stored on vehicle dashboards, floorboards or wherever they might interfere with safe operations of the vehicle.
- No more than three (3) persons will ride in the front seat of any vehicle. Where only single seats exist, only one (1) person shall occupy each seat.
- No unauthorized persons will be allowed to ride in or operate vehicles.
- It is the expectation of the Village of Woodridge that any and all employees using a personal vehicle for the purposes of conducting Village business maintain an individual primary coverage auto policy with minimum limits as follows:
  - \$100,000 Bodily Injury Liability Per Person
  - \$300,000 Bodily Injury Liability Per Occurrence
  - \$100,000 Property Damage Liability, or
  - \$300,000 Bodily Injury and Property Damage Liability Combined Single Limit

Employees are expected to provide the Village with valid written proof of primary auto liability coverage within the minimum limits stated above upon request.

The coverage provided under the Business Auto Coverage through IRMA is in excess over any other collectible insurance available to the employee.

### **Electronic Communication Usage**

The Village of Woodridge has implemented an Electronic Communications Tool Policy as well as a Personal Electronic Devices Policy. All employees are required to read those guidelines and agree to comply with all its terms and conditions. All terms and conditions of these policies including the use of communications tools when operating Village of Woodridge vehicles apply and are considered a part of this Fleet Safety Policy. In addition, all State laws regarding electronic usage while driving any vehicle apply.

### **Backing Procedures**

Whenever a driver is forced to drive a vehicle in reverse, they face an extra challenge. Due to the difficulty of the task and the increased incident/accident exposure arising from backing, the appropriate department policy or training must be strictly adhered to.

### **Vehicle Breakdown Procedures**

If a vehicle operator experiences mechanical difficulties during the operation of a Village of Woodridge vehicle, the following actions should be taken to prevent vehicle damage and/or injury to the driver or general public.

- If the vehicle can be safely driven, return to the Village of Woodridge garage or vehicle storage area.
- If continued operation is impossible or hazardous, the following steps should be followed:
  - Call supervisor immediately to report problems/request assistance.
  - If possible, move vehicle out of the flow of traffic and to the curb side or into a nearby parking lot.
  - Raise the hood and turn on emergency four-way flasher, if so equipped.
  - If unit is equipped with rotating yellow flashing light, turn it on.
  - Lock unit.
  - If unit is in traffic flow (i.e. state, county, or main artery right-of-way), call police and request protection.

### **Liability**

The Village will not be responsible for any damages, fines, or penalties whatsoever which employees may incur arising from their own negligence or their own failure to comply with all required local, state, and federal motor vehicle regulations, laws, and ordinances while operating a Village-owned vehicle or while driving their own vehicle while conducting Village business.

While following the guidelines of the Fleet Safety Policy, all other Village policies also apply and are in effect at all times.

## **3.8 GIFTS AND GRATUITIES**

No Village employee or official shall directly or indirectly solicit, accept, or receive any gift or consideration from any “*prohibited source*” in violation of any federal or state statute, rule or regulation. This includes the “Gift Ban Act,” as per Village Ordinance No. 2004-25 and the State Officials and Employee Ethics Act (Public Act 93-617). The ban also applies to and includes the spouse of and immediate family living with the covered employee or official.

### **“Prohibited source” is identified as any person or entity, who:**

1. is seeking some sort of official action from the Village (i.e. a monetary grant, any sort of license, zoning/planning approval or permit);
2. does business or is seeking to do business with the Village (i.e., a contractor, vendor or bidder);
3. conducts activities regulated by the Village (i.e., liquor licensee, business licensee or a public utility); or
4. has interests that may be affected by the performance or non-performance of an employee’s official duties (i.e. a contractor or business that is inspected by the Village, a developer who would benefit from some regulatory decision or change in law, or persons subject to enforcement of particular laws).

A “gift” is anything of value and includes things such as money, services, loans, tickets to sporting events, entertainment or travel, food, drink, clothes, or discounts not generally available to the public or all public employees.

### **Exceptions to the Gift Ban Act**

Each of these exceptions is mutually exclusive and independent of one another.

1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the Village employee or official pays the market value.
3. Lawful election contributions or fundraising activities for candidate/political organization.
4. Educational materials and missions.
5. Travel expenses to meetings to discuss municipal business.
6. Gifts from relatives; as defined in the State statute.

7. Gifts from friends, if it meets the statutory test.
8. Food or refreshments not exceeding seventy-five dollars (\$75) per person in value on a single calendar day; provided that the food or drink refreshments are consumed on the premises to which they are delivered or from which they were purchased, prepared or catered.
9. Benefits truly resulting from non-government employment or business activities.
10. Intra and intergovernmental gifts.
11. Bequests, inheritances and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than one-hundred dollars (\$100).
13. Raffle prizes won by chance while attending meetings, conferences, etc.

### **Compliance**

If an employee or other individual covered by this policy is given a gift in violation of the Gift Ban Act, the gift must be either given back or the gift or cash equivalent must be given to a Section 501(c)(3) charity.

The Gift Ban Act is a State law and, therefore, has its own separate process for enforcement and punishment of violations. This is separate from the process and procedure by which the Village, as the employer, may act to direct or discipline its employees. Violations of the Village Ordinance or Public Act 93-617 may result in disciplinary action up to and including termination of employment.

The Gift Ban Act provides for the Village to appoint an Ethics Officer to answer questions and give advice or direction on compliance. The Village's Ethics Officer is the Village Legal Counsel. Employees who need help or advice on compliance with the Gift Ban Act should file their request with the Assistant Village Administrator. The Assistant Village Administrator will then seek the counsel of Legal Counsel and respond accordingly to the employee/official making the request.

## **3.9 NON-CDL ALCOHOL AND SUBSTANCE ABUSE POLICY**

It is the Village's desire to provide and ensure that all employees work efficiently in a safe environment. Adherence to the terms of this policy shall be a condition of employment. This policy applies to all employees. All employees are expected additionally to comply with the Village's Drug-Free Workplace Policy and employees otherwise covered under the Village's Drug and Alcohol Policy for Commercial Drivers are expected to comply with that policy as well.

All Village employees must report for work in an appropriate condition to perform his/her job and remain in that condition the entire time on duty. No employee shall be on duty while under the influence of alcohol or a prohibited substance.

The legal use of prescribed drugs or commercially available over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger the employee or other individuals in the workplace. Employees using a prescribed medication or an over-the-counter medication that may impair the performance of his/her job duties must immediately inform his/her supervisor of such limitations.

If the Village has reasonable suspicion to believe an employee is under the influence of alcohol, defined as a blood alcohol level of .two one-hundredths (0.02) or more, or a prohibited substance during the course of the employee's work day, the Village has the right to require the employee to submit to alcohol or drug testing.

### **Violations of Policy**

Compliance with the Village's substance abuse policy is a condition of employment. Any employee who refuses to take an alcohol and/or drug test or otherwise cooperate in the Village's administration of this policy, fails to pass an alcohol and/or drug test, or fails to comply with this policy may be subject to disciplinary action, up to and including termination of employment.

The Village may refer an employee to an appropriate treatment program in lieu of termination as the Village deems appropriate under the individual circumstances. Any failure to follow any prescribed course of substance abuse treatment may be grounds for discharge. The Village will, to the extent required by law, protect the confidentiality of all drug and alcohol test results.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with his/her Department Manager or Human Resources.

### 3.10 ON-THE-JOB SAFETY

The Village recognizes the importance of providing a safe work environment for employees and that employees need to observe and promote safety practices while engaged in his/her daily duties. Employees have the responsibility to report any work-related injury/accident to a supervisory immediately and the Village will not retaliate against an employee making such a report. Supervisors, with the assistance of the employee, have the responsibility to investigate any work-related injury/accident and provide recommendations. The department supervisors as well as the Employee Safety Committee review all accidents and make further recommendations as appropriate.

The Village takes its responsibility to provide a safe work environment very seriously. If an employee is found in violation of a safety rule or creating a safety hazard, that employee may be subject to corrective action, up to and including termination. If employees have suggestions for enhancing safety in his/her department or elsewhere in the Village, the suggestions should be forwarded to his/her supervisor, Department Manager, or the Employee Safety Committee for consideration.

### 3.11 OUTSIDE EMPLOYMENT

Outside employment by any Village employee should be kept to a minimum. Sick leave or unpaid leave of absence is granted for the benefit of the employee and may not be used for outside employment.

Employees may be permitted secondary employment provided that the Department Manager and Village Administrator reserve the right to deny or cancel approval of secondary employment which fails to meet all of the following conditions:

- The secondary employment shall be with the **prior annual written approval** of the Department Manager and Village Administrator.
- The secondary employment shall not interfere with the employee's position as a Village employee.
- The employee cannot perform duties of secondary employment within twelve (12) hours of the end of the regular work shift if the employee has utilized sick time during that regular shift.
- The secondary employment shall not physically or mentally hamper the employee in his/her ability to do the job required of the employee by the Village.
- The secondary employment shall not bring the image of the Village into disrepute.
- The secondary employment shall not involve the employee's use of any Village equipment, facilities, or resources without the Village Administrator's written consent. The only exception to this is the employee's secondary employment with the Village of Woodridge.
- Employees may not conduct personal business on Village time. This would include any business related to an additional part-time job.
- No purchases of goods or services will be made by the Village from an employee or an employee's immediate family who own a business.

Each employee, prior to engaging in outside employment, must submit the ***“Employee Request to Engage in Employment During Off-Duty Periods” form***. This process must also be followed for any secondary employment with the Village of Woodridge.

This form will provide the Department Manager with the name of the employer, the nature of the outside work, and the standard work schedule of the outside work.

Each Department Manager or the Village Administrator shall reserve the right to prohibit any outside employment on the part of any Village employee if such employment, in his/her judgment, might be detrimental to the best interests of the Village. In such cases, the employee will be given an appropriate warning and then must decide if he/she wants to continue his/her service with the Village or with the outside employment. Employees of the Village may not engage in outside business activities while on normal duty.

### **Liability Arising from Secondary Employment**

Before commencing any secondary employment, an employee may be requested by his/her department manager to furnish the Village with an agreement holding the Village harmless and indemnifying it for any loss, damages, award, costs, expense or attorney's fees incurred by the Village as a result of the employee's secondary employment.

The Village shall have no responsibility to provide any legal advice or defense to an employee in any civil or criminal matter involving the employee's activities in connection with his/her secondary employment.

If an employee suffers any injury or illness during or resulting from an outside employment activity, the Village will not be responsible for any worker's compensation benefits, except as otherwise required by law.

## **3.12 PERSONAL ELECTRONIC DEVICES POLICY**

While at work employees are expected to exercise the same discretion in using personal cell phones and other personal electronic devices (iPods, iPads, etc.) as is expected for the personal use of Village telephones. Employees are expected to devote working time to performance of working duties. The use of personal electronic devices at work can be a distraction, and the use of such devices in the workplace during work hours should be limited.

### **Adherence to Other Policies**

At all times the guidelines of the Electronic Communications Tools Policy and the Fleet Safety Policy are in effect and must be adhered to.

### **Personal Cell Phone for Work-Related Communications**

Employees may elect to use his/her personal cell phones or other electronic devices for work-related communications. If employees wish to do so, he/she must complete the "*Employee Election Use of Personal Cell Phone for Work-Related Communication*" form.

### **Freedom of Information Act**

As stated in the Electronic Communications Tools Policy, employees who utilize personal computers, digital, electronic storage or communication devices to conduct any Village business must provide to the Village any messages, information, etc. for purposes of complying with requests for information under the Freedom of Information Act.

### **Liability**

The Village will not be liable for the loss of personal cell phones or other electronic devices brought into the workplace.

### **Violations of Policy**

Violations of this policy may be subject to discipline, up to and including termination of employment.

## **3.13 PERSONAL USE OF SOCIAL MEDIA**

The Village respects the right of employees to use social media for personal interests and affiliations or other lawful purposes and does not discourage employees from self-publishing, self-expression and public conversation.

The social media referenced in this policy includes blogs, social networking sites like Facebook, Instagram, Twitter, and other similar sites. A blog or weblog is a website which is continually updated as a personal diary or journal, collaboration space, news outlet, collection of links, or memos to the world via the internet. Almost anything can be on a blog, including text, pictures, audio, video, and more.

### **Guidelines for Use of Village Information and Resources in Third Party Web Pages**

With the increasing popularity of weblogs, or blogs, and social networking use, the Village has established the following rules regarding the use of Village information and resources in third-party web pages. These guidelines apply to employee use of all third-party websites, even if access is limited by privacy controls. As an employee, you are expected to follow the guidelines and policies set forth to provide a clear line between you as the individual and you as the employee.

- Employees are personally responsible for their commentary on all social media sites and can be held personally liable for commentary that is considered defamatory, obscene, proprietary or libelous by any party. Employees are responsible for the purposeful or inadvertent disclosure of any confidential or proprietary Village information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on the weblog in general.
- Before using social media, an employee should review the Village's policies and departmental rules and regulations addressing employee conduct and understand that actions taken off-duty may still have a detrimental impact on an employee's employment and be covered by the Village's policies, rules and regulations. Anything posted on an employee's weblog, social networking site or other third-party webpage that violates any Village policies, rules, and regulations, and guidelines contained in this handbook and/or any other Village or department ordinance, rule, policy, or directive will subject an employee to discipline, up to and including termination.
- The Village is free to, and may, view and monitor public or accessible content on an employee's weblog, social networking page, or other third-party webpage use at any time without consent or prior approval.
- Employees must receive permission from their Department Manager in order to post the Village logo, department logos, patches, photographs taken in the workplace or of Village employees, or any other Village material on their blog or personal website or other third-party web pages.

### **Reporting Violations**

The Village requests and strongly urges employees to report any violations or possible or perceived violations of this policy to supervisors or Human Resources.

### **Violations of Policy**

The Village will investigate and respond to all reports of violations of this policy. Violations may result in disciplinary action up to and including termination.

## **3.14 SMOKE-FREE WORKPLACE POLICY**

The Village of Woodridge is dedicated to providing a healthy, comfortable, and productive work environment for our employees. Smoking, the use of electronic smoking devices, (i.e. e-cigarettes) are prohibited in indoor spaces. The use of smoking or electronic smoking devices is not permitted in any enclosed Village facility or vehicle. This policy applies to all employees, residents, vendors, contractors and visitors. Employees may not smoke or use electronic smoking devices during work time while interacting with residents.

### **Permitted Areas for Smoking**

The Village has designated the following areas for employees, residents, vendors, contractors, and visitors to smoke. These locations are a minimum of fifteen feet (15') outside building entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to ensure that tobacco smoke does not enter those areas.

- **Village Hall Location**  
15' Beyond Maintenance Entry

- **Police Department Location**  
15' Beyond East Back Lot Employee Entrance
- **Public Works Locations**  
15' Beyond East Back Door  
15' Beyond the Southwest Maintenance Back Door

The Village provides reasonable lunch and break periods during each work day in an appropriate manner for maintaining departmental operations. Employees may not take additional break periods for the purpose of smoking during the workday or work shift.

No Smoking signs are posted at all entrances to all Village facilities as well as in all Village vehicles. Ashtrays are located outside of the fifteen feet (15') measured radius of any facility entryway or where smoking is prohibited by law.

Employees may report violations of this policy to their supervisor, Department Manager, or the Assistant Village Administrator. In addition, violations can be reported directly to the Illinois Department of Public Health. The telephone number designated by the Illinois Department of Health for registering complaints is 1-866-973-4646. Violations can also be reported on-line at [www.smoke-free.illinois.gov](http://www.smoke-free.illinois.gov). The success of this policy depends on the thoughtfulness, consideration, and cooperation of both smokers and nonsmokers.

### **3.15 WORKPLACE INSPECTION POLICY**

The Village wishes to maintain a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the Village prohibits the possession, sale, transfer or use of such materials on its premises or in Village vehicles. The Village requires the cooperation of all employees in administering this policy.

Desks, lockers and other storage devices may be provided for your convenience but remains the sole property of the Village. Accordingly, if the Village has reasonable suspicion to believe that a workplace inspection is warranted, these storage devices, as well as any articles found within them, may be inspected at any time, with or without prior notice. The inspection must be reasonable at its inception. Any search or inspection of desks, lockers and other storage devices must be approved by a Department Manager and/or Village Administrator, and the search will be conducted by at least two (2) supervisory personnel.

The Village also reserves the right to conduct searches and inspections of employees, employees' personal effects or Village-provided materials such as boxes, thermoses, purses, briefcases, desks, computer files, cabinets, file drawers, or packages with or without notice. In the event that reasonable suspicion exists to warrant such a search, the search will be conducted in an appropriate manner. This will include the approval of a Department Manager and/or Village Administrator, and the search will be conducted by at least two supervisory personnel.

If an employee refuses to submit to a search or is found in possession of prohibited articles, the employee may be subject to disciplinary action, up to and including termination of employment.

### **3.16 WORKPLACE VIOLENCE POLICY**

It is the objective of the Village to ensure the safety and well-being of its employees and individuals conducting business with the Village. Therefore, the Village has established a zero-tolerance policy for any violent acts or threats directed by or toward any Village employee or individuals conducting business with the Village. This policy applies at all times during which an employee is conducting Village business, during working hours, and on Village property.

Violence includes, but is not limited to:

- Any physical behavior that involves aggressive physical contact with any other person, including pushing, hitting, fighting, throwing objects or otherwise intentionally injuring another person or attempting to injure another person;
- Any physical behavior that would place a reasonable person in fear of receiving imminent physical injury or other aggressive physical contact of the sort described above;
- Possession of a weapon such as a gun, knife, razor, or other instrument not used in the workplace or performance of duties that could be used as a weapon;
- Verbal behavior which involves threatening physical harm, either directly or implicitly, against any person;
- Any act of vandalism or other intentional damage or destruction of Village or private property.

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

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

### **Responsibility of Individual Employees**

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

### **Responsibility of Supervisory/Managerial Employees**

If a supervisor or a Department Manager receives a complaint, it is his/her responsibility to notify the Village Administrator's Office as soon as is reasonably possible. All complaints must be given a high priority and an investigation of the incident will be initiated.

When an employee reasonably and in good faith opposes or reports any workplace violence or threat, or testifies, assists, or participates in an investigation of or hearing concerning allegations of threats of violence, no person or group of persons may retaliate against the employee.

### **Violations of Policy**

Violations of this policy may result in disciplinary action up to and including immediate termination of employment.

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

## **3.17 CONCEALED WEAPONS POLICY**

### **Purpose**

The Village strives to maintain a safe workplace environment for its employees and visitors. Workplace safety is enhanced by understanding the Illinois Firearms Concealed Carry Act (Public Act 98-0063). This law allows licensed persons to a) carry loaded and unloaded concealed firearms in public, and b) carry and store loaded and unloaded concealed firearms in their vehicles.

### **Village Facilities are Prohibited Areas**

Public facilities are "prohibited" areas under Section 65 of the Act. Therefore, carrying a concealed weapon in or on any Village property is not authorized by Illinois law. This applies to:



- 1) All officials, Village employees, consultants, independent contractors, volunteers, agents, and others who work for or with the Village at all times while on or in Village property, whether on duty or off duty,
- 2) Contractors and vendors, and their personnel, when engaged in work for or business with the Village, and
- 3) All residents, clients, guests, and other persons who are not Village employees.

This prohibition means that *any* individual may not wear, carry, store, transport, or otherwise possess a weapon in or on Village property at any time. *(See Exceptions below for further information.)*

### **Definition of Village Property**

“Village Property” means any Village building or property (or portion of a building or property) owned, leased, or otherwise under the control of the Village. Village property also means every Village owned or leased vehicle.

### **Weapon Prohibitions for Employees**

Except as provided under “Exceptions” below, no Village employee may wear, carry, store, transport, or otherwise possess any weapon (whether loaded or unloaded) at any time in or on any Village property while performing any duties for or on behalf of the Village.

Weapons include, but are not limited to: firearms of all types and sizes, whether loaded or unloaded, electronic devices such as stun guns and laser guns, knives or swords with blades over four inches in length, explosives, and any chemical whose purpose is to cause harm to another person, and any other device designed or used for a destructive purpose. *(This policy excludes “tools” commonly used for Village purposes or kept in their usual storage location.)*

Examples of prohibited times and places include, but are not limited to, the following:

- Performing work for the Village at any location including private residences and commercial establishments and other customer or client locations.
- Driving or riding as a passenger in a Village vehicle.
- Attending trade shows, conferences, or training on behalf of the Village
- Attending Village directed or sponsored activities or events, independent of venue.
- Riding any type of public transportation while on Village business.
- Working off-site on behalf of the Village (excluding the employee’s residence)
- Performing emergency or on-call work for the Village after normal business hours and on weekends.

### Use of Private Vehicle

No Village employee may use a privately owned vehicle for Village business if that vehicle contains a firearm of any type or size, whether loaded or unloaded.

### **Exceptions**

Police Officers and Other Designated Personnel – Village police officers and other Village employees who have been specifically designated or deputized may possess their work-issued weapons. Police officers or similar law enforcement officers from other departments or agencies may possess their work-issued weapons while engaged in official duties.

Governmental – A state or federal government employee may possess his or her work-issued weapons if engaged in official duties and required by law or regulation to possess a weapon.

Parking Lots – A workplace staff member or visitor may keep a weapon and/or ammunition in his or her personal vehicle properly parked and locked in a Village parking lot or parking area, so long as the weapon and/or ammunition is kept 1) in compliance with all applicable federal and State laws and regulations, and 2) entirely out of sight.

### **Inspections**

If the Village has reasonable suspicion to believe a search is warranted, Village representatives may inspect or search any workplace area and any Village property, at any time, for the presence of weapons.

### **Responsibility**

All Village employees shall have the responsibility of familiarizing themselves with this policy and adhering to it.

Any employee who sees or perceives a violation of this policy must report that violation to his or her Department Manager, or in the Department Manager's absence, to the Village Administrator or Assistant Village Administrator, or in an emergency, to the Police Department (call 911).

No employee or other person should take any action that will risk his or her safety or the safety of others. No person should attempt to restrain or forcibly evict an individual with a weapon from Village premises. Instead a person may inform that individual of this policy and ask for compliance. If that individual does not comply, or if the employee or other person does not feel safe making the request, then that person should contact the Police Department immediately (call 911).

### **Violations of Policy**

Employees who violate this policy will be subject to disciplinary actions, up to and including termination of employment. Any violation of this policy by a visitor will subject the visitor to removal from Village property, prohibition from returning to any Village property, and arrest.

## SECTION 4 – USE OF VILLAGE EQUIPMENT, PROPERTY

### 4.1 USE OF VILLAGE EQUIPMENT

All employees must be aware of the following guidelines regarding the use of Village equipment:

1. Employees shall be responsible for the care and proper operation of any vehicle, equipment, systems, tools or supplies that they use or are assigned during working hours. Employees must promptly report any accident, breakdown, or malfunction of equipment or systems. Carelessness or negligence in the handling of such items is not acceptable behavior and, following review, employees may be subject to disciplinary action.
2. When using Village vehicles, employees must keep in mind that they are representatives of the Village and that their conduct in adhering to the rules of safety and courtesy on the road is a reflection on the entire organization. In addition, employees must follow the guidelines of the Village's Fleet Safety Policy.
3. Employees shall not be permitted to use village vehicles, equipment, systems, tools, or supplies for personal use without the permission of the respective department manager (the department manager of the department to which the item belongs). Such permission shall be granted by the department manager only in emergency situations."

### 4.2 ELECTRONIC COMMUNICATIONS POLICY

#### Introduction

Available electronic communications and information technology tools present valuable opportunities for the Village of Woodridge. These technologies, when properly used, support our activities and enable us to better serve our citizens and constituents through closer, timelier communications and nearly instantaneous access to vast stores of information. In recognition of these benefits, the Village has made a substantial investment in its electronic communications and information systems. While the Village of Woodridge encourages the use of its systems, such use carries with it important responsibilities. The careless or inappropriate use of these systems can have dramatic consequences, harming the Village of Woodridge, our citizens and the individual users of the Village's systems. This policy is intended to minimize the likelihood of such harm by educating users of the Village's electronic communications tools as to proper and improper usage of such tools and by setting forth the conditions that apply whenever the Village's electronic communication tools are being used. The use of the Village's communications tools is a privilege that may be revoked at any time.

#### Applicable Communications Tools

These guidelines address the appropriate use of the Village of Woodridge's electronic "communication tools". These tools include, but are not limited to the following:

- Telephones, pagers, cellular phones and voicemail facilities;
- E-mail systems;
- Fax machines, modems and servers;
- Laptop and desktop computers;
- Software licensed to the Village of Woodridge; and
- All internal and external computer and communications networks (such as Internet access facilities, browsers, commercial on-line services, e-mail systems) accessible directly or indirectly from the Village's computer network.

#### Usage Guidelines for Communications Tools

### Conditions of Access

Access to the Village of Woodridge communications tools is provided in conjunction with the Village's business and the job responsibilities of everyone working on behalf of the Village. All use of the Village of Woodridge's communications tools is subject to this policy and to other Village policies and procedures that may be implicated by such use. The Village's communications tools also may be made available to individuals who are not regularly scheduled employees of the Village (i.e. elected and appointed officials, customers, temporary or seasonal employees, volunteers, vendors, independent contractors, and subcontractors). Such individual's use of the Village's communications tools is also governed by this policy.

Communications tools and all messages and information produced or carried by such tools are Village property. Communications tools, as well as messages and information, are subject to inspection by the Village at all times.

The Village has provided employees with the use of certain equipment. The Village reserves the right to charge an employee a convenience fee, with prior written notice. This convenience fee may be charged to the employee for their personal use of Village equipment.

All federal state and local laws regarding the usage of electronic devices while driving any vehicle apply in performance of duties for the Village.

### Acceptable Use

The Village's communications tools are to be used to communicate internally with employees of the Village or externally with citizens, consultants, suppliers, vendors and other business relations and acquaintances. The Village provides electronic communications tools to facilitate business communications, enhance productivity and improve service to our customers. The Internet may be used for appropriate business uses such as research, updates of business information or news, or for specifically approved projects.

As with the telephone, there may be occasion to use these facilities for personal purposes. Personal use is permitted so long as it does not interfere with the performance of an employee's job and/or the transaction of the Village of Woodridge business, consume significant resources, give rise to more than nominal additional costs or interfere with the activities of other employees of the Village.

### Unacceptable Use

All personnel must comply with all state legislation, which currently bans the following activities:

- Use of all hand held devices while driving
- Text messaging while driving.
- All cell phone use while driving in school and construction zones.

Employees are required to comply with all subsequent changes in state law which may prohibit additional types of activities.

Users should not monopolize the Village's electronic communications tools to the exclusion of others. Accordingly, activities such as sending mass e-mails or e-mails with large attachments that are not business-related, sending chain e-mails, spending excessive amounts of time on the Internet, engaging in online chat groups, printing multiple copies of documents or otherwise creating unnecessary network traffic are not allowed.

Because audio, video and picture files require significant storage space, files of this type should not be downloaded unless they are business related.

In addition to the other restrictions and conditions discussed in this policy, the Village's communications tools shall not be used:

- to engage in activities for personal financial gain (i.e., day trading, gambling); to update personal Facebook, or other social networking sites;

- to solicit others for activities unrelated to the Village's business or in connection with political campaigns or lobbying;
- to carry or publish any defamatory, discriminatory, offensive or obscene material;
- to infringe, attempt to infringe or aid in any way in the infringement or attempted infringement on another person or entity's intellectual property rights (i.e., copyrights);
- to violate, attempt to violate or aid in any way in the violation or attempted violation of any applicable telecommunications license or any laws that govern trans-border data flow (i.e., laws dealing with data collection, protection, privacy, confidentiality and security);
- to violate, attempt to violate or aid in any way in the violation or attempted violation of any other law.

The Village of Woodridge shall not be responsible for any losses or damages resulting from, or relating to, any use of the Village's communications tools, which violates this policy. The Village will monitor communications for purposes of ensuring compliance with the Village's policies.

#### Unacceptable Content

The Village's policies prohibiting all forms of harassment, including sexual harassment, are applicable to the use of the Village's communications tools. In accordance with such policies, material that is harassing, embarrassing, sexually explicit, profane, pornographic, obscene, intimidating, defamatory or otherwise unlawful or inappropriate may not be sent by, displayed on, stored in, accessed from or downloaded to Village communications tools. Users encountering or receiving this kind of material should immediately delete the material from the system and should not forward the material to any other person or address. In addition, any user who believes the Village's communications tools are being used in a manner which violates either this policy or other Village of Woodridge policies prohibiting harassment, should promptly report the incident to his/her supervisor, Department Manager, Human Resources Manager, and/or Assistant Village Administrator. It is the responsibility of all users of the Village's communications tools to see that these tools are used in an efficient, lawful and ethical manner at all times.

Examples of unacceptable content include, but are not limited to:

- Sexually explicit messages, images, cartoons or jokes;
- Unwelcome propositions, requests for dates or love letters;
- Ethnic, religious or racial slurs; or derogatory comments, jokes, graphics, cartoons or
- Any other message that could be construed as harassment or disparagement of others based on sex, race, age, national origin, religion, disability or sexual orientation.

#### Transmitting Confidential Information

Employees have a responsibility to protect from disclosure, at all times, privileged and confidential information pertaining to the Village of Woodridge or other employees. In cases where confidential information may need to be transmitted electronically on a regular basis or in an emergency situation, the IT department should be consulted regarding the availability of encryption software and other means for securing the communication. Note: Only authorized encryption tools may be used in connection with any Village communications tools. All such encryption tools must implement key-recovery or key-escrow techniques to permit the Village to access and recover all encrypted information.

#### Etiquette and Village Representation

E-mail and voicemail messages reflect the Village's image. Such messages, therefore, should always be composed in a professional manner that is no different than the manner used to compose letters or memoranda on Village letterhead. Users of the system must keep in mind that electronic files are subject to discovery and may subsequently be used in litigation. Inappropriate use of the Village's facilities may damage the Village's reputation and could give rise to Village and individual liabilities. Accordingly, every effort must be made to be professional in all usage of the Village's communications tools.

#### **Expectations of Privacy**

The Village of Woodridge respects the personal privacy of its employees. However, because communication tools are utilized for the Village's business purposes, employee privacy rights in this context are extremely limited. Users of the Village's communications tools should have no expectation

that any information created by, transmitted over, or stored on the Village's communications tools is or will remain private. These systems are owned and/or controlled by the Village of Woodridge and are accessible at all times by the Village without notice for inspection, maintenance, upgrades or any other business or lawful purposes. Use of passwords to gain access to the computer system or to secure particular files or messages does not imply that users have an expectation of privacy in any material created or received on the computer system. The Village of Woodridge has global passwords that permit it to access all material stored on the systems, regardless of whether such material has been password-protected by the user.

Further, all incoming and outgoing transmissions are recorded by the Village's server regardless of whether they are deleted by the end user resulting in a record of all transmissions.

### **Viruses**

Viruses can cause substantial damage to electronic communications and information systems. Each user is responsible for taking responsible precautions to ensure he or she does not introduce viruses into the Village's network. To that end, all material received on files or other magnetic or optical medium and all material downloaded from the Internet or from computers or networks that do not belong to the Village must be scanned for viruses and other destructive programs before being placed onto the Village's network. Users should understand also that their home computers and laptops may contain viruses and that all data or information transferred from these computers to the Village's network must be scanned for viruses.

### **Personal Electronic Devices**

Employees must be aware that all personal devices that are connected to the Village's network or otherwise used for Village business are subject to the Village's policies, technical standards and protocol. Employees assume all responsibility for the use of personal technology resources for Village business, and the Village is not liable for and will not reimburse employees for any loss or damage to personal technology resources used in the course of Village business.

Employees who utilize personal computers, digital, electronic storage or communication devices to conduct any Village business must allow the Village access to such devices for purposes of complying with requests for information under the Freedom of Information Act and as otherwise required to conduct Village business. This access to personal devices includes access to any messages related to Village business to comply with the Freedom of Information Act.

Upon separation from employment, employees will be required to allow the Village to recapture any Village data and property from the employee's personal technology resources.

### **Regulation and Enforcement**

The Assistant Village Administrator and/or his/her designee are responsible for monitoring the compliance with the provisions of these procedures. The Assistant Village Administrator shall also be responsible for investigation of suspected non-compliance with the provisions of this policy.

Misuse of any the Village's communications tools or violations of this policy may result in disciplinary action, including suspension of privileges to user, or up to and including termination of employment. Criminal or civil action may be initiated in appropriate instances. Such discipline shall be in accordance with the Village of Woodridge's policies and procedures.

### **Liability**

The Village makes no warranties of any kind, whether expressed or implied for the service that is the subject of these guidelines. In addition, the Village will not be responsible for any damages whatsoever which employees may suffer arising from or related to their use of any Village electronic information resources, whether such damages be incidental, consequential or otherwise, or whether such damages include loss of data resulting from delays, non-deliveries, mistaken deliveries, or service interruptions whether caused by Village negligence, errors, or omissions. Users must recognize that the use of Village electronic information resources is a privilege and that the policies implementing usage are requirements that mandate adherence.

The Village will not be responsible for any damages, fines, or penalties whatsoever which employees may incur arising from their own negligence or their own failure to comply with all required local, state, and federal communications regulations, laws, and ordinances.

While following the guidelines of the Electronic Communications Policy, all other Village policies also apply and are in affect at all times.

## SECTION 5 – DISCIPLINARY ACTION

### 5.1 SCOPE

All employees, visitors, and other third parties are expected to comply with the Village's rules of conduct in performing services on behalf of the Village or while on Village property.

Where the provisions of the Village of Woodridge Employee Handbook conflict with the express terms of any collective bargaining agreement, the terms of the bargaining agreement will control. Similarly, where the provisions of this document conflict with state laws addressing the employment of sworn personnel or with the rules of the Board of Police Commissioners, such provisions will govern.

### 5.2 REASONS FOR DISCIPLINE

The following violations may serve as the basis for any level of discipline. This list is not all inclusive. Serious misconduct may result in corrective action up to and including termination on the first occurrence.

#### **Violations include but are not limited to:**

- A. Theft or attempted theft from the Village, fellow employees, visitors or others on Village property;
- B. Falsification of timesheets, records, medical forms, employment applications, or other documents or materials;
- C. Misrepresenting information on timesheets, records, etc. for another employee,
- D. Fraudulent statements or actions involving Village records or business activities;
- E. Damage to or destruction, misuse, or abuse of Village property;
- F. Disparagement of Village to third parties;
- G. Selling, distributing, using, consuming, being in possession of, or being under the influence of alcohol while on Village premises, while conducting Village business, while operating Village equipment, or while in the performance of any other assigned duties;
- H. Selling, distributing, using, consuming, being in possession of, or being under the influence of prohibited substances while on Village premises, while conducting Village business, while operating Village equipment, or while in the performance of any other assigned duties;
- I. Insubordination, including failure or refusal to follow a supervisor's work orders;
- J. Physical violence, threats, or intimidation;
- K. Violation of the Village Anti-Harassment and Non-Discrimination policy;
- L. Violation of any Village or departmental policy;
- M. Possession of a firearm, weapon, explosives or other dangerous object or substance on Village premises;
- N. Unauthorized disclosure of Village, employee, or resident confidential and/or proprietary information;
- O. Soliciting or receipt of tips, loans, and/or gifts from a prohibited source;
- P. Acts of commission or omission which are hazardous or potentially hazardous to other staff or visitors;
- Q. Sleeping or being away from the work station without authorization while on duty;
- R. Using scheduled work time for activities other than job performance unless permission has been granted for those activities by the supervisor;
- S. Unauthorized absences from assigned work area;
- T. Absence from duty, including the absence for a day or portion thereof, that is not authorized by prior approval shall be deemed to be absence without leave;
- U. Use of profane or abusive language or otherwise engaging in rude or discourteous behavior;
- V. Failure to follow safety rules and regulations, or failure to abide by safety practices;
- W. Unauthorized or improper use of Village property (i.e., keys, time cards, laptops, pagers, etc.);
- X. Failure or refusal to participate in an internal investigation;
- Y. Incompetence or inefficiency in performance of job duties, failure to perform the duties of the position because of neglect, or false representation to a supervisor or manager as to the quality and/or quantity of work performed.
- Z. Willful disregard of mandatory requirements of the job;



- AA. Gambling, conducting a lottery or other games of chance on Village premises at any time;
- BB. Any other misconduct as determined by the Village;
- CC. Any act or occurrence after appointment that would have required or constituted cause for disqualification from employment;
- DD. Failure to maintain one's physical condition in a manner that enables the employee to meet the job-related abilities required for the employee to perform the essential functions of his/her position, or failure to participate in physical conditioning maintenance programs and additional training programs as required by the rules and regulations of one's department;
- EE. Working overtime without first having said overtime authorized and pre-approved by the Department Manager or Village Administrator, or their designee;
- FF. Failure of supervisory employees to adhere to or implement Village policies (i.e. FMLA, Light Duty, Worker's Compensation, etc.) in the supervision of their employees;
- GG. Abuse of any sick or leave policies.

### 5.3 TYPES OF DISCIPLINARY ACTION

Disciplinary action may include but is not limited to the following. A number of factors are considered in determining the appropriate disciplinary step to be taken as a corrective measure. At all times, management retains the discretion to determine the appropriate level of discipline.

**Disciplinary action for non-exempt personnel may include the following:**

- Reprimand, given orally or in writing
- Written Warning
- Performance Improvement Plan
- Suspension without pay
- Termination

**Disciplinary action for exempt level personnel may include the following:**

- Reprimand, given orally or in writing
- Written Warning
- Performance Improvement Plan
- Suspension without pay for infractions of safety rules of major significance
- Termination

Oral and written reprimands are not subject to review or appeal through the grievance procedures or other formal review process.

### 5.4 SUSPENSION AND DEMOTIONS

#### **Suspension**

No employee shall be suspended except for cause. A Department Manager, with the prior written approval of the Village Administrator or his/her designee, may suspend without pay an employee within his/her department. Prior to any suspension being ordered, the Department Manager shall meet with the affected employee and provide the employee with written notice of the charges, including the facts in support of the charges. At such meeting the employee shall have the opportunity to respond and present his/her side of the story.

At the Department Manager's discretion, an employee may be allowed to substitute an equal amount of vacation time or personal time for the length of suspension without pay.

No suspension in excess of three (3) days (or 24 hours) shall be scheduled to occur until seven (7) business days after the meeting provided for above. The Department Manager shall provide the Village Administrator or his/her designee with a copy of any suspension order.

## **Demotion**

No employee shall be demoted except for cause. A Department Manager may demote an employee within his/her department. Prior to any demotion being ordered, the Department Manager shall meet with the affected employee and provide the employee with written notice of the charges, including the facts in support of the charges. At such meeting the employee shall have the opportunity to respond and present his/her side of the story.

No demotion shall be scheduled to become effective until seven (7) business days after the meeting provided for above. The Department Manager shall provide the Village Administrator or his/her designee a copy of any demotion order.

## **5.5 APPEAL OF CERTAIN DISCIPLINE**

The provisions, procedures and rights provided for in this Section shall not be applicable to:

- **Seasonal and Temporary Employees:** Notwithstanding any provision in the Employee Handbook to the contrary, seasonal and temporary employees are at-will employees and may be demoted, suspended, or discharged at the discretion of the Department Manager.
- **Probationary Employees:** Probationary employees may be demoted, suspended or discharged as provided elsewhere in these Rules and Regulations.
- **Sworn Police Officers:** Sworn police officers may only be demoted, suspended, or discharged in accordance with the rules and regulations of the Board of Police Commissioners in effect from time to time.

## **Suspension and Demotion**

Any employee suspended for a period in excess of three (3) days or any employee who is demoted may, within five (5) business days after the issuance of such suspension order or demotion, appeal to the Village Administrator for a review of such action by filing notice of such appeal in writing with the Village Administrator.

- A hearing will be held upon such appeal, and due notice given to the Department Manager and to the employee in the same manner as if charges had been originally filed before the Village Administrator.
- Upon such appeal, the Village Administrator may sustain the action of the Department Manager, may reverse the action of the Department Manager, may suspend the employee for an additional period of not more than thirty (30) days or may discharge said employee, and grant such other or different relief as the Village Administrator deems appropriate, depending on the evidence presented.
- The filing of a notice of appeal stays any demotion or suspension in excess of three (3) days until the conclusion of the appeal process. The burden of establishing that a demotion or suspension is unwarranted shall be upon the employee.

## **Discharge**

- No employee shall be discharged except for cause. Charges seeking discharge may only be made by the employee's Department Manager. Charges shall be filed with the Village Administrator, setting forth a plain and concise statement of the facts upon which the charges are based and a request for relief.
- Upon the filing of charges, the Village Administrator shall schedule a hearing. The Village Administrator shall notify the Department Manager and employee, either by certified mail, return receipt requested or personally, of the time and place of the hearing on the charges. The employee shall also be served with a copy of the charges.
- Upon hearing, the Village Administrator may dismiss the charges, may suspend the employee for a period of not more than thirty (30) days, may discharge the employee, and grant such other or different relief as the Village Administrator deems appropriate, depending on the evidence presented.

### **Procedures for Hearing Conducted by the Village Administrator**

This procedure may be invoked by employees to seek review of decision of the Department Manager to suspend employees in excess of three (3) days or to demote employees. This procedure may be invoked by Department Managers to terminate an employee. This procedure does not apply to decisions of the Village Administrator to suspend or demote a Department Manager.

- Hearings on appeals and charges conducted by the Village Administrator shall be "de novo" hearings.
- Hearings conducted by the Village Administrator are not common law proceedings and the technical rules of evidence as well as those rules established under the "Code of Civil Procedure" shall not apply.
- Any party to any proceeding before the Village Administrator may be represented by counsel.
- Parties may, on their own behalf, or by counsel, stipulate and agree in writing, or on the record, as to any fact or circumstance having evidentiary or other probative value to the matters being considered by the Village Administrator. The facts stipulated shall be considered as evidence in the proceedings.
- The granting of continuances requested by any party shall be within the sound discretion of the Village Administrator. No hearing shall be continued at the request of any of the parties to a proceeding or their counsel, unless such request is either made orally to the Village Administrator's attorney or received in writing at the Village Administrator's office at least three (3) business days before the scheduled hearing date.
- All proceedings before the Village Administrator during the conduct of the hearing shall be recorded by a court reporter to be employed by the Village Administrator. The record of proceedings of any hearing will not be transcribed by the reporter unless requested to do so by the Village Administrator or any party. Any party requesting the transcript shall bear the cost thereof. All witnesses shall be sworn prior to testifying and the matter will be decided by the Village Administrator solely on evidence presented at the hearing.
- An employee who has filed an appeal seeking review of a suspension or demotion imposed by the Department Manager or the Department Manager who has filed charges shall be considered the petitioner. The petitioner shall have the burden of proceeding and the burden of proof of establishing the matter set forth in his/her request for relief, or charges, by a preponderance of the evidence. Should criminal conduct be alleged, the rule of reasonable doubt will not apply. At the close of the petitioner's case, the other party, who shall be considered to be the respondent, may present and examine those witnesses whom he/she desires to call on behalf of his/her case. Petitioner may then present rebuttal witnesses. The right of cross-examination shall exist with respect to all witnesses presented.
- Once the Village Administrator shall close or terminate a hearing upon the record, no rehearing, reconsideration, modification, vacation or alteration of a decision shall be allowed.
- Any motion or objection relating to the sufficiency of any written charges filed against the employee must be filed not less than seven (7) business days prior to the date on which the said charges are set forth for hearing. On hearing, such motions or objections shall be the first matters considered by the Village Administrator.
- The Village Administrator shall enter upon the record its ruling with respect to the motions and objections before the petitioner's case in chief proceeds. During the course of the hearing, any motion made attacking the relevancy of any matter offered into evidence shall be subject to a ruling by the Village Administrator which shall be entered upon the record.
- The time for hearing of charges or appeals shall be set by the Village Administrator and such hearing shall commence within thirty (30) days of the date of the filing of such charges or appeal.
- Within thirty (30) days after the conclusion of any hearing, the Village Administrator shall render a decision and shall make specific findings of fact with respect thereto. Said findings and decision shall be made in written form and shall be incorporated in the hearing record.

Any employee terminated for cause shall not be eligible for re-employment.

## **5.6 ADMINISTRATIVE LEAVE**

The Village may place an employee on administrative leave, with or without notice, to permit the Village to review or investigate actions, including, but not limited to dishonesty, theft or misappropriation of Village funds and/or property, misappropriation or mishandling of charitable funds, violence on the job, gross safety negligence or acts endangering others, violations of anti-harassment or workplace violence policies, insubordination, or any other conduct which warrants removing the employee from the work site.

### **Procedures**

A Department Manager may place an employee on administrative leave without prior notice in order to review or investigate actions in breach of the above-stated guidelines pursuant to the following procedure:

1. Inform the employee that he/she is being placed on administrative leave and that an investigation will occur;
2. Inform the employee of the reasons for the leave and whether or not the leave is paid;
3. Request the return of Village property (keys, electronic equipment, files, records, etc.);
4. Escort the employee from Village premises;
5. Confirm the leave in writing, stating the reason and the expected duration of the leave;
6. Direct the employee in the written notice to remain available to participate in investigative interviewing; and
7. Forward a copy of the letter to Human Resources to be placed in the employee's personnel file.

The Department Manager, in consultation with Human Resources, will conduct or will appoint a person to conduct a prompt and thorough investigation of the allegations or charges.

### **Conclusion of the Investigation**

Upon conclusion of the investigation, the Department Manager, in consultation with Human Resources, will determine whether the period of the administrative leave is to be converted to a suspension without pay or dismissal. The Department Manager shall inform the employee in writing of the decision. A copy of the determination must be placed in the employee's personnel file.

## SECTION 6 –SALARY ADMINISTRATION

### 6.1 REGULAR HOURS OF WORK

The hours of work shall be those necessary for the efficient conduct of the Village's business, as determined by the Village Administrator. Each Department Manager shall establish a schedule of normal working hours for his/her department. In general, normal working hours for Village employees shall be eight o'clock (8:00) a.m. to four thirty o'clock (4:30) p.m., Monday through Friday. The normal work week shall be forty (40) hours, eight (8) hours per day. However, due to the specific responsibilities of various departments, different hours and days of work and different tours of duty may be established for certain positions. Each employee will be notified by the Department Manager as to the specific hours of work.

### 6.2 REPORTING FOR WORK

Employees shall report promptly at their designated working place, or other assigned location, and shall devote their entire efforts during working hours to assigned duties. In the event that an employee is unable to report for work as scheduled, his/her supervisor shall be notified by telephone at least sixty (60) minutes prior to his/her designated starting time or per the guidelines of his/her department policy. Failure by an employee to notify the supervisor as provided herein may result in loss of all or a portion of that day's pay.

### 6.3 FLEXTIME WORK SCHEDULES

If establishing a flextime schedule, the Department Manager will consider the department's operational needs, service to the public, seasonal events/activities, and other needs. Working a flextime work schedule is a privilege, not an entitlement. Each request will be evaluated on a case-by-case basis. A department may withdraw a previously approved flextime work schedule at any time, without notice.

All work schedules must comply with the provisions of the Fair Labor Standards Act. Any questions regarding flextime work schedules and FLSA compliance must be directed to Human Resources.

#### Holiday Leave While on Flextime or Alternate Work Schedule

Full-time employees on a flextime or alternate work schedule (i.e. a work schedule that consists of a work day of more than 8 hours) will receive holiday pay for eight (8) hours on Village holidays. To receive pay for more than eight (8) hours, the employee must use other accruals, such as vacation leave, personal leave, or compensatory time, to supplement the number of hours the employee is normally scheduled to work.

### 6.4 LUNCH AND BREAK PERIODS

Department Managers shall establish reasonable lunch and break periods for full-time employees each workday in accordance with the Illinois Compiled Statutes, Act 140. Employees who work an 8.5 hour shift shall receive a thirty (30) minute unpaid lunch period and the equivalent of two (2) fifteen (15) minute paid daily breaks as approved by a supervisor for a total of *one-half (1/2) hour paid break time* per work day. These lunch and break periods shall be arranged in the most appropriate manner for maintaining departmental operations. Break periods not taken shall be forfeited.

Part-time employees who work five (5) or more hours per day may, at the discretion of the Department Manager, be authorized to take up to one(1) thirty (30) minute unpaid break. Any authorized unpaid break shall be arranged in the most appropriate manner for maintaining departmental operations.

Under the Patient Protection and Affordable Care Act, nursing mothers may take "reasonable" breaks to express milk for their infants for up to one (1) year after the child's birth. The employee will be provided access to a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public for this purpose

## **6.5 SALARY ADMINISTRATION PLAN**

There is hereby created a Salary Administration Plan for all employees of the Village, except those classified as temporary and/or seasonal, which is designed to:

- Provide a framework for equal compensation for like work of equivalent responsibility.
- Provide the means by salary increases to reward employees for continued good and outstanding service.
- Establish salary rates that compare favorably with those of public and private agencies in the metropolitan area.

### **Salary Budget**

The Village Administrator shall, as part of his/her recommendation to the Village Board for its consideration, submit a salary budget for each department of the Village. This budget shall be determined after consideration of the Village's current financial condition and shall be prepared as a percentage of the base salaries which are anticipated to be paid by each department on January 1 of the current fiscal year.

### **Salary Plan Maintenance**

The Village Administrator shall be responsible to annually develop and recommend to the Village Board a schedule of salary ranges for each position in the Village service, excluding temporary or seasonal positions, to be effective on January 1 of the current fiscal year.

Salaries shall be determined with due regard to the grade of salary, requisite qualifications, prevailing salary rates for comparable work in other public and private employment in the area, recommendation of the Department Manager in accordance with the financial policy of the Village and other economic considerations.

### **Appointment Rate**

Original appointments are usually made at the starting rate of the position's salary range. Upon a recommendation of the Department Manager, the Village Administrator may approve an initial salary at a rate higher than the minimum rate in the salary range for the position; provided that any such appointment is based on the outstanding and unusual character of the employee's experience and ability over and above the minimum qualifications required for that position.

### **Salary Adjustments**

Village employees covered under the Salary Administration Plan may be evaluated for possible salary adjustment at least once annually, on or about January 1 of each fiscal year.

Salary adjustments within an established range shall not be automatic but shall be dependent upon the evaluation by the Department Manager and the approval of the Village Administrator based upon standards of performance. Efficiency measuring devices, such as rating sheets, may be employed to determine an appropriate salary related to both length of service and performance.

A salary adjustment may not increase the employee's base pay salary to a rate higher than the maximum allowable rate established for the employee's position.

This section shall not be interpreted to preclude a Department Manager from evaluating the performance of employees with or without salary adjustment at any other time during the year.

### **Effects of Promotion and Demotion**

Employees who are promoted to a higher position having a higher minimum salary rate than the rate currently paid to the employee shall enter the new position at that minimum rate or at a rate determined by the Department Manager and approved by the Village Administrator. Employees who are demoted may receive a reduction in salary or position at the discretion of the Department Manager with the approval of the Village Administrator.

### **External Rewards**

No rewards in addition to regular compensation shall be received from any source by individual employees for the performance of their duties. This provision shall not be deemed to apply to the employee awards program and/or the employee suggestion program.

### **Temporary and Seasonal Employees**

Temporary and seasonal employees shall be paid at an hourly rate determined from time to time by the Department Manager and approved by the Village Administrator.

### **Amendments to the Salary Plan**

The Village Administrator may recommend to the Village Board amendments to the Salary Administration Plan when in his/her judgment the salary rate for any position is too high or too low because of changes in responsibilities or work involved, prevailing salary rates, the Village's financial condition and policies or other pertinent conditions. All amendments to the Salary Administration Plan shall be made by the Village Board.

### **Longevity Pay Plan**

The Longevity Pay Plan for the Village was revised on March 15, 1999 and applies only to employees (excluding employees classified as temporary or seasonal) hired prior to September 1, 1982 who had completed six (6) years of service with the Village. Specific questions regarding the Longevity Pay Plan should be directed to Human Resources.

## **6.6 PAYROLL, PAY DAYS AND PAY DEDUCTIONS**

Employee salaries and benefits, including accrued time, shall be payable upon the basis of twenty six (26) pay periods per year, on the Friday following completion of the pay period. If a holiday falls on one of these Fridays, paychecks shall be distributed on the last working day preceding the holiday.

Paychecks shall be distributed only to the employee and not to members of his/her family or others unless the Village is so directed by the employee in writing.

Employees who terminate their employment in the middle of a pay period shall be paid for the hours worked during that pay period. Deductions from each paycheck shall include the following:

- The federal and state income withholding tax, based on the employee's pay, marital status, number of dependents and other factors.
- The retirement fund payment based upon the particular fund to which the employee belongs.
- Monies owed under our Employee Computer Purchase Loan Program or per the guidelines of the Tuition Reimbursement Program.
- Other deductions authorized by an employee or mandated by action of a court of competent jurisdiction.

## **6.7 PAYROLL DIRECT DEPOSIT**

The Village provides employees with the opportunity to have their payroll checks direct deposited with any financial institution within the Automated Clearing House (ACH) system. The direct deposit of the paycheck is posted at the designated financial institution the same day that non-deposited paychecks are issued. Employees may elect to specify dollar amounts to be deposited into multiple accounts (i.e. checking and/or savings accounts).

## 6.8 SALARY PAYMENT SPECIFICATIONS – NON-EXEMPT EMPLOYEES

### Overtime Pay

Overtime Eligibility - Non-exempt, non-sworn employees shall be compensated for hours worked in excess of forty (40) hours per work week, at the rate of one and one-half (1-1/2) times such employee's regular hourly rate of pay. Notwithstanding any provision contained in this section to the contrary, an employee shall not receive overtime pay for hours worked for which he/she is otherwise receiving compensation at a rate of at least one and one-half (1-1/2) times the hourly rate of such employee's regular hourly rate of pay. Eligibility for overtime pay shall be determined at the time of appointment or at the time of establishing compensation for the position by the Village Administrator.

Work Week - The work week for non-exempt, non-sworn employees shall commence on Sunday at one minute after twelve o'clock (12:01) A.M. and end the following Saturday at twelve o'clock (12:00) midnight.

Work Cycle for Protective Service Employees – The work period for non-exempt, sworn employees shall commence on Sunday at one minute after twelve o'clock (12:01) A.M. and end on Saturday, twenty-eight days hence, at twelve o'clock (12:00) midnight.

Proportionate Pay for Actual Time Worked - Whenever a non-exempt employee works less than forty (40) hours a week, he or she shall be paid for the number of hours worked.

### Overtime Approval

All overtime work must be authorized in advance by the Department Manager or the Village Administrator, or their designee. Included in the requirement for overtime authorization is any work performed outside an employee's regular work hours. The Village does not allow non-exempt employees to work "off the clock" without compensation. Failure to get overtime authorized in advance may result in disciplinary action up to and including termination. See the **Safe Harbor Policy** for more information.

Non-exempt employees must record all hours of work, including work performed away from the Village, on their timesheets and receive prior authorization if performing work outside of the employee's assigned work hours. Any employee who fails to accurately record all hours of work on his or her time sheet will be subject to disciplinary action, up to and including possible termination of employment.

### General Provisions For On Call/Standby Duty

The Village recognizes the need for some vital or emergency services seven (7) days per week. Departments other than the Police Department which must respond to vital or emergency calls on Saturdays, Sundays and holidays are covered under the "on call duty" policy.

#### Applicability for On Call/Standby Duty

Employees who are eligible for pay under this policy must meet the following criteria:

- An employee who is "on call/standby duty" is required to be available to be contacted for the hours spent "on call/stand by duty."
- An employee who is on "on call/standby duty" is not confined at his/her home or any other place.
- An employee who is contacted to return to duty shall respond within a reasonable period of time.

#### Compensation for On Call/Standby Duty

An employee on "on call/stand by duty" will be specifically designated by his/her Department Manager.

- A non-exempt employee who has been designated on "on call/standby duty" will receive nine (9) hours of pay (at the straight time rate) for weekend duty (effective beginning at the end of the regularly scheduled workday on Monday through the beginning of the regularly scheduled workday on the following Monday).
- A non-exempt employee who has been designated on "on call/standby duty" for a holiday occurring on a weekday will receive two (2) hours of pay (at the straight time rate) for each holiday day that falls on a weekday.



- “On call/standby duty” pay will be paid to an employee regardless of whether or not he/she is paged to return to duty.
- A non-exempt supervisory employee who has been designated on “on call/standby duty” will receive three and one half (3.5) hours of pay (at the straight time rate) for weekly duty (effective beginning at the end of the regularly scheduled workday on Monday through the beginning of the regularly scheduled workday on the following Monday.)
- In addition to the hours of pay for “on call/standby duty” as provided above, an employee shall be paid for hours worked at the applicable rate of pay. “On call/standby duty” pay is paid to compensate the employee for the inconvenience of remaining available.

### **Water System (SCADA) Weekly Responsibility**

A non-exempt employee who has primary responsibility for responding to water and sewer system SCADA issues and alarms will receive three (3) hours of straight time pay for this work for each full week beginning on Sunday through the following Saturday at midnight. This compensation covers the time associated with any reactive (i.e. responding to an alarm notification) work that is completed remotely through SCADA, computer, telephone, smart phone or other remote means during the week.

This compensation also covers the time associated with any proactive (i.e. checking certain functions and operational parameters of the system not related to an alarm notification) work that is completed remotely through SCADA, computer, telephone, smart phone, or other remote means during that week. The employee receiving the compensation shall be required to login and review a defined set of items as previously determined by the Superintendent, Water Foreman, and Water Plant Operator. This proactive work shall occur at least once each of the seven (7) days of the week and be documented as defined by the Superintendent.

If the employee is unable to resolve a SCADA issue through electronic methods and it is necessary to physically report to an onsite Village location then the compensation shall be the same as the standard “call back” provision in the Employee Handbook.

If the employee scheduled to have primary responsibility for SCADA is sick or on vacation a proportionate value of the 3 hours of straight time pay (.43 hours per day) shall be deducted for the time period in question, rounded to the nearest quarter hour increment. For example if the employee is sick for four (4) days (4 days x .43 hours = 1.72 hours) a deduction of 1.75 will be made from the 3 hours straight time pay for that week. That same 3 hours of pay (at straight rate) or such proportionate amount for a time period of less than 7 days that is deducted will be paid to the person designated to be primarily responsible for responding to reactive and proactive SCADA issues during that time period.

In extenuating circumstances in which staffing does not provide a reasonable alternative, the Superintendent may approve a person who is on vacation or sick leave to have primary responsibility for SCADA and receive the compensation referenced above for a designated time period.

An employee may not receive the pay for SCADA and any other on-call pay simultaneously. In the rare event an employee is handling both they will be compensated for the greater amount of SCADA or on-call pay which shall be compensation for proactive and reactive work.

### **Training**

When not occurring during the regular work shift, the non-exempt employee shall receive compensation for hours worked in attendance at assigned training programs, excluding lunch periods.

### **Meetings**

When not occurring during the regular work shift, the non-exempt employee shall receive compensation for hours worked in attendance at mandatory departmental meetings from the commencement of the meeting until the completion of the meeting.

### **Call Back**

An employee who is "called back" to duty after leaving work shall be guaranteed work until his next scheduled starting time or for two (2) hours, whichever is less. Payment will be made at the applicable straight time or overtime rate of pay. Call back does not include scheduled meetings, training programs, court appearances, or similar scheduled events.

### **Compensatory Time**

Non-exempt full-time employees who work in excess of forty (40) hours during a work week may request compensatory time in lieu of pay for overtime hours worked. The request for compensatory time must have the approval of the immediate supervisor and/or Department Manager. Compensatory time off shall be accrued at the applicable rate times the number of hours worked.

A non-exempt employee who has accrued compensatory time off and who has requested the use of such shall be permitted by the Department Manager to use such time within a reasonable period after making the request if the use of the compensatory time off does not unduly disrupt the operations of the department. If the use of any time off would unduly disrupt the operations of the department to the extent that the employee is not able to use such compensatory time off within a reasonable period, the Department Manager may order that the employee will be paid for such at said employee's regular hourly rate of pay.

Compensatory time off may be accrued up to a maximum of one hundred and forty (140) hours of compensatory time at any one time. Upon thirty (30) days written notice from the employee, the Village will pay a portion of all accrued but unused compensatory time at the then hourly rate of pay, provided that accrued compensatory time amounting to less than forty (40) hours will not be paid.

All required pay deductions shall be withheld from any payments made to any employee thereunder.

### **Payment for Compensatory Time When Leaving Village Service**

Any employee leaving Village service shall be compensated for accrued/unused compensatory time based on the employee's final regular hourly rate of pay.

### **Payment for Compensatory Time - Change in Exempt Level Status**

When a non-exempt employee's position classification is changed from non-exempt to exempt, the employee must receive compensation for any accrued/unused compensatory time. This compensation will occur on the payroll following the effective date of the change in classification. Any such employee will be compensated for accrued/unused compensatory time at the final regular hourly rate received by such employee prior to the exempt level status change.

### **Cash In Lieu of Compensatory Time**

The Village may pay overtime compensation in cash instead of compensatory time off or in a combination of cash and compensatory time. Overtime payment in cash will not affect subsequent accrual of compensatory time in future workweeks or work periods.

## **6.9 SALARY PAYMENT SPECIFICATIONS – EXEMPT EMPLOYEES**

Certain positions are exempt from overtime compensation as provided by the Fair Labor Standards Act. In the case of executive, administrative, and professional personnel, classified as exempt, as defined by the Fair Labor Standards Act, it is implicit in the nature of the position that time beyond the normal work schedule of forty (40) hours per week may often be required.

Use of Accruals – Exempt employees must utilize vacation or personal leave for scheduled time off work, per the provisions of the Village's Vacation Leave and Personal Leave policies. Exempt employees must utilize sick leave accruals, per the provisions of our Sick Leave Policy.

Use of Accruals to Supplement Time Worked - When an exempt employee on a normal work schedule elects to work less than forty (40) hours per week, he/she must utilize vacation, personal or sick leave from his/her accruals to supplement the hours worked in order to receive pay for forty (40) hours.

Please refer **Safe Harbor Policy** for additional information on salary and deductions for exempt employees.

## 6.10 COMPENSATION FOR ADDITIONAL DUTIES

When the responsibilities of certain exempt level or supervisory positions are assumed by an existing employee in addition to regular duties due to a position vacancy and extended absence expected of more than thirty (30) days, a qualified employee may be appointed to assume the duties of the vacant position. The employee must be recommended for “acting” capacity by the Department Manager and approved by the Village Administrator. A pay adjustment may be made in recognition of the increased responsibilities. The “acting” pay increase will be a minimum of a 5% increase, placing the acting employee’s pay at least to the minimum, but not above the maximum pay, in the range of the vacant position. Acting pay may be adjusted, once begun only if a general wage adjustment occurs changing the employee’s original (regular base) rate of pay. The “acting pay will be adjusted accordingly to maintain the stipend between the employee’s original (regular base) pay and the “acting” pay.

If the employee’s anniversary date falls during the “acting” period, any pay increase (including retroactive pay) will be made commensurate with the additional stipend.

## 6.11 COMPENSATION FOR SECONDARY EMPLOYMENT

The Village on occasion may have secondary employment opportunities available for interested employees. When Village employees are employed in a secondary employment capacity with the Village, their hours worked in the secondary role will be paid at an hourly rate set by the Village for any straight time hours worked in that secondary capacity. The hours worked in the secondary capacity will not be combined with hours worked in the employee’s primary job for the purpose of determining overtime liability under the Fair Labor Standards Act.

*§ 553.30 Occasional or sporadic employment - Section 7(p)(2) of the Fair Labor Standards Act provides that where State or local government employees, solely at their option, work occasionally or sporadically on a part-time basis for the same public agency in a different capacity from their regular employment, the hours worked in the different jobs shall not be combined for the purpose of determining overtime liability under the Act.*

Employees who are employed by the Village in any secondary capacity will be required to sign an agreement form acknowledging the rate of pay they will receive for all straight hours and overtime hours worked in the secondary capacity.

## 6.12 SAFE HARBOR POLICY

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must record correctly all work time and review your paychecks promptly to identify and to report all errors. You also must not engage in off-the-clock or unrecorded work.

### Review Your Pay Stub

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we will promptly make any correction that is necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any question, please use the reporting

procedure outlined below under the section entitled *To Report Violations of This Policy, Communicate Concerns, or Obtain More Information* below.

### **Non-exempt Employees**

Non-exempt employees (employees eligible for overtime pay or extra pay), must maintain a record of the total hours worked each day. Non-exempt employees must not work any hours outside of the scheduled work day unless the employee's supervisor has authorized the unscheduled overtime in advance.

Non-exempt employees must adhere to the following:

- Hours worked each day must be accurately recorded on the timesheet. This includes the accurate reflection of all regular and overtime hours worked, any absences, early or late arrivals, early or late departures, and meal breaks.
- Non-exempt employees must not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless authorized to do so in advance and that time is recorded on his/her timesheet.
- Non-exempt employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your timesheet or work you perform outside of your scheduled hours without prior authorization.
- Non-exempt employees must sign his/her timesheet to verify that the reported hours worked are complete and accurate (and that there is no unrecorded or "off-the-clock" work).
- At the end of each payroll period, completed timesheets must be submitted for verification and approval.
- Upon the receipt of each paycheck, employees must verify that he/she was paid correctly for all regular and overtime hours worked each workweek.

### **Exempt Employees**

Employees classified as "exempt" will receive a salary which is intended to compensate him/her for all hours that he/she may work for the Village. This salary will be established at the time of hire or when he/she becomes classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Exempt employees will receive full salary for any workweek in which work is performed. However, under federal law, his/her salary is subject to certain deductions. For example, absent contrary state law requirements, salary can be reduced for the following reasons in a workweek in which work was performed:

- Absences for personal reasons, including vacation, upon exhaustion of available paid time off or for unauthorized leave.
- Absences for sickness or disability, upon exhaustion of available paid time off or for unauthorized leave.
- Full day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others).
- Family and Medical Leave absences (either full or partial day absences).
- To offset amounts received as payment for jury and witness fees or military pay.
- The first or last week of employment in the event you work less than a full week.

Salary also may be reduced for certain types of deductions, such as the employee portion of health, dental or life insurance premiums; state, federal or local taxes, social security, pension plan or voluntary contributions to a deferred compensation plan.

Exempt employees will be required to use accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

### **To Report Violations of This Policy, Communicate Concerns, or Obtain More Information**

It is a violation of the Village's policy for any employee to falsify a timesheet or to alter another employee's timesheet. It is also a serious violation of Village policy for any employee, supervisor, or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's timesheet to under- or over-report hours worked. If any supervisor, manager or employee instructs you to (1) incorrectly or falsely under- or over-report your hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Human Resources Manager or Administration Department. Every report will be fully investigated and corrective action will be taken, up to and including discharge of any employee(s) who violates this policy.

If any employee has any questions about deductions from his/her pay, the employee should contact Payroll or Human Resources immediately. If any employee believes his/her wages have been subject to any improper deductions or his/her pay does not accurately reflect all hours worked, he/she should report his/her concerns to a supervisor immediately. If a supervisor is unavailable or if the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Human Resources Manager or Director of Finance. If the employee does not receive a satisfactory response within five (5) business days after reporting his/her concern and is unsure who to contact to correct the problem, the employee should immediately contact the Assistant Village Administrator.

### **Retaliation**

Retaliation is unacceptable. The Village will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the Village's investigation of such reports.

### **Violation of Policy**

Any employee who fails to report or inaccurately reports any hours worked, or any employee who engages in any form of retaliation in violation of this policy, may be subject to disciplinary action, up to and including termination of employment.

## **6.13 COMPENSATION DURING WEATHER-RELATED OR EMERGENCY CONDITIONS ABSENCE**

It is the goal of the Village to remain open during inclement weather or other emergency conditions whenever possible.

When normal Village operations are officially closed due to emergency conditions, time off from scheduled work will be unpaid. However, employees may use accrued personal leave, vacation leave, or compensatory time to substitute for unpaid time.

Employees in essential operations may be asked to work when operations are officially closed. In these circumstances, employees who work will receive regular pay and are subject to the Village's normal compensation policies.

Department Managers may provide authorization to certain employees to work from home while Village operations are officially closed. All such time must be approved in advance and the time must be tracked. Employees may be disciplined for working from home without receiving prior approval from the Department Manager.

At all times, managers, supervisors, and employees must adhere to the provisions of the **Safe Harbor Policy**.

When Village operations remain open during inclement weather or emergency conditions and an employee calls in sick, the Department Manager may require that the employee submit a doctor's note for the absence in order to utilize accrued sick leave for the absence. If the employee does not provide a doctor's note, the employee must utilize vacation or personal leave for the absence.

## SECTION 7 – LEAVE TIME

### 7.1 USE OF ACCRUALS

#### Use of Accruals

Accruals may not be taken by employees in the same time period in which the accruals are earned.

### 7.2 ABSENCE WITHOUT LEAVE

#### Definition

Absence of an employee from duty, including the absence for a day or portion thereof, that is not authorized by prior approval shall be deemed to be absence without leave.

#### Cause for Discipline

Any absence without leave shall be without pay and may be subject to disciplinary action.

#### Automatic Termination

Any absence from work without proper authorization from the Department Manager or designee for three (3) scheduled working days is considered a voluntary resignation without notice.

### 7.3 BEREAVEMENT LEAVE

In the event of a death in an employee's immediate family; a full-time employee may take up to three (3) work days (24 hours) as bereavement leave. Regularly-scheduled part-time employees may take up to three (3) work days, prorated based on the employee's scheduled hours. At the time of the request for bereavement leave, if the employee wishes to take time off that is not consecutive days off, the employee must receive the approval of the department manager.

The term "immediate family" for this policy shall mean the following relatives, including in-laws and step relatives within these categories:

- spouse
- child
- parent
- brother
- sister
- grandchildren
- grandparent

An employee may take a one (1) day paid bereavement leave (8 hours maximum) based on scheduled work hours to attend the funeral or memorial service of an aunt, uncle, niece, or nephew, including in-laws and step relatives within these categories.

The Department Manager may at any time request from the employee a certification of death of the employee's relative.

If an employee wishes to take more time off than allowed under this policy, the employee must have the additional time off approved *in advance* by his/her Department Manager, and he/she must use accrued, compensatory time, personal leave or vacation leave.

## 7.4 FAMILY AND MEDICAL LEAVE ACT (FMLA)

### FMLA Policy

The Village will comply with the provisions of the Family and Medical Leave Act of 1993 (Public Law 103-3) and the rules and regulations issued by the U.S. Department of Labor interpreting said Act (collectively referred to as "FMLA").

### Eligibility

An eligible employee is entitled to a total of twelve (12) weeks of family and medical leave in a defined twelve (12) month period, OR up to twenty-six (26) weeks of family leave to care for an injured service member or covered veteran within a 12-month period and be restored to the same or an equivalent position upon his/her return from leave provided the employee has been employed:

- for at least 12 months by the Village in the past seven years, and
- has worked at least 1,250 hours of service with the Village during the previous 12-month period prior to the first day of leave (which includes all periods of absence from work due to or necessitated by USERRA-covered service).

### Definition of 12-Month Period

The Village defines the "12-Month Period" as a "rolling" 12-month period measured backward from the date of any FMLA leave usage.

### Reasons for Leave

An eligible employee is entitled to a total of twelve (12) work weeks of family and medical leave in a defined twelve (12) month period for any combination of one or more of the following reasons.

1. The birth of a son or daughter, and to care for the newborn child.\*
2. The placement with the employee of a son or daughter for adoption or foster care.\*
3. To care for the employee's spouse, child, or parent (but not a parent "in-law") with a serious health condition.
4. Because of a serious health condition that renders the employee unable to perform the functions of his/her position.
5. To handle personal affairs because of any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on "covered active duty" (or has been notified of an impending call or order to) "covered active duty" overseas. Qualifying exigencies are defined by the Secretary of Labor. They may include attending certain military events, arranging for elder care or alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, taking up to fifteen (15) of leave to spend time with a covered military member who is on short-term rest and recuperation leave during deployment, and attending post-deployment reintegration briefings.

*\*Leave for Reasons "1" or "2" must be completed within the 12-month period after the birth or placement.*

**Spouses employed by the Village** who request leave because of reasons "1", "2", or "3" may only take a combined aggregate total of 12 weeks leave for such purposes during any 12-month period. "Spouse" is defined under the law of the state in which the employee resides.

In addition to the above, an eligible employee is entitled to a total of twenty-six (26) weeks of Military Caregiver Leave:

- To care for a spouse, parent, child, or an individual for whom the employee is the nearest blood relative (or designated as next of kin for caregiving) who has a serious injury or illness that was incurred or aggravated in the line of duty while on active military duty overseas, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status or is on temporary disability retirement.

- To care for a spouse, parent, child or an individual for whom the employee is the nearest blood relative (or designated as next of kin for caregiving) to a veteran who is undergoing medical treatment, recuperation, or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment while on active military duty overseas.

Leave to care for an injured or ill service member or covered veteran will begin on the first day of such leave and must be completed within 12 months from that date. Leave for an injured service member may be taken only once per service member unless that service member has a subsequent injury or illness incurred or aggravated in overseas military duty. In addition, spouses employed by the Village who request caregiver leave may only take a combined aggregate total of twenty-six (26) weeks leave for such purpose.

Any FMLA leave taken by an employee for reasons *other* than an injured or ill service member or covered veteran will reduce the 26 weeks of available leave to care for an injured service member or covered veteran. As a result, if an employee requests caregiver leave, the maximum leave allowed will be up to 26 weeks, less any FMLA leave already used in the same 12-month period for any other reason.

Employees may not be granted an FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an FMLA leave, they will be subject to disciplinary action, up to and including termination of employment.

### Notice of Leave

If an employee's need for family/medical leave is foreseeable, the employee must provide the Village with at least thirty (30) days prior written notice. Failure to provide such notice may be grounds for delay or denial of leave. When the need for leave is not foreseeable, the employee is expected to notify the Village as soon as learning of the need for time off, generally on the day the employee learns of that need. The employee must also follow the Village's policies regarding reporting absences in advance, unless an emergency prevents the employee from doing so.

### Medical Certification

If an employee requests leave because of his/her own or a covered family member's serious health condition, or a qualifying caregiver's leave, the employee and the relevant health care provider must supply appropriate medical certification. You may obtain the necessary certification form from Human Resources. The medical certification must be provided within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial or delay of leave. ***It is the employee's responsibility, not the health care provider's, to ensure that the Village receives the fully completed medical certification by the deadline.*** If the Village does not receive a fully completed certification by the deadline (unless there is a legitimate reason for the delay), or if the certification does not confirm an FMLA-qualifying condition, the employee's absences will be treated according to the Village's attendance standards (Absence Without Leave or Sick Leave) and/or the FMLA leave will be unpaid.

Leave for a qualifying military exigency shall also be supported by appropriate certification. The nature of the certification required will depend on the reason for the leave.

### Serious Health Condition

For purposes of this policy, "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Hospital Care. Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity relating to the same condition.
2. Absence Plus Treatment. A period of incapacity of more than three full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (1) treatment two or more times (within 30 days and provided the first visit takes place within seven days of the first day of incapacity) by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider, or (2) treatment by a health



care provider on at least one occasion which results in a regimen of continuing treatment under the supervisor of the health care provider (first visit to health care provider must take place within seven days of the first day of incapacity).

3. Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care.
4. Chronic Conditions Requiring Treatment. A chronic condition which: requires at least two periodic visits for treatment per year by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider, which condition continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity.
5. Permanent/Long-Term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment, by a health care provider.
6. Multiple Treatments (non-chronic conditions). Any period of incapacity to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three full calendar days in the absence of medical intervention or treatment.

### **Leave for a Serious Health Condition**

The Village, at its expense, may require an examination by a second health care provider designated by the Village. If the second health care provider's opinion conflicts with the original medical certification, the Village, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The Village may also require a medical recertification periodically during the leave, and employees may be required to present a fitness-for-duty verification upon his/her return to work following a leave for the employee's own illness or injury.

### **Reporting While on Leave**

If an employee takes leave because of his/her own serious health condition or to care for a covered family member, the employee may be required to contact his/her supervisor on a regular basis regarding the employee's intention to return to work. For leaves of other purposes, the employee may be periodically required to report on his/her status and intent to return to work.

### **Substitution of Other Paid Leave**

1. Eligible employees on FMLA leave for his/her own serious health condition shall be required to substitute, until exhausted, his/her sick time accruals first. If those sick time accruals are exhausted, they shall be required to substitute, until exhausted, accrued paid compensatory time, personal leave and any vacation leave in excess of forty (40) hours for all or any (otherwise) unpaid FMLA leave.
2. An eligible employee on FMLA leave relating to the care of a qualifying family member with a serious health condition or to care for a covered family member who is an injured or ill service member or covered veteran must use compensatory time, personal leave, or vacation leave in excess of forty (40) hours for the FMLA leave and is eligible to use up to one-half of the time off as sick time, if the employee has enough vacation, compensatory or personal leave time to utilize. Once an employee has depleted his/her vacation, compensatory and personal leave time, the employee may, during the FMLA leave use sick time for up to one half of the time off, the remaining time off shall be unpaid.
3. Eligible employees on FMLA leave relating to the birth, adoption, or foster care placement of a child:

For the portion of an FMLA leave following birth when an employee is medically incapacitated, the leave is designated as a serious health condition, and sick leave accruals must be utilized. Any remaining leave falls under non-medical leave for the care of a family member, and the employee must use compensatory time, personal leave, or vacation leave in excess of forty (40) hours for the FMLA leave and is eligible to use up to one-half of each day as sick leave.

When the FMLA leave is for childbirth by spouse, the employee may take two (2) days (or the equivalent of 16 hours) of sick leave at the time of the event. The remaining time off must be taken as follows: During each day of paid leave, the employee must record one half of his time off as sick time, and the remaining time off must be recorded as compensatory time, personal leave or vacation leave.

Leave taken to spend with a child born to, adopted by or placed with an employee must be taken in one consecutive period of time and cannot be taken on an intermittent leave basis.

4. Eligible employees on FMLA leave relating to the non-medical care of a qualifying military exigency shall be required to substitute, until exhausted, his/her accrued paid compensatory time, personal leave and any vacation leave in excess of forty (40) hours for all or any (otherwise) unpaid FMLA leave.

Eligible employees on FMLA leave may elect to exhaust all of his/her vacation accruals. However, the Village does permit employees to keep up to 40 hours of vacation time in his/her accruals.

The substitution of paid leave time for unpaid leave time does not extend the FMLA leave period beyond the 12-week or 26-week maximum allowance.

### **Medical and Other Benefits**

During an approved FMLA leave, the Village shall maintain the eligible employee's health benefits and other optional benefits, such as dental coverage, as if the employee continued to be actively employed. If paid leave is substituted for unpaid leave, the Village will deduct the employee's portion of the cost for any health and optional benefits as a regular payroll deduction. Sick leave, vacation leave and personal leave will continue to accrue during the portion of the leave that is paid by the Village.

If the employee exhausts his/her accruals and the employee is no longer receiving any form of payment from the Village, the employee will no longer accrue sick, personal or vacation leave and will no longer receive holiday pay. These benefits will be reinstated upon the employee's return to work. Once an employee exhausts his/her accruals and his/her leave becomes unpaid, the employee is responsible for submitting payment to the Village for the employee's portion of the health, dental, and any other optional insurance premiums. The group health care and other optional benefits may cease if the employee's premium payment is more than 30 days late.

If the Village provides a new health plan or benefits or changes are made to the health benefits or plans while an eligible employee is on FMLA leave, the eligible employee is entitled to the new or changed plans/benefits to the same extent as if the eligible employee were not on leave. Notice of any opportunity to change plans or benefits given generally to Village employees shall also be given to an eligible employee on FMLA leave.

### **Disability Benefits**

Employees may be eligible for temporary disability benefits through IMRF. Sworn officers may be eligible to apply for disability benefits through the Police Pension Board. More information on these benefits is available through Human Resources.

### **Exemption for Key Employees**

Certain "key" employees (i.e. a salaried employee who is in the highest paid 10% of employees at a worksite) may not be returned to his/her former or equivalent position following a leave if restoration of employment will cause substantial economic injury to the Village. The Village will notify an employee if that employee qualifies as a "key" employee, if the Village intends to deny reinstatement, and of the employee's rights in such instances.

### **Intermittent, Reduced Schedule Leave**

Leave for any reason *other* than bonding leave to spend time with a newly born or placed child may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (reducing the usual number of hours the employee works per workweek or workday) if medically necessary. If leave is unpaid, the Village will pay the employee for the number of hours worked. The employee shall substitute accrued sick time, compensatory time, personal leave or vacation time as outlined above in "*Substitution of Other Paid Leave.*"

While an employee is on an intermittent or reduced schedule leave for foreseeable, planned medical treatment, the Village may temporarily transfer the employee to an available alternative position which better accommodates his/her recurring leave and which has equivalent pay and benefits.

For any intermittent time off that is foreseeable, the employee is expected to make a reasonable effort to schedule treatments so as not to disrupt unduly the operations of the Village. The employee must provide at least thirty days' notice to the Village when the need for leave is foreseeable. When this is not foreseeable, the employee is expected to notify the Village as soon as learning of the need for time off, generally on the day the employee learns of that need. Employees must also follow the Village's policies regarding reporting absences in advance, unless an emergency prevents them from doing so.

### **Individual Employee Responsibility**

All employees are responsible for adhering to the Village's sick leave policy as well as the Family and Medical Leave Act (FMLA) and all other Village policies. Employees should notify their supervisor and/or Human Resources of their need for FMLA leave and must follow all provisions of this policy. Employees are responsible for the accurate recording of absences on timesheets.

### **Responsibility of Supervisory/Managerial Employees**

All supervisors and managers must properly implement all provisions of the Village's Family and Medical Leave Act (FMLA) policy. This includes notifying Human Resources of situations that may qualify as FMLA. In addition, all supervisors and managers are responsible for the accurate recording of absences on timesheets.

### **Other Applicable Leaves**

FMLA leave will run concurrently with any other applicable leave. For instance, short-term disability or worker's compensation leave will be simultaneously designated as FMLA leave as well, if the leave is also FMLA-qualifying.

### **Reinstatement**

Upon expiration of an approved leave without pay, an employee may be returned to his prior position or to a position comparable to the one held at the time leave was granted. However, the employee shall have no greater right to reinstatement or other benefits and conditions of employment than if the employee had not taken leave. The employee must return to work immediately after the expiration of the approved FMLA leave in order to be reinstated to his/her position or an equivalent position. If an employee is unable to return from leave due to a continuation of the employee's serious health condition, the Village may consider an extended leave of absence or other potential accommodations if the employee requests an extension or other accommodation. For leave exceeding the maximum FMLA entitlement, the Village cannot guarantee that it will have a position for an employee on an extended leave and circumstances may change during the course of an extended leave that affect the continuing availability of work.

If the employee takes leave because of his/her own serious health condition, the employee is required to provide medical certification that he/she is fit to resume work. Employees may obtain return to work medical certification forms from Human Resources. Employees will not be permitted to return to work until the completed return to work medication certification form is provided. Such certifications may be required periodically if the employee takes intermittent leave.

### **Conflicts**

To the extent that there may be any conflict between the FMLA and this subsection, the provisions of the FMLA shall control.

### **Department of Labor Notice**

The Department of Labor notice provides additional information about the FMLA. Please see the notice on the following page. The Department of Labor notice is included in the appendix of this document.

## 7.5 ILLINOIS CHILD BEREAVEMENT LEAVE ACT

Employees who are eligible to take leave under the federal Family Medical Leave Act (FMLA) are also eligible to take leave under this act. Employees are eligible to take up to ten (10) work days of unpaid bereavement leave following the death of a child to grieve the death of the child, to make arrangements necessitated by the death of the child and/or to attend the funeral (or alternative to a funeral) of the child. “Child” is defined as “an employee’s son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis.”

The leave must be used within 60 days after the employee receives notice of the death of a child. Employees must provide the Village with at least 48 hours’ advance notice of the intention to take the leave, unless it is not reasonable or practicable to do so. The employee may choose to take the unpaid time or to substitute accrued time. If the employee has already exhausted his/her time off under (FMLA), the employee may still use accrued time. If the employee has exhausted his/her accrued time off, the employee may take unpaid time off.

## 7.6 HOLIDAYS

### Holidays Designated

The following and other days, as may be designated by the Village Board, are paid holidays with base salary for full-time and regular part-time employees:

New Year's Day	Memorial Day
Independence Day	Labor Day
Thanksgiving Day	Christmas Eve
Friday Immediately Following Thanksgiving Day	Christmas Day

### Holidays Falling on Saturday or Sunday

When a holiday falls on a Saturday, the previous Friday shall be considered the Village holiday;  
When a holiday falls on a Sunday, the following Monday shall be considered the Village holiday.

### Holiday Compensation

The Village observed day off for a holiday is always on a regularly-scheduled work day. Paid holiday compensation shall be computed as one (1) working day’s pay, not to exceed eight (8) hours, at the employee’s regular straight time hourly rate of pay and shall be credited to full-time employees in addition to the number of hours worked during the pay period. The exception is employees who are scheduled to work on a 24/7 basis (i.e. those assigned to Patrol Division.)

Regular part-time employees shall receive holiday compensation based on each employee’s hourly rate of pay in an amount equal to the number of hours in which they are regularly scheduled for the day on which the holiday occurs, but in no case shall said compensation exceed eight (8) hours.

### Holiday Compensation for Holidays Worked

- If the actual holiday is on a Saturday or Sunday, which is not a regularly scheduled work day, full-time or regular, part-time non-exempt employees who work will have their hours worked computed at twice the employee’s regular hourly rate of pay.
- Full time and regular, part-time non-exempt employees who work on a Village-observed holiday day off, which is an actual holiday, will have their hours worked computed at twice the employee’s regular hourly rate of pay for all hours worked, in addition to the paid holiday compensation.
- Full-time and regular, part-time non-exempt employees who work on a Village observed holiday day off, which is not an actual holiday, will have their hours worked computed at one and a half (1-1/2) times the hourly rate of pay for hours worked, in addition to the paid holiday compensation. Any hours worked in excess of the employees’ regularly scheduled hours shall be computed at a rate twice the employee’s regular hourly rate of pay.

Example:

- Actual Holidays: Christmas Eve, Sunday, 12/24 and Christmas Day, Monday, 12/25.
- Village Observed Holidays: Monday, 12/25 and Tuesday, 12/26.

Day Worked	How Compensated for Hours Worked	How Holiday Compensation is Paid for Holidays Worked
Sunday, 12/24	Pay is computed at two times the employee’s regular rate of pay for all hours worked.	N/A
Monday, 12/25	Pay is computed at two times the employee’s regular rate of pay.	Employee receives the regular holiday pay for the Village designated holiday.
Tuesday, 12/26	Pay is computed at one and a half times the employee’s regular rate of pay.	Employee receives the regular holiday pay for the Village designated holiday.

**Holidays during Vacation Leave**

In the event that a paid holiday occurs during an employee’s vacation time, the employee may, with the approval of the Department Manager, commence his vacation leave a day prior to the effective date of the employee’s vacation period or may extend his vacation leave a day longer, or may receive the holiday compensation and commence leave on the effective date of his regular vacation period.

**Work Shift Changes**

Any employee whose shift commenced during a holiday and who worked a full shift shall be considered as having worked on the holiday.

**Seasonal and Temporary Employees**

Seasonal and temporary employees are not entitled to holiday pay.

**7.7 JURY, COURT OR PUBLIC DUTY**

Employees shall be granted paid time off for required jury duty. Employees will be paid for their required appearances before a court for Village-related business. Employees shall receive that portion of their regular salary equivalent to time normally worked; however, jury duty pay or fees received by the employee shall be paid to the Village. No other expenses will be reimbursed.

**7.8 LEAVE OF ABSENCE WITHOUT PAY (INJURY OR ILLNESS NOT JOB RELATED)**

**Allowable Absence Specified**

In the event that an employee is unable to work by reason of illness, injury or pregnancy, the Village may grant a leave of absence without pay for a period not to exceed nine (9) months. The availability of leave depends on a number of factors, including the staffing needs of the Village, the employee’s ability to return to work within a certain time, and leave available to an employee under federal and state laws.

The Village Administrator may grant an employee (excluding those classified as seasonal or temporary) leave of absence without pay for a period exceeding fifteen (15) calendar days, but not to exceed ninety (90) calendar days. The Village Administrator may grant a renewal of leave of absence. However, the duration of the leave of absence without pay must not exceed a total of nine (9) months, provided that this provision does not apply to military leave.

**Request to be in Advance**

For any request for leave of absence without pay that is foreseeable, the request for leave of absence without pay shall be made in advance to allow time for the department to reassign or reorganize the work of the department.

### **Substitution of Paid Leave**

To be eligible for an unpaid leave of absence, the employee must first exhaust all his/her accrued sick leave, personal leave, vacation leave, and compensatory time.

### **Family and Medical Leave Act (FMLA)**

The Village must comply with the provisions of the Family and Medical Leave Act (FMLA). As such, for employees who are eligible for the twelve (12) weeks of family and medical leave in the defined twelve (12) month period, the policies of the Village's FMLA policy shall apply for injuries or illnesses that qualify under the FMLA. Any unpaid leave of absence for injury or illness not job related shall run concurrently with any other applicable leave, such as FMLA leave. This unpaid leave of absence, when combined with FMLA leave and paid time off through the use of accruals, shall be for a period not to exceed nine (9) months.

### **Qualifications**

To qualify for such leave, the employee must report the illness, injury or inability to work because of pregnancy as soon as the illness, injury, or pregnancy is known and thereafter furnish to Human Resources a physician's written statement showing the nature of the illness, injury or state of pregnancy and the estimated length of time that the employee will be unable to report for work, together with a written request for such leave. The Village Administrator or his/her designee shall give written authorization for such leave for a specified period of time. Thereafter, during such leave, unless bedridden, the employee may be required to personally appear at the employer's premises and furnish a current report from the attending doctor at the end of every ten (10) working days.

### **Medical and Other Benefits**

During any leave of absence without pay, all benefits, including seniority calculations and leave accruals shall be frozen until the employee returns.

The employee may retain membership in the Village's plans for health insurance, life insurance, and optional insurance such as dental insurance for the duration of an approved leave of absence without pay, with the approval of the Village Administrator. The employee shall be responsible for paying the full cost of those benefits, including the portion normally paid by the Village. It shall be the employee's responsibility to arrange with the Finance Department to pay for said benefits that the employee wishes to continue while on leave of absence without pay. (The only exception to this is an unpaid FMLA leave. Please see the **Family and Medical Leave Act Policy** for details.) The group health care and other optional benefits may cease if the employee's premium payment is more than thirty (30) days late.

If the employee does not return to work at the end of the leave period, the employee may be required to reimburse the Village for the cost of the premiums paid by the Village for maintaining coverage during the unpaid leave of absence, unless the employee cannot return to work because of a serious health condition or other circumstances beyond his/her control.

The total service date for salary, benefits and seniority will be adjusted based on the duration of the unpaid leave.

If the Village provides a new health plan or benefits or changes health benefits or plans while an eligible employee is on an unpaid leave of absence, the eligible employee is entitled to the new or changed plans/benefits to the same extent as if the eligible employee were not on leave. Notice of any opportunity to change plans or benefits given generally to Village employees shall also be given to an eligible employee on an unpaid leave of absence.

### **Disability Benefits**

Employees may be eligible for temporary disability benefits through IMRF. Sworn officers may be eligible to apply for non-duty disability benefits through the Police Pension Board. More information on these benefits is available through Human Resources.

### **Return to Work**

Before returning to work from any leave of absence for injury, illness or pregnancy, or during such leave, the employee, at the discretion of the Village, may be required to have a physical examination by a doctor designated by the Village to determine the employee's capacity to perform work as assigned.

### **Reinstatement**

Upon expiration of an approved leave of absence without pay, an employee may be returned to his/her prior position or to a position comparable to the one held at the time leave was granted. The Village cannot guarantee that it will have a position for an employee on an extended unpaid leave and circumstances may change during the course of an extended leave that affect the continuing availability of work.

### **Failure to Report for Duty**

Failure of an employee on leave to report for duty at the date designated and approved initially shall constitute a voluntary resignation from employment by the employee as of the last day of the authorized leave. Upon the conclusion on an authorized leave of absence, if the employee fails to return to work and does not submit a written request for an extension of the leave of absence, including the necessary physician's statement supporting the need for an extension of the employee's leave of absence, if applicable, the employee will be deemed to have resigned from the Village's employ.

### **Pension Considerations**

Employees participating in IMRF and sworn officers participating in the Police Pension Fund should contact the Finance Department to determine how an unpaid leave of absence may affect his/her pension contributions, disability benefits, etc.

#### Alternative Accommodation for Pregnancy

Upon presentation of medical documentation supporting the need for a workplace accommodation, the Village will consider accommodation of pregnancy pursuant to the extent such accommodation does not pose an undue hardship on the ordinary operation of the business of the Village.

## **7.9 LEAVE OF ABSENCE WITHOUT PAY (FOR NON-MEDICAL REASONS)**

### **Allowable Absence Specified**

The Village Administrator may grant an employee (excluding those classified as seasonal or temporary) leave of absence without pay for a period exceeding fifteen (15) calendar days, but not to exceed ninety (90) calendar days. The Village Administrator may grant a renewal of leave of absence. However, the duration of the leave of absence without pay must not exceed a total of six (6) months, provided that this provision does not apply to military leave.

### **Criteria of Granting Leave**

Leave without pay shall not be considered as a privilege, but shall be granted only when it serves to promote the mutual benefit and interests of the employee and the Village.

Leave of absence for training or study to enable the employee to render more valuable service to the Village may be deemed by the Village Administrator as serving to promote mutual benefit and interest.

The Village Administrator, upon the recommendation of the Department Manager, may approve or disapprove such request on the basis of the operational requirements of the department, availability of a temporary substitute employee, the performance and attendance record of the individual and the reason for the request.

### **Procedure in Requesting Leave of Absence Without Pay - Written Request Required**

An employee requesting a leave of absence without pay for any reason must present the request in writing to the Department Manager, who shall submit a recommendation for review by the Village Administrator.

### **Request to be in Advance**

Requests shall be made in advance to allow time for the department to reassign or reorganize the work of the department.

### **Substitution of Paid Leave**

To be eligible for an unpaid leave of absence, the employee must first exhaust all his/her accrued vacation leave, personal leave, and compensatory leave. An employee shall not use sick leave for leave of absence without pay for a non-medical reason. Accrued sick leave shall be frozen and reinstated upon return of the employee.

### **Medical and Other Benefits during Leave**

During any leave of absence without pay, all benefits, including seniority calculations, which are normally accrued, shall be frozen until the employee returns.

The employee may retain membership in the Village's plans for health insurance, life insurance, and optional insurance such as dental insurance for the duration of an approved leave of absence without pay, with the approval of the Village Administrator. The employee shall be responsible for paying the full cost of those benefits, including the portion normally paid by the Village. It shall be the employee's responsibility to arrange with the Finance Department to pay for said benefits that the employee wishes to continue while on leave of absence without pay. The group health care and other optional benefits may cease if the employee's premium payment is more than thirty (30) days late.

The total service date for salary, benefits and seniority will be adjusted based on the duration of the unpaid leave.

If the Village provides a new health plan or benefits or changes health benefits or plans while an eligible employee is on an unpaid leave of absence, the eligible employee is entitled to the new or changed plans/benefits to the same extent as if the eligible employee were not on leave. Notice of any opportunity to change plans or benefits given generally to Village employees shall also be given to an eligible employee on an unpaid leave of absence.

### **Reinstatement**

Upon expiration of an approved leave of absence without pay, an employee may be returned to his prior position or to a position comparable to the one held at the time leave was granted. The Village cannot guarantee that it will have a position for an employee on an extended unpaid leave and circumstances may change during the course of an extended leave that affect the continuing availability of work.

### **Failure to Report for Duty**

Failure of an employee on leave to report for duty at the date designated and approved initially or upon renewal shall constitute a voluntary resignation from employment by the employee as of the last day of the authorized leave.

### **Pension Considerations**

Employees participating in IMRF and sworn officers participating in the Police Pension Fund should contact the Finance Department to determine how an unpaid leave of absence may affect his/her pension contributions, disability benefits, etc.

## **7.10 MILITARY LEAVE**

### **General Provisions**

Any employee, whether or not he/she is a member of any active or reserve component of the Armed Services, the Illinois National Guard, or the Illinois Naval Militia, shall be allowed military leave from employment with the Village for any period actively spent in military service including basic training and special or advanced training, whether or not within the State of Illinois, and whether or not voluntary. Such leave shall be granted for a cumulative period of service of no longer than five (5) years, except as otherwise required by law. Except as set forth herein, such leave shall be unpaid.



### **Required Annual Reporting**

Employees who are reserve members must submit their Paid Entry Base Date (PEBD), rank, years of service, and pay grade on an annual basis. This information must be submitted to Human Resources by January 1<sup>st</sup> of each year. This information should also be submitted prior to any leaves for training or extended deployment if the employee has advance notice. This information must be submitted to determine amount of military differential paid to the employee while on military leave.

### **Use of Paid Leave**

Employees on military leave may use accrued vacation, personal or compensatory time during his/her military leave, but are not required to do so.

### **Medical and Other Benefits during Leave**

Employees who will be on leave for thirty-one (31) days or more may continue health care coverage for themselves and his/her dependents for up to twenty-four (24) months from the date his/her military leave begins. If the employee elects to receive payment through the use of accruals during the leave, the insurance premiums will be deducted from their paycheck. However, if the employee is not receiving payment from the Village, such continuation shall be at the sole expense of the employee. If the employee does not choose to continue the Village's health insurance during the leave, he/she shall be permitted immediate reinstatement into the group health plan when the employee returns from military service. Military leave shall be granted without loss of seniority or other previously accrued benefits. Employees, other than reservists called to active duty, who take military leave, shall be afforded the same benefits that employees on other similar leaves of absence receive under Village policy, in accordance with applicable state and federal laws.

### **Notice of Leave**

Whenever possible, employees must provide advanced notice (preferably written) of his/her departure for military service to his/her Department Manager. This notice may also be provided by an appropriate officer of the branch of the military in which the employee will be serving. The employee need not give notice, however, if he or she is prevented by military necessity, or if it is otherwise unreasonable or impossible to do so.

### **Special Military Leave Benefits for Training Obligations**

Employees who are members of the Reserves (including the National Guard) shall be granted leave for any period actively spent in military service, including:

1. Basic Training;
2. Special or advanced training, whether or not with the State, and whether or not voluntary;
3. Annual Training
4. Any other training or duty required by the U.S. Armed Forces.

For part-time employees, leave for training shall be treated as set forth in the general provisions section above.

For full-time employees in the Reserves, during leaves for training, the employee's seniority and other benefits shall continue to accrue. In addition, full-time employees shall receive the following:

1. During leaves for annual training, the employee shall continue to receive his or her regular compensation;
2. During leaves for basic training and up to sixty (60) days of special or advanced training, or for any other training or duty required by the United States Armed Forces, if the employee's compensation for military activities is less than his or her compensation as a Village employee, he or she shall receive his or her regular Village compensation, minus the amount of his or her base pay for military activities.

### **Special Benefits for Reservists Called to Active Duty**

Employees in the Reserves (including the National Guard), who are mobilized to active military duty by Presidential Order, shall receive continuing compensation (minus the amount of the employee's base military pay) for the entire period of active military service; and continuing health insurance and other benefits the employee was receiving, or accruing, at the time the employee was called to duty.

### **Return to Duty**

Employees returning to work following military service shall notify the Village of his/her intent to return. Employees who have been engaged in military duty and wish to return to work must apply for reinstatement for employment with the Village within ninety (90) days following completion of service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible, unless otherwise provided for by law. Failure to comply with the above stated time periods for reinstatement may be grounds for the denial of reinstatement and/or discipline, including termination.

### **Changes to Military Leave Laws**

Military leave laws are continually changing. To the extent new laws are adopted which provided greater benefits, those laws will be applicable.

## **7.11 OTHER LEAVE (SCHOOL VISITATION, BLOOD/ORGAN DONOR, ETC.)**

The Village recognizes employees' right to additional forms of leave as provided by state law. Please notify your Department Manager or Human Resources if you have any questions or concerns regarding your need for time off for any reason.

## **7.12 PERSONAL LEAVE**

The Village provides four (4) optional personal days or thirty (32) hours, per calendar year, which are computed as follows for full-time employees.

### **Computation of Personal Leave**

- An employee who commences employment between January 1 and March 31 may use up to four (4) personal days, maximum of thirty (32) hours, during the current calendar year;
- An employee who commences employment between April 1 and June 30 may use up to three (3) personal days, maximum of twenty (24) hours during the current calendar year;
- An employee who commences employment between July 1 and September 30 may use up to two (2) personal days, maximum of sixteen (16) hours, during the current calendar year;
- An employee who commences employment between October 1 and December 31 may use up to one (1) personal day, maximum of eight (8) hours, during the current calendar year.

### **How Personal Time May Be Taken**

Personal leave shall be taken in units of one (1) hour or greater and may be used for any reason, provided that authorization is obtained from the employee's Department Manager prior to the requested time off. Personal leave shall be used in the calendar year in which it is earned and shall not be carried over to the next calendar year. No payment will be given if unused by the employee.

### **Computation for Part-Time Employees**

Part-time, regularly scheduled employees who work a regularly scheduled minimum of twenty (20) hours per week or one thousand forty (1,040) hours annually and have definite assigned responsibilities shall accrue annual personal leave with pay on a pro-rated basis determined by the number of hours the position is approved for by the Village Board and included in the current year budget document.

### **Seasonal and Temporary Employees**

Seasonal and temporary employees are not entitled to paid personal leave.

### **Separation of Employment**

Personal leave may not be taken once an employee has submitted his/her intention to resign his/her position. However, this provision does not apply to terminations due to retirement.

## **7.13 SICK LEAVE**

The purpose of sick leave is to provide an employee with protection against loss of income due to personal sickness or injury which prevents the performance of normal job duties.

### **Not a Privilege**

Sick leave shall not be considered as a privilege which an employee may use at his discretion but shall be allowed only in case of necessity and actual sickness or disability of the employee. Sick leave abuse imposes an inappropriate financial burden on the Village. It can also create a safety risk when other employees are forced to work overtime as a result of the sick leave abuse. As a result, the Village closely monitors the use of all sick leaves. Employees who abuse the sick leave policy of the Village are subject to disciplinary action.

### **Notification of Supervisor**

To receive compensation while absent on sick leave, the employee shall notify the immediate supervisor at least one (1) hour prior to the time set for beginning his/her daily duties. Non-emergency absence from the employee's home during sick leave must also be approved by the supervisor before compensation will be allowed. The supervisor will complete a Sick Time Use Call in Log for each absence.

If an employee has a chronic illness or injury or needs ongoing medical treatment that necessitates the use of sick time, the employee should contact his/her immediate supervisor, Department Manager, or Human Resources. If the medical condition qualifies the employee for time off under the Family and Medical Leave Act ("FMLA") provisions, the employee may be granted FMLA leave. While on any FMLA leave, the employee must also follow the provisions of this sick leave policy, including reporting absences in advance.

### **Computation of Sick Leave for Full-Time Employees**

Full-Time employees shall be granted three and seventy one-hundredths (3.70) hours of sick leave for each full pay period of full-time employment and will be allowed to continuously accrue credit for earned sick leave.

### **Computation of Sick Leave for Part-Time Employees**

Part-time, regularly-scheduled employees who work a regularly scheduled minimum of twenty (20) hours per week or one thousand forty (1,040) hours annually and have definite assigned responsibilities shall accrue sick leave with pay on a pro-rated basis determined by the number of hours the position is approved by the Village Board and included in the current year budget document.

### **How Sick Time May Be Taken**

Sick leave shall be taken in units of one (1) hour or greater.

### **Sick Leave Accumulation**

Credit for sick leave shall not accumulate during any leave of absence without pay or during any lay-off. Sick leave shall continue to accumulate only during full pay periods of service and other paid leave.

### **Separation of Employment Provisions for Full-Time Employees**

When a full-time exempt employee with more than ten (10) years but less than fifteen (15) years of continuous service separates employment for any reason, excluding termination for cause, that employee shall be paid at fifty percent (50%) of his/her accrued and unused sick leave up to a maximum of three hundred and sixty (360) hours of sick leave, a maximum pay out of one hundred and eighty (180) hours.

When a full-time non-exempt employee with more than ten (10) years but less than twenty (20) years of continuous service separates employment for any reason, excluding termination for cause, that employee shall be paid at fifty percent (50%) of his/her accrued and unused sick leave up to a maximum of three hundred and sixty (360) hours of sick leave, a maximum payout of one hundred and eighty (180) hours.

When a full-time exempt employee with more than fifteen (15) years of continuous service or a full-time non-union, non-exempt employee with more than twenty (20) years of continuous service separates from the Village for any reason, excluding termination for cause, he/she must contribute a maximum of seventy-five percent (75%) of one-thousand forty (1,040) hours – seven-hundred eighty (780) hours of accrued, unused sick time to the Retirement Health Savings Plan (RHS).

### **Separation of Employment Provisions for Part-Time Employees**

When a part-time employee with more than ten (10) years of continuous service separates employment for any reason, excluding termination for cause, that employee shall be paid at fifty percent (50%) of his/her accrued and unused sick leave up to a maximum of three hundred and sixty (360) hours, for a maximum payout of one hundred and eighty (180) hours.

### **Sick Time In Excess of Cash Payout or RHS Payment**

#### Retiring Under IMRF

If you are an employee enrolled in IMRF and upon separation from the Village is retiring under IMRF, accrued and unused sick time in excess of the payout to the employee or to the RHS plan can be applied to service time for the IMRF retirement benefit calculation.

#### Retiring Under Police Pension

There is no other payout or benefit for employees retiring under the Police Pension.

#### If You Leave the Village but Do Not Retire

If an employee leaves the Village but does not retire, the sick time in excess of the payout to the employee or to the RHS plan cannot be applied towards the IMRF calculation for service credit.

### **Retiree Health Savings Plan**

As a benefit to its employees, the Village of Woodridge has implemented a Retirement Health Savings (RHS) plan for its full-time employees. RHS plans allow employees who meet certain tenure requirements to, upon separation from the Village, contribute a maximum of seventy-five percent (75%) of one-thousand forty (1,040) hours – seven hundred eighty (780) hours – of accrued, unused sick time to the RHS plan. Per IRS regulations, all full-time employees are automatically in the plan once they become eligible. IRS Code allows the funds in the plan to be used to pay for medical, dental, and long-term care insurance premiums upon retirement.

### **Use of All Accumulated Sick Time**

If an employee has used all accumulated sick time, the time off for any subsequent sick leave will be unpaid unless the employee is utilizing time off under another policy (FMLA).

### **Other Uses for Sick Leave**

For Employee -- Physical Examinations and Preventative Medicine - Sick leave may be used for an individual employee's preventative medical or physical treatment and physical examination by a physician and surgeon or a dentist providing the following:

- The sick leave use has been approved by the Department Manager in advance a minimum of twenty four (24) hours prior to the commencement of the workday for which the sick leave is requested.
- The purpose of the sick leave utilization must be stated at the time requested.

Sick Leave Taken for Physical Examinations and Preventative Medicine - A minimum of one (1) hour and maximum of four (4) hours for each examination will be utilized. No employee shall utilize more than ten (10) hours annually of accumulated sick leave for his own physical examinations or preventative medicine appointments.

Sick Leave for Family Members Illness-Related – An employee may use sick leave for absences due to illness, injury or medical appointments of the employee's child, stepchild, spouse, civil union partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent. An employee may use up to the amount of sick leave time he/she would accrue during six (6) months (48 hours for a full-time employee) for sick leave use for a family member. Employees should request the time off at least 48 hours in advance of the need to use sick time for medical appointments, if possible. All other Village and individual department sick leave rules apply. This policy does not change the application or designation of FMLA leave if the reason or the absence(s) is FMLA qualifying.

Childbirth by Spouse - An employee may take two (2) sick days, or the equivalent of sixteen (16) hours in the event of childbirth by spouse or civil union partner, or in the event of adoption, on the day when the child is physically placed in the home.

### **Return to Work**

All employees (except those covered by a collective bargaining agreement) using twenty-four (24) or more consecutive hours of sick leave for their own health condition, shall be required to submit a physician's certificate upon their return to work certifying the illness and the employee's ability to return to duty before compensation will be allowed. This physician's certificate must include the dates that the employee was sick due to illness, the date the employee is allowed back to work and any light duty or accommodations needed to be able to return to work.

*At any time, a Department Manager may request from an employee a physician's certificate certifying the employee's illness.* If an employee is instructed to provide a physician's certificate for a single day absence, the certification must be provided to his/her supervisor within three (3) days of his/her return to work in order for compensation for that absence to be allowed.

### **Violation of Policy**

Any employee who abuses the sick leave policy of the Village is subject to disciplinary action, up to and including termination of employment.

## **7.14 VACATION LEAVE**

### **Computation for Non-Exempt Employees**

First Five (5) Years of Employment - Each full-time, non-exempt forty (40) hours per week employee shall accrue annual leave with pay at the rate of three and eight one-hundredths (3.08) hours for each pay period of service during the first five (5) years of employment.

From Six (6) Through Ten (10) Years of Employment - Each full-time, non-exempt forty (40) hours per week employee shall accrue annual leave with pay at the rate of four and sixty two one-hundredths (4.62) hours for each pay period of service from six (6) through ten (10) years of employment.

From Eleven (11) Years through Twenty (20) Years of Employment - Each full-time, non-exempt forty (40) hours per week employee shall accrue annual leave with pay at the rate of six and sixteen one-hundredths (6.16) hours for each pay period of service from eleven (11) years through twenty (20) years of employment.

More than Twenty Years of Employment - Each full-time, non-exempt forty (40) hours per week employee shall accrue annual leave with pay at the rate of seven and six hundred, ninety-two thousandths (7.692) hours for each pay period of service following twenty (20) years of employment.

### **Computation for Exempt Level Employees**

First Two Years of Employment - Exempt employees shall accrue annual leave with pay at the rate of three and eight one-hundredths (3.08) hours for each pay period of service during the first two (2) years of employment.

From Three Years through Ten Years - Exempt employees shall accrue annual leave with pay at the rate of four and sixty two one-hundredths (4.62) hours for each pay period of service from three (3) through ten (10) years of employment.

From Eleven Years through Twenty Years of Employment - Exempt employees shall accrue annual leave with pay at the rate of six and sixteen one-hundredths (6.16) hours for each pay period of service from eleven (11) through twenty (20) years of employment.

More than Twenty Years of Employment - Exempt employees shall accrue annual leave pay at the rate of seven and six hundred, ninety-two thousandths (7.692) hours for each pay period of service following twenty (20) years of complete service.

### **Computation for Part-Time Employees**

Part-time, regularly scheduled employees who work on a regularly scheduled minimum of twenty (20) hours per week or one thousand forty (1,040) hours annually and have definite assigned responsibilities shall accrue annual vacation leave with pay on a pro-rated basis determined by the number of hours the position is approved for by the Village Board and included in the current year budget document.

### **Vacation Credit for Service as a Part-Time Employee**

Time worked as a part-time employee, when immediately followed by full-time employment, shall be included in computing length of continuous service for vacation leave.

### **Probationary Period**

During the initial, not promotional, probationary period, an employee will accrue but may not use vacation leave.

### **How Vacation Time May Be Taken**

Vacation leave must be taken in units of one (1) hour or greater.

### **When Vacation Time May Be Taken**

The time at which an employee is taking annual leave shall be determined by the Department Manager with particular regard to the needs of the department and is not limited to any particular time of the year and with regard to the wishes of the employee. Scheduling of vacation time shall be determined by departmental policy. All vacation schedules must be arranged in advance with the consent of the Department Manager.

### **Holidays during Vacation Leave**

In the event that a paid holiday occurs during an employee's vacation time, the employee may, with the approval of the Department Manager, commence his vacation leave a day prior to the effective date of the employee's vacation period or may extend his vacation leave a day longer, or may receive the holiday compensation and commence leave on the effective date of his regular vacation period.

### **Illness/Injury during Vacation Leave**

If an employee must utilize accrued sick leave prior to scheduled vacation leave because the employee becomes medically incapacitated or hospitalized on a scheduled workday prior to and extending into the period of scheduled vacation, the scheduled vacation will be vacated and the employee will continue using available sick leave until the end of the medical absence.

However, any illness or injuries occurring during a vacation leave will continue to be charged as vacation leave for the remaining time of the scheduled vacation, and cannot be converted to sick leave. If the employee cannot medically return to work following the scheduled vacation, he/she can use accrued sick leave until the end of the medical absence, per our Sick Leave Policy.

### **Vacation Buy-Out, Exempt Employees**

Exempt employees may elect annually, prior to December 15, to receive payment for not more than forty (40) hours of accrued, but unused, vacation leave at their then current hourly rate of pay.

### **Waiving Vacation Prohibited**

As vacation leave is granted to employees for a period of recreation, no employee shall be permitted to waive such leave for the purpose of receiving double pay.

### **Separation of Employment**

Upon separation of employment, the employee will be paid all unused, accrued vacation leave. At the discretion of the Department Manager, employees who submit their intention to resign or retire may take vacation leave. However, employees are required to report to work on their final day of employment.

### **Vacation Accumulation**

- Vacation hours accumulated by an employee shall not be allowed to exceed more than twice the number of hours an employee would earn annually.
- Credit for vacation leave shall not accumulate during any leave of absence without pay or during any lay-off.
- Vacation leave shall continue to accumulate during periods when an employee is unable to work but is receiving pay through the use of his/her accruals (for instance during a workers' compensation leave or Family and Medical Leave Act).

### **Seasonal and Temporary Employees**

Seasonal and temporary employees are not entitled to vacation pay.

## **7.15 VICTIM'S ECONOMIC SECURITY AND SAFETY ACT LEAVE**

The Victims' Economic Security and Safety Act (known as "VESSA") provides an employee who is a victim of domestic violence, or who has a family or household member who is a victim of domestic violence, with up to twelve (12) weeks of unpaid leave per any twelve (12) month period to address issues arising from domestic or sexual violence. (Family or household member is defined as a parent, son, daughter, other person related by blood or by present or prior marriage, or other person who shares relationships through a son or daughter and persons jointly residing in the same household.)

### **Eligibility**

To be eligible under this law, an employee must be a regularly scheduled full-time or part-time employee. This does not apply to temporary or seasonal employees. Per Illinois law, there is no minimum employment tenure to be eligible for VESSA leave.

### **Notice of Leave**

The employee shall provide the employer with at least forty-eight (48) hours' advance notice of the employee's intention to take leave, except in such cases where it is not practicable to provide such notice. The Village may require certification that the VESSA leave is to be taken for one of the intended purposes of the Act, and that the employee or employee's family or household member is a victim of domestic or sexual violence. The Village must maintain the confidentiality of all information pertaining to the use of VESSA leave, notice of an employee's intention to take VESSA leave, and certification provided by the employee.

### **Medical and Other Benefits**

During an approved VESSA leave, the Village shall maintain the eligible employee's health benefits and other optional benefits, such as dental coverage, for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. If paid leave is substituted for unpaid leave, the Village will deduct the employee's portion of any health and optional benefits as a regular payroll deduction. Sick leave, vacation leave, and personal leave will continue to accrue during the portion of the leave that is paid by the Village.

If the employee does not return to work at the end of the leave period, the employee may be required to reimburse the Village for the cost of the premiums paid by the Village for maintaining coverage during the unpaid portion of the leave, unless the employee cannot return to work due to circumstances beyond his/her control.

If the Village provides a new health plan or benefits or changes health benefits or plans while an eligible employee is on VESSA leave, the eligible employee is entitled to the new or changed plans/benefits to the same extent as if the eligible employee were not on leave. Notice of any opportunity to change plans for benefits given generally to Village employees shall also be given to an eligible employee on VESSA leave.

### **Substitution of Other Paid Leave**

Employees may elect to substitute accrued paid compensatory time, vacation leave or personal leave for otherwise unpaid leave. However, per State law, employees *are not required* to substitute paid leave for unpaid leave during VESSA leave.

### **Intermittent, Reduced Schedule Leave**

VESSA leave may be taken intermittently or on a reduced work schedule.

### **Other Applicable Leaves**

VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA which also qualifies under the Family and Medical Leave Act (FMLA) will be simultaneously designated as both VESSA and FMLA leave. In the event that an employee utilizes both FMLA leave and VESSA leave, the employee is entitled to a combined total of 12 weeks leave under both Acts in any 12-month period. At the employee's request, paid leave may be substituted for unpaid VESSA leave. Likewise, absences for which an employee receives sick time or short-term disability benefits for a purpose covered under VESSA will be designated as VESSA leave.

In the event an employee is unable to return to work following the expiration of VESSA leave, the Village may grant a leave of absence without pay. This leave of absence, when combined with VESSA leave, shall be for a period not to exceed six (6) months. Following the twelve (12) week VESSA leave, the employee must exhaust all his/her existing accrued compensatory time, sick leave, personal leave, and vacation leave before beginning the unpaid portion of the leave of absence.

### **Reinstatement**

Upon expiration of an approved leave, an employee may be returned to his prior position or to a position comparable to the one held at the time leave was granted. The Village cannot guarantee that it will have a position for an employee on an extended unpaid leave and circumstances may change during the course of an extended leave that affect the continuing availability of work.

The employee shall have no greater right to reinstatement or other benefits and conditions of employment than if the employee had not taken leave. The employee must return to work immediately after the expiration of the approved VESSA leave in order to be reinstated to his/her position or an equivalent position. If an employee takes VESSA leave because of his/her own medical or psychological condition, they are required to provide medical certification that they are fit to resume work, according to the Village's usual policies.

### **Notice**

The Village shall post and keep posted at Village facilities, in conspicuous places where employees are employed, a notice summarizing the requirements of the Act.

### **Conflicts**

To the extent that there may be any conflict between VESSA and this subsection, the provisions of VESSA shall control.



## **7.16 WORKERS' COMPENSATION LEAVE**

### **Reporting Injuries**

If an employee is injured while working, he must report the injury to his supervisor immediately. Immediate reporting of an injury is necessary to ensure prompt and accurate submission of a workers' compensation claim. The failure to immediately report a work-related injury may result in disciplinary action, up to and including termination. The supervisor shall complete the Form 45 and a Supervisory Report and any other required documentation within twenty-four (24) hours of being advised of the work-related injury.

### **Compensation During Leave**

Per Village policy, an employee who is injured while on duty arising out of and in the course of employment and entitled under State law to workers' compensation will continue to receive his/her regular monthly salary rate for a maximum of four (4) consecutive months. This section applies to non-sworn personnel only. Sworn personnel are covered by the provisions of the Public Employee Disability Act (5 ILCS 345/).

### **Use of Compensatory Time, Sick Leave, Personal Leave, and Vacation Leave**

Per Village policy, following the expiration of the four (4) month period described above, if the employee remains unable to return to work due to an on-the-job injury or illness, the employee will receive a tax-free workers' compensation benefit for two-thirds (2/3) of his/her salary. The employee must use all his/her remaining compensatory time, sick leave, personal leave, and vacation leave to supplement the additional one-third (1/3) portion of his/her salary for a maximum time period of twelve (12) months. If the employee exhausts his/her accruals and is no longer receiving any form of payment from the Village, the employee will no longer accrue sick, personal, or vacation leave and will no longer receive holiday pay.

### **Workers' Compensation Paid to Village**

Any payment received by the employee from workers' compensation insurance shall be paid to the Village as a partial offset against the Village's payment of salary during the injury or sickness period.

### **Medical and Other Benefits**

The Village shall maintain the eligible employee's health benefits and other optional benefits, such as dental coverage, during workers' compensation leave. If paid leave is substituted for unpaid leave, the Village will deduct the employee's portion of any health and optional benefits as a regular payroll deduction.

If the employee exhausts his/her accruals and is no longer receiving any form of payment from the Village, the employee will no longer accrue sick, personal or vacation leave and will no longer receive holiday pay. These benefits will be reinstated upon the employee's return to work.

Once an employee exhausts his/her accruals and the employee is no longer receiving any form of payment from the Village (but may be receiving pay through workers' compensation benefits), the employee is responsible for paying both the Village portion as well as the employee portion of the health, dental, and any other optional insurance premiums. The group health care and other optional benefits may cease if the employee's premium payment is more than thirty (30) days late.

If the employee does not return to work at the end of the workers' compensation leave period, the employee may be required (once FMLA leave has been exhausted) to reimburse the Village for the cost of the premiums paid by the Village for maintaining coverage during the unpaid portion of the leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond his/her control.

If the Village provides a new health plan or benefits or changes health benefits or plans while an eligible employee is on workers' compensation leave, the eligible employee is entitled to the new or changed plans/benefits to the same extent as if the eligible employee were not on leave. Notice of any opportunity to change plans or benefits given generally to Village employees shall also be given to an eligible employee on workers' compensation leave.

### **Disability Benefits**

Employees may be eligible for temporary disability benefits through IMRF. Sworn officers may be eligible to apply for non-duty disability benefits through the Police Pension Board. More information on these benefits is available through Human Resources.

### **Other Applicable Leaves**

Workers' compensation leave will run concurrently with any other applicable leave. For instance, workers' compensation or short-term disability will be simultaneously designated as FMLA leave.

### **Injury Status Reports**

If an employee is unable to work due to a work-related injury, it is the employee's responsibility to keep his/her supervisor informed as to the status of the injury. The injured employee shall call his/her supervisor on a weekly basis (or other pre-determined interval as approved by the supervisor) to report on the status of the injury and indicate when he is expected to return to work. Failure to call his/her supervisor as required could result in disciplinary action, up to and including immediate termination.

### **Time Off Under Workers' Compensation**

All time away from work due to a work-related injury must be supported by documentation from a physician indicating how long the employee is expected to be off work and shall include an expected return to work date. Any changes in the expected return to work date must be supported by documentation from a physician. If an employee fails to return to work by the date indicated on the physician's statement, the employee shall be deemed to have voluntarily resigned from the Village's employ and will be voluntarily terminated from payroll.

### **Light Duty Assignment**

Whenever possible, the Village attempts to provide temporary, light duty work for on-the-job injuries. Light duty is intended to transition injured employees back to their full duties and light duty assignments are temporary assignments that meet an employee's temporary physical restrictions. However, nothing in this policy shall be construed to require the Village to create a light duty assignment for an employee. Employees will only be assigned to light duty work when the Village determines that a need exists and only as long as such need exists.

The Village may require an employee who is receiving workers' compensation benefits to return to work in a light duty assignment that the employee is qualified to perform, provided that the Village's physician has determined that the employee is physically able to perform the light duty assignment in question without significant risk that such return to work will aggravate any pre-existing injury. The terms and conditions of the light duty assignment, including job tasks and hours, shall be determined exclusively by the Village Administrator or his/her designee. The light duty assignment need not necessarily be confined to the employee's department.

#### Length of Light Duty Assignment

Generally, a light duty assignment may be offered to an employee when there is a reasonable expectation that the employee will be able to return to regular duty within ninety (90) days. Light duty assignments shall not exceed ninety (90) days unless extended by the Village Administrator or his/her designee based upon the employee's medical condition and the ongoing availability of productive light duty work.

The Village reserves the right to terminate any light duty assignment at an earlier time if the Village physician determines:

- that an employee is capable of returning to his or her normal job duties,
- if the employee's treating physician or the Village's physician determines that the employee's condition is not improving while he/she is on light duty,
- if a need no longer exists for the light duty assignment, or
- for any other reason deemed appropriate by the Village Administrator, his/her designee, or the Department Manager overseeing the light duty assignment.

### Conditions of Light Duty Assignment

- 1) The employee will be assigned to a work schedule of forty (40) hours per week. The work schedule will be determined by the employee's Department Manager or designee. The work performed on a light duty assignment will be project specific. Upon the completion of any project assigned as light duty work, the availability of additional light duty work will be evaluated, and in the event that no additional light duty work is available, the light duty assignment may be terminated. The employee will be paid at his/her regular rate of pay.
- 2) It is the intention of any light duty assignment to facilitate the employee's return to the workplace while ensuring that the employee remain focused on achieving maximum medical improvement so that they may return to full duty with the Village. Therefore:
  - a) While on light duty, employees will not be permitted to work overtime or engage in any secondary employment. However, if the employee provides written documentation to the Village from his/her physician that he/she, while medically incapable of performing the essential job functions of his/her position with the Village, is medically capable of performing overtime or secondary employment, then the Department Manager may approve the overtime or secondary employment provided that the overtime or secondary employment does not require the employee to meet similar physical requirements of his/her primary position with the Village.
  - b) While on light duty, employees must limit their physical activities to comply with the medical restrictions as outlined by his/her treating physician while at work as well as during his/her off duty hours. Failure to adhere to the medical restrictions outlined by the physician, either at work or during off duty hours may result in the termination of the light duty assignment and may be grounds for disciplinary action.
- 3) Employees on light duty assignments must confirm with their supervisor and/or other appropriate personnel the dates and times of all follow-up appointments, new appointments, physical therapy, etc. as needed. Each time an employee visits his/her physician, his/her work restrictions and the availability of a light duty assignment will be re-evaluated. All appointments and treatments must be scheduled during the employee's scheduled work hours at such a time so as not to disrupt the work schedule or the operations of the department.

Before an employee working light duty can resume his/her normal duties without restriction, the employee must submit a doctor's release stating that they are released to full duty with or without reasonable accommodation. If it so desires, the Village shall have the right to send an employee to a physician of its choice to determine if the employee is fit to return to work.

### **Medical Expenses**

When any employee is injured, whether in the line of duty or not, the Village may be required to expend sums of money to cover hospitalization, loss of pay, etc. To the extent that an injured employee recovers damages from any party alleged to have caused said injuries, the employee shall reimburse the Village for sums of money expended for hospitalization, loss of pay, etc.

Medical and hospital expenses for accidental, work-related, on-the-job injuries may be paid through the Village's Workers' Compensation Program in accordance with Village policy and the Illinois Workers' Compensation Act, ("the Act"). The guidelines contained in this Section will be applied in accordance with the Act and any other applicable federal or state law. To the extent there is any conflict between this policy and the requirements of the Act, the Act will control.

If medical treatment is rendered for an injury, hospital and doctor charges should be forwarded to the Village of Woodridge. If an employee personally receives bills related to an injury, the bills must be given to Human Resources immediately so that they may be submitted to the Village's workers' compensation claims processor for prompt payment.

### **Return to Work**

An employee must submit a doctor's release before he/she may return to work. If it so desires, the Village shall have the right to send an employee to a physician of its choice to determine if the employee is fit for duty. The Village may exercise this right before an employee returns to work following a workers' compensation leave of absence or before the employee is released to regular duty from a light duty assignment.

At the conclusion of workers' compensation leave, an employee may be returned to his prior position or to a position comparable to the one held at the time leave was granted. If no such position is available upon the employee's release to return to work, the employee may be terminated unless otherwise prohibited by law.

### **Injury Ineligible Under Workers' Compensation**

In the event an injury is found to be ineligible under workers' compensation, any lost time will be deducted from the employee's sick leave accruals, and, upon exhaustion of sick leave accruals, vacation, personal and compensatory time accruals will be utilized until exhausted. Any outstanding medical treatment and expenses will become the employee's responsibility.

### **Falsification of Work-Related Injury**

Falsification of a work-related injury is grounds for disciplinary action, up to and including termination of employment.

### **Inability to Return to Work**

If an employee on workers' compensation leave achieves maximum medical improvement but remains incapable of performing the full duties of his/her position in an unrestricted manner, with or without reasonable accommodation, his/her employment with the Village may be terminated, unless otherwise prohibited by law.

### **Failure to Return to Work**

Failure of an employee on workers' compensation leave to report for duty at the date designated and approved initially shall constitute grounds for termination.

## SECTION 8 – INSURANCE, OTHER BENEFITS AND PROGRAMS

### 8.1 COBRA CONTINUATION COVERAGE

Employees and their dependents may be entitled to continue health and dental insurance coverage when their eligibility to participate under the Village's coverage ends. Eligibility is provided under the federal COBRA laws and any applicable laws of the State of Illinois, which provide participation in the Village's group medical plans beyond a plan's eligibility limits.

#### **Cost**

Employees and dependents electing to continue participation in a group health or dental plan, under COBRA, are responsible for the prepayment of the monthly premium at a rate of one-hundred and two percent (102%) of the applicable insurance premium cost, which includes a two percent (2%) administrative fee.

#### **Eligibility**

Employees are responsible for notifying Human Resources of any change in dependent eligibility within sixty (60) days of the date of the eligibility ceasing (i.e. divorce, dependent child's age, etc.). An employee's failure to notify Human Resources that a dependent's eligibility has ceased within the sixty (60) day notification period will result in the dependent's eligibility for continued insurance coverage being forfeited.

#### **Length of Coverage**

- Employees may continue health and dental coverage for up to eighteen (18) months following the date of separation.
- Due to a divorce, or the death of an employee, the surviving spouse and eligible dependents may continue participation in the group health and/or dental coverage for up to thirty-six (36) months from the date that eligibility for coverage ceased.
- When dependent children cease to be eligible according to the terms of the plan, they may continue participation in the group health and/or dental plan for up to thirty-six (36) months from the date that eligibility for coverage ceased.

#### **How to Elect COBRA Coverage**

Once eligible for COBRA, the employees and/or his/her dependent will receive a letter and information packet from the Village's third party administrator for COBRA coverage. This packet will include an informational letter, rate information, an Election Form, Dependent Information Form, and other important information about his/her COBRA continuation coverage rights. Under federal law, the individual has sixty (60) days after the date of the COBRA notice to decide whether to elect COBRA continuation coverage.

#### **Insurance Continuation for Retirement/Disability**

The Illinois Compiled Statutes allows employees who are about to receive retirement or disability payments through a Village pension program the right to elect continued participation in a Village group health insurance plan. The Statutes require that the participation be continuous and uninterrupted from the time the Village's co-payment of premiums ceases. The Village also extends the option of continuous and uninterrupted participation in a Village group dental insurance plan. Continued participation includes the right to change plans and/or types of coverage during the annual open enrollment period.

If coverage is interrupted and ceases, the former employee cannot re-enroll into a Village group insurance program at a later date.

Pensioners are responsible for the full pre-payment of the monthly premium (employer and employee co-payments). Also, when eligible, pensioners may continue the group insurance participation under a Medicare supplement plan.

## **8.2 DEFERRED COMPENSATION**

The Village offers each employee the option to participate in one or more deferred compensation plan(s). Deferred compensation plans are a tax-sheltered, retirement plan which involves deducting a portion of the employee's salary, with the money transferred to an investment fund selected by the employee. The employee's gross or taxable income is reduced by the amount deferred; therefore, income taxes are reduced. Income taxes are paid when the funds are paid back to the employee (upon retirement, termination of Village employment or in the event of an emergency). Human Resources can provide further information on the programs available.

## **8.3 DENTAL INSURANCE COVERAGE**

Dental insurance coverage of types and amounts to be determined from time to time by the Village Board may be provided to employees, their spouses and children on a voluntary, employee-paid basis.

## **8.4 EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Village provides employees the services of an Employee Assistance Program to full and part-time employees. Employee assistance programs generally provide employees and their family members the ability to obtain free, confidential counseling assistance for any personal or family problem (including stress, depression, substance abuse problems, marital problems, problems with children, and legal or financial issues). The continuation of the EAP program, the service provider and the level of services offered will be decided from time to time.

## **8.5 EMPLOYEE ANNIVERSARY RECOGNITION PROGRAM**

The Village Board may, from time to time, adopt by resolution an Employee Awards Program, a copy of which shall be kept on file in the office of the Village Clerk.

The Employee Awards Program has been established to recognize those who have performed or provided a notable act or achievement for the Village of Woodridge. In addition, employees are recognized by the Mayor and Board of Trustees through the Anniversary Recognition Program. Recognition is given at each five (5) year increment beginning at the five year anniversary date.

The Village Administrator or his/her designee shall be responsible for program administration.

Contact your Department Manager or the Administration Department for more information.

## **8.6 EMPLOYEE COMPUTER PURCHASE LOAN PROGRAM**

In order to maximize the Village's investment in the purchase of new technology and enhance employee computer skills, the Village of Woodridge may assist eligible employees in the purchase of computer hardware and/or software for home use. The use of a computer at an employee's home is intended to significantly enhance computer training provided by the Village. The assistance provided by the Village is in the form of a cash advance of the employee's salary.

To be eligible to participate in the computer purchase loan program, employees must be full-time or part-time employees in good standing that are able to meet the repayment requirements of the program. In addition, employees must have completed his/her probationary period, or six (6) months).

The computer must meet the minimum computer requirements in effect at the time of the request. The Village will determine each year whether funds are available to continue this program for the upcoming

fiscal year. If the program is approved, Village employees are able to apply for this program from each fiscal year. Funds for this program are limited. Therefore, applications will be approved on a first come, first served basis. Please contact Human Resources for further information.

## **8.7 EMPLOYEE SAFETY RECOGNITION PROGRAM**

The Village recognizes the importance of providing a safe work environment for employees and that employees need to observe and promote safe practices while engaged in their daily duties. In order to promote safety and to recognize employees for their safety efforts, the Village has initiated a Safety Recognition Program. This program is managed by the Employee Safety Committee (ESC). This committee is comprised of representatives of each department. One of the functions of the ESC is to review incidents and/or accidents involving Village employees and to make a determination as to whether or not the accident was preventable. The Village also has an Executive Safety Committee comprised of the Village Administrator, Assistant Village Administrator, Department Managers, and the Human Resources Manager.

The goals of the Safety Recognition Program are to:

- Encourage employees to think about and become involved in safety throughout the year.
- Encourage education and practice of safety measures.
- Encourage supervisors to be actively involved in promoting, encouraging and rewarding safe, proactive behaviors.
- Encourage reporting of accidents and unsafe conditions to encourage safety.
- Encourage prevention of accidents.
- Generate safety suggestions.

The Safety Recognition Program is reviewed each year, and may include components such as Safety Day Off program, Employee Safety Suggestion Program, Safety/Wellness quizzes, and Prevention/Safety nominations. A current copy of the Safety Recognition Program is available on the T drive.

## **8.8 EMPLOYEE SUGGESTION PROGRAM**

The Employee Suggestion Program was created in order to promote and encourage the exchange of ideas which would benefit the residents we serve, the organization in which we participate, and the betterment of our professions. In order to provide an incentive for the exchange of ideas, an award will be given to all suggestions which prove to be innovative and effective. To be eligible for an award, suggestions must be submitted in detail, with extensive supporting documentation and (whenever possible) quantitative analysis of the proposed solution. The implementation of a program must be the result of the suggestion itself in order for an award to be granted. However, all suggestions will be acknowledged and given due attention whether or not a monetary prize is awarded. Employees should contact their supervisor or Department Manager for further information.

## **8.9 FLEXIBLE SPENDING ACCOUNTS**

The Village offers a flexible spending account program for employees. Flexible spending accounts allow employees the opportunity to save taxes on the expenses the employee and his/her dependents incur for health care services and supplies that are not reimbursed by insurance plans as well as the expenses paid for dependent day care. Savings are realized because expenses are paid with pre-tax dollars – before federal and state income taxes and social security taxes are deducted. The spending account funds are reimbursed to the employee from the Village's flexible spending account provider once the employee submits verification of the expenses. Any funds not reimbursed at the end of the calendar year are not returned to the employee. Open enrollment takes place once a year for this program.

## **8.10 HEALTH INSURANCE COVERAGE**

Group health insurance coverage of types and amount to be decided from time to time by the Village Board shall be provided for all full-time regularly scheduled employees. Such insurance shall, at the full-time employee's request, be provided to the employee's spouse and dependent children. Coverage may be extended to dependent, unmarried children up to his/her 26<sup>th</sup> birthday (regardless of whether they are enrolled in college), and to unmarried dependent children up to his/her 30<sup>th</sup> birthday if they served as a member of any active or reserve branch of the U.S. Armed Forces.

The Village offers HMO coverage with plan choices for Single, Single Plus One and Family coverage. The Village and employees contribute to the monthly health insurance premiums. Insurance coverage shall commence on the first day of employment with the Village, and shall cease following the employee's final day of employment with the Village except as otherwise provided by law.

## **8.11 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY (HIPAA) POLICY**

### **Introduction and Summary**

Under the Federal Health Insurance Portability and Accountability Act (HIPAA) health plans and health plan sponsors must implement specific policies and procedures to ensure that the health information of its members (called "protected health information" or "PHI") is protected from improper use or disclosure. The health plan under which Village of Woodridge employees receive their coverage is the government insurance pool of Intergovernmental Personnel Benefits Cooperative (IPBC). As the employer, the Village of Woodridge is the plan sponsor.

Members of the IPBC may have access to the individually identifiable health information of Plan participants (1) on behalf of the Plan itself; or (2) on behalf of the IPBC for administrative functions of the Plan.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its implementing regulations restrict the IPBC's ability to use and disclose protected health information (PHI).

No third party rights (including but not limited to rights of Plan participants, beneficiaries, covered dependents, or business associates) are intended to be created by this Policy. The IPBC reserves the right to amend or change this Policy at any time (and even retroactively) without notice. This Policy does not address requirements under other federal laws or under state laws.

### **Protected Health Information**

Protected health information means information that is created or received by the Plan and relates to the past, present, or future physical or mental health or condition of a participant, the provision of health care to a participant; or the past, present, or future payment for the provision of health care to a participant; and that identifies the participant or for which there is a reasonable basis to believe the information can be used to identify the participant. Protected health information includes information of persons living or deceased.

It is the policy of the IPBC to comply fully with HIPAA's requirements.\* The IPBC may only disclose PHI when the disclosure is related to treatment, payment, or health care operations or upon authorization from the health plan participant. To that end, all members of the IPBC workforce who have access to PHI must comply with this Privacy Policy. For purposes of this Policy, the IPBC's workforce includes individuals who would be considered part of the workforce under HIPAA such as employees, volunteers, trainees, and other persons whose work performance is under the direct control of the IPBC or its members, whether or not they are paid by the IPBC or its members. The term "employee" includes all of these types of workers.

\*Reference to IPBC also references the individual members of the IPBC.



### **Privacy of Personal Health Information**

HIPAA includes requirements for ensuring the security and privacy of individuals' protected health information. The purpose is to maintain the confidentiality and privacy concerning PHI between the employee (current, past and future), the IPBC, the Village of Woodridge or any entity that has the privilege on a "need to know" basis employed with the Village.

It is the IPBC's policy to comply with your right to request restrictions on the use of your PHI, the manner in which you receive communication concerning your PHI as well as your right to request correction of your PHI.

### **Failure to Maintain Confidential Standards**

The failure of any Village of Woodridge employee to maintain the confidentiality standards required by law will subject the employee to disciplinary action, up to and including termination of employment.

### **HIPAA Notices**

Employees may request a copy of the HIPAA notices at any time by contacting Human Resources or the IPBC Privacy Officer.

### **Privacy Officer Contact Information**

If you have any specific question about this policy or wish to receive and review a copy of the complete policy and procedure, please contact Gallagher Benefit Services, HIPAA Privacy Officer for IPBC at (630) 285-4378 or Human Resources for more information.

The Village of Woodridge and the IPBC support your right to privacy of your protected health information. If an employee is concerned that his/her privacy rights have been violated, he/she may complain to the Village, the IPBC or the Department of Health and Human Services (<http://www.hhs.gov>).

## **8.12 LIFE INSURANCE COVERAGE**

Life insurance is provided to full-time employees in an amount equal to the employee's annual straight time compensation, subject to a maximum of seventy-thousand dollars (\$70,000). The life insurance coverage and amount is subject to review and change by the Village Board.

## **8.13 ILLINOIS CIVIL UNION ACT**

The Illinois Religious Freedom Protection and Civil Union Act provides to civil union partners the same legal obligations, responsibilities, protections and benefits as are afforded or recognized by the law of Illinois to spouses.

A civil union may be legally entered into through a licensing and certification process. Both same sex and opposite sex couples may enter into a civil union in Illinois under the same rules that apply to marriage (i.e., age restrictions, restrictions on relationship status, etc.). A civil union may only be dissolved through the legal processes that apply to marriage (divorce or dissolution proceedings).

### **How to Enroll a Civil Union Partner**

Once an employee establishes a civil union, he/she must complete the "Affidavit of Marriage or Civil Union" form (available on the T drive) and submit to Human Resources. Once an employee has submitted this form, he/she should follow the same procedures and rules for the enrollment of a new spouse.

### **Potential Tax Implications**

If a Civil Union Partner is not considered a tax dependent by the IRS, the employer is required to impute as income the value of the benefit plan coverage. This means that the value of the coverage (which equates to the entire plan cost of a single employee) will be added to the employee's pay, and then deducted after all taxes are withheld. The effect is that you will pay tax on the value of the coverage. It will be assumed that the Civil Union Partner is *not* a tax dependent unless the employee can show that the partner was claimed as a dependent on the previous year's tax return. Questions regarding this should be addressed to the Finance Department.

## **8.14 LIGHT DUTY ASSIGNMENTS (NON-WORK RELATED INJURY OR ILLNESS)**

This policy refers to light duty assignments for non-work related injuries or illnesses. Please refer to the Workers' Compensation policy (under Leave Time) for information on the handling of light duty assignments for work-related injuries or illnesses.

The Village may provide temporary, light duty work for non-work related injuries or illnesses for employees who are unable to perform their regular work due to a medical condition but who are expected to resume their normal duties within a brief, foreseeable future. The terms and conditions of any light duty assignment will be determined exclusively by the Village Administrator or his/her designee. Light duty assignments need not necessarily be confined to the employee's department.

Nothing in this policy shall be construed to require the Village to create a light duty assignment for any employee. Employees will only be assigned light duty work when the Village determines that a need exists and only as long as such need exists.

### **Length of Light Duty Assignment**

Generally, a light duty assignment may be offered to an employee when there is a reasonable expectation that the employee will be able to return to regular duty within ninety (90) calendar days. Light duty assignments shall not exceed ninety (90) calendar days unless extended by the Village Administrator or his/her designee based upon the nature of employee's restrictions and the ongoing availability of productive light duty work.

### **Termination of Light Duty Assignment**

The Village reserves the right to terminate any light duty assignment at an earlier time if the Village determines:

- that an employee is capable of returning to his/her normal job duties,
- if the treating physician determines that the employee's condition is not improving while he/she is on light duty,
- if a need no longer exists for the light duty assignment,
- or for any other reason deemed appropriate by the Village Administrator, his/her designee, or the Department Manager overseeing the light duty assignment.

### **Conditions of Light Duty Assignment**

1. The employee will be assigned to a work schedule of forty (40) hours per week. The work schedule will be determined by the employee's Department Manager or designee. The work performed on a light duty assignment will be project specific. Upon the completion of any project assigned as light duty work, the availability of additional light duty work will be evaluated, and in the event that no additional light duty work is available, the light duty assignment may be terminated. The employee will be paid at his/her regular rate of pay.

2. It is the intention of any light duty assignment to facilitate the employee's return to the workplace while ensuring that the employee remain focused on achieving maximum medical improvement so that they may return to full duty with the Village. Therefore:
  - a) While on light duty, employees will not be permitted to work overtime or engage in any secondary employment. However, if the employee provides written documentation to the Village from his/her physician that he/she, while medically incapable of performing the essential job functions of his/her position with the Village, is medically capable of performing overtime or secondary employment, then the Department Manager may approve the overtime or secondary employment provided that the overtime or secondary employment does not require the employee to meet similar physical requirements of his/her primary position with the Village.
  - b) While on light duty, employees must limit their physical activities to comply with the medical restrictions as outlined by his/her treating physician while at work as well as during his/her off duty hours. Failure to adhere to the medical restrictions outlined by the physician, either at work or during off duty hours may result in the termination of the light duty assignment and may be grounds for disciplinary action.
3. Employees on light duty assignments must confirm with their supervisor and/or other appropriate personnel the dates and times of all follow-up appointments, new appointments, physical therapy, etc. as needed. Each time an employee visits his/her physician, his/her work restrictions and the availability of a light duty assignment will be re-evaluated. All appointments and treatments must be scheduled during the employee's scheduled work hours at such a time so as not to disrupt the work schedule or the operations of the department.

### **Return to Regular Duty**

Before an employee working light duty can resume his/her normal duties without restriction with or without reasonable accommodation, the employee must submit a doctor's release stating that the employee is released to full duty. If it so desires, the Village shall have the right to send an employee to a physician of its choice to determine if the employee is fit to return to work.

## **8.15 OTHER INSURANCE COVERAGE**

Other insurance coverage of types and amounts to be determined from time to time by the Village Board may be provided to employees, spouses and children on a voluntary, employee-paid basis.

## **8.16 PENSION PLANS**

### **Illinois Municipal Retirement Fund**

All employees meeting Illinois statutory requirements, except sworn police officers, shall participate in the Illinois Municipal Retirement Fund and social security. Employees are responsible for providing current information to IMRF, such as change of address, name change, and marital status through "Member Access" on the IMRF website.

### **Police Pension Fund**

All sworn employees of the Police Department shall participate in the Woodridge Police Pension Fund. Further information can be obtained from the Woodridge Police Pension Board. Sworn employees are responsible for providing current information to the Pension Board, such as change of address, name change and marital status. In addition, sworn employees must provide copies of birth certificates for themselves, their spouse or civil union partner and children, marriage licenses, affidavit of marriage or civil union, and divorce decrees to the police pension board for their pension file.

## **Social Security**

All full-time or part-time hourly employees, except those covered under the Police Pension Fund, shall be covered by social security. Employees are encouraged to contact the Social Security Administration with any questions by calling 1-800-772-1213. You can also visit their website at [www.socialsecurity.gov](http://www.socialsecurity.gov).

## **8.17 PROFESSIONAL CERTIFICATIONS**

Upon prior approval of the Department Manager, the Village will pay the fees associated with attending certification classes or taking certification examinations so that an employee may obtain or renew a professional certification that is job-related and provides observable benefits for the Village. In order for the class or examination to be paid for by the Village, the employee must successfully complete the certification class and/or examination. These expenses should be included in the department's annual budget request each year for all applicable employees

## **8.18 PROFESSIONAL MEMBERSHIPS**

The Village encourages employees to affiliate with professional organizations or societies for which they may qualify by education or training; provided that such affiliation produces observable benefits for the Village and that membership for the employee is job-related.

The Village Administrator may authorize an employee to hold membership in no more than:

- Three (3) national organizations
- Three (3) state organizations
- Three (3) local organizations

## **8.19 RETIREMENT HEALTH SAVINGS (RHS) PLAN**

The Retirement Health Savings Plan (RHS) is a plan which is set up to allow eligible full-time, regularly scheduled employees, upon separation from the Village, to place accrued and unused sick time (up to a maximum of seventy-five percent (75%) of one-thousand forty (1,040) hours – seven-hundred eight (780) hours – in a tax-exempt health savings plan.

### **Eligible Employees**

- Full-Time, Exempt Employees with more than fifteen (15) years of continuous service.
- Full-Time, Non-Union, Non-Exempt Employees with more than twenty (20) years of continuous service.
- Bargaining Unit Employees, (per the terms set forth in the union bargaining agreements).

Per IRS regulations, all employees are automatically in the plan once they become eligible. IRS Code allows the funds in the plan to be used to pay for medical, dental, and long-term care insurance premiums upon retirement.

### **If You Leave the Village Before You Retire**

Per IRS requirements, once an employee becomes eligible, he/she is automatically in the RHS plan. The employee cannot elect whether or not to participate. Once an employee becomes eligible to participate in the RHS plan, based on years of service, when he/she leaves employment with the Village, his/her accrued, unused sick time – seventy-five percent (75%) of one-thousand forty (1,040) hours – seven hundred eighty (780) hours – will be deposited into an RHS account. These funds may be accessed for eligible insurance premium expenses once the employee has attained the minimum age for retirement benefits (i.e. fifty (50) years for sworn employees and fifty-five (55) years for non-sworn employees). The funds will remain in the account until the employee reaches retirement age.

### **Interest and Taxes**

The money in RHS accounts can earn interest depending on the type of investment allocation the employee selects. The employee will have complete control over the type of investments included in his/her account, similar to a deferred compensation account. Employees do not pay tax on any disbursements from his/her RHS account to pay for qualified medical, dental, and/or long-term care insurance premiums for themselves or eligible dependents.

## **8.20 TUITION REIMBURSEMENT PROGRAM**

### **Eligibility**

The Village encourages undergraduate and/or graduate level accredited college study by its employees. Full-time employees, with one or more years of full-time service, are eligible for the advanced educational program.

### **Course Selection**

The advanced educational program sought by the employee must be related to the job of said employee and approved by the Village Administrator. The schedule of courses selected by the employee must be practical and compatible with the schedule of normal working hours for the employee's department.

### **Application for Budgeted Funds**

The Village's cost for approved training will be met from budgeted amounts within the Human Resources budget. The employee shall submit a written application for participation in the program for approval by the Department Manager prior to each fiscal year. The Tuition Reimbursement Request form is available on the T drive.

### **Employer's Contribution to Tuition Expense**

The Village will reimburse the employee's tuition or portion thereof upon presentation of a tuition receipt and an official grade report from the accredited educational institution showing completion of the course with a "C" grade or better. Reimbursement will be limited to three thousand five hundred dollars (\$3,500.00) per employee per fiscal year. If the employee receives compensation from another source, for example: the Illinois Law Enforcement Association, etc., but, specifically, excluding monies from the G.I. Bill, the Village will pay that portion of the tuition not covered by these sources.

Notwithstanding any provision contained herein to the contrary, an employee who applies for and receives tuition reimbursement is expected to continue full-time employment with the Village for a period of two (2) years following completion of studies for which the employee received tuition reimbursement. In the event any such employee resigns or is terminated for any reason prior to the expiration of said two (2) year period, said employee consents to refund to the Village a portion of the tuition reimbursement based on the number of months employed from and after the last tuition reimbursement as detailed below. The amount to be refunded to the Village will be deducted from the employee's final compensation.

<b>Time employed from and after Last tuition reimbursement:</b>	<b>Amount of tuition reimbursement to be refunded:</b>
Less than 12 months:	100%
12 months to 18 months:	50%
19 months to 24 months:	25%

### **Reimbursement Restrictions**

No time off with pay will be allowed for an employee to attend courses in connection with his approved educational program. No meal or transportation allowance will be given and all classroom supplies are to be purchased by the employee.

## **8.21 WELLNESS PROGRAM**

### **Wellness Committee**

The Village of Woodridge Wellness Committee is comprised of representatives from each department. The committee conducts regular monthly meetings, provides updates to the Executive Safety Committee, and coordinates with Human Resources to meet its established goals and objectives.

### **Mission Statement**

Our mission is to partner with employees to promote their physical and mental well-being by providing them with a supportive network of health-management resources.

### **Goals and Objectives**

The Wellness Committee develops goals and objectives to assist in identifying, creating and providing various wellness-related programming that promote physical health and activity, mental well-being, and increase employee morale. The goals and objectives are reviewed and updated each year in an attempt to provide the best resources to our employees.

## SECTION 9 – OTHER POLICIES

### 9.1 AMERICANS WITH DISABILITIES ACT (ADA)

The Village of Woodridge is proud to be an equal opportunity employer. It is our policy to provide equal employment opportunities to all applicants and employees without regard to their race, color, religion, sex, marital status, sexual orientation, or sexual preference, age, national origin, physical or mental disability or handicap, citizenship, veteran status, or on any other basis prohibited by state, federal, or local law. We also make reasonable accommodations for an employee and/or applicant with a disability or handicap, provided that the individual is otherwise qualified to perform the essential functions of the job. Such individuals are encouraged to discuss their request for a reasonable accommodation with our Human Resources Manager or Assistant Village Administrator to ensure that the appropriate accommodation is being considered and provided.

The Village of Woodridge will provide a reasonable accommodation to employees with disabilities if they request accommodation and the accommodation does not create an undue hardship. Reasonable accommodation generally involves modification or adjustment of a job, employment practice, or the work environment which makes it possible for an individual with a disability to perform the essential functions of his/her job and/or to otherwise enjoy equal employment opportunities.

Whenever an employee believes that he or she may need a workplace accommodation, the employee should complete the ADA Reasonable Accommodation Request form (*available on the T drive or through the Administration Department*). Once a Reasonable Accommodation Request Form has been submitted, the employee requesting an accommodation will be given the opportunity to engage in an interactive dialogue with the Village over the requested accommodation. As part of the interactive process, the Village may request the employee to provide certain information from his or her health care provider related to his or her ability to perform the essential job functions, with or without reasonable accommodation.

If you feel that you have been discriminated against in any respect under this Policy, you should immediately bring the matter to the attention of management, by reporting the incident to your immediate supervisor, your Department Manager, Human Resources Manager or any member of management with whom you would feel comfortable discussing your complaint. Your complaint will be investigated thoroughly and promptly remedied (if appropriate). If you feel comfortable doing so, we encourage you to submit your complaint in writing so that all allegations can be thoroughly investigated.

Employees who violate this Policy will be subject to discipline, up to and including termination of employment for the first offense, when deemed appropriate by management. Be assured that no retaliation will be taken or tolerated against any employee who reports an alleged violation of this Policy, requests a reasonable accommodation due to a handicap or disability and/or participates in a complaint investigation.

### 9.2 CONFERENCE AND TRAVEL POLICY

The Village, in an effort to advance the training and development of its staff, authorizes attendance at certain job-related seminars, conferences, and training which may require travel outside the Village. The Village's objectives are to allow travel arrangements that conserve funds, provide training opportunities for employees, and allow employees to carry out their functions in an appropriate manner. Employees attending such events are representatives of the Village and must adhere to all work policies while attending such events.

## **Local Conferences and Training**

Employees are encouraged to attend short courses or conferences. Applications should be made to the employee's Department Manager for permission to attend. Permission may be granted by the Department Manager if, in his/her opinion, there is sufficient benefit to both the employee and the Village. The Village pays one hundred percent (100%) of the registration fee for all approved local conferences and training.

Local training will be defined as any conference or training within the surrounding six (6) county metropolitan area. These are Cook, DuPage, Will, Kane, McHenry and DeKalb.

### Transportation Expenses for Local Conferences and Training

When employees use their own vehicles for travel when attending local conferences and training, mileage reimbursement shall be at the rate determined by the IRS. This rate can be obtained from the Finance Department. When traveling directly from home to local conferences or training, mileage from work or home, whichever is less, will be reimbursed, unless using a Village vehicle or receiving a monthly vehicle allowance.

Employees will also receive reimbursement for expenses for tolls (with proper documentation such as receipt or IPASS activity report) paid by the employee while traveling to or from local conferences or training.

### Meal Reimbursements

The Village will not reimburse meal expenses for one (1) day local conferences or training.

### Lodging

The cost of a hotel room will not be covered by the Village for local conferences or training, or if the cost of paying travel time (non-exempt employees) is equal to or more than the cost of lodging. The Village may pay for lodging related to an event in metropolitan Chicago as an exception, not a rule. Approval by the Department Manager in advance for this lodging is required.

### Payment for Travel Time to Local Conferences and Training

Non-exempt employees attending local conferences and training will be compensated for the time spent in the session and for all travel time spent traveling between (1) the place of the meeting, conference, seminar or training, and (2) either the employee's home or the Village's worksite, which is less. Before attending the conference or training, the employee will obtain his/her supervisor's agreement as to whether he/she will travel from his/her home or worksite.

### Work Schedule While Attending Local Conferences and Training

An employee's normal work schedule may be temporarily changed to an alternate schedule to accommodate travel time and conference or training attendance.

Meal periods will be deducted from hours worked.

### Local Multi-Day Conferences or Training

When employees attend local multi-day conferences or training, the provisions listed above for local conferences and training apply.

## **Out of State or Non-Local Travel**

Out of state conferences must be national in scope, in a directly related field, and workloads must permit the attendee's absence from duties.

### Exempt Employees

Generally, exempt employees may budget to attend one out of state conference per year. Requests from employees to attend an out of state conference must be made in writing using the *Conference/Training Request Form*. The request must be approved by the employee's Department Manager, the Director of Finance and the Village Administrator prior to the employee registering for the conference or training.



### Non- Exempt Employees

Non-exempt employees do not generally attend out of state or non-local conferences or training. Any out of state conference or training attended by non-exempt employees must be approved in advance by both the Department Manager and the Village Administrator.

Non-exempt employees attending out of state or non-local conferences or training will be compensated for the time spent in the session and for all travel time that falls within the employee's regular working hours. In addition, the Village will pay non-exempt employees for time spent traveling in their own or a Village vehicle between either the employee's home or the employee's work location (whichever is less) and the location of the conference or training. However, time spent traveling as a passenger in an airplane, train, bus, etc. is not compensable.

### Reimbursement of Expenses

Reimbursement of expenses will be for approved expenses as outlined within this policy. Expenses for ancillary or entertainment-related expenses not covered by the conference/training registration fee (such as shows, amusements, theaters, circuses, sporting events or outings) will not be considered for reimbursement.

Employees attending out of state or non-local conferences are expected to make travel, hotel and any other reservations well in advance to ensure the most economical rates whenever possible and to inquire whether governmental employee discounts are available.

Employees may stay at the hotel where the conference is held (or any sponsoring hotel) or may stay at a hotel of their choice, if the cost does not exceed that of the conference hotel. Reimbursement for lodging will be limited to the number of nights required to conduct the assigned Village business. If an employee chooses to arrive earlier or stay later, the additional lodging and other related expenses are his/her personal responsibility and the employee must request separate bills for expenses.

The Village has no objection to family members accompanying the employee on an official trip as long as their accompaniment does not interfere with the purpose of the trip. Family members travel at their own risk. All costs and expenses attributable to the family member must be paid for out of the employee's personal funds. No Village funds will be expended for the costs incurred by a family member. Expenses for family members are prohibited from being included on the Village's credit cards. If an employee's family member shares lodging, reimbursement will be limited to the single room rate.

The Village shall compensate an employee in attendance at an approved out of state or non-local conference in the following manner.

- The Village will pay one hundred percent (100%) of the registration fee.
- A mileage allowance, at a rate to be reimbursed at the prevailing rate as set by the Internal Revenue Service, if a personal vehicle is used will also be paid.
- If utilizing a Village vehicle, the employee will be reimbursed for out-of-pocket gasoline expenses. (This does not apply to employees who receive a monthly vehicle allowance stipend.)
- A per diem of forty dollars (\$40.00) per day for out-of-pocket meal expenses is provided, if the per diem is requested in advance.
- If a per diem is not utilized, then the employee will be reimbursed for their out-of-pocket meal expenses, provided that they submit receipts for each expense, including tips. The daily limit for out-of-pocket meal expenses shall be sixty dollars (\$60.00). The maximum amount that will be reimbursed for tips (with receipts) is twenty percent (20%). Alcohol is not reimbursable.
- Single accommodation for room.
- Coach fare for plane, train or bus transportation. (Note: transportation to the conference will be based upon the most economical total cost to the Village.)
- Miscellaneous expenses such as taxi, tips, car rental, etc., if required.

### **Procedures for Attendance and Reimbursement**

To provide consistency for all employees requesting approval of conference, seminar and training attendance and reimbursement of relevant expenses, all employees must follow the policies and procedures outlined below.

- A completed **Conference/Seminar/Training Request Form** must be received in Finance no later than two (2) weeks prior to the start of the event. This completed form must be signed by the Department Manager prior to being submitted to Finance for approval. Please note that this form must be completed for all conference, seminar, and training requests, including one-day seminars that exceed five hundred dollars (\$500).
- For any event that requires an overnight stay, is a local, multi-day event or is a one-day local event with expenses that exceed five hundred dollars (\$500), the **Conference/ Seminar/Training Request Form** and the **Expense Report Form** must be completed even if all charges will be paid with a Village-issued credit card.
- Meals will not be reimbursed for any conference, seminar, or training where an overnight stay is not required.
- Employees attending local, non-local, or out of state conferences or training will receive mileage reimbursement from home or work to the event, whichever is less, unless using a Village vehicle or receiving a monthly vehicle allowance. Mileage reimbursement will be at the rate determined by the IRS. In addition, employees will also receive reimbursement for expenses for tolls paid by the employee while traveling to or from local conferences or training or for out-of-pocket gasoline expenses, unless the employee receives a monthly vehicle allowance.
- For events that require an overnight stay, an employee may request a forty (\$40) per day per diem in advance, with no receipts necessary. However, no additional monies will be authorized for meals and tips.

*If no per diem is requested in advance and actual expenses **accompanied by receipts** are reported, the daily limit for out of pocket expenses for meals shall be sixty dollars (\$60). The maximum amount that will be reimbursed for tips (with receipts) is twenty percent (20%).*

- A completed **Conference/Seminar/Training Expense Form** must be received in Finance no later than two (2) weeks following the event. This completed form must be signed by the Department Manager prior to being submitted to Finance for approval. When completing and filing an **Expense Report Form**, the employee must attach a check for the amount due the Village or a field purchase order must be entered for the amount owed the employee. This field purchase order number should be listed on the Expense Report Form when submitted.

### **Adherence to Fleet Safety Policy**

As outlined in the Village's Fleet Safety Policy, all employees using a personal vehicle for the purposes of Village business (which includes attendance at local or out of state conferences or training) must maintain an individual primary coverage auto policy with minimum limits as listed below. Employees must be able to provide the Village with valid written proof of primary auto liability coverage as indicated.

- \$100,000 Bodily Injury Liability Per Person
- \$300,000 Bodily Injury Liability Per Occurrence
- \$100,000 Property Damage Liability, or
- \$300,000 Bodily Injury and Property Damage Liability Combined Single Limit

## **9.3 FITNESS FACILITY POLICY**

The Village provides fitness center facilities at the Village Hall and the Police Department for use by all regularly scheduled full and part-time employees only.

### **Provisions**

All employees are required to complete the Village's Release and Waiver Form (see Appendix) prior to using the fitness facility. Only regularly scheduled Village employees may use the facilities. The use of the facilities

is not available to temporary or seasonal employees. Food and beverages, with the exception of water, are not allowed in the fitness facilities.

### **Use of Equipment/Facilities**

Employees should contact a representative of the Wellness Committee to request a training session on the equipment prior to using the equipment for the first time.

All equipment and materials that are provided in the fitness facilities are the property of the Village and are not to be removed from the facility at any time unless approved in advance by a member of the Wellness Committee.

### **Safety**

Employees who use the fitness facilities during non-business hours or on weekends are encouraged to inform a family member, etc. The intent of this policy is to ensure employee safety at all times while using the fitness facilities.

In the case of an emergency, telephones are available in each facility to call for assistance.

Employees must report damaged or faulty equipment to a member of the Wellness Committee immediately.

Proper workout attire must be worn when using the fitness facilities. Examples of proper attire include gym shorts, tee shirts, and any conventional exercise attire such as warm up suits.

While working out, employees should start out slowly and increase workout time and intensity gradually. A proper warm-up and cool-down should be included in all workout routines.

Any perspiration left on fitness equipment must be toweled off immediately after use of the equipment. In addition, when leaving the facility, employees must turn off all fans, television, etc.

### **Other**

Employees who return to work after using the fitness facility must do so in their normal work attire.

### **Fitness Waivers**

Employees who wish to utilize one of the Village's fitness facilities are required to sign the Fitness Facility Release and Waiver Form (*available on the T drive or from a Wellness Committee member*).

## **9.4 FUNDRAISING POLICY**

The Village of Woodridge encourages employees to participate in fundraising events to help individuals, the community, and non-profit organizations. When asking employees or others to contribute or participate, the employee must complete an authorization request form and must abide by these internal control procedures.

- Employees conducting fundraising activities must receive authorization from their Department Manager in advance before fundraising activities begin.
- Department Managers conducting fundraising activities must receive approval from the Village Administrator in advance before fundraising activities begin.
- For annual fundraising events, the approval must be obtained each year.
- Donations collected by employees must not be comingled with Village Funds.
- Employees must remain ethical at all times.
- All donations must remain locked in a secure, designated area until the funds are remitted to the organization at the conclusion of the event.
- The employee responsible for the fundraising activities must complete a **Final Reconciliation Report**. A copy of the Final Reconciliation Report must accompany all donations submitted to the organization, individual, etc. for which the fundraising event was held. ***A copy of this report***

***must also be provided to the Department Manager or Village Administrator at the conclusion of the event and will be attached to this request form.***

The **Final Reconciliation Report** shall include Event Name, Event Date, Checks Collected, Cash Collected, Items or Services Donated, Itemized Expenses with Receipts (required), Ending Balance, Comment Section, Person in Charge of the Event, and Witness Name/Signature.

- One hundred percent (100%) of all donations (less itemized expenses) must be turned over to the Fundraiser recipient.

## **Violations of Policy**

If these guidelines and internal controls are not followed, the Village has the right to disciplinary action, up to and including termination of employment.

## **9.5 GENETIC INFORMATION NONDISCRIMINATION ACT**

Under Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), it is illegal to discriminate against employees or applicants because of genetic information. Title II of GINA prohibits the use of genetic information in making employment decisions, restricts employers and other entities covered by Title II (employment agencies, labor organizations and joint labor-management training and apprenticeship programs – referred to as "covered entities") from requesting, requiring or purchasing genetic information, and strictly limits the disclosure of genetic information.

The EEOC enforces Title II of GINA (dealing with genetic discrimination in employment). The Departments of Labor, Health and Human Services and the Treasury have responsibility for issuing regulations for Title I of GINA, which addresses the use of genetic information in health insurance.

### **Definition of “Genetic Information”**

Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history). Family medical history is included in the definition of genetic information because it is often used to determine whether someone has an increased risk of getting a disease, disorder, or condition in the future. Genetic information also includes an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual, and the genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

### **Discrimination Because of Genetic Information**

The Village of Woodridge will not discriminate on the basis of genetic information when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment. *The Village may never use genetic information to make an employment decision because genetic information is not relevant to an individual's current ability to work.*

### **Harassment Because of Genetic Information**

Under GINA, it is also illegal to harass a person because of his or her genetic information. Harassment can include, for example, making offensive or derogatory remarks about an applicant's or employee's genetic information, or about the genetic information of a relative of the applicant or employee. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so severe or pervasive that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim's supervisor, a supervisor in another area of the workplace, a co-worker, or someone who is not an employee, such as a client or customer.

## **Retaliation**

Under GINA, it is illegal to fire, demote, harass, or otherwise “retaliate” against an applicant or employee for filing a charge of discrimination, participating in a discrimination proceeding (such as a discrimination investigation or lawsuit), or otherwise opposing discrimination.

## **Rules Against Acquiring Genetic Information**

It will usually be unlawful for a covered entity to get genetic information. There are six (6) narrow exceptions to this prohibition:

- Inadvertent acquisitions of genetic information do not violate GINA, such as in situations where a manager or supervisor overhears someone talking about a family member’s illness.
- Genetic information (such as family medical history) may be obtained as part of health or genetic services, including wellness programs, offered by the employer on a voluntary basis, if certain specific requirements are met.
- Family medical history may be acquired as part of the certification process for FMLA leave (or leave under similar state or local laws or pursuant to an employer policy), where an employee is asking for leave to care for a family member with a serious health condition.
- Genetic information may be acquired through commercially and publicly available documents like newspapers, as long as the employer is not searching those sources with the intent of finding genetic information or accessing sources from which they are likely to acquire genetic information (such as websites and on-line discussion groups that focus on issues such as genetic testing of individuals and genetic discrimination).
- Genetic information may be acquired through a genetic monitoring program that monitors the biological effects of toxic substances in the workplace where the monitoring is required by law or, under carefully defined conditions, where the program is voluntary.
- Acquisition of genetic information of employees by employers who engage in DNA testing for law enforcement purposes as a forensic lab or for purposes of human remains identification is permitted, but the genetic information may only be used for analysis of DNA markers for quality control to detect sample contamination.

## **Confidentiality of Genetic Information**

It is also unlawful for a covered entity to disclose genetic information about applicants, employees or members. Genetic information must be kept confidential and in a separate medical file. (Genetic information may be kept in the same file as other medical information in compliance with the Americans with Disabilities Act.) There are limited exceptions to this non-disclosure rule, such as exceptions that provide for the disclosure of relevant genetic information to government officials investigating compliance with Title II of GINA and for disclosures made pursuant to a court order.

## **9.6 IDENTITY PROTECTION POLICY**

### **Policy**

Social Security numbers are confidential and protected by State and federal law, including the Privacy Act of 1974 (5 USC §552a) and Public Act 096-0874 of the State of Illinois, cited as the Identity Protection Act. In the course of providing services to the public, the Social Security number will be collected by the Village of Woodridge only when allowed by law. Except when allowed by law, individuals will not be asked to provide their social security number, verbally or in writing, at any point of service. However, individuals may volunteer their social security number if they wish as an alternate means of locating a record. The social security number will not be disclosed to individuals or agencies outside the Village, except as allowed or required by state or federal law, rules or regulations, or with permission from the individual.

## **Employee Social Security Numbers**

The Social Security number will be requested from all employees in order to comply with the requirement of the Internal Revenue Service to supply them with the name, address, and social security number of every employee. The Village is required to report income along with social security numbers for all employees to whom compensation is paid. Therefore, each employee, with specific exceptions as required by law, will be required to supply the Village with a social security number for payroll, reporting and benefit purposes.

## **Affiliates, Vendors, Customers**

Individuals who are affiliates or vendors will be required to provide a social security number or Tax Identification Number for mandated tax reporting purposes.

## **Purpose of Collecting Social Security Number**

If the collection of social security numbers is required, a statement must first be provided to the individual explaining the purpose or purposes for which the Village is collecting and using the social security number.

## **Confidentiality of Social Security Numbers**

All records containing social security numbers, whether on or off-line, in electronic or physical format, are considered confidential information and will be maintained appropriately. Any documents containing social security numbers must be redacted if required to be released as part of a public records request. Therefore, any social security numbers requested from an individual should be placed on the document in a manner that makes it easily redacted. If and when these records are no longer needed, disposal of the records must be handled in a secure fashion and follow the Village's Record Retention Policy.

Only Village employees required to use or handle information or documents containing social security numbers in the course of their job duties will have access to such information or documents. Those employees will be trained on the proper procedures for handling information containing social security numbers from the time of collection through the destruction of the information, in order to protect the confidentiality of social security numbers.

## **Restrictions on Use**

Pursuant to State law, social security numbers MAY NOT:

- Be publicly posted or displayed in any manner.
- Be used as the employee ID or process or record key in any Village systems.
- Be printed on any card required for the individual to access products or services provided by the Village.
- Be required to be transmitted over the Internet, unless the connection is secure or the social security number is encrypted.
- Be printed on any materials that are mailed, e-mailed, or otherwise delivered to the individual, unless State or federal law requires the social security number to be on the document.  
**EXCEPTION:** Social Security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the Social Security number. However, no Social Security number may be printed on a postcard or other mailer that does not require an envelope or is visible on an envelope without the envelope having been opened.
- Be used for any purpose other than the purpose for which it was collected.
- Be required for an individual to access any Village internet or intranet website.

## **Proper Use of Social Security Numbers**

This policy does not preclude Village employees from using a social security number as needed to perform their duties and responsibilities or for internal verification or administrative purposes. The Village may collect the social security number from applicants for employment in order to complete a pre-employment background check and to establish eligibility for employment.

### **Violations of Policy**

An employee who has substantially breached the confidentiality of social security numbers may be subject to disciplinary action up to and including discharge or termination of employment in accordance with Village policies and procedures.

## **9.7 INDEPENDENT CONTRACTOR POLICY**

### **Policy Statement**

The purpose of this policy is to establish a Village-wide procedure setting forth the basic elements of coordination and administration regarding the use of independent contractors.

### **Projects of Smaller Scope / Non-Public Works**

The Illinois Department of Employment Security (IDES) has specific requirements that must be met in order for an individual to be considered an independent contractor. These requirements would apply to individuals providing services such as, but not limited to, inspection services, accounting services, clerical services, wellness services, or instructional services for the Community Resource Center (i.e. art instruction, yoga, dance, reading literacy, etc.).

The requirements for an individual to be considered an Independent Contractor include:

- The Village must have no direct control over how the contractor performs the work. The contractor should provide us with how he/she plans to perform the work and when the work will be completed. The contractor must also provide his/her own equipment, etc.
- The work performed by the contractor must be substantially different than work/services provided by the Village. (Contractors will only meet these criteria if the Village does not employ individuals that perform the same functions/services for our community.)
- The independent contractor must have his/her own business, must have clients other than just the Village, and must advertise their services to the general public.

### **Procedure**

Individual departments are responsible for determining whether the services of an independent contractor are required, selecting independent contractors, and coordinating the services provided by the contractor in their departments. However, the determination as to whether an individual meets the criteria to be considered an independent contractor will be made by the Administration and Finance departments.

The individual department responsibility includes compliance with the following procedures:

- Individual departments must complete the New Vendor Request – Service Providers form. This form must be completed in its entirety.
- The department must obtain either a written and signed proposal by the contractor for the services to be performed or a signed contract or bid. The proposal, contract, or bid must include the type of services to be provided, the dates of services, the cost of the services to be provided, and the frequency of billing.
- The department must obtain a copy of the contractor's Certificate of Insurance.
- A copy of each of these documents must be attached to the New Vendor Request - Service Providers form, and the form and documents must be submitted for approval by both the Administration and Finance departments.
- The department may not utilize the services of the contractor until each of these requirements is met and the required approval has been obtained.

A copy of the New Vendor Request – Service Providers form and all required documents will be maintained in the vendor file in the Finance Department.

### **Insurance Requirement**

Independent Contractor must provide a Certificate of Liability Insurance that indicates proof of General Liability coverage in the amount of one million dollars (\$1,000,000) combined single limit per occurrence for body injury and property damage. The general aggregate shall be no less than two million dollars (\$2,000,000).

### **Violations of Policy**

The Village will investigate and respond to all reports of violations of this policy. Violation will result in disciplinary action up to and including termination.

## **9.8 NO SOLICITATION POLICY**

Soliciting by employees is limited to charitable contributions or assistance to non-profit organizations for the benefit of the community. The Village of Woodridge encourages employees to participate in fundraising events to help individuals, the community, and non-profit organizations. In doing so, the employee must complete an authorization request form and must abide by the internal control procedures outlined in the *Fundraising Policy*.

Solicitation and distribution by non-employees are prohibited at all times on Village property not open to the public or only open to the public for the purpose of conducting business with the Village.

Village bulletin boards are reserved for Village business only. The purpose of bulletin boards is to post materials as may be required by state and federal law, as well as to communicate departmental and Village-wide information. Employees are prohibited from posting any materials on Village bulletin boards unless directed otherwise by his/her Department Manager or the Assistant Village Administrator.

Any exception to this policy must be approved by the Village Administrator or his/her designee

## **9.9 POLITICAL RIGHTS**

In compliance with state and federal law, the Village does not prohibit any employee from exercising his political rights to engage in political activities, including the right to associate with a political organization, petition, make speeches, campaign door-to-door and to run for public office. The rights, however, are not absolute and are subject to certain limitations. No employee may use his or her official position to coerce or inhibit others in the free exercise of his/her political rights. No employee may engage in political activities while at work or on duty.

## **9.10 RETIREMENT NOTIFICATION INCENTIVE**

An incentive bonus of \$1,000 will be awarded to an employee who provides the Village Administrator a written irrevocable notification of his/her retirement date not less than six months prior to his/her retirement date. The notification must be submitted on a form provided by the Village and said form shall be filed directly with the Village Administrator.

This incentive is available only for retirement-eligible, pension-eligible employees with more than ten years of full-time service to the Village. This incentive, paid in a lump sum upon retirement, is valid as a one-time only offer to each employee.

## **9.11 RETIREMENT PARTY POLICY**

The purpose of a retirement party is to express appreciation to a long-term employee of the Village for many years of dedicated service. The following policy shall apply for employees retiring after a minimum of ten (10) years of service to the Village of Woodridge.



## Retirement Party

- A dinner may be arranged by a member of the retiring employee's department.
- Collection and disbursement of monies or funds will not be mingled with Village funds. (The Finance Department can provide procedures for collection and disbursement of funds.) A detailed spreadsheet along with receipts and contributions collected must be submitted to Finance within seven (7) days of the event.
- All employees will be invited to attend the retirement dinner at their own expense.
- The Village shall accept the cost of dinners for the retiree and his or her guest, parents, and minor children.
- A gift from the Village for the retiree will not exceed a dollar amount of two hundred dollars (\$200) based on tenure.
  - Ten (10) to Fifteen (15) Years: \$100.00 to \$150.00.
  - Sixteen (16) to Twenty (20)+ Years: \$150.00 to \$200.00
  - Twenty five plus (25)+ Years: Village Flag and Monetary Gift

Other gifts presented to the retiree shall be paid for by monies collected from employees. In addition, an informal reception may be held on the retiree's last day if approved by the Department Manager. The reception shall not disrupt general operations of the Village. Light refreshments (i.e. cake and coffee) may be charged to the retiree's department.

Upon the retiree's request, a street sign may be made by the Public Works Department for the retiree. In addition, a proclamation will be prepared by the Department Manager and presented to the retiring employee recognizing his/her service to the Village.

## 9.12 GOLF OUTING POLICY

Exempt employees are eligible to request the Village Administrator approve participation in one (1) non-conference related golf outing related to their professional association(s), and one (1) civic association. Those who are invited to participate in the DuPage Mayors and Managers Golf Outing should consider attendance as their professional association outings. The Village Administrator may consider requests for additional outings.

## 9.13 VOLUNTEER POLICY

### Policy Statement

The purpose of this policy is to establish a Village-wide procedure setting forth the basic elements of coordination and administration for non-employee volunteers who provide volunteer services to the Village of Woodridge. A Village of Woodridge non-employee volunteer is an individual who donates service to the Village, without promise, expectation, or receipt of compensation for services rendered.

Examples of projects for which the Village may utilize volunteers include: assistance with mailings, assembling various informational packets (such as new resident packets, town meeting, State of the Village, etc.), WCTV cable crew members, Community Resource Center volunteers, seasonal interns, etc.

### Individual Department Responsibility for Volunteer Coordination

Individual departments are responsible for determining whether to accept volunteers, selecting individual volunteers and coordinating any volunteer work in their departments, including but not limited to:

- Maintaining volunteer identification forms for each volunteer.
- Coordinating volunteer schedules, determining volunteer duties, tracking volunteer hours, etc.
- Keeping volunteers adequately informed of their department's safety procedures and other relevant policies, procedures, or protocols.
- Where appropriate, have the volunteer sign the following policies: Anti-Harassment Policy, Electronic Communications Policy, and Smoke-Free Workplace Policy. (Department to coordinate with Human Resources.)
- Where appropriate, provide a Village identification card with photograph and labeled volunteer. (Department to coordinate with Human Resources.)
- Where appropriate, request references or run a background check on volunteers before they begin any volunteer assignment. (For example, for volunteers working with minors at the Community Resource Center.)
- Where appropriate, request a copy of the volunteer's driver's license.
- Ensuring volunteers are properly supervised at all times.
- Departments must provide Human Resources with a list of volunteers on a semi-annual basis.

### **Volunteer Identification Information**

At a minimum, departments must require volunteers to complete the Volunteer Identification Form and the Volunteer Waiver of Liability Hold Harmless Agreement. These forms are available on the T drive. At their discretion, departments may request additional information from volunteers.

Departments must provide Human Resources a copy of the completed Volunteer Identification Form as well as any additional information received from the volunteer, and any background information obtained.

Any questions regarding this policy should be directed to Human Resources.

## APPENDIX

### DEFINITIONS

As used in the Village of Woodridge Employee Handbook, the following words and terms, unless the context clearly indicates otherwise, shall have the meanings as defined herein:

**Assistant Village Administrator** – An exempt, department manager level position, reporting directly to the Village Administrator and responsible for assisting the Village Administrator in managing the day to day functions of Village government and the administration department.

**Base Pay** – Compensation paid to employees pursuant to the Village's salary plan for the performance of the duties of their position and does not include any extra pay such as longevity, standby pay, and other forms of pay for which an employee may be eligible under Village policy.

**Benefits** – Privileges granted to employees which are included in the total compensation to employee; includes, but is not limited to, vacation leave, sick leave, military leave, holiday leave, hospitalization and medical insurance.

**Board of Police Commissioners** – The Board of Police Commissioners of the Village of Woodridge, Illinois.

**Business Day** – A business day is defined as a week day, Monday through Friday, and a non-Village holiday in which Village offices are officially open.

**Demotion** – The change of an employee's status from a position in one class to a position in another class having a lower maximum salary rate.

**Department Manager** – An employee who manages the day to day functions of an operating department of the Village and serves as the Director of the department. The Chief of Police and the Assistant Village Administrator manage the day to day functions of the Police and Administration Departments respectively and, therefore, function as Department Managers of these departments.

**Exempt Salaried Employee** – An employee paid on a salary basis who works in an executive, administrative or professional capacity determined by the Village to be exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and Illinois Minimum Wage Law. Exempt salaried employees are not entitled to overtime under the FLSA and Illinois Minimum Wage law. Notwithstanding any provisions of these personnel policies, the discipline of such employees shall be in accordance with FLSA regulations regarding exempt salaried employees.

**Fiscal Year** – Shall be January 1 to December 31 inclusive, or as otherwise provided by ordinance.

**Full-Time Employee** – An employee who works a regularly scheduled minimum of forty (40) hours per week or two thousand eighty (2,080) hours annually and has definite assigned responsibilities.

**Grievance** – A written statement of dissatisfaction by an employee concerning administration of the Employee Handbook as it affects the grieving employee.

**Longevity** – The total length of continuous service with the Village, excluding leaves of absences without pay.

**Longevity Pay** – Compensation paid to an employee for completing a specified length of continuous Village service excluding leaves of absence without pay, separate from and in addition to the employee's base pay, and any overtime pay.

**Non-Exempt Employee** – An employee who is either paid by the hour or on a salary basis and is not in a position determined by the Village to be exempt from overtime under the Fair Labor Standards Act and Illinois Minimum Wage Law. Such employees are eligible for overtime pay in accordance with those laws.

**Pay Period** – Two (2) consecutive work weeks.

**Position** – Any office, employment or place in Village service.

**Probationary Employee** – An employee regulated by the provisions in this document entitled "Probationary Period."

**Prohibited Substance** – For purposes of this policy, prohibited substances shall be defined as any controlled substance as listed in the Illinois Controlled Substances Act (720 ILCS 570) or Cannabis Control Act (720 ILCS 550) and substances listed in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. § 812, any drug which is not legally obtainable, and/or any drug which is legally obtainable, such as prescription drug, but which is not legally obtained, is not being used for prescribed purposes, and/or is not being taken according to prescribed dosages, or any other intoxicating substance. Prohibited substances include, but are not limited to: narcotics (heroin, morphine, etc.) cannabis (marijuana, hashish), stimulants (cocaine, crack, etc.), depressants (tranquilizers), and hallucinogens (PCP, LSD, "designer drugs", etc.).

**Promotion** – A change of an employee's status from a position in one class to a position in another class, which entails greater skills and/or added responsibilities and having a higher maximum salary rate.

**Part-Time Employee** – An employee who works a regularly scheduled minimum of twenty (20) hours per week but less than forty (40) hours per week and has definite assigned responsibilities.

**Resignation** – A resignation is the voluntary termination of employment initiated by an employee. The Village expects that employees submit a written letter of resignation indicating the reasons for resigning. Non-exempt employees shall provide notice at least 14 days before the expected final day of employment. Exempt employees shall provide notice at least 28 days before the expected final day of employment.

**Retirement** – A retirement is the voluntary termination of employment initiated by an employee who is eligible to collect pension benefits.

**Salary Administration Plan** – The Salary Administration Plan as adopted by separate ordinance by the Mayor and Board of Trustees of the Village of Woodridge, Illinois.

**Salary Range** – A scale of compensation covering the minimum and maximum levels of pay for a specific position as established in the Village's Salary Administration Plan.

**Supervisory Position** – A position involving the formal responsibilities for the organizing, assigning, supervising and reviewing the work of a group of employees within a department. For purposes of employees hired under Board of Police Commissioners rules and regulations, the position of sergeant is included in this definition.

**Suspension** – A debarring of an employee from employment without pay for a period not to exceed thirty (30) working days.

**Temporary / Seasonal Employee** – An employee placed on a non-permanent hourly basis with the Village of Woodridge. Temporary/seasonal employees may work either on a part-time or full-time basis during their employment.

**Termination** – Termination is the involuntary termination of the employment relationship initiated by the Village for disciplinary or non-disciplinary reasons.

**Transfer** – A change in the employee's status from a Village position to another, voluntary or involuntary, not necessarily involving an increase in pay.

**Village** – The Village of Woodridge, Illinois.

**Village Administrator** – The Village Administrator shall be appointed by the Mayor with the advice and consent of the Board of Trustees and shall be the direct representative of the corporate authorities in the transaction of all Village business and in all matters concerning the citizens of the Village. There shall be such specific duties as assigned from time to time by the Corporate Authorities.

**Village Board** - The Mayor and Board of Trustees of the Village of Woodridge, Illinois.

**Work Cycle for Protective Service Employees** – The work period for sworn employees shall commence on Sunday at one minute after twelve o'clock (12:01) A.M. and end on Saturday, twenty eight (28) days hence, at twelve o'clock (12:00) midnight.

**Work Week** – The work week for exempt and non-exempt, non-sworn employees, shall commence on Sunday at one minute after twelve o'clock (12:01) A.M. and end the following Saturday at twelve o'clock (12:00) midnight.

**Working Day** – The normal day and hour of work maintained within the department to which any employee is assigned.