

# PERSONNEL POLICIES MANUAL

Revised: January 2024

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TABLE OF CONTENTS

	<u>Page</u>
<b>Welcome Message .....</b>	<b>1</b>
<b>Purpose and Disclaimer.....</b>	<b>2</b>
<b>Collective Bargaining Agreements .....</b>	<b>3</b>
<b>Our Village and Government.....</b>	<b>3</b>
<b>Organizational Chart .....</b>	<b>5</b>
<b>Section 1 – Governing Principles of Employment.....</b>	<b>6</b>
1-1. Equal Employment Opportunity.....	6
1-2. Employment At-Will.....	6
1-3. Americans with Disabilities Act (ADA).....	6
1-4. Pregnancy Accommodations .....	7
1-5. Nursing Mothers Accommodation.....	7
1-6. Non-Harassment .....	7
1-7. Sexual Harassment .....	8
1-8. Reporting Harassment and/or Discrimination Allegations .....	9
1-9. Elected Official Complaint Process.....	11
1-10. Genetic Information Non-Discrimination Act (GINA) .....	11
1-11. Drug and Alcohol Free Workplace.....	12
1-12. Prescription, Over-the-Counter, and Licensed Drug Use.....	14
1-13. Confidential Information .....	14
1-14. Whistleblower Act.....	15
1-15. Abused and Neglected Child Reporting Act.....	16
1-16. Illinois Civil Union Act.....	16
1-17. Immigration Law Compliance .....	16
<b>Section 2 – Employment Practices .....</b>	<b>17</b>
2-1. Residency .....	17
2-2. Hiring Process.....	18
2-3. Employee Orientation .....	18
2-4. Training and Orientation Period.....	18
2-5. Employee Classifications.....	18
2-6. Employee Identification Cards.....	19
2-7. Hours of Work.....	20
2-8. Nepotism .....	21
2-9. Re-Hire Policy.....	21
2-10. Outside Employment.....	21
<b>Section 3 – Personal Conduct Expectations and Disciplinary Action .....</b>	<b>23</b>
3-1. Communication/Chain of Command.....	23
3-2. Standards of Conduct .....	23
3-3. Reasons for Disciplinary Action .....	24

# VILLAGE OF HAWTHORN WOODS - Personnel Policies Manual

---

3-4.	Forms of Disciplinary Action.....	25
<b>Section 4 – Administrative Policies .....</b>		<b>26</b>
4-1.	Personal Appearance.....	26
4-2.	Personal Telephone Calls/Texting/Internet Use.....	27
4-3.	Cell Phones and Similar Electronic Devices While Driving .....	27
4-4.	Political Activity.....	27
4-5.	Conflicts of Interest .....	28
4-6.	Smoke-Free Illinois Act.....	29
4-7.	Use of Village Property.....	29
4-8.	Solicitation .....	29
4-9.	Contributions and Honorariums.....	29
4-10.	Employee Privacy Policies .....	29
4-11.	Employee Personnel Records.....	30
4-12.	Punctuality and Attendance .....	31
4-13.	Inclement Weather .....	31
4-14.	Open Door Policy .....	31
4-15.	Media Relations.....	31
<b>Section 5 – Electronic Communications and Document Retention.....</b>		<b>33</b>
5-1.	Introduction and Definitions.....	33
5-2.	Use of Electronic Communications .....	33
5-3.	Privacy.....	34
5-4.	Prohibited Activities.....	34
5-5.	Licensing.....	35
5-6.	Encryption.....	35
5-7.	Viruses and Tampering.....	35
5-8.	Disclaimer of Liability for Use of the Internet .....	35
5-9.	Duty Not to Waste Electronic Communication Resources.....	35
5-10.	Use of Credit Cards on the Internet.....	35
5-11.	Computer Security.....	36
5-12.	E-Mail Addresses.....	36
5-13.	Illinois Freedom of Information Act.....	36
5-14.	Violations.....	36
5-15.	Document Retention .....	36
<b>Section 6 – Social Media and Social Networking Policy.....</b>		<b>39</b>
6-1.	Social Media Policy.....	39
6-2.	Guidelines.....	39
6-3.	Duty to Follow the Rules .....	39
6-4.	Be Respectful .....	40
6-5.	Be Honest and Accurate.....	40
6-6.	Appropriate and Respectful Content.....	40
6-7.	Social Media at Work.....	40
6-8.	Retaliation Prohibited .....	41
<b>Section 7 – Compensation .....</b>		<b>42</b>
7-1.	Classification and Pay Plan.....	42

# VILLAGE OF HAWTHORN WOODS - Personnel Policies Manual

---

7-2.	Employee Evaluations/Career Conversations .....	42
7-3.	Salary and Wage Adjustments.....	42
7-4.	Overtime.....	42
7-5.	Compensatory Time.....	43
7-6.	Date of Hire .....	43
7-7.	Re-assignment to Lower Classification (Demotion) .....	43
7-8.	Promotions and Transfers.....	44
7-9.	Pay for Working in a Higher Classification .....	44
7-10.	Wage Garnishment.....	45
7-11.	Pay Periods .....	45
7-12.	Payroll Deductions.....	45
7-13.	Direct Deposit .....	46
7-14.	Recording Hours/Time Sheets .....	47
<b>Section 8 – Benefits.....</b>		<b>48</b>
8-1.	Eligibility for Benefits .....	48
8-2.	Group Medical Insurance.....	48
8-3.	Group Dental and Vision Plan.....	49
8-4.	Flexible Spending Accounts.....	49
8-5.	Retirement System (see also Section 11-6 Retirement Benefits) .....	49
8-6.	Deferred Compensation.....	50
8-7.	Life Insurance .....	50
8-8.	Employee Development and Promotion.....	51
8-9.	Tuition Reimbursement.....	51
8-10.	Travel and Miscellaneous Expenses .....	53
8-11.	Employee Reimbursement.....	55
8-12.	Uniforms and Equipment (also see Section 4-1).....	55
8-13.	Employee Assistance Program.....	55
8-14.	Health Insurance Portability and Accountability Act (HIPAA).....	55
8-14.	Alternate Worksite Policy.....	57
<b>Section 9 – Health and Safety.....</b>		<b>60</b>
9-1.	Responsibility for Safety.....	60
9-2.	Workplace Violence (Note: does not apply to Police Officers during the normal course of their field duties.) .....	60
9-3.	On the Job Injuries and Reporting (also see section 9-6).....	61
9-4.	Vehicle Use and Reporting an Accident .....	62
9-5.	Medical Disability/Workers Compensation.....	63
9-6.	Modified Duty/Return to Work .....	64
9-7.	Fire Prevention .....	65
9-8.	Driver’s License Checks .....	65
<b>Section 10 – Paid Time Off &amp; Leaves of Absence.....</b>		<b>66</b>
10-1.	Paid Time Off.....	66
10-2.	Holidays .....	67
10-3.	Bereavement Leave .....	68
10-4.	Jury & Court Leave .....	69
10-5.	Leave of Absence without Pay .....	69

## VILLAGE OF HAWTHORN WOODS - Personnel Policies Manual

---

10-6.	Military Leave.....	70
10-7.	Family Medical Leave of Absence (FMLA) Policy.....	72
10-8.	School Conference and Activity Leave .....	75
10-9.	Employee Blood Donation Leave .....	76
10-10.	Victim’s Economic Security and Safety Act (“VESSA”).....	77
10-11.	Time off to Vote (10 ILCS 5/17-15).....	79
10-12.	Accrual of Benefits During Leave.....	79
<b>Section 11 – Employee Separation .....</b>		<b>80</b>
11-1.	Types of Separation.....	80
11-2.	Exit Interview .....	81
11-3.	Final Pay and Benefit Issues .....	81
11-4.	Consolidated Omnibus Budget Reconciliation Act (COBRA).....	81
11-5.	Unemployment Compensation .....	82
11-6.	Retirement Benefits (see also Section 8-5; Retirement System) .....	82

## WELCOME MESSAGE

Dear Hawthorn Woods Employees,

Welcome to the Village of Hawthorn Woods for our new employees and a renewed greeting of appreciation to those already in service to the Village. On behalf of your colleagues at the Village of Hawthorn Woods, we welcome you and wish you every success in your future career at the Village. We are pleased to welcome you into this work community and extend our congratulations to you and our welcome to your family.

We believe that each and every employee is vital to the success of the Village, and we hope that you will take pride in becoming a member of our team. We recognize that we are all Ambassadors for the Village of Hawthorn Woods, whether we are in the workplace or relaxing in our home communities. Our “Village First” concept reminds us that we are public servants who take pride in our commitment and dedication to the people of this community.

This Manual was designed to outline the policies, programs, and benefits available to employees of the Village of Hawthorn Woods. Please familiarize yourself with the contents of this Manual, as it should answer many of your questions about employment with the Village. If you have any remaining questions, please do not hesitate to ask for clarification.

I serve as Chief of Staff and I have an open-door policy for all employees. I invite you to visit at any time or contact me by phone at (847) 847-3535. Our Director of Human Resources is also available to assist you with information regarding your benefit options. Please consider scheduling an appointment to meet with her to discuss your benefit opportunities.

We hope that your experience here will be rewarding and enjoyable. On behalf of the Mayor and the Board of Trustees, we welcome you to the Village of Hawthorn Woods!

With Kindest Regards,



Pamela Newton  
Chief Operating Officer  
Village of Hawthorn Woods

## PURPOSE AND DISCLAIMER

These personnel policies have been enacted by the Village of Hawthorn Woods in order to further the following goals:

1. To provide a uniform system of personnel administration throughout the Village.
2. To ensure that recruitment, selection, placement, promotion, retention, and separation of Village employees are based upon employees' qualifications and are in compliance with Federal, State and local laws.
3. To develop a personnel program that will make a career in municipal government attractive to persons who possess the ability, integrity, and dedication to public service.
4. To assist in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the Village.
5. To promote communication among all supervisors and employees.
6. To ensure, protect, and clarify the rights and responsibilities of employees.

These policies shall apply to all Village employees except elected officials and members of Village Boards and Commissions, unless otherwise noted. Volunteers and independent contractors must follow all Village policies and procedures addressing conduct in the workplace, but are not covered by workers' compensation insurance, and are not entitled to any benefits, unless otherwise specifically set forth herein. For employees who are represented by an individual services contract or a collective bargaining agreement, this Manual will only apply if that agreement is silent to that topic. In the event of conflict between these rules and a collective bargaining agreement or local, State or Federal law, the terms and conditions of that contract, or applicable law shall prevail to the extent of the conflict. In all other cases, these policies and procedures shall apply.

In the event of an amendment to any ordinance, rule, or law referenced in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.

This Manual does not intend to be all encompassing. The Village specifically reserves the right to deviate from, repeal, modify, or amend these policies or the benefits described herein at any time, with or without notice. All other previously issued policies are hereby rescinded and superseded by this Policy Manual. This Manual is not a contract. None of these provisions shall be deemed to create a vested contractual right for any employee, nor to limit the power of the Mayor or Chief Operating Officer or Village Board to repeal or modify these rules. The policies are not to be interpreted as promises of specific treatment. To the extent that an occurrence arises which is not governed by any of the policies or procedures set forth herein, the Chief Operating Officer may exercise his/her discretion to resolve the matter.

**Please note that neither the existence of any of these policies, nor anything contained in this Manual is intended to create or shall create an employment contract or contractual commitment, either expressed or implied. Unless otherwise provided in a written contract of employment approved by the Village Board, employees of the Village of Hawthorn Woods are employed “at-will” and can be dismissed at any time, with or without notice, and with or without cause.**

## **COLLECTIVE BARGAINING AGREEMENTS**

The Village has entered into a Collective Bargaining Agreement with the union that serves as the paid representative of the patrol officers who perform services within the Village. The terms and conditions of employment for the covered employees are set forth in the Collective Bargaining Agreement. In the event of any inconsistency between this Manual and a Collective Bargaining Agreement, the Collective Bargaining Agreement takes precedence but only as to those employees covered by the Agreement. Where the Collective Bargaining Agreement is silent on the matter, this Manual shall apply. Employees with questions about their Collective Bargaining Agreement should contact their union steward and/or the Chief Operating Officer for guidance.

## **OUR VILLAGE AND GOVERNMENT**

### Elected Board of Trustees

The Village of Hawthorn Woods is governed by a Board of Trustees, which serves as the legislative and policy-making body. It includes a mayor and six trustees who are elected at large by the Village.

### Village

Day-to-day operations of the Village are managed by full-time, Village staff. This professional staff of employees is joined by part-time seasonal employees as needed.

### Committees

There are currently seven committees established by Village Code. The members of these committees act in an advisory capacity to the Village Board on various issues. Each committee has a trustee liaison. Each committee generally meets once each month.

### Our History

On March 10, 1958, the formation of the Village of Hawthorn Woods was approved by a unanimous vote of the 71 residents who represented the original residents of our community. Hawthorn Woods became Lake County’s 31st municipality and quickly distinguished itself as an upscale, friendly community that placed a high value on the protection of our natural resources as we designed an estate lifestyle within the suburban region. With approximately 9,000 residents, Hawthorn Woods remains a highly desirable place to live, work, and shop in a natural setting among trees, lakes, and parks. Hawthorn Woods is recognized for its beautiful open spaces and park amenities as well as great schools, friendly business districts, and professional services. A full-service Police Department, Public Works Department, Finance Department, Community Development Department, and Parks and Recreation Department all work together to provide excellence in service to the citizens, visitors, and business community of Hawthorn Woods.

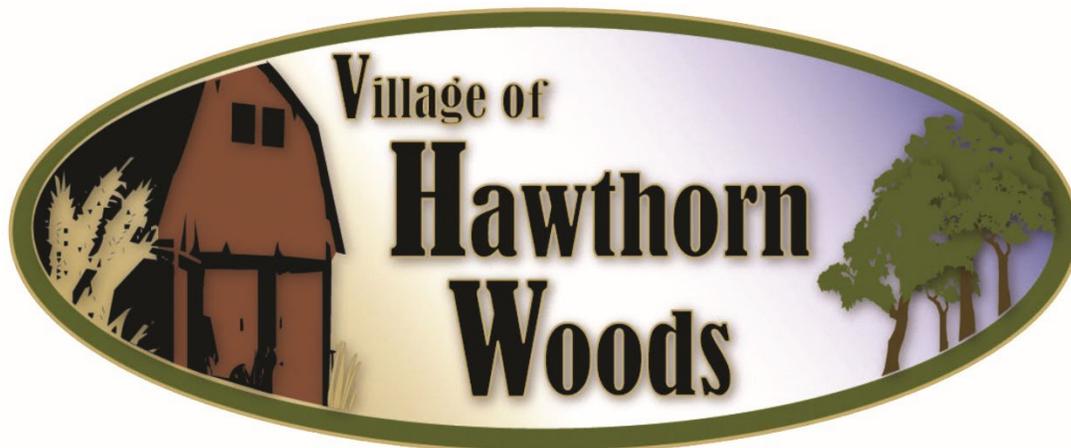
### A Distinctive Lifestyle

With the addition of the Hawthorn Woods Country Club, the Village has continued along a controlled population growth trend with many estates on one acre or larger lots. Most recently, the Village of Hawthorn Woods built a state-of-the-art aquatic center that has become the central gathering place for residents each summer. Future plans include bike trails designed to connect the neighborhoods to the parks, and a sustainable downtown community to create a hometown appeal.

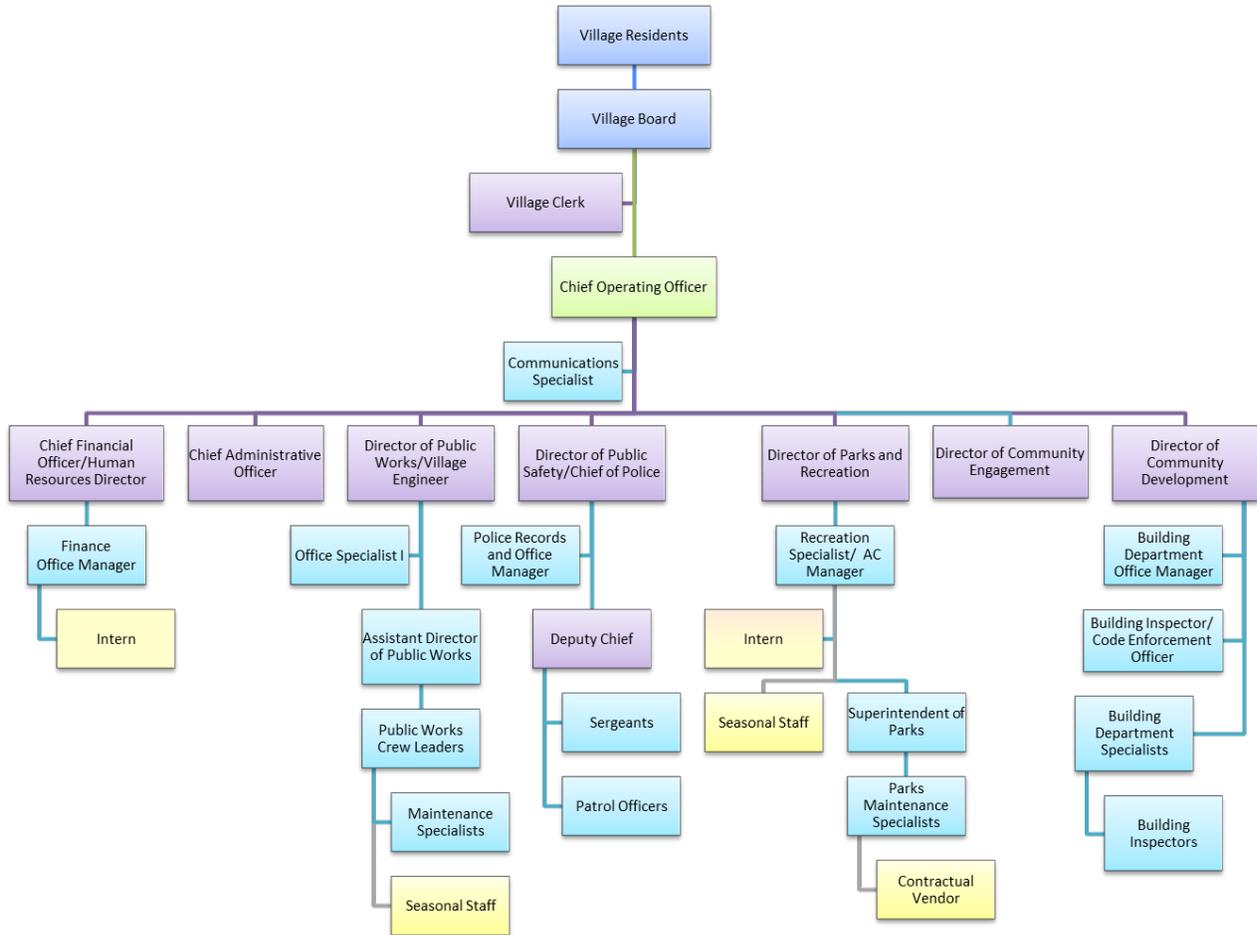
The Village of Hawthorn Woods provides many recreation and leisure activities, including a senior's group, wonderful preschool programs, recreation classes, a summer camp, and fun field trips for the entire family. The Village also coordinates free concerts in the park each Friday on summer evenings, and offers free special events to the residents including an annual Party in the Park each fall, and an old-fashioned Hometown Holiday tree lighting ceremony complete with Santa, carolers, and hot chocolate.

### A Hometown Welcome

Hawthorn Woods welcomes you to learn more about our special oasis approximately 40 miles from downtown Chicago, but a world away from typical suburbs. Preserving the rural atmosphere while maintaining quality workmanship and design in new developments, creates a lifestyle full of amenities in Hawthorn Woods. Our community logo features our historic barn, displaying our desire to embrace the rural heritage of our past while welcoming the opportunities that will define our future.



**ORGANIZATIONAL CHART**



## **Section 1 – GOVERNING PRINCIPLES OF EMPLOYMENT**

### **1-1. Equal Employment Opportunity**

The Village is an equal opportunity employer that does not discriminate on the basis of actual or perceived race, traits associated with race, color, religion, national origin, ancestry, citizenship status, age, disability, sex, marital status, military or veteran status, sexual orientation, genetic information, pregnancy, or any other characteristics protected by applicable Federal, State, or local laws. The Village is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, and all terms and conditions of employment.

The Village will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. To ensure our workplace is free of artificial barriers, violation of this policy will lead to discipline, up to and including termination.

The Village will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the Village's operations.

### **1-2. Employment At-Will**

As previously mentioned, the Village is an at-will employer. This means that you and the Village are free to terminate this employment relationship at any time and for any reason, with or without advance notice. No one at the Village except the Village Board can alter this relationship. Any exception to the at-will employment relationship must be in writing and approved by the Village Board. You should never interpret anyone's remarks as a guarantee of continued employment.

### **1-3. Americans with Disabilities Act (ADA)**

It is the intent of the Village to guarantee individuals with disabilities equal employment opportunities and to participate in or enjoy the benefits of Village services, programs, or activities, and to allow disabled employees a bias free work environment. Employment practices (e.g. hiring, training, testing, transfer, promotion, compensation, benefits, termination, etc.) will be administered in a non-discriminatory manner.

Recruitment and selection processes promote equal opportunity for employment to qualified applicants with a disability. The Village has a commitment to provide equal opportunities for disabled Village employees. Upon an employee or applicant's request, the Village will engage in the interactive process to ensure that every reasonable effort is made to provide reasonable accommodations in compliance with the Americans with Disabilities Act (ADA) and Illinois law, including the use of auxiliary aids and services as requested by the employee as long as they can satisfactorily perform the essential job duties required of their position. As part of the interactive process, the Village may request the employee to provide certain information from his or her health care provider related to his or her ability to perform the essential job functions, with or without reasonable accommodation. Questions regarding accommodations should be directed to the Chief Financial Officer/Human Resources Director who serves as the ADA Coordinator.

#### **1-4. Pregnancy Accommodations**

The Village provides reasonable accommodations for any medical or common condition of a job applicant or employee related to pregnancy or childbirth to the extent such accommodations do not pose an undue hardship on the ordinary operation of the business of the Village. Upon presentation of medical documentation supporting the need for a workplace accommodation, the Village may provide employees with accommodations, such as assistance with heavy work, or time off to recover from pregnancy. Accommodations shall be considered on a case-by-case basis and provided as required under law. The Village does not discriminate or retaliate based on an employee's pregnancy or a request for an accommodation related to such pregnancy.

#### **1-5. Nursing Mothers Accommodations**

Each employee is entitled to a reasonable amount of break time to express breast milk for the employee's infant child for up to one year after the child's birth. If possible, this time should run concurrently with the employee's break time that is already provided. The Village will provide an appropriate and private location, in close proximity to the work area, other than a toilet stall, where an employee described can express her milk in privacy. Please contact Human Resources for additional information regarding lactation accommodation.

#### **1-6. Non-Harassment**

It is Village policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, actual or perceived race, traits associated with race, color, religion, national origin, ancestry, citizenship status, age, disability, sex, marital status, military or veteran status, sexual orientation, genetic information, pregnancy, or any other status protected by the law.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual that is based upon a person's protected status as outlined above. The Village will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. Such harassment may include, for example, jokes about another person's protected status, or kidding, teasing, or practical jokes directed to a person based on his or her protected status.

Harassing conduct also includes, but is not limited to the following:

1. Epithets, innuendoes, slurs, negative stereotyping, raising one's voice towards another, gesturing aggressively, or threatening, intimidating, or hostile acts that relate to race, traits associated with race, color, religion, gender, national origin, age, disability, or any other legally protected category;
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of an individual's protected classification that is placed on walls, bulletin boards, or elsewhere on the employer's premises or circulated in the workplace.

Discrimination and discriminatory harassment does not include actions that are in accordance with established rules, principles, or standards, including:

1. Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Illinois Department of Human Rights guidelines.
2. Bona fide requests or demands by a supervisor that an employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with Village or departmental rules or regulations, or any other appropriate work-related communication between supervisor and employee.

All employees are expected to avoid any behavior or conduct which could reasonably be interpreted as harassment. Even where conduct is not sufficiently severe or pervasive to constitute an actionable legal violation, the Village discourages such conduct in the workplace.

If you feel that you have been subjected to or witnessed conduct which violates this policy, you should follow the Village's policy for reporting harassment and/or discrimination allegations (see Section 1-8. Every report of conduct in violation of this policy will be fully investigated and corrective action will be taken where appropriate. Violation of this policy will result in corrective action, up to and including termination.

All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Village will not allow any form of retaliation against individuals who report unwelcome conduct or who cooperate in the investigations of such reports in accordance with this policy. Employees who make complaints in bad faith may be subject to corrective action, up to and including termination.

### **1-7. Sexual Harassment**

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same sex. While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars, or posters, sending sexually explicit emails and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments. Improper conduct can also include sexual joking, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive enough to create an unprofessional and hostile working environment. This includes the use of Village equipment and/or systems to transmit or receive offensive material, statements, or pictures.

**1-8. Reporting Harassment and/or Discrimination Allegations**

Employees are encouraged to inform others in the workplace when their behavior is unwelcome, offensive, inappropriate, or in poor taste. Employees are expected to come forward promptly and report any violations pursuant to this policy before the alleged offending behavior becomes severe or pervasive.

If an employee experiences or witnesses any conduct that he or she believes is inconsistent with this policy, the Village expects the employee to promptly provide notification as follows:

1. If the alleged offender is the employee's co-worker, the employee should report the incident to either their supervisor or the Chief Operating Officer.
2. If the alleged offender is the supervisor, the employee should report the incident directly to the Chief Operating Officer.
3. If the alleged offender is the Chief Operating Officer, the employee should report the incident directly to the Mayor.
4. If the alleged offender is the Mayor, the employee should report the incident directly to the Chief Operating Officer.
5. If the alleged offender is a member of the Village Board, the employee should report the incident directly to the Chief Operating Officer or Mayor.
6. Any employee who is not comfortable with reporting violations of this policy to a supervisor may bypass the chain of command and make the report to a higher ranking supervisor or the Chief Operating Officer. Complaints may also be filed with the Chief of Police or the Chief Financial Officer/Human Resources Director.

The Village has a written complaint form (See Appendix D) available to employees who believe that they have been subjected to harassment and/or discrimination. Employees are encouraged to use the complaint form and submit it to the appropriate official when reporting the incident, including any and all pertinent documents and facts. Use of this written complaint form is encouraged but is not mandatory. The employee is expected to cooperate fully with the investigative process.

Supervisors and other personnel receiving information regarding an alleged violation of this policy must promptly report the conduct to the Chief Financial Officer/Human Resources, or in his/her absence to the Chief Operating Officer. Independent of this reporting obligation, supervisors and other personnel are expected to:

1. Refrain from any behavior that would violate this policy or the Village's policy against discrimination;

2. Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including sexual harassment or retaliation;
3. Take prompt, appropriate action to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation;
4. Stop any observed acts that may be considered harassment and take steps to intervene;
5. Ensure subordinates understand their responsibility under this policy;

Ensure that members who make complaints or oppose any lawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible;

Notify the Chief Financial Officer/Human Resources Director, or in his/her absence, the Chief Operating Officer, in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day. Failure to carry out these responsibilities may be grounds for discipline.

To facilitate a thorough and fair investigation of the alleged incident, it is strongly encouraged that all reports of harassment and/or discrimination be made as soon as practical, but preferably within seven (7) days.

Upon receipt, the Chief Operating Officer, or his/her designee, shall conduct an investigation to consider appropriate resolution alternatives based on the facts uncovered, and swiftly resolve the matter. All reports of harassment and/or discrimination shall be taken seriously and fully investigated. There can be no guarantee of confidentiality, but to the extent possible, the investigation and the identity of the parties and persons cooperating in the investigation will be kept in confidence and shared with only those on a need to know basis involved.

Full cooperation from all parties involved is required during the investigation.

In order to minimize the risk of further policy violations, the Village may put reasonable interim measures in place, such as a leave of absence or a transfer, while the investigation takes place.

If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the Village will take corrective action, including discipline up to and including termination of employment, as is appropriate under the circumstances. The Village may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy.

The Village's policy prohibits retaliation against any employee who makes a good faith complaint of unlawful discrimination or harassment in the workplace; has assisted or cooperated in an investigation of a complaint by someone else, whether internally or with an external agency; has filed a charge of discrimination or harassment; or otherwise has provided information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws. Examples of the types of retaliation that are prohibited include, but are not limited to intimidation;

discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment; termination of employment; or threats of any such actions. Employees should use the above-referenced complaint procedure to report incidents of alleged retaliation. The same procedures will be followed in investigating and responding to such reports. The Village wants to encourage the reporting of unlawful discrimination, harassment, and retaliation and, at the same time, to protect the reputation of any employee wrongfully charged with such conduct.

The Village provides the above procedure to promote prompt resolution of any problems. However, employees may also file a charge of discrimination in writing with the Illinois Department of Human Rights within 300 days of the harassment and/or the Equal Employment Opportunity Commission at:

Illinois Department of Human Rights  
555 West Monroe Street, Suite 700  
230 S Dearborn Street (Suite 1866)  
Chicago, IL 60661  
(312) 814 6200

Equal Employment Opportunity Commission  
JCK Federal Building  
Chicago, Illinois 60604  
(312) 872-9777

**It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. At the same time, the purposes of this policy are not furthered where a complaint is found to be false and frivolous and made to accomplish some other end than stopping harassment. A complaint that is determined to be false and frivolous can result in a severe level of discipline or discharge. A false or frivolous complaint does not refer to complaints made in good faith that cannot be proven.**

### **1-9. Elected Official Complaint Process**

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

### **1-10. Genetic Information Non-Discrimination Act (GINA)**

The Genetic Information Nondiscrimination Act of 2008 (GINA) protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. To comply with this law, we are asking that you do not provide any genetic information when responding to any requests for medical information. Genetic information includes information about genetic tests of applicants, employees, or their family members, family medical history,

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and requests for or receipt of genetic services by applicants, employees, or their family members. If you have any questions about your rights under this policy, you should bring them to the Chief Financial Officer/Human Resources Director.

### **1-11. Drug and Alcohol Free Workplace**

To help ensure a safe, healthy, and productive work environment for our employees and others, and to protect Village property and to ensure efficient operations, the Village has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the Village.

1. A drug-free workplace prohibits the unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, manufacture, dispensing, sale, or distribution of controlled substances, drug paraphernalia, and alcohol. This includes the misuse or abuse of prescription, over-the-counter, and licensed drugs.
2. Employees and other individuals who work for the Village are also prohibited from reporting to work, being on call, or working while they are using or under the influence or effects of alcohol or any controlled substance, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work (refer to Section 1-11, Prescription, Over-the-Counter, and Licensed Drug Use). The prohibitions in this policy encompass, but are not limited to: narcotics (heroin, morphine, opioids, etc.), cannabis (marijuana, hashish, cannabis-infused products), stimulants (cocaine, crack, diet pills, etc.), depressants (tranquilizers), and hallucinogens (PCP, LSD, "designer drugs," etc.). An employee is considered to be under the influence of drugs if the employee has a confirmed positive test result for drug use or their metabolites pursuant to federal HHS-certified lab cutoff concentrations or has engaged in conduct evidencing apparent impairment. An employee shall be considered to be under the influence of alcohol if there is a concentration of .02 or more based upon the grams of alcohol per 100 millimeters of blood. The workplace is defined as entry upon or presence on Village property, any work site throughout the Village, including the parking lot, driveway, or any other Village premises or any location where an employee conducts Village business, whether on or off Village premises. This includes Village vehicles and any private vehicles parked on Village premises or work sites.
3. Any violation of this policy or outside involvement in illegal drug activities leading to arrest or resulting in anything other than a "not guilty" verdict, will cause disciplinary action to be taken, up to and including termination.
4. The Village seeks to retain valuable employees and maintain productivity and service by identifying personal problems at early stages and motivating employees to seek assistance for these problems. However, it is each employee's responsibility to seek assistance before a substance abuse problem affects judgment, performance, or behavior.

5. Employees who voluntarily pursue treatment will not be subject to discipline for pursuing treatment, provided the employee has not violated the Village's drug and alcohol policy or other rules of conduct and standards, including but not limited to, those regarding attendance, job performance, and safety.
6. Applicable charges may be covered under the employee's health insurance, and this shall be the extent of the Village's cost liability for the employee to participate in an assistance or rehabilitation program. Costs that are not covered by the employee's insurance will be the employee's responsibility.
7. An employee convicted of violating a criminal drug statute while in the workplace must inform the Chief Financial Officer/Human Resources Director of such conviction (including pleas of "No Contest") within five (5) working days of the conviction as required by the Federal Drug-Free Workplace Act of 1988. Failure to inform the Village subjects the employee to disciplinary action, up to and including termination for the first offense.

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 Village's intent and a foundation from which to work. Unique and/or unusual circumstances that do come up will be dealt with on an individual basis.

### **Required Testing**

The Village may require employees to submit to drug/alcohol testing at a time and place designated by the Village, under the following circumstances:

#### Pre-Employment

All applicants must pass a drug test before beginning work (post offer pre-employment). Refusal to submit to testing will result in disqualification of further employment consideration.

#### Reasonable Suspicion

Employees are subject to testing based upon (but not limited to) observation of apparent workplace use, possession, or impairment. The Chief Financial Officer/Human Resources Director shall be consulted before sending an employee for testing.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management and a union rep (if appropriate) must escort the employee. The employee's supervisor will make arrangements for the employee to be transported home.

#### Post Accident

Employees are subject to testing when they cause or contribute to accidents that seriously damage a Village vehicle, machinery, equipment, or property and/or result in an injury to themselves or another person requiring off-site medical attention where the accident or injury may have been caused by or related to an employee's use of drugs or alcohol. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. Under no circumstances will the employee be allowed to drive himself/herself to the testing facility.

### Commercial Driver's License (CDL)

Employees with a commercial driver's license are subject to random drug and alcohol tests throughout the calendar year.

### Follow up

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including termination. Depending on the circumstances and the employee's work history/record, the Village, in its sole discretion, may offer an employee who violates this policy or tests positive, the opportunity to return to work on a last chance basis, following successful completion of treatment offered by a clinic or trained professional mutually acceptable to the employee, subject to follow-up drug testing at times and frequencies determined by Village management for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

The Village shall notify government agencies that administer funds within ten (10) days of receiving actual or constructive notice of conviction of any employee who performs work in relation to any Federal or State grant. Within thirty (30) days after receiving notice of conviction, the Village shall take action against the employee so convicted by either imposing appropriate discipline, up to and including termination, if so warranted, or requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved by an appropriate governmental agency.

### **1-12. Prescription, Over-the-Counter, and Licensed Drug Use**

Employees who use a prescription drug that may cause adverse side effects (i.e., drowsiness or impaired reflexes or reaction time) are required to inform their supervisor of any known side effects that might affect the employee's job performance, or present a threat of harm to other employees or the public. Employees are responsible for informing their supervisor of the possible effects of the drug on work performance and expected duration of use. If the usage of such medication poses a safety risk for the employee or others, the employee may not work until a release is obtained from the employee's treating physician. Any use of a controlled substance shall fall under this policy. The Village's policies prohibit the use of medically prescribed marijuana in the workplace or being under the influence of marijuana as a "qualifying patient" under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act (while such program is active and lawful) during the work day or work activities.

### **1-13. Confidential Information**

Confidentiality is extremely important in order to maintain the public and community's trust. In the course of your work for the Village, you may obtain knowledge of confidential or sensitive work-related information, including information about citizens and non-public information about operations and employees. Such confidential information includes personal or private information of employees, customers, citizens, and vendors, such as personal telephone numbers, personal email addresses, home addresses, personal license plates or other unique identifiers, personal financial information, medical information, information

about minors, and other sensitive information. Other confidential information includes trade secrets, reports and analysis prepared by the Village or third parties that have not been released to the public, information provided for audit purposes that has not been released to the public, information related to other actions that remain under review or in a preliminary or draft state, attorney-client communications, or other information that is not subject to disclosure under State or Federal law.

It is important that the confidentiality of such information is maintained. Therefore, only the Chief Operating Officer or a person designated by the Chief Operating Officer, is authorized to disseminate such information. If you are asked by anyone outside the Village to share your employee PIN or log-on credentials, social security number, etc. or similar confidential information about other employees, you should refrain from doing so. This information should be kept confidential. No employee shall release confidential or sensitive work-related information to the public or to co-workers at any time, by any means, whether electronically or otherwise, for any reason, unless the employee has been specifically authorized to release the information. Similarly, employees shall direct all media inquiries to the employee's Department Head or Chief Operating Officer and are not authorized to comment to the media or public on behalf of the Village or disclose internal matters that involve the operations and management of the Village and its departments, except as authorized by the Chief Operating Officer or his designee.

### **1-14. Whistleblower Act**

The Village strives to conduct its business with the utmost integrity and in strict accordance with all applicable Federal, State, and local laws.

Employees making good faith complaints or reports or disclosing information to a government or law enforcement agency or in a proceeding that the employee reasonably believes disclose a violation of a State or federal law, rule or regulation shall not be subjected to retaliation. Any employee who believes he/she is being retaliated against must contact the Chief Operating Officer or his or her Department Head immediately.

Improper actions are actions undertaken by an officer or employee in the performance of his or her official duties which include, but are not limited to, actions that:

1. are in violation of any federal, state, or local laws;
2. constitute an abuse of authority;
3. create a substantial and specific danger to the public health or safety of the Village, its residents, employees and guests; and
4. grossly waste public funds.

Unless the actions itemized above are implicated, improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, firing, and other discipline, or alleged violations of labor (collective bargaining) agreements, employment contracts, or policies or procedures set forth in the Village's Personnel Policies Manual.

All reports of illegal and dishonest activities or of actions that may be in violation of this policy must be promptly submitted to the Chief Operating Officer, Mayor or Chief Financial Officer/Human Resources Director in order to allow for an investigation into the matter and to recommend and coordinate any corrective or disciplinary action that may be taken against persons violating this policy. All investigations into any conduct that has allegedly violated this policy shall be conducted in a timely manner and without unnecessary delay.

### **1-15. Abused and Neglected Child Reporting Act**

The Village is committed to complying with the Abused and Neglected Child Reporting Act (325 ILCS 5/4). Pursuant to this Act, all employees are required to report or cause a report to be made to the child abuse Hotline number (1-800-25A-BUSE) whenever he or she has reasonable cause to believe or suspect that a child may be neglected or abused. Failure to report suspected abuse or neglect may result in criminal penalties under the Act and disciplinary action, up to and including termination.

Employees and, in certain instances, volunteers with expected patron contact, especially where said contact may be with a minor child, are required to complete the DCFS Training for Mandated Reporters and sign the Acknowledgement of Mandated Reporter Status. The acknowledgement form will become part of your personnel file. For more information about mandated reporters under the Abused and Neglected Child Reporting Act, contact your supervisor or Department Head.

### **1-16. Illinois Civil Union Act**

The Illinois Civil Union Act provides the same rights and responsibilities to Civil Union partners as spouses. A Civil Union may be legally entered into through a state licensing and certification process. Unless otherwise preempted by federal law, self-funded benefit plans must treat Civil Union partners the same as spouses offering medical, dental, vision, life, and disability plans (See Section 8 - Benefits). Reference to the term “spouse” in this Manual shall include civil union partners in a manner consistent with State law.

### **1-17. Immigration Law Compliance**

Federal law requires all employees to present documentation confirming their identity and eligibility to work in the United States. New employees and re-hires must complete the I-9 Employment Eligibility Verification Form and provide the necessary identification documentation no later than three business days of their start date. Failure to present the necessary identification in compliance with federal law will result in termination.

## Section 2 – EMPLOYMENT PRACTICES

### 2-1. Residency

Although highly desirable, employees are not required to maintain residency within the Village limits. Village employees must live within a reasonable distance to the Village that will not interfere with or prevent the employee in his/her ability to fulfill the duties and responsibilities of their position.

### 2-2. Hiring Process

1. The Chief Financial Officer/Human Resources Director will administer and coordinate the hiring process for all vacancies as approved by the Mayor and Board of Trustees
2. The Chief Financial Officer/Human Resources Director, with the assistance of the supervisor of the department where the vacancy exists, shall recruit for approved positions. All openings are to be posted on the Village's web site, and professional journals as deemed appropriate.
3. The Board of Police Commissioners is a three member commission appointed by the Mayor and Village Board. The Commission is responsible for hiring all police officers.
4. If there is a vacancy in a full or part-time position which the Village decides to fill, then a notice of such vacancy will be posted on a bulletin board at the Village Hall and at Public Works for at least five (5) calendar days. During the posting period, the Village may temporarily fill the position. Any employee interested in applying for the vacancy must file a statement of interest in the vacant position with the Chief Financial Officer/Human Resources Director. Even though a job opening has been posted, the Village retains the final right to determine whether or not the opening should be filled, and by whom.
5. All applicants for Village employment shall complete and sign an application for employment. The applicant will be asked to supply complete information relating to past employment, education, experience, training, references, and other qualifications where applicable. An applicant or employee shall be considered only on the basis of their qualifications as required by the position they seek or hold relative to experience, training, physical fitness, abilities, skills, knowledge, and their personal character and integrity. Applicants are prohibited from providing false or misleading information or omitting material facts during the application process. If it is discovered that a hired applicant violated this policy he or she will be terminated.
6. As allowed under law, reference, criminal background, and credit checks shall be conducted on every job applicant, regardless of the position and shall be conducted according to appropriate Federal, State, and Village regulations. This process is conducted to verify the accuracy of the information provided

by the applicant. A written record summarizing such reviews shall be retained in the employee's personnel file.

7. Applicants must provide evidence of identity and employment eligibility in compliance with federal law. New employees will be provided with a copy of Form I-9 instructions detailing the acceptable documents to establish identity and employment eligibility.

### **2-3. Employee Orientation**

New employees shall receive an orientation by appropriate Administration staff and their respective department. Orientations shall consist of an overview of the Village organization, rules, regulations, benefits, job description, and general procedures. Supervisors or their designees are responsible for orienting new employees to departmental guidelines and procedures specific or unique to their department.

### **2-4. Training and Orientation Period**

All new Village employees are subject to a training and orientation period which extends for a period of six (6) months except sworn police personnel who serve a minimum eighteen-month (18) probationary period. This training and orientation period may be extended for an additional period if, in the opinion of the Department Head and Chief Operating Officer, an extended period is necessary to fully evaluate the employee. Except as provided for in an applicable collective bargaining agreement, the employment status remains "at-will" before, during, and after the successful or unsuccessful conclusion of the training and orientation period.

The purpose of the training and orientation period is to determine if the employee can satisfactorily perform their job duties. During an employee's training and orientation period, the employee may be suspended, laid off, or terminated at the sole discretion of the Village.

Successful completion of the training and orientation period does not guarantee continued employment for any specific period of time or otherwise create an employment contract with the Village. The Village retains the right to terminate employment during and after the training and orientation period at any time and for any reason or no reason at all.

### **2-5. Employee Classifications**

The Village establishes the following guidelines and definitions for types of employment and for entitlement to benefits. These guidelines and definitions do not affect an individual's status as an at-will employee.

1. Full-Time An employee who is assigned to a position and works a schedule which equates to an average of 40 hours per work week.
2. Part-Time An employee who is assigned to a position and works a shift schedule less than 40 hours per week. Part-time employees shall not be eligible for benefits unless otherwise required by applicable law.

3. Seasonal Employee: An employee whose work assignment is limited in duration to less than two consecutive quarters during a calendar year. Seasonal employees are employed for a specific function, part-time or full-time and for a temporary or limited period of time. All seasonal employees are provided with an acknowledgement form (Appendix E) and an offer letter regarding his/her seasonal employment with the Village.
4. Interns: The Village supports the concept of employing students or new entrance into positions/career changes in positions relating to course work. An internship program should be mutually beneficial to both student and the Village. Interns applying with the Village must follow the same employment procedures as employees except for the job posting requirements. Interns will be instructed as to expected length of internship, projects to be worked on, and be given a general new employee orientation by their respective department. Interns are expected to comply with the applicable rules and regulations contained in this Manual. An internship with the Village can be on a volunteer or stipend basis.
5. Temporary: An employee who, by agreement, works for the Village for a definite and limited period of time. Continuous employment will not extend beyond the term of the specific project or operational need for which the employee was hired, which typically shall not be more than a hundred and eighty (180) days in any one fiscal year. In the event a temporary employee is needed for a period of more than ninety (90) days, the Chief Operating Officer has authority to extend the ninety (90) day period up to one additional ninety (90) day period. Any length of time longer than outlined above requires Village Board approval.
6. Exempt Employee: An employee who works in a position that has been determined as “exempt” under the Fair Labor Standards Act (FLSA) and is not eligible for overtime pay for hours worked over forty (40) in a work week.
7. Non-Exempt Employee: An employee who works in a position that has been determined as “non-exempt” under the FLSA and is eligible for overtime pay for hours worked over forty (40) in a work week.

## **2-6. Employee Identification Cards**

Employees shall adhere to the following guidelines regarding identification cards:

1. It is the policy of the Village to issue employee identification cards to all full-time and part-time employees. Cards may also be issued to other employees who may require Village identification while performing work for the Village. The card will display the employee’s name, department, and a photo.
2. The card should be carried at all times when an employee is acting in an official capacity. The card shall be used as identification if requested by a member of the public.

3. Unauthorized or inappropriate use of the employee identification card is prohibited and may result in disciplinary action, up to and including termination of employment.
4. The Police Department may issue their own department identification card in lieu of the Village identification card.
5. The Administration Office is responsible for the preparation of the identification card. Each employee is responsible for possession of their identification card and should take care to protect it from loss, theft, or misuse.
6. Should a card be lost, damaged, or destroyed, it should be reported immediately to your supervisor. All requests for re-issuance of employee identification cards shall be made by the employee to the Administration Office.
7. All identification cards remain the property of the Village and shall be immediately returned to the Administration Office upon termination of employment or by special request from the employee's supervisor or the Chief Operating Officer.

#### **2-7. Hours of Work**

The regularly scheduled working hours of a full-time employee is typically forty (40) hours per week. The work week begins at midnight on Sundays. With respect to Police Department personnel, regular, full-time employment shall be considered eighty (80) hours of regularly scheduled work, averaged over a consecutive fourteen (14) day period.

This policy establishes routine hours of work based on whether employees work in the office, remotely, in the field, or in other departments except as otherwise provided by a labor agreement or a written contract of employment:

<u>Administration</u>	As Established by the Chief Operating Officer
<u>Police</u>	As Established by the Police Chief, and in accordance with the Collective Bargaining Agreement and as permitted under Section 7(k) of the Fair Labor Standards Act
<u>Public Works</u>	As Established by the Public Works Director

Shift workers and part-time personnel shall work a schedule determined by the Chief Operating Officer.

The above full-time work hours include one unpaid 30 minute lunch period which should be taken as close to the standard lunch hour as possible but between the hours of 11am and 1pm. Lunch periods may be staggered to allow for continuous staffing of Village Hall with at least two people. Rest and lunch periods are determined by the operational requirements of each department. Such periods shall be scheduled by each department in order to be consistent with department operations and in accordance with applicable State and Federal wage and hour laws.

Police personnel working on a shift basis will follow the working hour guidelines set forth in their respective departmental regulations.

### **2-8. Nepotism**

It is the Village's policy that immediate relatives of employees or elected or appointed Village officials will not be employed at the Village.

"Immediate Relatives" shall be defined as a spouse, mother, father, mother-in-law, father-in-law, children, sister, brother, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparents, grandchildren, step-parents, step-children, foster child, or foster parent, or any relative living in the same household with the employee.

In addition to the prohibition against employment of immediate relatives, the following relatives of any elected or appointed Village officer will not be employed: aunt or uncle, niece or nephew, or cousin. This does not apply to any contract entered into as a result of the request by the Village for competitive bids where the person or entity awarded this contract is the lowest responsible bidder or the employment and salary of a relative is specifically approved by the Village Board by motion. Individuals working summer or part-time employment may receive a waiver of this requirement by action of the Village Board.

### **2-9. Re-Hire Policy**

An employee who resigns in good standing (with satisfactory job performance and a two-weeks written notice of resignation) may be eligible for re-hire at a future time provided an opening is available and their qualifications for that position are satisfactory. Persons interested in being re-hired should file an employment application with Human Resources. The individual's application will proceed through the regular hiring process with other applicants.

Any employee who is re-hired by the Village shall start as a new employee in all aspects related to compensation and benefits unless otherwise agreed in writing and approved by the Chief Operating Officer.

All individuals re-hired by the Village must complete a new orientation and training period.

### **2-10. Outside Employment**

No employee shall be employed by an employer other than the Village, nor shall he or she contract for or accept anything of value in return for services, nor shall he or she otherwise be self-employed for remuneration, without the prior written approval of the employees' immediate supervisor, the Department Head, and the Chief Operating Officer (see Appendix F).

If an employee desires to hold an outside job, including self-employment, the employee shall apply in writing to his/her immediate supervisor for approval. Such application shall include the name of the secondary employer, the nature of the outside work, and the standard work schedule of the outside work. At no time can outside employment authorization interfere with work hours or on-call requirements.

## VILLAGE OF HAWTHORN WOODS - Personnel Policies Manual

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Each Department Head and/or the Chief Operating Officer reserves the right to prohibit any outside employment if any of the following conditions apply or develop (this list is not all-inclusive):

1. Where the nature or place of employment might bring disfavor on the Village of Hawthorn Woods;
2. Where secondary employment would involve the employee's appearance in Village uniform, involve use of Village equipment, or in any manner be considered as a conflict of interest with the employee's municipal position;
3. Where it appears that secondary employment has an adverse effect on the employee's attendance records or could create fatigue in the workplace;
4. Where secondary employment impairs the employee's ability to discharge the duties and responsibilities of his/her Village job;
5. Where an employee might be considered to be using his/her Village position to influence the outside employment;
6. Where any outside employment could present an actual or potential conflict of interest to the Village and/or its reputation or business interest.

If outside employment, including self-employment, has previously been approved or permitted by the Village, and if it later appears that such outside employment may constitute a conflict of interest or may be infringing upon an employee's ability to perform their assigned duties for the Village, then the Village reserves the right to require an employee to discontinue such outside employment, including self-employment, as a condition of continued employment by the Village.

Employees may not engage in outside business activities while on duty nor may Village property be used for non-Village business.

Employees of the Village shall not have a financial interest either directly or indirectly in any contract or business with the Village (50 ILCS 105/3) (5 ILCS 420/4A-101).

Employees who engage in secondary employment shall do so only with the understanding and acceptance that their primary duty, obligation, and responsibility is to the Village of Hawthorn Woods. All Village employees may be subject to call in assignments, or overtime duty; no secondary employment may infringe upon, limit, or interfere with this obligation.

Employees must be covered by workers compensation insurance by their secondary employer. Proof of insurance shall be provided to the Village and will be kept on file. A copy of all requests for outside employment, whether approved or denied, shall be forwarded to the Human Resources Office to be placed in the employee's personnel file.

## **Section 3 – PERSONAL CONDUCT EXPECTATIONS AND DISCIPLINARY ACTION**

### **3-1. Communication/Chain of Command**

Communication is extremely important in order to provide quality services to the residents of the Village and to ensure harmony in the workplace. It also ensures that various Village service areas are kept up to date regarding concerns and issues. The Village works diligently to maintain a high level of professional communication. All employees have a responsibility to maintain this level of professionalism.

The Village also adheres to a standard chain of command. All employees are expected to follow the established chain of command regarding issues of concern.

1. If possible, direct your concerns to the person where a conflict may arise in order to remedy the situation directly.
2. If direct communication is unsuccessful, concerns should be directed to your immediate supervisor.
3. If the concern is not adequately addressed by your immediate supervisor, the issue should be brought before the Department Head.
4. If the situation is administrative in nature, the decision of the Chief Operating Officer shall be binding.
5. In cases where the issue is policy related, the Chief Operating Officer may address the matter to the Mayor and Village Board for review.

At no time should gossip or unkind discussions take place regarding other individuals in the workplace.

### **3-2. Standards of Conduct**

It shall be the duty of employees to maintain high standards of cooperation, efficiency, and integrity in their work with the Village. The following references are purely guidelines and the Village reserves the right to discipline employees based on what it deems to be appropriate in any given situation. Unless otherwise set forth under a collective bargaining agreement and/or written contract of employment, employees of the Village are at-will and can be discharged, demoted, suspended, or otherwise disciplined without cause at any time at the sole discretion of the Village.

These guidelines do not form a contract of employment nor should employees have any expectation that such guidelines form a contract. In addition, these guidelines are not all inclusive of what conduct will result in discipline. The decision of what disciplinary action will be taken rests solely with the management of the Village and is made on a case-by-case basis.

### 3-3. Reasons for Disciplinary Action

Some general examples for which an employee may be disciplined include, but are not limited to:

1. Violation of any lawful or official regulation, ordinance, law, order, rule, or policy in this manual.
2. Reporting to work under the influence or effects of intoxicants or non-prescription/illegal drug(s), or using, selling, or distributing such substances while on Village property. Failure to report to a supervisor the use of any legal/authorized prescription drug(s) which may affect the employee's ability to perform necessary job duties.
3. Absence from duty, including the absence for a day or portion thereof which is not authorized by prior approval; failure to report to a supervisor when absent.
4. Excessive or chronic absenteeism, fatigue, and/or tardiness, or being wasteful with working time which result in poor productivity and projects not being completed on time.
5. Using scheduled work time for activities other than job performance; willful disregard of the requirements of the job.
6. Causing damage to public property or being wasteful of Village supplies through negligence or willful misconduct, or failure to take reasonable care of Village material or property; unauthorized use of Village property.
7. Immoral or unethical actions or any other personal conduct likely to impact the efficiency of the Village service or bring the Village into disrepute, while on or off duty.
8. Commission of a felony or gross misdemeanor while on or off-duty.
9. Misappropriation of Village funds.
10. Use of Village vehicles, equipment, supplies, property, or tools for personal use.
11. Making false statements, failing to provide requested information, or falsification of any Village records or information.
12. Falsification of personnel and/or Village work records, including time worked records or time off records.
13. During working time, the solicitation (by form or electronically), selling, or distribution of any donation, gift, service, product, information, or other item of value not authorized by the Village; accepting fees, gifts, or other items of value in connection with work performed on Village time or as a representative of the Village without prior approval by the Chief Operating Officer (see Section 4-8).
14. Insubordination.

15. Violence, aggression, or threats of violence committed on Village property or against a Village employee, including bullying, verbal or non-verbal gestures, or using threats of intimidation against another.

None of the activities in this section on prohibited conduct or in this Manual should be interpreted as being the sole reasons for disciplinary actions or discharge of an employee.

### **3-4. Forms of Disciplinary Action**

Disciplinary actions may take, but are not limited to, the following forms:

- Verbal Warning
- Written Reprimand
- Suspension
- Discharge

In some cases, actions may warrant immediate suspension or discharge.

The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with any applicable policies and procedures as well as local, State or Federal laws and regulations. Immediate supervisors may have the authority to issue verbal warnings or written reprimands to supervised employees. Any other disciplinary action must be approved by the Chief Operating Officer. However, nothing herein should be construed in any way to limit the Village's right to summarily discharge or suspend an employee when the Village deems it necessary and/or appropriate.

## Section 4 – ADMINISTRATIVE POLICIES

### 4-1. Personal Appearance

The Village will provide uniforms for public safety, public works personnel and lifeguards. All employees are required to report to work in a clean uniform. Any uniform that is lost or stolen through fault of an employee may be charged to the employee and the employee is responsible for the replacement cost of the uniform. **Uniforms shall not be worn for purposes other than official Village business and shall not be worn by anyone other than the employee that is assigned to the uniform.**

A neat professional appearance is a requirement of the Village. It is expected that all employees will exercise good judgment and dress appropriately for their jobs. These are the factors that should be taken into consideration when determining appropriate dress:

1. The nature of the work;
2. Safety considerations, such as necessary precautions when working near machinery or hazardous work areas (employees will be required to wear proper safety equipment at all times, without exception for any reason);
3. The nature of the public contact, if any, and the normal expectations of outside parties with whom the employee has contact with.

Department Heads are responsible for monitoring and enforcing the dress code policy. If an employee's attire is questionable, the Department Head will hold a private discussion with the employee regarding the inappropriateness of the attire. If an obvious policy violation occurs, the employee will be sent home immediately, instructed to return dressed in more appropriate clothing, and placed on authorized leave without pay for the period absent from work, depending on their exempt/non-exempt status.

The Village recognizes the benefits of business casual dress and the positive effects it can have on productivity and employee morale by creating a more comfortable work environment. Business professional attire shall be worn Monday through Thursday. The Village defines business casual clothing as attire that is appropriate for an office environment, and that allows employees to feel comfortable at work. In addition, the Village will observe casual Fridays. The Village will provide each administrative employee with a Village polo shirt. Employees are encouraged to wear the official Village polo shirt on casual Friday.

Employees who violate the casual dress policy may also lose their right to participate in casual days.

Discretion and professional judgment should always be exercised when dressing for casual days. Such days should never be considered an exemption from the neat and appropriate standards of the Village's business casual dress code.

Police and Public Works employees shall wear uniforms as provided.

Exceptions to this policy will be made to accommodate religious beliefs to the fullest extent of the law.

#### **4-2. Personal Telephone Calls/Texting/Internet Use**

Village phones are to be used for Village business and may be used for personal business on a limited basis only. Excessive personal telephone calls during the workday interfere with employee productivity and distract other employees. Personal telephone calls made or received during business hours must be held to both a minimum number and time limit and must not interfere with the employee's work. It is the employee's responsibility to ensure that no cost to the Village results from their personal phone calls. Violation of this policy will minimally result in cost reimbursement to the Village and may subject the employee to further disciplinary action.

Personal cellular telephones and texting must be kept to a minimum during working hours and should not impact employee productivity. Accessing the internet for personal purposes and texting should be reserved for break times. The Village will not be liable for the loss or damage of any personal cell phone brought into the workplace.

#### **4-3. Cell Phones and Similar Electronic Devices While Driving**

The State of Illinois prohibits the use of hand-held devices while driving. Talking is allowed as long as the driver is using a hands-free device, such as a headset or speaker phone built into the car. Drivers violating this law are subject to State fines.

Cellular phone usage applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to email whether the device is Village-supplied or personally owned.

While on Village business, the Village requires employees to abide by all State, local, and Federal laws limiting the use of any cell phone or similar device while driving. An employee who uses a Village supplied device or a Village supplied vehicle or equipment is prohibited from using a hand-held cell phone or similar device while driving, whether the business conducted is personal or Village related.

This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to the Village, elected officials, residents, contractors, volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the Village; or any other Village or personally related activities not named here while driving.

Employees are personally responsible for any fines, tickets, or violations that result from their use of a cell phone while driving, under any and all circumstances.

Violation of the Village's cell phone policy may result in discipline, up to and including termination of employment.

#### **4-4. Political Activity**

It is the Village's desire to foster governmental efficiency, ensure that employees can perform their jobs without being pressured to support specific Village or other political candidates, and

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to ensure that regulations are not interpreted favorably for supporters of candidates for political office.

Employees of the Village may not engage in political activities at any time on Village owned property or while on duty, or while they may be identified as an employee of the Village by any means such as uniform, insignia, and motor vehicle, or in any other manner. Political activities include, but are not limited to, campaigning as a candidate for public office, soliciting or receiving funds for a political party or candidate for public office, soliciting votes for such party or candidate, attending political rallies, circulating petitions for political office, distributing political literature, or encouraging others to do any of the above.

For purposes of this section “while on duty” includes those hours you are scheduled to work and are working for the Village.

The Village recognizes an employee’s right to engage in political activities apart from the workplace, including the right to associate with a political organization, petition, make speeches, campaign door-to-door and to run for public office.

No employee shall be disciplined or rewarded by reason of his/her political affiliation, personal political contributions, or political beliefs by the Village.

### **4-5. Conflicts of Interest**

The Village has established guidelines for ethical standards of conduct which shall govern Village employees in the performance of Village business and the duties of their respective jobs. This policy is intended to provide positive direction to Village employees in order to prevent potential conflicts of interest.

1. Acceptance of Gratuities: In accordance with the Gift Ban Act, no Village employee shall, through his or her position with the Village, intentionally solicit or accept any gift from any prohibited source as defined under the Illinois State Officials and Employees Ethics Act, 5 ILCS 430/5 *et al.* Municipal employees may be required to file a Statement of Economic Interest each year.
2. Decision Making: An employee should carefully assess whether there is any doubt about a potential issue with a conflict of interest with their private employment or a business they own which could be a violation of the Ethics Act.
3. Confidential Information: No Village employee shall disclose or use, without authorization, confidential information concerning property or affairs of the Village to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the Village.
4. Financial Interest: No Village employee shall have a financial interest or personal interest in any legislation coming before the Village Board or participate in discussion with or give an official opinion to the Village Board unless the employee discloses on the record of the Board the nature and extent of such interest.

#### **4-6. Smoke-Free Illinois Act**

The Smoke-Free Illinois Act requires that public places and places of employment must be completely smoke-free inside and within 15 feet from entrances, exits, windows that open, and ventilation intakes. In the interest of promoting health and safety, the Village's smoke-free policy applies to all Village facilities (including vehicles), all Village employees, and all residents and vendors who visit Village facilities. Smoking is permitted only in designated smoking areas. The use of smoking materials refers to the lighting and smoking of cigarettes, cigars, pipes, and or other similar items such as electronic cigarettes and "vaping" devices.

Supervisors are responsible for enforcing the smoke-free policy. An employee's disregard for the smoke-free policy is handled through the disciplinary process.

#### **4-7. Use of Village Property**

Village vehicles, equipment, and supplies may be used only for authorized Village purposes. No Village vehicles, equipment or supplies may be removed from Village premises for personal use without written Department Head approval.

#### **4-8. Solicitation**

In order to alleviate disruption of Village services during normal working hours, it is prohibited for employees or non-employees to solicit other employees for donations, charity, and/or the sale of products or services during the employee's working time. Peddling or soliciting for sale or donation of any kind on Village premises (electronically or in-person) in work areas or areas where it will disturb other employees who are working can only occur outside of working time or during break and/or lunch periods. Employees are not permitted to distribute or circulate literature or printed materials during working time in non-work areas or to distribute or circulate literature or printed materials in work areas at any time, whether working or non-working time. "Working time" refers to that portion of any workday during which an employee is supposed to be performing any actual job duties. It does not include lunch time and other duty-free periods of time where common order forms for Girl Scout cookies, for example, may be available.

Solicitation and the distribution of literature by non-employees on Village property is strictly prohibited.

#### **4-9. Contributions and Honorariums**

Speeches and presentations made either during working time or for which the Village provides travel expense reimbursement, are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the Village, not to the individual employee. Village employees that receive an honorarium or contribution are required to promptly report it to the Village.

#### **4-10. Employee Privacy Policies**

The Village reserves the right to search lockers, desks, filing cabinets, computers and personal belongings located on Village property at any time, where there is a suspicion of employee

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misconduct. If personal belongings are to be searched, the Village will make reasonable efforts to notify the employee and allow them to be present. The Village will conduct such searches in a manner reasonably intended to address the legitimate operational and management reasons for the search, and the scope of the search will be limited based on the needs of the investigation.

### **4-11. Employee Personnel Records**

The Village has established procedures and responsibilities for the maintenance of personnel records in accordance with the Personnel Records Review Act (820 ILCS 40).

A personnel file will be established for each employee. All personnel files shall be kept in the Human Resources Office and managed by the Chief Financial Officer/Human Resources Director.

Employees are responsible for and must promptly advise the Village of any changes in:

- Name and/or marital status;
- Address and/or telephone number;
- Number of eligible dependents;
- W-4 deductions.

All pertinent information and forms will be contained in the personnel file, including, but not limited to:

- Employee application;
- Job description and specification information;
- Job performance ratings and evaluations;
- Education/training information;
- Personnel action forms;
- Administration correspondence.

Medical, workers compensation, and benefit records will be maintained in a separate file.

Procedures for the release and accessibility of information and assessment of employee personnel files are as follows:

1. Right of access to personnel files is granted to current employees, those on leave subject to recall, and those who have terminated their employment within the preceding year.
2. An employee must make a request for personnel file review or copies in writing to the Chief Financial Officer/Human Resources Director.
3. Records will be reviewed at a place designated by the Village during working hours. A Village representative may be present during such inspection.
4. An employee is entitled to a copy of any personnel materials inspected.

5. Information contained in employee personnel files shall not be released or disclosed without the employee's written consent, except to persons with a lawful right or need to know or as required by law.

### **4-12. Punctuality and Attendance**

Employees shall report promptly at the designated starting time ready to begin their assigned duties. In the event that an employee is unable to report for work due to illness or other emergency, they must verbally or through confirmed text message inform their supervisor as soon as possible and prior to the start of their shift. If a text confirmation is not returned, the employee must verbally contact their supervisor. If an employee is going to be late to work, they must verbally or through confirmed text message or confirmed email, inform their supervisor as soon as possible of their delayed start and estimate as to when they will arrive at work. Notification of an absence does not guarantee approved use of benefit time for the absence. Any employee who is absent three (3) consecutive days without contacting the Village will be considered to have resigned from Village service.

### **4-13. Inclement Weather**

On occasion, due to inclement weather, national crisis, or other emergencies, the Village may close for all or part of a normally scheduled workday. The Chief Operating Officer will determine if the Village Administrative Offices will be closed due to inclement weather or other safety concerns.

### **4-14. Open Door Policy**

In order to maintain effective employee-employer relationships, it is the Village's intent to promptly consider, and equitably respond to an employee's concerns regarding his/her classification, compensation, working conditions, or other matters related to his/her job. It is the intent of the Village to, when practical, resolve problems informally when they arise. However, it is recognized that there may be grievances which will be resolved only after a formal appeal and review.

### **4-15. Media Relations**

To promote consistent and coordinated communication of information related to the Village's services, operations, events, emergencies and issues, the Chief Operating Officer is the Village's primary spokesperson and conveys the Village's official position. Employees shall direct all media inquiries to the employee's supervisor or the Chief Operating Officer and are not authorized to comment to the media or public on behalf of the Village or disclose internal matters that involve the operations and management of the Village and its departments, except as authorized by the Chief Operating Officer or his/her designee. Only the Village's designated spokesperson is authorized to provide recorded or videotape conversations or communications pertaining to internal matters or to authorize the recording of Village activities or events on Village property or where Village-related work is being performed. An exception to this rule would be where the videotaping is related to working condition concerns protected by law. A recording pursuant to the Illinois Open Meetings Act is permitted consistent with that law.

“Taping” and “Recording” for purposes of this policy includes the taping or recording of any conversation or communication, regardless of whether the conversation or communication is taking place in person, over the telephone, or via any other communications device or equipment, and regardless of the method used to tape or record (e.g., as with a tape recorder, video recorder, mechanical recording or wiretapping equipment).

If an employee has questions or concerns regarding whether any contemplated taping or recording would violate this policy, he or she should discuss the matter with his/her supervisor or the Chief Operating Officer before engaging in any such activities.

## **Section 5 – ELECTRONIC RESOURCES, COMMUNICATIONS AND DOCUMENT RETENTION**

### **5-1. Introduction and Definitions**

The purpose of this section is to provide guidance as to the proper use of the electronic resources and communication system of the Village. This section covers the use of all forms of electronic resources and communications including but not limited to computers (e.g., desktop and portable computers, servers, networks, printers, software and data storage media), e-mail, voice mail, fax machines, external electronic bulletin boards, Intranet, the Internet, and other similar tools that may be introduced in the workplace and applies to all employees as defined in this section. Furthermore, this policy will address records management concerns and the need to distinguish records from non-records and the continued preservation of needed e-mail records along with the prompt erasure of those which have outlived their utility by approved records retention and disposition schedules. Every employee and officer is expected to read, understand, and follow the provisions of this section and will be held responsible for knowing its contents. Anytime the word “shall” or “should” is used in this section, it is considered mandatory and not directory language. Use of the Village’s electronic communication systems constitutes acceptance of this section and its requirements.

### **5-2. Use of Electronic Resources and Communications**

The Village’s electronic resources and communication systems are intended for business use only during your work time. Incidental and occasional use of these electronic communication systems for non-work purposes during your work time may be permitted at the discretion of the Village. Any permitted non-work use must be infrequent, incidental use that is professional, in good taste, does not violate Village policies regarding conduct in the workplace and does not interfere with Village business, the performance of the user’s duties or the availability of technology resources. All use of Village electronic resources and communications systems is subject to applicable Village policies.

Before using the electronic communication systems for business use, employees must understand that any information that is created, entered, sent, received, accessed, or stored in these electronic communication systems will be the property of the Village and shall not be private. As with all other Village property, the Village retains the right to search, monitor, inspect, intercept, review, access and/or disclose all Village electronic resources and communications and all data created, entered, received, stored, viewed, accessed or transmitted via those resources for any reason, at any time, and without further advance notice or consent of a user by persons designated by or acting at the direction of the Chief Operating Officer, or as may be required by law or as necessary for, or incidental to, auditing, security and investigative activities, to ensure effective technology resource administration and policy compliance, and for other legitimate management reasons. Users specifically consent to the access by and disclosure to the Village of messages and other files created, entered, accessed, viewed, sent, or received on the Village’s systems which are stored by a third-party electronic communication service or remote computing service. In addition, the Village may monitor and maintain a log of employees’ internet access including the type of sites accessed, the name of the server, and the time of day that access occurs.

Employees should use the same care and discretion when composing e-mails and other electronic communications as they would for any formal written communication. Employees should abide by the Nondiscrimination and Equal Opportunity and Harassment and Discrimination Policies of the Village (see Section 1) by refraining from using offensive, harassing, vulgar, obscene, or threatening communications – including disparagement because of age, citizenship, color, disability, gender, national origin, marital status, pregnancy, sexual orientation, religion, or any other protected status. This policy prohibits communications creating, distributing or soliciting sexually oriented messages or images. Any messages or information sent by employees to other individuals via electronic communications such as the Internet or e-mail are statements identifiable and attributable to the Village. Consequently, all electronic communications sent by employees, whether business or personal, shall be professional and comply with this policy.

### **5-3. Privacy**

Although employees may use passwords to access some electronic resources or communications of the Village, these resources and communications shall not be considered private. Employees should always assume that any communications, whether business-related or personal, created, sent, received or stored on the Village's electronic resources or communications systems may be read or heard by someone other than the intended recipient. Employees should also recognize that e-mail messages deleted from the system might still be retrieved from the computer's back-up system when requested by authorized personnel. Consequently, messages that were previously deleted may be recreated, printed out, or forwarded to someone else without the employee's knowledge. Therefore, it is emphasized that e-mail messages should not be considered private and may be discoverable communications subject to the Freedom of Information Act or in litigation. Since messages may be retained at different locations or levels of the systems, employees must remember that their communication may be retrieved at some time. Discretion, therefore, is an important consideration when using this or any other technology to send, record, and/or retain communications.

### **5-4. Prohibited Activities**

Employees shall not upload, download or otherwise transmit illegal information or materials. Employees shall not use the Village's electronic communication systems to gain unauthorized access to remote computers, other systems, or to damage, alter, or disrupt such computers or systems in any way (see Section 6). Except as authorized herein, employees shall not use someone else's code or password or disclose anyone's code or password including their own. Employees shall not enable unauthorized individuals to have access to or use the Village's electronic communication systems or otherwise permit any use that would jeopardize the security of the Village's electronic communication systems. Employees shall use their real names when sending e-mail messages or other electronic communications on behalf of the Village and in connection with your job-related duties and shall not misrepresent, obscure, or in any way attempt to subvert the information necessary to identify the real person responsible for the electronic communication. Sending an e-mail message under a fictitious or false name is a violation of this policy. Likewise, using another user's account or login ID constitutes a violation of this policy.

**5-5. Licensing**

Employees shall not install software for which the Village has not paid the appropriate licensing fee. Additional licensing fees may be incurred every time software is installed for a new user. Consequently, before software is installed on a computer, employees have a duty to ensure that all appropriate licensing fees have been paid and to notify the Village's computer consultant to ensure such installation will not be detrimental to the Village's computer system. Employees should notify the Village if they discover unlicensed software on computers. Employees shall not copy software for distribution to any third party or for home use unless such copying is permitted by the software license agreement. The installation of software for trial periods authorized by a vendor is not a violation of this policy if approved by the employee's supervisor.

**5-6. Encryption**

Employees shall not password protect or otherwise privately code their files, computers, or other electronic devices owned by the Village without prior authorization from the Village. Use of encryption software must be specifically approved by the Chief Financial Officer/Human Resources Director who serves as the Information Systems Coordinator prior to using such software for the storage, receipt, and transmission of data. If encryption software, passwords or personal codes are authorized and used, the employee shall give the password to the Chief Financial Officer/Human Resources Director.

**5-7. Viruses and Tampering**

The intentional introduction of viruses or attempts to breach system security or other malicious tampering with any of the Village of Hawthorn Woods's electronic resources or communication systems is expressly prohibited. Employees or Officers shall immediately report any viruses, tampering, or other system breaches to the Chief Financial Officer/Human Resources Director.

**5-8. Disclaimer of Liability for Use of the Internet**

The Village is not responsible for material viewed or downloaded by the employee from the internet. The internet provides access to a significant amount of information, some of which contains offensive, sexually explicit, and inappropriate material. It is difficult to avoid contact with this material. Therefore, employees using the internet do so at their own risk.

**5-9. Duty Not to Waste Electronic Communication Resources**

Employees shall not deliberately perform actions that waste electronic communication resources or unfairly monopolize resources to the exclusion of other employees during working time. Electronic communications are limited and employees have a duty to conserve these resources.

#### **5-10. Use of Credit Cards on the Internet**

Before making any purchases on the internet, employees who are authorized to use Village credit cards shall ensure that they are using a secured site.

#### **5-11. Computer Security**

The computer resources and the data stored therein are critical to the ability of the Village to perform its business. These computer resources and data are subject to compromise and illicit modification if proper computer security techniques are not employed. Therefore, the Village employs a security password system to enable controlled entry into its electronic communication systems. Disclosing individual system passwords to others is strictly prohibited. Computers left unattended should be either powered off, logged off the network, or password protected with a screen saver.

#### **5-12. E-Mail Addresses**

The Village owns all e-mail addresses provided to its employees, including any names and/or references associated with the Village's e-mail system. Use of the Village owned email address for personal correspondence is strictly prohibited. Upon separation of employment from or removal from an office of the Village, all rights to use this e-mail address shall cease. Further, the Village reserves the right to keep an employee's e-mail address active for a reasonable period of time following separation of employment with or removal from office of the Village to ensure that important business communications reach the Village.

#### **5-13. Illinois Freedom of Information Act**

Under the Illinois Freedom of Information Act, communications may be considered public records and, therefore, subject to disclosure absent a specific exemption. Employees must forward requests for information or public records to a FOIA Officer. The Village may also obtain public records from all Village owned computers via access and retrieval by the Village's IT consultant.

#### **5-14. Violations**

Violations of this policy shall subject the employee to disciplinary action, up to and including termination. Employees who observe violations of this policy are obligated to report those violations to the Village.

#### **5-15. Document Retention**

Act: The Illinois Local Records Act (50 ILCS 205/1 *et seq.*) governs the retention and disposition of public records, regardless of physical form. Often the content of messages may constitute a formal, public record and must be retained according to established retention schedules; however, some e-mail messages are informal, temporary communications that do not qualify as "public records" (e.g. junk mail, invitations, etc.). Employees 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. Electronic communications which are considered public records must be preserved in either reproduced

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paper format or electronic format. If the employee prints out an official public record from the Village'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, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital 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. It is important to note that a public record is not determined by the medium used (email, text, paper, etc.) but rather whether the content relates to public business. Even a personal email address or personal cell phone text message are considered public records if official Village business is discussed. 50 ILCS 205/3. Factors to consider and 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? E-mails, text messages 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 Village of Hawthorn Woods. 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 Village. 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, decisions, procedures, etc.," when a matter is finalized. Therefore, the Village 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 drafts, notes, or interoffice memoranda that are not retained by the Village in the ordinary course of business may be discarded. Carbon copies of e-mails may be discarded where the sender or primary recipient retains a copy of the message along with any attachments thereto.

If the decision to discard is unclear after considering the above guidelines, then consult the FOIA officer.

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 shall be retained in the appropriate file or saved to a specific named folder to avoid the possibility of automatic deletion.

Any questions about document retentions should be directed to the Village Clerk.

## **Section 6 – SOCIAL MEDIA AND SOCIAL NETWORKING POLICY**

### **6-1. Social Media Policy**

Social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, 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, we have established this policy for appropriate use of social media. In conjunction with this policy, employees are expected to also abide by the Village's other policies set forth in this Personnel Policies Manual. This policy applies to all employees who work for the Village.

For purposes of clarity, this policy is intended to assist you in conforming your activities in social media to Village guidelines and to identify your legal obligations and potential liabilities. Nothing in this policy is intended to or will be applied in a manner that limits any employees' rights to engage in protected concerted activity.

### **6-2. Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal, or diary, personal web site (such as Facebook), social networking or web site, web bulletin board or a chat room, whether or not associated or affiliated with the Village. Because your use of social media can lead to personal and professional legal ramifications for you and the Village, the Village expects you to follow these guidelines with respect to any form of electronic communication.

The same principles and guidelines found in other Village policies set forth in this Personnel Policies Manual (as more fully described below) apply equally to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects the protection of confidential and/or proprietary information belonging to the Village, our suppliers, vendors, or our legitimate business interests, may result in disciplinary action, up to and including termination of employment.

### **6-3. Duty to Follow the Rules**

Carefully read these guidelines as well as the Village's policies regarding Technology, Professional Conduct, and Harassment and Discrimination, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action, up to and including termination of employment.

### 6-4. Be Respectful

Strive to be fair and courteous to the Village, your co-workers, suppliers, vendors and other third parties affiliated with the Village. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers and/or management or utilizing the Village's Complaint procedure, than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, traits associated with race, sex, disability, religion or any other status protected by law or Village policy.

### 6-5. Be Honest and Accurate

Make sure you are always honest and accurate when posting information or news regarding co-workers, suppliers, and vendors, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Village's residents, co-workers, suppliers, vendors or other third parties affiliated with the Village. Never post any maliciously false information about the Village. Whenever promoting the Village, make sure to disclose that you are an employee of the Village. This is important to comply with truth in advertising and other related laws.

### 6-6. Appropriate and Respectful Content

Maintain the confidentiality of Village Confidential Information (as defined in the Village's confidentiality policy). Do not create a link from your blog, website or other social networking site to a Village website without identifying yourself as a Village employee.

Express only your personal opinions unless you are authorized to represent the Village as a function of your job. Never represent yourself as a spokesperson for the Village. If the Village is a subject of the content you are creating, be clear and open about the fact that you are an employee and that your views do not represent those of the Village, fellow employees, residents, suppliers, vendors, or other organizations or individuals working on behalf of the Village. If you do publish a blog or post online related to the work you do or subjects associated with the Village, make it clear that you are not speaking on behalf of the Village. It is best to include a disclaimer such as **"The postings on this site are my own and do not necessarily reflect the views of the Village of Hawthorn Woods."**

### 6-7. Social Media at Work

The use of social media should only occur before or after your shift or during a break or lunch, using your personal device. Village computers or tablets should never be used to access personal social media at work. Use may be work-related as authorized by your supervisor or consistent with the Village's Communications policies. You may not use Village email addresses to register on social networks, blogs, or other online tools utilized for personal use.

Remember, too, that you should not have an expectation of privacy in your use of any Village equipment. Information displayed on any Village computer or other equipment may be viewed and/or recorded by the Village.

**6-8. Retaliation Prohibited**

The Village prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

## **Section 7 – COMPENSATION**

### **7-1. Classification and Pay Plan**

The Village's pay plan is reviewed annually and adopted by the Village Board. The Village's current classification and pay plan consists of 8 Career Bands within which all Village positions fall. Each band is associated with an approved salary range which is based on internal equity and external competitiveness. The compensation plan applies to all employees except those covered under a collective bargaining agreement.

### **7-2. Employee Evaluations/Career Conversations**

The Village maintains a program called "Career Conversations" for periodically evaluating an employee's performance when appropriate. The purpose of performance evaluations/Career Conversations is primarily to inform the employee of the level at which their job is being performed based on expectations of the Village. Specific recommendations and/or suggestions will be offered to improve unsatisfactory performance where appropriate. Employees are encouraged to provide constructive ideas to improve their performance during the evaluation meetings.

Performance evaluations/Career Conversations will also be used in assessing an employee during the training and orientation period, as a basis for merit pay increases, as a factor in determining order of layoff, as a basis for training, promotion, demotion, and transfer; and for such other purposes as may be deemed appropriate. Please understand that a performance evaluation will not necessarily guarantee an adjustment in salary.

An employee's performance evaluation/Career Conversation generally will be prepared by his/her immediate supervisor, who will review the evaluation with the employee generally on an annual basis. An employee will have the opportunity to respond with written comments, either on the evaluation or on a separate statement, within ten days of the review.

### **7-3. Salary and Wage Adjustments**

Salary and wage adjustments are not automatic, but will be based on evaluations and budgetary considerations.

### **7-4. Overtime**

Only Fair Labor Standards Act (FLSA) non-exempt employees shall be entitled to overtime. Eligible employees shall be compensated for overtime at a rate of one and one-half times their regular hourly rate for all hours worked over forty (40) in a work week (or 80 hours in a 14-day work period in the case of sworn personnel). Paid time off (PTO), vacation time, sick time, and hours for which an employee receives full salary continuation for military leave, shall be included as time worked when calculating overtime. For all FLSA non-exempt employees, prior authorization from the employee's supervisor and Chief Operating Officer is required before an employee may work more than their scheduled daily or weekly hours. Additionally, non-exempt employees shall not conduct any Village business outside of work hours,

including but not limited to, work on Village issued or personal electronic devices (including but not limited to tablets, computers, smart phones, I-Pads, and like devices) unless they have received prior approval from a supervisor. Failure to obtain prior approval for overtime may result in disciplinary action, up to and including, termination. To the extent possible, an attempt will be made to fairly distribute overtime work among employees competent to perform the required service.

In the case of exempt executive, administrative, and professional personnel as defined by the Fair Labor Standards Act (FLSA), it is implicit in the nature of their position that time beyond the normal work schedule may be spent on the job. While some recognition of this work may be made by the Chief Operating Officer, it is recognized that these classifications are overtime exempt.

### **7-5. Compensatory Time**

The U.S. Office of Personnel Management defines compensatory time as time off with pay in lieu of overtime pay for irregular or occasional overtime work. This also applies when permitted under agency flexible work schedule programs, including time off with pay in lieu of overtime pay. An employee may receive compensatory (comp) time if prior authorization is received from the employee's supervisor and the Chief Operating Officer.

Based on the U.S. Department of Labor's Fair Labor Standards Act (FLSA), one and a half hours of compensatory time off can be granted for each hour of overtime worked. Upon approval, non-exempt employees who work in excess of 40 hours in a work week could request compensatory time. For example, if an employee works 42 hours in a work week, the employee could request 3 compensatory hours in lieu of 2 hours of overtime pay.

Accrued compensatory time must be used by the end of the 26<sup>th</sup> pay period or December 31<sup>st</sup> in the same year the compensatory time was earned. If an employee works over 40 hours in the 26<sup>th</sup> week of the year, the hours worked over 40 hours will be paid as overtime. An employee can earn up to the maximum of 20 hours of compensatory time in a calendar year. Once an employee earns the maximum amount of compensatory time hours, the employee cannot earn and/or receive any additional compensatory time hours until the next calendar year.

### **7-6. Date of Hire**

Date of hire shall mean the effective date of the individual's employment with the Village. A regular employee returning from a leave of absence without pay will not be given service credit during the unpaid time off. Benefits will not accrue during this time off.

### **7-7. Re-assignment to Lower Classification (Demotion)**

An employee reassigned to a position in a lower classification or reduction in job duties regardless of the reason (disciplinary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, etc.) will receive a cut in pay commensurate with the nature of the demotion as determined by the Chief Operating Officer in consultation with the Department Head and employee's supervisor.

Demotions do not change the person's date of hire. No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

### **7-8. Promotions and Transfers**

The Village will typically consider the internal talent base when filling vacant positions before advertising to the general public following a practice of upward mobility whenever possible. Employees are encouraged to apply for positions in which they believe they are qualified. Selection of an employee for a promotion is based on several evaluation criteria including past work record, education, and knowledge of the job duties. In all instances, the Village retains the right to recruit and employ the most qualified candidate for a position.

If the employee accepts a transfer or promotion, it will be the responsibility of the two affected departments along with the employee, to reach agreement on a transfer date or promotion. Transfers may be initiated by the Village in instances where the Village's best interest may be served. Temporary duty assignments may be made by the Chief Operating Officer for a specified time or assignment as necessary. Such appointments are made on an "acting" basis and the employee returns to his or her regular position upon completion of the assignment. Temporary assignments and appointments do not alter the at-will employment relationship.

Transfers and promotions do not change a person's date of hire. If the position to which an employee transfers carries benefits different from those of the previous position, the benefits of the new position apply. Any exceptions must be stated in writing and be authorized by the Department Head and Chief Operating Officer's Office.

### **7-9. Pay for Working in a Higher Classification**

There will be circumstances when an employee will receive compensation for the performance of duties in a higher classification than he/she normally performs. The performance of duties in a higher classification shall not be construed as granting any rights to continued placement in the higher classification.

The guidelines for determining when pay for working in a higher classification applies shall be as follows:

1. Compensation for working out of classification is provided as monetary recognition to an employee for the assumption and performance of duties normally performed by an employee of higher classification.
2. The assumption and performance of the duties of the higher classification must encompass a substantial portion of the range of responsibilities of the higher classification as determined by the Chief Operating Officer. This shall not apply to temporary assignments which are made pursuant to a prior mutual agreement between the employee and his or her supervisor for the purpose of providing a training opportunity to the employee, for a mutually agreed upon period of time.
3. The performance of such duties must be for an extended period of time, wherein a need exists to fulfill the duties and responsibilities of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in excess of sixty (60) work days. Performance of such duties for a period

of sixty (60) work days or less shall be considered a normal duty or requirement and shall not be compensated beyond an employee's regular rate of pay.

4. Working out of classification compensation shall be allowed only after written recommendation of the Chief Operating Officer with concurrence by the Department Head. Recommendation and designation shall be accomplished prior to the assumption of higher classification responsibilities. The Chief Operating Officer shall have the authority to grant working out of classification compensation.

The employee's compensation will be established through mutual agreement at the time of assignment, but will generally not exceed twenty percent of the employee's current salary. When the temporary assignment is completed, the employee's salary will be readjusted to its previous level or the level it would have attained, including any general salary adjustments and within range increases, as if the out-of-classification pay had not been awarded. The employee's date of hire will remain unchanged throughout the temporary assignment.

#### **7-10. Wage Garnishment**

When the Village receives a court-order to take deductions from an employee's paycheck, the employee will be notified. The Village will act in accordance with state and federal law and applicable restrictions on the total amount that may be garnished from your paycheck. Only court-ordered garnishments will be processed.

#### **7-11. Pay Periods**

Village employees paid by check or direct deposit are paid every other Friday. There are 26 pay periods in the fiscal year. The pay period begins on Sunday at 12:01 A.M. and ends the following Saturday at 12:00 midnight. The work period for sworn employees shall commence on Sunday at 12:01 A.M. and end on Sunday, fourteen (14) days hence, at 12:00 midnight.

If a pay day falls on a holiday, the day of pay shall be the last working day preceding the normal pay day. Paychecks will be distributed directly to the employee unless other arrangements have been approved in advance. An employee's paycheck may be released to the employee's spouse, designated family member, or to another person only if authorized in writing by the employee and upon presentation of valid identification.

#### **7-12. Payroll Deductions**

##### Required Deductions

The following deductions are required by law from each employee paycheck:

1. Federal and State Income Tax withholding, unless exempt
2. Social Security (non-sworn personnel)
3. Medicare
4. Retirement contributions
5. Other deductions authorized by law

##### Optional Deductions

1. Deferred compensation (457(b))
2. Payment of health insurance premiums
3. Life & Accidental Death Insurance Premiums

4. Payment of dental insurance premium
5. Payment of supplemental insurance premium
6. Other deductions authorized by the employee

With each paycheck the Village employee receives a statement of deductions and earnings which itemizes the various deductions made, as well as appropriate cumulative totals. A record of paid time off, vacation time, and sick time will also appear on the paycheck stub following successful completion of related orientation periods.

It is the employee's responsibility to maintain current payroll deduction information with the Human Resources Office. Employees wishing to add or change their payroll deductions should contact the Human Resources Department.

### Other Permissible Deductions

As permitted by law, the Village reserves the right to make other applicable deductions on a case-by-case basis.

### Improper Deductions

The Village is committed to compliance with the state and federal wage and hour laws. The Village prohibits improper pay deductions as specified in 29 C.F.R. Sec. 541.602(a) and other violations of wage and hour laws. If you feel that an improper deduction has been made from your paycheck or any other sort of wage and hour violation, you are required to notify the Chief Operating Officer immediately. Upon receipt of notification, the Village will conduct a prompt investigation. If it is found that an improper deduction was made, you will be appropriately reimbursed. The Village will note the improper deduction and strive to comply with all applicable laws in the future. No retaliation will be made against anyone who, in good faith, makes a report under this policy.

### **7-13. Direct Deposit**

The Village offers and encourages direct deposit of employee payroll checks. Enrollment and/or changes can be made by filling out the Village's Direct Deposit Authorization Form and providing a voided check to the Finance Department. The voided check must contain the bank routing and account numbers for processing.

Cancelling a direct deposit deduction must be done at least seven (7) working days prior to payday. Any expense reimbursements to employees will not be included in a direct deposit check.

#### **7-14. Recording Hours/Time Sheets**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and State laws require the Village to keep an accurate record of time worked in order to calculate employee's pay and benefits.

Altering, falsifying, or tampering with time records, or recording time for another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign his/her time records to certify the accuracy of all time recorded. If there is an error in a time record, the change should be made and initialed by both the employee and the employee's supervisor. The supervisor will review and then approve the time record before submitting it for payroll processing.

## **Section 8 – BENEFITS**

### **8-1. Eligibility for Benefits**

Full-time employees shall generally receive all employee benefits provided by the Village. Generally, part-time employees, seasonal, and interns are not entitled to health benefits but may be eligible for retirement benefits through IMRF, excluding sworn personnel.

The Village Board reviews benefit funds annually; therefore, stated benefits are subject to change. The extent of coverage under the insurance policies or plan(s) referred to in this section shall be governed by the terms and conditions set forth in said policies, or plan documents. This Manual contains a very general description of the benefits to which you may be entitled as an employee. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this Manual does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination in the Human Resources Department. To the extent that any of the information contained in this Manual is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases. The Village reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans. For more complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions, which were provided to you separately or contact the Human Resources Department.

### **8-2. Group Medical Insurance**

The Village provides full-time employees and all eligible dependents with group medical insurance under the terms specified in the Village Group Medical Contribution as adopted by the Board from time to time. Notwithstanding the employee classification definitions contained in this Manual, the Village determines full-time status of employees under the rules of the Affordable Care Act for purposes of group medical insurance.

Specific benefits of the plan are described in insurance brochures provided to each employee by the Human Resources Department. Annually, there is an open enrollment period during which an employee may elect to change coverage; typically thirty (30) days prior to plan year end date. Medical coverage may be continued during an approved leave of absence in accordance with applicable law and/or at the discretion of Chief Operating Officer.

Enrollment applications and/or change forms should be completed in the following instances:

1. new employees beginning service with the Village;
2. employees seeking to add an eligible dependent;
3. employees who request to drop a dependent;
4. qualifying life event (i.e. marriage, divorce, birth).

Applications and/or change forms are available from the Human Resources Department. It is the employee's responsibility to notify the Human Resources Department of any change in dependent status by updating the information in the employee self-service benefits portal. In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), continuation of group health plan coverage for a period of time is available according to the provisions outlined in Section 11-4. See also Section 11-6 regarding continued participation in the group medical insurance for retiring employees.

### **8-3. Group Dental and Vision Plan**

The Village provides full-time employees and all eligible dependents with group dental and vision insurance under the terms specified in the summary plan description.

### **8-4. Flexible Spending Accounts**

All full-time and all part-time employees are eligible to participate in the Flexible Spending Plan. The Internal Revenue Code Section 125 permits employees to pay certain expenses with pre-tax dollars, while providing some flexibility in benefit selections during the applicable plan year, in the following areas:

1. Medical Co-Pays
2. Dental Co-Pays
3. Vision Care
4. Hearing Care
5. Prescription Drugs
6. Day Care Services
7. Medical and Dental Care Deductibles
8. Unreimbursed medical and dental expenses

The flex plan runs from January 1 to December 31 of each year. Every eligible employee will have the opportunity to make an election to participate in the program in December. A nominal fee to participate in the Flexible Spending Plan may be deducted from each participating employee's paycheck. All funds contributed to the flex account must be used within the year in which they are pledged. Employees generally have ninety (90) days following the end of the plan year to submit charges to the flex account, however, the charges must have been incurred during the plan year. Participants must understand that any unused funds are not reimbursable to the employee.

### **8-5. Retirement System (see also Section 11-6 Retirement Benefits)**

Eligible non-sworn Village employees participate in a combination of Social Security and the Illinois Municipal Retirement Fund. Sworn personnel are eligible for the Hawthorn Woods Police Pension.

The State of Illinois has mandated that each non-sworn employee of the Village who is assigned to work more than one thousand (1,000) hours per year must participate in the Illinois Municipal Retirement Fund (IMRF).

IMRF is a program providing for the payment of retirement, disability, and death benefits to municipal employees. Participating employees contribute to IMRF on a pre-tax basis pursuant to statute based on total annual earnings.

If a member terminates service without retiring, accumulated IMRF contributions are refundable upon request. Employer contributions are not refundable under any circumstances. Employees hired before January 1, 2011 are vested with a minimum of eight years of service under the plan. Employees hired on or after January 1, 2011 qualify under tier two benefits which increases the retirement age and changes the vesting requirements to ten (10) years of service. A detailed listing of all Tier 1 and Tier 2 benefits is available through IMRF.

Annual benefit statements are provided by IMRF to participating members. Employees may request an estimate of benefits from IMRF at any time to obtain an approximate projected retirement benefit amount.

Enrollment and benefit forms are available through the Human Resources Department and/or the local IMRF representative for the Village. It is the employee's responsibility to keep all information on file and up to date including, but not limited to, name, address, and beneficiary(ies).

### **8-6. Deferred Compensation**

The Village provides an option to any full-time employee to invest a portion of his/her present earnings in various deferred compensation plans. This is an arrangement where a certain dollar amount can be designated by the employee to be withheld from his/her paycheck and invested for payment at a later date, usually at retirement. Under this arrangement, neither the deferred amount nor earnings on the investments are subject to current Federal income taxes until such time as the employee receives payment from the plan.

Enrollment can be arranged through the Human Resources Department and is open to any individual who has achieved full-time employee status with the Village. Contributions to the program are financed solely by the employee, either through direct deposit or payroll deduction.

Benefits received through this program are in addition to Social Security or retirement system benefits for which the participating employee could be eligible.

### **8-7. Life Insurance**

The Village provides eligible full-time employees with basic life and accidental death and dismemberment insurance. Employees are directed to review the Summary Plan Description, which is available through the Human Resources Department.

Coverage is effective on the first day of employment and continues until the employee leaves the Village's employment, the employee moves to an employee class which is not eligible for this benefit, or the policy is discontinued completely by the Village. Termination under the policies shall be determined when premium payments for such employee's insurance are discontinued.

It is the employee's individual responsibility to maintain current policy information on file with the Village. Pertinent application/policy data includes names, address and beneficiary(ies).

As an option, IMRF eligible employees, at their expense, may enroll in a low cost group term life insurance program with an additional accident, death, and dismemberment component. Group term coverage for an employee's spouse and eligible dependents is offered at no additional premium through IMRF. Coverage application forms are available through the Human Resources Department.

### **8-8. Employee Development and Promotion**

Employees will be provided reasonable means to succeed in their career and will be given opportunities to prepare themselves for full use of their talents and potential. On-the-job training will be provided to prepare employees to meet the full requirements of their positions.

### **8-9. Tuition Reimbursement**

The Village of Hawthorn Woods recognizes the mutual benefit derived from the personal growth and increased work competence that an education can bring. Because of this, the Village provides financial assistance to full-time employees interested in furthering their education. The amount of funding made available may vary from year to year based upon budgetary constraints. The following tuition reimbursement program applies to non-sworn employees. Sworn employees should consult the Collective Bargaining Agreement for details on their tuition reimbursement plan.

#### Priority criteria in the event of limited funding

1. First priority will be given to employees taking courses which are directly related to their present job or to the next promotional opportunity, whether or not they are part of a degree program.
2. Second priority will be given to employees working towards an undergraduate degree.
3. Third priority will be given to employees working towards a graduate degree.

All tuition reimbursement is subject to the availability of funds as provided in the annual budget. In addition, each employee is eligible for one class reimbursement per semester.

#### Eligible Employees

1. Full-time Village employees who are currently on the Village payroll. Members of the Board of Trustees and Village Committees are not eligible for the tuition reimbursement program.
2. Employees must be in good standing and have completed the six month initial orientation and training period.
3. Employees must be scheduled to work a minimum of 1,000 hours on an annual basis.
4. Interns, seasonal employees, and employees on FMLA or unpaid leave are not eligible for the tuition reimbursement program.

Qualifying Courses

Qualifying courses are limited to accredited colleges and universities that are either directly related to an employee’s current job duties, or provide skills or knowledge that would be a value to the Village if the employee qualified for a promotion with the Village.

“Directly related” means that the course would improve a job skill that is mentioned in the employee’s job description; or is not in the employee’s job description, but has been included in a departmental training curriculum. Note that any workshop, convention, conference, seminar, or certificate program that an employee requests or is requested to attend will not be eligible.

Only “In-State” tuition rates will be eligible for reimbursement. If the course is out of state or housing/travel is necessary, the employee may be required to contribute financially upon application acceptance.

Qualifying Expenses

Tuition reimbursement will be made only for tuition.

Non-qualifying expenses include:

1. Mileage
2. Student fees (i.e. computer, activity, materials, parking, late fees etc.)
3. Books
4. Supplies (notebooks, electronic devices, pens, calculators, etc.)
5. Incidental expenses

Reimbursement Rates

The amount of tuition reimbursed is based upon the employee’s academic performance in accordance with the following schedule:

<b>Course Grade</b>	<b>Percent of Tuition Reimbursed</b>
Grade “A”	100% of allowed tuition
Grade “B”	90% of allowed tuition
Grade “C”	50% of allowed tuition
Grade “Pass”	50% of allowed tuition
Below “C” or “Fail”	No Reimbursement

Employees enrolling in college course must take advantage of and pursue other financial sources such as grants, scholarships, G.I. benefits, and fellowships. The Village only considers the difference between the actual tuition cost and any received financial assistance awarded as the amount eligible for reimbursement. Employees who fail to disclose other sources of

financial assistance in connection with their application and subsequent receipt of tuition reimbursement shall be subject to discipline.

### Tuition Reimbursement Process

1. **Submission of Application for Tuition Reimbursement.** Before registering for a course, an employee must submit a completed Application for Tuition Reimbursement to his or her Department Head. The employee and the Department Head will discuss the relevance of the course to the employee's position and/or future goals.
2. **Completion of Statement of Understanding.** Prior to receiving authorization and payment of reimbursable expenses, the employee shall sign a Statement of Understanding form stating that the employee understands the required repayment of reimbursement should the employee terminate their employment within a two year period of completion of the course.
3. **Approval of Application.** If the courses fulfill the requirements of this policy, the Application for Tuition Reimbursement will be approved by the Department Head, the Chief Financial Officer/Human Resources Director, and the Chief Operating Officer.
4. **Registration.** Upon the receipt of the approved Application for Tuition Reimbursement form, the employee may register for the course.
5. **Submission of Tuition Reimbursement Voucher.** Upon successful completion of the course(s), the Tuition Reimbursement Voucher and original receipts and grades must be submitted to the Human Resources department within four (4) weeks after the grades have been posted.
6. **Authorization and Payment.** Once all applicable paperwork has been submitted to the Finance Department, the reimbursement will be processed through accounts payable and approved at the next regularly scheduled Village Board meeting.

### Employee Resignation

Employees receiving tuition reimbursements who separate employment before two (2) years have passed, must refund the Village 100% for all tuition reimbursements paid in the twelve (12) month period immediately prior to the separation and 50% for all tuition reimbursement paid twelve (12) to twenty-four (24) months prior to the separation. This two (2) year period commences with the completion of the last course reimbursed under the program.

## **8-10. Travel and Travel-Related Expenses**

Employees traveling on business for the Village will be reimbursed for reasonable out-of-pocket expenses in compliance with the Local Government Travel Expense Control Act and applicable local resolutions or ordinances or given an advance per-diem according to their travel destination. It is the responsibility of each employee to understand and comply with the business expense policy prior to submitting expenses for payment. Any questions or guidance should be directed to the employee's supervisor or Chief Financial Officer. The following limitations are set forth as guides.

1. Travel will be accomplished by the most expeditious means, whether it is by air, bus, train, Village owned, or private automobile. A Village vehicle should be utilized whenever possible. Should a Village vehicle not be available, and upon prior approval by the Chief Operating Officer, a private car may be used. Employees using their private automobile must carry automobile insurance to meet or exceed that which is mandated by the State of Illinois. Reimbursement at the current standard mileage reimbursement rate established by the Internal Revenue Service may be paid to cover transportation costs based on actual miles traveled while conducting Village business. If commercial carrier, the full cost of the ticket will be paid at the most economical class. No employee will be required to fly, but employees should travel utilizing the quickest mode of travel available. Travel for all employees must have been approved in the department budget, must be in the interest of the Village, and must be approved by the supervisor and the Chief Operating Officer prior to departure. General expenses including meals, tips and incidental expenses will be reimbursed based on the US General Services Administration (GSA) per diem amounts or paid a per-diem in advance of travel. The employee will obtain receipts whenever practical.

2. The full cost of registration and all business-related costs pertaining to the trip will be paid by the Village after approval by the Village Board. The cost of meals purchased for persons other than Village personnel may be reimbursed if the reason for such expense is deemed to be in the best interest of the Village. In all cases, expenses must be accounted for using the Village Expense Form (copy may be obtained from the Finance Department) and verified by receipts in order to receive reimbursement, except for per diem expenses and in certain cases where a receipt would not be feasible.

3. Attendance at Conferences: Employees desiring to attend an educational or professional conference must obtain the approval of his or her supervisor and the Chief Operating Officer prior to registering for same and must adhere to the following:

1. The supervisor and the Chief Operating Officer may approve conference attendance at those conferences or seminars related to municipal government or management;
2. Conference attendance must be in the department's budget;
3. Conference attendance must be in the best interest of the Village;
4. The Chief Operating Officer may exercise his or her discretion and have the authority to permit exceptions to the guides and policies set forth herein concerning attendance at conferences.

4. Documentation Requirement: If employee is not receiving a per-diem advance, a daily record of expenses is required. All items listed on the expense report should show date, name, job title or office, business location (city and state), and business purpose. Receipts must be attached for individual meals, lodging, auto rental, cab fare and commercial travel. Although receipts are not readily available for individual miscellaneous expenditures (gratuities, parking, etc.), employees are encouraged to submit receipts whenever possible. All receipts should be legible and taped on letter size plain paper in chronological order. Original receipts are required for processing. The Village does not reimburse for alcohol purchases. All documents and

information submitted to record expenses are public records subject to disclosure under the Freedom of Information Act. Employees shall not be eligible for entertainment expense reimbursements as defined under the Local Government Travel Expense Control Act.

### **8-11. Employee Reimbursement**

Employees using their personal funds for work-related Village expenses are entitled to reimbursement through the Village's Accounts Payable system. Prior approval from your direct supervisor is needed before any purchase.

Employees should make an effort to use a Village-owned vehicle when making work-related purchases. If this option is not available, the employee may be reimbursed for mileage while purchasing work-related Village expenses. Employees will be reimbursed for mileage by multiplying the number of miles driven to make the work-related purchase by the Internal Revenue Service (IRS) standard mileage rate. The IRS standard mileage rates can be found on the website <https://www.irs.gov/tax-professionals/standard-mileage-rates>.

Employees must submit their expenses in a timely fashion. It is highly recommended that employees submit their expenses every month to avoid delayed reimbursements. The Village's fiscal year is January 1<sup>st</sup> - December 31<sup>st</sup>. All expenses made in the fiscal year must be submitted to their supervisors before or on December 31<sup>st</sup> of that year.

### **8-12. Uniforms and Equipment (also see Section 4-1)**

The Chief Operating Officer or Supervisor may arrange for the provision of uniforms or establish reasonable uniform allowances, in lieu thereof, in cases where the wearing and maintenance of uniforms is appropriate for the good of the Village.

The Chief Operating Officer may arrange for the provision of equipment or establish reasonable equipment allowances, in lieu thereof, in cases where such equipment or material is necessary to perform the primary duties of the respective occupation or provide safety protection for the employee from the work hazards incidental to the occupation.

### **8-13. Employee Assistance Program**

The Village has made arrangements with a provider to offer access to counseling on a confidential basis. The program is available to all Village employees and dependents according to a shared cost arrangement. The contract with the provider is updated annually so the terms and conditions do change from year to year. Please contact the Chief Financial Officer/Human Resources Director for additional information.

### **8-14. Health Insurance Portability and Accountability Act (HIPAA)**

The Village sponsors of a group health plan are subject to the Health Insurance Portability and Accountability Act's (HIPAA's) privacy rule and are required to adopt privacy regulations

designed to safeguard certain protected health information. It is the policy of this organization to abide by both the letter and the spirit of the privacy rule.

Protected health information (PHI) refers to individually identifiable, non-employment-related health information received via the organization's group health plan. It includes information related to health status, medical condition, claims experience, receipt of health care, medical history, genetic information, and evidence of insurability and disability.

PHI does not include health information received apart from a group health plan to be used for employment purposes, such as information pertaining to Workers' Compensation; short and long-term disability; obligations under the Americans with Disabilities Act, Family and Medical Leave Act, or similar laws; or pre-employment physicals.

Individuals have the right to restrict the disclosure of PHI if the disclosure is for the purpose of carrying out payment or health care operations, and the PHI pertains solely to a health care item or service for which the individual paid the health care provider in full out of his/her own pocket.

It is the responsibility of each employee to adhere to all aspects of this policy. Each employee should promptly notify the Chief Financial Officer/Human Resources Director when a violation occurs, or when there is a question regarding HIPAA procedures. An employee who discloses PHI in violation of this policy shall be subject to disciplinary action up to and including termination of employment.

Individuals will have the right to request an accounting of disclosures if their electronic health records (i.e. any electronic health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff) were used to carry out treatment, payment, and health care operations.

As plan sponsor, the Village only accesses, discloses, or uses PHI for functions related to the administration of its group health plan. We do not access, disclose, or use individual employees' PHI for employment-related actions and decisions, or in connection with other benefit plans. Misuses or inappropriate disclosures will be reported to the appropriate entities according to the law.

### 8-15. Alternate Worksite Policy

The Village of Hawthorn Woods offers the limited option of working remotely to eligible employees. This is an effort to promote work/life balance and sustainability through reduced travel to the workplace. Eligible employees may work one day per week from an alternative worksite/location with the consent of their Department Head and Chief Operating Officer. This opportunity is created to enhance the time necessary to perform at a higher level when projects demand full concentration and a remote worksite can enhance time management on such work-related projects.

This policy is considered to be a viable work option when both the employee and the job are suited to such a portable arrangement. A flexible work week including telework may be appropriate for some employees and job descriptions, but not for others. Not all Village employees have job functions that can be eligible for teleworking including positions that are in the field, positions that require face to face interaction with customers, and/or positions that provide safety detail may not be eligible.

Any applicant must be able to work independently and demonstrate eight (8) hours of productivity and time management to their supervisor. This alternate worksite policy is not an entitlement, nor a village-wide benefit, and it in no way changes the terms and conditions of employment with the Village of Hawthorn Woods. Alternate worksite permission can be modified or discontinued at any time by the Department Head or Chief Operating Officer as conditions may warrant.

An eligible employee must meet all of the following minimum standards to be eligible for the alternate worksite program:

1. A minimum of 6 months continuous, full-time employment.
2. Maintain good standing per annual career conversation and absent of disciplinary actions, including having no Performance Improvement Plans, or verbal written disciplinary actions within the last 12 months.
3. The employee's participation in a flexible work week may not hinder performance of other Village employees, compromise Village services, contribute to the need of additional staff or overtime work.
4. Additional technological expenses, like internet and WIFI, along with costs associated with printing, cartridge replacement, and at home expenses will not be reimbursed. Instead, send printing to your work printer or copy when in the office.
5. The employee's job responsibilities will allow a telework schedule with no loss of job performance or efficiency.

Employees authorized in writing to perform work under an "Alternate Worksite Agreement Form" must meet the same standards of performance and professionalism expected at municipal facilities. Job responsibilities, work quality, customer service, responsiveness, and timeliness of assignments is expected to demonstrate excellence of service.

1. Workplace policies remain in effect during remote work allowance.
2. Non-exempt employees will record actual and exact hours worked and note meal periods on their timesheets.
3. Remote work location must be business appropriate.

4. Staff will promptly notify supervisor when unable to perform work assignments due to illness, equipment failure (including loss of home or work internet service) or other unforeseen circumstances. PTO will be used in such circumstances.
5. Remote staff shall be accessible and responsive to business needs during work periods as equivalently expected when on-site.
6. When remote, work times are expected to match regular on-site work schedules; unless a schedule change is approved by a supervisor.
7. Child/elder care must not interfere with work productivity when working remotely. Working remotely is not a substitute for child care, and is not intended to enable employees to conduct personal or medical business when on company time.
8. Department Heads and/or supervisors may adjust an employee's schedule, when necessary, with minimal notice. This can include requiring an employee to report to work on a typical telecommute day.
9. All employees' existing supervisory relationships, lines of authority, and chain of command and communication remain in effect, regardless of work location. Supervisors will ensure that timeliness are adhered to and that goals and objectives are achieved.
10. Employees are required to maintain an accurate record of all hours worked at the alternate worksite and make that record available to supervisors.

The need for specialized material or equipment in order to telecommute should be minimal. Employees interested in telecommuting must already have a safe and ergonomically efficient home office environment and the primary materials and equipment needed at their home in order to working remotely.

Additionally, the employee shall furnish their own computer, appropriate productivity peripherals, cables/adapters as needed. The Village reserves the right to review and approve of such work space, and will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, equipment, furniture or lighting, nor for repairs or modifications to the home office space.

Employees are expected to provide and maintain home internet service at their own expense, with password-protected access and sufficient bandwidth for productive work. The Village is not responsible for certain equipment including, but not limited to, printers and ink cartridge consumables, personal peripherals or accessories, or home internet service network equipment. If staff needs nominal technical equipment to facilitate or enhance work-from-home functionality or productivity they may make a request to their Department Head. After approval by the Chief Operating Officer, technical items shall then be selected and purchased by the Village.

Technical support for remote work shall be provided remotely. Village IT shall not be required or expected to provide on-site technical support for either Village or personal technology used for remote work.

1. Staff working remotely are expected to maintain a workplace free from safety hazards. The space should be quiet and free from distractions, with reliable and secure internet and/or wireless access. There should not be background noise interfering with business phone calls.

2. The Village will not be responsible for injuries or property damage, including injuries to third persons, when said injuries occur out of municipal control at the alternate worksite.

To request working remotely, fill out the “Alternate Worksite Agreement Form” in Appendix J and submit to your Department Head for signature and COO approval. If approved, the schedule will remain in effect for one (1) year, until a new form is approved, or until the privilege is revoked. The alternate worksite privilege may be removed by a Department Head or the Chief Operating Officer at any time.

*Note: This policy does not apply to collective bargaining employees.*

*Department Heads may work with the Chief Operating Officer directly in regards to flexible working conditions. A formal “Remote Work Request and Agreement Form” is not required for Department Heads who are already contractual employees.*

## Section 9 – HEALTH AND SAFETY

### 9-1. Responsibility for Safety

The Village is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees.

The Village will maintain safety and health practices consistent with the needs of our workers. Any suspected unsafe conditions and all injuries that occur on the job must be reported to your supervisor immediately. It is the responsibility of each employee to accept and follow established safety regulations and procedures.

It shall be the policy of the Village to provide a clean, safe, and business-like work environment for employees. Employees are expected to do their part for safety by observing all safety rules and regulations, keeping their work areas clean and organized, and by wearing all required safety equipment.

In the event of an infectious disease, the Village will strive to follow scientific guidance when making decisions regarding a safe and healthy workplace. The Village will reference the Center for Disease Control (CDC), the Illinois Department of Public Health (IDPH), Occupational Safety and Health Administration (OSHA) and the Lake County Health Department for guidance throughout a pandemic or health crisis, including face mask guidelines, social distancing, and testing procedures.

### 9-2. Workplace Violence

The Village has “zero tolerance” for violence in the workplace and is strongly committed to providing a safe environment for working and conducting business. The purpose of this policy is to minimize the risk of personal injury to employees and damage to the Village and personal property.

We specifically discourage you from engaging in any physical confrontation with a violent or potentially violent individual. However, we do expect and encourage you to exercise reasonable judgment in identifying potentially dangerous situations.

Threats, threatening language, or any other acts, verbal or non-verbal, of aggression or violence made towards or by any Village employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking, or any other hostile, aggressive, injurious or destructive action. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Village premises.

Any employee who threatens or attempts to intimidate or commit an act of violence toward any other employee, member of the public, or other third party on Village premises or in the performance of Village duties will be subject to discipline, up to and including termination. This includes disrespectfully gesturing or raising one’s voice in anger or frustration at another

co-worker or supervisor. Any employee who is subject to or witnesses such conduct by an employee or third party should report the incident immediately to any supervisor and to the Chief Operating Officer. Employees are encouraged to dial 911 in the event of a dangerous situation and should notify a supervisor who will also advise the Chief Operating Officer immediately.

With the exception of sworn police officers, the Village forbids the possession of lethal weapons, including but not limited to, guns and knives, on Village property. The Village also forbids the possession of non-lethal weapons including, but not limited to, mace, pepper spray, and stun guns on Village property. This policy applies to all employees and visitors to Village offices and facilities. Employees found in violation of this policy are subject to disciplinary action, up to and including termination of employment. Village employees that work in the field may carry pepper spray for encounters with unfriendly animals as a means to protect themselves.

Employees, elected officials, volunteers, and visitors to Village facilities who have obtained a Concealed Carry License (CCL) shall not carry a firearm on their person while on Village property or in the performance of duties on behalf of the Village whether on or off Village property. Employees, elected officials, volunteers, and visitors may travel to and from work or to Village property and facilities in their personal vehicles with their firearm according to the Act, but such firearms must be stored out of sight in their locked vehicle. This is referred to as the "Parking Lot Rule." In addition, employees may not travel in Village-owned vehicles with their firearm.

### **9-3. On the Job Injuries and Reporting (also see section 9-6)**

Employees injured during working hours shall report the injury immediately to their supervisor, irrespective of whether the employee seeks medical treatment, regardless of how minor the injury appears. Minor injuries may be treated with emergency first-aid kits which shall be kept by each department. Depending upon the seriousness of the emergency, the employee may be referred to the Village's occupational health facility or the nearest appropriate medical facility. Depending on the situation, the employee may be required to complete a blood test.

Time lost due to job related injuries will not be charged against earned paid time off (PTO), provided the injury is reported within 24 hours and investigated to confirm the injury is eligible for Workers Compensation coverage.

During the period of disability, the injured employee shall not be employed in any other manner, with or without monetary compensation. Any person who is employed in violation of this paragraph forfeits the continuing compensation from the Village from the time such employment begins and is subject to disciplinary action. Any salary compensation due the injured employee from Workers Compensation or any salary due them from any type of insurance which may be carried by the Village on behalf of the employee will be retained by the Village at the point other employment began. Any disabled employee receiving compensation under this provision shall not be entitled to any benefits for which they would

qualify because of their disability under the provisions of the Illinois Pension Code as amended.

Employees shall report all accidents and injuries to their supervisor immediately and no later than twenty-four (24) hours following the accident, unless the employee is medically or mentally incapacitated as a result of the incident. Failure to do so may be grounds for disciplinary action. An investigation of all accidents and injuries will be conducted by the supervisor and will be reported to the Chief Financial Officer/Human Resources Director. In addition to these safety regulations, the Village requires employees and supervisory personnel to follow the guidelines established in each department in regard to safety rules and procedures.

The supervisor will present a written report of the accident to the Chief Operating Officer within two (2) working days or within 48 hours of their notification.

To ensure an accurate gathering of the facts, the injured employee and/or any witnesses may be required to verbally, or in written form, state the facts to those individuals investigating the incident. Employees are required to fully cooperate with any investigation. An employee who intentionally misrepresents any injury or facts concerning an accident shall be subject to disciplinary action, up to and including termination.

An employee on injury leave may use up to a maximum of three (3) accumulated paid time off days at the salary rate he/she was making at the time of the accident, while awaiting a decision from the Village's Worker's Compensation insurance carrier (sworn police personnel are covered for 365 calendar days). After the appropriate 3-day or 365-day period, the employee may elect to use accumulated paid time off to continue receiving full pay. Should the employee not elect such action or should all such accumulated credits be exhausted, the employee may apply for disability under provisions of the applicable retirement or pension fund. Once the employee is no longer receiving full compensation from the Village, to the extent that the employee qualifies, he/she will be eligible to receive compensation payable under the Illinois Worker's Compensation Act in addition to appropriate retirement or pension fund benefits.

IMRF Benefits: In the event of a disability, an employee may be eligible for Family and Medical Leave and/or temporary disability benefits under the Illinois Municipal Retirement Fund (IMRF).

Sworn Law Enforcement Personnel: Temporary disability benefits for sworn law enforcement personnel are available and shall be provided through the Police Pension Fund. Regulations pertaining to such benefits are found in: "Police Pension Fund – Municipalities 500,000 and Under." 40ILCS 5/3-101 et. Seq.

### **9-4. Vehicle Use and Reporting an Accident**

All employees who are authorized to use a Village owned vehicle must have a valid driver's license on file with the Chief Financial Officer/Human Resources Director. All accidents involving Village owned and/or privately owned vehicles being operated for Village use should be reported as soon as possible and the employee's immediate supervisor should be notified.

In accordance with any State and Federal laws, use of cellular phones and texting is strictly prohibited while operating a vehicle on Village business. Refer to Sections 4-2 & 4-3 for cell phone and electronic devices usage.

### **9-5. Medical Disability/Workers Compensation**

Village employees are covered under the Illinois Workers' Compensation Act. The Act provides for medical care and replacement of wages if you sustain an injury arising out of and occurring in the course of the employee's employment with the Village. Non job-related illnesses or injuries, or illnesses or injuries not related to the performance of the employee's assigned duties are not covered under the Act.

#### Conditions:

1. Any work-related injury or illness, irrespective of whether the employee seeks medical treatment, must immediately be reported directly to the Chief Financial Officer/Human Resources Director if the supervisor cannot be reached directly.
2. Failure to immediately report an injury or illness is contrary to Village policy and may affect the Village's ability to investigate the employee's eligibility for workers' compensation benefits.
3. Upon notification, the Village shall instruct the employee to report to an occupational health facility or physician for an examination or treatment. In the case of an emergency, the employee should go to the nearest hospital emergency room for treatment and then utilize an occupational health facility if additional treatment is necessary.
4. All medical evaluations by any licensed physician must be submitted to the Chief Financial Officer/Human Resources Director for the duration of your period of leave.
5. The Village reserves the right to have the employee examined by a licensed physician of its own choice at any time during the period of leave. This examination will be at the Village's expense and the physician will submit the results to the Village. The employee is entitled to a copy of the results.
6. The Village may assign an injured employee to a modified duty assignment in accordance with the Village's Modified Duty/Return to Work Program in accordance with Section 9-6 of this Personnel Policies Manual
7. No employee shall be allowed to return to work without a statement from a physician approving the employee's return to work without restrictions, or with restrictions acceptable to the Village.
8. The Village reserves the right to reassign the employee to another position at the same pay and benefits the employee received at the time of the injury.
9. When an employee has been released by a licensed physician to return to work on a modified duty basis, the employee may periodically be requested to return for medical evaluations. For these doctor visits, the employee will be compensated at the employee's

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current rate of pay only for the period of time necessary for the visit, including reasonable transportation time. The Village reserves the right to verify the time of the visit. Time taken over and above that which is necessary will be charged to the employee's available sick, personal, or other time off. If the employee does not have any available time, the employee will be compensated only to the extent required by law.

### **9-6. Modified Duty/Return to Work Program**

The Village may require an employee suffering from a work-related injury to return to work in an available modified duty assignment (which may include teleworking) according to the following guidelines:

1. The purpose of temporary modified duty is to provide a progression of job duties that will return injured workers to their regular jobs. Modified duty assignments are temporary and are reserved for employees where it is anticipated that they will be able to recover from their injuries or medical condition. Modified duty is a temporary measure and is not intended to remove or replace an employee's regular job duties on an extended or permanent basis. Employees will only be assigned to modified duty work when the Village determines that a need exists and only as long as such need exists. Employees may not always qualify for modified duty,, and whether an employee will be offered a modified duty opportunity is in the sole discretion of the Village.
2. The supervisor, under the direction of the Chief Operating Officer, shall make the determination, adjustment and termination of modified duty assignments.
3. Employees receiving a disability pension are not eligible for light duty.
4. No on-duty employee will be moved from his or her regular job in order to create a modified duty assignment.
5. Typically, modified duty is limited to no more than sixty (60) calendar days in length and will only be considered when the Village reasonably expects that the employee will be able to return to his or her position within a reasonable period of time.

The Village reserves the right to terminate any modified duty assignment at an earlier time:

- a. if the Village's physician determines that an employee is capable of returning to his or her normal job duties,
  - b. if the employee's treating physician or the Village's physician determines that the employee's condition is not improving while he/she is on modified duty,
  - c. if a need no longer exists for the modified duty assignment, or for any other reason deemed appropriate by the Village, or the supervisor overseeing the modified duty assignment.
6. While on modified duty, the employee will be paid his or her regular salary (for FLSA exempt employees) or continue to receive the same rate of pay (for non-exempt).

7. Modified duty assignments need not be confined to the employee's home department. A review of Village departmental needs and the employee's capabilities may result in an assignment in any department of the Village.
8. Signed authorization from the injured employee's assigned workers compensation physician must be provided, as a condition to initially return to work and thereafter, on a bi-weekly basis detailing the employee's ability to return to full duty. No employee who has been limited in duty may return to full duty without written approval from the physician. The Village may request a second doctor's opinion.
9. If an employee is unable to resume regular job duties at the end of an authorized period of modified duty work, Human Resources will meet with the employee to discuss the employee's status. The Village may send an employee to a physician of its choice to determine if the employee is fit to return to work.

### **9-7. Fire Prevention**

Village employees should be familiar with the fire exits and the location of fire equipment in the work area. All hazardous conditions that might result in a fire should be reported immediately to a supervisor.

### **9-8. Driver's License Checks**

Applicants – Following a conditional offer of employment, the Village will check motor vehicle records of any job applicant where driving is an essential job function. The driving record check will include review of any appropriate state records based on the employee's application and resume.

Existing Employees – It is incumbent upon the employee to notify the Village of any change in status of their driver's license. The Village shall check the motor vehicle records for all current employees on an annual basis. Any employee without a valid driver's license will not be allowed to operate a Village vehicle or drive on Village business. If driving is an essential job function and the employee cannot be reasonably accommodated, the employee will be terminated.

## Section 10 – PAID TIME OFF & LEAVES OF ABSENCE

### 10-1. Paid Time Off

Paid time off (PTO) is provided for the purpose of granting paid leave to employees for absences from work due to illness, vacation, rest and relaxation, or to attend to personal affairs. Department Heads and employees have the responsibility to plan schedules that meet operating requirements of the Village and time off needs of the staff. In order to balance and meet service and staffing requirements, employees and Department Heads should plan time off schedules well in advance with the exception of using PTO for unplanned illnesses and emergencies.

All full-time employees, other than sworn personnel and employees covered by a collective bargaining agreement, are eligible to request the use of accrued PTO. A full time employee is defined as an employee that works at least forty (40) hours per week for five (5) consecutive months. Seasonal employees or part-time employees are not eligible to earn any paid time off. Employees accrue PTO at a rate based on years of service from the date when they began continuous employment with the Village. In the first year of service, PTO days granted will be pro-rated based upon the date of hire. For example, an employee who was hired on July 1 would be eligible for 7.5 days of PTO (15 days x 6 months/12 months).

PTO shall accrue at the following rates (in days):

Years of Service Completed	Days Accrued per Year
Up to 4 years	15 Days
5 years	20 Days
6 years	21 Days
7 years	22 Days
8 years	23 Days
9 years	24 Days
10 years	25 Days

Years of service are credited from your date of hire.

Employees are allowed to use their earned PTO days throughout the year, with the intention to accrue all the PTO days by December 31<sup>st</sup>. Any approved time taken in excess of the annual accrual time will be unpaid.

PTO must be used in two (2) hour increments. Arrangements for PTO should be requested and approved in advance by the employee's Department Head, who maintains the discretion to grant PTO without advance notice. In such cases, the Department Head may or may not grant PTO based on the business and operational needs of the Village, unless PTO is requested due to an unforeseen illness or emergency. Please contact your supervisor (before the scheduled start of your workday if possible) if you are unable to report to work due to an unforeseen illness or emergency. Please contact your supervisor on each additional day of



In the event a holiday falls on a Sunday, the following Monday shall be deemed to be the legal holiday. In the event the legal holiday falls on a Saturday, the preceding Friday shall be deemed to be the legal holiday. If a holiday falls during a period of paid time off, the holiday will not be charged as PTO. The Village also provides additional unpaid time off for employees with religious observations who celebrate holidays that are not listed above provided it does not present an undue hardship to the Village. Please make prior arrangements with your Department Head if you have a need for such an accommodation.

For employees who maintain essential Village services or who work on shift assignments, the policy shall be followed that when a holiday falls on one of your regular days off, you will receive another day off as scheduled by your Department Head. Employees who work a holiday as part of their regularly scheduled work week shall receive another day off as approved by your Department Head.

### **10-3. Bereavement Leave**

The Village complies with the Illinois Family Bereavement Leave Act (“FBLA”). The Village will grant an eligible employee up to ten (10) workdays of leave in a 12-month period, three (3) of which may be paid bereavement leave days and seven (7) of which are unpaid workdays, to:

- (1) attend the funeral (or its alternative) of a covered family member;
- (2) make arrangements necessitated by the death of the covered family member;
- (3) grieve the death of the covered family member; and
- (4) be absent from work due to (i) a miscarriage; (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure; (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party; (iv) a failed surrogacy agreement; (v) a diagnosis that negatively impacts pregnancy or fertility; or (vi) a stillbirth.

For purposes of this policy, a “family member” is defined as an employee’s child (biological, adopted, foster, step, legal ward, or a child for whom the employee stands in loco parentis), spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. If an employee suffers the loss of more than one family member in a 12-month period, an employee may be eligible to take unpaid leave up to a maximum of six (6) weeks during the 12-month period.

To be eligible for leave under this policy, the employee must have worked at least 1,250 hours for the Village within the prior 12-month period. Leave may not be taken in addition to unpaid leave permitted under Family and Medical Leave Act (“FMLA”), nor may time off under this policy exceed unpaid leave time off allowed under the FMLA.

This leave operates coextensively with any paid bereavement leave already provided by the Village. However, an employee may elect to apply eligible paid benefit time off to cover the remainder of any unpaid leave period under this policy.

The Village recognizes that the loss of a family member or other FBLA circumstances may be sudden and unforeseen. To ensure that an employee's leave is appropriately scheduled, employees should notify the Village of their intent to use FBLA leave at least 48 hours in advance, if reasonable or practical. Leave under this policy must be completed within 60 days after the date on which the employee receives notice of the death of the covered family member or the date on which an event listed under paragraph (4), above, occurs.

An employee requesting leave under this policy must provide reasonable documentation demonstrating eligibility for leave. For example, for leave under paragraphs (1) – (3), above, this may include a death certificate, a published obituary or other written verification of death. For leave resulting from an event listed under paragraph (4), above, reasonable documentation includes a form to be filled out by a health care practitioner who has treated the employee or the employee's spouse or domestic partner, or surrogate, for an event listed under paragraph (4), above, or documentation from the adoption or surrogacy organization that the employee worked with related to an event listed under paragraph (4), above, certifying that the employee or his or her spouse or domestic partner has experienced an event listed under paragraph (4), above. Such forms are available through Human Resources.

### **10-4. Jury & Court Leave**

Any full-time employee who is required to serve on a jury or as a result of official duties is required to appear before a court, legislative committee, or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay. Court payments for travel expenses, per diem, stipends, or covered expenditures payments are to be retained by the employee. An employee who is called for jury service during his or her training and orientation period will have his/her training and orientation period extended by the same amount of time as required for serving on jury duty.

An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately in order for arrangements to be made to cover the position. The Village reserves the right to request that an employee who is called for jury duty ask the court to be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

All employees must provide written notice and a copy of a jury summons to his/her supervisor as promptly as possible before reporting for jury duty. Following jury duty, all employees must provide the Village with appropriate documentation evidencing the length of jury duty. Time away will not affect accrued time off.

Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless paid time off is utilized.

### **10-5. Leave of Absence without Pay**

The following guidelines provide an outline for requesting a leave of absence without pay:

1. A full-time employee that has successfully completed the training and orientation period may request a leave of absence for good cause by completing a Leave of Absence form (see Appendix G of this Manual). Good cause includes, but is not limited to, injuries, or

medical treatments which render the employee temporarily unable to perform his or her job, a reasonable accommodation for an employee's disability where it does not pose an undue hardship, or other personal reasons. The request must be made in writing to the employee's supervisor or Chief Operating Officer stating the reason(s) for the request, why the request should be granted, and the date when the leave is to commence and terminate. The determination of whether the reason for the request does in fact constitute good cause is solely at the determination of the Chief Operating Officer. Although good cause may exist, the Chief Operating Officer will take into consideration the operational needs of the department and Village when determining whether a leave of absence without pay will be granted, and such request may be denied.

2. An initial request for a leave of absence must be for a period not to exceed thirty consecutive (30) working days, except as needed to reasonably accommodate an employee's disability. Upon showing good cause, such a request may be renewed subject to all of the requirements of the original request.
3. Employees applying for a leave of absence must be aware that any position in the Village is subject to elimination. Absolute assurance of reinstatement, therefore, cannot be given. Reinstatement shall always depend upon the needs of the Village as determined by the supervisor in conjunction with the Chief Operating Officer.
4. An employee, once granted a leave of absence, shall not be entitled to the accrual of benefits for the duration of the leave. An employee may choose to continue participation in the group health and/or life insurance plans at the expense of the employee. This payment shall be made in full prior to the leave.
5. Requests for leave of absence without pay will only be granted once every 365 days. (Or any other timeframe we determine).

### **10-6. Military Leave**

It is the intention of the Village to follow all applicable Federal and State employment laws related to military leave.

1. **Military Service Leave.** An employee who is ordered to involuntary service, as defined by State law, is eligible to receive regular Village compensation minus the amount of the employee's base military pay. All other benefits, including seniority will continue to accrue, such that a person who returns to active employment following military service will have the seniority and other rights and benefits determined by seniority that the person had on the date of commencement of military service, plus the additional seniority and rights and benefits the person would have attained had the person remained in active employment status. Medical Insurance coverage will continue for the employee, spouse and other enrolled dependents with the employee's premium contributions being deducted from the Village issued compensation. If that payment is insufficient to cover the employee's premium contributions, in order to maintain insurance coverage, premium payment shall be made to the Village by the 20th of the month prior to the month of coverage but is entitled to again participate in a Village medical insurance program upon return to work.

- 2 Military Training and Voluntary Service Leave. Employees who are members of a reserve component of the Armed Services, including the Illinois National Guard, will receive leave during their annual training commitment ordered by the Armed Services. During this leave, not to exceed thirty (30) days, the employee will continue to receive the employee's regular Village compensation, including insurance and other benefits. During leaves for other training and voluntary service, if the employee's compensation for military activities is less than his or her compensation as a Village employee, he or she shall receive differential pay for the difference between Village pay and military pay calculated as provided by State law for up to sixty (60) work days in a calendar year. Employee may elect to use paid benefit time during any military leave whether paid or unpaid.

Employees must provide the Village with at least thirty (30) days advance written notice prior to the start of leave for military service except in cases of national emergency. Such notice must include, without limitation, a copy of the employee's orders. Employees will be required to provide requested documentation, including of military pay, in order to facilitate administration of differential pay. Upon return to the Village from military service, employees must submit a statement signed by an appropriate military official indicating the time spent in military training and/or service. Members of the National Guard or Reservists who have an advance schedule of monthly drills will provide that to their supervisor along with any other information which would prove helpful in scheduling for the employee's absence. The supervisor will forward the information to the Department Head.

- 3 In accordance with the provisions of State and Federal law, upon the completion of active duty, employees must request reinstatement in a timely manner after discharge to resume employment with the Village. Barring changed circumstances, the Village will reinstate an employee to the same or similar position without loss of seniority, benefits, or the rate of pay in effect prior to induction. An employee shall have no greater right to reinstatement than otherwise provided by law and must return from service with a qualifying discharge and able to perform the essential job functions of the former position.

Due to the critical nature of the employee's position with the Village and the possible necessity of reaching an employee while on military leave, the employee must provide certain information to his/her supervisor: (a) the name of the employee's reserve unit; (b) the phone number where the employee can be reached.

Employees who are called to active duty are required to give immediate written notice and a copy of their orders with a projected release date from activity duty to their supervisor. . Employees must provide advanced notice of such leave, unless notice is precluded by military necessity, impossible, or unreasonable.

Employees will not be asked or required to find a replacement for their scheduled shifts when taking leave for military purposes.

### 10-7. Family Medical Leave of Absence (FMLA) Policy

This section briefly summarizes employee rights and regulations under the Family and Medical Leave Act.

Basic Leave Entitlement: Employees may be eligible to take up to twelve (12) weeks of unpaid family/medical leave within a rolling 12-month period and be restored to the same or an equivalent position upon return provided that the employee has worked for the Village for at least 12 months and worked at least 1250 hours in the last twelve (12) months.

#### Reasons for Leave

1. the birth of a child and in order to care for such child;
2. the placement of a child with the employee for adoption or foster care;
3. to care for a spouse, son, daughter, or parent (“covered” family member) with a serious health condition; or
4. because of the employee’s own serious health condition which renders the employee unable to perform the functions of the employee’s position.

Leave because of reasons one and two above must be completed within the rolling 12-month period beginning on the date of birth or placement..

All FMLA time runs concurrent with short term disability and worker’s compensation or any qualifying event.

Military Family Leave Entitlement: If an employee is eligible, the employee may use the 12-week Family Medical Leave entitlement to take military family leave. This leave may be used to address certain qualifying exigencies related to the active duty or call to active duty status in the National Guard or Reserves. It may also be used when a member of the regular or reserve components of the Armed Forces is deployed to any foreign country. This leave applies to a spouse, son, daughter, or parent or if the spouse, son, daughter, or parent, or “next of kin,” is a member of a regular component of the Armed Forces. Qualifying exigencies may include:

1. attending certain military events;
2. arranging for alternative childcare or elder care;
3. addressing certain financial and legal arrangements;
4. attending certain counseling sessions;
5. addressing issues related to short-notice deployment;

6. spending time with a covered family member who is resting and recuperating for a maximum of 15 days; and
7. attending post-deployment briefings.

An employee may also be eligible for up to 26 weeks of leave during a single twelve (12) month period to care for a spouse, child, parent, or next of kin who is a covered service member with a serious illness or injury. This single 12-month period begins with the first day the employee takes the leave. A covered service member is a current member of the Regular Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard, or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty and that may render the service member medically unfit to perform the duties of the member's office, grade, rank or rating, or the same with respect to a covered veteran specifically to include an injury that manifested itself before or after becoming a veteran, and is either: (1) a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of his or her office, grade, rank, or rating; or (2) a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or (3) a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the veteran is enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Employees may not be granted family medical leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted family medical leave, the employee may be subject to immediate termination.

Notice of Leave: If the family medical leave is foreseeable, the employee must give the Village at least thirty (30) days' notice in accordance with the usual procedure for requesting a leave of absence. Failure to provide such notice may be grounds for delay of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the Village as soon as practicable, and absent unusual circumstances, in accordance with the Village's normal leave procedures.

Medical Certification-Leave for Employee's Own or a Covered Family Member's Serious Health Condition: If the employee is requesting leave because of the employee's own or a family member's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be provided within fifteen (15) days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner will result in denial of leave until it is provided. Any fees associated with the initial certification, are the responsibility of the employee. The Village, at its expense, may require an examination by a second health care provider designated by the Village, if it reasonably doubts the medical

certification initially provided. If the second health care provider's opinion conflicts with the original medical certification, the Village, at its expense, may require a third, mutually agreeable health care provider to conduct an examination and provide a final and binding opinion. Employees shall provide a certification in support of leave on an annual basis if the need for leave continues for the same reason.

The Village may request recertification at any reasonable interval during leave, but not more often than every thirty (30) days, unless:

- the employee requests an extension of leave;
- a significant change in circumstances occurs;
- the Village receives information that casts doubt upon the continuing validity of the leave; or
- the employee is unable to return to work after the leave due to a serious health condition.

As part of the recertification, the Village may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

In all instances, the Village requires recertification every six (6) months in connection with an FMLA medical leave.

The Village will require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. The employee must notify the Village at least two (2) work days prior to the date the scheduled end of leave or immediately upon learning of any changes in the employee's need for leave or ability to return to work.

The Village may require the employee to provide medical certification that the employee is able to resume work based upon and in accordance with any uniform Village policy on fitness-for-duty or every thirty (30) days where an employee takes intermittent leave for a condition that raises reasonable safety concerns regarding the employee's ability to perform job duties.

If an employee fails to provide the requested medical certification, the Village may deny the leave itself, deny continuation of the leave or deny reinstatement until the appropriate certification is provided.

Certification for a Qualifying Exigency: If the employee is requesting leave because of a qualifying exigency arising out of a covered family member's active duty or call to active duty status, the employee must supply a copy of the covered military family member's active duty orders or other documentation issued by the military indicating that the covered military member is on active duty or call to active duty status in support of a contingency operation or when the covered family member of the regular or reserve components of the Armed Forces is deployed to any foreign country (documentation should include the dates of the active duty service). The Village may also request additional information pertaining to the leave.

Certification for Service member Family Leave: If an employee is requesting leave because of the need to care for a covered service member with a serious injury or illness, the Village may require the employee to supply certification completed by an authorized health care provider of the covered service member. In addition, the Village may also request additional information pertaining to the leave.

Substitution of Paid Leave: Family medical leave is unpaid leave. If you request leave for any covered reason, you may be required to exhaust all but forty (40) hours of any remaining paid time off. The use of this paid leave does not extend the leave period. In addition, if you are eligible for any additional paid leaves, such as short term/long term disability or worker's compensation, these leaves will also run concurrently with family medical leave (where appropriate) and will not extend the leave period. When using paid leave in conjunction with family medical leave, employees must comply with the requirements of the applicable paid leave policy.

Benefits during Leave: During an approved family medical leave of absence, the Village shall maintain the employee's health benefits as if the employee continued to remain actively employed. If the leave is unpaid leave, the employee will be required to reimburse the Village for their portion of the premium expenses.

Intermittent Leave: When medically necessary, FMLA leave may be taken on an intermittent or on a reduced schedule basis for an employee's own illness or injury or to care for a sick family member as defined by FMLA. FMLA leave may not be taken on such basis for the birth or adoption of a child or placement of a child in foster care unless approved by the Village. If the request for intermittent leave or leave on a reduced schedule is foreseeable based upon planned medical treatment, the Village may require the employee to transfer temporarily to an available alternate position which better accommodates recurring periods of leave. Leave to care for a service member with a serious injury or illness or because of a qualifying exigency may also be taken intermittently.

A fitness for duty certification may be required to return from an intermittent absence if reasonable safety concerns exist concerning the employee's ability to perform job duties.

Job Restoration: If the employee wishes to return to work at the expiration of the leave, the employee is entitled to return to the same position or to an equivalent position with equal pay, benefits, and other terms and conditions of employment except under certain limited circumstances. If the employee takes leave because of the employee's own serious health condition, the employee may be required to provide medical certification that the employee is fit to perform the essential functions of the job. Employees failing to provide the certification will not be permitted to resume work until it is provided.

### **10-8. School Conference and Activity Leave**

Pursuant to 820 ILCS 147/1 *et seq.*, the School Visitation Rights Act, all full and part-time employees, who are parents of school children from kindergarten through twelfth grade, are eligible to use up to eight (8) hours of unpaid time off per school year, per child, to attend necessary educational conferences, behavioral meetings, or academic meetings at their

children's school, if the employee is unable to meet with educators because of a work conflict; or, if the activity cannot be scheduled during non-work hours. No more than four (4) hours of school visit leave may be taken on the same day.

No school visitation leave may be taken by an employee unless the employee has exhausted all accrued paid time off (PTO), compensatory leave, and any other leave that may be granted to the employee except sick leave and disability leave.

Before attending a school conference or activity, the employee must provide a written request for leave at least seven (7) days in advance. In emergency situations, no more than twenty-four (24) hours is required.

An employee who utilizes this leave may request of the Village the opportunity to make up the time on a different day; provided the time is made up during the same work week. An employee is not required to make up the time taken; but, if an employee does not make up the time, the employee will not be compensated for the leave. An employee who does make up the time will be paid the same rate as paid for normal working time. The Village will make a good faith effort to permit an employee to make up the time; but, if no reasonable opportunity exists, the employee will not be paid for the time.

The employee must submit a completed Illinois Department of Labor School Visitation Form, with the required school administrator's signature, to the Department Director following the school visit. Failure to submit the verification document within two (2) days of the visit may subject the employee to discipline for an unexcused absence from work.

### **10-9. Employee Blood Donation Leave**

Pursuant to 820 ILCS 149, Employee Blood Donation Leave Act, all full-time employees may be granted one (1) hour or less of paid leave time every fifty-six (56) days or more for the purpose of donating blood in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other national recognized standards.

Employees must submit a written request for leave with their supervisor in advance. Documentation of the proposed blood donation is required for approval. Documentation should be submitted by the employee to his/her supervisor with as much advance notification as possible. The medical documentation may consist of a written statement from the blood bank indicating that the employee has an appointment to donate blood.

An employee will not be required to use accumulated paid time off (PTO) for the period used to donate or attempt to donate blood unless the period to donate exceeds one (1) hour.

The employee must submit a written statement from the blood bank confirming that the employee kept their appointment and attempted to donate blood in order to be eligible for paid leave.

If the employee does not keep his or her appointment with the blood bank, the employee will not be compensated for the leave. Failure to submit confirmation that the employee kept his

or her appointment to donate blood, within two (2) days of the appointment date, may subject the employee to discipline for an unexcused absence from work.

The one-hour period may be retained by the employee if the attempt to donate blood is unsuccessful, as determined by the blood bank.

Employees who feel they have been denied leave to donate blood in accordance with this policy may seek to remediate the dispute through the Chief Financial Officer/Human Resources Director's office. For further information or clarification regarding Illinois' Employee Blood Donation Leave Act, contact the Chief Financial Officer/Human Resources Director.

### **10-10. Victim's Economic Security and Safety Act ("VESSA")**

The purpose of this policy is to inform employees of their rights under the Victims' Economic Security and Safety Act (the "Act"), 820 ILCS 180/1. Subject to certification requirements outlined below, an employee shall be entitled to a total of twelve (12) work weeks of unpaid leave during any twelve (12) month period if that employee is a victim of domestic, sexual or gender violence, or if that employee has a family or household member who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence.

#### Eligibility for Leave

1. seek medical attention for or recovering from physical or psychological injuries;
2. obtain services from a victim services organization;
3. obtain psychological or other counseling;
4. participate in safety planning, temporarily or permanently relocating, or taking other actions to increase safety from future domestic, sexual, or gender violence or ensure economic security; and/or
5. seek legal assistance or remedies, including preparing for or participating in any civil or criminal proceeding related to or derived from domestic, sexual, or gender violence.
6. up to 10 work days (which shall run concurrently with any leave taken under the Illinois Family Bereavement Leave Act):
  - (a) to attend the funeral or alternative to funeral or wake of a family or household member who was killed in a crime of violence;
  - (b) to make arrangements necessitated by the death of a family or household member who was killed in a crime of violence; or
  - (c) to grieve the death of a family or household member who was killed in a crime of violence.

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

#### Notice

The employee shall provide the Chief Financial Officer/Human Resources Director with at least forty-eight (48) hours advance notice of the employee's intention to take the leave, unless

such notice is not practicable. The Village will not take any action against the employee if an unscheduled absence occurs provided the employee provides the proper certification set forth below as soon as is practicable.

### Confidentiality

All information provided to the Village pursuant to this policy shall be retained in the strictest confidence by the Village, except for disclosure requested or consented to in writing by the employee or otherwise required by state or federal law.

### Certification

Upon taking leave, the employee shall provide to the Village a sworn statement (Appendix H) and obtain one of the following documents:

1. Documentation from an employee, agent, or volunteer of a victim services organization, an attorney, County or Circuit Court, or a medical or other professional from whom assistance has been sought in addressing domestic, sexual, or gender violence and the effects of the violence;
2. A police or court record; or
3. Other corroborating evidence as determined sufficient by the Village.

### Employee Benefits

Upon returning to work after taking leave enumerated under this policy, the employee shall be restored to the position held prior to taking leave or to an equivalent position. The employee shall retain any employment benefits accrued prior to the date on which leave commenced. However, nothing in this policy shall be construed to entitle any restored employee to have accrued any seniority or employment benefits during any period of leave or any right, benefit, or position of employment that the employee would not have received had they not taken leave. Additionally, the Village shall maintain coverage for the employee and family or household members under any group plan for the duration of such leave at the leave and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

In the event that the employee fails to return from leave under this policy after the period of leave to which the employee is entitled has expired and for reasons other than, the continuation, reoccurrence or onset of domestic, sexual, or gender violence, the Village may recover from the employee the premium that the Village paid for maintaining the level of coverage for the employee.

According to the provisions of the VESSA Act as amended, employees may use paid time off or unpaid time off for VESSA leave. Any paid time off used for VESSA Leave may not be counted toward the 12 week leave provision.

Nothing in this subsection shall be construed to prohibit the Village from requiring an employee on leave to report periodically to the Village.

**10-11. Time off to Vote (10 ILCS 5/17-15)**

Employees are encouraged to vote in national, State, and local elections. If voting within the time limits of an election is a problem due to working hours, employees are encouraged to consult with their immediate supervisor to make arrangements according to Illinois law.

**10-12. Accrual of Benefits During Leave**

Accrual of Paid Leave Benefits During Paid Leave

All employees who are actively at work or on approved paid time off will continue to accrue paid leave benefits provided by the Village.

Accrual of Paid Leave Benefits During Unpaid Leaves

Generally, employees on unpaid leave are not entitled to continue accruing paid leave benefits. This includes employees who are receiving income replacement benefits such as short-term disability, long-term disability or workers' compensation. However, employees on eligible military leave may be entitled to reinstatement upon returning from military leave with all benefits that would have been obtained but for being absent on military leave. This right is provided for by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), and is known as the "escalator principle."

When an employee is out on leave that is protected by the Family and Medical Leave Act (FMLA), that employee will continue accruing paid leave as long as the employee is using paid leave benefits such as the items listed above. If an employee on FMLA leave uses all paid leave in accordance with the FMLA policy and remains unable to return to work, then the remainder of the FMLA leave will be unpaid. During the period of unpaid FMLA leave, the employee will not continue to accrue paid leave, consistent with this policy for all types of unpaid leave.

## Section 11 – EMPLOYEE SEPARATION

### 11-1. Types of Separation

Employee separation is an inevitable part of organizational life. The following definitions and procedures are instituted in order to minimize the disruption of turnover on all concerned parties.

Proper notice (as defined below) and return of Village property shall be the responsibility of each employee in order to remain “in good standing” and therefore, eligible for potential re-employment in the future.

Service Retirement: is a voluntary separation after having satisfied the age and length of employment requirements of: IMRF, Police Pension, or another pension system, with the employee applying for retirement.

Disability Retirement: is a voluntary separation necessitated by an injury or illness which renders the employee incapable of performing the essential job duties of their position. A request for disability retirement is initiated by receipt of a written request from the employee to his/her supervisor indicating the date of separation. Supporting documentation shall include a ruling by the Industrial Board verifying the disability and approving the retirement, and any other documentation required by the Chief Operating Officer’s Office.

Employee-Initiated Resignation: is a voluntary separation given by the worker for any reason other than retirement. A resignation letter is expected with information that includes the person’s reason for leaving and the proposed last day of employment. Please provide the customary two (2) weeks’ notice period before the actual last day of work. Supervisors are requested to provide four (4) weeks’ notice in order to provide sufficient time to make departmental specific plans during the vacancy and provide for a smooth transition in departmental leadership. Two (2) weeks’ notice is understood to mean that the resigning employee will work during this time to aid in the transition of duties to another. If for any reason the Mayor or Chief Operating Officer feels the worker is not contributing positively to the workplace, the two (2) week period may be cut short and the person’s resignation will be accepted immediately.

Discharge: is an involuntary termination of an employee which is initiated by the Village.

Reduction in Force (RIF) or Layoff: is the discharge of an employee(s) by the Village for lack of work, lack of funds, other working condition changes or restructuring as determined by the Village. The Village may consider the skills, abilities and past work performance of employees in determining the continuing scope and composition of the workforce. Seniority will not have a direct bearing on who is or is not subject to a reduction in the workforce, rather the Chief Operating Officer will consider the Village’s needs, objectives and mission and will implement a reduction in force based on such business reasons within his/her discretion. Where possible, the Village will provide employees with at least two (2) weeks advance notification prior to layoff.

Employees who have been terminated under the policy may reapply for subsequent vacancies with the Village. Non-probationary employees who reapply following layoff may be given preferential consideration for a one-year period.

Death of an Employee: Upon the death of a full-time employee, the Village shall pay the legal heirs compensation based upon benefits accrued.

### **11-2. Exit Interview**

On occasion, the Chief Financial Officer/Human Resources Director will conduct an exit interview with separated employees on the employee's last day of work. Terminating employees are expected to return uniforms, specific department issuances, ID cards, and/or other Village issued property.

### **11-3. Final Pay and Benefit Issues**

An employee shall receive pay for work performed through their separation date reduced by any prior, authorized deductions. Any other payments they have earned in accordance with these policies and applicable employment laws will be paid in the pay period on which the separation date falls. Benefits accrue through the final pay period.

### **11-4. Consolidated Omnibus Budget Reconciliation Act (COBRA)**

Employees may elect to continue health insurance coverage under the Consolidated Omnibus Budget reconciliation Act (COBRA) for up to 18 months (in some cases, up to 29 or 36 months) at their own expense, if a qualifying event occurs.

The Village adheres to all the requirements of COBRA as they apply to our employees. Should employees lose their health care coverage under the Village's health care plan as a result of a qualifying event, employees and employee's spouses and dependent children will be given the opportunity to continue to purchase coverage as a group member for the legally-specified period of time following the loss of coverage.

Although employees' right to elect continuation coverage begins upon the occurrence of a qualifying event, coverage is not automatic. Employees and employees' spouses and dependents must make an affirmative election of coverage before coverage will begin. An election notice will be sent after the plan administrator receives notice of a qualifying event. An election is considered to have been made on the date employee sends in the election notice or a letter indicating an election is being made.

The Village will notify the plan administrator within 30 days after an employee experiences a qualifying event of termination (for reasons other than gross conduct), a reduction in hours of employment, death, or enrollment in Medicare. Employees that experience a qualifying event of divorce, legal separation, or loss of dependent status must notify the plan administrator within sixty (60) days.

The plan administrator will give the employee notice of his/her right to elect continuation of coverage within fourteen (14) days after being notified that the employee has incurred a

qualifying event. The employee will have a minimum of sixty (60) days to elect COBRA coverage. The election period will end no sooner than sixty (60) days of the later of: 1) the date coverage is lost or 2) the date that notice to the employee is sent.

The Plan Administrator will mail notice of the right to elect continuation coverage to the employee and qualified beneficiaries by first-class mail to their last known address.

Employees or their beneficiaries electing COBRA coverage are required to pay 102% of the premium (normal plan cost plus a 2% administrative charge). Premiums may be increased once every January if the cost of the plan increases. Premiums may be increased after eighteen (18) months to 150% of the plan's total cost of coverage for qualified beneficiaries with disabilities receiving twenty-nine (29) months of coverage.

### **11-5. Unemployment Compensation**

The Village is a covered employer under the Illinois Unemployment Compensation Law. Unemployment compensation benefits are designed to provide a partial replacement of wages to eligible employees during short periods of involuntary unemployment. For further information, contact the local Illinois Department of Employment Security Office.

### **11-6. Retirement Benefits (see also Section 8-5; Retirement System)**

Pension Application: Employees are generally included in the Illinois Municipal Retirement Fund (IMRF). Detailed information concerning pension funds can be obtained from the Human Resources Director or IMRF representatives. Employees contribute to Social Security and Medicare. The required tax contribution to Social Security and Medicare is established by the U.S. Congress.

Accumulated Benefit Payments: Retiring personnel are eligible for payment of accumulated benefit time. Payment for accumulated leave will be based on the amount of benefits accrued at the time of retirement. To be considered as retiring, the employee must apply for a pension. Retiring employees may continue to participate in the Village's medical insurance program, although they will be required to pay the full premium cost, per terms of COBRA.

**APPENDIX A**

**PERSONNEL POLICIES MANUAL ACKNOWLEDGMENT**

I hereby acknowledge receipt of the Village of Hawthorn Woods Personnel Policies Manual. I agree and represent that I have read this manual in its entirety and agree that if there is any policy or provision that I do not understand, I will seek clarification from my supervisor or the Chief Operating Officer.

I understand that this Manual is only a reference guide and is not intended to create nor does create an employment contract, either express or implied, on the part of the Village. I understand that the policies, benefits, and rules contained in this manual can be changed or discontinued at any time, with or without advance notice. I understand that my employment with the Village is at-will unless provided otherwise by a written agreement signed by an authorized member of management (including a collective bargaining agreement).

In the event of a conflict between any term of this Manual and the provisions of a collective bargaining agreement or plan document, the collective bargaining agreement or plan document would govern in all cases.

I understand and will comply with all policies within this Manual and acknowledge that violating any policy within this Manual or any other Village policy, rule, or guideline will subject me to disciplinary action, up to and including termination.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_

**APPENDIX B**

**INTERNET, EMAIL, COMPUTER USE AND TECHNOLOGY  
ACKNOWLEDGEMENT**

I hereby acknowledge that I have received and read the Village's technology policies in the Personnel Policies Manual. I understand that my use of the Village email and internet system constitutes my consent to all the terms and conditions of the policies. I understand that the email system and all information transmitted by, received or stored in the system are the property of the Village and is only to be used for business purposes during my working time.

I further acknowledge that I have no expectation of privacy in connection with the use of the internet and email system or with the transmission, receipt, or storage of information in that system.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_

**APPENDIX C**

**CONSENT TO DRUG & ALCOHOL SCREENING**

I hereby voluntarily consent to submit to drug and/or alcohol screening or testing by a physician, clinic, laboratory, or medical facility chosen by the VILLAGE OF HAWTHORN WOODS (the "Village") at the Village's expense. I hereby consent to the physician, clinic, laboratory, or medical facility taking and analyzing a sample or specimen of my breath, urine, saliva, blood, and other similar substance. I also authorize the physician, clinic, laboratory, or medical facility to disclose his, her or its findings, conclusions and opinions regarding the drug and/or alcohol screening or testing to a Village official or a designated representative.

I hereby further consent to the Village contacting my physician or pharmacist to verify my reported use of legal drugs in accordance with the Village's Drug & Alcohol Policy and authorize my physician or pharmacist to provide all information requested by the Village regarding my use of such drugs, including without limitation the possible effects of such use on my performance of job functions.

I also acknowledge receiving, reading, and understanding the Village's Drug & Alcohol policy. I understand that, in accordance with this policy, failure to execute this document and submit to drug and/or alcohol screening or testing, or failure to report to the Village the use of legal drugs as required by this policy, may result in disciplinary action, up to and including termination.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_



**APPENDIX E**

**SEASONAL EMPLOYEE INFORMATION  
AND ACKNOWLEDGMENT FORM**

This form provides information regarding your short-term seasonal employment with the VILLAGE OF HAWTHORN WOODS.

The Village in no way guarantees that you will be re-employed by the Village after your current term of employment ends.

The Village advertises for seasonal job openings through regular advertisement channels. The Village will not remind or prompt you to apply for a subsequent seasonal job with the Village.

If you wish to be considered for another seasonal job with the Village in subsequent years, you must submit a new employment application and comply with all Village hiring requirements.

If, after the completion of the hiring process, the Village chooses to re-employ you for future seasonal employment, you will in no way receive additional benefits due to your prior seasonal employment with the Village.

This information form is not an express or implied contract of employment and does not create any rights in nature of an employment contract. Employment with the Village is at will and can be terminated, with or without cause, and with or without notice, at any time at the option of the Village.

I acknowledge having received, read, and understood the contents of the Seasonal Employee Information and Acknowledgment Form.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_

**APPENDIX F**

**REQUEST FOR APPROVAL FOR  
OUTSIDE EMPLOYMENT**

No employee shall be employed by an employer other than the Village, nor shall he or she contract for or accept anything of value in return for services, nor shall he or she otherwise be self-employed for remuneration, without the prior written approval from the Chief Operating Officer.

\_\_\_\_\_ Department

I request permission pursuant to the Outside Employment Policy for the following outside employment: (Be specific)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In making this request, I understand that if this request is approved, and if it later appears that such outside employment may constitute a conflict of interest or may be infringing my ability to perform my assigned duties for the Village, then the Village reserves the right to require me to discontinue such outside employment, including self-employment, as a condition of continued employment by the Village.

I understand that I must be covered by workers compensation insurance by my second employer and must provide proof of insurance to the Village.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_

**\*\*Attach proof of insurance to this form\*\***

**APPENDIX G**

**REQUEST FOR LEAVE OF ABSENCE WITHOUT PAY**

Name \_\_\_\_\_

Title/Position \_\_\_\_\_

Department \_\_\_\_\_

Period for which the leave is requested (Provide actual service dates):

From \_\_\_\_\_ to \_\_\_\_\_

Purpose of leave (Be specific):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please describe how we can contact you during your absence.

\_\_\_\_\_  
\_\_\_\_\_

I understand that all positions in the Village are subject to elimination. Absolute assurance of reinstatement cannot be given by the Village. I understand further that once granted this leave, I am not entitled to accrual of the benefits for the duration of the leave and that continuation of any group health or life insurance plans will be at my expense.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_

**APPENDIX H**

**SWORN STATEMENT FOR TAKING  
LEAVE UNDER VESSA**

I, \_\_\_\_\_ swear that I am taking leave under the Victims' Economic Security and Safety Act and that either I am a victim of domestic, sexual, or gender violence or have a family or household member who is a victim of domestic, sexual, or gender violence.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Witness Signature \_\_\_\_\_

Witness title \_\_\_\_\_

**APPENDIX I**



**IL DEPARTMENT OF LABOR**

Fair Labor Standards Division  
 Compliance Processing Section  
 160 North LaSalle, Suite C-1300  
 Chicago, IL 60601-3150  
 Tel # (312) 793-2804  
 Fax #: (312) 814-1210

**School Visitation Form**

For Office Use Only

Please print or type all information.

<b>Illinois School Visitation Rights Act (820 ILCS 147/30)</b>			
This form is suggested to document and verify leave taken under the above Act. This leave is for an employee to "attend necessary educational or behavioral" conferences at the school attended by his or her child. <sup>1</sup>			
<b>Employer Information</b>			
Name of Employer:			
<b>Employee Information</b>			
Name of Employee:			
<b>School Information</b>			
Date of School Conference:			
Exact Time Conference Began:			
Exact Time Conference Ended:			
Name of School:			
School Address:			
City:	State:	Zip Code:	
School Administrator's Name:			
School Telephone Number:	(      )		
School Administrator Signature:			

<sup>1</sup> Under the Act, "child" includes biological, adopted, foster, stepchild of the employee and/or a legal ward of the employee.

**APPENDIX J**

*Alternate Worksite Agreement Form*

**Agreement Conditions**

All telework agreements shall be approved by the employee's direct supervisor, and the COO, serving as Chief of Staff. This remote work allowance may be discontinued at any time at the request of either the employee, the supervisor, or the COO. In the event the telework agreement is discontinued; every effort will be made to provide 30 days' notice of such change to accommodate possible issues that may arise from the termination of a telework agreement. There may be instances, however, when no notice of termination of the telework agreement is possible.

Temporary telework agreements may be approved for circumstances such as inclement weather, special projects, or business travel. These arrangements are approved on an as-needed bases only, with no exception for ongoing continuance. Other temporary, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate. All temporary telework arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

Employees engaged in a telework agreement are expected to abide by all municipal departmental policies and procedures, rules and regulations, applicable Memorandums of Understanding (MOUs), and all other directives. Employees shall adhere to the provisions set forth in the Personnel Policies Manual, and any deviation requires prior written approval from the Chief Financial Officer/Human Resources Director. Any breach of the agreement by the employee may result in termination of the telework agreement, and disciplinary action up to and including termination of employment.

Employee Printed Name: \_\_\_\_\_

Employee Signature \_\_\_\_\_

Requested Effective Date: \_\_\_\_\_

Today's Date \_\_\_\_\_

Administrative Approval Date: \_\_\_\_\_

Department Head Authorization \_\_\_\_\_

Chief Operating Officer Approval \_\_\_\_\_

**APPENDIX K**

*Reimbursement Authorization*

**Agreement Conditions**

Full-time employees are provided certain benefits throughout the year such as paid time off and tuition reimbursement. In the event an employee separates from the Village before accruing paid time off or before two (2) years after the last course is reimbursed, the Village has the right to withhold these funds, with the with the employee's consent under the Wage Payment and Collection Act.

Described below are the circumstances that would constitute a reimbursement from the employee to the Village

*Employees receiving tuition reimbursement who separate employment before the two (2) years have passed, must refund the Village 100% for all tuition reimbursements paid in the twelve (12) month period immediately prior to the separation and 50% for all tuition reimbursement paid twelve (12) to twenty-four (24) months prior to the separation. This two (2) year period commences with the completion of the last course reimbursed under the program.*

*Upon the voluntary or involuntary termination of employment, all full-time employees will be paid for any accrued, unused paid time off based on the date of separation or the employee will be responsible for paying the Village for PTO days that were not accrued at the time of termination, based on the employees' usage of PTO days during the calendar year. For example, if an employee with four years of service is terminated on June 30, he or she would be paid 7.5 days (15 days X 6 months/ 12 months) of unused PTO (assuming that no days were used during the calendar year). In the same example, if the employee used 10 days of PTO but their service is terminated on June 30, the employee would owe the Village 2.5 days (7.5 days PTO accrued – 10 days PTO used) at their rate of pay at the time of termination. If the final paycheck does not sufficiently cover the paid time off taken, but not yet earned by the employee, a check must be remitted to the Village for the balance owed within 15 days of termination.*

By signing below, you are authorizing the Village to withhold funds on the final paycheck related to paid time off and/or tuition reimbursement funds that are due to the Village.

Employee Printed Name: \_\_\_\_\_

Employee Signature \_\_\_\_\_

Today's Date \_\_\_\_\_