



**MANUAL OF PERSONNEL POLICIES**  
**Amended January 27, 2020**

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## **1. GENERAL PROVISIONS**

### **1.010 GENERAL PURPOSE/SCOPE**

- (a) This manual is a general informational guide to the Village of Palos Park's current employment policies and shall not be construed as a contract, implied or otherwise. The Village reserves the right to amend, delete, supplement, or rescind any of the provisions of this manual, as the Village deems necessary and appropriate, without advance notice. These policies shall not be construed to create contractual rights or any type of promise or guarantee of specific treatment upon which any employee may rely. The Village also reserves the right to deviate from these policies in unusual situations, in order to achieve its primary mission of providing orderly and cost efficient services to its citizens.
- (b) These personnel policies shall apply to all Village of Palos Park employees except those employees covered by a collective bargaining contract. They shall not apply to elected officials and independent contractors. In the event of conflict between any provision of this manual and any provision of a valid and effective collective bargaining contract or any provision of a Village ordinance the provisions of the labor contract or ordinance shall govern. In all other cases, these policies shall govern.

### **1.020 NATURE OF THE EMPLOYMENT RELATIONSHIP**

Employment with the Village of Palos Park is voluntary on the part of both parties. Either the employee or the Village may terminate the employment relationship at any time, with or without cause, as either party may deem appropriate (employment at will).

### **1.030 EQUAL EMPLOYMENT OPPORTUNITY**

The Village of Palos Park is an equal employment opportunity employer. The Village employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's actual or perceived, sex, race, color, religion, national origin, age, marital status, disability, or any other characteristic protected under applicable law. (1-27-20)

### **1.040 HARASSMENT GENERALLY**

- (a) Harassment is unwarranted and unwanted; verbal or nonverbal conduct which threatens, intimidates, pesters, annoys, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading, or hostile environment, or interferes with or adversely affects a person's work performance.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance

evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance.

- (b) It is the policy of the Village that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical advances of a sexual nature. It is Village policy to fully support enforcement of State and Federal anti-discrimination laws which provide that sexual harassment is prohibited where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. It is the right of all employees to seek, at any time, redress by the State Human Rights Commission, the Equal Employment Opportunity Commission, or through a court of law. Please see below for the Village's complete policy on sexual harassment.(1.27.20)

- (c)
1. In any case in which the supervisor is witness to or confronted with a situation of harassment, the supervisor shall immediately notify the offending party that harassment is not appropriate and will not be tolerated. Ultimate disciplinary action will await completion of the reporting procedure.
  2. An employee subjected to any form of harassment should report such activity to his/her non-involved supervisor, department head, or directly to the Village Manager.
  3. A supervisor is required to report harassment cases to his/her Department Head, who, in turn, is required to report the matter to the Village Manager. Such reports to superiors and to the Village Manager are to be made regardless of how knowledge of the case was acquired.
  4. Village Manager shall investigate and submit to the Mayor a report setting forth the facts of the case and a recommendation for action.
  5. The results of the investigation and the nature of the disciplinary action will be communicated by the Manager's Office to both the complainant and the offender as well as the affected Department Head. Either party may appeal the decision through the normal grievance procedure if it is felt the findings were incorrect or the disciplinary action inappropriate.

- (d) An employee who harasses another employee or member of the public may be subject to the full range of disciplinary action, including discharge.

### **1.045 SEXUAL HARASSMENT**

(Approved February 12, 2018)

a) Prohibition On Sexual Harassment

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

b) Definition Of Sexual Harassment

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

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

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

Conduct which may constitute sexual harassment includes:

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

- Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic: “sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).

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

c) Procedure For Reporting An Allegation Of Sexual Harassment

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

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

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

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

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

Illinois Department of Human Rights  
100 West Randolph  
State of Illinois Center, Suite 10-100  
Chicago, Illinois 60601  
Phone: 312.814.6200  
TDD: 312.263.1579

EEOC  
500 West Madison Street  
Suite 2800  
Chicago, Illinois 60601  
Phone: 1.800.669.3362  
TDD: 312.353.2421

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

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

#### d) Elected Official Complaint Process

Because the Village promotes civility and respectful interactions at all levels of the organization, it is critical that elected [and appointed] officials understand their responsibility to comply with this policy. Elected [and appointed] officials are also expected to treat each other in a manner consistent with this policy. Any elected [or appointed] official who believes they have experienced prohibited conduct by another elected [or appointed] official that is inconsistent with this policy may notify the Village Manager. After receiving the complaint, the Village will initiate an investigation through the use of an independent investigator experienced in investigating workplace harassment complaints.



e) Prohibition On Retaliation For Reporting Sexual Harassment Allegations

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

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

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

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

Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:

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

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

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

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

f) Consequences Of A Violation Of The Prohibition On Sexual Harassment

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

g) Consequences For Knowingly Making A False Report

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

In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State's Attorney, the

Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.

*This policy was drafted using the Illinois Department of Human Rights Sexual Harassment Model Policy and has been modified to conform to Public Act 100-0554.*

## **1.050 DEFINITIONS**

- (a) **Department Head:** An employee who has responsibility for directing the day-to-day activities of one or more departments.
- (b) **Immediate Family:** An employee's immediate family includes the employee's spouse, child, parent, brother or sister, mother or father-in-law, son or daughter-in-law.
- (c) **Spouse:** shall be construed in a manner that provides married same-sex couples and civilly unionized couples with the same rights and benefits afforded to married opposite-sex couples.
- (c) **Regular Full-Time Employee:** An employee who has completed the probationary period and who is regularly scheduled to work a minimum of thirty-five (35) hours per week on a continuing basis.
- (d) **Regular Part-Time Employee:** An employee who is regularly scheduled to work less than thirty-five (35) but at least twelve (12) hours a week on a continuing basis is eligible for pro-rated holiday, vacation, sick leave, or other benefits.
- (e) **Temporary Employees:** Temporary employees are defined as those employees who hold jobs of limited duration arising out of seasonal need, special projects, abnormal workloads or emergencies. Temporary employees are not eligible for Village benefits. Temporary employees may be on either a part-time (between 1 and 34 hours per week) or full-time schedule (35 hours per week) at the discretion of the appropriate department head.
- (f) **The Village:** The incorporated Village of Palos Park municipal government.
- (g) **Mayor/Commissioner/Council Member:** Elected official of the Village who has legislative and executive authority over a department specified by the mayor. The mayor presides over the Administration department of the Village, and is considered to be the "Commissioner" of that department. The term "Commissioner", as used in this document, is understood to refer to the Commissioner of the appropriate department for the employee in question.

- (h) **Village Manager:** Employee responsible for general oversight of all employees of the Village including Department Heads. The Village Manager shall be the Chief Administrative position in the Village, under the corporate authorities. The Village Manager shall be responsible to the corporate authorities for proper administration of all Village departments and all affairs of the Village. (Added wording coincides with the Village Code.) (1-27-20)

#### **1.060 EMPLOYEE PERSONNEL RECORDS**

- (a) A personnel file for each employee is kept in the Village Manager's office, and access is limited to the employee's immediate supervisor, the department head, and the Commissioner. An employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.
- (b) An employee has the right to review his or her file. An employee may request removal of what the employee believes to be irrelevant or erroneous information in their personnel file. If the Village denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in their file.
- (c) Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information.

#### **1.070 REFERENCES**

- (a) The Village does not give references, other than to confirm the dates of employment, position title, and last salary, without the express written consent of the employee.
- (b) Only the Village Manager or specifically appointed designee will provide employment references on current or former regular Village employees.

## 2. HOURS AND ATTENDANCE

### 2.110 WORKING HOURS

- (a) The Village's standard work week is Monday through Friday from 9:00 a.m. to 5:00 p.m. for full-time administrative personnel and Department Heads with the administrative, public works, building, finance, recreation, and police departments. The standard work week for full-time public works and utility department laborers, and maintenance supervisor is 7:30 a.m. through 3:30 p.m. All full-time Village employees receive a one hour unpaid lunch period. Full-time patrol officers work is stipulated in the contract.
- (b) A normal working schedule for regular, full-time employees consists of thirty-five (35) hours each work week. Different work schedules, such as in the case of public works or law enforcement employees, may be established by the Village to meet job assignments and provide necessary Village services. Each employee's Department Head will advise the employee regarding their specific working hours. Any and all employees may be required to work more or less than the standard 35 hours, as the needs of the Village require.
- (c) Part-time and temporary employees will work hours as specified by their Department Heads.

### 2.120 HOURS OF WORK AND OVERTIME

- (a) All Village positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act ("FLSA") regulations.
- (b) For most Village employees, the established work period is thirty-five (35) hours within a seven (7) day work week. For Patrol Officers and Sergeants, the established work period is 168 hours during a 28 day period.
- (c) Non-exempt employees, other than police officers and Sergeant employees, are entitled to additional compensation, either in cash or compensatory time off, when they work more than forty (40) hours during a work period.
- (d) All overtime must be authorized in advance by the employee's Department Head. Additional hours beyond the standard thirty-five, but less than forty must also be authorized in advance.
- (e) Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond 40 hours, except for police employees.
- (f) **IMPORTANT:** When computing overtime, sick leave and vacation time are not counted as hours worked.

- (g) Exempt employees are not covered by the FLSA overtime provisions and do not receive overtime pay.

### **2.125 AFTER HOURS COMPENSATION FOR FULL-TIME PUBLIC WORKS EMPLOYEES**

Any work performed between the hours of 7:00PM and 7:00AM Monday through Friday and all hours worked on Saturday, Sunday, and Holidays will be compensated at the rate of one and one-half times the employee's normal hourly rate of pay for regular full-time Public Works field personnel.

The Village reserves the right to curtail the regular work schedule for the remainder of any week in which an employee attains a total of 35 hours of combined overtime and straight time, including vacation, holiday, sick-time, etc.

### **2.130 COMPENSATORY TIME FOR FLSA NON-EXEMPT EMPLOYEES**

- (a) Non-exempt employees entitled to overtime pay may elect to receive compensatory time off instead of cash payment. This is approved on a case-by-case basis by the employee's Department Head. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Employees may also elect to take compensatory time for hours worked beyond the standard thirty-five but less than 40. These hours will be credited as compensatory time at a 1 to 1 ratio. Maximum accruals of compensatory time shall be limited to seventy (70) hours for regular employees. After maximum accrual, overtime compensation shall be paid. Employees will be paid for any accrued compensatory time upon separation of employment.
- (b) Employees must use compensatory time within a one (1) year time period after earning the compensatory time, unless doing so would unduly disrupt Village operations. Compensatory time should be used during times mutually agreed to by the employee and the Department Head.

### **2.131 COMPENSATORY TIME FOR FLSA EXEMPT EMPLOYEES**

- (a) Employees who are exempt from FLSA and therefore are not eligible for overtime pay may receive compensatory time-off for hours worked in excess of thirty-five (35) hours per week. This compensatory time is a privilege provided by the Village and is not a right of the employee. Under no circumstances will compensatory time accrued by FLSA exempt employees be paid out as cash. Compensatory time is earned for these employees at a ratio of one (1) hour of compensatory time earned for every one (1) hour worked in excess of thirty-five (35) hours per week. Requests for compensatory time off must be approved by the Commissioner who presides over the department or the Village Manager. Maximum accrual of compensatory time is thirty-five (35) hours.

- (b) Employees must use compensatory time within a reasonable time period after having earned it, typically 90 days, unless doing so would unduly disrupt Village operations. Compensatory time should be used for short term absences from work during times mutually agreed to by the employee and the Commissioner. Accumulation of compensatory time to be used as a substitute for extended vacation time-off is not normally permitted.

## **2.140 ATTENDANCE**

- (a) Punctual and consistent attendance is an essential function of every position in the Village. Each Department Head is responsible for maintaining an accurate attendance record of their employees.
- (b) Employees unable to work or unable to report to work on time should notify their supervisor within 15 minutes of the employee's scheduled starting time. If an absence continues beyond one day, the employee is responsible for reporting in each day. If the supervisor is unavailable, the employee may leave a message with the Department Head and Village Manager, stating the reason for being late or unable to report for work. It is unacceptable to leave a message with anyone other than the supervisor, Department Head or Village Manager.
- (c) Employees are expected to be at work even during inclement weather. Department Heads may allow employees to be late or leave early during severe weather conditions; however, non-attendance will be counted as absence from work and will be charged to accrued vacation time, or compensatory time, or in the absence of accrued vacation time the absence will be considered leave without pay.
- (d) An employee who is absent without authorization or notification is subject to disciplinary action, including possible termination.
- (e) Any time the employee leaves the workplace before scheduled quitting time, the employee shall notify their supervisor or Department Head, or in the supervisor's and Department Head's absence, the Village Manager. If such notice is not given, the employee shall be subject to disciplinary action. (01-27-20)

## **2.150 MEAL PERIODS**

Meal periods shall be scheduled by the employee's Department Head. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and usually one hour in length.

## **2.160 CALL BACK**

All employees are subject to call back in emergencies or as needed by the Village to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination. Employees called back to duty will be paid their appropriate rate of pay for hours worked (the overtime rate, if applicable).

## **2.170 PAYROLL RECORDS**

The official payroll records are kept by the Financial Department. Each Department Head shall turn in on a regular basis a signed work record for each employee within their department, noting hours worked, leave taken and overtime worked during the previous pay period.



### **3. RECRUITING AND HIRING**

#### **3.210 RECRUITING**

- (a) Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence, without regard to race, color, religion, national origin, sex, marital status, pregnancy, age, or disability or any other characteristic protected by applicable law.
- (b) Each applicant shall complete and sign an application form prior to being considered as a finalist for any position. Resumes may supplement, but not replace, the Village's official application form. Applicants chosen for consideration as finalists on the basis of their resume or other information, shall complete a standard application form prior to being considered as a finalist for any position.
- (c) Any applicant supplying false or misleading information is subject to immediate termination, if hired.

#### **3.220 HIRING**

- (a) When a position becomes vacant and prior to any posting or advertisement of the vacancy, the Department Head shall review the position, its job description and the need for such a position. The Department Head will prepare and submit a written request to fill the position to the Village Manager and the Commissioner of that department. The position will be posted and/or advertised only after the Village Manager and Commissioner have approved the request. (1-27-20)
- (b) Residency within the Village shall not be a condition of initial appointment or continued employment; provided, however, that an employee's selection of residence shall not interfere with the daily performance of their duties and responsibilities.
- (c) Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least 18 years old and will be required to present a valid State driver's license with any necessary endorsements. Driving records of applicants may be checked. Applicants with poor driving records, as determined by the Village, may be disqualified for employment with the Village in positions requiring driving.
- (d) The Village may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the Village. The Village may contract with any competent agency or individual to prepare and/or administer examinations.

- (e) After an offer of employment has been made and prior to commencement of employment, the Village may require persons selected for employment to successfully pass a medical examination, which may include testing for alcohol and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure their physical condition will not endanger the health, safety or well-being of other employees or the public. The offer of employment may be conditioned on the results of the examination.
- (f) Once hired, the new employee must be given an orientation packet and once reviewed, must sign written acknowledgement. (2-26-18)

### **3.230 TEMPORARY EMPLOYEES**

- (a) With approval of the Village Manager, temporary employees may be used during emergencies or other peak workload periods, to temporarily replace regular employees absent due to disability, illness, vacation or other approved leave, or to temporarily fill a vacancy until a regular employee is hired.
- (b) Temporary employees may be hired without competitive recruitment or examination.
- (c) Temporary employees are eligible for overtime pay as required by law. Temporary employees are not eligible and do not receive retirement, vacation, sick leave, health insurance, holiday or any other benefits during their employment.
- (d) Temporary employees will not work for more than a five month period.

### **3.240 PROBATIONARY PERIOD**

- (a) With the exception of sworn police officers who follow police department procedures; all newly hired employees or former employees who have been rehired or employees promoted to a new classification enter a probationary period which is considered an integral part of the selection and evaluation process. During the probationary period an employee is required to demonstrate suitability for the position through actual work performance.
- (b) The normal probationary period is six (6) months from the employee's date of hire, rehire or promotion; however, longer periods may be established for positions requiring technical, professional, specialized, unusual or unique skills or qualifications.
- (c) An employee's probationary period may be extended for up to an additional six (6) months (when needed due to circumstances such as extended illness or a need to continue to evaluate marginal performance) to properly evaluate the employee's performance. The probationary period will not be shortened for any reason.

- (d) Newly hired probationary employees accrue vacation and sick leave but are not eligible to use vacation until after their probationary period is completed.
- (e) During the probationary period, the employee may be terminated at any time, with or without cause.
- (f) When a department head determines an employee has satisfactorily completed the probationary period, the department head shall prepare a written performance evaluation, which will be reviewed by the Village Manager and Commissioner of that department. If the probationary period is satisfactorily completed, the employee may be certified to regular employment status. If the probationary employee does not complete the probationary period successfully he or she will either be dismissed or have his or her probationary period extended an additional six months, at the department head's discretion.

### **3.250 EMPLOYMENT OF RELATIVES (NEPOTISM).**

- (a) Employees' relatives will not be employed by the Village under any of the following circumstances:
  - 1. Where one of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;
  - 2. Where one party would be responsible for auditing the work of the other;
  - 3. Where both parties would report to the same immediate supervisor;
  - 4. Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the Village; or
  - 5. Where one of the parties is a policy level official of the Village.
- (b) Relatives include an employee's parent, child, spouse, brother, sister, in-laws and step relationships.

### **3.260 PROMOTIONS AND TRANSFERS**

- (a) The Village encourages current Village employees to apply for vacant Village positions for which they are qualified. Promotions and transfers are based on the department head's recommendation, work force requirements, performance evaluations, job descriptions and related Village requirements.

- (b) Regular employees are eligible for promotion, transfer or voluntary demotion. To be considered for another position, an employee must have satisfactorily completed the trial period and possess the qualifications for the vacant position, unless such requirements are waived by the Village Manager and Commissioner of that department in the best interests of the Village.
- (c) If an employee is transferring from a full-time to a regular-part time position the following points will apply:
- Employees would be allowed to use any accrued vacation time, but would accrue future vacation in a manner appropriate for regular part-time employees.
  - Employees could only use any paid-time off as their part-time schedule allows.
  - Employees would not receive holiday or personal time benefits as of their part-time start date.
  - Employees would no longer be eligible for any health or life insurance benefits, but would be allowed to use COBRA provisions to continue their insurance at their own cost for a three month period.
  - Employees receive two pro-rated personal days based on hours worked.

## **4. COMPENSATION**

### **4.310 SALARY CLASSIFICATION AND GRADES**

Each job title within the Village is classified into one of the Village's classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job title.

### **4.320 EMPLOYEE PAY RATES**

- (a) Employees shall be paid within the limits of the salary range to which their positions are assigned.
- (b) Usually, new employees will start their employment at the minimum salary rate for their classification. However, a new employee may be employed at a higher rate than the minimum when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.
- (c) Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the Village Manager or designee may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.
- (d) The Village Manager may propose and the Village Council may grant an across the board pay adjustment (cost-of living increase) from time to time, raising the salaries of all positions by a specified amount within a defined group of classifications. Such adjustments, if any, will not change an employee's pay anniversary date.

### **4.330 PAYDAYS**

Employees are paid on a bi-weekly basis (every other week on Thursdays). If a regularly scheduled payday falls on a holiday, paychecks will be distributed on the previous scheduled working day.

### **4.340 DEDUCTIONS**

Some regular deductions from the employee's earnings are required by law; other deductions are specifically authorized by the employee. The Village will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee, applicable union contract, or statute.

### **4.350 TRAVEL AWAY FROM THE VILLAGE**

All Village business related travel away from the Village must be approved in advance by the supervisor or Village Manager. If private automobiles are used, employees will be reimbursed at rates established and modified from time to time by the standard allowable U.S. Internal Revenue Service (IRS) rate for automobile use.

#### **4.360 TRAVEL EXPENSE REIMBURSEMENT**

(Approved January 9, 2017)

Travel can play an important role in accomplishing the Village's mission to provide superior and responsive governmental services to the people of Palos Park. When conducting business on behalf of the Village, employees are expected to use good quality services and accommodations appropriate for the business to be conducted. Good judgment and ethical practices on the part of each traveler remain the most important factors in controlling travel expenses.

Each Department Director is responsible for obtaining travel authorization. Travel authorization is a two-part process including: 1) authorization of all overnight travel in advance; and 2) expense reporting following completion of the trip. Authorization of travel expense reports is more than a formality. It indicates that expenses submitted have been reviewed and have been found to comply with Village regulations regarding travel and authorized business expenses. All out-of-state travel must be approved in writing by the Village Manager.

All Village personnel traveling or incurring business expenses on behalf of the Village, and those responsible for the approval of these expenses, are expected to use these measures to assist in maintaining control over travel expenditures. The policies detailed here apply to all funds under Village control and are superseded only in those instances where funding agencies apply specific and more restrictive rules and rates.

- (b) Village employees will be reimbursed for reasonable and customary expenses actually incurred in connection with the business of the Village, including food, lodging and travel expenses while away, but excluding any expenses for alcoholic beverages. Tips, not to exceed 20%, for meals, taxis, or baggage handling are reimbursable.
- (c) Requests for reimbursement, including receipts, shall be submitted on an expense report signed by the employee and the department head.
- (d) The Travel Authorization / Expense Reimbursement Form should be completed in accordance with the instructions noted on the form. Travelers should provide as much detailed information of all expenses on the statement as possible including the cost of registration, books, meals, hotel, airfare, etc. how it was paid – whether it was paid directly to a vendor (e.g. registration fees) or by credit card (e.g. hotel bill). Original receipts must be included except when impractical to do so or when specifically exempt by this policy. A copy of the Travel Authorization / Expense Reimbursement form should be completed, showing the Post-Trip Actual Expenses and completing the bottom portion of the form, including required signatures. This form, along with any unused travel advance money, should be

turned in to the Finance Department within 7 days of completion of the business trip.

#### **4.361 TRAVEL AUTHORIZATION**

All travel that requires an overnight stay or is estimated to cost over \$500 must be approved in advance by the Department Director and the Village Manager. Requests for travel authorization shall be submitted using the Village's Travel Authorization Form (see Appendix) before any travel arrangements have been made.

#### **4.362 TRAVEL ARRANGEMENTS**

To reduce travel costs, Village employees are encouraged to seek multiple quotes from an online travel service (i.e. [www.travelocity.com](http://www.travelocity.com), [www.expedia.com](http://www.expedia.com), [www.kayak.com](http://www.kayak.com), etc) when purchasing air travel and reserving cars and hotel rooms. Whenever possible, travel should be arranged using the least expensive means possible. Employees should use good judgment when determining logical routes for arriving at the intended destination. Provide a print out of the online reservation options, highlighting the itinerary selected. If the least expensive location / schedule is not selected, include an explanation.

#### **4.363 AIR TRAVEL**

Employees are required to request flights according to approximate arrival and departure time, rather than by specific carrier or flight number, in order to obtain the lowest available fare with logical routing for all trips. In general, lowest available fare is defined as the least costly fare available at the time of ticketing, and may include one stopover or connected flight. In order to take advantage of available discounted fares, travelers are requested to make reasonable adjustments in their travel plans.

Employees should make air travel arrangements as far in advance as possible to take advantage of special fare savings. Travelers should be aware that some discounts have travel restrictions and cancellation penalties and therefore good business judgment should be exercised. Air travel at Village expense must be in coach class.

#### **4.364 GROUND TRANSPORTATION**

It is expected that employees use the most effective ground transportation available, considering cost, time, availability, and scheduling. The cost of public transportation is reimbursable and requires a receipt.

##### Taxi and Airport Transportation

Whenever practical, airport or hotel ground transportation should be the preferred method of transportation to hotels or meeting sites. Taxis may be used as necessary taking into consideration the cost of other means of transportation. A receipt is required for reimbursement of these expenses.

##### Rental Passenger Automobiles

Rental automobiles may be used as necessary but must be approved in advance by the Department Director. Receipts are required for reimbursement of all expense related to rental automobile use. Rental cars should be limited to standard size passenger cars.

### Personal Vehicles

Expenses of travel by automobile are reimbursable at the IRS authorized rate. The mileage reimbursement allowance covers all automobile related costs: gasoline, insurance, maintenance etc. Toll charges and parking fees when supported by receipts, are reimbursable in addition to mileage allowance. The total personal automobile expenses shall not exceed the lowest available air fare. Employees using personal vehicles on Village business must have adequate automobile insurance coverage. The Village's insurance does not cover use of personal vehicles.

#### **4.365 MEALS**

The per diem allowance for meals (including taxes and tips) while on Village business shall not exceed the U.S. General Administration "Meals and Incidental Expenses (M&IE)" Breakdown allowance for the locality (See <http://www.gsa.gov/portal/content/101518> or contact the Finance Department for the current allowances). If the destination is not included in the GSA list, the standard meal allowance for the nearest city shall apply. Meal expenses exceeding the standards allowance are the responsibility of the employee.

When traveling on Village business, employees should select restaurants which are reasonably priced for the locality. In addition, employees shall be aware that the Village will not pay for alcoholic beverages consumed with meals and that receipts are required for meals purchased during the course of the business trip.

Per Diem allowances for partial days traveled shall be based on the per meal allowances established by the U.S. GSA "Meals and Incidental Expenses" guidance. These allowances shall also apply to employees attending in-state seminars and conferences not requiring overnight stay. In either event, employees will not receive a per diem allowance but will be reimbursed for meals not included in the registration costs.

#### **4.366 HOTELS**

When traveling for business and requiring overnight lodging, employees should secure lodging no more or less than his or her home environment. Lodging which equals a medium priced "chain-type" motel is acceptable. Blocks of rooms at or near a conference site, set aside for conference participants, are likewise acceptable lodging.

#### **4.367 NON-ALLOWABLE EXPENSES**

The Village's policy is to reimburse its employees for all reasonable and necessary expenses incurred while transacting the affairs of the Village. However, the Village will not reimburse for the following items, considered to be personal in nature, while traveling for Village business:



1. Cleaning, pressing, and laundry;
2. Personal entertainment including movies, theatre tickets, videos or pay per view services in a hotel room, magazines, sightseeing fares, etc;
3. Airline and other trip insurance;
4. Beautician, barber, manicurist and shoe shine;
5. Personal telephone calls except to report changes in schedule;
6. Repairs on personal automobiles damaged while on company business;
7. Traffic violations and court costs;
8. Membership fees in airline clubs.
9. Family members traveling with employee.
10. Additional expenses related to personal travel.
11. Meals or lodging at a friend or relative's home.

#### **4.368 APPROVED FORMS OF PAYMENT**

Payments will not be made unless the Travel Authorization / Expense Reimbursement Form has been approved by the Department Director and Village Manager and submitted to the Finance Department. Employees that have Village issued credit cards may use them to pay for travel related expenses. However, employees shall still be responsible for obtaining receipts and submitting a completed Travel Authorization / Expense Reimbursement Form to the Department of Finance when the travel has been completed.

#### **4.369 ADVANCES**

Travel advances may be issued to employees to cover travel expenses that cannot be paid for by credit card. The advance will be established at an amount that is reasonable. All travel advances are issued and maintained subject to timely reporting of all travel expenses. A travel advance will be issued upon receipt of Travel Authorization / Expense Reimbursement Form containing the following information:

1. Name, title and department of employee receiving the travel advance
2. Account number the expense will be charged to
3. Purpose of the trip / destination
4. Beginning and ending dates of the trip
5. Estimate of all expenses including registration, transportation, meals, lodging, and miscellaneous expenses including items paid directly

Required signatures authorizing the expense Credit cards are the preferred payment method during travel. (Receipts must be kept and attached to the Expense Report). However, cash advance requests require the signature of the applicable Department Director and/or Village Manager. Travel advance forms must be completed and submitted to the Department of Finance at least twenty-one (21) days before the date needed, if possible. Employees are responsible for ensuring that the completed travel advance form is received by the Finance Department prior to the accounts payable deadline for the date the funds will be needed. Travel advances must be settled within seven (7) days after

completion of the travel. A travel advance will not be issued if any prior advance is outstanding.

#### **4.370 EXPENSE REPORTING**

The Travel Authorization / Expense Reimbursement Form should be completed in accordance with the instructions noted on the form. Travelers should provide as much detailed information of all expenses on the statement as possible including the cost of registration, books, meals, hotel, airfare, etc. how it was paid – whether it was paid directly to a vendor (e.g. registration fees) or by credit card (e.g. hotel bill). Original receipts must be included except when impractical to do so or when specifically exempt by this policy. A copy of the Travel Authorization / Expense Reimbursement form should be completed, showing the Post-Trip Actual Expenses and completing the bottom portion of the form, including required signatures. This form, along with any unused travel advance money, should be turned in to the Finance Department within 7 days of completion of the business trip.

#### **4.373 REIMBURSEMENT FOR PROPERTY DESTROYED WHILE ON DUTY**

The Village will reimburse to the employee the actual cost of personal property damaged at work, provided that the damage has been caused as a result of sudden, unexpected or emergency event and damaged equipment is turned into the department head. The Village shall not be responsible for unreasonably expensive items carried by the employee while at work. Reimbursement will be for the actual cost of the item damaged, with a maximum reimbursement of \$300 for eyewear and \$100 for all other items of personal property. There is an annual cap of \$500 of reimbursement per employee. Any damage must be reported by the end of the work day.

#### **4.375 COMPENSATION UPON TERMINATION**

When an employee's employment with the Village is terminated, the employee will receive the following compensation:

- (a) Regular wages for all hours worked up to the time of termination which have not already been paid.
- (b) Any overtime or holiday pay that is due.
- (d) A lump sum payment of any accrued but unused vacation and compensatory time, except for FLSA exempt employees who will lose any accrued compensatory time.
- (e) Unused accrued sick time will not be paid out upon termination. (2-26-18)

## **5. PERFORMANCE APPRAISALS AND TRAINING**

### **5.410 PERFORMANCE PLANNING AND APPRAISALS**

- (a) To achieve the Village's goal to train, promote, and retain the best qualified employee for every job, the Village may conduct periodic performance planning and appraisals for all positions.
- (b) The Village Manager is responsible for developing and maintaining the Village's performance planning and appraisal program.
- (c) Employees are to be appraised at least annually by their supervisors and/or Department Heads
- (d) The performance appraisal is part of an employee's personnel record, and will be used for developmental and motivational purposes.
- (e) Evaluations must address risk management/safety responsibilities and other key requirements of the position. (2-26-18)

### **5.420 TRAINING POLICY**

The Village seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge and abilities directly related to Village employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training; college courses; in-house workshops; and seminars sponsored by other agencies or organizations.

As addressed by this policy, training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the Village or while the employee is in a paid status with the Village. Any training program which the employee wishes to be reimbursed for must be approved by the Village prior to registration.

- (a) It is the policy of the Village to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to the Village will be more efficient and effective.
- (b) Employees are encouraged to continue their formal education through participation in off-duty/non-working hours educational programs.

Reimbursement for educational expenses incurred by such participation may be granted for job related courses with prior approval of the Village Manager, provided funds have been budgeted for such reimbursement.

Any reimbursement shall only be after successful completion of the course/program. Successful completion shall be defined as receipt of a certificate of satisfactory completion or a grade of "B" (3.0 grade point on a 4.0 scale) or better in the case of academically rated courses (or attainment of pass in a pass/fail grading system.) Tuition reimbursement is for the course only; no reimbursement will be allowed for books, lab fees, travel expenses or material costs. Approval for tuition reimbursement shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes.

Request for reimbursement must be made within 30 days following the completion of the course of study. Training reimbursement is generally available to only those employees who have successfully completed the employee's designated probation period.

Consideration of employee requests for tuition reimbursement is dependent upon budgetary constraints and the recommendation of that employee's Department Head. Time spent in attendance at these courses shall be considered the employee's personal time and is not counted as time worked.

- (c) It is the policy of the Village to maximize comprehension, retention and transference of training provided by the Village.

This policy is subject to and limited by the conditions of an affected employee's labor contract.

***PROCEDURES:***

- (a) Attendance at training programs may be approved at the Department Head level, except as follows:
  1. Attendance at a training program involving out-of-state travel by an employee requires approval by the Village Manager prior to registration.
  2. Attendance at any program or course work in excess of 1 shift and/or \$200 (in registration, travel, meals and lodging cost) requires approval by the Village Manager prior to registration.
  3. If long-distance travel is required for a training program, authorization will be required. See the Travel Expense Policy (Addendum C). (1-9-2017)
- b) All outside training and conference attendance requests shall be submitted in writing with an explanation of the course and why it would be beneficial.
- c) Within 48 hours of return from a training program, employee(s) shall prepare a short written report detailing what they learned. The short report should be submitted to the Village Manager.
- d) Any dispute regarding eligibility or the level of reimbursement may be appealed to the Village Manager's Office for resolution.

- e) Village-sponsored and required training shall generally be arranged during regularly scheduled work hours. A Department Head may change the standard work hours to accommodate or require attendance at such training activities. Such required training shall be recorded as time worked within the meaning of this policy.
- f) Employees who acquire training on their own time and expense are encouraged to notify the Village Manager's Office so the information can be noted in the employee's personnel file.
- g) Approval for State Training Academy course work for uniformed police officers shall be at the discretion of the appropriate department head. Records of such training shall be maintained in the employee's personnel file.
- h) The Village Manager shall maintain an employee training history, and shall periodically audit training attendance and policy compliance.

If the employee leaves the employ of the Village for any reason within one year of receiving training at the Village's expense under the provisions of this section, the employee will be required to reimburse the Village for 100% of the cost of the training.

## **6. BENEFITS**

### **6.510 RETIREMENT BENEFITS**

- (a) The Village makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.
- (b) All regular full-time and eligible part-time are covered under the Illinois Municipal Retirement Fund. Benefit levels and contribution rates are set by IMRF. The standard for participation in the Fund is that the position shall normally require performance of duty for 1,000 hours per year.
- (c) The Village also offers a voluntary 457 Retirement Plan.
- (d) Employees intending to retire should notify their department head of their intent to retire at least three months prior to the date of retirement.
- (d) Upon retirement, all full-time employees with at least twenty years of service with the Village and at least 50 years of age shall receive a cash stipend of \$2,000. The Village will work with the retiree to have this payment applied to medical benefits, retirement annuity or other tax sheltered investment, or otherwise treated in the way that the retiree finds most advantageous.

### **6.520 ON-THE-JOB INJURIES AND WORKER'S COMPENSATION**

- (a) All employees are covered by the Intergovernmental Risk Management Agency (IRMA) for worker's compensation. This type of insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, IRMA will pay the employee for work days lost for any disability resulting from job-related injuries or illnesses. All job-related accidents should be reported immediately to the supervisor. (2-26-18)
- (b) When an employee is absent for one or more days due to an on-the-job accident, the employee is required to file a claim for Worker's Compensation. If the employee files a claim, the Village will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Worker's Compensation benefits. Police Officers injured in the line of duty may be eligible for pay and benefits continuation for up to one (1) year under the Public Employee Disability Act (PEDA) for a long term disability. Claims for PEDA benefits should be directed to the Village Manager for processing.
- (c) When the employee receives Worker's Compensation benefits, the employee is required to repay to the Village the amount covered by Worker's Compensation and previously advanced by the Village. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so

long as accrued sick leave is available, while ensuring that no employee receives more than the employee would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account.

- (e) The Village may require an examination at its expense, performed by a physician of its choice, to determine when the employee can return to work and if the employee will be capable of performing the duties and responsibilities of the position.

### **6.530 INSURANCE BENEFITS**

- (a) Employees and eligible dependents may participate in the Village's insurance programs upon becoming regular full-time employees (regardless of probationary status). The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. The Village reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable. The Village of Palos Park has a Working Spouse Provision in place. If a working spouse is eligible for healthcare insurance benefits under a plan sponsored by the spouse's employer, the spouse must elect to be covered under that plan whether the employee's spouse is currently covered or previously declined coverage under that plan. (2-26-18)
- (b) Upon mutual agreement between the employee and the Village, and in accordance with the terms and conditions of the insurance policy, the Village will continue health insurance coverage at the employee's expense during an approved unpaid leave of absence. COBRA continuation rights may apply in the event coverage is not extended through the Village.
- (c) While an employee is receiving Worker's Compensation benefits, the Village may continue to pay the employee's health insurance premiums for one (1) month, after which the employee may choose to use their COBRA rights and self-pay insurance premiums. While an employee is receiving Worker's Compensation benefits, the Village maintains health benefits at the same level as when the employee became temporarily disabled, total temporary disability.
- (d) Upon an employee's termination from Village employment, at the employee's option and expense, the employee may elect to continue Village health insurance benefits to the extent provided under COBRA. (2-26-18)
- (e) An administrative handling fee over and above the cost of the insurance premium may be charged the employee or their dependents that elect to exercise their COBRA continuation rights.

## **6.540 UNEMPLOYMENT COMPENSATION**

Village employees may qualify for State Unemployment Compensation after termination from Village employment depending on the reason for termination and if certain qualifications are met.

## **6.550 EMPLOYEE ASSISTANCE PROGRAM**

This program provides stress counseling due to various life events for full-time employees. The Village recognizes that when a personal problem is making life difficult for you, it can make work difficult, too. Employee counseling can help the employee deal with personal problems before they become too difficult. The Village Employee Assistance Program is currently CuraLinc. Call toll free: 1-888-881-5462.

## **6.600 LEAVES OF ABSENCE AND TIME OFF**

### **6.610 LEAVES**

The Village has eight (8) different types of leave:

1. Vacation
2. Sick
3. Leave without pay
4. Jury and Witness
5. Military
6. Administrative
7. Bereavement
8. FMLA
- 9.

### **6.620 VACATION**

- (a) Each regular full-time employee is entitled to vacation leave as follows:
1. Upon completion of one complete and continuous year of service: seventy hours of paid leave (i.e. ten working days)
  2. Upon completion of five years of complete and continuous service: 105 hours of paid leave (i.e. fifteen working days)
  3. Upon completion of fifteen years of complete and continuous service: 140 hours paid vacation (i.e. twenty working days).

Those employees not working a full-year, as in the case of new hires will receive prorated benefits as per subsection (C) below.

- (b) Vacation time shall be credited to each full-time employee on January 1st immediately following the completion of the required number of years of service, and every January 1st thereafter.



- (c) Employees not working an entire year (i.e those in their first year of employment) shall be given prorated vacation time on January 1<sup>st</sup> and thereafter.
- (d) All new employees must satisfactorily complete their probationary period to be entitled to the use of vacation leave. Regular part-time employees will receive vacation on a pro-rata basis. Temporary employees are not eligible for any vacation benefits.
- (e) Each department is responsible for scheduling its employees' vacations without undue disruption of department operations. Vacation leave requests shall be submitted at least two weeks prior to taking vacation leave. Requests for vacations shorter than one week in duration which are submitted less than two weeks ahead of time may be approved at the Department Head's discretion.
- (f) All vacation time must be taken within one year of having been earned. If vacation time is not taken within one year of having been earned it will be lost, without compensation. However, employees are allowed to carry over up to 35 hours of accumulated vacation time from year to year. These hours cannot be used in conjunction with regular (ensuing year) vacation days or holidays to extend a vacation or holiday. Employees will be paid for unused vacation time (meaning time unused in the year) upon termination of employment.
- (g) All non-union regular employees who earn vacation time may at employee option and approved by the Village Manager convert up to one week of vacation time into their sick time accrual each year.

#### **6.625 HIPPA POLICY AND TRAINING STATEMENT**

The Village of Palos Park respects the privacy of protected health information and understands the importance of keeping this information confidential and secure. This policy describes how we protect the confidentiality of the protected health information we receive. Health Insurance Portability and Accountability Act of 1996 (HIPPA) The Village of Palos Park maintains a process to ensure compliance with applicable provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPPA). Since our goal is to provide the highest level of service to our employees, we want you to know how the Village of Palos Park complies with the HIPPA directives. Our HIPPA Privacy Policy contains procedures addressing the protection, use and disclosure of protected health information ("PHI"), accounting of disclosures.

#### **(a) How We Protect Personal Information**

We treat personal information securely and confidentially. We limit access to personal information to only those persons who need to know that information to provide support services to our customers. These persons are trained on the importance of safeguarding this information and must comply with our procedures and applicable laws. We employ strict physical, electronic and procedural security standards to protect personal

information and maintain internal procedures to promote the integrity and accuracy of that information.

**(b) Disclosure of Personal Information**

We may use or disclose protected health information to the Food and Drug Administration (“FDA”) in connection with the reporting of adverse events. We may also disclose personal information as required by law. Individuals have the rights to access and correct personal information. We have procedures in place for individuals to have access to protected health information, and procedures in place to ensure the integrity of our information and for the timely correction of incorrect information.

**(c) Training Requirement**

The Village Manager and Assistant to Mayor and Village Manager, being the keepers of the Village personnel records, insurance claims coordinators and benefits consultants for the Village will be trained in HIPPA privacy policy compliance regulations. Further, Department directors who may be privy to medical information from the employees they supervise will be trained in HIPPA privacy policy compliance regulations.

**(d) Further Information**

The Village of Palos Park may find it necessary to revise and update its HIPPA Privacy Policy from time to time as changes to the privacy regulations emerge, and will communicate any such changes to our employees.

**6.630 SICK LEAVE.**

- (a) All full-time regular employees accrue seventy hours (70) hours of sick leave (i.e. ten seven-hour work days) on January 1st of each year. Regular part-time employees may accrue sick leave benefits on a pro-rata basis according to hours worked. Full-time Sworn Union Police Officers see Police Union Contract for details.
- (b) Employees accrue and may use sick leave during their probationary periods. Temporary employees do not earn sick leave benefits. Employees do not accrue sick leave benefits during a leave without pay.
- (c) Sick leave covers those situations in which an employee is absent from work due to:
  - 1. Physical injury or illness to the employee;
  - 2. The need to care for the employee's dependent children under the age of 18 who are ill.

3. Medical or dental appointments for the employee or dependent child provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;
  4. Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;
  5. Use of a prescription drug which impairs job performance or safety;
  6. Actual periods of temporary disability associated with pregnancy or childbirth. Employees may request additional time off beyond the actual period of disability; vacation leave, compensatory time, or leave without pay may be used.
- d) The Village may require a doctor's certificate when an employee is absent for a period in excess of three (3) days. The Village may also request the opinion of a second doctor at the Village's expense. Employees who are habitually absent due to illness or disability may be terminated if their disability cannot be reasonably accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of services to the citizens of the Village.
- (e) Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with their Department Head's prior approval, take leave without pay.
- (f) Any employee on sick leave shall take whatever steps are medically necessary to remedy his or her condition and shall not engage in social, recreational, or commercial pursuits unless specifically authorized by his or her physician. If the Village believes that an employee is abusing sick leave privileges the Village may order a physical examination, by a physician of the Village's choice and at the Village's expense. If the employee is determined to be fit to return to work, the employee will not be entitled to any sick-leave benefit payments. Any violation of this provision may also result in disciplinary action.
- (h) The Village may require a return-to-work certificate, at the Village's discretion for employees returning from a sick leave.

#### **6.640 LEAVE WITHOUT PAY**

- (a) The appropriate Commissioner or designee may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include time off work for personal reasons, such as prolonged illness, parenting, caring for an ill relative, pursuing an education, or fulfilling a military obligation in excess of fifteen (15) days per year.

- (b) Only regular full-time and part-time employees who have satisfactorily completed their probationary period are eligible for leave without pay. The following requirements apply:
1. Leave may be granted to an employee for a period of up to ninety (90) days upon the approval of the Commissioner or designee. Further extensions are at the discretion of the Commissioner or designee.
  2. Accrued compensatory time, if any, and vacation leave must be exhausted prior to taking any leave without pay.
  3. An employee's benefits are suspended during the period of unpaid leave until the employee returns to work. Vacation, sick leave and/or any other benefits do not accrue while an employee is on leave without pay.
  4. In certain circumstances, self-payment of benefits may apply. See Section 6.3 on Insurance Benefits.
  5. An employee who fails to report promptly at the end of the unpaid leave is presumed to have resigned.
  6. If the leave without pay is due to an illness, the Village may require a doctor's certificate stating that the employee is capable of returning to work and performing the work, duties and responsibilities of the employee's position.

#### **6.650 JURY AND WITNESS LEAVE**

- (a) Regular full-time and regular part-time employees may be granted time off with pay for a maximum of 2 weeks (10 working days) to serve on a jury or as a court witness. The employee will be required to submit the check and check stub received from the court for jury duty to the Village as proof of serving. If an employee is summoned during a critical work period, the Village may ask the employee to request a waiver from duty. The employee may serve jury duty for more than two weeks, but will not be paid for more than 10 working days.
- (b) An employee granted such leave shall reimburse the Village for any pay received while serving as a juror or witness.

#### **6.660 ADMINISTRATIVE LEAVE**

On a case-by-case basis, the Village may place an employee on administrative leave with pay for an indefinite period of time, as determined by the Village Manager and Village Council to be in the best interests of the Village during the pendency of an investigation or other administrative proceeding.

**6.670 MILITARY LEAVE**

Regular full-time Employees who are members of the National Guard or Federal Reserve military units may be absent from their duties with the Village to fulfill their military service obligations for whatever period of time is necessary. Compensation for these periods will be discussed at time of hire for any employee who has a military service obligation.

**6.680 HOLIDAYS**

(a) The following eight (8) holidays are recognized by the Village beginning January 1 of each calendar year:

New Years Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	
Christmas Eve	December 24
Christmas Day	December 25

All full-time employees also receive two floating holidays of their choice during the calendar year.

- (b) Any holiday falling on Saturday will be celebrated on the preceding Friday. Any holiday falling on Sunday will be celebrated on the following Monday.
- (c) Non-exempt regular full-time or part-time employees will be paid for the holiday plus one and one-half times their regular rate of pay for any time worked on the holiday. Such time must be pre-authorized by the supervisor.
- (d) Temporary employees will be paid at their regular straight-time rate for hours worked on a holiday.
- (e) Police Sergeants may carry over up to a maximum of twenty-four hours of holiday and floating holiday leave from one year to the next. The holiday hours must be used within the first 60 days of the subsequent year or they are forfeited.
- (f) Regular part-time employees do not receive any paid time-off for holidays, regardless of their schedules, unless they wish to use vacation time in lieu of holiday time. However, regular part-time employees will be given the opportunity to make-up hours lost due to a holiday at a later date, if they so desire.

**6.685 RELIGIOUS HOLIDAYS**

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with the Department Head's approval, take the day off using vacation, compensatory time, or leave without pay.

### **6.690 PERSONAL LEAVE**

All full-time department personnel shall be entitled to two (2) personal days. Part-time personnel will receive personal time on pro-rated bases depending on hours worked.

### **6.695 BEREAVEMENT LEAVE**

All department personnel shall be entitled to two days (2) of bereavement leave without loss of regular compensation. Such leaves shall be limited to those for death of the employee's husband, wife, father, mother, son, daughter, brother, sister, grandfather, grandmother, brother or sister-in-law, or parent-in-law.

### **6.700 FAMILY MEDICAL LEAVE ACT**

#### ***Policy***

Family and Medical Leave provides an opportunity for an eligible employee to take up to 12 weeks of unpaid family/medical leave within any 12 month period, with a guarantee of being restored to the same or equivalent position upon his return from leave, provided the employee: (1) has worked for the Village for at least 12 months; (2) has worked at least 1250 hours in the last 12 months; and (3) is employed at a worksite that has 50 or more employees within a 75-mile radius. The "12-month period" is a rolling period, measured backward from the date a leave is to be taken.

#### ***Reasons for Leave***

If an employee is eligible, he may take family/medical leave for any of the following reasons: (1) the birth of a son or daughter and in order to care for such son or daughter; (2) the placement of a son or daughter with the employee for adoption or foster care; (3) to care for a spouse, son, daughter, or parent ("covered family member") with a serious health condition; or (4) because of the employee's own serious health condition which renders an employee unable to perform the functions of his position. Where both spouses are employed by the Village, the total amount of leave they can take may be limited to twelve weeks for the birth or adoption of a son or a daughter or to care for a sick parent.

An employee may not be granted FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted FMLA leave, he will be subject to immediate termination.

#### ***Notice of Leave***

If an employee's need for family/medical leave is foreseeable, the employee must give the Village at least 30 days prior written notice. Failure to provide such notice may be grounds for delay of leave. Where the need for leave is not foreseeable, an employee is expected to notify the Village as soon as practicable, generally within one to two business

days of learning of the need for leave. The Village has Request for Family/Medical Leave forms available through Administration. Use these forms when requesting leave.

### ***Medical Certification***

If an employee is requesting leave because of his/her own or a covered family member's serious health condition, he/she and the relevant health care provider must supply appropriate medical certification. An employee may obtain a Certification of Health Care Provider form from Administration. The medical certification must be returned within 15 days after it is provided 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.

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 medical recertification periodically during the leave, and employees may be required to present a fitness-for-duty verification upon their return to work following a leave for the employee's own illness.

### ***Reporting While on Leave***

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

### ***Required Use of Paid Time***

Family/medical leave is unpaid leave. Employees are required to utilize available paid benefit time (as described below) for any part of the Family Medical leave:

1. For the employee's own serious health condition, including childbirth, or to care for an employee's immediate family member the employee is required to utilize sick leave, and/or vacation leave, and/or personal holidays, and/or paid time off. For the purpose of this section, childbirth shall be that period when the employee is under doctor's care and not yet released to return to full duty.
2. For the birth of an employee's child, to care for such child or for the placement of a child with the employee for adoption or foster care, the

employee is required to utilize vacation leave, and/or personal days, and/or paid time off.

The Village's short-term and/or long-term disability may apply as part of the 12-week leave period when the leave is requested due to a serious health condition or the birth of a child. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period.

The Village will allow an employee on family/medical leave to reserve and not deplete a maximum of 40 hours paid vacation time to be used at a later date in accordance with the Village's vacation policy. This time shall not and cannot be used to extend the 12-week leave period.

### ***Medical and Other Benefits***

During an approved family/medical leave, the Village will maintain an employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid family/medical leave, the Village will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the leave is unpaid, the employee must pay his portion of the premium during the leave. If an employee does not return to work at the end of the leave period, he/she may be required to reimburse the Village for the costs of the premiums paid by the Village for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond his control.

### ***Exemption for Key Employees***

Certain "key" employees (i.e., salaried employees who are in the highest paid 10% of all employees at a worksite within a 75-mile radius of that worksite) may not be returned to their former or equivalent position following a leave if restoration of employment will cause substantial economic injury to the Village. The Village will notify the employee if he qualifies as a "key" employee, if the Village intends to deny reinstatement, and of the employee's rights in such instances.

### ***Intermittent and Reduced Schedule Leave***

Leave because of a serious health condition may be taken intermittently (in separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday) if medically necessary. If leave is unpaid, the Village will reduce an employee's salary based on the amount of time actually worked. In addition, while an employee is on an intermittent or reduced schedule leave for foreseeable, planned medical treatment, the Village may temporarily transfer him to an available alternative position which better accommodates his recurring leave and which has equivalent pay and benefits.

### ***Other Applicable Leaves***



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

### ***Returning From Leave***

If an employee wishes to return to work at the expiration of his/her leave, the employee is entitled to return to his same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment, subject to any applicable exceptions. However, an employee has no greater right to reinstatement or other benefits and conditions of employment than if he/she had not taken leave. An employee must return to work immediately after the expiration of his approved FMLA leave in order to be reinstated to his position or an equivalent position.

If an employee takes a leave because of his/her own serious health condition, he/she is required to provide medical certification that he is fit to resume work. The employee may obtain a Return to Work Medical Certification Form from Human Resources. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

### **6.750 RECREATION PROGRAM DISCOUNT**

Regular full and part-time employees may receive a discount program rate of the raw cost of a program (25% less the resident rate) listed in the seasonal brochure and 15% off the resident rental rate.

## **7. EMPLOYEE RESPONSIBILITIES AND CONDUCT**

### **7.705 GENERAL POLICY**

- (a) The safety and welfare of the Village's citizens shall at all times be held as a central mission of government. All Village employees are expected to represent the Village to the public in a professional manner which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and Department Head.
- (b) Since the proper working relationship between employees and the Village depends on each employee's on-going job performance, professional conduct and behavior, the Village has established certain minimum standards of personal conduct. Among the Village's expectations are: Basic tact and courtesy towards the public and fellow employees; adherence to Village policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the Village's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.

### **7.710 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST**

- (a) Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the Village's opinion, with the best interests of the Village or interfere with the employee's ability to perform the assigned Village job. Examples include, but are not limited to, outside employment which:
1. prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
  2. is conducted during the employee's work hours;
  3. utilizes Village telephones, computers, supplies, or any other resources, facilities or equipment;
  4. is employment with a firm which has contracts with or does business with the Village; or
  5. may reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.
  6. The department should obtain indemnity agreements from full-time employees' secondary employers that may require use of professional skills. (2-26-18)
- (b) An employee who chooses to have an additional job, contractual commitment or self-employment, may do so provided the employee obtains prior approval from the employee's immediate supervisor.

#### **7.711 ACCEPTANCE OF GIFTS AND CONFLICTS OF INTEREST**

- (a) No Village employee shall accept any gift which is in conflict, or creates an appearance of unfairness or conflict with the performance of official duties. An employee shall be deemed to have a conflict if the employee solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or corporation involved in a contract or transaction which is or may be the subject of official action by the Village.
1. Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the Village, reasonable exceptions to this section are permitted for those occasions which are social in nature and are not predicated on the employee's ability to influence, directly or indirectly, any matter before the Village.
  2. The employee will be guided in interpretation of this section by the distinction between a gift, gratuity, or favor given or received which has significant monetary value and is offered or accepted in expectation of

preferential treatment, and an expression of courtesy. Examples of acceptable courtesies include: a meal or social event; exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, promotions; or a sample or promotional gift of nominal value (\$25 or less).

### **7.715 POLITICAL ACTIVITIES**

- (a) Village employees may participate in political or partisan activities of their choosing provided that Village resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on Village time or in a Village uniform or while representing the Village in any way. Employees may not allow others to use Village facilities or funds for political activities.
- (b) Employees shall not solicit, on Village property or Village time, a contribution for a partisan political cause.
- (c) Except as noted in this policy, Village employees are otherwise free to fully exercise their constitutional First Amendments Rights.

### **7.716 VIOLENCE IN THE WORKPLACE**

#### **Workplace Violence Statement**

It is the objective of the Village of Palos Park to create a safe working environment for all employees and for all persons that conduct business with the Village. The purpose of this policy is to ensure the safety and wellbeing of these persons through comprehensive policies and procedures that will identify existing and potential violence hazards in the workplace. Therefore, the Village of Palos Park has established a zero tolerance policy for any acts of violence, including threats, directed by or towards any Village employee. Supervisory personnel should evaluate each incident on its own merit and implement procedures in accordance with this policy, having the physical safety and wellbeing of all of the employees of the Village of Palos Park in mind.

#### **Violence Defined**

- (a) Workplace violence is any intentional conduct which is severe, offensive, or intimidating enough to cause a reasonable person to fear for his or her personal safety or the safety of his or her family, friends and/or property such that employment conditions are altered or a hostile, abusive or intimidating work environment is created for one or more of the employees at the Village of Palos Park. Workplace violence also includes instances where these acts or threats are made against an employee by a non-employee.
- (b) Violence in the workplace is further defined, but not limited to the following acts: Any physical behavior that involves pushing, fighting, spiting, kicking, squeezing, pinching, scratching, twisting, biting, throwing objects, or any intentional behavior

that would injure another or attempt to injure another or would constitute a battery as defined in Illinois Compiled Statutes, Ch.720 Act 5 Sec. 12-3.

- (c) Any physical behavior that would place a reasonable person in fear of receiving imminent physical injury or any other aggressive physical contact of the sort as described above.
- (d) Verbal behavior which involves threatening physical harm, either directly or implicitly through direct threats, veiled threats, conditional threats, or telephone or electronic threats, against any person. Any physical or verbal behavior that would involve intimidation such as stalking, surveillance, communicating an endorsement of the inappropriate use of firearms or weapons, or written statements that are used to transmit any threat as previously mentioned. Any threat or act of vandalism or other intentional damage or destruction of Village or private property.
- (e) The Village of Palos Park will work with its law enforcement officials to investigate criminal incidents and assist the employee with pursuing criminal charges against anyone outside the agency who commits violent acts against Village employees.

#### **Documentation of Incident**

- (a) All complaints are to be given a high priority.
- (b) Employees who become aware of an incident which involves violence or a threat of violence by an employee or non-employee will immediately report such incident to his/her immediate supervisor. The supervisor will conduct a preliminary investigation as soon as reasonably possible which should include the following information: names, addresses, and telephone numbers of all parties involved, a summary of the facts of the incident, and written statements from all employees involved. It shall be the responsibility of the immediate supervisor to and the Department Head of said incident. The Department Head holds the responsibility to notify the Assistant Village Manager and Village Manager of the incident in writing as soon as reasonably possible.
- (c) The Department Head may submit a recommendation to the Village Manager as to whether they feel a further investigation is needed in an incident but the Village Manager holds the sole authority to request a further investigation of the incident.
- (d) If an employee of the Village of Palos Park is a victim of violence or threat of violence and the suspected offender involves a non-employee, the Police Department shall be contacted and a police report will be completed. A copy of the police report should be included with the notification to the Department Head.
- (e) All employees that are employed with the Village of Palos Park are covered under this policy. These disciplinary guidelines are not all inclusive, nor do they supersede the disciplinary process as defined by the Police and Fire Commission or by any collective bargaining agreement. These disciplinary guidelines are to provide

guidance with enforcement of this policy, and should not be construed as absolute and binding.

- (f) Employees who violate and are found to be guilty of violating this policy will be disciplined according to the severity of the incident, up to and including dismissal. Employees should also understand that such behavior may result in criminal charges resulting in criminal prosecution.
- (g) An employee who reasonably and in good faith reports any incident of threats of violence, or testifies, assists, or participates in an investigation of or hearing concerning allegations of threats of violence as stated in this policy shall not be subject to any type of retaliation by any employee of the Village.
- (h) Retaliation includes, but is not limited to, acts of harassment, written threats, verbal abuse, verbal threats, or any other or additional act of violence as listed in this policy. Retaliation will also be considered a violation of this policy, and may result in discipline up to and including immediate discharge.

The statement shall not be construed so as to create a legal obligation on the part of the Village of Palos Park to take any action beyond those required by law.

#### **7.717 HARASSMENT POLICY**

It is the policy of the Village that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences. See Section 1.045 for the Village policy on sexual harassment and Section 1.040 for the Village policy on all other forms of harassment.

#### **7.720 NO SMOKING POLICY**

For health and safety considerations, the Village prohibits smoking by employees in all Village facilities, including Village-owned buildings, vehicles, and offices or other facilities rented or leased by the Village, including individual employee offices. Any employee wishing to smoke must do so in a designated area and must deduct any smoking breaks from his or her allotted break time.

#### **7.725 USE OF VILLAGE EQUIPMENT**

Use of Village phones for personal phone calls should be kept to a minimum. Other Village equipment, including vehicles, should be used by employees for Village business only. An employee's misuse of Village services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

#### **7.726 WORKPLACE SEARCH POLICY**

To safeguard our employees, their property, Village residents' and the Village's property, and to enforce the Village's policies prohibiting misconduct, including theft and the unlawful use or sale of illegal drugs, cannabis or alcohol, management may question employees and/ or inspect any personnel property or any area from which the Village conducts business, including any leased spaces, facilities, and /or vehicles. (For example: vehicles, brief cases, suitcases, tool boxes, computer bags, backpacks, lunch boxes, purses or any other container or object brought to and from the Village's offices, property, worksites or Village sponsored functions) whenever there is reasonable suspicion to believe that any Village policy is being, or has been, violated. (1-27-20)

The Village may provide offices, desks, vehicles, computers or computer containers, lockers, tools and other items for the use of Village's employees. At all times, these items remain the property of the Village. The Village may also search any work area and/or item whenever there is a reasonable suspicion to believe that a Village policy is being, or has been, violated. Employees are expected to cooperate with the Village's workplace searches.

Violations of this policy are subject to disciplinary action, including, in the discretion of the Village's immediate termination. Employees with questions regarding this policy, should contact the Village Manager.

#### **7.727 CELLULAR PHONE POLICY**

This policy outlines the use of personal cell phones at work, including special issues related to camera phones, the personal use of business cell phones and the safe use of cell phones by employees while driving.

##### **(a) Personal Cellular Phones**

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of Village phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. A reasonable standard is to limit personal calls during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work time and to ensure that friends and family members are aware of the Village's policy. Flexibility will be provided in circumstances demanding immediate attention.

The Village will not be liable for the loss of personal cellular phones brought into the workplace.

##### **(b) Camera Phones**

Except as previously approved, the Village prohibits employee possession or use of cameras in the workplace, including camera phones, as a preventative step believed necessary to secure employee privacy, and Village information.

### **(c) Personal Use of Company-Provided Cellular Phones**

Where job or Village needs demand immediate access to an employee the company may issue a Village-owned cell phone to an employee for work-related communications. Unless otherwise agreed to, personal use of Village cell phones shall be kept to a minimum. Phone logs will be audited regularly to ensure no excessive unauthorized use has occurred.

Employees in possession of Village equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

### **(d) Safety Issues for Cellular Phone Use**

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Never text message or play games on a device while driving. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to the highest forms of discipline, including termination.

## **7.730 BULLETIN BOARDS**

Information of special interest to all employees is posted regularly on the Village bulletin board. Employees may not post any information on these bulletin boards without the authorization of the Village Manager.

#### **7.735 CONTACT WITH NEWS MEDIA**

The Village Manager or designated Department Heads shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The Village Manager or Department Head may designate specific employees to give out procedural, factual or historical information on particular subjects.

#### **7.736 PERSONAL APPEARANCE**

It shall be the responsibility of all employees to represent the Village to the public in a manner which shall be courteous, efficient, and helpful.

Village employees should always be well-groomed and dressed in a manner suitable for the public service environment and to reflect favorably the Village's image.

The employee's supervisor will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the Village.

#### **7.740 SEAT BELT POLICY**

Anyone operating or riding in Village vehicles must wear seat belts at all times.

#### **7.745 DRIVER'S LICENSE REQUIREMENTS**

- (a) As part of the requirements for certain specific Village positions, an employee may be required to hold a valid State of Illinois Driver's license.
- (b) If an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall promptly notify the department head and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to the department head.
- (c) Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination.

#### **7.750 SAFETY**

- (a) Every employee is responsible for maintaining a safe work environment and following the Village's safety rules. Negligence in adherence to on-the-job safety standards will be considered grounds for discipline and/or termination. Each employee shall promptly report all unsafe or potentially hazardous conditions to



the department head. The Village will make every effort to remedy problems as quickly as possible.

- (b) In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their department head and the Village Manager.
- (c) The Village recognizes the need for the development of safe working practices for every employee and desires to promote on-the-job safety by encouraging the proper design and use of buildings, equipment, tools, and other devices.

Administration of the safety program should be the job of the supervisor. They should be constantly on the alert to observe and report unsafe working practices or existing hazardous working conditions with the aim of immediate correction. Each Department Head or supervisor shall make sure that the employee under his/her supervision is well acquainted with existing safety rules and shall see that the rules are uniformly enforced. Safety education of all employees shall be promoted by supervisors adhering to all safety rules.

It is the responsibility of all employees to cooperate in making the safety program work. Employees must:

1. Be informed of and observe established safe practices;
2. Notify supervisors of any unsafe conditions they discover;
3. Use personal protective equipment such a steel toed shoes, safety vests, safety glasses, and hard hats where required;
4. Not remove guards or other protective devices from machinery and equipment;
5. Not engage in "horseplay;"
6. Attend any required training or orientation to increase safety awareness;
7. Not report to work under the influence of alcohol, cannabis, or drugs that alter normal behavior or ability to function safely; (1-27-20)
8. Report all job-related injuries or illnesses to their supervisors promptly;
9. Assist supervisors in their investigation of any accident of which they have knowledge; accident investigation is fact finding, not fault finding;
10. Refrain from smoking in "no smoking" areas; and
11. Refrain from operating, modifying, adjusting or using equipment in an unauthorized manner;

The Employee's Safety and Health Committee meets at least quarterly to review accidents that have occurred, discuss recommendations for improved safety and formulate safety rules and procedures.

A safety bulletin board will be provided for the display of safety meeting minutes, safety posters and other safety education material. A safety bulletin board will be maintained at each Village facility.

Employees are encouraged to provide safety material for the safety bulletin board and safety meetings.

Safety complaint/suggestions may be submitted to the Health and Safety Committee in written form. The safety complaint and suggestion forms are available in Appendix H. Completed forms should be submitted to the Assistant to the Manager. Any employee interested in joining the Health and Safety Committee should inquire with their department head.

If medical care is requested by a citizen or person visiting a Village facility, emergency services should be called at 911. All incidents should be reported to the Village Manager as soon as possible.

The Village maintains Worker's Compensation Insurance to cover accidents/illnesses incurred by Village employees when on duty. Liability insurance is carried to cover accidents to citizens and visitors if there is negligence by staff or the Village.

#### **7.751 ON THE JOB INJURY PROCEDURE**

- (a) If the employee should sustain an injury requiring medical attention, which is not an emergency, the employee should receive an authorization slip to report to the Southwest Industrial Care, Ltd. Clinic at 7600 W. College Drive in Palos Heights from the Village Manager or, in the case of police department employees, from the Chief of Police. The Southwest Industrial Care Clinic has an experienced team of doctors and will evaluate and treat the employee immediately, costs to be borne by the Village. This does not preclude the employee from seeing his or her own physician afterwards.
- (b) Employees will be asked to give a statement regarding their injury immediately after being injured, in the case of non-emergencies. In the case of emergencies a statement will be obtained as soon as it is practical to do so. Any witnesses to the injury will be asked to give a statement as well.
- (c) Department Heads/Supervisors should conduct a full investigation of any accident using the Village accident investigation and reporting forms. Supervisors should be certain to address prevention of similar accidents in the future.

## **7.755 SUBSTANCE ABUSE**

The Village may discipline or terminate an employee possessing, consuming, controlling, selling or using alcohol, cannabis, drugs or other controlled substances during work hours or while on call for duty. The Village is committed to supporting employees who undergo treatment and rehabilitation for alcohol or other chemical dependency. (1-27-20)

- (a) Employees who voluntarily report an alcohol, cannabis, drug or controlled substance dependency problem will not be subject to retaliation or discrimination. Employees who voluntarily seek treatment may use sick leave to attend a bona fide treatment or counseling program. The Village may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, cannabis, drugs or other controlled substances. (1-27-20)
- (b) An employee may be required to submit to alcohol, cannabis, drug or controlled substance testing when the employee's work performance causes a reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use or in cases where employment has been conditioned upon remaining alcohol, cannabis, drug or controlled substance free following treatment. Refusal to submit to testing, when requested, may result in immediate disciplinary action, including termination. (1-27-20)
- (c) Employees using any prescription or over the counter drugs which might impair their work performance should notify their Department Head. At the option of the Department Head, an employee may be reassigned to less hazardous duty or be placed on sick leave if impaired work performance might pose a threat to the public confidence or to the safety of the employee or others. (1-27-20)

## **7.760 DRUG-FREE WORKPLACE**

### **(a) MEDICAL MARIJUANA POLICY**

Approved June 23, 2014

This policy will be construed in a manner consistent with the rights and obligations under the Illinois Compassionate Use of Medical Cannabis Program Act, including any applicable interpretative rules that may be adopted pursuant to this Program. Be assured that we respect the rights of our employees who are registered qualifying patients with debilitating medical conditions who are engaging in the medical use of cannabis in compliance with the law. However, as with alcohol and prescription drugs, employees may not operate or be in control of a vehicle while impaired. Additionally, employees may be disciplined or even discharged for reporting to work under the influence of cannabis. In all cases, an employee who is a registered qualifying patient engaged in the medical use of cannabis is subject to all of our normal drug testing requirements, personnel policies and disciplinary penalties for policy violations. Nothing in this policy alters our "zero tolerance" standards for drug use.

All employees who are registered qualifying patients, as defined by the Compassionate Use of Medical Cannabis Program Act, must submit to the Village documentation illustrating that they are a registered qualifying patient, including documentation of the employee's diagnosis of a "debilitating medical condition" and the employee's Register Identification Card. All registered qualifying patients are expected to consult with their personal physician to determine if the use of medical cannabis will have any potential negative effects on job performance. All registered qualifying patients are required to report to their supervisor if there is any potential risk, limitation or restriction for whatever reason that may require modification of duties or temporary reassignment and provide appropriate medical verification on restrictions in the performance of duties. (1-27-20)

- (b) The manufacturing, distribution, dispensation, possession and use of unlawful drugs, cannabis, or alcohol on Village premises or during work hours by Village employees is strictly prohibited. (1-27-20)
- (d) Employees must notify the Village within five (5) days of any conviction for a drug or cannabis violation in the workplace. (1-27-20)
- (e) Violation of this policy can result in disciplinary action, including termination. Continued poor performance or failure to successfully complete an assigned rehabilitation program is grounds for termination.
- (e) **General Cannabis Policy**

Employees are strictly prohibited from being under the influence of, smoking, consuming, storing or using cannabis on the Village's premises, including any building, real property, and parking area under the control of the Village or area used by an employee while in performance of the employee's job duties, and vehicles, whether leased, rented, or owned. Further, employees are strictly prohibited from being under the influence of, smoking, consuming or using cannabis while on-call. An employee is deemed to be on-call when the employee is scheduled with at least 24 hours' notice the Village to be on standby or otherwise responsible for performing tasks related to his or her employment either at the Village's premises or other previously designated location by the Village to perform a work-related task.

An employee will be considered to be impaired by or under the influence of cannabis if the Village has a good faith belief that the employee manifests specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or process; or carelessness that results in any injury to the employee or others. Any employee subject to discipline for being

impaired by or under the influence of cannabis will be afforded a reasonable opportunity to contest the basis of the determination. An employee determined to be under the influence of cannabis in the workplace shall be subject to discipline up to and including termination.(1-27-20)

## **7.761 DRUG AND ALCOHOL TESTING FOR COMMERCIAL DRIVER'S LICENSE HOLDERS**

The purpose of this policy is to establish compliance with the Federal Highway Administration regulations requiring drug and alcohol testing for Commercial Driver's License holders. Regulations issued by the United States Department of Transportation mandate urine drug and evidential breath alcohol testing for employees in safety-sensitive positions, including those who are required to hold a Commercial Driver's License. This policy sets forth the alcohol and drug testing program and the testing and reporting requirements as required by those regulations. Drug testing under this policy includes, without limitation, testing for cannabis. Testing positive for cannabis, whether consumed on-duty or off-duty, shall result in discipline up to and including termination. (1-27-20)

This policy applies to all employees of the Village who are required to have and maintain a Commercial Driver's License in order to perform the duties of the job. Contractors performing functions for the Village involving the use of a vehicle requiring a Commercial Driver's License, will be subject to specific alcohol and drug testing as required by federal regulations. Drug testing under this policy includes, without limitation, testing for cannabis.

### **DEFINITIONS**

**Accident** - Accident means an occurrence involving a commercial vehicle on a public road which results in: (1) a fatality; (2) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or (3) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

**Driver** - This term includes all employees whose positions may involve driving a commercial vehicle and that require the possession of a Commercial Driver's License.

**Commercial Vehicle** - A commercial vehicle is one that either: 1) has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds); 2) is designed to transport 16 or more persons, including the driver; or 3) is used to transport hazardous materials.

**Drugs** - For the purposes of this policy, in accordance with the applicable federal regulations, "drugs" refers to the following five substances: cannabis (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines.(1-27-20)

**Medical Review Officer (MRO)** - The Medical Review Officer is the licensed physician responsible for receiving and interpreting laboratory results from the urine drug tests.

**Safety Sensitive Position** - For purposes of this policy, these are positions associated with the driving of commercial vehicles.

**Substance Abuse Professional (SAP)** - A Substance Abuse Professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

## ***STATEMENTS OF POLICY***

### **(a) GENERAL**

The Village has a significant interest in the health and safety of its employees and the citizens of the community. In furtherance of that interest, it is the policy of the Village to take those steps necessary to ensure that its employees perform their duties and responsibilities free of the influence of drugs and alcohol. Employees are encouraged to seek confidential counseling on problems associated with alcohol and drug abuse through the Employee Assistance Program. There will be mandatory drug and alcohol testing for employees and job applicants under the circumstances outlined in this policy.

### **(b) PROHIBITED CONDUCT**

The following conduct regarding alcohol and drug use or abuse is prohibited:

#### ***1. ALCOHOL CONCENTRATION***

An employee may not report for or remain on duty requiring the performance of duties covered under this policy while having an alcohol concentration of 0.04 or greater.

#### ***2. ALCOHOL POSSESSION AND ON DUTY USE OF ALCOHOL***

An employee may not possess or use alcohol while on duty or while operating a commercial vehicle.

#### ***3. PRE-DUTY USE OF ALCOHOL***

An employee may not operate a commercial vehicle within four hours after using alcohol. An on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty.

#### ***4. ALCOHOL USE FOLLOWING AN ACCIDENT***

An employee required to take a post-accident alcohol test may not use alcohol for eight hours following the accident, or until a post-accident alcohol test is given, whichever comes first.

#### ***5. USE OF DRUGS***

An employee may not report for duty or remain on duty which requires driving a commercial vehicle when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely and effectively should provide written notice from their physician or pharmacist with respect to the effects of such substances.

**6. REFUSAL TO SUBMIT TO A REQUIRED TEST**

An employee may not refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or drug test as directed by this policy.

**7. POSITIVE DRUG TEST**

An employee may not report for duty or remain on duty requiring the performance of duties covered under this policy if the employee tests positive for drugs or alcohol.

**8. TAMPERING WITH A REQUIRED TEST**

An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct any testing process required under this policy.

**9. POSSESSION, TRANSFER OR SALE**

No employee may possess, transfer or sell drugs or alcohol while in any position covered by this policy.

**(c) TESTING**

**1. PRE-EMPLOYMENT DRUG TESTING**

All individuals who are covered by this policy must pass a drug test as a post-offer condition of employment.

**2. REASONABLE SUSPICION TESTING**

Employees subject to this policy shall submit to a drug and/or alcohol test when the Village reasonably suspects that this policy (except the prohibitions against possession, transfer or sale of alcohol) may have been or is presently being violated. A referral for testing will be based on contemporaneous, articulable observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use.

Alcohol testing for reasonable suspicion may only be conducted just before, during or after an employee operates a commercial vehicle. If removed from duty based on reasonable suspicion of alcohol use and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform covered functions until:

- a) an alcohol test is administered and the driver's breath alcohol concentration measures less than 0.02; or
- b) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.

### **3. POST-ACCIDENT TESTING**

Following an accident (as defined above) involving a commercial vehicle, the driver is required to submit to alcohol and drug tests when the driver receives a citation under state or local law for a moving traffic violation, or where a fatality occurs as a result of the accident. Testing should occur as soon as possible, but may not exceed eight hours after the accident for alcohol testing and 32 hours after the accident for drug testing.

A driver who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Drivers who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

### **4. RANDOM TESTING**

Employees covered by this policy will be subject to random, unannounced alcohol and drug testing.

### **5. RETURN TO DUTY TESTING**

Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.

### **6. FOLLOW-UP TESTING**

An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a Substance Abuse Professional and the Village. The number and frequency of follow-up testing will be determined by the Substance Abuse Professional and the Village, but will not be less than six tests in the first 12 months following the employee's return to duty.

### **7. RE-TESTS**

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the Medical Review Officer.

## **(d) REFUSAL TO TAKE AN ALCOHOL OR DRUG TEST**



No employee shall refuse to submit to an alcohol or drug test as directed under this policy. A refusal to submit shall include, but is not limited to:

- failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing in accordance with the procedures manual;
- failure to provide adequate urine for drug testing without a valid medical explanation after the employee has received notice of the requirement for urine testing in accordance with the procedures manual;
- engaging in conduct that obstructs the testing process.

Refusal to submit to a test shall be considered the same as a positive test result.

**(e) SECURING INFORMATION FROM PREVIOUS EMPLOYERS**

If a person is to be hired into a position subject to this policy and during the previous two years has worked as a driver of a commercial vehicle, that person must authorize a request of all employers of the driver within the past two years to release information on the following:

1. Positive alcohol or drug tests
2. Refusal to be tested

Note: The Village is required to obtain the information listed above in items a and b by Federal law.

This information must be obtained before the person is employed by the Village. However, if the information has not arrived by the anticipated start date, and if the person has passed the pre-employment drug test, the person may be hired and the requested information must be obtained from the previous employers within 14 calendar days of the date of hire. If the information has not been received within the 14 calendar days, the person will not be permitted to drive commercial vehicles until the information has arrived. If the information obtained from previous employer indicates either a positive test or that a refusal to be tested occurred within the past two years, that person will not be permitted to drive commercial vehicles unless subsequent information indicates that an evaluation by a Substance Abuse Professional was made and return to duty testing was administered.

**(f) CONFIDENTIALITY AND RECORD RETENTION**

All records related to drug and alcohol testing will be maintained in a secure location with controlled access. These records will be kept separate from records pertaining to all other employees.

The following records shall be maintained for a minimum of five years:

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

Records related to alcohol and drug collection process and training shall be maintained for a minimum of two years.

Records of negative and canceled drug test results and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year. No records containing driver information required by this policy will be released except as provided as follows:

1. Upon written request of the employee.
2. Upon written authorization of the employee, records will be disclosed to a subsequent employer subject to use as specified by the employee.
3. Upon specific, written authorization by the employee, records will be released to an identified person, for use only as specified by the employee.
4. Records may be disclosed to a decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee, including, but not limited to, a worker's compensation, unemployment compensation or other proceeding relating to a benefit sought by the driver.

**(g) CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT OR POSITIVE DRUG OR ALCOHOL TESTS**

**1. DISCIPLINE**

Any employee engaging in prohibited conduct, receiving a positive drug test, or receiving a blood alcohol test greater than 0.02 shall be subject to the full range of disciplinary action, including termination, depending on the seriousness of the prohibited conduct.

All employees, regardless of disciplinary action taken, will be advised of resources available to the employee in evaluating or resolving problems associated with drug use or alcohol misuse.

The following provisions apply to those employees who are not terminated for policy violations:

## **2. POSITIVE TEST RESULT AND/OR ENGAGING IN PROHIBITED CONDUCT**

If an employee tests positive for drugs or has an alcohol test that indicates a blood alcohol level of .04 or greater from a random, reasonable suspicion or post-accident test, or engages in prohibited conduct as outlined in Section V, the employee will be immediately removed from duties requiring the driving of a commercial vehicle. The employee will not be permitted to return to work unless he/she:

- has been evaluated by a qualified Substance Abuse Professional; and,
- If recommended by a Substance Abuse Professional, has properly followed any rehabilitation prescribed; and,
- has a verified negative result on a return-to-duty alcohol (<0.02) and/or drug test.

Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow-up random testing for up to sixty (60) months as recommended by the Substance Abuse Professional and the Village with a minimum of six such unscheduled tests within the first twelve months of returning to duty.

## **3. ALCOHOL CONCENTRATION OF 0.02 OR GREATER**

Employees having a breath alcohol concentration of at least 0.02 or greater, shall be removed from duty requiring the driving of a commercial vehicle for at least 24 hours.

### **(h) EMPLOYEE ASSISTANCE PROGRAM/VOLUNTARY REFERRAL**

The Village supports employees who volunteer for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program. Any employee who comes forth and notifies the Village of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Any such program, however, may not interfere with the tests required by these rules. For example, a driver may not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy or other policies of the Village.

Sick leave, vacation leave or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

## **7.765 COMPLAINT PROCEDURES**

The Village recognizes that sometimes situations arise in which an employee feels that they have not been treated fairly or in accordance with Village rules and procedures. For this reason the Village provides its employees with two separate procedures for resolving complaints. Certain employees may have more than one source of dispute resolution rights (i.e., collective bargaining agreement), and this personnel manual. Employees represented by a bargaining unit should follow grievance procedures set out in their respective labor contracts, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize more than one complaint or appeal procedure simultaneously that may be available to an employee for the same complaint. Employees may choose any one of the two set forth options below; however, employees should be aware that the formal complaint procedure provides for the most definite response in the timeliest manner.

### ***FORMAL COMPLAINT PROCEDURE***

- (a) Step 1: An employee should first try to resolve any problem or complaint with the supervisor.
- (b) Step 2: When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of Village policies and procedures, the employee should attempt to resolve the problem with the department head. The Department Head will respond to the employee in writing within five (5) days after meeting with the employee, if possible.
- (c) Step 3: If the employee is not satisfied with the response from the Department Head, the employee may submit the problem, in writing, to the Village Manager. The written complaint must contain, at a minimum:
  - 1. A description of the problem;
  - 2. A specific policy or procedure which the employee believes has been violated or misapplied;
  - 3. The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
  - 4. The remedy sought by the employee to resolve the complaint; or

5. The written complaint should be filed within ten (10) working days of the occurrence leading to the complaint, or ten (10) working days after the employee becomes aware of the circumstances.
- (d) The Village Manager may meet with the parties, either individually or together, and the Village Manager will respond in writing to the aggrieved employee within ten (10) days of the meeting. The Village Manager's response and decision shall be final and binding.

## **7.767 NO WEAPONS POLICY**

Approved June 23, 2014

The Village of Palos Park strives to maintain a safe workplace environment for employees and visitors. Workplace safety is enhanced by adopting this "No-Weapons" Policy.

### **(a) Applicability**

This Policy applies to (A) all Village Officials, as defined in this Policy, with the exception of those individuals included in this Policy's EXCEPTIONS and (B) all clients, guests, and other persons who are not Village Officials but who are located on Village Property, as defined in this Policy.

### **(b) Definitions**

"Village Officials" mean all officials, employees, consultants, agents, and others who work for or with the Village of Palos Park and who are located on or in Village Property, regardless of being on duty or off duty as well as contractors, vendors, and their respective personnel when those individuals are engaged in work for or business with the Village.

"Village Property" means every building or portion of a building that is owned, leased by, or otherwise under the control of the Village. For purposes of this Policy, a building or portion of a building is 'under the control' of the Village when the Village has the right to determine at most or all times who may occupy and use that space. "Village Property" also includes every Village-owned or leased vehicle.

"Tools" means devices commonly recognized as tools useful for Village purposes, when being used for Village purposes or kept in their usual storage location.

"Visitor" means every person other than a Village Official, including but not limited to, clients, guests, and other individuals located on Village Property.

"Weapon" means:

- Knives, except that the following knives are not prohibited: common kitchen knives such as dinner knives, steak knives, and carving knives, but only in kitchen and break room areas.
- Devices from which a projectile can be fired, but not including Tools as defined in this Policy.

- Electronic devices such as conducted electrical weapons, stun guns, and tasers.
- Firearms of all types and sizes, whether loaded or unloaded.
- Clubs and any other instrument or object that can be used in a club-like manner and the presence of which poses a reasonable risk to others, but not including Tools as defined in this Policy.
- Any device designed primarily for a destructive purpose, but not including Tools as defined in this Policy.

**(c) Weapons Prohibited**

1. Village Officials. Except as provided under EXCEPTIONS, no Village Official may wear, carry, store, transport, or otherwise possess a Weapon at any time in or on Village Property or while performing any duties for or on behalf of the Village.

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

- a. Performing work for the Village at any location including private residences and commercial establishments and other customer or client locations;
  - b. Driving or riding as a passenger in a Village vehicle;
  - c. Attending conferences or training on behalf of the Village;
  - d. Attending Village directed or sponsored activities or events (intended for Village employees only and not the general public) independent of venue;
  - e. Riding any type of mass transit while on Village business;
  - f. Working off-site on behalf of the Village (excluding the employee's residence); and
  - g. Performing emergency or on-call work for the Village after normal business hours and on weekends.
2. Visitors. Except as provided under EXCEPTIONS, no Visitor may wear, carry, store, transport or otherwise possess a Weapon in or on Village Property at any time.
  3. 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.

**(d) Exceptions**

1. Police Officers and Other Designated Personnel. Village police officers and other Village employees who have been specifically designated or deputized may possess their work-authorized Weapons. Police officers or similar law enforcement officers from other departments or agencies may possess their work-authorized Weapons while engaged in official duties.
2. Governmental. A state or federal governmental employee may possess his or her work-authorized Weapons if engaged in official duties and required by law or regulation to possess a Weapon.

3. Parking Lots. A Village Official or Visitor may keep a firearm in his or her personal vehicle properly parked and locked in a Village parking lot or parking area, so long as (1) the individual is a concealed carry licensee and (2) the firearm or its ammunition, if applicable, is stored in a case within a locked vehicle or a locked container out of plain view. A licensee may carry a concealed firearm in the immediate area surrounding his or her vehicle for the limited purpose of storing or retrieving a firearm within the vehicle's trunk, provided the licensee ensures the concealed firearm is unloaded prior to exiting the vehicle.

**(e) Inspections**

Village representatives may inspect or search any workplace area and any Village Property, at any time, for the presence of a Weapon.

**(f) Violations**

Any violation of this Policy by a Village Official will subject the Village Official to discipline, up to and including termination.

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.

**(g) Concealed Carrying Prohibited**

Any property or building that is controlled by the Village is a "prohibited area" under Section 65 of the Illinois Firearms Concealed Carry Act and thus, concealed carrying in or on any Village Property or building under the control of the Village is not authorized by Illinois law. Accordingly, and in all events, concealed carrying is not an exception to this Policy.

**(h) Responsibility**

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

Any Village Official who sees or perceives a violation of this Policy shall report that violation to his or her Department Director or, in the Director's absence, to the Village manager or, in an emergency, to the Police Department.

No 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 Property. Instead, a person should inform that individual of this Policy and ask for compliance.

If that individual does not comply, then the person should contact the Police Department immediately.

## **8. Information Systems Policy**

Adopted: September 26, 2005

Amended: September 15, 2009

### **8.810 GENERAL POLICY**

With the fast development of information technology, the effective use of computer systems has become an important part of the services delivered to the community. The intent of this policy is not to impose burdensome limits on users. Rather, it is to provide an information technology infrastructure that promotes the basic mission of the Village and effective use of information technology. This policy codifies what is considered basic usage protocol of technology systems with the respect of fellow users. With the privileges to use the information resources of the Village computer come specific responsibilities outlined in this policy. These systems include, but are not limited to e-mail, voice mail, FAX communications, computers and internet.

This policy is applicable to all employees full-time, part-time including seasonal employees whose duties may or may not require the use of information system resources.

Access and use of information systems are not the right of the user, but a privilege. When usage behavior is in conflict with this policy, the usage privilege may be terminated and the user may be subject to disciplinary action set forth in the Village of Palos Park Personnel Manual.

It is the Village's responsibility to provide adequate services and training to users in order to prevent system failures and so users can utilize the information system resources in the most efficient manner.

It is the user's responsibility to comply with this policy. It is also their responsibility to learn the technology in order to perform proper functions on the personal computer system effectively and report information systems malfunctions or problems.

### **8.820 COMPUTER POLICY**

The computer system of the Village of Palos Park is provided for the purpose of conducting research and other indicated uses specified in the policy for Village business. These resources are the property of the Village of Palos Park and information stored on the personal system is not considered private information.

#### **(a) Access:**

Unauthorized access to resources or data is not permitted. The ability to access a resource or item of data does not imply authorization. Department Directors will oversee access authority. EMPLOYEES WILL NOT BE PROVIDED ACCESS TO THE VILLAGE'S INFORMATION SYSTEMS UNLESS AND UNTIL THEY HAVE A SIGNED EMPLOYEE ACKNOWLEDGEMENT ON FILE (effective November 1, 2005).



**(b) Tampering, Willful Destruction or Theft:**

Tampering, willful destruction or theft of any computer data, equipment or software, which is the property of the Village, is expressly prohibited. Tampering includes any deliberate effort to degrade or halt the system, to tie up the system or to compromise the system performance and also includes any efforts to bypass security measures in place within the system and unauthorized modification of programs. Willful destruction includes a deliberate disabling or damaging of computers, systems terminals or other facilities/equipment, including the network, and any deliberate destruction or impairment of software and/or data. Theft includes unauthorized removal of data, equipment or software or the unauthorized copying of Village owned software or data. Copying of unauthorized software is a federal offense.

**(c) Passwords and Logins:**

1. Each employee is provided with a login identification unique to that employee. The Village reserves the right to access any employee account. An employee may not use another employee's logon to gain access to the Village computer system. Nor may any employee offer another employee use of their privileges for access. Temporary logons can be established.
2. Passwords are provided to access individual user accounts. These passwords are unique to the individual account holder and the Village and may not be shared or revealed to others. If an employee feels that their password or computer terminal have been compromised they should change that password immediately and report the incident to their supervisor. Please note that many passwords are case sensitive.
3. If you would like to change your password please tell the Village Manager and they can do this for you. Please provide your password to the Village Manager for help desk purposes.
4. Passwords for business such as e-commerce or for accessing organizational web sites such as IRMA, IMRF, etc. are to be authorized by your Department Director and are to be kept secure by user.
5. No passwords may be applied to individual computers, files, programs or directories without the consent of the Department Director and Village Manager.
6. Employees should not leave their terminals logged on and unattended. Every user will be required to log off the computer every day at the close of their workday and as required for periods away from the terminal or personal computer to prevent unauthorized access.

**(d) Software:**

Software shall not be installed on Village computers/ systems in violation of copyright rules. Unless required for the use of application, the hard copy of any software application will be kept in the custody of the Village Manager. All software installed on Village computers shall be properly licensed. Village owned software will not be removed from Village property without permission from the Department Director. Village owned software will not be installed on non-Village owned computers without permission from the Village Manager and Department Head.

**(e) Altering of Village Computer Equipment:**

Personal software applications, hardware peripherals, and/or data may not be installed on Village computer equipment without the express written permission of the Department Director. The Village Manager will be notified when the software is installed on any Village computer. The Village Manager, or his/her authorized agent or Department Director may only perform the installation. Any removal of software applications, data sets and peripherals must be reported to the Village Manager and Department Director.

**(f) Authorized Use:**

Village computers are to be used for the conduct of Village business. Personal use may be restricted by the Department Director. Authorized users of the Village computer systems include employees or authorized agents of the Village of Palos Park. All unauthorized users are strictly prohibited without the consent of and access privileges granted by the Village Manager. Some Village computer users have the need to access outside computers, bulletin boards and the Internet with permission from the Village Manager and Department Head. Under no circumstances are users to download any files or programs without checking that file or program through an approved anti-virus checking program.

**(g) Repairs:**

Employees should not attempt to repair problems with village computers. The employee should notify the Village Manager or Director about the problem. The Village Manager will notify the Department Director as needed.

**(h) Extraordinary Uses of Village Computers:**

Sworn officers of the Palos Park Police Department, may, during the conduction of an investigation, be required to violate portions of Section IV. These actions may only be allowed with the express written permission of the Director or Chief of Police. Care should be taken to store any investigation-related material in a secure location separate from the standard home directories and drives.

**(i) Use of Portable Memory Devices:**

Typically, these devices are used as storage media for a portable device, in a form that can easily be removed for access by a personal computer. These are PROHIBITED unless authorized by the Village Manager.

### **8.825 E-MAIL POLICY**

The Village of Palos Park e-mail system is maintained for the convenience of the Village and its employees. Delivery, confidentiality and privacy of e-mail sent over the Village network cannot be guaranteed.

#### **a. Privacy:**

Village employees should be aware that any message sent via e-mail is available for the review by Village Management and the Village Manager. The Village reserves the right to monitor all internal and external incoming/outgoing e-mail by their employees who send or use e-mail, either local or internet. Attachments to an e-mail shall not be opened unless the material is deemed of a work related matter. Department Directors may restrict employees from using e-mail if it is determined that they are using it inappropriately, as described below (IV).

#### **b. As Records:**

Employees must be aware that e-mail communication is considered the equivalent of paper memoranda. If information is conveyed through e-mail communication, be sure to print that e-mail message to be placed in the appropriate file to ensure the complete integrity of our central filing system.

Employees must also be aware that e-mail communications may be considered public record. The Village may be required to produce your e-mail correspondence if requested under the Freedom of Information Act.

### **8.830 INTERNET ACCESS**

The internet, by its nature, is an unsecured and unregulated media. While it is able to provide a wide access to information, materials, and people, care must be taken to ensure that ethics and judgment are not compromised.

#### **a. Resources:**

1. No employee may cause excessive use of Village network resources or phone lines by the amount of time spent on the internet.
2. Access to the internet for personal use may only be done on the employee's personal time and with the consent of the Department Director.
3. Downloading unauthorized material to Village equipment is prohibited. Only approved files should be saved to Village drives. The Village Manager may clear excessive download material from the Village drives. The Village Manager may clear excessive download material from the Village computers by notification to the respective Department Director.

### **8.835 UNAUTHORIZED USE**

It is a violation of this policy to use the Village's computer system for any of the following:

- (a) Any purpose which violates U.S., State, Local Laws or Ordinances.
- (b) Sending, receiving, uploading or downloading Village software or data in violation of applicable copyright laws and licensing agreements.
- (c) Sending, receiving or downloading or uploading or printing files and other resources in violation of applicable copyright laws and licensing agreements.
- (d) Sending, receiving, uploading or downloading material, possession of which violates U.S., State, Local Laws or Local Ordinances.
- (e) Sending, receiving or downloading material which could reasonably be construed as defamatory, offensive, disruptive or derogatory.
- (f) Copying files from another employee without that employee's consent. Village programs may not be copied from one computer to another.
- (g) Unauthorized faxing of Village data or personal information via fax machine or the computer system.
- (h) Destruction or damage to equipment, software or data belonging to the Village.
- (i) Disruption of or interference with network services. This includes, but is not limited to: excessive use of connect time or printing resources; attempting to add, modify or remove system software or other system elements; attempting to evade system security measures or network access rights; distribution of unsolicited advertising; harassment; libeling or slandering of others.
- (j) Disruption of or interference with other Village computers users. This includes, but is not limited to harassment of others; threatening others and displaying text or graphics that may reasonably be construed as offensive.
- (k) Use of Village system resources to falsely represent you or the Village, or for personal, financial or commercial gains, including sending a message under another user's name.
- (l) Reading, altering or deleting another person's e-mail.
- (m) Using internet to stream non-work related videos or listen to broadcasting music.
- (n) N: Communicating via the use of chat rooms or IM messaging.
- (o) Creation, installation of intentional propagation of any computer virus on the Village network or on a Village computer is expressly prohibited. Employees should report any virus detected to the Village Manager.
- (p) Conducting the solicitation or promotion of commercial, religious, political or personal propaganda.
- (q) Sending or forwarding chain letters.
- (r) Sending mass mailings that could be considered SPAM.

### **8.840 COPYRIGHT**

There is a huge volume of information available on the internet. In most cases, users can read and use the information which is indicated as free. In some cases, however, copyright laws, such as company logos or news photos published by various news organizations protect items accessible via the internet. Internet use by Village users

should be consistent with the law. When in doubt, please contact the Village Manager or Department Director.

### **8.850 VOICEMAIL**

While voicemail is a valuable tool, here are a few etiquette tips to keep in mind.

- (a) When leaving a message, say your name clearly and if you have an unusual name or spelling of your name; spell it out.
- (b) Always leave your telephone number and say it slowly. Even if you feel they do have your number, remember they might not be at a location where they have access to your number.
- (c) When leaving your message be clear and concise. Tell the person exactly why you are calling, they are more likely to respond if you are more specific.
- (d) Always respond to your messages.
- (e) Periodically check your voicemails. You might have received an important call that will need immediate attention.
- (f) If you plan on being out of the office or are going on vacation, change your voicemail message to indicate you will be gone and when you are returning.

### **8.860 VIOLATION OF THIS POLICY**

Violation of the Village of Palos Park Information Systems Policy may be grounds for disciplinary actions, up to and including discharge.

## **9. DISCIPLINE AND TERMINATIONS**

### **9.910 DISCIPLINE**

- (a) All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the Village.
- (b) Acts, errors, or omissions which discredit the public service or impair the provision of orderly services to the citizens of the Village may result in discipline, including termination.
- (c) The Commissioner, Village Manager or department head, as appropriate, has full discretion and authority to impose disciplinary action in accordance with Village policy and the circumstances of the particular case.
- (d) The following are examples of the types of behavior which may result in discipline:
  - 1. Drinking alcohol consuming cannabis, or the abuse of non-prescription or prescription drugs or other controlled substances on the job, or arriving on the job under the influence of or while in possession of alcohol, cannabis, drugs, or other controlled substances. Also includes the obstruction of required drug tests. (1-27-20)
  - 2. Violation of a lawful duty.
  - 3. Insubordination.
  - 4. Absence from work without first notifying and securing permission from the supervisor.
  - 5. Habitual absence or tardiness for any reason.
  - 6. Unsatisfactory job performance, as determined by the Village.
  - 7. Conviction of a felony or a misdemeanor involving moral turpitude.
  - 8. Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the Village.
  - 9. Inability, refusal or failure to perform the duties of the assigned job.
  - 10. Violation of duties or rules imposed by this manual, or by any other Village rule, regulation or administrative order.

11. Failure to follow safe work practices and/or procedures.

- (d) This list is not all-inclusive, but only serves as a general guide. The Village may discipline or terminate employees for other reasons not stated above. All employees are employees at will who may be disciplined or discharged without cause or notice.
- (e) In the event that discipline is necessary, the following types of disciplinary actions may be used, depending on the particular situation:
  - 1. An oral warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or their failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the Village by changing the employee's conduct, attitude, habits, or work methods. Following the counseling session the supervisor shall document the oral warning.
  - 2. A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.
  - 3. A suspension is a temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action which is made part of the employee's permanent record.
  - 4. A termination is a permanent severing of the employment relationship between the employee and the Village. Terminations may be used in case of significant misconduct or repeated lesser infractions.

The Village may use any form of disciplinary action it deems appropriate and disciplinary action need not necessarily occur in any particular order.

- (f) Suspensions with pay, where the employee is placed on administrative leave, may be utilized by the Commissioner or Village Manager pending the results of an investigation or disciplinary action where the Commissioner or Village Manager determines those factors such as public confidence, the safety of the employee or the efficient functioning of the Village call for such a suspension.

## **9.920 TERMINATION**

- (a) An employee may be terminated from Village employment for any of the reasons listed below.
  - 1. During or at the end of the employee's trial period.

2. As a result of disciplinary action.
3. Due to loss of skills, certifications or other conditions which would make the employee unfit for service.
4. When the Village Council or Village Manager has made a determination that a lack of work or funding exists with respect to the employee's position.
5. If the employee has a physical or mental impairment that prevents the employee from performing the required duties of the employee's position and the employee cannot be reasonably accommodated. Termination must be supported by medical evidence which establishes that the individual is unable to perform bona fide job requirements. The Village may require an examination at its expense performed by a physician of its choice. Failure to submit to such request may result in termination.
6. Whenever the Village Manager determines to make changes deemed to be in the best interest of the Village.

The above list is presented for illustrative purposes only and is not all-inclusive.

### **9.930 PRE-TERMINATION HEARING**

In the case of termination of an employee, the Village will conduct a pre-termination hearing. The pre-termination hearing serves as a check against mistaken decisions and to determine whether there is a reasonable presumption that the reasons are valid and support termination. This section does not apply to probationary employees.

- (a) In the event an appointing authority desires to terminate an employee, the employee shall be provided with a notice of the recommendation for termination. The notice shall include an explanation of the reasons on which the recommendation is based, and the time and date for a pre-termination hearing. If the employee fails or refuses to appear, the termination may proceed.
- (b) Pre-termination hearings will be presided over by the Village Manager and Commissioner or a designated representative.
- (c) At the hearing, the employee may explain why the employee should not be terminated. The employee may bring one person to the hearing as an observer or representative. The Hearings Officer shall determine who, if anyone may participate in the hearing, and how the hearing will be conducted.
- (d) Within five (5) working days after the pre-termination hearing, the Village Manager and Commissioner will issue a decision on whether the termination will proceed, or whether lesser disciplinary action will be applied. However, if the Village Manager and Commissioner determine that more information or time is required in



order to render a decision, the Village Manager and Commissioner may extend the time period as the Village Manager and Commissioner deem appropriate.

#### **9.940 LAYOFF**

- (a) The Village Manager may lay off employees for lack of work, budgetary restrictions or other changes that have taken place.
- (b) Temporary employees or employees who have not completed their trial period will be laid off before regular employees are affected.
- (c) In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are comparable.
- (d) Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified.

#### **9.950 RESIGNATION**

An employee should provide two (2) weeks' notice of resignation. This time limit may be waived by the employee's department head or the Village Manager. Upon submission of a resignation, the employee may not take sick, vacation, or compensatory time during the last two weeks of employment.

#### **9.960 DEATH**

Upon the death of an employee, all compensation due shall be paid to the surviving spouse or the estate of the employee.