

# ***Employee Handbook***

*Effective: January 1, 2024*



**Herb R. Roach, Mayor**

# WELCOME

Welcome O'Fallon team member!

On behalf of everyone here, it is a pleasure to welcome you as an employee with the City of O'Fallon and wish you every success here.

We believe that each team member contributes directly to the City's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of City employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the City.

We hope that your experience here will be challenging, enjoyable and rewarding. Again, welcome!

Sincerely,

Walter Denton  
City Administrator

# TABLE OF CONTENTS

<b>Policy Number and Name</b>	<b>Page Number</b>
101 At-Will Nature of Employment.....	9
102 Employee Relations.....	9
103 Recruitment and Selection.....	9
104 Promotion From Within A Department.....	10
105 Recruitment And Selection Process .....	10
106 Equal Employment Opportunity.....	11
107 Business Ethics and Conduct .....	12
108 Personal Relationships in the Workplace .....	13
109 Employee Medical Examinations .....	14
109A Medical Examinations / Fit for Duty Evaluations (FDE).....	14
109B Medical Information Confidentiality .....	17
110 Immigration Law Compliance.....	18
111A Conflicts of Interest .....	18
111B State Gift Ban Act.....	18
112 Outside Employment .....	20
113 Salary Schedule .....	21
201 Employment Categories .....	21
202 Access to Personnel Files .....	24
203 Employment Reference Checks .....	24
204 Personnel Data Changes .....	24
205 Employment Applications .....	25
206 Performance Evaluation .....	25
301 Employee Benefits .....	26
302 Benefits Continuation.....	27
303 Bereavement Leave.....	27
304 Cafeteria Plan: Section 125 FSA / HSA.....	28
305 Child Care Benefits .....	28
306 Educational Assistance.....	29
307 Employee Assistance Program (“EAP”) .....	30
308 Family and Medical Leave .....	31
309 Health Insurance.....	34
310 Holidays.....	35
311 Investment Plan .....	36
312 Jury Duty .....	36
313 Life Insurance.....	37
314 Military Leave / Family Military Leave.....	37
315 Personal Leave / Medical Leave of Absence.....	38
316 Retirement Plan .....	39
317 Sick Leave Benefits.....	39
318 Vacation Benefits .....	41
319 Witness Duty .....	43
320 Workers' Compensation Insurance and Leave .....	43
321 Victims' Economic Security and Safety Leave (VESSA) .....	43
322 Nursing Mothers in the Workplace Act.....	44
323 Blood, Platelet, Bone Marrow and Organ Donation Leave.....	44
324 School Conference and Activity Leave.....	45

325	Voting Leave .....	45
401	Timekeeping .....	46
402	Paydays.....	47
403	Employment Termination.....	47
404	Unemployment Compensation .....	48
405	Re-Employment.....	49
406	Administrative Pay Corrections.....	49
407	Pay Deductions and Setoffs.....	50
501	Work Schedules.....	51
502	Use of Phone and Mail Systems .....	51
503	Tobacco and Nicotine Products Prohibited .....	52
504	Meal Periods.....	53
505	Overtime / Compensatory Time .....	53
506	Equipment & Vehicle Use Policy.....	54
507	Use of Personal/City Vehicle for City Business.....	55
508	Licensed Operation - Vehicles & Privately-Owned Vehicles (POV).....	56
509	Vehicle Accident Reporting .....	57
510	Business Travel Details & Expenses.....	58
601	Safety.....	61
602	Emergency Conditions & Closings .....	61
603	City Identification Cards / Physical Security Guide.....	63
604	Visitors in the Workplace.....	63
605	Computer and E-mail Usage .....	64
606	Internet Usage.....	64
607	Document Retention .....	65
608	Social Media.....	67
609	Workplace Monitoring .....	69
609A	Identity & Privacy Protection.....	76
610	Workplace Violence Prevention.....	71
611	Ergonomics.....	73
701	Employee Conduct and Work Rules .....	73
702	Drug and Alcohol Use/Abuse.....	75
703	No Harassment Policy .....	77
704	Attendance and Punctuality.....	78
705	Personal Appearance .....	79
706	Casual Days.....	80
707	Return of Property.....	81
708	Security Inspections.....	82
709	Weapons and Firearms Prohibited.....	82
710	Solicitation.....	84
711	Drug Testing.....	85
712	Progressive Discipline .....	86
713	Problem Resolution / Open Door Policy .....	86
801	Life-Threatening Illnesses in the Workplace.....	87
802	Recycling.....	88
803	Suggestion Program.....	89
804	Personnel Appeals Process .....	91

# ORGANIZATION DESCRIPTION

## I. City Form and Operations

The City of O'Fallon (the "City") is a home rule community that operates under an aldermanic form of government. The Council is composed of two aldermen from each of the seven wards. The aldermen are elected on four-year staggered terms. The mayor, clerk and treasurer are elected at-large and they serve four year terms. The mayor, with the advice and consent of the City Council, appoints a city administrator who oversees day-to-day operation of the City. City staff consists of trained professionals who operate an Administration, Public Works Department (Engineering & Operations), Finance Department, Parks and Recreation Department, Community Development Department, Public Safety Department (Police, EMS, Fire) and a Municipal Library.

The Administration Department coordinates the activities of the City's departments: Public Works, Finance, Parks and Recreation, Community Development, and Public Safety. This department also manages all City communications and public relations including press releases, the *Inside O'Fallon* digital community newsletter, the City's official website(s) special events, human resources, and information technology.

The Public Works Department strives to provide residents and customers with effective planning, management, operation and maintenance of the City's water, sanitary sewer, storm sewer and street infrastructure, as well as support all City Departments and residents by applying available technology to building, maintaining, and managing asset databases that allow informed decision making. The Engineering Group staff reviews private development plans for appropriate compliance, oversees public infrastructure plans and manages public works construction projects. The Operations Group maintains and repairs more than 180 miles of roadways, sanitary sewer collection systems, stormwater collection systems and water distribution systems. The City has owned and operated its water distribution for over 100 years, serving the majority of the City of Fairview Heights as well. It maintains and operates over 280 miles of distribution lines, two major pump stations, five elevated and two ground storage tanks, storing 5 million gallons of water. The water system has 18,000 metered points of service with an average daily delivery of 4 million gallons of water. The City's sanitary sewer collection system is comprised of 120 miles of mains and 13 lift stations. The City's wastewater treatment plant that can process over 5.6 million gallons per day and serves the O'Fallon Township portion of the City of O'Fallon and the majority of the Village of Shiloh. The Operations Group in combination with the Geographic Information Group (GIS) part of Information Technology (IT), provides asset (database) management for the Engineering and Operations Groups as well as for all other City Departments, in particular Finance, Parks, Police and Fire. Operations also operates the Public Works SCADA (Supervisory Control and Data Acquisition) Systems for Water and Wastewater. O'Fallon is a leader in the metro St. Louis area in the use of automation to track, control and operate its utilities, and provide data for all of the other the City operational systems.

The Finance Department includes the responsibility for purchasing, budget, payroll, accounts payable, accounts receivable, fixed asset tracking, utility billing, and other central services. These functions obviously cross all departmental lines and closely interact with the Mayor, City Clerk, Treasurer and City Administrator.

The Parks and Recreation Department is responsible for the maintenance of over 300 acres of park land and amenities in a manner which will enrich the quality of life of the citizens. The department also provides recreational services.

The Public Safety Department is comprised of police officers, dispatchers and emergency medical services, and fire personnel. The department is committed to being responsive to the community in the delivery of quality public safety services including the preservation of life and property of all persons, the promotion of safe and secure neighborhoods, and the enforcement of all Federal, State, County and Municipal laws.

The Fire Department which is also a part of Public Safety is a volunteer/paid on call unit that protects a 44+ square mile area consisting of the and surrounding fire protection district. Each year, they respond to hundreds of

emergencies, participate in numerous training exercises, and provide fire prevention and safety education programs to children and adults. It operates out of three fire stations (another under construction) and one administrative building currently.

The Community Development Department coordinates long range planning and administers appropriate ordinances to preserve the neighborhood and enhance quality of life within the context of the City's Comprehensive Plan. The Department also serves as a professional planning and development resource to elected and appointed officials and the community at large. These functions serve to preserve and protect property value, quality of design, construction and safety of buildings and property in the City. The Building & Inspections Division of Community Development ensures compliance with all applicable codes adopted by the City, such as Building, Zoning, Property Maintenance, etc. This is accomplished through permitting, reviews, and inspections on new and existing structures and systems.

The Municipal Library is governed by a Board of Trustees that is appointed by the Mayor. The purpose of the library is to provide a live collection of books, educational and recreational materials, to the children, young people and adults of the community. This collection, library reference staff, programs for all ages, and implemented technology serve to stimulate communication, educate citizens, and enrich personal lives.

## **II. Facilities and Locations**

City Hall is located at 255 South Lincoln. This location houses the water department, Public Works – Engineering Division, Community Development and various administrative functions, all of which can be contacted by calling 618-624-4500 and using the appropriate extension. The Information Technology Division facilities are located at 318 W. 2<sup>nd</sup> Street.

The Public Safety Department (Police and Emergency Medical Services) is located at 285 N. Seven Hills Road. The non-emergency telephone numbers for these locations are 618-624-4545 (police) and 618-624-4516 (ambulance).

The Fire Department has three stations located in O'Fallon and one in Shiloh. The O'Fallon stations are located at 528 West Fifth Street, 106 East Washington, and 1215 Taylor Road (Headquarters) and the Shiloh station is located at 102 Oak Street. The non-emergency telephone numbers are 618-624-4520, 618-622-1461, 618-622-9450 and 618-624-4519, respectively.

The Public Works main office is located at City Hall, while maintenance offices are located at 505 W State (Public Works Compound) and 8645 E Highway 50. The Wastewater Treatment Plant is located at 10378 Reider Road, Lebanon, IL.

The City Library is located at 120 Civic Plaza and can be contacted by calling 618-632-3783.

The main offices for the Parks and Recreation Department are located in the Katy Cavins Community Center located at 308 East Fifth Street and can be contacted at 618-624-0139. The department operates four main parks as well as several small parks and a skate park:

- 1) Community Park at 308 E Fifth encompasses over 39 acres of land with a pool, four lighted tennis courts, six ball diamonds, two basketball courts, two playgrounds, numerous pavilions and picnic areas and a maintenance building. The Community Center is available for a variety of functions.
- 2) Hesse Park at 810 N Madison has over 22 acres with four ball diamonds, an in-line skating rink, playgrounds, basketball courts and picnic areas.
- 3) Rock Springs Nature Park at 1428 E Third has 109 acres for walking and hiking, the Rotary Nature Center, and a Playground.
- 4) Thoman Park at 1021 Nancy Dr. has a playground, pavilions and walking paths.
- 5) Veterans Memorial Site at 737 E Wesley.
- 6) Ogles Creek Park at 435 Wiegertown Dr. has picnic facilities and pavilions.

- 7) Savannah Hills at 8012 Savannah Hills Blvd. has a playground and walking trail.
- 8) Public Safety Fields located adjacent to the Public Safety Facility at 285 N Seven Hills Rd. includes soccer fields, lacrosse fields and a skate park.
- 9) The Family Sports Park at 301 Oberneufemann Rd is 200 acres and is still being developed. The park includes ball fields, soccer fields, playground, a splash pad, a walking trail and will have more amenities as the plan progresses.
- 10) Two parks are also maintained for neighboring Shiloh: Three Springs Park at 2250 Frank Scott Pkwy and Shiloh Community Park at 1 Park Dr.
- 11) O'Fallon Station in downtown, 212 E First Street where special events are held throughout the year as well as being the location for the Vine Street Market which occurs from May through October.

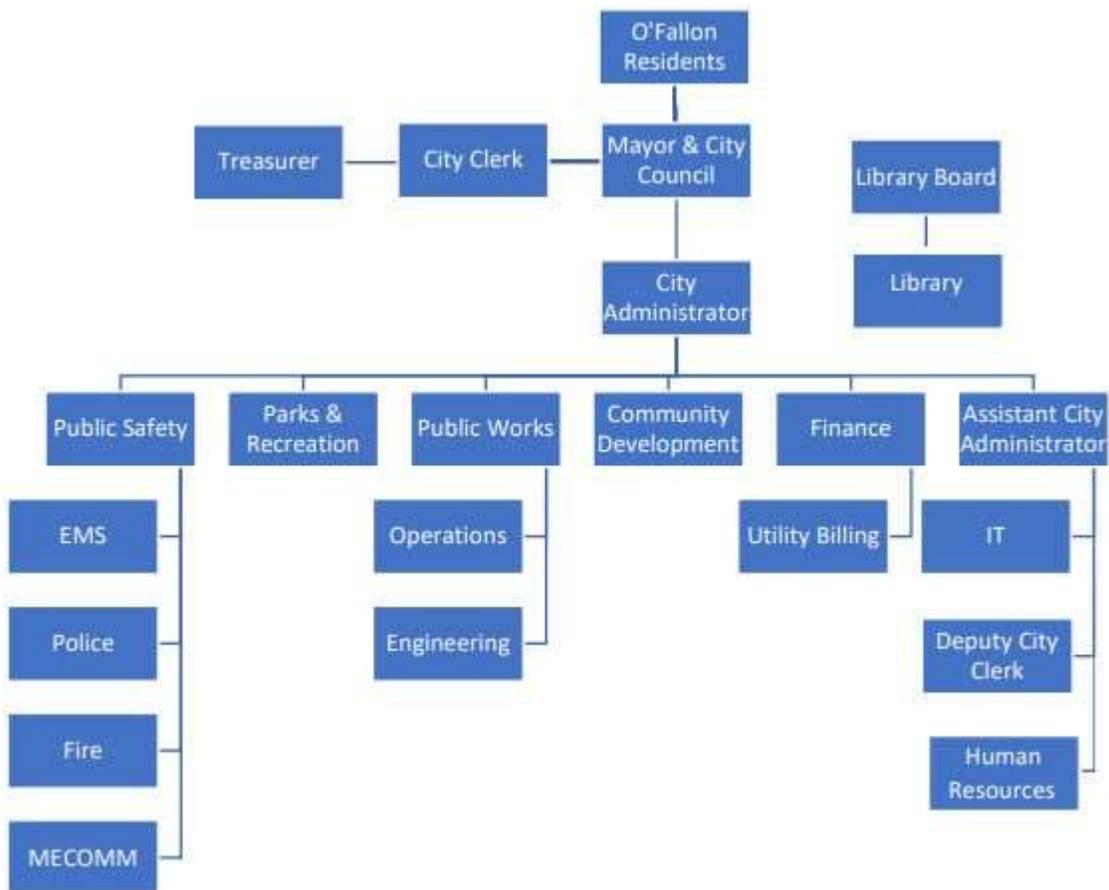
The City owns and maintains a multi-modal depot in the downtown business district for St. Clair County Transit and the Chamber of Commerce. The City also owns and maintains a historical building that houses the City Museum and Historical Society. The historical old City Hall has been sold but is still located at 200 North Lincoln.

### **III. The History of the City of O'Fallon**

Though Native American settlement dates back centuries, O'Fallon's first modern-day settlement was made in 1802 by Revolutionary War veteran Capt. Joseph Ogle. Others soon followed, lured by rich land well suited to agriculture. It was here that John Mason Peck founded Rock Spring Seminary in 1827, the first college in Illinois. Within 25 years, coal mining had begun and the Ohio & Mississippi Railroad was built. The town began as O'Fallon Station, a depot of the O & M Railroad which was the first stop out of St. Louis. O'Fallon was named for railroad president Col. John O'Fallon, who came to St. Louis after the War of 1812 to assist his uncles, George Rogers Clark and William Clark (of Lewis & Clark Expedition fame). O'Fallon was settled in 1814.

The first lots were sold at public auction on May 13, 1854. The first public school was built in 1861. O'Fallon was incorporated as a village in 1874 and converted to city government in 1905. The Community Park was established in 1924 and a public library in 1930. Scott Air Force Base, founded in 1917, contributed to much of O'Fallon's growth and I-64 fueled its rise as a commercial center. O'Fallon is the birthplace of actor William Holden and illustrator Bernie Fuchs. Today, at over 25,000, O'Fallon is one of the fastest growing cities in the St. Louis area.

#### IV. Organizational Structure – updated as changes occur



#### V. Role of the Human Resources Office

The Human Resources Office of the Administration Department (“Human Resources”) is available to assist employees with questions concerning benefits, workplace rules and policies, working hours, and other work-related issues. Employees are encouraged to contact their supervisor or Department Head when questions arise, however Human Resources can also answer questions or direct employees to the appropriate person for an answer.

Human Resources shall be consulted about the proper interpretation of any part of the contents of this Handbook. In addition, if an employee has any work-related concern (including but not limited to any act of perceived discrimination or harassment), these concerns may be brought to Human Resources.

#### VI. Management Philosophy

The mission of the City has always been to provide our citizens with the best possible service. We believe this can be accomplished by encouraging all employees to work together harmoniously and by resolving workplace concerns quickly and in a manner which promotes the well-being of the whole employee. Our goal to provide citizens with the best possible service is shared by all City departments and managers. Concentration on our mission and team spirit will enable us to achieve this goal on a sustained basis.

## **101 At-Will Nature of Employment**

Effective Date: 07/02/2001

Revision Date: 04/01/2014

*See Title VI Policy on the city's website*

Absent a contract or other written agreement, employment with the City is on an at-will basis. "At-will" employment means that either the employee or the City may terminate the employee's employment with the City at any time, for any lawful reason. Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the City and any of its employees. The City may amend the provisions of the handbook at any time at its sole discretion, and the provisions of this handbook supersede all existing policies and practices. The provisions contained herein may not be amended or added to without the express written approval of the City Administrator.

The provisions of this handbook apply to all City employees. However, if any specific policy or provision of this handbook conflicts with the terms of any applicable collective bargaining between the City and a union, the terms of the applicable collective bargaining agreement will supersede the provisions in this handbook with respect to employees covered thereby.

## **102 Employee Relations**

Effective Date: 07/02/2001

Revision Date:

The City believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the City amply demonstrates its commitment to employees by responding effectively to employee concerns.

## **103 Recruitment and Selection**

Effective Date: 07/02/2001

Revision Date: 6/30/22

The City seeks to attract and employ high quality skilled professionals to serve the citizens of O'Fallon. As a public sector employer, the City has an obligation to open the hiring process to the widest variety of qualified people. The City believes in giving all applicants an open and equal chance to obtain employment with the City and in compliance with its Equal Employment Opportunity Policy (See Section 106).

All hiring processes are conducted in a competitive environment, with the goal of fairly assessing the full qualifications of all applicants and selecting employees that best match the needs of the City.

Recruitment of employees for positions in the City service shall be the responsibility of Human Resources. Human Resources shall encourage assistance from Department Heads and other employees of the City in obtaining suitable applicants for positions. Human Resources shall coordinate the interview and pre-employment processes on behalf of the Department who has the vacancy.

Provisions in the Handbook as to salaries and vacations, etc., are subject to negotiation and can be authorized by the City Administrator or his/her designee.

Department Heads shall notify Human Resources as far in advance as possible of any requirements for personnel, setting forth such desired items as the number of employees required, the education, training, experience and personal qualities desired. Human Resources will review the request and proceed to fill the vacancy, going through the procedures of promotion, transfer and recruitment, in order. Job offers shall be processed by Human Resources in coordination with Department Heads. Department Heads are not authorized to negotiate with candidates unless authorized by the City Administrator or his/her designee.

## **104 Promotion From Within A Department**

Effective Date: 07/02/2001

Revision Date:

Internal applicants from within the same Department will be evaluated for promotional opportunities whenever possible and when it is in the best interest of the City. Internal applicants may also be asked to participate in a competitive selection process involving external candidates. The factors in determining promotions may include competitive examinations, efficiency of service, potential for continued development, educational background, and length of service.

S. All open positions will be posted on the city's website for both internal and external employees to apply. To be eligible to apply for a posted position, an employee must have performed successfully in his/her current position for at least 90 days. Employees who have had a written warning, probation or suspension in the prior six (6) months are not eligible to apply.

## **105 Recruitment And Selection Process**

Effective Date: 07/02/2001

Revision Date: 04/01/2014, 2/28/2018

In addition to advising all employees of vacancies, Human Resources will initiate the recruitment and selection process, which may include the following steps:

### **A. Recruitment Methods**

- (1) Contact with employment offices
- (2) Advertisement in professional journals and local newspapers
- (3) Contact with area schools
- (4) Walk-in inquiries
- (5) Recommendations from present employees
- (6) Other methods of modern personnel recruitment

### **B. Selection Methods**

- (1) Screening interview;
- (2) Applicable job-related pre-employment tests;
- (3) Comprehensive interview;
- (4) Investigation of previous employment history;
- (5) Post-job offer, pre-hire physical (including drug testing), essential functions evaluation, and/or psychological examination, if job-related and consistent with a business necessity;
- (6) Post-job offer, pre-hire criminal background check, if job-related and consistent with a business necessity;
- (7) Motor vehicle record check, if job-related and consistent with a business necessity;

All prospective new hires will undergo a criminal background check once a conditional job offer has been made. The City will follow all applicable federal and state laws (including the provisions of the Fair Credit Reporting Act) with respect to performing pre-employment criminal background checks.

For sensitive positions, such as child care positions, police, emergency medical services, etc., the City will perform a more extensive pre-employment background check. Such background checks may include interviews with family members, neighbors, co-workers. The City will follow all applicable federal and state laws with respect to performing extensive pre-employment background checks.

The City does not automatically disqualify a prospective new hire just because he/she has a criminal conviction. The decision to offer/not offer the position will be based upon the offense and how it is related or relevant to the position for which the prospective new hire is being considered.

For prospective new hires seeking a position requiring a CDL endorsement, information regarding urine drug tests and breath alcohol test results from previous employers will be obtained, as mandated in 49 C.F.R. Part 40 of the Federal Motor Carrier Regulations.

After a job candidate has been selected, the City shall require all necessary forms such as status sheet and tax withholding forms, to be filled out prior to the candidate beginning work. The City will maintain all necessary records and information for each City applicant.

All applications of candidates who fail the pre-employment examinations, who are permanently rejected or who fail to report to work after being hired, will be filed in inactive files. The application and other materials of all other applicants shall remain on file for a period of one (1) year and may be considered for other openings.

### **C. Disqualification of Applicants**

The City may reject any application which indicates that the candidate does not possess the minimum qualifications required for the position. Applicants may also be disqualified for the following (list is non-exclusive):

- (1) The applicant is unable, either with or without reasonable accommodation, to perform the essential functions of the position (with pre-employment inquiries being limited to whether the applicant has the ability to perform the essential functions of the position and not whether the applicant has any condition that would prevent the performance of the essential functions).
- (2) The applicant made false statements on his application.
- (3) The applicant is an immediate family member of an elected City official. Immediate family is defined as the applicant's spouse, parent, child, sibling; the applicant's spouse's parent, child or sibling; the applicant's child's spouse; grandparents or grandchildren. An immediate family member of an elected City official may be hired for a seasonal or temporary emergency position.
- (4) The applicant would be in the same department or in the supervisory chain-of-command of a person with whom they are in a familial or close personal relationship (see Section 108 – Personal Relationships in the Workplace) if employed in the position sought.

## **106 Equal Employment Opportunity**

Effective Date: 07/02/2001

Revision Date: 04/01/2014

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City will be based on merit, qualifications, and abilities. The City does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, citizenship status, ancestry, age, physical or mental disability, marital status, military status, sexual orientation, gender identity, or any other characteristic protected by federal or state law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

The City makes reasonable accommodations for qualified individuals with disabilities, unless doing so would result in an undue hardship to the City. If you believe you need an accommodation, you must notify your immediate supervisor and/or Human Resources as soon as the need arises. Upon your notification, the City will engage in the interactive process to determine whether a reasonable accommodation may be made. When appropriate, the City may need additional information from your physician or other medical or rehabilitation professionals. The City will follow all federal and state laws when assessing an employee's request for a reasonable accommodation.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or Human Resources. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **107 Business Ethics and Conduct**

Effective Date: 07/02/2001

Revision Date: 09/06/2017

*See also Policy 111 Conflicts of Interest*

The successful operation and reputation of the City is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the City is dependent upon the taxpayers' trust and we are dedicated to preserving that trust. Employees owe a duty to the City and its residents to act in a way that will merit the continued trust and confidence of the public.

The City will comply with all applicable laws and regulations and expects its elected officials and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor. If necessary, discuss with the City Administrator for advice and consultation.

The City of O'Fallon strictly prohibits City-issued credit cards for personal use. Credit card purchases are monitored closely in O'Fallon by the Finance Office. Credit cards are used for City purchases for travel, online purchases, or with vendors where there is not a City charge account. Credit card statements are received by the Finance Department monthly and are then distributed to the cardholder for backup documentation. Department Heads are responsible for approving the credit card statements of their departmental employees. The backup information and statements are reviewed by the accounts payable clerk and the Finance Director before they are listed in the warrant for City Council review.

Documentation must be submitted for each purchase listed on the statement or the accounts payable clerk is responsible for contacting the cardholder for missing documentation. Any restaurant receipt must have the detail of the purchase (not just the credit card top copy) to ensure that no alcohol is purchased with the card. Should an accidental purchase be made for personal use, a reimbursement check must be submitted at time it is shown on statement. It is very rare that this occurs, but it is monitored and if there are repeat offenses, it is brought to the attention of management.

Compliance with this policy of business ethics and conduct is the responsibility of every City employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

## **108 Personal Relationships in the Workplace**

Effective Date: 07/02/2001

Revision Date: 09/06/2016, 2/28/2018

The employment of family members or of those engaged in personal relationships outside of work has the potential to negatively impact the workplace. Any relationship between employees that negatively impacts or interferes with the harmonious work environment or negatively impacts productivity is prohibited and may subject the involved employees to disciplinary action up to and including termination.

The following rules apply with respect to family and personal relationships in the workplace:

A supervisor may not engage in a personal relationship with a subordinate employee at any level of the chain of command that has or could potentially have the appearance of creating or promoting favoritism or special treatment or has the potential to negatively impact the work environment. A supervisor may not supervise a family member, or anyone with whom the supervisor has a close personal relationship including but not limited to the following relationships: dating, co-habitation, sexual or romantic relationship, marriage (including common law marriage), or civil union. In the event that such a relationship develops during employment, the employees involved will be given the opportunity to choose which of them will resign or request to be transferred. The City retains sole discretion to determine whether to grant a request for a transfer. If the City denies a request for transfer, one of the employees must resign. The decision as to which employee will resign will be left to the two employees and, if neither employee resigns, the City reserves the right to determine which employee will be removed from employment.

In addition, employees who work in the same department are prohibited from engaging in relationships outside of work that have the potential to negatively impact the work environment. Such relationships include, but are not limited to, dating, co-habitation, sexual or romantic relationship, marriage (including common law marriage), civil union, and familial relationship. In the event that such a relationship develops during employment, the employees involved will be given the opportunity to choose which of them will resign or request to be transferred. The City retains sole discretion to determine whether to grant a request for transfer. If the City denies a request for transfer, one of the employees must resign. The decision as to which employee will resign will be left to the two employees and, if neither employee resigns, the City reserves the right to determine which employee will be removed from employment.

Employees who violate this policy will be subject to disciplinary action, up to and including discharge. Employees must notify supervision and/or Human Resources should a relationship described by this policy occur.

The City does not prohibit employees who are not in the same chain of command or who work in different departments (as defined herein) from engaging in personal relationships, including but not limited to, dating, co-habitation, marriage, civil unions, sexual, romantic or familial relationships. If, however, the relationship between employees negatively impacts the work environment, one or both employees may be subject to discipline up to and including termination, or one employee may be asked to resign. The decision as to which employee will resign generally will be left to the two employees. If neither employee elects to resign, the City reserves the right to determine which employee will be removed from employment.

The City will not hire an individual to work as a supervisor or subordinate at any level of the chain of command to another employee with whom the individual has a personal relationship, including but not limited to dating, co-habitation, sexual or romantic relationship, marriage (including common law marriage), civil union and familial relationship. The City will also not hire an individual to work in the same department with an employee with

whom the individual has a personal relationship, including but not limited to dating, co-habitation, sexual or romantic relationship, marriage (including common law marriage), civil union or familial relationship.

For purposes of this policy, “familial relationship” or “family member” includes an employee’s spouse or civil union partner, parent, parent-in-law, step-parent, grandparent, aunt, uncle, great-grandparent, sibling, step-sibling, sibling-in-law, half-sibling, child, child-in-law, step-child, first cousin, nephew or niece.

The City expects professional behavior in the workplace and prohibits any behavior in the workplace that can negatively impact the work environment including but not limited to, kissing, holding hands, excessive hugging or touching, using terms of endearment, and sexual relations. Sexual harassment is prohibited. Employees are expected to understand and abide by the City’s policy against sexual harassment, set forth at Section 703 of this policy handbook.

Employees who are engaged in a personal relationship which is prohibited by this policy are expected to immediately disclose the relationship to their Chain of Command or contact Human Resources for assistance.

This policy does not apply to those serving as seasonal workers or volunteer (paid-on-call) firefighters. Supplemental part-time employees with the Fire Department are welcome to train with family members or those with which they are in a close personal relationship with however, when signing up for duty crew evening coverage, employees should take care to communicate with their supervisors and schedule separately (not on the same shift) except for exigent unplanned circumstances such as emergency response.

Note: For purposes of this policy, City Departments are defined as Administration (including IT), Finance (including Utility Billing), Parks (grounds maintenance and horticulture), Recreation (programming), Public Works (Engineering and Operations Divisions), Community Development, Library, Public Safety (including Communications, Emergency Medical Services, and Police Divisions), and Public Safety-Fire. Employees who have questions should contact Human Resources for clarification.

## **109 Employee Medical Examinations**

Effective Date: 07/02/2001

Revision Date:

*See Section 109A – Fit For Duty Evaluations*

To help ensure that employees can perform their duties safely, medical examinations may be required.

After an offer has been made to an applicant entering a designated job category, a health professional of the City’s choice will perform a medical examination at the City’s expense. In addition, applicants for employment may be required to take a psychological evaluation prior to employment. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exams. The City only requires post-offer, pre-employment medical and psychological examinations if such examinations are job-related and consistent with a business necessity.

Current employees may be required to take medical examinations to determine fitness for duty when job-related and consistent with business necessity. Such examinations will be scheduled at reasonable times and intervals and performed at the City's expense.

**Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate business reason.**

## 109A Medical Examinations / Fit for Duty Evaluations (FDE)

Effective Date: 11/1/2010 Revision Date: In order to return to full duty after a work-related or non-work related injury and/or medical leave, employees must provide their Department and Human Resources with a work release (doctor's note or work status sheet) from their treating physician stating that the employee is able to return to full duty.

After Human Resources receives the work release, employees in certain positions, such as Public Works or Park Maintenance, Patrol/Police, EMT/Paramedic, will also need to pass a "Fit for Duty Evaluation" before returning to work. A "Fit for Duty Evaluation" (FDE) provides reliable data that the employee is physically able to perform the essential functions of his/her job. For example, some position descriptions state that an employee must be able to lift a certain amount of weight or must be able to do physical activity involving stooping, kneeling, crouching, crawling and etc. Some positions have a cardio segment on the FDE to ensure that the employee is physically fit enough to complete the essential job functions. It is important to note that all current employees will be required to pass an applicable FDE if they are injured or on medical leave and meet the criteria listed below.

### Fit for Duty Evaluation Criteria

Employees whose position description requires an FDE must pass the FDE before returning to work after an injury or medical leave if they meet one or more of the following criteria:

1. Inpatient or outpatient surgery was required \*;
2. Childbirth.
3. Medical tests such as angiogram, angioplasty, etc. for a heart condition.
4. Strain/sprain/fracture or other condition that resulted in employee being off work or on transitional duty for 30 or more days;
5. Major neck, back or joint injury \*;
6. Psychological absence.

*\* An employee will be asked to pass his/her position's FDE after injury or inpatient or outpatient surgery if the injury/surgery and/or recovery impacts the physical requirements of their position as defined by the position's functional requirements. This will be determined on a case-by-case basis.*

The City/Human Resources will:

1. Meet with the employee as soon as Human Resources is aware of the condition, to explain the return to work procedure outlined in this document.
2. Provide the employee with a copy of his/her FDE if requested.
3. Schedule the FDE appointment at approved facility.
4. Contact the employee with the results.

If the employee passes the Fit for Duty Evaluation, the employee is able to return to work.

### When an Employee Does Not Pass the Fit for Duty Evaluation the First Time, Employees:

1. Must attend an evaluation with the City's medical provider to determine any physical restrictions.
2. Must choose a treating physician. Employees may choose the City's medical provider or their own personal physician to be the treating physician.
3. Must sign a medical release so that the Human Resources is able to communicate with the treating physician regarding the employee's progress in treatment.

The City/Human Resources will:

1. Provide the opportunity for employees to meet one time with a therapist from the approved facility to receive a home training/conditioning program.
2. Pay for this one-hour session and will also pay for the employee's time away from work to attend this session.

If Employee Fails the Cardio Portion of the FDE, Employees:

1. Have the option to schedule a second cardiac evaluation and stress test with their own physician if the employee failed just the cardio portion of the FDE.

2. If he/she has a stress test, he/she must provide the City with a medical report from their own physician certifying that they have passed the cardio portion of the FDE.

If this happens, he/she can return to full-duty work.

The City/Human Resources will:

1. Pay for the medical evaluation and stress test for the Cardio portion of the FDE and the employee's time away from work to take the stress test.

Taking the Second FDE (Re-test), Employees:

1. Are required to take a second FDE within 60 days or less from the date of the first failed FDE (unless the treating physician recommends that the employee needs more time to heal).
2. Provide documentation from the treating physician that they are physically able to take a second FDE.

The City/Human Resources will:

1. Schedule the FDE on a case-by-case basis depending upon the employee's ability to re-take the test.
2. Pay for the employee's retest as well as for the employee's time away from work to take the retest.

If the employee passed the FDE, the employee is able to return to work.

When Employees Do Not Pass the Second FDE, Employees:

1. Must schedule an appointment with their doctor to determine a course of treatment.
2. Inform Human Resources of their appointment date and time and their choice of physician within five (5) business days.
3. Provide Human Resources with the physician's recommendation for treatment within 24 hours of the appointment with their physician.
4. Provide Human Resources with the physician's treatment recommendations and/or a report of concrete evidence of improvement (ability to lift more weight, outlined cardio workout, etc.) after each subsequent appointment with their physician.
5. Sign a medical release so that Human Resources may communicate with the treating physician regarding the employee's progress.

The City/Human Resources will:

1. Contact the employee and physician for regular updates on the employee's progress.
2. Provide transitional duty for the employee (if available) when the treating physician has indicated that the employee is able to work.
3. Pay for the appointment with the employee's physician as well as for the employee's time away from work to attend the appointment.

Transitional Duty, Time Away from Work, and Compensation

The City/Human Resources will:

1. Contact the employee's supervisor (and other departments if necessary) to determine if the City has work available that can accommodate the employee's restrictions.
2. Provide "Transitional Duty" if there is work available that can accommodate the employee's restrictions.
3. Pay the employee their regular salary during approved transitional duty time.
4. Monitor the number of days the employee is on transitional duty.
  - The maximum amount of time that an employee is allowed to work transitional duty is usually six (6) months.
  - Day one of the six months is the date the employee failed the FDE the first time. If a doctor's recommendation specifically outlines a longer rehabilitation period, the City will review this on a case-by-case basis and additional time on transitional duty may be given.
  - An employee's time on transitional duty may not exceed one (1) year from the date that the employee failed the FDE for the first time.

5. Conduct an accommodation hearing, if necessary. If the employee is unable to pass the FDE after one (1) year, an accommodation hearing will be conducted, which is a meeting with the employee's department director, immediate supervisor, and Human Resources. At this meeting, reasonable accommodations for the employee will be considered and discussed.

### Compensation if Transitional Duty is Not Available

#### Medical Leave (Usually FMLA)

1. Full-time Employees – If the City does not have any transitional duty available while the full-time employee is on medical leave and is not able to pass the FDE, the employee will be required to use sick time, then vacation time, and other benefit time. If all benefit time is used, the employee will be off work, without pay, until he/she is able to pass the FDE.
2. Part-time Employees – If the City does not have transitional duty available while the part-time employee is on medical leave and is not able to pass the FDE, the employee will be off work, without pay, until he/she is able to pass the FDE.

#### Work-related Injury (Usually Worker's Compensation)

1. When a part-time or full-time employee on Worker's Compensation is unable to pass the FDE and transitional duty is not available, Worker's Compensation Insurance will generally pay the employee a portion of the employee's salary for a maximum of one year.
2. If the part-time or full-time employee on Worker's Compensation is unable to pass the FDE after one (1) year, an accommodation hearing will be conducted, which is a meeting with the employee's department director, immediate supervisor, and the Human Resources Department. At this meeting, reasonable accommodations for the employee will be considered and discussed.

## **109B Medical Information Confidentiality**

Effective Date: 7/1/2014

Revision Date:

The City strives to protect the privacy of its employees' medical information to the greatest possible extent. To that end, we provide the following guidelines regarding the confidentiality of medical information:

- (1) "Medical information" is any information, data, or documentation relating to an employee's mental or physical condition. The term includes, but is not limited to, oral, written, or digital information concerning an employee's mental or physical condition; medical records; dental records; disability records; workers' compensation records; medical leave records; genetic information; health insurance information; and/or information concerning visits or payments to any health care professional, hospital, emergency room, or other type of short- or long-term health care facility.
- (2) Any medical information concerning employees will be maintained in separate, confidential medical files apart from regular personnel records. Only authorized employees may ever have access to such files.
- (3) Medical information concerning employees is absolutely confidential under state and federal laws and may not be discussed at any time with any person under any circumstances, unless an employee needs to do so in order to carry out his or her job duties, or unless the person discussing the information is talking or otherwise communicating with the subject of the information at that person's invitation. If an employee is concerned about a possible medical condition on the part of a coworker, the employee must not discuss such concern with anyone other than Human Resources.
- (4) Any employee who is found to have discussed medical information about another employee with anyone else in violation of this policy, or who is found to have released such information without authorization, will be subject to disciplinary action, up to and including immediate termination from employment. In addition, state and federal laws may subject such an employee to both civil and criminal action in a court of law.

## **110 Immigration Law Compliance**

Effective Date: 07/02/2001

Revision Date: 05/01/2014

Revision Date:

The City is committed to employing only individuals who are authorized to work in the United States. In addition, the City does not unlawfully discriminate on the basis of citizenship status or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. If an employee is authorized to work in the United States for a limited time period, the employee will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed with the City.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal. Employees with questions or seeking more information on immigration law issues are encouraged to contact Human Resources.

## **111A Conflicts of Interest**

Effective Date: 07/02/2001

Revision Date:

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the City Administrator or Human Resources for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of City's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the City as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City. *See also Section 111B State Gift Ban Act and Section 112 Outside Employment.*

## **111B State Gift Ban Act**

Effective Date: 06/24/2013

Revision Date: 02/28/2018

Except as permitted by City ordinance, no officer or employee of the City, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as “recipients”) shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates City Ordinance.

Prohibited sources include (but are not limited to) people or entities that fit one or more of the following categories: 1) do or seek to do business with the recipient or City; 2) conduct activities regulated by the City; 3) have interests that may be substantially affected by the recipient’s official duties; or 4) are registered or required to be registered as lobbyists.

Exceptions might include:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee or his or her spouse or immediate family member pays the fair market value.
3. Any contribution that is lawfully made under the Election Code or activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding seventy-five dollars (\$75.00) per person in value on a single calendar day; provided that the food or refreshments are consumed on the premises from which they were purchased or prepared or catered. For the purposes of this section, “catered” means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purpose of this Act, “intra-governmental gift” means any gift given to an officer or employee from another officer or employee, and “inter-governmental gift” means any gift given to an officer or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than one hundred dollars (\$100).

Disposition of Gifts: An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate City ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Employees seeking more information on the Gift Ban Act are encouraged to contact the City Administrator’s office, designated as the “ethics advisor”.

Penalties

1. A person who intentionally violates any provision of the City ordinance relating to prohibited political activities is guilty of a Class A misdemeanor.
2. A person who intentionally violates any provision of the City ordinance relating to prohibited gifts is guilty of a business offense and is subject to a fine in the amount of not less than One Thousand One Dollar (\$1,001.00) and not more than Five Thousand Dollars (\$5,000.00).
3. Any person who intentionally makes a false report alleging a violation of any provisions of the City ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official is guilty of a Class A misdemeanor.
4. A violation of the City ordinance shall be prosecuted as a criminal offense by an attorney for the City by filing in the circuit court any information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.
5. A violation of City ordinance may be prosecuted as a quasi-criminal offense by an attorney for the City, or through the designated administrative procedure.
6. In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of City ordinance is subject to discipline up to and including termination.

#### Permitted Reasonable Exceptions

Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the City, 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 City.

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; gifts of food to commemorate events such as illness, death, birth, holidays, or promotions; or a sample or promotional gift. *(See full list of exceptions in 5 ILCS 425/1).*

## 112 Outside Employment

Effective Date: 07/02/2001

Revision Date: 05/01/2014

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the City. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

Employees' activities and conduct away from the job must not compete or conflict with or compromise the City's interest, or adversely affect job performance and the ability to fulfill all responsibilities to the City. This requirement, for example, prohibits the unauthorized use of any City tools or equipment. In addition, employees are not to solicit or conduct any outside business during paid working time. In addition, an employee must allow ample time for rest between their employment with the City and any outside employment (a minimum of eight hours is recommended).

If the City determines that an employee's outside work interferes with performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the City.

Outside employment will present a conflict of interest if it has an adverse impact on the City. Before accepting any outside employment (including self-employment), an employee must first obtain written permission from his/her Department Head and the City Administrator's office and provide notice to Human Resources using the accepted

form (*available on the City's Intranet*). A database of secondary employment relationships will be kept in Human Resources and notice should be provided annually and/or when changes occur.

## **113 Salary Schedule**

Effective Date: 05/01/2010

Revision Date:

It is the policy of the City to establish a compensation system that will allow the City to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee. All compensation is subject to budget approval.

The salary schedule shall apply to all employees not covered by a collective bargaining agreement. The City compensation system complies with applicable state and federal law. Any unlawful discriminatory decision or action with respect to compensation is in violation of this policy.

**New Employees:** New employees will normally be paid the minimum rate in the appropriate salary range for the position accepted. Rare exceptions may be permitted with the approval of the City Administrator's office and Human Resources, commensurate with experience.

**Pay Increases:** Market pay adjustments are typically effective on May 1. Non-union employees who have successfully completed their introductory period will be eligible for a pay increase on the May 1 or after the predetermined introductory period.

**Re-Evaluation:** In the event that the salary of any position is re-evaluated by Human Resources and it results in an increased or decreased salary range for the position, the employee shall retain his/her current salary or assume the minimum of the new grade/range, whichever is greater.

**Pay Rates Exceeding Range Maximum:** Any employee whose pay rate exceeds the maximum prescribed for his/her grade as a result of a reallocation of his/her position to a lower grade when there have been no recent, dramatic changes in assigned duties and responsibilities, will not be reduced in pay. This does not apply to demotions. The employee will not be eligible for future salary increases until he/she occupies a position for which the salary range maximum for the grade is more than the pay rate he/she currently receives.

**Salary Grades and Ranges:** The City is committed to establishing salary grades and salary ranges based upon the complexity of the position, the relationship of that position to all other positions within the City, and the relationship of that position to positions of similar qualifications and responsibilities in comparable communities. Grades are established by grouping position together using certain criteria and assigning a shared salary range that is established based on comparable community data.

**Survey of Communities:** Human Resources will survey the communities for comparable positions by requesting position descriptions and salary range information. The supervisor and/or the department director, with the input of Human Resources, determine what positions are comparable based on the position description.

**Market Adjustments:** Once the new salary ranges are determined through the comparable community comparison process, the appropriate percent increase is determined for each position if applicable.

## **201 Employment Categories**

Effective Date: 07/02/2001

Revision Date: 05/01/2009, 2/28/2018

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws.

NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws.

EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws and are not entitled to overtime pay. If you are classified as an exempt salaried employee, you will receive a salary, which is intended to compensate you for all hours you may work for the city during the workweek. You will receive your full salary for any workweek in which work is performed. However, under federal and state law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons:

- Full day absences for personal reasons, including vacation in which no work has been performed for the work week.
- Full day absences for sickness or disability, because the City has personal paid medical leave plans, in which no work has been performed for the work week.
- Full day disciplinary suspensions set for the in written policies.
- To offset amounts received as payment for benefits set forth in written policies (example: jury duty, military pay).

Please note exempt employees will be required to use accrued vacation or sick personal time for full or partial day absences for personal reasons, sickness or disability. However, the employee's salary will not be reduced for partial day absences if you do not have accrued paid time off.

Exempt employees will be required to inform their supervisor of any full or partial day absences in which the employee will not be performing work in excess of two (2) hours during their normally scheduled work week. Reporting requirements for eligible benefits (vacation, sick time, etc.) are further laid out in subsequent sections.

An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by City management.

In addition to the above categories, each employee will belong to one other employment category:

FULL-TIME employees are those who are not in a special assignment status and have completed their designated introductory period, and who are regularly scheduled to work the City's full-time schedule (over 2,080 hours annually; an average of 40 hours minimum per week). Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program. *Note: for Full-Time employees who also serve on the Fire Department, refer to the Paid-On-Call category for limitations. For Full-Time employees who might also be selected for a Part-Time job opening, any hours worked must be completely separate from scheduled hours in Full-Time position and be limited to occasional or sporadic (less than 15% of normal hours).*

PART-TIME employees are those who are not in a special assignment status and have completed their introductory period and who are regularly scheduled to work 1,508 hours annually (29 hrs. per week) or less. Part-time employees are compensated on an hourly basis. While part-time employees receive all legally mandated benefits (such as Social Security and worker's compensation insurance), they are generally ineligible for other City benefit programs (exception: IMRF for eligible positions working over 1,000 annually). However, part-time employees working an average of 30 hours per week may be eligible for health insurance as required by the Patient Protection and Affordable Care Act. Efforts should be made by all supervisors to keep part-time employees limited to working 29 hours per week in all positions.

SUPPLEMENTAL PART-TIME employees are those who are not in special assignment status, have completed their introductory period and who are hired to supplement the work force. These employees are expected to fill in as-needed to assure that the necessary functions of a department are completed and are compensated on an hourly basis. All legally mandated benefits (Social Security and worker's compensation) are provided, but supplemental part-time employees are ineligible for other City benefit programs. *Note: see additional details specific to Paid-on-Call employees.*

PAID-ON-CALL (Fire only) – these individuals “join” the department as a volunteer (geographic residence within the Fire District required) and receive a standard fee per fire call as well as a “length of service” award. Note: if these individuals also sign up to cover specified shifts/duties for the City, their status concurrently transitions to a Supplemental Part-Time category (duty crew, night time coverage, etc.) with the Fire Department. In addition, a Full-Time employee can also serve as a Paid-on-Call (volunteer) individual/Supplemental Part-Time employee so long as they are working only occasional or sporadic hours (less than 15% of their regular working hours not including overtime) and they separate from their Full-Time job completely before accepting a call or working the supplemental hours.

SPECIAL ASSIGNMENT/SEASONAL employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project or program. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Special assignment employees retain that status unless and until notified of a change in writing. While special assignment/seasonal employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for other City benefit programs.

TEMPORARY employees work for a period of not more than nine (9) months, during which a regular work week may or may not be worked. Temporary employees receive all legally mandated benefits (such as worker's compensation and Social Security) but are ineligible for other City benefit programs. Temporary status can be extended if needed.

INDEPENDENT CONTRACTORS, as defined by the Internal Revenue Services, may be used to supplement the work force or assist with a specific project or type of work. In general, the IRS defines an individual as an independent contractor if the City is only able to control or direct the result of the work and not the means or methods of accomplishing the result. Independent contractors are ineligible for City benefit programs. Independent contractors are responsible for payment of all taxes on sums paid to them by the City as well as insurance coverage.

**INTRODUCTORY PERIOD DEFINED:** The introductory period is a period during which all new and promoted employees are given an opportunity to demonstrate their ability to perform the requirements of the position for which they have been hired or promoted.

1. Duration – The introductory period for City employees is six (6) months unless otherwise stated in an applicable collective bargaining agreement or conditional offer letter. If a Department Head requests an extension of an established introductory period, the City Administrator may extend this up to a maximum of an additional six months.
2. Evaluation of Introductory Period – Through the introductory period the employee's supervisor shall be required to monitor the progress of the new employee in an effort to determine whether City employment expectations are being met. Feedback is to be freely provided during this period. After six months of employment the employee's supervisor will provide a written evaluation to the employee providing an indication of whether the employee will progress beyond the introductory period.
3. Successful Completion – Once an employee successfully completes the introductory period, he/she shall become the employee type initially hired for (part-time, full-time, special assignment, etc.) depending on

the job classification offered. This does not mean that the employee shall have a permanent job or a right to continued employment and is not in any way inconsistent with the City's "at-will" policy.

4. Post Introductory Period - Supervisors shall conduct a written evaluation of each employee each year on the pre-determined schedule.
5. Discharge during introductory period – As with all other at-will employees of the City, new employees may be discharged without cause at any time during the introductory period. The employee shall have no right to notice, hearing, or appeal of such discharge by the City. A Department Head may recommend discharge of an employee provided the City Administrator's office has approved such action.

## **202 Access to Personnel Files**

Effective Date: 07/02/2001

Revision Date:

*See also 607 Document Retention*

The City maintains a personnel file on each employee. The personnel file includes information such as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the City and access to the information they contain is restricted. Generally, only supervisors and management personnel of the City authorized by the City Administrator's office who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Office of Human Resources. With reasonable advance notice, employees may review their own personnel files in the City's offices and in the presence of an individual appointed by the City to maintain the files. The City will comply with all state laws regarding an employee's review of his/her personnel file.

## **203 Employment Reference Checks**

Effective Date: 07/02/2001

Revision Date: 02/28/2018

To ensure that individuals who join the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to check the employment references of all applicants.

The Office of Human Resources will respond in writing only to those reference check inquiries that are submitted in writing and are authorized by the employee in writing. Responses to such inquiries will confirm only dates of employment, and position(s) held unless additional details are specifically requested to be released by the employee.

## **204 Personnel Data Changes**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

A change in an employee's personal status may have an important effect upon employee benefits and/or the amount an employee has withheld for federal and state income taxes. It is the responsibility of each employee to promptly

notify the City of any changes in personnel data to ensure complete, accurate information is contained in the personnel files.

**Mandatory Notifications to Human Resources:** Employees must notify Human Resources within thirty (30) days of any change in:

1. Home address or telephone number;
2. Marital status – name of spouse, date of birth, and social security number (a copy of the marriage license or civil union document is also required);
3. Dependents (addition) – name of dependent and date of birth;
4. Dependents (deletion) – name of dependent being dropped due to divorce, age limit, death, etc.;
5. Educational accomplishments;
6. Name, address, and telephone number of the person(s) to be notified in case of an emergency.

Human Resources may deny benefits to a new dependent if the employee does not notify them within thirty (30) days of the change per the limitation set forth in the certificate of coverage.

## **205 Employment Applications**

Effective Date: 07/02/2001

Revision Date: 05/01/2013

The City relies upon the accuracy and completeness of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

In processing employment applications, the City may obtain a criminal history, driver license records and other appropriate information for employment purposes. The City will comply with all applicable federal and state laws when obtaining and using any of the previously referenced information. If the City takes an adverse employment action based in whole or in part on these reports, a copy of the report and a summary of your rights under the Fair Credit Reporting Act will be provided as well as any other documents required by law.

## **206 Performance Evaluation**

Effective Date: 07/02/2001

Revision Date: 05/01/2013

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted within 90 to 120 days of an employee's start date and at the end of an employee's first six months in any new position. This allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees is generally evaluated according to an ongoing 12-month cycle, beginning in November and ending in October of the next calendar year. Evaluations will generally be completed On the employee's employment anniversary date. Every effort will be made to recognize superior employee performance.

The City awards pay adjustments based on decisions made by the Management Team, budgetary requirements, and other indicators. The completion of a performance evaluation does not guarantee any pay adjustments will be given.

## **301 Employee Benefits**

Effective Date: 07/02/2001

Revision Date: 05/01/2014, 2/28/2018

Eligible employees at the City are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employment classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The City currently intends to keep the benefit plans described in this manual in force. However, the City reserves the right to end, terminate, or modify these plans at any time, for any reason, with or without notice to employees. Many of the benefits described in this section are governed by a more elaborate summary plan description. The City is not responsible or liable for any misstatements or inaccuracies found in the general description of these benefits. If there is any conflict between information contained in this handbook and the summary plan documents, the summary description/plan document will control.

The following benefit programs are available to eligible employees:

- Benefits Continuation
- Bereavement Leave
- Cafeteria Plan
  - Flexible Spending Arrangement
  - Child Care Benefits
  - Health Savings Account
- Educational Assistance
- Employee Assistance Program
- Family and Medical Leave
- Health, Dental, Vision Insurance
- Paid Holidays
- Investment Plan
- Jury Duty Leave
- Life Insurance
- Military Leave
- Personal Leave
- Retirement Plan
- Sick Leave Benefits
- Vacation Benefits
- Witness Duty
- Workers' Compensation Insurance
- Victims Economic Security & Safety Leave
- Nursing Mothers in the Workplace
- Blood, Platelet, Bone Marrow, Organ Donation
- School Conference and Activity
- Voting Leave
- Healthy Spending

- Time Keeping
- On site parking
- Coffee station

Some benefit programs require contributions from the employee, but most are paid by the City. All benefits are subject to modification or elimination at any time in the City's sole discretion, other than benefits which the City is required by law to provide.

## 302 Benefits Continuation

Effective Date: 07/02/2001

Revision Date:

The federal Public Health Service Act (PHSA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under the PHSA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under the PHSA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

There may be other coverage options for you and your family. You are now able to buy coverage through the Health Insurance Marketplace. In the Marketplace, you could be eligible for a new kind of tax credit that lowers your monthly premiums right away, and you can see what your premium, deductibles, and out-of-pocket costs will be before you make a decision to enroll. Being eligible for COBRA does not limit your eligibility for coverage for a tax credit through the Marketplace. Additionally, you may qualify for a special enrollment opportunity for another group health plan for which you are eligible (such as a spouse's plan), even if the plan generally does not accept late enrollees, if you request enrollment within 30 days.

## 303 Bereavement Leave

Effective Date: 07/02/2001

Revision Date(s): 05/01/2010, 5/1/2018

Employees who wish to take time off to attend services due to the death of an immediate family member should notify their supervisor immediately.

Unless otherwise provided for in an applicable union contract, no more than 4 consecutive days of paid bereavement leave will be provided to eligible employees to attend services for the death of an immediate family member in the following employment classifications: Full-time employees and part-time employees who work a static schedule.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available vacation or compensatory time for additional time off as necessary.

For the purpose of bereavement leave, the City defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; the employee's sibling's spouse or children, grandparents or grandchildren of employee or their spouse. For documentation purposes, the eligible relationship of the deceased must be provided to Human Resources/Payroll.

In cases of the death of another relative who is not part of the employee's immediate family, the employee may be granted time off in the supervisor's discretion, and the time off will be unpaid or the employee may use any available vacation pay.

### **304 Cafeteria Plan: Section 125 FSA / HSA**

Effective Date: 07/02/2001

Revision Date: 04/01/2014

A cafeteria plan, as defined by Section 125 of the Internal Revenue Code, allows participants to choose between taxable and nontaxable benefits and to redirect a portion of their salary to flexible spending accounts earmarked for Dependent Care expenses or Unreimbursed Medical expenses. Most of the benefits available can be paid with pre-tax dollars, thereby creating a savings for the employee and for the City. Eligible employment classifications are: Full-time employees.

A flexible spending arrangement, also called a flexible spending account or "FSA," is a benefit where employees can set aside pre-tax dollars and submit reimbursement requests to the City for qualified medical expenses (not covered by another health plan) or dependent care expenses from the account. FSAs are funded through a voluntary salary reduction agreement at your request annually. The benefits are subject to an annual maximum and are also subject to "use-or-lose" rule.

Any employee is covered by the high-deductible health plan may establish a Health Savings Account HSA. Amounts contributed to an HSA belong to individuals and are completely portable. Funds not spent will stay in the account and gain interest tax-free. Funds distributed from the HSA are not taxed if they are used to pay qualifying medical expenses. To encourage saving for health expenses after retirement, HSA owners between age 55 and 65 are allowed to make additional catch-up contributions to their HSAs. Individuals eligible for Medicare or enrolled in a non-eligible health plan may not open an HSA. Subject to budgetary constraints, the City will contribute an annual amount to each eligible employee's Health Savings Account. Contributions are typically made on a semi-annual basis (1/2 in July and 1/2 in January). New employees that are eligible for an H.S.A. contribution will receive said contribution at the same schedule as all other eligible employees (no pro-rated contribution for new employees). The maximum that the city will contribute per household is capped at the amount of contribution for employee with dependent(s) coverage.

Employees may enroll in the cafeteria plan upon their assignment to a full-time position and at the end of each calendar year thereafter for the upcoming calendar year. Federal regulations require each eligible employee to sign a salary redirection form each year to indicate their knowledge of the benefit and the dollar amounts to be redirected, if any. Contact Human Resources for more information about the cafeteria plan.

### **305 Child Care Benefits**

Effective Date: 07/02/2001

Revision Date:

City provides childcare assistance to all eligible employees as a benefit of employment. Eligible employment classifications are: Full-time employees.

Given below is a brief description of childcare assistance that may be provided when feasible. For more detailed information, please contact the Human Resources Office.

**CAFETERIA PLAN/FLEXIBLE SPENDING ACCOUNT:** Employees choose benefits (including childcare) from a list of options and contribute a part of pretax salaries to a child care account. This option allows employees to minimize the federal tax they must pay on childcare dollars.

**FLEXIBLE LEAVE:** The employer recognizes that the fulfillment of childcare responsibilities can provide a compelling reason for time-off requests. Where feasible, employees' needs shall be accommodated.

**SICK LEAVE BENEFITS:** Employees may use accrued sick leave benefits in the event of the illness of a child.

## **306 Educational Assistance/ Tuition Reimbursement**

**Note:** The following sets forth the City's general policy with regard to educational assistance. However, educational assistance cannot always be provided on the basis set forth below. All education reimbursement is dependent upon budgetary constraints and may be restricted or denied at any time in the City's sole discretion based on fiscal concerns. *This is a reimbursement program. Under no circumstances should a City credit card be used for payment of classes under this policy; these are considered personal expenses even when an educational assistance agreement is in place.*

The City recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within the City.

Subject to budgetary constraints, the City will provide educational assistance or tuition reimbursement to all eligible employees immediately upon assignment to an eligible employment classification. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course. If unacceptable ratings appear on the employee's performance evaluation, the education agreement will be considered void until performance improves; employee must reapply at that time.

Employees in the following employment classifications are eligible for educational assistance: Full-time employees.

***Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable-future position with the City in order to be eligible for educational assistance.*** The City has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable-future position.

Undergraduate coursework for which the employee received a grade of "B" or better, shall be reimbursed at the same rate as the relevant current rate per course at SIU Edwardsville (tuition only not including fees), up to a bachelor's degree (maximum of 20 credit hours per fiscal year; maximum 120 credit hours for one undergraduate degree). Graduate course work shall be reimbursed at the same rate as set forth above upon approval by the City Administrator prior to the beginning of coursework (maximum of 20 credit hours per fiscal year; 54 credit hours for one graduate degree). Employees shall also be reimbursed a maximum of one-hundred dollars (\$100.00) per term for associated books/instructor required materials. Employees should contact their supervisor & Human Resources for more information or questions about educational assistance.

While educational assistance is expected to enhance employees' performance and professional abilities, the City cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

The City invests in tuition reimbursement with the expectation that the investment be returned through enhanced job performance. Employees taking advantage of the tuition reimbursement program will be required to complete an application outlining the desired program identifying what benefit the education will provide to the Citizens of O'Fallon and if approved, will acknowledge that they understand the terms of the program and authorizing repayment and deduction from final pay for any reimbursement not forgiven under the criteria set forth below. Twelve (12) months after an educational assistance payment is made, one-fourth (1/4) of said payment will be forgiven (if the employee is still employed on a full-time basis), and twenty four (24) months after a payment is made, another one-fourth (1/4) of said payment will be forgiven (if the employee is still employed on a full-time basis), the remaining one-half (1/2) of reimbursements for each payment will be forgiven thirty-six (36) months after completion of said degree (if the employee is still employed on a full-time basis).

Note: slight variations to this policy could be in effect for collectively bargained employees.

In addition to the foregoing, employees may be required or requested to attend other educational programs such as seminars, technical training programs, or certification programs. Note: College or University, term-long classes are not typically considered efficient training as they offered as part of a degree program and occupy a significant amount of productive work hours; caution should be taken when approving such training and should be presented to Finance/Human Resources before approval is provided. The City will pay the full cost of any City-required training and/or job-specific examination (maximum of three fees for the same examination due allowed when required due to inability to achieve a passing grade; excludes recertification examinations).

v

### **307 Employee Assistance Program (“EAP”)**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

The City cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees benefit from professional assistance and advice. The EAP is also intended to provide assistance to employees who may be exhibiting below standard, unusual, or less than satisfactory job performance, which may be attributable to traumas or personal stresses. Employees are encouraged to seek EAP assistance/counseling prior to job performance being affected. All City employees are eligible to take advantage of this program.

Through the Employee Assistance Program (EAP), the City provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

**Confidentiality:** The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics. All communication between any counselor and an employee will be considered strictly confidential, with the following exceptions:

- Matters that involve violations of the law. Violations of the law will only be revealed through legal precedence; no employee will be turned over to law enforcement authorities for disclosing violations of the law during counseling.
- There is an indication the employee presents an immediate physical danger or threats to his/her own safety or the safety of others.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is kept into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it for either full-time or part-time employees. You may call the EAP directly. EAP services are currently provided by *Care 24* and can be reached by calling 1-888-887-4114. Assistance such as counseling, medical advice, financial advice and more are available.

*Performance Concerns:* Employees who exhibit poor or inconsistent performance, which may be caused by a personal problem, may be referred to EAP by a supervisor (mandatory referral) or by voluntary referral. The employee who exhibits poor performance will be evaluated as usual under the evaluation policy, but if a personal problem is causing poor performance and poor performance continues, the performance will be addressed through the normal evaluation procedures. Employees must be evaluated no matter what their personal problem may be. The evaluation process cannot be postponed or canceled due to EAP participation. Employees may voluntarily submit to counseling if the employee has a personal problem, which he/she wants assistance in resolving. Receiving assistance from the EAP does not preclude the employee from being evaluated, or even disciplined, for poor performance.

## **308 Family and Medical Leave**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

The City recognizes that a leave of absence from active employment may be necessary for family or medical reasons. The following leave of absence policy complies with the provisions of the Family and Medical Act of 1993, as amended ("FMLA").

Eligible Employees. Employees who have been employed with the City for at least twelve (12) months and who have worked at least 1,250 hours during the previous twelve-month period may be entitled to take up to twelve (12) weeks' leave (ordinarily unpaid) during a rolling twelve (12) month period, looking forward from the day leave first begins, provided certain requirements are met.

An Eligible Employee may take unpaid FMLA leave for the following reasons:

- (1) the birth of the employee's child and in order to care for such child (leave for this reason must be taken within the twelve (12) month period following the child's birth);
- (2) the placement of a child with the employee for adoption or foster care in order to care for such child (leave for this reason must be taken within the twelve (12) month period following the child's placement);
- (3) the care of the employee's own child, spouse, or parent (but not parent-in-law) who has a serious health condition;
- (4) the serious health condition of the employee that renders the employee unable to perform the essential functions of his/her position, incapacity due to pregnancy, prenatal care, or childbirth; and
- (5) Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent of the employee is on active duty status, or has been notified of an impending call or order to active duty status, in support of a "contingency operation" and is deployed to a foreign country or international waters. "Qualifying exigencies" include, but are not limited to, attending certain military events, arranging for alternative childcare, arranging for care of the military member's parent that is incapable of self-care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. In addition, eligible employees may use up to fifteen (15) days of their twelve (12) weeks related to a military member's Rest and Recuperation leave.

In addition to the above categories of leave, an eligible employee who is the spouse, son, daughter, parent or next of kin to a “covered service member” is entitled to up to 26 weeks of leave in a single 12-month period (measured forward from the first day of leave) to care for a current member of the Armed Forces (including Reserves and National Guard), who is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or for a veteran who used to be a member of the Armed Forces and who was discharged or released under conditions other than dishonorable at any time within the five (5) year period prior to the start of leave. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

“Serious Injury or Illness” for current service members and veterans is distinct from the definition of “Serious Health Condition.” The City will determine eligibility in accordance with the Act and its Regulations.

All leave granted under this policy, including intermittent and/or reduced leave, will be applied against the twelve (12) week or twenty-six (26) week (if applicable) maximum.

Workers’ Compensation leave will run concurrent with FMLA. Leave granted in conjunction with Workers’ Compensation will require an employee to exhaust sick and vacation leave while on unpaid Worker’s Compensation leave.

Eligible employees are required to provide at least thirty (30) days’ advance notice of the need for leave when foreseeable under (1) and (2) above, or for planned medical treatment pursuant to (3) and (4) above. When unforeseen events occur that require leave under this policy, notice must be given as soon as practical, ordinarily not later than three (3) working days before the leave is to begin. An employee who fails to give appropriate advance notice as outlined above may be subject to disciplinary action.

An employee who requires leave must, within fifteen (15) calendar days after providing notice of the need for leave, submit the prescribed written certification form, signed by the appropriate health care provider, verifying, among other things, the data on the prescribed form. Failure of the employee to submit the prescribed form within fifteen (15) days after providing notice of the need for leave will result in delay of leave until certification is submitted and if the certification is not provided, the leave is not FMLA-qualifying. An employee may be required to obtain a second and third medical opinion, at the City’s expense, in accordance with the law. Subsequent recertification may be required in accord with law.

Intermittent leave requests for a reduced leave schedule are subject to the same rules as stated in (B) and (C) above and hence a health care provider’s certification of medical necessity and the expected duration and schedule of the leave must be submitted on the prescribed form. The employee must, however, make a reasonable effort to schedule medical treatment so as not unduly to disrupt business operations. Further, the City reserves its right to transfer the affected employee temporarily to an alternate position with equivalent pay and benefits for which the employee is qualified, if the transfer better accommodates the requested leave. Employees on leave for the birth of a child or placement of a child in the home are not eligible for intermittent leave.

Eligible employees who are married or civilly united and are both City employees are limited to only a combined total of twelve (12) weeks or, when applicable, twenty-six (26) weeks of leave during any twelve (12) month period, if the leave is taken (1) for birth and care of a child; (2) for placement and care of a child; or (3) to care for a parent (but not a “parent-in-law”) with a serious health condition. Where the husband and wife both have used a portion of the twelve (12) week entitlement for one (1) of the above purposes, each are entitled to the difference between the amount he or she has taken individually and twelve (12) weeks to care for a child with a serious health condition or to care for their own serious health condition.

Employees are required to exhaust accrued vacation pay concurrently with any FMLA leave. Employees on FMLA leave for their own serious health condition must also exhaust all paid sick leave concurrently with their leave. Such substituted paid time will be applied against the twelve (12) week (or twenty-six (26) weeks, if

applicable) maximum.

During the FMLA-approved leave period, coverage under the group health insurance plan, if any, will be maintained at the level and under the conditions coverage would have been provided had leave not been taken. Employees will be required to continue to pay their portion of premiums as if they had not taken leave. Said premiums will be paid in two (2) possible ways: (a) if a portion of the leave is paid pursuant to (F) above, then the ordinary payroll deduction system will be used, to the extent possible; and/or (b) to the extent that payroll deduction does not cover the entire premium cost for which the employee is responsible, the employee must deliver to the City the full monthly cost of said premium on or before the last day of the month prior to the month for which coverage is desired; one (1) written reminder will be provided, and if the full portion of the premium has not been received by the date specified in the written reminder, the coverage will lapse as of the last day of the month for which the full coverage premium was paid.

If an employee fails to return to work for at least thirty (30) days after expiration of the leave, the City reserves the right to recover premiums paid, if any, to maintain employee coverage during the leave period under circumstances provided by law.

As a condition of returning to work from a leave granted for an employee's own serious health condition, the employee must timely present a certification from his/her health care provider that the employee is able to resume work on the form designated by the City. Restoration will be denied until the certification is presented. An employee returning from leave under this policy, who has complied with its terms, generally will be restored to the same (or equivalent) position the employee held prior to leave. A returning employee does not, however, have a greater right to restoration or other benefits than if the employee had been continuously employed during the leave period. Employees are to notify Human Resources of their intent to return to work at least two (2) weeks prior to the anticipated date of return. An employee who, within the calendar year, has exhausted his/her FMLA leave entitlement and fails to return to work, shall be considered to have resigned with notice and his/her employment will be terminated unless he/she applies for, and has been granted, leave under some policy of the Employer.

The term "child" is defined as biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a physical or mental disability. An employee stands in loco parentis to a child when the employee intends to assume the responsibilities of a parent with regard to the child though either day-to-day care or financial support.

The City has adopted the "rolling 12-month period" method of calculating available FMLA leave for all types of leave with the exception of leave to care for a seriously ill or injured servicemember. Under the rolling 12-month period, in order to determine the amount of available FMLA leave, the calculation is made each time an employee commences an FMLA leave. From that date, the preceding 12-month period is examined. Any FMLA leave used during that preceding 12 months is deducted from the 12 weeks annual leave granted by the FMLA. The employee is entitled to take no more than the remaining balance of FMLA leave.

For FMLA leave requests made to care for a covered service member with a serious injury or illness, the single 12-month period begins on the first day the eligible employee takes FMLA leave.

An employee out on FMLA leave may not use that time to engage in work elsewhere, whether as an employee, independent contractor, volunteer or otherwise, unless prior written approval from the City of O'Fallon has been obtained. If an employee is taking FMLA leave, it must be because an FMLA-qualifying reason is preventing the employee from appearing at work for the City. Performing work elsewhere is contradictory to that premise and will create a presumption that the employee fraudulently obtained or continued FMLA leave.

The foregoing Family and Medical Leave Policy has been drafted to comply with the Family and Medical Leave Act of 1993, as amended, and its Final Rules published by the Department of Labor. This law, and its rules and interpretations, consists of more than eight hundred (800) pages of detailed rules and regulations, and hence, it is

not possible in this policy to address all possible issues which might arise. The City will, in its discretion, apply and interpret this policy consistently with the law, its rules and persuasive case law. As with all other handbook provisions, the City reserves the right to revise and change this policy, at any time, in its sole discretion.

Any employee who believes she/he is entitled or would like to request leave under this policy, or who has any questions about this policy, must speak with Human Resources for further details.

If you anticipate the possibility of taking family or medical leave, or if you have any questions about the application of this policy to your particular situation, contact Human Resources.

## **309 Health Insurance**

Effective Date: 07/02/2001

Revision Date:

The City's health insurance plan provides employees and their dependents access to medical, dental and vision insurance benefits. The City may offer several choices of insurance plans, one option of which may allow for single coverage of the employee at no cost to the employee. New hires may be required to enroll in a specific plan in accordance with the goals of the program. Premiums are required for dependent coverage on all plans. Premiums are deducted bi-weekly from the employee's paycheck. The premiums are determined by Human Resources. All full-time employees are eligible to participate in the City's health insurance plan. The City will determine part-time employees' eligibility to participate in the City's health insurance plan in accordance with applicable federal law.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the City and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Public Health Service Act, which substantially mirrors the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation policy for more information.

It is the employee's responsibility to keep Human Resources advised of any qualifying events such as marital status change, birth, death, loss of other coverage, student status changes, etc. For any changes requested other than these qualifying events, changes will be made only during open enrollment.

Under certain conditions, injured police officers (and/or certain family members) may be entitled to health insurance benefits from the City pursuant to the Public Safety Employee Benefits Act. If the City determines that the police officer is eligible for such benefits, the City will offer its base health insurance coverage to the injured employee, or any alternative basic plan that the City may substitute from time to time.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact Human Resources for more information about health insurance benefits.

## 310 Holidays

Effective Date: 07/02/2001

Revision Date: 02/28/2018

The City will grant holiday time off to all employees on the 10 holidays listed below:

- New Year's Day (January 1)
- Martin Luther King Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Friday preceding Easter Sunday (Good Friday)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas (December 25)

Note: For some collective bargaining agreements, the holiday list may be slightly different such as Emergency Medical Services takes Christmas Eve (December 24) in lieu of the Day After Thanksgiving; Labor/Maintenance (Public Works Operations & Park Maintenance) takes Veterans Day (November 11) in lieu of Martin Luther King Day.

The City will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Employees in the following employment classifications are eligible for holidays: Full-time employees, Part-time employees with a consistent schedule.

To be eligible for holiday pay, employees must work or use pre-approved time off on their last scheduled work day preceding and their first scheduled work day following the holiday.

If an employee calls off on the shift preceding or following an observed holiday which they are eligible for, the manager/supervisor (&/or HR/payroll) will be requesting a doctor's note or other applicable documentation (such as evidence of having contacted a health care professional for the illness - i.e. Amwell, Doctor on Demand online medical care). This call off does not necessarily have to be the day immediately before or after the observed holiday if you work an alternating schedule such as in Public Safety; the reference is specific to the individual's scheduled workday before/after.

In most cases, this request occurs after 3 days off work (see 317 Sick Leave Benefits) but in the proximity to a holiday, the occurrence alone creates the requirement for documentation.

Note: Approved time off means that an employee had previously arranged for the preceding/following day off within the accepted time frame prior to the observed holiday; in most cases, that is two weeks in advance. A holiday is typically recognized on the day that it occurs. However, if a recognized holiday falls on a Saturday and that is not the employee's typical work day, the holiday will be observed on the preceding Friday. Likewise, a recognized holiday that falls on a Sunday will be observed on the following Monday. Departments that are open 24-7 will recognize the holiday on the day it occurs including Saturday and Sunday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave eligible absence), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. If an employee is taking unpaid, but approved, job-protected leave, holiday pay will not be provided.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at one and

one-half times their straight-time rate for the hours worked on the holiday.

Personal Day. In addition to the recognized holidays previously listed, eligible employees will receive one (1) floating holiday in each fiscal year. This holiday must be scheduled with the prior approval of the employee's supervisor. Any employee who begins working for the City within the first six months of the fiscal year (May 1 to October 31) will receive one floating holiday. Any employee who begins work in the second half of the fiscal year (November 1 to April 30) will receive their first floating holiday at the beginning of the new fiscal year.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Holidays observed, time off, pay and other holiday related terms and conditions may differ by union contract.

## **311 Investment Plan**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

The Section 457 Deferred Compensation plan allows you to elect how much salary you want to contribute and to direct the investment of your account so you can tailor your own retirement package to meet your individual needs. Any full-time employee (or part-time employee who is expected to work a minimum of 600 hours annually) is eligible to participate.

Because your contribution to a Section 457 plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 457 distributions.

Complete details of the Section 457 plan are described in the materials provided to eligible employees. Contact Human Resources for more information about the Section 457 plan options.

## **312 Jury Duty**

Effective Date: 07/02/2001

Revision Date:

The City encourages employees to fulfill their civic responsibilities by serving jury duty when required. Except in unusual circumstances, employees in an eligible classification may request up to a maximum of 2 weeks of paid jury duty leave over any 2 year period.

To qualify for paid jury duty, all fees received for the performance of jury duty (other than meal and travel allowance) shall be turned over to the City.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employment classifications that qualify for paid jury duty leave are: Full-time employees, permanent part time employees with a regular schedule.

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use vacation benefits or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Either the City or the employee may request an excuse from jury duty if, in the City's judgment, the employee's absence would create serious operational difficulties.

The City will continue to provide health insurance benefits for the full term of the unpaid jury duty absence. Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

### **313 Life Insurance**

Effective Date: 07/02/2001

Revision Date:

Life insurance offers you and your family important financial protection. The City provides a basic life insurance plan for eligible employees. Additional supplemental life insurance coverage may also be purchased. Employees in the following employment classifications are eligible to participate in the life insurance plan: Full-time employees.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the City and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact Human Resources for more information about life insurance benefits.

### **314 Military Leave / Family Military Leave**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment or certain types of service in the National Disaster Medical System and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

Applicable employees have the right to elect to continue the employer-based health plan coverage for employees and covered dependents for up to 24 months while in the military as well as the right to be reinstated (if not continued) upon reemployment except for a service-connected illness or injury. Continuation of health insurance benefits is required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefits, such as vacation or holiday, will be not be forfeited during the leave and will resume upon the employee's return to active employment. However, an employee does not earn or accrue vacation time or sick time and is not eligible for holiday pay during the time off.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with

USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

The U.S. Department of Labor, Veterans' Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USADOL or visit its Web site at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>. If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice for representation. You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

City of O'Fallon complies with the Illinois Service Member Employment and Reemployment Rights Act, 330 ILCS 61. Employees may be eligible under the Act for differential compensation, military leave, concurrent compensation, employer-based health plan benefits, and other protections as enumerated in the Act. The City of O'Fallon prohibits discrimination against persons who serve in the uniformed services.

#### Illinois Family Military Leave Act

In accordance with Illinois Family Military Leave Act of 2005, as amended, employees are allowed to take family military leave during the time that federal or state deployment orders are in effect.

Eligibility: Employees who are the spouse, child, parent or grandparent of a person called to military service lasting longer than thirty (30) days and who have been employed twelve (12) consecutive months shall be entitled to up to thirty (30) days of unpaid family military leave during the time that federal or state deployment orders are in effect. An employee must first exhaust any accrued paid leave time, excluding sick time. Proof from a proper military authority to verify eligibility is required in the form of deployment orders or contact information for the military member's commanding officer or unit of assignment.

Employees must give at least fourteen (14) days' notice of the intended date upon which the family military leave will commence if leave will consist of five (5) or more consecutive work days. Those who exercise this leave, upon expiration of the leave, are entitled to be restored to the previous position held when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. Benefits can be continued at the employee's expense during any family military leave taken.

Contact Human Resources for more information or questions about military leave.

## **315 Personal Leave / Medical Leave of Absence**

Effective Date: 07/02/2001

Revision Date: 05/01/2013

The City provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classifications are eligible to request personal leave as described in this policy: Full-time employees and Part-time employees.

Eligible employees may request personal leave only after having completed 120 calendar days of service. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to 30 calendar days every 2 years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days. With the supervisor's approval, an employee shall take any available sick leave (if applicable) or vacation leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, the City will provide health insurance benefits until the end of the first full month of approved personal leave. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from personal leave, the City will again provide benefits according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. To the extent an employee's request for a medical and/or a personal leave of absence is predicated upon a disability as defined under federal, state or local law, the City will engage in reasonable accommodation discussions with the employee as required by law and may award leave where doing so would constitute a reasonable accommodation that would permit the employee to perform the essential functions of his/her job.

If an employee fails to report to work at the expiration of the approved leave period or contact the City regarding his/her ability to return to work, the City will assume the employee has resigned.

## **316 Retirement Plan**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

The City has established a retirement plan to provide employees the potential for future financial security for retirement.

All City employees (except police officers) are required to participate in the Illinois Municipal Retirement Fund (IMRF) if they are expected to work over 1,000 hours annually. Both the employee and the City contribute monies into the Fund. The vesting period and minimum pension-eligible age for employees is based upon their start date with the plan. For participants, a benefit guide is available from Human Resources. Contact Human Resources or the IMRF Authorized Agent in City Hall for additional information.

Police officers (full-time) participate in the City's Illinois Downstate Police Pension Fund. Firefighters (full-time) participate in the City's Illinois Downstate Firefighters Pension Fund. Contact the designated official within the Public Safety Department for additional information.

## **317 Sick Leave Benefits**

Effective Date: 07/02/2001

Revision Date: 05/01/2013, 2/28/2018

*\*\* See also Section 310 for rules pertaining to sick leave adjacent to a holiday*

The City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employment classifications are: Full-time employees and some Part-time employees.

Eligible active full-time employees will accrue sick leave benefits at the rate of 13 days per year (2 hours for every full week worked). NOTE FOR PART-TIME EMPLOYEES: Sick leave eligibility will be based on the foregoing

schedule but will be prorated based on the total number of hours worked per week (not including benefit time).

Paid sick leave can be used in minimum increments of ¼ hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of an immediate family member. For purposes of this policy, immediate family member is defined as: parent, sibling, spouse, child.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided specifying the illness or injury's expected duration. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits. Before returning to work from a sick leave absence of three (3) calendar days or more, an employee must provide a physician's verification that he or she may safely return to work with any limitations clearly noted.

While employees can use sick leave benefits to make up for pay lost due to absences resulting from going to a physician or dental appointment, employees are strongly urged to schedule such appointments outside of normal working hours. If it is impossible to do so, the employee may apply sick leave pay to the time off. However, if it is determined that appointment(s) could have been scheduled outside of normal working hours; the employee will be subject to discipline, up to and including termination.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits may be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or the City-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings. Sick leave will not be earned while on inactive employment status, including Worker's Compensation.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Unused sick leave benefits will be allowed to accumulate indefinitely.

Employees may sell back to the City during their employment unused sick hours and/or at end of employment, roll over unused sick hours to the Illinois Municipal Retirement Fund (if eligible) under IMRF rules. To be eligible to sell back sick time while still employed, the employee must maintain a minimum of 400 hours of available sick time. Unused sick leave will be paid to employees in good standing while they are employed or upon termination of employment as follows:

Employee Hired:	Amount of Sick Leave Hours Eligible to be Paid Out (Lifetime) to Employee	Maximum Amount of Sick Leave Hours Paid Out or Allowed to Be Rolled Over to IMRF (Lifetime) for Additional Service Credit	Total Pay Out Amount (Lifetime)
Prior to January 1, 2002	1040 Hours	1040 Hours	1040 Hours
Prior to January 1, 2022	480 Hours	1040 Hours	1040 Hours
After January 1, 2022	480 Hours	480 Hours	480 Hours

Note: Amounts paid at separation will include only hours earned during eligible employment and exclude any hours paid through the Sick Leave Buy Back program (lifetime).

Individuals with unique work schedules may have slightly different sick leave provisions.

Any employee that is exiting an employment category covered by the bargaining agreement with the Fraternal Order of Police (Sworn and Civilian) and moving to a position in the city not covered by said agreement shall be offered the one-time option to sell back up to 560 hours sick time while still employed, prior to assuming the new position. The sick time buy back will be at the rate of the position the employee is vacating, and not at the rate of the position the

employee will be entering. Upon entering the new position, the employee will adhere to the provisions on unused sick time listed in the table in this policy. Regardless of when the unused sick leave is paid to the employee, the maximum amount of sick time pay out will be no greater than 1040 for the lifetime of the employee.

## 304 Vacation Benefits

Effective Date: 07/02/2001

Revision Date: 05/01/2010, 9/1/2019, 11/1/2023

Vacation time off with pay is available to eligible active employees to provide opportunities for rest, relaxation, personal pursuits, or any other reason. All full-time and part-time employees are eligible to accrue vacation time commensurate with their hours worked. The City of O'Fallon, as a home rule community, has opted out of the Paid Leave for All Workers Act by Resolution. The accrual and use of vacation time is intended to comply with all applicable laws, and this policy shall be interpreted to conform with applicable law.

The City uses an accrual method for purposes of vacation time at a rate of at least one hour for every forty hours worked for eligible employees. Vacation will not be earned while on inactive employment status (including worker's compensation). For each full year of continuous employment, all full-time employees shall earn vacation leave on a weekly basis as follows (unless otherwise stipulated by collective bargaining agreement or the Library Board):

*Accumulation Table (40 hour work week):*

Years of Eligible Service	Annual Vacation	Weekly Hours Accrued
New Hire - 7 years	80 hours	1.54
8 - 14 years	120 hours	2.31
15 - 21 years	160 hours	3.08
22 and over	200 hours	3.85

New hires will typically be ineligible to use vacation time until after 90 days of continuous employment. However, at the request of a Department Head, the City Administrator or their designee may approve a new hire to use vacation time prior to this 90-day period for exceptional circumstances.

Exempt employees earn one additional week of vacation annually.

*Exempt Accumulation Table (40 hour work week)*

Years of Eligible Service	Annual Vacation Hired or moved to Exempt status before 5/1/2009	Annual Vacation Hired or moved to Exempt status after 5/1/2009	Weekly Hours Accrued
New Hire - 1 year	80 hours	80 hours	1.54
2 - 7 years	120 hours	120 hours	2.31
8 - 14 years	160 hours	160 hours	3.08
15 - 21 years	200 hours	200 hours	3.85
22 and over	240 hours	200 hours	4.61/ 3.85

**NOTE FOR PART-TIME EMPLOYEES:** Vacation eligibility will be based on the foregoing schedule but will be prorated based on the total number of hours worked (does not include used benefit time).

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Paid vacation time can be used in minimum increments of one hour. To take vacation, employees should request advance approval of 7 calendar days from their supervisors. If the need for vacation time is not foreseeable, employees must request approval as soon as it is practical after the employee is aware of the necessity of the leave. In some instances in which the use of vacation leave is not foreseeable, at the discretion of management, employees may

be required to utilize sick time in accordance with the city of O'Fallon's sick time policy. Requests will be reviewed and may be denied based on a number of factors, including business needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, bonuses, or shift differentials.

Employees are expected to use vacation time regularly and once the maximum account of accrual is reached (typically two years of accumulation), an employee will not continue to earn hours. Lost hours will not be replaced.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

Union contracts, Library Staff, or individuals with unique work schedules may have slightly different vacation provisions.

### **318 Witness Duty**

Effective Date: 07/02/2001

Revision Date:

The City encourages employees to appear in court for witness duty when subpoenaed to do so. The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the City, they will receive paid time off for the entire period of witness duty. If an employee is needed to appear as a witness in any case involving the employee's performance of his duties within the course and scope of his employment, the employee will be paid for the time spent so testifying.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than the City. Employees may use any available vacation leave to receive compensation for the period of this absence.

### **319 Workers' Compensation Insurance and Leave**

Effective Date: 07/02/2001

Revision Date: 05/01/2010

The City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately and complete the necessary report forms. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

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

The City will fully comply with the Illinois Worker's Compensation Act and any other federal or state laws implicated by an employee's exercise of his/her worker's compensation rights. Worker's Compensation is managed by Human Resources.

### **320 Victims' Economic Security and Safety Leave (VESSA)**

Effective Date: 05/01/2010

Revision Date:

This policy is to provide employees with leave benefits, when needed, in accordance with the Victims' Economic Security and Safety Act (VESSA) of 2003 and amendments. VESSA provides an employee who is a victim of domestic and sexual violence, or who has a family or household member who is a victim of domestic or sexual violence, with up to twelve (12) weeks of leave per any twelve (12) month period to address issues arising from domestic or sexual violence.

Any employee or any employee's family or household member who has been subjected to domestic or sexual violence shall be provided leave during work hours for any of the following:

1. To seek medical attention for, or recover from, physical or psychological injuries;
2. To obtain services from victim service organizations;
3. To obtain psychological or other counseling;
4. To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase safety from future domestic or sexual violence;
5. To seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding.

**Notification and Verification:** Qualifying employees must notify Human Resources with at least 48 hours' advance notice of the intent to take leave, except in such cases where it is not practicable to provide such notice. While verification is required, Human Resources will take every precaution to see that all information is kept as confidential as possible. Verification will consist of a sworn statement of the employee with the employee's signature, the completed VESSA form, and:

1. Documentation from a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence; or
2. A police or court record; or
3. Other corroborating evidence.

**Substitution of Paid Leave:** Employees will be required to substitute benefit time for VESSA leave. Personal days and/or vacation time will be utilized unless such leave qualifies to use sick leave under the City's sick leave policy or FMLA policy. VESSA leave may run concurrent to FMLA leave if the need for the leave meets FMLA eligibility requirements. This leave is not intended to confer a right to leave beyond the twelve (12) weeks of FMLA.

**Job Protection:** Employees who take leave under this policy are entitled to be restored to the same or equivalent position upon their return, however, seniority and other benefits will not continue to accrue during any unpaid leave. Employees are also entitled to continue health insurance on the same terms and conditions as if the employee remained continuously employed. If an employee fails to return from leave, the City shall recover any and all premium contributions provided by the City during the leave period.

This policy is intended to be an overview of the VESSA and its key features. To the extent that this policy could be read inconsistently with the VESSA, the Act and its rules shall supersede.

## **321 Nursing Mothers in the Workplace Act**

Effective Date: 05/01/2010

Revision Date:

The City will provide unpaid break time for employees who need to express breast milk for their infant children. Employees will be allowed a reasonable amount of unpaid time each day. The employee must work with their supervisor to establish a schedule that will be least disruptive to daily business operations. The City will also use reasonable efforts to provide a private place for employees covered by this policy to express breast milk.

## **322 Blood, Platelet, Bone Marrow and Organ Donation Leave**

Effective Date: 5/1/2010

Revision Date:

**Blood Donation:** Employees who donate blood at a City sponsored, on-site blood drive will be allowed up to one (1) hour of paid time for the purpose of blood donation and two (2) hours for blood platelets donation. Employees must obtain approval from their supervisors, and their time away from their job will not incur additional costs or coverage issues.

Employees who donate blood off-premises, not in connection with a City sponsored event, may do so on unpaid time. Employees must obtain written approval from their supervisors by submitting a request for leave form no less than five (5) working days prior to using such time. Donations must be scheduled at the start or end of the employee's workday. Upon return to work, the employee must provide documentation substantiating the blood donation for this time.

**Bone Marrow or Organ Donation:** Employees will be entitled to up to thirty (30) calendar days of unpaid organ donation leave in any 12-month period to serve as a bone marrow or organ donor. Time off for organ donation will be designated as Family Medical Leave and the proper forms and documentation are required to be completed prior to the leave. An employee must obtain written approval from their supervisor, by submitting a request for leave form no less than 48 hours prior to using organ donation leave time.

### **323 School Conference and Activity Leave**

Effective Date: 5/1/2010

Revision Date:

Employees are eligible for up to eight (8) hours during any school year, and no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the employee's child if the conference or activity cannot be scheduled during non-work hours.

**Eligibility Requirement:** Regularly scheduled full-time and part-time employees are eligible for this leave if they have worked for the City at least six (6) consecutive months immediately preceding a request for leave under this Act. Employees may take this unpaid leave only if they have exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employees, except sick leave and disability leave.

**Notice Provisions:** The employee shall provide a written request for leave at least seven (7) days in advance of the time the employee intends to utilize the leave. In emergency situations, no more than twenty-four (24) hours' notice shall be required. The employee must consult with the employer to schedule the leave so as not to disrupt unduly the operations of the employer.

**Verification:** Upon completion of the school conference or activity leave, the employee shall provide to Human Resources, documentation of the school conference or activity from the school administrator within two working days. The documentation should include, but is not limited to, the time and date the conference or activity occurred and ended. Failure to submit the verification statement from the school within two working days of the conference or activity will subject the employee to discipline up to and including termination.

### **324 Voting Leave**

Effective Date: 5/1/2011

Revision Date:

The City encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees should find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, the City will grant up to two hours of unpaid time off to vote, in accordance with state law (10 ILCS 5/17-15).

Employees should request time off to vote from their supervisor at least one working day prior to Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

## **325 Breaks – Meal and Rest**

Effective Date: 3/1/2020

Revision Date:

Based on Illinois regulations, the City of O’Fallon requires employees to take a meal break when working at least seven and a half continuous hours. This break must be at least 20 minutes long, and it must start no later than five hours after the beginning of the shift. These are unpaid breaks; employees must separate from their work activities during this time.

Public Safety employees who cannot be released of work responsibilities will be paid for meal breaks. Unobligated time during the workday, depending upon departmental requirements, may be formalized for rest breaks so that employees can have time to physically and mentally separate from work, get a drink make a call, or other activity. Flexibility during the workday to handle personal items is an exchange; flexibility and formalized rest break will not both be observed; the choice is made by the Department Director and/or stipulated by a collective bargaining agreement.

## **401 Timekeeping**

Effective Date: 07/02/2001

Revision Date:

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and State laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Exempt and Nonexempt employees should accurately record the number of time worked each day. “Time worked” means all the time that employees actually spent performing assigned job duties, including logging on and off assigned computers required to do the job. All non-exempt employees must accurately record the time they start and end each meal period and the time they leave the workplace for personal reasons. It is the employee’s responsibility to accurately monitor and report any discrepancies to their immediate supervisor or to Human Resources.

Overtime work must always be approved before it is performed. If compensatory time and overtime are required, supervisors should document the circumstances on the time sheet submitted. Supervisors will verify and approve all time sheets submitted to Payroll.

Altering, falsifying, tampering with time records, or recording time on another employee's time record is a serious offense and may result in disciplinary action, up to and including termination of employment. Permitting another employee to record time for you also is a violation of this policy. If a non-exempt employee forgets to record his/her time, he/she must notify his/her immediate supervisor or Human Resources as soon as possible so that the appropriate adjustment to payroll, if any, may be made. In order to avoid falsification issues, non-exempt employees should clock in no more than five (5) minutes before he/she begins assigned job duties.

Extra hours for Hourly, Non-Union Employees (*see also overtime Section 506*): When a non-union, hourly employee works in excess of eight (8) hours in a day and the reason for the extra hours worked is due to an evening meeting (after 5:00 p.m.) or early morning meeting (prior to 8:00 a.m.), the employee may adjust his or her work schedule in the same pay period, with the advance consent of his or her supervisor. The work schedule change is for

actual hours worked. For example, if an employee takes minutes at a Monday night meeting for four hours, then the employee will work four less hours during his or her regularly scheduled work day in the same pay period. The four hours may be taken in one increment of four hours or in increments as small as one hour until the extra hours are accounted for. In all cases, actual hours worked shall be recorded on the timesheet and must be taken during the same pay period. The employee in this example would have 12 hours logged on their time sheet on the Monday of the meeting and would have less than 8 hours logged for some of the other days in that pay period to make up for the approved extra 4 hours.

In all cases of extra hours, the employee's supervisor should approve the extended hours in advance. The employee must inform the supervisor in advance of when he or she needs to work additional hours for meetings and the supervisor must also approve the change in work schedule to compensate for the extra hours worked.

The department director must approve any adjustments to an employee's work schedule outside of what is outline in this policy. For example, a department director might approve extra hours for an employee if there is a deadline for a special project. This would be rare.

A non-union, hourly employee work schedule should not be extended to complete daily work. For example, it is not permissible for an employee to randomly stay until 5:00 p.m. one evening and then arrive at work the next day at 8:30 a.m. or leave at 4:00 p.m. to make up for the extra half hour worked the previous day. This policy for working approved extra hours is not meant to be defined as a flexible work schedule.

## **402 Paydays**

Effective Date: 12/01/2001

Revision Date: 1/1/2014

Pay periods are biweekly. The workweek is defined as Monday through Sunday. Employees are paid on the Friday following the conclusion of a payroll period. Each pay record will include earnings for all work performed through the end of the previous payroll period. The exception to that rule is for Paid-On-Call stipend pay for Firefighters (occurs monthly during the month following when the calls were taken).

In the event that a regularly scheduled payday falls on a day when City offices are closed, such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

**PAY DISTRIBUTION:** Employees should have pay directly and securely deposited into their personal bank accounts. To make arrangements for direct deposit, contact Payroll or Human Resources for the forms needed to provide the City with written authorization to make such deposits. Employees will receive an itemized statement of wages via the Employee HR Portal on the City Sharepoint site (intranet) when the City makes direct deposits. If a paper check is received, it will be available on payday after 2:00 p.m. and records will also be available on the Employee Portal. W-2s are also posted to this site annually.

## **403 Employment Termination**

Effective Date: 07/02/2001

Revision Date: 02/01/2012

Termination of employment is an inevitable part of personnel activity within any organization and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

Employee Initiated Resignation - Voluntary employment termination initiated by an employee.

Discharge - Involuntary employment termination initiated by the City. If an employee is terminated by their department, the department director will consult with Human Resources prior to such action to assure proper and complete documentation is on file.

Layoff - Involuntary employment termination initiated by the City for non-disciplinary reasons.

Service Retirement - Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the City. An employee must receive retirement wages upon termination to be considered as retired. An employee wanting to retire shall provide a written resignation to his/her immediate supervisor at least two (2) months, preferably six (6) months prior to the effective date of retirement. Employees can end their employment relationship through retirement and use accrued personal or vacation time for a maximum of two (2) weeks to extend their retirement date out.

Disability Resignation –Voluntary termination necessitated by an injury or illness, which renders the employee incapable of performing his/her usual job. The termination is preceded by a memo/letter by the employee to his/her supervisor advising of the disability ruling, date of termination, supporting documentation, and a ruling by the appropriate Board or Industrial Insurance Division verifying the disability and approving the resignation.

Introductory Term: Termination of an employee during the established introductory period, usually for the inability to meet position/department requirements. An introductory termination occurs only after the supervisor’s consultation with the City Administrator’s office and Human Resources.

The City will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City, or return of City-owned property. Suggestions, complaints, and questions can also be voiced.

For information regarding the impact of employment termination on various benefits, please refer to the Benefit Continuation Policy, the policy for a specific benefit or the handbook/summary plan description for the benefit.

## **404 Unemployment Compensation**

Effective Date: 02/01/2012

Revision Date:

The City is a covered employer under the Unemployment Compensation Law. The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment. The program is financed completely by the City.

Eligibility to Collect Compensation: An employee who quits his/her job voluntarily without good cause probably will have difficulty collecting unemployment compensation. To be eligible for unemployment compensation, an employee must have left employment for a “good cause,” must be unemployed, physically able to work, available for work, and actively seeking work. “Good cause” reasons for establishing eligibility for unemployment compensation are available from the State Employment Security Office.

All claims for unemployment compensation as filed by a terminating employee shall be processed by Human Resources. Requests for information regarding employment compensation should be forwarded to Human Resources immediately to avoid unauthorized charges against the City’s account.

The City may contest the claim of an employee who quits without “good cause,” or who quits for other reasons considered disqualifying according to Illinois law.

## **405 Re-Employment**

Effective Date: 02/01/2012

Revision Date:

Any former regular employee who resigned from the City in good standing is eligible for re-employment. Persons interested in re-employment should file a completed City application with Human Resources. The individual will then proceed through the regular hiring procedures with other applications. If this individual is re-hired, he/she must pass a pre-employment physical and drug test.

An individual re-employed in his/her former position may be paid at the same pay rate at the time he/she left the City, provided however, that the re-employment is within 6 months of the previous resignation; otherwise the individual will be paid in accordance with Human Resource policy.

The compensation of an employee re-hired to a position other than the former position will be subject to provisions for new hires.

Vacation eligibility will be based on previous City service if re-hired within six (6) months. The date of hire will take the person's previous service with the City into account; however, future increases will coincide with the re-employment date.

## **406 Administrative Pay Corrections**

Effective Date: 07/02/2001

Revision Date: 2/1/2012

Revision Date:

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head so that corrections can be made as quickly as possible.

### **EXEMPT v. NON-EXEMPT EMPLOYEE – FLSA SAFE HARBOR**

The definitions of exempt v. non-exempt employees come from the Federal Fair Labor Standards Act, which states jobs that are classified as executive, administrative or professional are exempt from minimum wage and overtime pay requirements. The City complies with the provisions of the Fair Labor Standards Act and any applicable state laws dealing with minimum wage, overtime compensation, or any other pay practice, including the provision that non-exempt employees be paid for overtime at a rate one and one-half times their regular pay, for hours that exceed 40 in a work week.

It is the policy of the City to comply with the salary basis requirements of the Fair Labor Standards Act ("FLSA") for exempt salaried employees. Generally speaking, an exempt employee will receive his/her full weekly salary for each workweek. However, for an exempt employee's first and last weeks of work for the City, the employee will be paid only for the number of days actually worked. In addition, if an employee has fully exhausted all available vacation pay and the employee is absent a full day for personal reasons, the employee will not receive pay for any such days. If the employee has fully exhausted all available vacation, sick pay, and any other available paid time off and is absent for a full day or more due to illness or injury, the employee will not receive pay for any such days. If an employee is taking FMLA leave and has no available paid time off to cover the absences, the missed time will be without pay. Finally, an unpaid disciplinary suspension of one or more full days may be imposed in good faith for workplace conduct rule infractions. If any employee believes that an improper deduction has been made to his or her salary, s/he should immediately report this to your immediate supervisor or Human Resources. The City will promptly investigate and if it is determined that an improper deduction has occurred, the employee will be promptly

reimbursed.

## **407 Pay Deductions and Setoffs**

Effective Date: 07/02/2001

Revision Date:

The law requires that the City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The City matches the amount of Social Security taxes paid by each employee.

The City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. These requests should be made by the Friday before a pay cycle week.

Pay setoffs are pay deductions taken by the City, usually to help pay off a debt or obligation to the City or others. Employees are also encouraged, but are not required, to make payroll contributions to United Way.

With each pay record, employees receive a statement of deductions and earnings, which itemizes the various deductions made, as well as appropriate cumulative totals. The balance of sick leave, vacation time and personal time will also appear on the pay record for benefits-eligible employees. It is the employee's responsibility to verify the accuracy of these pay records within a reasonable amount of time for the receipt. If you have questions concerning why deductions were made from your paycheck or how they were calculated, Payroll can assist in having your questions answered.

## **408 Business Expense Reimbursement Policy**

Effective Date: 03/01/2020

Revision Date:

The City of O'Fallon shall reimburse an employee for all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for the City "Necessary expenditures" means all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of the City of O'Fallon. The City of O'Fallon is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft unless the theft was a result of the City's negligence. The employee shall submit any necessary expenditure with appropriate supporting documentation within 30 calendar days after incurring the expense. If supporting documentation is nonexistent, missing, or lost, the employee shall submit a signed statement/affidavit.

If the employee fails to comply with this policy, the City of O'Fallon may reject the request for reimbursement. Only authorized or required expenditures submitted in accordance with this policy will be reimbursed.

The following is a non-exhaustive list of expenses that, depending on an employee's job duties, may be authorized or required, and if so, would be reimbursed by the City of O'Fallon to the employee for the reasonable portion directly related to the services performed for the City of O'Fallon:

- Cell phone
- Computer, laptop or tablet
- Talk, text and/or data plan
- Internet access
- Other office supplies
- Rental car, taxi, ride-share, bus, train, plane or other transportation expense

- Tolls
- Hotel
- Mileage
- Meals (alcohol excluded)
- Safety equipment
- Uniforms

Prior to incurring any expenses in the scope of employment, the employee should confer with [e.g. Human Resources, Supervisor, Department Head, etc.] to determine whether the expense is necessary and authorized, and if so, the proportion of the expense that is directly related to the services performed for the City of O'Fallon and which will be reimbursed to the employee in accordance with this policy.

Employees are not authorized to incur a work-related expense without first conferring with [e.g. Human Resources, Supervisor, Department Head, etc.] for a determination on whether the expense is necessary.

Please also note that the provisions of the Travel Expense Reimbursement Policy also apply to expenses relating to work-related travel.

## **501 Work Schedules**

Effective Date: 07/02/2001

Revision Date:

Work schedules for employees vary throughout the City. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, issues such as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

## **502 Use of Phone and Mail Systems**

Effective Date: 07/02/2001

Revision Date: 02/01/2018

*See also related policies 605, 606, 607*

*See also additional IT Policies available on OFalnet (intranet)*

Telephone (land-based and cellular) and voice mail systems are owned by the City and intended for City business use. The City has the right to review information stored on such systems.

Employees should practice discretion when making personal calls. Employees may make local calls during breaks and meal periods and may be required to reimburse the City for any charges resulting from their personal use of the telephone.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so. When transferring a call, ask the caller's permission before transferring and provide the caller with whom they will be transferred to and the telephone number.

City owned mobile phone will be authorized for use by employees at the recommendation of the department head and approval of the City Administrator. Calling/data plans will be made available allowing an appropriate usage

level for the work performed by each authorized employee. If the allocated usage is exceeded, the authorized employee will be billed for the additional amount unless unusual circumstances exist. An employee may select a plan with more minutes/data than authorized by the City so long it's pre-approved and the additional costs are reimbursed to the City regularly.

Any costs to the City associated with loss or damage to mobile phones will be the responsibility of the employee unless loss or damage was due to normal work-related activity with the approval of the Department Head.

In cases where employees are loaned a City owned phone for a short period of time, the time and date of the check-out and check-in will be noted by the department head (or designee). All calls made during this time will be for business purposes only and will be the responsibility of the employee. Personal or unauthorized use of these phones is not allowed and may be cause for disciplinary action, up to and including termination of employment.

The City does offer to allow a connection to personal electronic devices so long as time-keeping standard are adhered to by non-exempt employees (see also 401 Timekeeping and 505 Overtime) and the device and connection conforms to the most current risk-assessed information technology protocols. See also, IT policies posted to the City's Intranet site. Employees using an personal mobile device for city-purpose shall agree and adhere to the City of O'Fallon Personal Mobile Device Policy.

Employees who are required use their personal electronic device for a significant business purpose (more than de minimus such as calling to offer a shift or coordinating a report time), may be eligible for a monthly expense reimbursement in accordance with the approved protocol. Consult the Finance Department for questions.

Cellular phones are vulnerable to being overheard by outside parties. Conversations that deal with confidential information should not be held via cellular phone. Listening to voice-mail messages on cellular phones can present a similar problem with respect to disclosing passwords.

The use of City-paid postage for personal correspondence is not permitted. Violators of this policy are subject to disciplinary action, up to and including termination.

## **503 Tobacco and Nicotine Products Prohibited**

Effective Date: 07/02/2001

Revision Date: 04/01/2014, 02/28/2018

In keeping with the City's intent to provide a safe and healthful work environment, the use of tobacco (including chewing tobacco) and unregulated nicotine products (such as electronic cigarettes and similar vapor producing products with or without nicotine) are prohibited in City buildings, within City managed property, and vehicles. This policy applies equally to all employees, customers, and visitors.

Smoking cigarettes, other tobacco use and unregulated nicotine products will only be allowed in designated marked areas and in an employee's personal vehicle. For the health and welfare of all City employees, the City strongly urges all City employees not to use any type of tobacco or nicotine products.

The State of Illinois passed the "Smoke Free Illinois Act." The law provides that, "No person shall smoke in a public place or in any place of employment or within 15 feet of any entrance" to those places. The law further provides that, "No person may smoke in any vehicle owned, leased, or operated by the State or a political subdivision of the State." "No Smoking" signs must be conspicuously posted in each public place and place of employment. A conspicuous sign stating that smoking is prohibited must be posted at every entrance to a public place or place of employment. The City complies with the Smoke Free Illinois Act. If you have any questions about this policy, please speak with Human Resources.

## 504 Meal Periods

Effective Date: 07/02/2001

Revision Date:

All full-time employees are provided with one meal period (½ hour to 1 hour depending upon schedule) each workday. Supervisors will schedule meal periods to accommodate operating requirements and meet state regulation. Employees who are relieved of all active responsibilities and restrictions during meal periods will not be compensated for that time.

Individuals with unique work schedules will receive meal periods in accordance with the Fair Labor Standards Act and applicable state law.

## 505 Overtime / Compensatory Time

Effective Date: 07/02/2001

Revision Date: 03/01/2016

*See also: Section 401 Timekeeping*

Overtime occurs when more than 40 hours of work is performed in a workweek. A workweek is defined as Monday through Sunday. Time off for holidays, on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations unless otherwise provided for in an applicable union contract.

Departments should make every effort to ensure that work be accomplished during the normal work week. When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. **Employees must receive the supervisor's prior authorization before working overtime.** Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

For all hours worked in a work week in excess of forty (40) hours, overtime compensation may be paid in compensatory hours (at the rate of 1.5 hours for each hour of overtime worked) or in dollars (at the rate of 1.5 times an employee's regular rate) to all nonexempt employees in accordance with federal and state wage and hour restrictions. Employees shall not accumulate over 40 hours of compensatory time and shall make every effort to use compensatory time before the end of the fiscal year. Any compensatory time not used prior to the end of the fiscal year shall be bought back at the employee's regular rate of pay.

Overtime eligible hours: All prescheduled work time that is impossible to accomplish during the work day. Every effort should be made to allow time during an employee's normal day. For example, the hours earned specific to an evening meeting, and being called in for after hour emergencies. This will be counted at a minimum of 1 hour and ¼ hour increments thereafter to be paid at time and a half the employee's regular rate. Note: time sheets will now indicate specifically what activity (ies) were being conducted during the hours claimed as overtime. Efforts should be made to minimize the amount of overtime claimed each week. As stated above, **an employee must have prior authorization from his/her supervisor to work any and all overtime hours.**

Compensatory eligible hours: All hours wherein a non-exempt employee needs to come in early or remain at work (more than 40 work hours in a week – not including holiday, sick, vacation or personal) to complete required tasks that cannot be accomplished the next workday. These hours will be banked at time and a half. NOTE: Time sheets should indicate specifically what activity (ies) were being conducted during the hours claimed as compensatory. Efforts should be made to minimize the earned compensatory time each week. Supervisors should not allow any employees compensatory time bank to accrue to 40 hours without a plan to have that employee take time off to use it up.

An alternate work schedule should be utilized when possible to keep compensatory time from interfering with the City's operations. Employee can be given a later start time or be allowed to leave before their typical departure time.

Violators of this policy are subject to disciplinary action, up to and including termination.

## **506 Equipment & Vehicle Use Policy**

Effective Date: 2/1/2010

Revision Date:

The purpose of this policy is to set forth regulations governing the use of all City owned vehicles by City employees. The City's objectives are to: (1) insure that all City employees have access to safe, well maintained vehicles that are appropriate for their intended use; (2) maximize the useful life of all vehicle in the City's fleet; (3) establish responsibilities of employees toward the vehicle entrusted to them; (4) periodically review vehicle assignment to insure maximum economy and the benefit of the City, and; (5) allow employees to carry out their assigned mission with equipment that reflects positively on the City. The following regulations apply to the use of all city vehicles:

1. Employees who operate City vehicles are required to have a valid driver's license and current auto insurance coverage. In addition, the license must have the classification necessary (e.g. CDL) to allow the operation of any and all vehicles the employee may be called upon to operate. Proof of a valid driver's license and/or current auto insurance coverage may be required at any time.
2. Employees are responsible for the operational condition of all vehicles assigned for their use. Defects, operational difficulties and any damage are to be promptly reported to the employee's supervisor or Department Head and arrangements to have the vehicle repaired should be made as soon as possible. Each employee shall periodically (e.g. weekly) check fluid levels, exterior lights and signals and maintain proper tire inflation of vehicles assigned for their use.
3. All City vehicles are considered an extension of the "work place" and are therefore subject to provisions of the O'Fallon Personnel Code regarding smoking and consumption of alcoholic beverages. In addition, employees are prohibited from operating City vehicles while under the influence of illegal drugs, prescription drugs or medications which may interfere with effective and safe operation of the vehicle.
4. When using City vehicles, employees must keep in mind that they are representatives of the City and that their conduct in adhering to all traffic laws and demonstrating general courtesy while operating a City vehicle are a reflection on the City as a whole.
5. Any employee that is involved in an accident, receives a moving traffic citation while operating a City vehicle shall report the incident to their supervisor or Department Head within 24 hours. The employee will be responsible for all fines and costs associated with any violations that result from their operation of the vehicle. A traffic accident report detailing all accidents involving City-owned vehicles will be filed with the appropriate law enforcement agency at the time the accident occurs.
6. Seat belts are to be worn at all times by all occupants while in city vehicles.
7. Only City employees are authorized to operate City-owned vehicles.
8. *With the exception of assigned "take-home" vehicles*, City-owned vehicles are not to be used for personal business or to transport anyone other than City employees or people working with or for the City in an official capacity including professional colleagues. No family members or other non-employees are allowed in City vehicles, whether the employee operating the vehicle is on duty or not unless such passengers are authorized by the Department Head and the City Administrator's office in conjunction with the assigned duties of the employee.
9. If it is more efficient in terms of productive time to have authorized rest periods taken in the field or on a job site, it is permissible to use City vehicles to pick up meals for employees. If an employee is working in an area away from his or her base location and, it is more convenient and less time consuming to eat lunch in the area, the employee may take the City vehicle to a nearby restaurant (or to his or her home if it is in the area) rather than returning to the base location, subject to supervisor approval.

10. A City vehicle may be taken home by an employee during off-duty hours providing one of the following criteria are met and it is approved by the Department Head and City Administrator's office:
  - a. The nature of the duties are such that the employee is subject to be called out on an emergency or other extra duty outside normal working hours. This means that the possibility of being called out has been specifically assigned, as opposed to the employee having a general obligation or duty to respond to work at the request of a supervisor.
  - b. The employee proceeds regularly to or from home and work sites, rather than the regular base or office location. In that event, specific permission must be obtained from the Department Head and approved by the City Administrator's office.
  - c. If it is necessary for the employee to have a car to protect the safety, health or welfare of the citizens of O'Fallon. Such designation must be specifically approved by the Department Head and the City Administrator's office on an annual basis.
  - d. When the employee is required to attend an official meeting or conference on the City's behalf.

The following regulations apply to take-home vehicles:

1. When permission is granted for a City-owned vehicle to be taken home, the vehicle shall be stored off the street whenever possible. In addition, the employee is responsible to secure the vehicle. Incidents of damage or theft can result in the revocation of take-home privileges.
2. Each employee authorized to drive a City-owned vehicle home shall make the vehicle available for emergency use whenever he or she is out of the City or otherwise unavailable.
3. Employees with take-home vehicles are restricted to "*De Minimus*" personal use of the vehicle. This is generally limited to activities such as stopping for a personal errand on the way between a business use and the employee's home. All other rules and regulation outlined in this policy apply to take-home vehicles.
4. The "commuting value" or other authorized personal use of all City-owned take-home vehicle is subject to taxation under Internal Revenue Service guidelines. Employees using take-home vehicles will be subject to this taxation based upon those guidelines as determined by the City Attorney and the City Administrator. The appropriate level of taxation will be determined based upon guidelines listed in the Federal Tax Coordinator 2d.
5. Clearly marked vehicles assigned to the Police and Fire Chief and, approved command personnel, may be used for personal use (except vacation or other strictly recreational use) in the St. Louis metro area. These assignments are exempt from the described taxation requirements.

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. If an employee does not return City property and/or take reasonable measures to protect it from damage, the City may take money from the employee's regular or final paycheck to cover the cost, to the extent allowed by law, upon obtaining a signed payroll deduction for the cost from the employee. The City may also take other appropriate legal action.

## **507 Use of Personal/City Vehicle for City Business**

Effective Date: 05/01/2010

Revision Date:

Most City employees are expected to have access to a personal vehicle for City business. A City vehicle may be used for the following:

- Two or more employees carpooling to a destination.
- The use of specialized equipment is needed.
- City vehicle is required for identification purposes.
- An operational need exists as approved by the department director.

If one of the above applies, the rental of a City pool car may be used with the approval of the employee's department director.

Employees who use their personal vehicles for business travel will be reimbursed for mileage based on the Standard Mileage Allowance rates issued by the IRS. Calculated mileage shall be the difference between the employee's normal commute to work and the commute to conduct City business. For example, if an employee's normal commute is 15 miles and he/she must travel 20 miles in another direction to attend a seminar, the employee will be reimbursed for 5 miles. Any employee falsifying mileage driven in order to receive extra compensation will be subject to disciplinary action up to and including termination.

The City may opt to reimburse deductibles due to damage of personal vehicles involved in an accident while the employee is conducting vehicle business. The employee will maintain insurance coverage on his or her personal vehicle in accordance with state law.

Our community generates an appealing sense of place and fosters a welcoming, sustainable environment. This includes our efforts to protect our natural assets and practice environmental sensitivity. This means each of us is responsible in guiding a cooperative effort to educate the community toward a "green ethic." Therefore, we encourage any employees using City and personal vehicles to be mindful of the following green driving tips that are simple and easy to remember, and will even save our City money:

- Accelerate smoothly; avoid putting the "pedal to the metal." Quick starts or gunning the engine wastes fuel and may cause unburned gas to escape from the exhaust pipe into the atmosphere.
- Avoid excess idling in non-traffic situations. Idling for more than 30 seconds consumes more fuel than restarting the engine.
- Obey speed limits. Besides being unlawful, speeding increases gasoline consumption and may increase exhaust emissions under certain conditions.
- Maintain a steady speed. Using cruise control on the highway is ideal, except in hilly terrain, because it decreases gas pedal activity.
- Remove excess weight. Unnecessary weight (unneeded items in the trunk for example) makes the engine work harder and consume more fuel.
- Plan and consolidate your trips. This will enable you to bypass congested routes, and lead to less idling, fewer start-ups, and less stop-and-go traffic. Whenever feasible, share a ride, carpool, and use the most fuel efficient car possible.
- Keep your car well-tuned. Cars that are not properly tuned emit more pollutants. A well-tuned car also improves gas mileage.
- Avoid "topping off" the gas tank when refueling. Do not overfill your gas tank because spilled gasoline evaporates and contributes to air pollution.
- Keep tires properly inflated. This reduces tread wear and conserves fuel.
- Repair air-conditioner leaks immediately. Some air conditioners may contain chlorofluorocarbons.
- Use an engine heater in cold climates. The warmer the engine upon starting, the quicker it and the catalytic converter (an important emission control device) achieve maximum efficiency.
- Don't pump the accelerator if your car has fuel injection. A properly tuned, fuel-injected car should start right away, even in cold weather.
- Newer model cars don't need to be warmed up by idling. Prolonged idling creates excess emissions and may damage the catalytic converter.

## **508 Licensed Operation - Vehicles & Privately-Owned Vehicles (POV)**

Effective Date: 05/01/2010

Revision Date:

Employees who use their personal vehicles will be reimbursed at the prevailing rate established by the Internal Revenue Service.

**Driver's License Policy:** All City employees that are required to operate a vehicle in the course of their duties shall hold a valid driver's license as a condition of continued employment. No City employee shall operate a City Vehicle or Privately Owned Vehicle on behalf of the City without a valid driver's license.

**Verification of Driver's License:** Employees who are required to have a Commercial Driver's License (CDL) shall have a valid, non-expired CDL, and all employees who have access to City vehicles shall have a valid Driver's license.

The City will verify the validity of all employee drivers licenses at least once per year. This confidential check will be conducted as needed by Human Resources. If an invalid or expired license is discovered, Human Resources will contact the employee and the employee's immediate supervisor to notify them of the situation. An employee who is required to drive in the course of their duties may not be allowed to work until the situation has been corrected.

**Traffic Violations –**

**Employer Notifications:** Within 30 days of a conviction for any traffic violation, except parking, an employee must notify his/her employer, regardless of the nature of the violation or the type of vehicle which was driven at the time. If a driver's license is suspended, revoked, cancelled, or if he/she is disqualified from driving, his/her employer must be notified. The notification must be made by the end of the next shift following receipt of the notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

**Observance of Traffic Laws:** Employees operating City-owned vehicles or privately-owned vehicles while conducting official business shall observe all traffic laws, rules and regulations, and should use common sense and good judgment.

If, during the course of employment, an employee exhibits a disregard for acceptable courteous and safe driving procedures, the responsible department director may deny further authorization to operate a vehicle while representing the City.

**Liability Insurance (POV):** Any employee who operates a privately-owned vehicle while conducting official business for the City must maintain automobile liability insurance of \$20,000/\$40,000/\$50,000 in accordance with the State Financial Responsibility Law. Employees who do not maintain minimum liability coverage will not operate privately-owned vehicles in an official capacity.

**Reimbursement (POV):** Employees approved to operate a privately owned vehicle (POV) will receive the IRS per mile standard.

See also: Section 510 Business Travel policy for additional information.

## **509 Vehicle Accident Reporting**

Effective Date: 07/01/2010

Revision Date:

If, while operating a City vehicle or a privately owned vehicle in the performance of official duties, an employee is involved in an accident resulting in personal injury &/or property damage, the operator shall cause the following reporting and investigative procedures to occur.

**Vehicle Accident Reporting Requirements – Employee**

1. Contact 911, a police report is required to send to insurance
2. Report the accident and/or injury to his/her supervisor immediately. This should happen even if the vehicle does not need immediate repair.
3. If required, submit to a post-accident drug test as soon after the accident as possible.
4. Complete a vehicle accident report and immediately return it to the supervisor.

#### Vehicle Accident Reporting Requirements – Supervisor

1. Determine if there is reasonable suspicion that the employee was under the influence of drugs/alcohol. If there is reasonable suspicion that the employee was under the influence of drugs/alcohol during the accident, arrange for employee's post-accident drug test. Reference Section 702.
2. Convey the pertinent information to the City Administrator's Office immediately, especially if the vehicle has substantial damage or the party has incurred injury.
3. Approve and sign the vehicle accident report that the driver completes. Complete a Supervisor's vehicle accident investigation report and forward both reports with the police report to Human Resources and the City Administrator's Office within 24 hours of the accident. Notify Human Resources if more time is required.

#### Investigation Procedure

1. Request that all parties and properties concerned remain at the scene of the accident, if possible, until a law enforcement representative has released them.
2. All collisions involving City vehicles or persons on duty and actively engaged in City business will be investigated by a police agency.
3. If occurring outside the City of O'Fallon, the collision will be investigated by the police agency having jurisdiction.
4. If occurring within the City of O'Fallon and involving property damage or a minor (non-hospitalizing) injury, the collision will be investigated by the City of O'Fallon Police Department or an outside authority.
5. If occurring within the City and the collision results in a fatality or injury requiring immediate hospitalization of any party, the accident will be investigated by an outside authority. Selection of an outside authority will be handled by the City of O'Fallon Police Department at the scene.

Employee Statements: Employee/operators shall refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate City officials, and representatives of his or her own insurance company, if the employee's privately owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations.

## **510 Business Travel Details & Expenses**

Effective Date: 07/02/2001

Revision Date: 07/01/2010

*See also Section 107 Business Ethics and Conduct*

The City's objectives are to allow travel arrangements that conserve funds, provide uniform treatment for all employees, and allow the employee to carry out his/her function in an appropriate manner. You are a representative of the City at these events; any policies for work should be adhered to while at a conference.

The City does not encourage family members to accompany the employee on an official trip. However, there is no objection to this if their accompaniment does not interfere with the purpose of the trip. Family members travel at their own risk. All costs and expenses attributable to the family member must be paid for out of the employee's personal funds. No City funds will be expended for the costs incurred by a family member.

The City will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the Department Head or City Administrator. Employees are expected to limit expenses to reasonable amounts – use good judgment in regard to costs as he/she would if traveling at his/her own expense.

When possible, travel arrangements should be made through a local travel agency or on-line and billed directly to the City.

Expenses that generally will be reimbursed include the following:

1. Commercial Carrier: Fares will be limited to coach or economy fare or the lowest available fare. Ground transportation to and from stations and airports by bus, limousine, taxi or private vehicle (whichever is the least costly option) is generally reimbursable;
2. Private Vehicles: If a City vehicle is not available for use, a private vehicle may be used for travel on City business when authorized by the Department Head. Reimbursement will be limited to the lower of a) standard mileage rate (as determined by the IRS), plus tolls, parking and garage charges; or b) the cost of air travel as provided above. Miles will be based on the number of actual miles driven while on City business and will be paid to the vehicle's owner only, regardless of the number of people traveling in the same vehicle.
  - a. Employees should not drive to destinations when the travel time to the location requires more than one day. No reimbursement will be made for lodging, meals, or other expenses incurred, unless prior approval is received from the Department Head and City Administrator's office.
  - b. Employees who receive a monthly car allowance for use of their private vehicle for City business will be reimbursed for mileage in excess of 250 miles for any individual City trip.
3. Car rental fees: Typically, only fees for compact or mid-sized cars will be paid. If a group of employees (more than two) is traveling together and the City Administrator gives prior authorization, other rental options will be considered.
  - a. Vehicles owned, leased, or rented by the City may not be used for personal use without prior approval.
4. Lodging: Reservations should be made in advance to ensure that lodging is secured at moderate rates. Reimbursement will be limited to the minimum number of nights required to conduct City business. No lodging expenses will be reimbursed for meetings or conferences held in the St. Louis area unless prior approval is obtained from the City Administrator.
5. Meals and miscellaneous expenses: For travel required outside of the metropolitan area or requiring an overnight stay, with prior approval from the Department Head or City Administrator, reimbursement will be made for actual cost of meals (not Per Diem), no more lavish than would be eaten at the employee's own expense, tips (not to exceed 20% of the meal's total cost or 10% of a taxi fare), charges for telephone calls, fax, and similar services required for business purposes. Cost of alcoholic beverages will not be reimbursed. Meals that are provided as part of a conference, training program or are otherwise provided for an employee will be documented and employees may not request reimbursement for such meals.
  - a. Please note that meals while traveling overnight are subject to IRS *travel rules*. Meals while on City business but not away from "home" or while traveling are subject to the *entertainment rules*. Under the *travel rules*, meals are an allowable travel expense only if the trip takes substantially longer than an ordinary day's work and one needs to get sleep or rest to meet the demands of the work while away from home. All meal expenditures may be reimbursed when travel is over-night provided they are properly approved with business use substantiation and they are not lavish or reimbursable. Under the *entertainment rules*, meals must meet the business requirement test to be reimbursable. Otherwise the meal is deemed a personal expenditure. To meet the business requirement test, the main purpose of the meal must be the active conduct of business for the general expectation of getting some specific business benefit at some future date. Meals with outside parties can generally meet this requirement. Therefore, meals provided at departmental meetings are not generally reimbursed. Normally, when business travel is in the immediate local area, lunch is generally considered a personal expenditure and is not reimbursable. If you are traveling or attending a full work day meeting outside the immediate area, lunch is reimbursed. Should travel exceed 10 hours, the dinner meal may be reimbursed. For example, an all day conference or meeting in St. Louis or Springfield, extending over the lunch hour, the cost of lunch would be a reimbursable expense.
  - b. For partial days of travel, meals will be reimbursed for one day prior and one day after an overnight stay as shown below:  
Breakfast: Travel beginning prior to 6 am and continuing until after 9 am  
Lunch: Travel beginning prior to 11 am and continuing until after 1 pm  
Dinner: Travel beginning prior to 5 pm and continuing until after 8pm

Travel advances may be used only as a last resort when credit card or advance billing is not accepted. Employees should submit a written request to their supervisor when travel advances are needed. These forms are located on the City's computer share drive – O: Finance-Accounting>Travel Voucher>Advance Tab. The amount of advancement will be based on the per diem amount calculated on the destination rate per GSA (General Services Administration, [www.gsa.gov](http://www.gsa.gov)).

With prior approval, a family member or friend may accompany employees on business travel when the presence of a companion will not interfere with successful completion of business objectives. The City will reimburse no expenses directly attributable to the family member or friend.

Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports to the Finance Department within 10 days, along with any unused travel advance. These forms are located on the City's computer share drive- O: Finance-Accounting>Travel Voucher>Reimbursement Tab. Receipts for all individual expenses, other than tips and phone calls should accompany reports. The City Administrator may approve an expense without a receipt if there is acceptable written documentation that the expense was incurred and that a receipt could not be obtained or was subsequently misplaced. Payment will be made as soon as the expense report has been audited for compliance with this policy and approved on the next scheduled warrant.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues. Where these regulations do not adequately cover a travel situation, the City Administrator may authorize exceptions when justification exists.

There may be instances in which significant savings in travel expenses may be achieved by taking advantage of discounts requiring an additional night stay. Prior authorization by the City Administrator will be required to utilize this arrangement.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

#### TIMEKEEPING FOR NON-EXEMPT EMPLOYEE TRAVEL (see also Section 401 Timekeeping)

An employee's normal workweek may be temporarily changed to an alternate schedule to accommodate for travel time and conference attendance.

An employee who must travel to another city and return on the same day will be paid for time spent traveling above and beyond his/her normal commute time. Also, usual meal periods will be deducted from hours worked.

When travel time is incurred on overnight trips, only the time spent traveling by the passenger (employee) that overlaps with the passenger's (employee's) normal workday is counted as work time. This is true even if the travel takes place on a Saturday, Sunday, or holiday when the employee does not normally work. Again, usual meal periods will be deducted from hours worked. Drivers (employees) are paid for hours worked. In the case of travel across time zones, actual time must be counted, and not the artificial time indicated by the clock changes.

## 601 Safety

Effective Date: 07/02/2001

Revision Date: 02/28/2018

*See also Panic Alarm System Manual*

*See also Emergency Preparedness/Emergency Operations Plan*

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the City works with its risk management contacts and resources to establish a workplace safety program. Human Resources works in connection with each department and a Safety Committee to offer support and assist in implementing, administering, monitoring, and evaluating the safety program. The program's success depends on the alertness and personal commitment of all.

The City provides information to employees about workplace safety and health issues through regular internal communication channels such as the employee newsletter, organizational intranet, supervisor-employee meetings, bulletin board postings, memos, or other communication sources. A Safety Committee, composed of representatives from throughout the organization, helps monitor the City's safety program and to facilitate effective communication between employees and management about workplace safety and health issues.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of a member of the Safety Committee. Reports and concerns about workplace safety issues may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition (including near miss incidents) to the appropriate supervisor. Employees who initiate or participate in horseplay, violate safety standards, who cause hazardous or dangerous situations, or who fail to report or (where appropriate) remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor and complete all applicable written documentation. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## 602 Emergency Conditions & Closings

Effective Date: 07/02/2001

Revision Date: 05/01/2010

*See also Panic Alarm System Manual*

*See also Emergency Preparedness / Emergency Operations Plan*

City offices and activities shall typically remain open and in operation during established working hours. All employees should report for work on a timely basis. If employees are unable to report to work, the following criteria shall apply:

1. The employee is responsible for contacting his/her supervisor or department director by telephone to indicate anticipated absence from work or late arrival to work and the reason.
2. If an employee is unable to report to work, the absence may be charged as vacation or personal leave.
3. Such leave cannot be used to offset absence from work for pay purposes for other than sickness.

Closing City Offices: At times, emergencies such as severe weather, fires, power failures, or earthquakes can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. In the

event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

The City Administrator shall be authorized to close City offices to protect the safety and welfare of City employees. When the decision to close is made AFTER the workday has begun, employees will receive official notification from their immediate supervisor. In these situations, time off from scheduled work will be paid for those employees who reported to work. When the decision to close is made BEFORE the workday has begun, time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits or personal time.

Emergency Evacuation Procedures: The following are procedures to be followed in case of an emergency:

Fire: A building occupant is required by law to evacuate the facility when the fire alarm sounds. If there is a fire in your work area:

- If you have been trained and are able to safely extinguish the fire, do so. However, make sure that you have a safe exit from the fire area.
- If you are unable to extinguish the fire, leave the area immediately and pull the fire alarm. From a safe location, call 911 and report the fire.
- Evacuate the facility as soon as the alarm sounds and proceed to the designated Evacuation Assembly Point (EAP).
- As you exit, warn others to evacuate.
- Move away from fire and smoke. Close doors and windows if time permits.
- Touch closed doors. Do not open them if they are hot.
- Use stairs only; do not use elevators.
- Move away from the building and go to your designated evacuation assembly point.
- Do not re-enter the building or work area until you have been instructed to do so by the emergency responders (Fire Department, Police, Supervisor, or Assembly Point Leader).

Tornado: If you are inside a building:

- Go to the basement or lowest level.
- Kneel and crouch against a wall or in a corner (cover head).
- Duck under the nearest sturdy object and hold onto it. If you are not near a sturdy object, make yourself as small as possible and cover your head and neck.
- If you stand in a doorway, brace yourself against the frame and watch out for a swinging door or other people.
- Avoid windows, filing cabinets, bookcases, and other heavy objects that could fall or shatter.
- Stay under cover until the warning is over.
- If it is safe to do so, stabilize any work or objects that could lead to further danger, i.e., turn off stoves, coffee makers, or electrical equipment.

Tornado: If you are outside:

- Move away from trees, signs, electrical poles and wires. Go into a ditch or low-lying area.
- Protect your head with your arms from falling debris.
- Move away from vehicles.
- Stay alert for further instructions.

A separate Emergency Operations Plan will outline these situational instructions in more detail and a practice exercise for each City facility will occur at least once annually.

## 603 City Identification Cards / Physical Security Guide

Effective Date: 07/02/2010

Revision Date:

City employees shall be provided with an identification card, which shall display a photograph, and other appropriate information that will clearly identify the person as an employee of the City. These cards may not be used as a means of securing credit, avoiding illegal acts, or other special considerations. The badge is the property of City, shall not be altered by employees in any way, and must be returned upon termination of employment.

Employees, who work in the field or those who must enter a person's home or other private property on official business, must display their City identification card when requesting entry. Identification cards must be returned to Human Resources prior to termination.

Wearing IDs to provide a safe and securing working environment, all City employees will wear their City ID cards at all times except when safety may be an issue (i.e. confined space). Sworn police and fire employees will not be required to wear their City ID while dressed in uniform. If a City employee does not have his/her City ID at work, the following actions will be taken:

- First time – employees will be required to wear a temporary ID for the day. Temporary IDs may only be worn for one day and are obtained from Human Resources.
- Second time – two options:
  - Employee may come personally to Human Resources to purchase a replacement ID and then must return the next day to HR to turn in the ID that was left at home.
  - Employees have the option (with supervisor approval) to retrieve their ID on their own time that day (time not paid by the City).
- More than 2 times – Employee will be subject to the City's progressive discipline policy.

Lost IDs may be replaced through Human Resources. Damaged IDs must be returned to HR to issue a new one. If lost IDs are found, they must be returned to HR as well.

Because employee ID badges also are the means by which employees enter and leave the premises, employees must not loan their badges to anyone, including other employees, nor should employees use their badges to allow anyone to enter the premises that the employee does not know to be an employee of the City. Failure to observe these safety regulations could endanger the safety and security of all other employees and could subject the employee to corrective action up to and including termination of employment.

## 604 Visitors in the Workplace

Effective Date: 07/02/2001

Revision Date:

To provide for the safety and security of employees and the facilities of the City, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter City facilities through the main entrance. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. The Mayor and City Administrator have final authority on whether to permit or restrict visitors to any City facility.

If an unauthorized individual is observed on the City's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

## **605 Computer and E-mail Usage**

Effective Date: 07/02/2001

Revision Date: 05/01/2014

*See additional IT Policies available on OFalnet (intranet)*

Computers, computer files, the e-mail system, and software furnished to employees are City property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

The City strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the City prohibits the use of computers and the e-mail system in ways that violate any of the City's policies contained in this handbook.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

The City purchases and licenses the use of various computer software packages for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the City does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the Department Head or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment and could be subject to legal action.

## **606 Internet Usage**

Effective Date: 07/02/2001

Revision Date: 05/01/2014

*See also: 608 Social Media*

Internet access to global electronic information resources on the World Wide Web is provided by the City to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the City and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the City. Employees have no expectation of privacy with respect to anything sent or received via the City's computer systems or Internet. As such, the City reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that violates any City policy or that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could

reasonably offend someone on the basis of race, age, sex, religious beliefs, national origin, disability, marital status, or any other characteristic protected by federal or state law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the City in violation of law or City policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the City's time and resources for personal monetary gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material, trade secrets, or proprietary information outside of the City
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the City or initiate unwanted Internet services and transmissions
- Sending or posting untrue messages or false material that defame or slander the City.
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person (except as required for IT security, pre-approved by the Department Head)
- Refusing to cooperate with a security investigation
- Using the City's computers and Internet access to gamble
- Jeopardizing the security of the City's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the City
- Sending anonymous e-mail messages
- Forwarding a communication intended for City employees to someone outside the organization
- Engaging in any other illegal activities

Any violation of this policy will result in discipline, up to and including discharge. If you have any questions as to whether a particular action violates this policy, ask your supervisor before undertaking such activity.

## **607 Document Retention**

Effective Date: 1/1/2012

Revision Date:

### **LOCAL RECORDS ACT:**

The Illinois Local Records Act (50 ILCS 205/1 et seq.) governs the retention and disposition of public records, regardless of physical form. Most often e-mail messages are informal communications that do not qualify as "public records"; however, the content of some messages may constitute a more formal public record and must be retained according to established retention schedules: Therefore, employees and Officers have the same

responsibilities for e-mail messages as they do for any other public record and must distinguish between official, public records and informal, non-record information. Guidelines for distinguishing a public record from a non-record follow below. Electronic communications which are considered public records must be preserved in either reproduced paper format or electronic format. If the employee or Officer prints out an official public record from the City's electronic communication system and retains the record in hard copy, the electronic copy may be deleted immediately.

#### PUBLIC RECORDS:

Under the Illinois Local Records Act, "public record" means "any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein." 50 ILCS

205/3.

Factors to Consider to Determine if a Document (whether electronic or not) is a Public Record:

1. Was the document created or received in connection with the transaction of public business? Emails or letters received or sent that were of a personal nature may be deleted but all others shall be retained.
2. Is it official documentary material? For example, does the e-mail contain a draft letter versus the final letter? Drafts may be deleted if a final version is prepared.
3. Is the document subject to disclosure under the Freedom of Information Act? If so, it is likely an official document to be retained.
4. Does the document result from some action or transaction that clearly relates to the official work of the City of O'Fallon? For example, if it relates to the creation of policy or procedures regarding public employment matters, the correspondence must be retained.
5. Is the material "appropriate for preservation by such agency or officer: or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein?" This eliminates the necessity of keeping documents which do not relate to the official actions of the City. If action is taken or a lack of action is based upon the contents of an e-mail, the e-mail must be retained.
6. Does the document have any historical significance? What is the importance of the document? Does keeping or discarding the document further the goal of the Act - the "efficient and economical management of local records?" If yes, retain the e-mail.
7. Is this a final document? For instance, many e-mail documents rapidly become stale and do not reflect "function, policies, decision, procedures, etc.," when a matter is finalized. therefore, the City can simply keep the final document and delete prior drafts. However, a closer question exists relative to e-mail exchanges where the parties are sending communications to prepare the final document.
8. Internal documents created by employees on work-related topics which do not facilitate action such as transmittal notes, notifications, announcements, and the like may be discarded.
9. Documents containing draft, notes or interoffice memoranda that are not retained by the City in the ordinary course of business may be discarded.
10. Even if it doesn't seem to meet any of these factors, does it seem like something which should be retained or is a "record?" If yes, it should be retained.

#### ELECTRONIC COMMUNICATIONS ("E-MAIL"):

All non-public record e-mails should be deleted as soon as they have fulfilled their purpose. If an e-mail message is determined to be a public record, it should be printed and retained in paper form in the appropriate file or saved to a specific named folder to avoid the possibility of automatic deletion.

## 608 Social Media

Effective Date: 05/01/2010

Revision Date:

The City recognizes that emerging online collaboration platforms are fundamentally changing the way citizens, government entities, and businesses interact with each other. Therefore, the City is currently exploring how online discourse through social computing can empower City staff and citizens and both facilitate the efficient delivery of City services and foster that sense of community. The City seeks to build relationships throughout our community, in part by enhancing communication initiatives to adapt to changing demographics, societal, and technological trends.

Purpose: This policy defines the responsibilities and obligations of City employees regarding the use of social media.

The forms of social media or technology referred to in this policy include but are not limited to Facebook, LinkedIn, Palaxo, MySpace, Twitter, Yammer, YouTube, video or wiki postings, chat rooms, personal blogs, or other similar forms of online journals, diaries or personal newsletters not affiliated with the City. Social media includes all means of communicating or positing information or content of any sort on the Internet, including to your own or someone else's web log, blog, journal, diary, personal website, social network or affinity website, web bulletin board or chat room, whether or not associated with the City, as well as any other form of electronic communication.

The City understands that social media can be a rewarding way to share your life and opinions with family, friends, and co-workers. However, the use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, the City has established these guidelines for appropriate use of social media.

Application: This policy applies to all employees who work for the City. Employees who violate this Social Media Policy are subject to discipline, up to and including termination.

Guidelines: As stated in its Computer Usage and Internet Policies, City-owned technology resources are the property of the City, as is all data created, entered, received stored, or transmitted via City-owned equipment. All use of social media or similar technology is subject to all City policies, including but not limited to the information technology use and security policy, as well as existing internet, email, and harassment policies. Employees may be subject to discipline up to and including discharge for conduct that violates City policies or rules and regulations, whether such conduct occurs on duty or off duty. Please refer to each of these policies for additional information.

Many public employees have access to private and confidential information that must be actively guarded from publication. All City employees are expected to:

1. Actively protect private and/or confidential data.
2. Protect any information considered protected health information under HIPAA.
3. Provide good customer service to both clients and co-workers.
4. Always be truthful and provide accurate information.

All City employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the attention of his or her supervisor or other appropriate staff. Regardless of whether the communication is in the employee's official City role or in a personal capacity, employees must comply with all laws relating to intellectual property rights, including without limitation, trademark, copyright and software use. Employees must also follow all City policies that may apply. Violations of the City's rules and policies may lead to disciplinary action up to and including termination. Violations federal or state laws may result in legal action.

Using Social Media at work: City employees may use City technology for personal reasons during non-working time, provided it does not interfere with normal work. The City reserves the right to inspect any electronic data created by or stored on a City-owned computer or related system.

Be mindful that what you publish will be public for a long time. The Internet is not anonymous, nor does it forget. Everything written or published on the Internet can be traced back to its author very easily. Be respectful, fair and courteous to fellow employees, customers, suppliers, and people who work on behalf of the City. Keep in mind that you are more likely to resolve work-related complaints or issues by speaking directly with your co-workers or by using the City's Open-Door Policy than by positing complaints on a social media site. If you do decide to post complaints or criticism, avoid using statement, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening or intimidating, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to maliciously harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, color, disability, religion, age, veteran status, or any other status or characteristic protected by law or City's policy. Employees must not use social media to harass or intimidate other employees, citizens, vendors, suppliers, or other third parties in violation of the City's Equal Employment Opportunity and No-Harassment Policies. Behaviors that constitute harassment and intimidation include, but are not limited to, comments that are derogatory or demeaning with respect to race, color, religion, gender, sexual orientation, disability, or any other status or characteristic protected under the law or by City policy; sexually suggestive, humiliating, or demeaning comments; or threats.

Unless specifically instructed, employees are not authorized and, therefore, are restricted from speaking on behalf of the City. Employees may not post anything on the Internet or in Social Media in the name of City or in a manner that could reasonably be attributed to the City without prior written authorization. Employees are prohibited from posting or representing any opinion or statement as the policy or view of City or of any individual in their capacity as an employee or otherwise on behalf of the City.

Express only your personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent the views of the City, citizens, vendors, suppliers, or other persons who work on behalf of the City. If you do publish a blog or make posts to social media sites or other online outlets related to the work you do or subjects associated with the City, make it clear that you are not speaking on behalf of the City. It is best to include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views, positions, strategies, or opinions of the City."

Do not use City e-mail addresses to register on social networks, blogs, or other online tools utilized for personal use. Do not create a link from your blog, website, or other social networking site to a City website without identifying yourself as a City employee.

Employees are prohibited from disclosing or disseminating data classified as private or confidential to anyone other than government employees whose job duties require access to the data and must route data practices requests to the City Clerk or designated freedom of information officer. Employees must also work to avoid releasing data that might lead to the release of private or confidential data. For example, avoid discussing on social media information that might lead to the identification of a resident complaining about their neighbor's property, or the victim of a crime or a witness to a crime.

Employees are prohibited from disclosing or discussing any of the City's confidential information. Confidential Information is defined as:

- Information known to me as a result of my employment with the City of O'Fallon regarding other employees. This includes, but is not limited to, personal identification information and numbers, marital and family status, residence(s), debt, bankruptcy, garnishment, work travel and expenditures, current or past employment, disciplinary records, or terminations.
- Information known to me as a result of my employment with the City of O'Fallon, regarding the private lives, personal identification information or domiciles (cleanliness, possessions, social security numbers, activities,

associates) or business interactions of residents, businesses, or persons working in the City, including, but not limited to, investors, developers, builders, contractors, laborers.

- Business, marketing and planning information for future developments. Such information would include, but not be limited to, information about plans for development of buildings, business, and/or residential developments, information about building codes and individuals or businesses meeting/not meeting business codes and any variances granted or refused.
- Any other information known to an employee as a result of their employment with the City of O'Fallon, but not mentioned here (other than information obviously in the public domain), should be considered confidential, and handled as stated above. I understand that any violation of the restrictions contained herein or disclosure of information described herein will result in discipline, up to and including discharge.

Employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

Respect all copyright and other intellectual property law. For the City's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted works or materials owned by others, trademarks, and other intellectual property, including the City's own copyrights, trademarks, and brands. Employees may not commercially use the City's name, logo, or trademark without prior written authorization.

Media requests: With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media must be routed through the City Administrator's office. Media requests include anything intended to be published or viewable to others in some form, such as television, radio, newspapers, newsletters and websites. Employees may only establish official sites, blogs, pages or accounts in their official capacity as City staff on a social media site with the authorization of their Department Director and the City Administrator's office. Permission to post to these sites while on duty will only be granted to those employees who are authorized to speak on behalf of the City via these electronic communications.

Violations: The City investigates reports of possible violations of this Social Media Policy and other policies. Violation of the City's Social Media Policy will be subject to disciplinary action, up to and including termination. Discipline will be determined based upon the nature of the violation.

Anti-Retaliation: The City prohibits any form of negative action or retaliation against any employee for reporting a possible violation or for participating in the investigation of a possible violation of this policy. Anyone who retaliates against an employee for reporting a possible violation or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Contact: Social networking and use of social media are areas of rapid change, so the examples here may not cover every situation. The City will comply with all federal and state laws with respect to its Social Media Policy. If you have questions or concerns about any aspect of this Social Media Policy, please contact the City Administrator's Office.

## **609 Workplace Monitoring**

Effective Date: 07/02/2001

Revision Date:

Workplace monitoring may be conducted by the City to ensure quality control, employee safety, security, and customer satisfaction.

Because the City is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

## 609A Identity and Privacy Protection Policy

Effective Date: 03/03/2016

Revision Date:

It is the policy of the City of O'Fallon ("City") to protect the identity and privacy of all elected and appointed officials, officers, staff, agents, current and past employees, and residents and members of the public. The City shall comply with the Illinois Identity Protection Act ("IPA") (5 ILCS 179/1, et seq.) through the implementation of this policy as required under 5 ILCS 179/35.

Except where required or authorized by law or regulation, the City and its personnel shall not collect, use, or disclose a person's Social Security Number ("SSN"). The City shall not request SSNs except when it falls under a delineated exception permitted under the IPA. Non-administrative City employees shall generally have no access to documents or information containing individuals' SSNs. Any more restrictive law, rule, or regulation regarding the collection, use or disclosure of a SSN shall control over City policies set forth herein. 5 ILCS 179/55.

### Identity and Privacy Protections:

Pursuant to the IPA, the City's Freedom of Information Officer(s) shall redact SSNs and private information from documents, including all or any portion of an individual's SSN requested for public inspection and copying of information pursuant to federal or state law, such as the Freedom of Information Act. 5 ILCS 179/15, 5 ILCS 140/2(c-5). The City shall provide a means to ensure that SSNs collected on City documents may be readily redacted in the event of a FOIA request.

Except where expressly permitted, the following actions are prohibited by the City, and its elected and appointed officials, officers, staff, agents and employees as set forth in 5 ILCS 179/10:

- To publicly post or publicly display in any manner an individual's SSN.
- To print an individual's SSN on any card required for the individual to access products or services provided by the City, unless otherwise required by law. This limitation includes encoding or embedding a SSN in any identification scheme, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of the SSN.
- To require an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted.
- To print an individual's SSN on any materials that are mailed to the individual through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the SSN to be on the document to be mailed.

However, SSNs may be included in applications and forms sent by mail including, but not limited to, the following:

- Any material mailed in connection with the administration of the Unemployment Insurance Act;
- Any material mailed in connection with any tax administered by the Illinois Department of Revenue; and
- Documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN.
- A SSN that may permissibly be mailed as set forth in this subsection may not printed, in whole or in part, on a postcard or other mailer that does not require an envelope or otherwise be visible on an envelope without the envelope having been opened.

To collect, use or disclose an individual's SSN unless:

- required under federal or state law, rules or regulations;
- the need and purpose is documented prior to the collection of the SSN; and
- the SSN collected is relevant to the documented need and purpose.

To require an individual to use his or her SSN to access an Internet website.

To use the SSN for any other purpose other than the purpose for which it was collected.

### Exceptions

A SSN may be collected and/or disclosed under the following circumstances:

- When the disclosure of SSNs to the City's agents, employees, contractors, or subcontractors of the City is necessary in order for the City to perform its duties and responsibilities. However, if disclosure is to a contractor or subcontractor, the City must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how SSNs will be protected pursuant to requirements of the IPA.
- When the disclosure of SSNs to another governmental entity or its agents, employees, contractors, or subcontractors is necessary in order for the City to perform its duties and responsibilities.
- When the disclosure is made pursuant to court order, warrant or subpoena.
- When collection, use or disclosure is required to ensure the safety of state and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the state; and all persons working in or visiting a state or local government agency facility.

When collection, use or disclosure is required for internal verification or administrative purposes.

When the disclosure of SSNs is done to facilitate the collection of delinquent child support or of any debt owed to the State of Illinois.

When used to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

Violations: Anyone violating this policy may be subject to disciplinary action up to termination and/or criminal prosecution as provided by the IPA and law. *5 ILCS 179/45.*

Training: All employees and officials who have access to SSNs in the course of their employment with the City shall undergo approved training on the proper handling of information that contains SSNs from the time of collection through the destruction of the information. *Reference: 5 ILCS 179/1, et seq.*

## **610 Workplace Violence Prevention**

Effective Date: 07/02/2001

Revision Date:

*See also 601 Safety*

The City is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's race, age, sex, religion, national origin, disability, marital status or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The City will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the City may suspend employees, either with or without pay, pending investigation.

Any employee determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring their disputes or differences with other employees to the attention of their supervisor, Department Head or City Administrator (in that order) before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

## **610A Workplace Bullying**

Effective Date: 01/01/2022

Revision Date:

The City of O'Fallon will not tolerate workplace bullying. Workplace bullying involves repeated unreasonable acts toward an employee (or group of employees), either by an individual employee (or group of employees), intended to intimidate, degrade, humiliate, or undermine the employee(s), and creating risk to the health or safety of the employee(s).

Bullying may be intentional or unintentional. However, as with other claims of harassment, it is the effect of the behavior upon the individual that is important.

The City considers the following types of behavior examples of bullying (others may exist):

1. Verbal Bullying: Slandering, ridiculing, or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the "butt" of jokes; abusive and offensive remarks. Making ominous threats or negative statements that leave employees in an uncomfortable state.
2. Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property.
3. Gesture bullying: Nonverbal threatening gestures that convey threatening messages.
4. Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

All City employees will be treated with dignity and respect. The purpose of this policy is to communicate that the City will not tolerate bullying behavior. Employees found in violation of this policy could face discipline up to and including termination.

## 611 Ergonomics

Effective Date: 07/02/2001

Revision Date:

The City has developed an ergonomics program to minimize repetitive motion injuries (RMIs) in the workplace. The primary elements of the ergonomics program include: (1) work site evaluations, (2) control of exposures that may have caused RMIs, and (3) ergonomics training of employees. The ergonomics program also focuses on educating employees on their personal responsibility to ensure good work habits (such as posture and body mechanics) and adequate fitness for work.

RMIs are musculoskeletal injuries identified and diagnosed by a licensed physician that can result from a job, process, or operation where employees perform the same repetitive motion tasks. Examples of repetitive motion tasks include, but are not limited to, sustained computer keyboard and mouse usage; assembling materials and products; or lifting, carrying, and loading objects.

Employees are provided with training that includes an explanation of the ergonomics program, exposures that have been associated with RMIs, the symptoms and consequences of injuries caused by repetitive motion, the importance of reporting symptoms and injuries, and the methods used to minimize RMIs.

All employees are encouraged to immediately report to the Safety Committee all suspected RMIs, RMI symptoms, or other ergonomic concerns. Employees with any questions or concerns regarding this policy should contact Human Resources.

## 701 Employee Conduct and Work Rules

Effective Date: 07/02/2001

Revision Date: 04/01/2014

The following work rules are hereby published so that all of our employees will know what is considered unacceptable conduct and to insure the consistent application of disciplinary actions for violations of these rules. The City views disciplinary action as being primarily for progressive corrective purposes. Listed below are specific rules and discipline for violations which are designed to insure a smooth-running organization in the best interests of all employees, the City and our residents.

While it is impossible to list every type of behavior that may be deemed a serious offense, this policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are examples of unsatisfactory conduct that will trigger progressive discipline.

**The offenses and discipline listed below are not all-inclusive.** Unacceptable conduct not specifically covered by these rules may result in disciplinary action, depending upon the circumstances, up to and including termination of employment. Repeated violations of the same rule, violations of more than one rule in a single act, or violations of different rules at different times shall result in accelerated or compound disciplinary action. **In addition, the specific disciplinary action issued in a particular case may be modified from that set forth below based on applicable law and/or regulations which may affect the particular individual and/or specific circumstances.**

Any disciplinary action based on the first, second or third infraction shall remain in effect for twelve (12) months from the date of the infraction. Disciplinary notices will be given to the employee where appropriate.

Violations are categorized as:

- Group A – Immediate Discharge
- Group B – Two Step Basis
- Group C – Four Step Basis.

**Group A** - A violation of any “Group A” rule is considered so serious that such a violation will result in IMMEDIATE DISCHARGE and includes (but is not limited to) the following:

- Engaging in any unlawful conduct on City premises or engaging in any unlawful conduct off City premises which affects the employee’s relationship to his or her job or his or her fellow employees.
- Falsifying work, time or attendance records, and mileage reports, falsifying employment applications, or falsely claiming to be sick or injured.
- Lying or not being forthcoming.
- Violation of Weapons and Firearms Policy
- Theft from the City, employees or residents, or visitors to City facilities.
- Excessive tardiness or absenteeism.
- Possession or use of alcoholic beverages or mind altering substances, including marijuana, at any time while on duty.
- Violation of the Tobacco & Nicotine Policy.
- Reporting to work with alcohol or cannabis in the employee’s system or having alcohol or cannabis in the employee’s system at any time during the employee’s working hours.
- Possession, use or sale of illegal drugs while on duty or on City premises.
- Testing positive for illegal drugs.
- Possession of medical or recreational marijuana on City property or in City vehicles.
- Intentionally misusing, destroying or damaging any City property, equipment or the property of any employee or resident.
- Unauthorized removal of City records or copies of such from the premises.
- Unauthorized release of any of the City’s confidential information, which directly affects the business of the City, and/or the records of residents.
- Failure to obey specific instructions of a supervisor in performance of specific job or task assigned or any other form of insubordination.
- Violation of the City’s No-Harassment and/or Discrimination Policies.
- Bullying behaviors or being the aggressor in a fight on City premises.
- Using threatening or abusive language in the workplace or while on duty or engaging in threatening or abusive conduct in the workplace or while on duty.
- Unauthorized use of any weapon or ammunition at any time on City premises while receiving compensation from the City.
- Repeated or gross violation of City safety or fire rules.

**Group B** - A violation of any “Group B” rule shall be handled on a Two Step Basis and includes (but is not limited to) the following:

First Infraction	Three (3) work day suspension without pay
Second Infraction	Discharge

- Refusal or failure to perform job assignment.
- Inadvertently releasing confidential information.
- Sleeping during scheduled working hours.
- Moonlighting which hinders work performance.
- Failure to report for scheduled duty.

**Group C** - A violation of any “Group C” rule shall be handled of a Four-Step Basis and includes (but is not limited to) the following:

First Infraction	Verbal warning
Second Infraction	Written warning
Third Infraction	Three (3) work day suspension without pay
Fourth Infraction	Discharge

- Negligence or carelessness.
- Being involved in damage to City property.
- Improper use of a City vehicle
- Failure to comply with City policy or procedure.
- Failure to promptly notify supervisor of absence.
- Failure to promptly report accident or injury.
- Failure to promptly report secondary (other) employment.
- Failure to properly perform assigned duties.
- Failure to notify the City in writing of change of personal information or beneficiary designation change within seven (7) days of same.
- Failure to properly fill out City reports or records in a timely manner.
- Acting or speaking in a discourteous manner toward a fellow employee or any visitor to City facilities.
- Improper use of computers, PC's, copy machines or other office equipment.
- Violation of the Social Media Policy.
- Failure to maintain proper hygiene.
- Failure to comply with the City's Dress Code.

## **702 Drug and Alcohol Use/Abuse**

Effective Date: 07/02/2001

Revision Date: 04/01/2014

The City is concerned about the ultimate effects of the use of legal and illegal drugs and the use of alcohol upon the health and safety of its employees and the public. The City recognizes that studies show that alcohol abuse and the use of drugs leads to increased accidents and medical claims. Employees who abuse drugs and alcohol present a danger to themselves, their fellow employees, the City and the public. In addition, the increased medical costs incurred by employees who use/abuse drugs and/or alcohol and the associated decreased productivity of these individuals, because of accidents, absenteeism and turnover adversely affect achievement of the City's mission and goals.

It is City's desire to provide a drug-free, healthful, productive, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on City premises and while conducting business-related activities off City premises, no employee may use, possess, distribute, purchase, sell, or be under the influence of alcohol, legal or illegal drugs or possess associated paraphernalia. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Employees using prescription and/or over-the-counter medication are responsible for being aware of any potential effect such drugs may have on their judgment or ability to perform their duties. It is considered a violation of this policy for any employee to use prescription drugs that have not been legally obtained or in a manner for a purpose other than as prescribed.

A drug-free workplace prohibits the manufacture, distribution, dispensing, possession, or use of controlled substances and associated paraphernalia. This includes the misuse or abuse of prescription drugs. It also includes attempting to enter or being in the workplace under the influence of alcohol, drugs, or controlled substances. The workplace is defined as entry upon or presence on City property, any work site throughout the City, including the parking lot, driveway, or any other City premises or work site. This includes City vehicles and any private vehicles parked on City premises or work sites.

To inform employees about important provisions of this policy, the City has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees, and consequences for violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these matters with their supervisor or Human Resources to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all City policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause City any undue hardship.

As a condition of employment, employees must abide by the terms of this policy and must notify the City in writing of any conviction of a violation of a criminal drug statute no later than five (5) days after such conviction. An employee or applicant will not be penalized solely for his/her status as a registered qualifying patient or registered designated caregiver under the Compassionate Use of Medical Cannabis Pilot Program Act, unless failing to do so would put the City in violation of federal law or would cause the City to lose a monetary or licensing-related benefit under federal law. The City prohibits the use and storage of cannabis on its property, at all workplaces and in any employer-owned vehicles. No part of this policy, nor any of the procedures hereunder, guarantees employment, continued employment, or terms or conditions of employment or limits in any way the City's rights to manage its workplace or discipline employees.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

This policy is not intended to cover, and should not be regarded as covering, every possible situation that could occur. It does, however, put forth the City's intent and foundation from which to work. Unique and/or unusual circumstances that do come up will be dealt with on an individual basis.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or Human Resources without fear of reprisal.

#### Reasonable Suspicion Drug—and Alcohol Testing

Reasonable suspicion which is based on a belief that an employee is using or has used drugs or alcohol in violation of the City's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:

- Observable phenomena while at work such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- A report of substance abuse, provided by a reliable and credible source;
- Evidence that an individual has tampered with a drug or alcohol test during his/her employment with the City;
- Information that an employee has caused, contributed to, or been involved in an accident while at work; or
- Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the City's premises or while operating the City's vehicle, machinery, or equipment. Non-safety sensitive employees will not be subject to alcohol testing circumstances wherein no reasonable suspicion exists (as defined above). However, safety sensitive employees will be subject to alcohol testing and all employees will be subject to drug testing in the following circumstances

- A written record shall be made of the observations leading to a controlled substances reasonable suspicion test within twenty-four (24) hours of the observed behavior or before the results of the test are released, whichever is earlier. A copy of this documentation shall be given to the employee upon request, and the original documentation shall be kept confidential by the City and shall be retained by the City for at least one (1) year.

## 703 No Harassment Policy

Effective Date: 07/02/2001

Revision Date: 09/03/2017, 01/02/2018

*See also Harassment Prevention Handbook (located on the City's Intranet site)*

*See also Public Act 100-0554 and Ordinance 4024 approved January 2, 2018: Policy Against Discrimination, Harassment & Sexual Misconduct*

*See also Section 108 - Personal Relationships in the Workplace*

The City is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, sexual orientation, race, color, national origin, ancestry, age, religion, physical or mental disability, marital status, pregnancy, childbirth, medical or common conditions related to pregnancy and childbirth, gender-identity, gender-expression, genetic information, arrest record, housing status, military status, unfavorable discharge from military service, order of protection status, citizenship status, or any other legally protected characteristic will not be tolerated. The City provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. Examples of situations that could be considered harassment include (but are not limited to):

- Unwanted sexual advances or continued requests for a date in any form.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering (elevator eyes), making sexual gestures, or displaying sexually suggestive or discriminatory objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.
- Using pet names in reference to others.
- Loss of status due to belonging in a protected classification.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If someone (co-worker, supervisor, contractor, resident, other customer) is behaving in a way that makes you uncomfortable, be empowered to tell that it offends you. If you are advised by another person that your behavior is offensive to them, you must immediately stop the behavior, regardless of whether you agree with the person's perceptions of your intentions.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Human Resources Office, City Attorney or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation. Illinois law provides protections to whistleblowers as set forth in the Whistleblower Act, 740 ILCS 174/15 and the Illinois Human Rights Act, 775 ILCS 5/6-101. Pursuant to Public Act 100-0554, Grant Litteken is designated as the Ethics Officer and can be reached at 618-624-4500, glitteken@ofallon.org.

In addition, employees who believe they have been subjected to unlawful harassment may report the same to the Illinois Department of Human Rights at (217) 785-5100 or the Equal Employment Opportunity Commission (EEOC), 800-669-4000. Confidential reports of harassment or discrimination may also be filed with these agencies. For matters involving the abuse of minors the Illinois Department of Children and Family Services (DCFS) may be contacted by dialing 1-800-25-ABUSE. The Illinois Department of Human Rights has an established investigative process through which you may file a complaint which will be handled by that Department. Be advised that there are timeline limitations for filing a valid claim with these agencies.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Office or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to discipline, up to and including discharge.

False Reports Prohibited: It is a violation of this policy for an employee to make a false report of discrimination, harassment, sexual misconduct, or retaliation. An employee who is found to have knowingly made a false report is subject to disciplinary action, up to and including discharge.

## **704 Attendance and Punctuality**

Effective Date: 07/02/2001

Revision Date: 02/28/2018

Each employee plays an important part in the daily business operations of the City. Therefore, good attendance and timeliness by all employees is necessary. When employees are punctual, it projects a sense of professionalism and commitment and the workplace operates more smoothly.

Departments have the discretion to define punctuality due to the varying requirements of each position. Employees will be held accountable for adhering to their workplace schedule which keeps the negative impact on fellow employees to a minimum. For clarification, walking in the door of your worksite is not sufficient to be considered punctual; employees must be present and prepared to work (including dressed appropriately, at work station and logged in where applicable) at the start of their shift as designated by their department's requirements.

Whenever an employee is going to be absent or tardy from work, it is the employee's responsibility to contact their supervisor before their scheduled work time. In the event that the supervisor is not available, you must contact another supervisor and explain the situation. If an employee fails to notify the City of their absence for three (3) consecutive days it will be considered as "quit without notice" and the employee will be removed from the payroll. For any given unexcused absence, a doctor's excuse or other documentation may be required before the employee can return to work.

Excessive unexcused tardiness/absenteeism is defined as follows:

- Three (3) unexcused absences or incidents of tardiness in a thirty (30) day period
- Four (4) unexcused absences or incidents of tardiness in a sixty (60) day period
- Five (5) unexcused absences or incidents of tardiness in a ninety (90) day period

Excessive tardiness will result in disciplinary action up to and including discharge.

If the City is not notified and no extenuating emergency circumstances exist, the absence/tardiness will be considered unexcused. In addition, reported absences for reasons not considered to justify the absence in the City's sole discretion, will be considered unexcused. An employee who violates this policy may be subject to discipline, up to and including termination of employment.

## 705 Personal Appearance

Effective Date: 07/02/2001

Revision Date: 02/28/2018

*See also City Intranet resource outlining appropriately "Wearing Leggings at Work"*

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the City presents to customers and visitors.

During business hours or when representing the City, you are expected to present a clean, neat, and tasteful appearance (i.e. conformity with the Personal Appearance Guidelines listed below). You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or Department Head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made for a person with a qualifying disability or religious need.

Without unduly restricting individual tastes, the following common sense personal appearance guidelines should be followed (including but not limited to):

- Shoes must provide safe, secure footing, and offer protection against hazards.
- Tank tops, tube or halter tops may not be worn under any circumstances.
- Shorts may not typically be worn. Weather conditions and the duties of some positions may occasionally make shorts appropriate apparel provided previous Department Head approval is received.
- Mustaches and beards must be clean, well-trimmed, and neat.
- Hairstyles are expected to be in good taste.
- Unnaturally colored hair and extreme hairstyles, such as extremely high spiked hair, does not present an appropriate professional appearance.
- Offensive body odor and poor personal hygiene is not professionally acceptable.
- Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.
- Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
- Facial jewelry, such as eyebrow rings, nose rings (other than a single piercing of the nostril), septum rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during business hours.
- Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing must not be worn during business hours.
- 
- No spandex or form fitting clothing with some exceptions. Note: The City recognizes that the societal pendulum is swinging and while form fitting clothing such as leggings are becoming a more accepted part of a dress ensemble (as are tights worn under skirts), the City's preferred day-to-day "look" does not overtly include them. Leggings/tights that are of bright, multi-color, geometric designs are considered overly flamboyant from a professional standpoint and are not congruent to the image that the City wants to exhibit to the community.

- Not to unduly restrict individual tastes and in order to offer greater options, we do not wish to prohibit these articles. However, if you choose these articles for work, we request that you stick to solid, conservatively colored leggings/tights and match them up with longer shirts/cardigans/skirts that extend to the mid-thigh at a minimum. This means that the area where your thigh meets the top of your leg (gluteal sulcus) should always be covered in leggings, even when you need to bend. These limitations also extend to your choices for Casual Days (see Section 706 below).

Tattoos that are inappropriate, offensive, sexist, racist, vulgar, anti-social, gang related, extremist group related or may bring discredit upon the City of O'Fallon are prohibited. Whether a tattoo's content is deemed appropriate or inappropriate, shall be at the discretion of the City Administrator or their designee.

A tattoo is considered inappropriate if it depicts, describes, or otherwise refers to violence, depiction of nudity, sexual conduct, acts, or organs.

A tattoo is considered offensive if it depicts, describes or refers to intolerance of, or discrimination against any race, color, preference, creed, religion, gender, national origin, or; it is commonly associated with any organization or group which advocate such intolerance or discrimination; or it brings discredit upon the agency or violates standards of decency or morality.

Tattoos or brands, regardless of the subject matter, are prohibited on the head, face (except for permanent makeup), and neck (anything above the t-shirt neckline to include on/inside the eyelids, mouth, and ears). Tattoos or brands, regardless of the subject matter are prohibited on the hands below the wrist (except for those depicting rings on no more than one finger on each hand).

Employees with prohibited tattoos and/or body art have the following options:

- Cover the body art with clothing/uniform or makeup so that it may not be seen.
- Have the body art removed at the employee's expense.

In addition, particular departments (e.g. Police, Fire, Public Works) may have other specific appearance rules or guidelines often for safety reasons regarding employees in those departments.

## **706 Casual Days**

Effective Date: 07/02/2001

Revision Date: 04/01/2014

The following information is intended to serve as a guide to help define appropriate casual business wear for all exempt employees during designated casual days at the City. These same standards apply to nonexempt employees on an everyday basis, unless the position requires public contact. Each Friday will be a designated casual day. Other days, such as certain holidays or days preceding holidays, may be designated as casual days with prior notification from the City Administrator's office. In addition, the department director may allow employees to dress in jeans for work-related reasons.

The City's primary objective is to have employees project a professional image while taking advantage of more casual and relaxed fashions. Casual dress offers a welcome alternative to the formality of typical business attire. However, not all casual clothing is appropriate for the office. Casual business wear means clean, neat, professional clothing. It is never appropriate to wear stained, wrinkled, frayed, or revealing clothing to the workplace. If you are considering wearing something and you are not sure if it is acceptable, choose something else or inquire first.

Listed below is a general overview of acceptable casual business wear as well as a listing of some of the more common items that are not appropriate for the office. Obviously, neither group is intended to be all inclusive. Rather, these items should help set the general parameters for proper casual business wear and allow you to make intelligent judgments about items that are not specifically addressed.

Examples of acceptable casual wear include:

- slacks
- jeans (in good condition)
- capris (mid-calf length or longer; no large side pockets)
- casual dresses and skirts (moderate in length)
- casual shirts and blouses (covering the midriff)
- golf shirts or shirts with City logo or non-offensive logos smaller than 3 sq. inches.
- turtlenecks
- sweaters
- loafers
- athletic shoes (clean and in good condition)
- dress sandals

Examples of inappropriate clothing items that should not be worn on casual days include:

- jeans or other items that are excessively worn or faded
- sports team shirts or jerseys (unless on an approved St. Louis Spirit Day)
- sweat pants
- warm-up or jogging suits and pants
- short shorts or skirts
- bib overalls
- cargo pants with large pockets (unless appropriate for position and approved by supervisor; not for office environment)
- spandex or other form fitting pants (*see leggings details above*)
- spaghetti-strap dresses without a jacket
- T-shirts
- sweatshirts
- clothing with offensive messages or images including advertisement for alcoholic beverages
- tank tops
- halter tops
- tops with bare shoulders unless worn under a blouse or jacket
- visible undergarments
- slippers
- thong slippers, flip flops, sport or overly casual sandals

Clothing that is considered to be revealing will not be allowed on any employee. This would include clothing that does not cover from shoulders to thighs. Items that display cleavage in any manner are also prohibited.

For some, traditional business attire may simply remain a more favored option on casual days. For instance, employees who have meetings scheduled outside the office or with vendors or other non-City individuals on a designated casual day are expected to dress professionally. We hope and fully expect that casual days will help make our workplace more enjoyable and productive.

Any employee who does not meet the standards of this policy, as determined by his or her immediate supervisor, will be required to take corrective action, which may include leaving the premises. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy. Employees who refuse to comply with this policy may be subject to discipline, up to and including termination of employment.

## **707 Return of Property**

Effective Date: 07/02/2001

Revision Date:

Employees are responsible for all City property, materials, or written information issued to them or in their possession or control. All City property must be returned by employees on or before their last day of work. Where permitted by applicable laws, City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. City may also take all action deemed appropriate to recover or protect its property.

## **708 Security Inspections**

Effective Date: 07/02/2001

Revision Date:

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

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the City. Accordingly, any authorized agent or representative of City can inspect them, as well as any articles found within them, at any time, either with or without prior notice. The City reserves the right to turn over any items found to the proper law enforcement officials.

## **709 Weapons and Firearms Prohibited**

Effective Date: 04/01/2014

Revision Date:

The City seeks to protect the safety of employees, visitors and citizens. In recognition of the Illinois Firearm Concealed Carry Act (430 ILCS 66), the City adopts the following policy.

For purposes of this policy, Employee shall mean all persons performing work for City in any job classification, including but not limited to, full-time employees, part-time employees, temporary employees, seasonal employees, probationary employees, contractual employees, elected or appointed officials, elected or appointed members of any committee or commission, and/or volunteers for the City or governing body. This definition shall not include, for purposes of this policy, law enforcement officers who are specifically authorized by law to carry a weapon or firearm or any other employee specifically authorized by law to carry a weapon or firearm in the course of his/her employment with City.

“Weapon,” for purposes of this policy, includes but is not limited to firearms of any sort; air guns; stun guns, like TASERS, or other stun devices; knives with blades longer than four inches; explosive material, including fireworks; brass knuckles or other fighting instruments; martial arts weapons such as nun chucks or throwing stars; and all other dangerous weaponry.

Prohibited Conduct:

I. Pursuant to this policy, employees are prohibited from carrying weapons in any of the following areas and may be subject to discipline up to and including termination for violating this policy. Employees are prohibited from carrying weapons:

- A. In any building owned or leased by City;
- B. At any work location controlled by City;
- C. In any vehicle leased or owned by City;
- D. At any site controlled by City;

- E. At any time or in any area that is associated with the employee's work with City;
- F. At any time while the employee is acting within the scope and course of his/her employment.

II. Employees are also prohibited from carrying a weapon on or into one of the prohibited areas defined by the Illinois Firearm Concealed Carry Act while acting within the course and scope of his or her employment and may be subject to disciplinary action up to and including termination for violating this policy. Prohibited areas are defined by the Illinois Firearm Concealed Carry Act as:

- A. Any building, real property, and parking area under the control of a public or private elementary or secondary school;
- B. Any building, real property, and parking area under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility. Nothing in this paragraph shall prevent the operator of a child care facility in a family home from owning or possessing a firearm in the home or license under this Act, if no child under child care at the home is present in the home or the firearm in the home is stored in a locked container when a child under child care at the home is present in the home.
- C. Any building, parking area, or portion of a building under the control of any officer of the executive or legislative branch of government, provided that nothing in this paragraph shall prohibit a licensee from carrying a concealed firearm onto the real property, bikeway, or trail in a park regulated by the Department of Natural Resources or any other designated public hunting area or building where firearm possession is permitted as established by the Department of Natural Resources under Section 1.8 of the Wildlife Code.
- D. Any building designated for matters before a circuit court, appellate court, or the Supreme Court, or any building or portion of a building under the control of the Supreme Court.
- E. Any building or portion of a building under the control of a unit of local government.
- F. Any building, real property, and parking area under the control of an adult or juvenile detention or correctional institution, prison, or jail.
- G. Any building, real property, and parking area under the control of a public or private hospital or hospital affiliate, mental health facility, or nursing home.
- H. Any bus, train or form of transportation paid for in whole or in part with public funds, and any building, real property and parking area under the control of a public transportation facility paid for in whole or in part with public funds.
- I. Any building, real property, and parking area under the control of any establishment that serves alcohol on its premises, if more than 50% of the establishment's gross receipts within the prior 3 months is from the sale of alcohol. The owner of an establishment who knowingly fails to prohibit concealed firearms on its premises as provided in this paragraph or who knowingly makes a false statement or record to avoid the prohibition on concealed firearms under this paragraph is subject to the penalty under subsection (c-5) of Section 10-1 of the Liquor Control Act of 1934.
- J. Any public gathering or special event conducted on property open to the public that requires the issuance of a permit from the unit of local government, provided this prohibition shall not apply to a licensee who must walk through a public gathering in order to access his or her residence, place of business or vehicle.
- K. Any building or real property that has been issued a Special Event Retailer's license as defined in Section 1-3.17.1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special Event Retailer's license, or a Special use permit license as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.
- L. Any public playground.
- M. Any public park, athletic area, or athletic facility under the control of a municipality or park district, provided nothing in this Section shall prohibit a licensee from carrying a concealed firearm while on a trail or bikeway if only a portion of the trail or bikeway includes a public park.
- N. Any real property under the control of the Cook Employer Forest Preserve District.
- O. Any building, classroom, laboratory, medical clinic, hospital, artistic venue, athletic venue, entertainment venue, officially recognized university-related organization, property, whether owned or leased, any real property, including parking areas, sidewalks, and common areas under the control of a public or private community college, college or university.

- P. Any building, real property, or parking area under the control of a gaming facility licensed under the Riverboat Gambling Act or the Illinois Horse Racing Act of 1975, including an inter-track wagering location licensee.
- Q. Any stadium, arena, or the real property or parking area under the control of a stadium, arena, or any collegiate or professional sporting event.
- R. Any building, real property, or parking area under the control of a public library, airport, amusement park, zoo or museum.
- S. Any street, driveway, parking area, property, building, or facility, owned, leased, controlled, or used by a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission. The licensee shall not under any circumstance store a firearm or ammunition in his or her vehicle or in any compartment or container within a vehicle located anywhere in or on the street, driveway, parking area, property, building, or facility described in this paragraph.
- T. Any area where firearms are prohibited under federal law.

Storage: Any employee who does not possess a valid license to carry a concealed firearm is prohibited from bringing a firearm onto a parking lot owned or leased by City. Employees are prohibited from bringing any other weapons onto a parking lot owned or leased by City.

An employee of City with a valid license to carry a concealed firearm who chooses to carry a concealed firearm while driving to and from work and park in a parking lot owned or leased by City must store his or her firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. An employee with a valid license to carry a concealed firearm may carry a concealed firearm within a prohibited parking lot area only 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. An employee with a valid license to carry a concealed firearm must make certain that the firearm is properly stored in accordance with this policy and Illinois law prior to acting in the course and scope of his or her employment.

Under Federal H.R. 218 "Law Enforcement Officers Safety Act of 2004," and improvements, and Illinois Public Act 094-0103, a retired police officer who is certified and eligible to carry under Illinois Retired Officer Conceal Carry (IROCC), who carries personal liability insurance, meets and certifies that training, safety and use of force practices are being upheld, shall be allowed to carry a concealed firearm on City premises.

Policy Violations: Any employee who violates this policy is subject to discipline up to and including termination. The City will not defend or indemnify any employee for an act or omission in violation of this policy.

## **710 Solicitation**

Effective Date: 07/02/2001

Revision Date:

In an effort to ensure a productive and harmonious work environment, persons not employed by the City may not solicit or distribute literature in the workplace at any time for any purpose.

The City recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time (including the working time of the employee who is soliciting and the working time of the employee being solicited). Working time does not include, for example, lunch periods, work breaks, or any other periods in which employees are not on duty.

Employees may not distribute literature at any time for any purpose in working areas. Working areas are defined as all areas of the property in which employees normally perform their work. Non-working areas include, for example, break rooms, parking lots and restrooms.

In addition, the posting of written solicitations on City bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Employee announcements
- Job openings
- City announcements
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

If an employee desires to post an item of interest, he or she may do so by posting a notice on a designated employee bulletin board. Nothing of a derogatory or profane nature, nor anything which violates the City's No Harassment policy may be posted. In addition, all postings must be removed within 90 days of posting. Please direct any questions about the Solicitation policy to Human Resources.

## **711 Drug Testing**

Effective Date: 07/02/2001

Revision Date: 05/01/2014

It is the policy of the City that employees shall not be involved in the use, consumption, possession, sale, distribution or transfer of mind or behavior altering or illegal substances while on City premises, in City vehicles, or at any time while conducting City business. Employees may not use drugs (including marijuana) or narcotics in any manner which may affect their ability to perform assigned job duties or which otherwise adversely affects the City or its reputation. All applicants for employment must successfully pass a drug screen after a conditional employment offer has been made and before beginning employment with the City. In addition, the City will drug test applicants and employees subject to the Department of Transportation ("DOT's") regulations in accordance with the appropriate DOT rules related to drug testing.

This policy does not prohibit the use of prescription drugs in a manner approved by the prescribing physician, but only if such use does not affect the employee's ability to safely perform his/her job duties. An employee taking a prescribed drug that could affect his/her mind or behavior while on City premises or while on duty must report this usage to their supervisor by appropriate documentation and prior to the start of the shift.

The City may perform drug and alcohol testing in the following situations: post-job offer, pre-hire; reasonable suspicion; post-accident/incident; post-injury; and return to duty.

No employee will suffer loss of wages while undergoing such tests, and all costs involving transportation to and from a hospital or laboratory, if any, and any and all costs of examination and tests will be paid for by the City.

An employee's refusal to submit to such tests for mind or behavior-altering or illegal substances, including but not limited to drugs or narcotics, will be considered a refusal of a direct order and will result in discharge. In addition, if the laboratory or hospital's lab analysis report shows that any of the above-mentioned screening tests prove positive for any employee, the employee will be subject to discipline up to and including discharge.

Any unlawful use, consumption, possession, sale, distribution or transfer of mind or behavior-altering or illegal substances, including but not limited to drugs or narcotics, by an employee on City property or by an employee while on duty, including paraphernalia with the residue of such substances, including but not limited to drugs or narcotics, will subject an employee to discipline up to and including discharge. Any evidence obtained by the City of the unlawful use, consumption, possession, sale, distribution, or transfer of mind or behavior-altering or illegal substances may be turned over to appropriate enforcement agencies for prosecution.

It remains the policy of the City to encourage any employee with drug dependency problems to voluntarily seek professional assistance before the problem leads to an incident requiring disciplinary action. However, where a violation of the policy has occurred, the employee's subsequent request to submit to a rehabilitation program shall

not serve to waive the application of disciplinary action deemed appropriate for the policy violation. The City will enforce this policy in an unbiased, nondiscriminatory manner and in accordance with all applicable federal and state laws.

## **712 Progressive Discipline**

Effective Date: 07/02/2001

Revision Date:

The purpose of this policy is to state the City's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The City's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the City is based on mutual consent and both the employee and the City have the right to terminate employment at will, with or without cause or advance notice, the City may use progressive discipline at its discretion.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment. If more than 12 months have passed since the last disciplinary action, the process will normally start over.

The City recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all-inclusive, but may be examples of unsatisfactory conduct that will trigger progressive discipline. *See Section 701: Employee Conduct and Work Rules*

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the City.

## **713 Problem Resolution / Open Door Policy**

Effective Date: 07/02/2001

Revision Date:

The City is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from City supervisors and management.

The City strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. This policy applies only to current employees. No employee will be penalized, formally or informally, for voicing a complaint with the City in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents problem to immediate supervisor within 15 calendar days after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Department Head.
2. Supervisor responds to problem during discussion or within 10 calendar days, after consulting with appropriate management, when necessary. Supervisor documents discussion.
3. If not resolved through the process above, employee presents problem in writing to Department Head within 15 calendar days of the supervisor's response.
5. Department Head responds to problem during discussion or within 15 calendar days, after consulting with appropriate management, when necessary. Department Head documents discussion.
6. If not resolved, employee presents problem to City Administrator in writing within 15 calendar days of the Department Head's response if problem is unresolved.
7. City Administrator reviews and considers problem. City Administrator informs employee of decision within 30 calendar days, and forwards copy of written response to Human Resources to be placed in the employee's file. The City Administrator has full authority to make any adjustment deemed appropriate to resolve the problem. The City Administrator's decision will be final.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

## **801 Life-Threatening Illnesses in the Workplace**

Effective Date: 07/02/2001

Revision Date:

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The City supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, the City will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The City will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. In addition, any employee who receives any medical information about any other employee must keep this information completely confidential. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact Human Resources or the City's Employee Assistance Program for information and referral to appropriate services and resources.

The following guidelines govern the donation of vacation or personal time from one employee to another employee:

Up to forty-eight (48) hours of personal and/or vacation time may be donated to an employee by another employee if the employee, the employee's spouse or child is suffering from a non-work related, severe or life threatening illness, injury, impairment or physical or mental condition which has caused or would cause the employee to:

1. Be unable to perform his/her regular work duties as documented by a medical doctor's certification describing the nature of illness and prognosis for the employee and/or the employee's spouse or child.
2. Take leave without pay.

An employee shall be eligible to receive donated personal and/or vacation time if the following conditions exist:

1. The employee has exhausted all his/her paid leave including, but not limited to: sick leave, personal days, vacation, and compensatory time.
2. The employee has a minimum of six (6) months of service and had no less than one-half of the sick leave that the employee was eligible to accrue by virtue of his length of service in his sick bank at the onset of the qualifying illness or injury.
3. The request for donation of personal/vacation time to the employee is approved by the department director.

An employee shall be eligible to donate personal and/or vacation time to another employee if:

1. The donation of such time will not cause the accrued vacation time balance of the donating employee to be less than forty (40) hours at the time that donation is requested.
2. The request for donation is submitted to the Human Resources Department in writing and is approved by the department director.

When donation of personal and/or vacation time is requested, and at any other time during the use of donated time, an employee shall be required by the City to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition is severe or life threatening and prevents the employee from performing his/her regular work duties when requested. If an employee fails to provide evidence as required, the use of donated time may be denied or terminated.

Donated time may only be used for the duration of the current illness, injury, impairment, or physical or mental condition of the employee for whom it was donated.

Donated time shall not be transferable to any other employee,

Use and acceptance of donated time shall terminate upon medical certification that:

1. The severe illness, injury, or impairment of physical or mental condition is no longer life threatening; or
2. The employee is able to return to work; or
3. The employee terminates, retires or goes on disability.

Donated time shall be compensated according to the receiving employee's regular rate of pay. The rate of pay of the donating employee shall not be a factor in determining the amount of compensation the recipient employee receives.

Any unused portion of the benefit time donated shall be prorated among all donating employees based upon the original amount of donated time. Donated time shall not be returned to donating employees in increments of less than one (1) full hour or to any person who is no longer a City employee.

## **802 Recycling**

Effective Date: 07/02/2001

Revision Date: 04/01/2014

The City supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of

products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at the City:

- paper
- aluminum
- cardboard
- plastic
- glass

The simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

The City encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- communication through computer networks with e-mail
- two-sided photocopying
- reusing paper clips, folders, and binders
- turning off lights when not in use

Whenever possible, employees of the City are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

## **803 Suggestion Program**

Effective Date: 07/02/2001

Revision Date:

As employees of the City, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

A suggestion is an idea that will benefit the City by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making the City a better or safer place to work. Statements of problems without accompanying solutions or recommendations concerning co-workers and management are not appropriate suggestions.

All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help. Submit suggestions to your supervisor.

## **804 Remote/Telecommuting Work**

Effective Date:

Revision Date: 07/07/2021

The City of O'Fallon Remote/Telecommuting Policy applies to work outside of the Organization's premises/offices. The Telecommuting Policy is for employees who have requested, or who have been required, to work from a location other than an organization location either on a sporadic or more frequent basis. The telecommuting location may be the employee's home or another suitable location. Employees may use telephones and, in many instances' computers, to communicate effectively.

Telecommuting is supported in situations where the arrangement is in the best interest of the Organization and employee(s). Nothing in this Policy creates an employee right in relation to telecommuting. Any telecommuting agreement must be approved by the City Administrator or his/her designee.

Nothing in the telecommuting arrangement changes or alters the at-will employment relationship between the Organization and the employee. A telecommuting employee shall follow all work rules and other policies while telecommuting.

While telecommuting, the employee shall be reachable by voice, messaging, fax, pager, or e-mail during agreed-upon work hours. The employee and supervisor shall agree on expected turnaround time and the medium for responses.

The telecommuter will have regularly scheduled work hours agreed upon with the supervisor, including specific core hours and telephone or other approved method for voice accessibility. The agreed upon work schedule shall comply with federal and state regulations. Overtime work for `non-exempt employees must be pre-approved by the supervisor. Non-exempt employees are required to track their time worked and submit their hours to their supervisor so that they can be compensated for all working time.

All work shall be performed according to the same high standards as would normally be expected at the primary worksite.

The telecommuting employee must agree to indemnify the Organization, its affiliates, contractors, employees, and agents for any and all claims, demands, or liability resulting from or arising in connection with any injuries, accidents, damages or liabilities, caused directly or indirectly, by the employee's willful misconduct or negligent acts or omissions in the performance of duties and obligations under this Policy, except where claims, demands or liability arise solely from gross negligence or willful misconduct of the Organization or where prohibited by any applicable law.

Products, documents and records that are used, developed, or revised while telecommuting shall be placed and worked on the Organization's network system and may not be stored, copied or work on using any non-IT approved or provided equipment, cloud application, storage or email account.

Security and confidentiality shall be maintained by the telecommuting employee at the same level as expected at all worksites. Restricted access or confidential material shall not be taken out of the primary worksite or accessed through a computer unless approved in advance by the supervisor. The telecommuter is responsible to ensure that non-employees do not access Organization materials in any form (print or electronic). Any data sent to the Organization network during the course of telework is subject to monitoring and recording.

The City may provide specific tools/equipment for the employee to perform their duties, such as a laptop and technology solutions. Issued equipment will be approved by the IT Department in consultation with the supervisor and depend on the type of work to be performed. The employee and supervisor are responsible for keeping an inventory of City-owned property. The use of City-issued equipment is limited to authorized persons and for purposes relating to City business and that existing City rules concerning protection or property are not violated. Support for City equipment and software will be provided via remote means when possible but will not be provided physically at remote locations. If there is a need for physical support, it will be the responsibility of the employee and supervisor to bring the equipment to IT, when possible. Support is not provided for personal equipment, remote network, etc. The department does not guarantee remote connectivity to IT resources. The employee is

responsible for returning any City-owned tools/equipment for repairs or replacement, upon completion of the telework assignment or upon separation from employment.

Employees who work from an alternative location and have been authorized to do so must ensure they have a high-speed internet connection and telephone service in the alternative location approved for telecommuting purposes. The City will not pay for, or reimburse the employee for high-speed internet connection and telephone service in the alternative location approved for telecommuting purposes unless otherwise authorized by the City Administrator or his/her designee.

The employee agrees to designate a workspace within the assigned remote work location (such as a home office) to be used while teleworking. Employee shall maintain this workspace in a safe condition, free from hazards and other dangers to employee and equipment.

A Department Head must provide written justification for the teleworking arrangement to the City Administrator's office or Human Resources Department prior to consideration. All applications must be reviewed by Human Resources prior to approval. The City Administrator, or their designee, shall have final authority to approve, deny, or modify any teleworking arrangement.

The Organization will assess work from home requirements on an ongoing basis and has the discretion to modify, change, or discontinue the telecommuting arrangements at any time, with or without advance notice, as the Organization deems appropriate. The Organization's priorities will always be the safety and health of all of its employees. The Supervisor, Department Head or City Administrator reserves the right to cancel or modify an assignment for planned or unplanned short-term and long-term employee absences, emergencies, and vacations. This also includes mandatory staff meetings, trainings, or other work assignments.

## **804 Personnel Appeals Process**

Effective Date: 07/02/2001

Revision Date: 05/01/2014

Any employee (except Department Heads) who has been discharged, suspended for three (3) days or more, or demoted with a corresponding loss in pay has a right to a post-disciplinary hearing.

In each case in which the employee/former employee seeks a name-clearing hearing, the employee shall present a written statement of position to the City Administrator within 10 days of the disciplinary action at issue. The City Administrator shall then establish a committee, consisting of three (3) Department Heads, none of whom took the disciplinary action in question, for purposes of the hearing.

Within 30 days after the establishment of the committee, a hearing will be held at which time the employee/former employee may present any arguments or evidence as to why he/she believes the disciplinary action taken should be modified. Within 10 days after the hearing, the committee shall provide the employee/former employee with a written decision.

If the employee/former employee is not satisfied with the decision of the committee, he/she may appeal the decision to the City Administrator in writing. Within 30 days of receipt of the appeal, the City Administrator will meet with the employee/former employee and give him/her the opportunity to present any additional arguments or evidence. The City Administrator will render his/her written decision within 10 days. The City Administrator's decision will be final.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

I acknowledge that I have access to a copy of the Employee Handbook (Personnel Code) for the City of O'Fallon. The employee handbook describes important information about my employment with the City of O'Fallon, and I understand that I should consult the Human Resources Office regarding any questions not answered in the handbook. I have entered into my employment relationship with the City of O'Fallon voluntarily and acknowledge that my employment is "at-will," meaning that there is no specified length of employment, unless I am covered by the terms of a collective-bargaining agreement or an individual contract that provides otherwise. Accordingly, either the City of O'Fallon or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the City of O'Fallon's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the City Administrator of the City of O'Fallon has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained herein and any revisions made to it.

Acceptance of, or continuation of, employment on or after the effective date of this employee handbook acknowledges that I agree to the terms contained herein and accept the City of O'Fallon's policies and requirements as stated herein.

My signature below acknowledges that I have received access to a copy of the employee handbook, and that I agree to the terms and conditions of this Employee Handbook Acknowledgement.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE:

DATE: \_\_\_\_\_