

# Employee Handbook



City of Sycamore

2019



# TABLE OF CONTENTS

## SECTION I: INTRODUCTION

A.	Welcome from the City Manager	1
B.	Purpose of Employee Handbook/Disclaimer	1
C.	Sycamore Government	1
D.	List of City Positions (Elected & Appointed)	2
E.	Organizational Chart	3

## SECTION II: RECRUITMENT AND SELECTION

A.	Equal Employment Opportunity Statement	4
B.	Immigration Law Compliance	4
C.	Employment Authority	4
D.	Position Vacancies	5
E.	Nepotism Policy	5
F.	Application Process	6
G.	Medical Examinations	6
H.	Other Examinations	7
I.	Background Investigations	7
J.	Drug Testing	7
K.	Residency Requirements	7
L.	Secondary Employment	8
M.	Probationary Period	9

## SECTION III: COMPENSATION

A.	Employment Categories	10
B.	Workweek Schedule	10
C.	Collective Bargaining Agreement Compensation	10
D.	Management and Exempt Employees Compensation	11
E.	Overtime	11
F.	Compensatory Time	11
G.	Pay Period	11
H.	Payroll Deductions	12
I.	Wage Garnishments	12
J.	Travel Expenses	12

## SECTION IV: EMPLOYEE RECORDS

A.	Personnel Files	14
B.	Release of Personal Information	15
C.	Personal Data Changes	15

## SECTION V: GENERAL CONDUCT

A.	Code of Ethics for Government Employees	16
B.	Drug Free Workplace	17
C.	Smoke Free Workplace Policy	18
D.	Anti-Harassment Policy	19
E.	Attendance and Punctuality	20
F.	Dress Code	20
G.	Solicitation and Distribution	22
H.	Performance Evaluations	22

## **SECTION VI: USE OF CITY PROPERTY AND EQUIPMENT**

A.	Use of City Property	23
B.	Use of City Vehicles	23
C.	Use of Cellular Phones	24
D.	Personal Use of Office Equipment	24
E.	Computers	25
F.	Social Media	30

## **SECTION VII: SAFETY**

A.	Employee Safety	31
B.	General Safety Rules	32
C.	Workplace Violence	32
D.	Emergency Shelter/Evacuation Procedures	33

## **SECTION VIII: EMPLOYEE BENEFITS**

A.	Vacation	36
B.	Holidays	37
C.	Health, Dental, and Vision Insurance	37
D.	COBRA	38
E.	Flexible Benefits/Section 125	40
F.	Life Insurance and Accidental Death and Dismemberment	41
G.	Short Term Disability Insurance (including Pregnancy/Disability)	41
H.	Pension Funds	41
I.	Deferred Compensation Plans	42
J.	Worker's Compensation	42
K.	Alternate Productive Duty	44
L.	Employee Assistance Program	45
M.	Tuition Reimbursement	46
N.	Educational Incentives	47
O.	Employee Recognition and Awards	47

## **SECTION IX: LEAVE AND DISABILITY**

A.	Sick Leave Requests	48
B.	Sick Leave	48
C.	Disability	49
D.	Bereavement Leave	49
E.	Family or Medical Leave (FMLA)	49
F.	Victims Economic Security and Safety Leave (VESSA)	54
G.	Educational Leave	55
H.	Military Leave	56
I.	Family Military Leave	57
J.	Jury Duty	58
K.	School Visitation Rights	58
L.	Unpaid Leaves of Absence	59

## **SECTION X. DISCIPLINE POLICY**

A.	Goals	59
B.	Objectives	59
C.	Progressive Disciplinary Procedures	60
D.	Exceptions to Progressive Disciplinary Procedures	60
E.	Demotions for Disciplinary Reasons	61
F.	Alternate Disciplinary Procedures under the Employee Assistance Program	61

**SECTION X: SEPARATION AND REINSTATEMENT**

A.	Types of Separations	62
B.	Termination Date	63
C.	Final Paycheck	64
D.	Accrued Time Pay-out at Separation	64
E.	Reinstatement	64

## **SECTION I: INTRODUCTION**

### **A. *Welcome from the City Manager***

The values of our organization are expressed in our policies and programs and generally reflect what the local residents expect. Honesty, fairness, and consistency are the expectation, and these values are the basis for all we do, no matter the detail. If our mission is to effectively provide each resident a reasonable and honest response, with equal opportunity for access and success, then our organization must extend the same expectations to its employees. No artificial barriers of privilege or prior association should limit the talents of those who serve our organization.

The Handbook, has been updated to include ensuring compliance with applicable state and federal laws pertaining to the workplace and addressing emerging operational trends including the use of technology. In the document and in our collective bargaining agreements, City Code, and administrative policies there is an insistence on fairness, participation, and cooperation. To the extent that we approach these goals, we will more successfully serve others and we will enhance our integrity as a professional organization.

While this document aims to establish expectations for a variety of organizational objectives, there may be areas that are not specifically addressed. Where a specific situation is not addressed, I encourage you to apply the standards of honesty, fairness and consistency. Toward that end, these values will help ensure we “do what is right” for our residents, our fellow employees and our community.

I am pleased to have the opportunity to work with you as we serve the community.

### **B. *Purpose of the Employee Handbook/Disclaimer***

The purpose of this *Handbook* is to give employees a general description and information regarding the City’s employment policies, procedures, and practices. Neither this *Handbook* nor any other policy, procedure, or practice of the City constitutes or should be interpreted as a contract of employment.

The contents of this *Handbook* may be periodically amended to insure compliance with evolving state and federal law and consistency with changing operational requirements in the City. The City reserves the right to change, interpret, withdraw or add to any of the policies, benefits or terms and conditions of employment at its sole discretion, and without prior notice or consideration to any employee. This manual supersedes all prior policies and practices. If your employment is governed by a collective bargaining agreement, the terms of such agreement govern in the event of a conflict between this *Handbook* and the collective bargaining agreement, except where required by law.

### **C. *Sycamore Government***

The City of Sycamore became a Council-Manager form of government by referendum in 2003. Aldermen are elected, two in each of the four wards, and the aldermanic elections are held every two years, at which time half of the City Council is elected. The Mayor is elected at large every four years. The City Manager is appointed by the City Council and the City Manager appoints all other employees. The elected officials determine policy, while professional, appointed officials implement policy.

**D. List of All City Positions**  
*(Effective May 1, 2019)*

**Elected Officials**

Mayor  
First Ward Aldermen (2)  
Second Ward Aldermen (2)  
Third Ward Aldermen (2)  
Fourth Ward Aldermen (2)  
City Clerk

**Exempt Positions**

City Manager  
Director of Human and Administrative Resources  
Director of Building and Engineering  
Director of Public Works  
Fire Chief  
Police Chief  
Deputy Fire Chief  
Deputy Police Chief  
Engineer  
Treasurer  
Assistant Director of Public Works

**Contractual**

City Attorney  
Engineering Services

**Exempt, Part-time**

Crossing Guards  
Paid-on-Call Firefighters  
Volunteer (Auxiliary) Police

**Non-exempt, Part-time**

Executive Secretary

**Positions Represented By**  
**Collective Bargaining Groups**

**AFSCME Local 3957**

Accountant  
Account Clerk  
Foreman  
Building Inspector  
Mechanic  
Laborer  
Billing Coordinator  
Custodian  
Secretary  
Evidence Technician  
Ordinance Officer  
Parking Clerk  
Community Services Officer  
Desk Officer  
Part-time Parking Meter Officer  
Part-time Laborer  
Part-time Clerk  
Part-time Records Clerk  
Part-time Secretary  
Part-time Engineering Assistant  
Part-time Custodian  
Part-time Community Services  
Officer

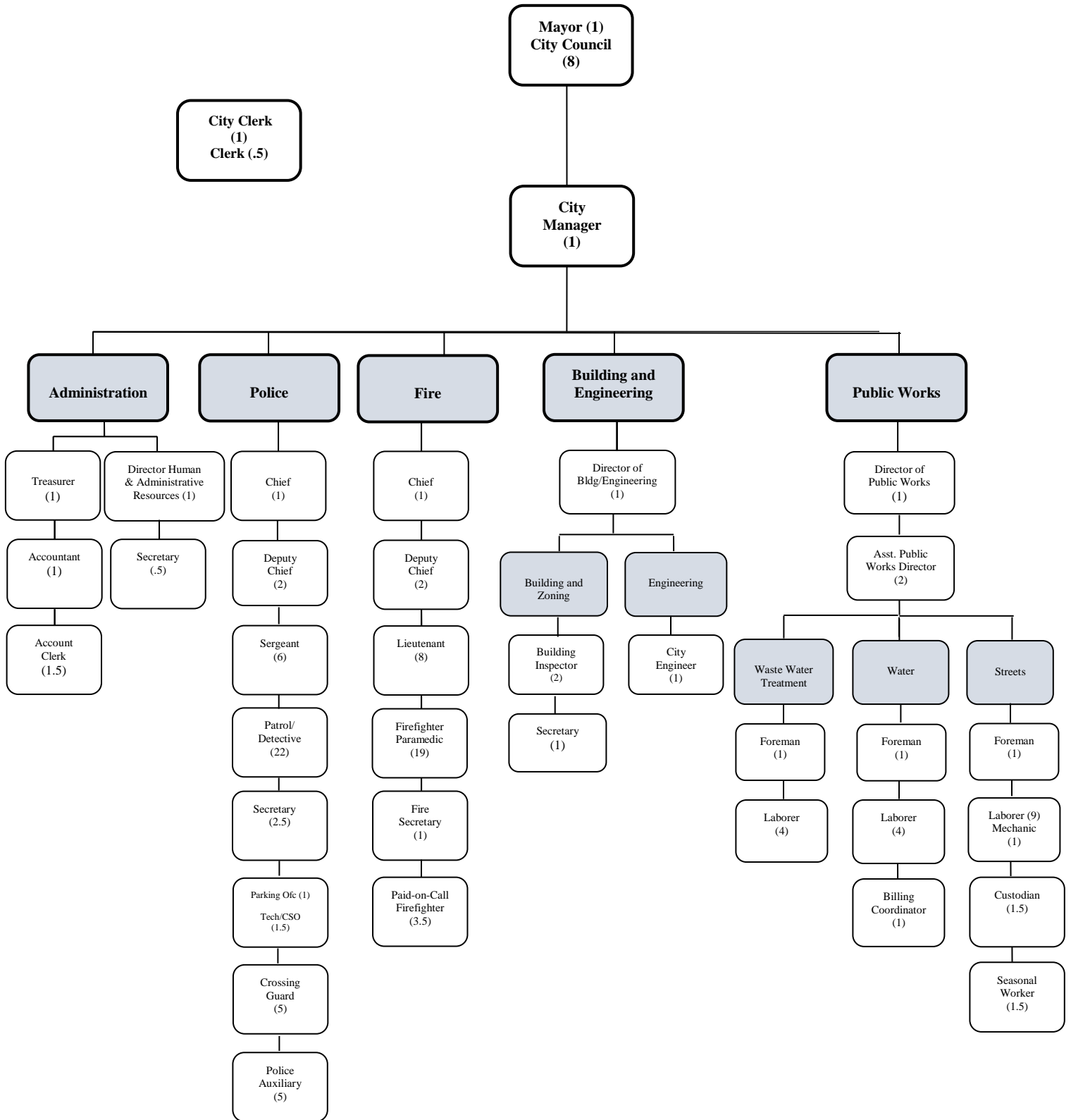
**FOP Lodge 133**

Sergeant  
Investigator  
Patrol Officer

**IAFF Local 3046**

Fire Lieutenant  
Firefighter

**E. Organizational Chart (Effective May 1, 2019)**





## **SECTION II: RECRUITMENT AND SELECTION**

### **A. *Equal Employment Opportunity Statement***

The City of Sycamore is committed to providing equal opportunity and believes that people should be recruited, hired, trained, and promoted according to their qualifications, ability and merit. In keeping with this goal, it is the policy of the City of Sycamore to consider all applicants for City employment without regard to race, age, religion, color, marital status, national origin, gender, sexual orientation, genetic conditions or predispositions, or certain military or veteran status, except where age, sex or physical standards are applicable bona fide occupational requirements.

All applicable laws relating to disability discrimination will be strictly followed. The City of Sycamore will make reasonable accommodations for qualified individuals with known, protected disabilities unless doing so would result in an undue hardship to the City. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

### **B. *Immigration Law Compliance***

The City of Sycamore is committed to employing only United States citizens and/or aliens who are authorized to work in the United States. The City does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing their identity and employment eligibility. The I-9 Form, and eligibility verification must be completed prior to or on the date of hire. If an individual is unable to provide the documents necessary for verification within the required time, he or she must present a receipt for application for such documents within three (3) business days of his or her hiring and must present the required documents within ninety (90) days of his or her hire date. Former employees who are rehired must also complete an I-9 form if they have not completed one for the City within the past three years, or if their previous I-9 is no longer retained or valid.

### **C. *Employment Authority***

The City Manager, or his/her designee, has the responsibility and authority for recruiting, selecting, retaining, suspending and removing all City employees other than those employees whose method of appointment or removal is fixed by statute or ordinance, or collective bargaining agreement.

1. Applicants will be selected on the basis of merit, training, experience, and other job-related factors.
2. The City will attempt, so far as possible, to fill vacancies from among existing employees when deemed by the City Manager to be in the best interest of the City. The City shall not, however, be required to fill a vacancy by transfer or promotion of an existing employee.

3. The recruitment, employment, termination of employment, and disciplinary procedures for all employees under the jurisdiction of the Fire and Police Commission of the City of Sycamore are subject to the rules and regulations of said Commission and to the respective collective bargaining agreements.

***D. Position Vacancies***

1. New positions are created through the budgetary process when sufficient justification so warrants and with the City Council's authorization.
2. When a vacancy exists or a new position is created in any department, a written request is made by the Department Head to the City Manager for permission to fill this vacancy.
3. The City Manager will appoint all City employees and appointive administrative officers except when otherwise provided for by law. The City Manager may authorize any administrative officer, subject to the Manager's direction and supervision, to exercise these powers with respect to subordinates in that department, office or agency.

***E. Nepotism Policy***

It is the City's policy to hire the best qualified candidates for employment. However, it is necessary that the City exercise sound business judgment in the hiring and placement of employees who are closely related, due to the potential for conflicts of interest in the working environment. Decisions regarding the hiring and placement of relatives, domestic partners, and significant others will be made in a non-discriminatory manner, on the basis of business necessity, and in accordance with applicable law. Therefore, immediate relatives of City employees will not be employed in regular full-time, part-time or seasonal positions where:

1. A relative would have the authority to directly supervise, appoint, remove, discipline, or evaluate the performance of the other.
2. A relative would be responsible for auditing the work of the other.
3. Circumstances exist which, in the City Manager's estimation, would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

For purposes of this policy, the term "immediate relative" means spouse, mother, father, sister, brother, child, step-parents, step-children, grandparents, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, or first cousin.

This policy shall not apply to the employment of paid-on-call Firefighters, auxiliary Police Officers, any volunteer position with the City, or any employee candidates whose employment falls within the jurisdiction of the Board of Fire and Police Commissioners.

This policy shall be subject to all anti-discrimination requirements and affirmative action obligations as may be applicable to the City under Federal or State laws and regulations, or with respect to particular projects, grants, or contracts funded by other governmental agencies.

**F. *Application Process***

1. All applicants for employment shall apply on forms provided by the Director of Human and Administrative Resources office. The application shall include complete information relating to experience, training, and other applicable qualifications. All questions must be answered honestly and completely. Failure to provide honest and accurate answers may result in the rejection of the application for employment. If it is discovered after an applicant's hire that the applicant has falsified any material aspect of his or her application, the applicant will be subject to discipline, up to and including termination.
2. Only the City Manager or his/her designee will be authorized to advertise position vacancies, except for positions covered by the Board of Fire and Police Commission, which will test for vacancies. The Director of Human and Administrative Resources will review all applications, and forward all applications to the respective Department Heads as directed. The Department Head, along with the Director of Human and Administrative Resources will then interview and select the applicant of his/her choice, subject to the approval of the City Manager.

**G. *Medical Examinations***

Under the Americans with Disabilities Act, medical examinations may be a part of the employment process, but cannot be used to screen out candidates. The City of Sycamore promotes "wellness" and good health for all of its employees and will require a pre-employment physical. All prospective full-time and part-time employees will be required to pass a medical examination conducted by a licensed physician, arranged and paid for by the City, as a condition of employment. The purpose of this medical examination is to determine an applicant's ability to perform the essential functions of the job.

Further, at any time during the course of employment an employee may be required to undergo a medical examination by a doctor licensed to practice medicine, whenever the City Manager reasonably believes that it is in the interest of the City and the employee to do such. If the medical examiner requires special testing or expert consultation to diagnose a health condition, the City will pay the cost of the testing or consultation. The applicant or employee shall be responsible for the cost of the treatment for any health condition diagnosed in such an examination, subject to worker's compensation and other insurance coverage.

The City will pay for any medical examinations that it requires for employment purposes. Such examinations become a part of the employee's personnel record, and, as such, are not considered to be protected health information as defined by the federal Health Insurance Portability and Accountability Act. Information on an employee's medical condition or history will be kept separate from other employee information and will be maintained confidentially, in keeping with the privacy/confidentiality rules imposed by all employment laws and state statutes regarding the use and storage of these records.

Some employees whose responsibilities require them to possibly become exposed to infectious diseases may have inoculations for various types of disease (i.e. TB, hepatitis, etc.) prior to or in the course of their employment.

**H. *Other Examinations***

Other types of examinations may also be used to determine the relative qualifications of the applicants. Such examinations may include a written, oral, physical, psychological, or any other examination, or combination of examinations, which fairly test and determine the relative fitness and ability of applicants to perform the actual duties of the class or position to which appointment is sought.

**I. *Background Investigations***

1. New or prospective employees will be fingerprinted as a prerequisite to employment.
2. A complete background investigation must be completed on new or prospective employees prior to employment, as determined by the City Manager. Prior to such an investigation, applicants must execute the necessary release of information form. Where credit checks are required, the City will comply with the rights and notification requirements outlined in the “Fair Credit Reporting Act”.
3. Applicants must be able to demonstrate that they possess or qualify to possess a valid driver’s license if the nature of their position or assignment requires them to operate a City-owned vehicle or their own personal vehicle during City employment.
4. If required, a candidate, new employee, or current employee may be requested to provide proof of educational achievement or professional license identified in their employment application.

**J. *Drug Testing***

The City of Sycamore has made a commitment to a drug-free workplace. In this pursuit, there are drug-testing policies in place specific to the collective bargaining unit’s employees. AFSCME Local 3957 employees will follow the guidelines set forth in the Omnibus Transportation Employee Testing Act of 1991. Bargaining unit employees not covered by the Omnibus Transportation Employee Testing Act of 1991 shall nevertheless be subjected to drug and alcohol testing consistent with the Act and rules and regulations provided for there under, except that said employees shall not be subject to random testing. All other employees should refer to their respective collective bargaining agreements for the details of drug testing procedures and disciplinary actions regarding drug use.

**K. *Residency Requirements***

Residency requirements are subject to collective bargaining agreements and provisions of the City Code:

1. IAFF Local 3046 members shall reside and maintain their domicile within twenty (20) miles of the intersection of State and Main Streets in the City of Sycamore, Illinois to be qualified employees of the City of Sycamore Fire Department. Residency must be made within six months of completing the probationary period for membership on the Sycamore Fire Department
2. FOP Local 133 members shall reside and maintain their domicile within twenty (20) miles of the intersection of State and Main Streets in the City of Sycamore, Illinois, to be qualified employees of the Sycamore Police Department. Residency must be made

within twelve (12) months of completing the probationary period for membership on the Sycamore Police Department.

3. AFSCME Local 3957 members shall reside and maintain their domicile twenty (20) miles of the intersection of State and Main Streets in the City of Sycamore, Illinois. Residency must be established within twelve (12) months of the date of hire.
4. All other exempt employees shall reside and maintain their domicile within twenty (20) miles of their place of work to be qualified employees of the City of Sycamore, Illinois. Residency must be established within twelve (12) months of the date of hire.

***L. Secondary Employment***

The City expects to be notified about outside employment in an effort to ensure that an employee's primary efforts can be devoted to the City of Sycamore, avoiding any conflicts between the private interest of the employee and the employee's official responsibilities. Therefore, no regular full-time employee of the City is permitted to engage in any outside work, business venture or other activity considered as secondary full-time or part-time employment without the department head and City Manager's knowledge and written approval. Such employment will not be acceptable under a number of conditions, including, but not limited to:

1. Where the nature or place of employment might bring disfavor on the City.
2. Where secondary employment would involve the employee's appearance in City uniform, involve use of City 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, punctuality or sick leave record.
4. Where secondary employment impairs the employee's ability to discharge the duties and responsibilities of his/her City job.
5. Where an employee might be considered to be using his/her City position to influence, to solicit business for the outside employment, or where there is any appearance of impropriety, including the use of official information not available to the public.

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 City of Sycamore. All City employees must complete a Secondary Employment Notification Form that their supervisor and City Manager must approve prior to secondary employment (available in Human Resources). All City employees are subject to call at any time for emergencies, special assignment, or overtime duty, and no secondary employment may infringe on this obligation.

Employees who suffer an occupational illness, injury, or disability as a direct result of any outside employment activities shall not be eligible for worker's compensation benefits provided by the City of Sycamore. Further, the outside employer's worker's compensation policy shall be responsible for the payment of all medical expenses incurred for any occupational sickness, injury, or disability directly resulting from the outside employment. An employee's failure to disclose to the City that an illness, injury, or disability which is compensable under the Worker's Compensation Act, is a direct result of other employment or an outside business, coupled with that employee's use of the City's sick leave benefit for such illness, injury, or disability, may result in the forfeiture of such leave and may result in discipline up to and including the discharge of the employee.

An employee who is absent from City employment due to illness or injury and is receiving compensatory benefits under sick leave, short-term disability, or worker's compensation/injury leave are prohibited from engaging in any outside employment activity while he or she is absent and receiving compensation from the City of Sycamore.

Employees of the Fire and Police Departments should consult the rules, regulations, department policy, and their labor contracts in regards to outside employment.

***M. Probationary Period***

The probationary period is intended to give new employees and those newly promoted the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate the capabilities, work habits, and overall performance of each new employee. During such period, an employee whose performance does not meet the required standard of work may be separated from that position without recourse to appeal.

During the probationary period, new employees are eligible for those benefits that are required by law (such as Social Security, Medicare, and workers compensation insurance). Full-time probationary employees may be eligible for additional City benefits, according to the terms and conditions of each benefit program.

Probationary periods are subject to collective bargaining agreements and provisions of the City Code:

1. IAFF members: all new Firefighters shall serve a probationary period of twelve (12) continuous months of work. Said probationary period may be extended for an additional period, not to exceed twelve (12) months to allow an employee to secure the required certification when delay is due to an inability to schedule the requisite classes in a timely manner. See Article 7 of the IAFF contract.
2. FOP members: all new Police Officers will serve a probationary period of twelve (12) months. Said probationary period may be extended up to 90 days if the new member is assigned to the Illinois State Police Training Academy or the Police Training Institute for mandatory Police Officer certification.
3. AFSCME members: all new members of the bargaining unit will serve a twelve (12) month probationary period. Members who are promoted or make a lateral transfer will be considered a probationary employee for the first six (6) months in the new position. See Article 7 of the AFSCME contract.
4. Management and other exempt employees will serve a probationary period of twelve (12) months.

Performance evaluations generally will be conducted by the supervisor on a quarterly basis prior to completion of the probationary period.

The successful completion of the probationary period should not be construed as creating a contract or as guaranteeing employment for any specific duration.

## SECTION III: COMPENSATION

### A. *Employment Categories*

1. For compensation purposes, each City of Sycamore employee is designated as nonexempt or exempt:
  - a. Nonexempt employees are those who are subject to the minimum wage and overtime pay provisions of federal and state wage and hour laws.
  - b. Exempt employees are those for whom the overtime provisions of federal and state wage and hour laws do not apply. The City will comply with any laws and regulations as applicable and amend from time to time.
2. In addition to the above categories, each employee will belong to one other employment category:
  - a. **Full-time** employees are those who work the regular workweek as defined by their collective bargaining agreement or by ordinance. Generally, these employees are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.
  - b. **Part-time** employee hours will vary, but do not generally exceed an average of thirty hours per week. While these employees do receive all legally mandated benefits (such as Social Security, Medicare, and workers compensation insurance), they are generally ineligible for all other City benefit programs. Part-time employees who work over 1,000 hours per calendar year must participate in the Illinois Municipal Retirement Fund.

### B. *Workweek Schedule*

1. The regular workweek for exempt employees is established by ordinance.
2. The workweek of IAFF Local 3046 members is outlined in Article 3 of their Collective Bargaining Agreement.
3. The workweek of FOP Lodge 133 members is outlined in Article 24 of their union contract.
4. The workweek of AFSCME Local 3957 members is outlined in Article 16 of their union contract.
5. The normal workweek for regular part-time employees may vary but will not exceed an average of thirty (30) hours per week.

### C. *Collective Bargaining Agreement Compensation*

The wages of IAFF Local 3046 Local Members, FOP Lodge 133 Members, and AFSCME Local 3957 Employees are negotiated through collective bargaining agreement. Refer to your respective collective bargaining agreement for your base wage in the pay schedule portion of the agreement.

**D. *Management and Exempt Employees Compensation***

Refer to Section 1 of the City's Salary Ordinance for specifics regarding the compensation of exempt employees. The City Manager at any time may recommend to the City Council the addition or removal of positions from classification as management positions.

**E. *Overtime***

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. When a nonexempt employee is required to work more hours than his or her regular work week, the employee shall be paid at the rate of 1.5 times his or her regular straight-time hourly rate. Time off for sick leave will not be considered as hours worked for purposes of performing overtime calculations. Nonexempt employees have the option of taking their overtime in cash or in compensatory time.

**F. *Compensatory Time***

Compensatory time is earned at the rate of one and one-half hours for every hour worked over forty hours or the regular workweek schedule for non-exempt employees defined by each collective bargaining agreement and at a rate of one hour for every hour worked over forty hours for exempt employees

1. Exempt employees should refer to the City of Sycamore's Salary Ordinance regarding the provisions that apply to Compensatory Time.
2. All collective bargaining members should refer to their respective agreements regarding the provisions that apply to Compensatory Time.

**G. *Pay Period***

All employees are paid biweekly on every other Friday (26 paychecks per year) following the conclusion of a pay period. Pay periods begin on Saturday and end on Friday.

1. All employees shall participate in the City's Direct Deposit Program. This program utilizes electronic funds transfer to provide employees with a timely, accurate, and convenient method of depositing their earnings.
2. When payday is a holiday, checks will be issued the day before the holiday.
3. Those persons who are hired or who terminate their employment in the middle of the pay period shall be paid at an hourly rate based on their current salary schedule for hours worked in that period after their hiring or prior to their termination.
5. The City takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. Employees are responsible for ensuring that time records are accurate and complete. In the event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Finance Office so that corrections can be made as quickly as possible. Falsification of time records will result in disciplinary action up to and including discharge.



## **H. Payroll Deductions**

1. Automatic payroll deductions are made from each employee's paycheck as required by statute. These include Federal and State income tax withholding, Social Security (except Police and Firefighters), Medicare (certain Police and Firefighters may not qualify), retirement contributions, applicable group insurance premiums, and other deductions required by law, such as garnishments.
2. Additional optional deductions may be requested by the eligible employees, including deductions for supplemental benefits, deferred compensation, and union dues.
3. It is the employee's responsibility to maintain current tax withholding information with the Finance Office. Employees wishing to change their payroll deductions should contact the Finance Office by 5:00 p.m. on the last day of the pay period if they wish the change to take place on the check that will be issued on the pay date for that pay period.

## **I. Wage Garnishments**

A garnishment is a court-ordered legal claim against wages of an employee for non-payment of a debt or other financial obligation. A wage garnishment is served by a constituted legal authority and must be recognized and executed by the City. Any notice of a wage garnishment will be received and signed for by the Finance Office. The Finance Office will notify the employee that the garnishment has been received and the date the garnishment will begin to be deducted from his or her paycheck. A check for the garnished amount will be written and forwarded to the creditor after each pay run.

## **J. Travel Expenses**

Employees traveling on City of Sycamore business shall do so on the most economical basis available and are entitled to be reimbursed for any reasonable expenses which they incur during the conduct of City business. Advances, reimbursements, or a combination of both are often required when employees travel. The following guidelines shall generally apply in this regard, unless otherwise waived by the City Manager. All employees' travel arrangements and expenses must be approved by the department head. The department heads' travel arrangements and expenses must be approved by the City Manager. If employee expenses exceed the request for funds, the department head and City Manager must approve the request.

1. Mileage
  - a. Employees using their own personal vehicle(s) for the conduct of City of Sycamore business, either within or outside the community, are entitled to be reimbursed for mileage at the national rate then in effect and so approved by the Internal Revenue Service. The City Manager shall notify the individual departments of this rate as it is, from time to time, revised.
  - b. Costs incurred driving to and from work are not eligible for reimbursement. For employees receiving monthly car allowances, mileage will be reimbursed at the standard rate beginning with the fifty-first (51<sup>st</sup>) mile.

- c. Employees who use their own vehicle for City of Sycamore business on a regular, continuing basis for travel generally within the DeKalb/Sycamore area shall be reimbursed on a monthly basis for same. It shall be at the City Manager's discretion, with the advice and consent of the affected department head, to determine to which employee(s) this provision applies. Forms for reimbursement shall be supplied by the Finance Office and submitted to that office by the tenth day of each month for payment within fourteen days of receipt. Both the employee and the department head must sign these forms.
- d. Employees who use their own vehicles on an occasional basis may submit for reimbursement as the need arises, with the date, destination and total mileage noted on the form provided by the Finance Office, and signed by both the employee and department head and/or supervisor. The Finance Office shall make reimbursement within fourteen calendar days of receipt of the form.

2. Other Travel

- a. Travel by other means (e.g., trains or airplanes) will be permitted, provided it can be documented as the most economical means available to the employee.
- b. Airline tickets are to be purchased for the most economical fare that can reasonably be obtained, as approved by the department head. Tickets are to be billed to the City for payment or a City credit card may be used for payment with the approval of the City Manager.

3. Meals

- a. While conducting City business or performing assigned tasks while absent from the City, employees may receive an allowance for meals based on the General Services Administration (GSA) per diem rates, unless otherwise specified. Such allowances are to include the tipping of service personnel in an amount not to exceed 15 percent of the meal.
- b. Reimbursement for such allowable expenses may take one of two forms. For local business trips or for trips that do not involve overnight travel, employees are reimbursed from expense report, with the approval of their supervisor, provided that receipts are submitted in accordance with GSA timelines.  
**NOTE: reimbursements will not be made if receipts are not submitted.**
- c. For business or training trips involving overnight travel outside DeKalb County, employees may receive meal allowances, either in the form of advances or reimbursement, in conformance with the dollar amounts listed above per GSA rates. In the event that the allowances advanced to the employee after the submittal of an approved expense request exceeds the actual cost of the meals, the employee shall remit the unused balance of the advance to the Finance Office. An employee who is given an advance has thirty (30) days from his or her return to submit the receipts and/or the unexpended funds. The amount of any unexpended funds not returned will be deducted from the employee's next paycheck. There are no per diems. If an employee receives an advance, and the trip is extended, he or she shall be reimbursed the allowable amounts upon the submittal of an expense request statement approved by his or her supervisor. Verifiable receipts are required to support such statements, before authorizing reimbursement. Additional information regarding meals may be found in the respective collective bargaining agreements.

4. Miscellaneous Travel Expenses
  - a. This shall include items such as parking, tolls, cab fare, tipping and related items. While employees are encouraged to obtain receipts for these expenses whenever possible, it is recognized that this is not always feasible (e.g., tips to bellboys or skycaps). It shall be at the department head's discretion to approve these expenses (or portion thereof) for reimbursement by the Finance Office to the requesting employee on the expense report.
  - b. The employee will not be reimbursed for any personal expenses incurred during travel that shall include costs for personal telephone calls; purchase of alcoholic beverages; purchase of groceries/snacks; charges for use of health club or similar type facilities; in-room movies; or other personal or non-business related expenses.

## **SECTION IV: EMPLOYEE RECORDS**

### **A. *Personnel Files***

1. The Director of Human and Administrative Resources shall be responsible for the maintenance of the official personnel files for all employees. These files are confidential and contain the complete employment history of each employee during their tenure with the City of Sycamore. All personnel records will be secured in a locked file cabinet located in the Director of Human and Administrative Resources Department.
  - a. In accordance with the Americans with Disabilities Act, medical records will be maintained in separate, confidential files.
  - b. Protected health information as defined by the Health Insurance Portability and Accountability Act (HIPAA) shall be kept separate from other employee information and shall be maintained confidentially, in keeping with the privacy and confidentiality rules imposed by all relevant statutes regarding the use and storage of these records. The City of Sycamore shall be accountable for strict adherence to such policy by all its employees, but shall not be held responsible for any disclosure of such privileged information by individuals or agencies that may have acquired said information by legitimate means but violated statutory strictures against unwarranted disclosure in the conduct of their business.
2. Employees are permitted to inspect and copy (at their own expense), any material, except as exempted by Section 10 of the Personnel Review Act, 820 ILCS 40/10, which is contained in their personnel file. Exempted materials include:
  - a. Letters of reference for that employee.
  - b. Any portion of a test document, except that the employee may see a cumulative total test score for either section of or the entire test document.
  - c. Materials used by the City for management planning that include more than one employee, unless such materials are, have been, or are intended to be used by the City in determining an individual's qualifications.
  - d. Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

- e. Records relevant to any other pending claim between the City and the employee, which may be discovered in a judicial proceeding.
  - f. Investigatory or security records maintained by the City to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the City's property, operations, or business or could, by the employee's activity, cause the City financial liability, unless and until the City takes personal action based upon the information in such records.
3. The City shall, upon an employee's written request, permit the employee to inspect his or her personnel file, except for exempted materials.
    - a. The City shall provide the employee with the inspection opportunity within seven (7) working days after the employee makes the request.
    - b. The Director of Human and Administrative Resources or a designee shall be present with the employee while the employee inspects his or her personnel file.
  4. If factual information is demonstrated to be incorrect by the employee, it will be corrected.
  5. If an employee disagrees with certain items in his or her file, such as disciplinary action, the employee may submit a statement of disagreement for inclusion in his or her personnel file. No documents or other information shall be removed from an employee's personnel file without the authorization of the City Manager in accordance with their bargaining agreement stipulations.

***B. Release of Personal Information***

1. Only non-confidential information will be provided upon request for business or reference purposes. This information will be limited to employment status, dates of employment, job title, and salary confirmation. No other information will be given over the telephone.
2. An employee's salary information, address and telephone number will be furnished to credit agencies in writing only in response to written requests or as required by FOIA. The written request for information must be accompanied by a release authorization signed by the employee in question, which can be found by contacting Human Resources.

***C. Personal Data Changes***

A change in an employee's personal data may have an important effect upon employee benefits. It is the responsibility of each employee to promptly notify the department head or Director of Human and Administrative Resources of any changes in their personal data. Employees should report any change of status, including:

- Name
- Address
- Telephone number

- Marital status
- Addition or deletion of dependents
- Persons to be notified in the case of an emergency

The Director of Human and Administrative Resources should be notified no later than **thirty (30) days** after the effective date of the change, as benefits may be denied to new dependents that are not added to the appropriate benefit plans within that period of time. Any changes should also be reported to the appropriate pension fund for Police and Firefighters.

## **SECTION V: GENERAL CONDUCT**

### **A. *Code of Ethics for Government Employees***

The proper operation of democratic government requires that employees of the City be independent, impartial, and responsible to the City of Sycamore, the sole purpose of which is to serve and protect the common well-being and good of the people of the City of Sycamore.

The following ethical standards of conduct for all City employees sets forth those actions which are incompatible with the best interests of the City and its residents. Generally, ethical conduct involves and requires disclosure by City employees of private, financial and/or other interests in matters affecting the City. These standards of conduct are founded upon the principle that there should be no favoritism. No citizen of the City or other party (including employees and/or family members) should receive any benefit from City actions, beyond that which is available to any other citizen or party, because of his/her relation to any employee of the City. In recognition of these goals, these standards are established for all City employees:

#### 1. Conflicts of Interest

Employees shall not engage in any business or transaction, or have a financial or personal interest, whether direct or indirect, that is incompatible with the proper discharge of their official duties in the public interest or that may tend to impair their independence, judgment, or action in the performance of these duties.

#### 2. Disclosure of Interest

Employees who have an interest in a transaction shall disclose the nature and extent of such interest to the City Manager.

#### 3. Abuse of Power

Employees shall not use the power or prestige of their positions for their direct or indirect private gain.

#### 4. Confidentiality

Employees shall not disclose confidential information concerning the property, government or affairs of the City or use such information to advance their own financial interests or that of others.

5. Incompatible Employment

Employees shall not engage in or accept private employment, or render services for private interests, if such employment or service would create a Conflict of Interest or impair their independent judgment or action in the performance of their official duties in the public interest.

6. Gifts

In accordance with the State Gift Ban Act, employees of the City shall be prohibited from receiving any monetary rewards or other gifts relating to services provided as a City employee, including any discounts, promotions, services or products offered by a liquor licensee, or any officer, associate, member, representative, agent or employee of any licensee, unless said gift, discount, promotion, service or product can be consumed or enjoyed on the premises, or can be enjoyed by all employees.

Employees are also prohibited from using governmental discounts and tax exemptions to purchase items for personal use.

7. Public Property

Employees shall not use or permit the use of City-owned vehicles, equipment, materials or property for profit or for personal convenience, except as authorized by the City Manager.

8. Fairness and Impartiality

For the benefit of all residents of the City, employees shall perform their duties fairly and impartially, without bias or prejudice or politics.

***B. Drug Free Workplace***

1. Intent and Policy

The City of Sycamore is committed to the safety and well-being of its employees and the public. Accordingly, it is the employer's intent to maintain a work environment, which is free from drug use and unlawful possession of controlled substances on municipal premises.

2. Procedures and Regulations

a. Employees are expected to report to work on time and in appropriate mental and physical condition to work. Employees are not to report to work under the influence of intoxicants (alcoholic beverages or illegal drugs) and shall not consume, use or possess intoxicants at any time during their scheduled work day, on City property, or in City vehicles (while traveling to or from City property while on duty). The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on municipal premises or while conducting City business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action up to and including termination, and may have legal consequences.

- b. If a supervisor has reasonable cause to believe that an employee has reported to work under the influence of intoxicants, the supervisor, with the approval of the department head, has the right to request the employee to submit to an alcohol or drug-screening test that may be grounds for discipline including termination. The results of the alcohol or drug test shall not be used by the City for any other purpose other than to determine adherence to Municipal policy, to discipline an employee whenever necessary, and to comply with applicable terms of this Section.
- c. The City of Sycamore recognizes drug dependency as a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to seek help. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record except where action follows a referral made by a supervisor.
- d. No employee shall be subject to discipline for the appropriate use of legal nonprescription or prescribed legal drugs for the treatment of injury or illness. However, if an employee knows or should know that use of a non-prescribed or prescribed drug does or could impair the employee's ability to perform his or her job, such information should be reported to the employee's immediate supervisor. Violation of this Section of the policy may subject the employee to disciplinary action.
- e. Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction to the department head. Within ten (10) days of learning of an employee's criminal conviction for illegal drug activity within the workplace, the City will notify the federal government of such a conviction. Within thirty (30) days of learning of an employee's criminal conviction for illegal drug activity within the workplace, the City will take the appropriate personnel action.

It is understood that for Police Officers and Firefighters, the Board of Fire and Police Commissioners proceedings prevail, notwithstanding the content of this policy statement.

### ***C. Smoke Free Workplace Policy***

The health of each employee is of utmost importance to the City of Sycamore. In order to protect our employees from the hazards involved in second hand smoke and in order to maintain compliance with the Smoke Free Illinois Act (410 ILCS 82/1, et seq.), smoking, vaping and or use of e-cigarettes is prohibited on all of the City's premises and property including City vehicles. The failure to comply with this policy and procedure will result in disciplinary action up to and including termination.

Employees may not smoke or vape in areas of employment, which are enclosed areas in which employees must enter, leave, or pass through as a course of their work, including but not limited to offices and work areas, restrooms, conference rooms, break rooms, cafeterias, lobbies, corridors, and any other common areas. All city-owned property will be tobacco-free.

**D. *Anti-Harassment Policy***

The City is committed to maintaining an environment free from discrimination, harassment, retaliation, and inappropriate/offensive conduct and will not tolerate any form of these behaviors. This policy forbids employees, elected officials, or any third party from engaging in such conduct. Employees engaged in such conduct are subject to disciplinary action, up to and including immediate termination, as determined by management. All employees are required to take yearly training through the HR Department in accordance with this policy.

1. **Harassment** includes verbal, physical, visual, or other conduct that is based upon or relates to a person's race, gender, age, national origin, disability, religion, sexual orientation, veteran or military discharge status, or membership in any other legally protected category.
  - a. Prohibited conduct includes any conduct or action that is directed toward or about any employee or applicant OR that is taken with respect to any employee or applicant because of that person's race, gender, age, national origin, disability, religion, sexual orientation, veteran or military discharge status, or membership in any other legally protected category.
  - b. The conduct that is forbidden by this policy specifically includes, but is not limited to: epithets, slurs, jokes, negative stereotyping, or intimidating acts that are based upon a person's protected status; referring to a person's protected status, particularly when making decisions affecting the individual in the workplace and which affects the individual's ability to perform his/her job; written or graphic material circulated, available on the City's computer system, or posted or distributed within the workplace that shows hostility towards a person because of his/her protected status.
  
2. **Sexual Harassment** includes any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct based on sex, gender, or of a sexual nature when submission to the conduct is an explicit or implicit term or condition of employment, OR when submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, OR when the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
  - a. This policy forbids harassment based upon gender regardless of whether the offensive conduct is sexual in nature and also prohibits expressions of hostility or dislike or other inappropriate conduct based upon gender.
  - b. The conduct that is forbidden includes but is not limited to physical assaults of a sexual nature, including, but not limited to, rape, sexual battery, molestation, intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, etc; unwanted sexual advances, propositions or other sexual comments, including, but not limited to, sexually oriented gestures, noises, remarks, jokes, comments, or verbal abuse of a sexual nature; preferential treatment and promises of preferential treatment to an employee for submitting to sexual conduct; sexual or discriminatory displays or publications anywhere in the City work place by City employees including, but not limited to, pictures, posters, calendars, graffiti, emails, objects, reading materials, or other materials that are sexually suggestive, demeaning, or pornographic.



Any employee who believes he or she is being harassed or sexually harassed by supervisors or co-workers should immediately notify the department head or Director of Human and Administrative Resources. In the event that the harassment involves the department head, the employee should notify the City Manager and complete a Complaint Form in Human Resources. The City's policy is to investigate all such complaints promptly and thoroughly. If an investigation confirms that a violation of this policy has occurred, the City will take corrective action, including discipline up to and including immediate termination of employment, if appropriate.

The City forbids retaliation against anyone for making a harassment or sexual harassment complaint, for assisting in making the complaint, or for cooperating in the investigation of the complaint.

A complete copy of the City of Sycamore's Sexual Harassment policy may be obtained from Human Resources.

***E. Attendance and Punctuality***

Regular, predictable attendance is an essential function of all positions. Tardiness and absenteeism place a burden on other employees and on the City organization.

When an employee is unable to come to work as scheduled, or cannot avoid being late to work, the employee must notify his/her supervisor within one hour (or the time frame indicated in his/her respective bargaining agreement) of the anticipated tardiness or absence. The failure to provide timely notice may result in disciplinary action.

If an employee is absent more than three consecutive workdays or has used excessive sick time over a given period of time, a statement from a physician will be required before the employee is permitted to return to work.

Employees who are excessively or consistently tardy or absent, as determined by management's discretion, will be disciplined, up to and including immediate termination, as management deems appropriate.

***F. Dress Code***

It is essential that employees maintain a professional image to better serve and represent the community. Proper work attire is essential in maintaining these standards. Each employee's dressing, grooming and personal hygiene shall be appropriate to the work situation. Employees are expected, at all times, to present a professional, businesslike appearance to customers and the public.

When performing any City related business such as public meetings and City functions outside the workplace, all employees are expected to dress in appropriate business or business casual attire. Clothing shall be clean, pressed, free of tears, and finished with tailored hems (i.e. no cutoffs).

Employees are not allowed to wear any type of apparel that advertises an alcoholic beverage or illegal drug; includes any offensive terminology, profanity, nudity, or displays a derogatory

or inflammatory statement of any type. Graphics or lettering shall be no larger than a pocket-sized logo (e.g. clothing brand or trade group logo on the pocket of a polo shirt).

To avoid the appearance of impropriety or conflict of interest, employees are not allowed to wear any type of apparel that advertises a business with whom the City may reasonably conduct business (e.g. construction firms, service companies, professional firms or developers). This restriction shall not be considered to apply to professional organizations of which the employee is a member, or training organizations, which promote understanding of City Government.

In addition to the general guidelines stated above, office personnel should wear business or business casual attire at all times. Collared shirts, knit tops, blouses, sweaters, turtlenecks, slacks and skirts are recommended. Clothing that is too revealing is inappropriate. Sleeveless blouses and sweaters are acceptable but tube tops and halter-tops are prohibited, and tank tops or spaghetti strap tops must have an over shirt or be worn with a jacket. Skirts length should be appropriate for business wear and not excessively short or revealing. Jeans may be worn in the office when assigned work duties dictate (i.e. cleaning out storeroom, moving inventory, etc.) but must be clean and free of any rips or tears. Employees who choose to wear hats with bills shall have the bill forward facing. Employees must wear shoes that are clean and free of tears. Female employees may wear open toed sandals when appropriate to the season and the work environment/situation.

Employees found with inappropriate clothing will be asked to change. If one is required to leave and return to work, the time necessary to travel and change will not be compensated. Supervisors are responsible to ensure that employees dress in a safe, appropriate, and professional manner. The City Manager will make any final determinations, interpretations or amendments to this policy. Employees requesting an exception from this policy must demonstrate how the proposed attire is compatible with maintaining the City's professional image and/or business-appropriate work environment. Disregard of these policies may result in disciplinary action up to and including termination.

Reasonable accommodation will be made for employees' religious beliefs and disabilities whenever possible, consistent with the City's necessity to present a professional appearance to the public.

Prohibited items of clothing include:

- Torn/ripped clothing or shoes of any sort
- Pants without hems
- Slides or pool shoes
- Bib overalls
- Shirts or hats with logos that may present a possible conflict of interest for the City
- Sweatpants, gym shorts, spandex or other athletic wear
- Overly form-fitting types of clothing
- Shirts that show excessive skin
- Excessively short skirts/dresses
- Exposed undergarments
- Any clothing exposing the body in a manner inappropriate for a business environment

**G. *Solicitation and Distribution***

Employees are expected to devote their full attention to their assigned duties during work hours. Except for requests for contributions for gifts or receptions specifically to honor employees on their retirement, resignation, or other events of personal significance, the following rules shall be in effect:

1. Employees may not solicit items including but not limited to requests to join organizations, contribute funds or buy products, or the distribution of non-work-related literature during work hours on behalf of any organization, charity, or personal cause except during non-work periods, such as breaks or lunch periods.
2. Employees who wish to solicit for any organization, charity, or personal cause may not disturb other employees when the other employees are working.
3. Employees who wish to solicit for or distribute literature on behalf of any organization, charity, or personal cause must do so in a manner and location which does not disturb members of the public who are transacting business with the City.

**H. *Performance Evaluations***

The development of the employee and the organization as a whole is an important goal of the City. This goal is best achieved through regular performance reviews between supervisor and subordinate. While employees and their supervisors are encouraged to discuss job performance and goals on an informal on-going basis throughout the year, formal performance evaluations generally will be given to every employee as follows:

1. During their first year, new employees will be evaluated every three (3) or (4) months as a part of their probationary program, in compliance with their bargaining agreement.
2. After their probationary period has ended, employees will be evaluated on a bi-annual basis. Performance evaluations are a job requirement for every City position.
3. The City of Sycamore wishes to achieve the following objectives in its Performance Evaluation process:
  - a. To convey the expectations of each position clearly and to assign responsibility.
  - b. To keep each employee informed of his or her job performance and to identify ways upon which performance can be improved or enhanced.
  - c. To provide a means for improved communication between supervisors and their fellow employees.
  - d. To help guide career development by establishing goals and the means to establish these goals.
  - e. To recognize and reward outstanding performance.

## **SECTION VI: USE OF CITY PROPERTY AND EQUIPMENT**

### **A. *Use of City Property***

1. Employees may only do work which is in direct benefit to the City while on City owned property.
2. No employee shall use city-owned vehicles, equipment, materials or other property, including the City's tax ID number, for private use.

Employees found to be in violation of this policy will be subject to discipline.

### **B. *Use of City Vehicles***

The City of Sycamore will provide passenger cars or reimburse employees for the use of their own private cars for transportation required in the performance of their City duties. All passenger cars will be assigned to job classifications or to the car pool. All permanent car assignments and take-home privileges, whether obtained from the pool or assigned in conjunction with a job classification, will be approved by the City Manager or designee. It will be the responsibility of the City Manager to interpret this policy and to prepare necessary reports that show deviations. Take-home vehicles will follow IRS guidelines on approved usage for personal use of city-owned vehicles.

Some City positions require employees to have and maintain a valid driver's license as a condition of their employment. In the event such an employee's driver's license is suspended or lost, he or she is required to immediately notify the City.

1. Employees who are issued cell phones for business use and whose job responsibilities include regular or occasional driving are expected to refrain from using their phone while driving. Employees should pull off to the side of the road and safely stop the vehicle before placing or accepting a call.
2. With changes in Illinois State Law, effective January 1, 2014 the City of Sycamore requires that all of its employees utilizing cell phones while driving a city vehicle must do so hands-free.
  - a. Employees who become disabled and are unable to work for an extended period of time must turn in their cell phones, when asked, to their supervisor while they are out on leave including FMLA or workers compensation.
  - b. The use of 411 and other types of informational services for which there is a charge should be limited to situations where all other possible means of obtaining the necessary information have been exhausted.
  - c. As technological advances continue to expand the functions of cell phones and similar personal equipment, employees are advised that any unauthorized use of such devices at work to record, take pictures or videos and/or transmit same may well be a violation of federal and state criminal laws and will not be tolerated. Anyone determined to have engaged in such activity will be immediately disciplined as well as reported to the proper authorities.

- d. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.
- e. Violations of this policy will be subject to discipline, including termination.

**C. *Use of Cellular Phones***

Employees who are issued cell phones for business use and whose job responsibilities include regular or occasional driving are expected to refrain from using their phone while driving. Employees should pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

The City of Sycamore requires that all of its employees utilizing cell phones while driving a city vehicle must do so hands-free.

- f. Employees who become disabled and are unable to work for an extended period of time must turn in their cell phones, when asked, to their supervisor while they are out on leave including FMLA or workers compensation.
- g. The use of 411 and other types of informational services for which there is a charge should be limited to situations where all other possible means of obtaining the necessary information have been exhausted.
- h. As technological advances continue to expand the functions of cell phones and similar personal equipment, employees are advised that any unauthorized use of such devices at work to record, take pictures or videos and/or transmit same may well be a violation of federal and state criminal laws and will not be tolerated. Anyone determined to have engaged in such activity will be immediately disciplined as well as reported to the proper authorities.
- i. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.
- j. Violations of this policy will be subject to discipline, including termination.

**D. *Personal Use of Office Equipment***

The City of Sycamore has made a substantial investment in office equipment to assist all employees in the performance of their service to the community. This equipment includes, but is not limited to, telephone equipment, computers, copiers, postage machines, cellular telephones, and radio equipment. There may be times when this equipment could be used for personal reasons that may conflict, or appear to conflict, with the original intent for which this equipment was acquired, namely, the conducting of business for the City of Sycamore.

- As a general guideline, office equipment may not be used in a manner that increases the operating cost to the City or decreases productive employee time on the job.

## E. *Computers*

With the fast development of information technology, the effective use of computer systems has become an important part of the services delivered to the community. The intent of this policy is not to impose burdensome limits on users. Rather, it is to provide an information technology infrastructure that promotes the basic missions of the City and effective use of information technology.

Computers and networks are powerful tools for accessing and distributing the information and knowledge developed in the organization. As such, they are strategic technologies for the current and future needs of the City. Because these technologies give City employees the ability to access, copy, and process information from both local and remote sources, users must be mindful of the rights of others to their privacy and intellectual property. This policy codifies what is considered appropriate usage of computers and networks with respect to the rights of others. With the privileges to use the information resources of the City comes specific responsibilities outlined in this policy.

### 1. **TERMS DEFINED**

- a. **Information System Resources**  
Information system resources, for the purpose of this policy, are defined as all computer hardware, software, data stored and managed in the City owned PCs and networks, and the access to various information resources, i.e. LAN, Internet and intranet, etc.
- b. **Storage Space**  
Storage space is defined as the data storage media such as hard disk, floppy disk, zip disk, magnetic tape, recordable CD, remote storage site, e.g., the cloud.
- c. **Information System Users (IS users)**  
IS users are those who are employed by the City of Sycamore and use computers, such as stand-alone PCs and networked PCs/terminals, to access and process information for their work.
- d. **Output**  
Output refers to the end product of the computing process. Such output may include printed hard copies, a document (e.g., memos, e-mail messages, etc.) displayed on the screen, and files stored on various storage spaces. The City will comply with FOIA in partnership with our IT consultant.
  - E-mail messages are text documents which are created, stored, and delivered in an electronic format. As such, e-mail messages are similar to other forms of communicated messages, such as correspondences, memoranda, and circular letters.
  - Non-record messages are e-mail messages that do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. Rather, they are informal communications that are similar to communications during telephone conversations or conversations in an office hallway. Generally non-recorded messages are short-lived,

with no historical significance or public importance, and need not be retained after they have fulfilled their purpose. Examples include:

- Routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies.
- Originating office copies of letters of transmittal that do not add any information to that contained in the transmitted materials.
- Quasi-official notices including memoranda and other records that do not serve as the basis of official actions, such as holiday notices or meeting confirmations.

- e. **Records Retention**  
Records retention schedules are listings of City records and how long they must be retained.

## 2. **POLICY**

### Scope

This policy is applicable to all employees including full-time employees, part-time employees, and seasonal employees whose duties include the use of information system resources.

### Privilege of Use and Violation of the Policy

Access and use of information systems are not the right of IS users, but a privilege. When the user is in conflict with this Policy, the usage privilege will be terminated, and IS users may be subject to disciplinary action as set forth herein.

### Responsibilities

- b. The City. It is the City's responsibility to provide adequate equipment for accessing and processing information. It is also the City's responsibility to provide adequate training for the IS users so that the IS users are able to utilize information system resources in the most effective way.
- IS Users. It is the responsibility of IS users to comply with this Policy. It is also their responsibility to learn the technology in order to perform their duties more effectively.

### Management of Information System Resources

- LAN. The Administrator or designee is responsible for assigning and managing the user ID and password for both individual PCs and networks.
- Internet. The Administrator or designee is responsible for assigning passwords for City IS users.
- Management. For maintenance purposes, the Administrator or designee has the right to access all City information system resources. However, with respect to the IS users' privacy and the confidentiality

of the work, the Administrator will notify the IS users in regard to such access.

- Assigning and Removing Password. Upon notice that an employee is terminating his or her services with the City or that a new employee is joining the City, the Director of Human and Administrative Resources Department will notify the Administrator or designee so that the old password can be deleted or new password added, as the case may be.

#### The Output

- Ownership. The output of the City's information system resources is the property of the City and is subject to public inspection. In order to promote the use of computers IS users may process certain personal information (e.g., personal e-mail messages) with City owned information system resources. However, upon being created and saved onto City-owned media, such personal files become part of the City's property and are subject to public inspection. Using City owned information system resources for outside employment is prohibited at all times. City owned information systems should not be used to utilize auction sites, sales sites or any social media site outside of work perimeters.
- Access and Privacy. The output, e.g., e-mail and electronic files, are presumed to be confidential unless they have explicitly been made available to other authorized individuals. The Administrator or designee may access IS users' files, with the knowledge of the users, when necessary for maintenance. When performing such maintenance, every effort will be made to insure the confidentiality of a user's files except emergencies. **All e-mail users should take note that the information generated on e-mail may be a public record subject to public inspection.**
- Retention. Generally, e-mail messages are temporary communications which are non-vital and may be discarded routinely. However, depending on the content of the e-mail, it may be considered public record. Accordingly, staff members have the same responsibilities for e-mail messages as they do for any other public record and must distinguish between records and non-record information.
  - Non-record messages should be deleted from files as soon as they have fulfilled their purpose. These are records that are not required to be kept under law or whose preservation is not necessary or convenient to conduct municipal business.
  - Messages determined by users to be records should be properly preserved and disposed of as specified in the municipality's approved records retention schedule. Factors to consider when deciding whether a document is a record include its connection with the transaction of public business; whether it is official documentary material (a draft of a letter versus the letter itself); if it is a record that must be produced under the Freedom of Information Act – FOIA - (when the record is publicly cited and identified by the head of the public body); whether the material is appropriate for



preservation by the agency or an officer as evidence of the organization, function, policies, decisions, procedures, or other activities thereof or because of the informational data the material contains; whether the document has any historical significance or is evidence of the function, policies, decisions, procedures, or other activities of the municipality. If the records are duplicative, only one copy need be retained.

If an e-mail does fall within the definition of a public record it may not be deleted, except as provided in the municipality's record retention schedule. Further, these e-mails should be reviewed prior to release under FOIA so that any exempt information contained in them may be deleted or redacted. If the e-mail falls within one of the exemptions (protected by attorney-client privilege), it need not be produced. When in doubt about whether an e-mail message is public record or contains exempt information, contact the City Manager or, if unavailable, the City Attorney.

The City may delete all messages from the server thirty (30) days after they have been opened.

#### Use of the Information System Resources

Networks provide a powerful means for sharing information system resources. The resources available on the networks should be utilized with respect to the right of other users and the systems themselves.

- Security. The confidentiality of other users' work and the integrity of the information system resources are protected by passwords and privileges assigned to each IS user. Any attempt to break into other IS users' accounts or the areas on the networks outside the users' assigned privileges is considered a violation of this Policy, and violators may be subjected to disciplinary action including termination under the City's personnel rules and regulations.
- Virus Protection. Computer viruses constitute a serious threat to the overall computing efforts in the City. It is the responsibility of the Administrator or the designee to ensure a proper configuration of anti-virus programs on both the networks and PCs used by City staff. It is the responsibility of each of the IS users to check for viruses when downloading files from the Internet or bringing files to work on floppy disks. **No software shall be loaded on any City computer without the prior approval of the City Manager or designee.**
  - When an e-mail message is received from an unknown person, such messages should be treated with great caution, especially when there is an attachment to the message. Do not save it on the hard drive. If not sure, contact the Administrator or designee.
  - Downloading executable files (e.g., files with extensions of EXE, COM) from the Internet is prohibited.
  - Do not pass around electronically graphic files unless they are work related.

- Do not pass around virus alert messages electronically. When the alert message appears to be important, send the message to the Administrator.
- Before a file is sent out to another staff user or someone outside the City as an attachment or via a floppy disk, the file should be checked for viruses.

### Changing the Configuration of the Systems

IS users are prohibited from changing the configurations of the PCs or the networks. Such activities constitute a very serious threat to the integrity of the systems. Examples of changing the system configuration include changing internet settings, renaming the computers, and installing/deleting software applications.

### Reporting Technical Difficulties

It is the IS users' responsibility to report all hard/software malfunctions, breakdowns or other technical difficulties to the Administrator or designee. IS users may not initiate any attempt to repair the hardware/software in question. Such an attempt by IS users may further complicate the problem at hand.

### Internet Usage

- Appropriate use. The City of Sycamore encourages the staff to use the Internet as a resource to gain various types of information via a homepage, e-mail, news groups, or discussion groups on the Internet. However, when accessing the Internet with hardware/software provided by the City, the contents of the usage should be limited to job-related information. The City provides access to the Internet, but it does not have control over what is available on the Internet. Therefore, it is the IS users' responsibility to limit Internet usage to a proper level in terms of content of the usage.

The Internet also contains information that is not suitable for children. This material should not be displayed at a government setting. Searching and displaying such information is strictly prohibited with the hard/software provided by the City.

City policy prohibiting sexual or other harassment is applicable to e-mail, voice mail systems, and the Internet. Messages that contain foul, inappropriate, or offensive language, or those containing racial or ethnic slurs, or sexual innuendo are prohibited.

- Copyright. There is a huge volume of information available on the Internet. In most cases, users can read and use the information for free. In some cases, however, items accessible via the Internet are protected by copyright law, such as City logos or news photos published by various news organizations. Internet use by City IS users should be consistent with the law.

## F. *Social Media*

### Policy:

The City of Sycamore recognizes that many of its employees have personal accounts on various social medial sites such as Facebook, Linked-In, Google+, Twitter and YouTube!, and may create or contribute to blogs, wikis, social network sites, virtual worlds and the like.

This policy applies to all City of Sycamore employees while on City property, the City's worksites or wherever City employees are performing a function of their jobs, or while participating in a City-sponsored event on or off City property or using City electronic assets.

The City of Sycamore recognizes that Social Media provides opportunities to participate in interactive discussions and share information on particular City and non-City related topics. Social Media use, however, poses risks to the ability of the City of Sycamore to operate effectively. The following policy is intended to balance those interests.

### Guidelines:

- a. Use only During Nonworking Time. During the workday, employees may engage in the personal use of Social Media only during nonworking time. Nonworking time consists of authorized break times and meal periods only. This includes accessing Social Medial from personally owned devices.
- b. Prohibited Disclosure of Certain Information.
  - Confidential Information. When posting comments to Social Media sites, including an online forum such as a blog, employees may not include any confidential information relating to the City of Sycamore. Confidential information includes, by way of example, nonpublic information about individuals who have received services from the City, HIPAA protected health information (other than with respect to the individual making the post), and other information, the disclosure of which would violate any federal, state or local statute or regulation (including privacy laws). Questions about whether an item of information constitutes confidential information should be directed to the Director of Human and Administrative Resources Department.
  - Use of the City of Sycamore's Intellectual Property Prohibited. Employees may not utilize any City of Sycamore logos, drawings, trademarks, copyrights, or other images or photographs typically associated with the City with respect to their personal Social Media activities if doing so would reasonably create the impression that the Social Media post or page is sponsored or sanctioned by the City of Sycamore.

#### Representation on Social Media Pages:

Not Speaking for the City of Sycamore. To the extent employees are posting comments to the Social Media outside of the scope of their job responsibilities, they may not make any statements that would give the impression that the views they have expressed are the opinions of the City of Sycamore. If there is the potential for confusion on this point (for example, the individual making the post identifies himself or herself in the post as an employee of the City of Sycamore), employees are expected to include a disclaimer to the effect that the views being expressed are personal and not necessarily reflect the views of the City of Sycamore.

#### Content of Postings:

Employees may not make comments or otherwise communicate about coworkers, supervisors, the City of Sycamore, citizens or business owners, or vendors or suppliers in a manner that is vulgar, obscene, threatening, intimidating, harassing, libelous, or discriminatory on the basis of age, race, religion, sex, sexual orientation, gender identify or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status, or any other legally recognized protected basis under federal, state, or local laws, regulations or ordinances.

Employees may not post statements that they know are to be false about the City of Sycamore and/or its managers, supervisors, co-workers, independent contractors (consultants), or any third party.

#### No Retaliation:

The City of Sycamore prohibits taking retaliatory action against any employee for reporting possible violations of 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 discipline, up to and including termination.

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

## **SECTION VII: SAFETY**

### **A. *Employee Safety***

To assist in providing a safe and healthful work environment for employees and visitors, the City has established a workplace safety program. This program is a top priority for the City and its success depends upon the personal commitment of all our employees.

The City will provide information to employees about workplace safety and health issues through regular internal communications channels, such as supervisor-employee meetings, bulletin board postings, newsletters, and other written communications. A Safety Committee, composed of representatives from throughout the City organization, has been established to help implement, administer, monitor, and evaluate the City's safety program. Supervisors and employees will also receive periodic workplace safety training, which covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

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

***B. General Safety Rules***

To comply with all laws, regulations and to ensure safety, employees are expected to abide by the following rules:

1. Be informed of and observe established safety practices and use assigned safety equipment.
2. Obey all tags and signs as they are posted to point out hazards.
3. Use the proper techniques for lifting and carrying materials and ask for assistance when needed.
4. Notify supervisors of any unsafe conditions they discover.
5. Use personal protective equipment as required by the work activity.
6. Refrain from operating, modifying, adjusting, or using City machinery and equipment in an unauthorized manner.
7. Before using, ensure that all tools and equipment are in proper and safe working order with all protective guards in place.
8. Maintain clean and orderly work areas.
9. Refrain from engaging in “horseplay.”
10. Wear seat belts at all times when operating a vehicle.
11. Report any injury immediately, no matter how minor.
12. Additional safety policies/guidelines that are department specific may be obtained from your department supervisor, or Director of Human and Administrative Resources.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees who violate these rules, who cause hazardous or dangerous situations, or who fail to report or (where appropriate) remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

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

***C. Work Place Violence***

The City is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States. Workplace violence includes, but is not limited to harassment, threats, physical attack, or property damage. It is the policy of the City to expressly prohibit any acts or threats of violence by a City employee or former employee against any other employee in or about the City’s facilities or elsewhere at any time.

The City also will not condone any acts or threats of violence against the City’s employees, vendors, or other visitors on the City’s premises at any time or while they are engaged in business with or on behalf of the City, on or off the City’s premises.

In keeping with the spirit and intent of this policy, and to ensure that the City's objectives in this regard are attained, it is the commitment of the City:

1. To provide a safe and healthful work environment, in accordance with the City's safety and health policies.
2. To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening or intimidating behavior or acts of violence or who uses any obscene, abusive, or threatening gestures or language, including e-mail, graffiti, etc.
3. To take appropriate action when dealing with former employees, vendors, or other visitors to the City's facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
4. To prohibit unauthorized employees, former employees, vendors, and other visitors from bringing unauthorized firearms or other weapons onto the City's premises. This policy will be amended as needed to keep current with any applicable State and Federal laws.
5. To establish viable security measures to ensure that the City's facilities are safe and secure to the maximum extent possible and to properly handle access to City facilities by the public, off-duty employees, and former employees.

Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that the City, in its sole discretion, deems offensive, threatening, dangerous, or inappropriate will be subject to disciplinary action, up to and including discharge.

In furtherance of this policy, employees have a "duty to warn" their supervisors, security personnel, or Director of Human and Administrative Resources of any suspicious work-place activity, situations or incidents that they observe or that they are aware of that involve other employees, former employees, customers, or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this policy will be held in confidence to the extent possible. The City will not condone or tolerate any form of retaliation against any employee for making a report under this policy.

Nothing stated in this policy is intended to interfere with an employee's rights to engage in lawful protected concerted activities under the National Labor Relations Act.

#### ***D. Emergency Shelter / Evacuation Procedures***

The following "Emergency Shelter / Evacuation Procedure" guidelines are established in the event a city employee must respond to an emergency such as a Fire, Bomb, and/or Weather Threats while performing their duties at any municipally owned building.

##### **FIRE ALARM**

In the case of a fire alarm/fire, contact 911 immediately.

- ***Building Evacuations***
  - Once the alarm sounds, everyone shall leave the building, following the emergency plan. Supervisory personnel from each office shall first see that

visitors and employees are instructed to exit safely out of the building. It is each office's supervisory personnel responsibility to close all office door(s) before leaving the office. Doors should be left unlocked for emergency personnel to have quick access, if needed. Any cash registers and or vaults should be locked/secured prior to leaving the building.

- ***Assembly Locations***

- SYCAMORE CENTER: After the building is evacuated, all personnel should assemble in the City Parking Lot south of the building (corner of Somonauk and Elm Streets) to await instructions.
- PUBLIC WORKS/STREET DIVISION BUILDING: After the building is evacuated, all personnel should assemble in the driveway intersection between the Public Works/Streets Building and the Wastewater Treatment Plant to await instructions.
- WASTEWATER TREATMENT PLANT: After the building is evacuated, all personnel should assemble in the driveway intersection between the Public Works/Streets Building and the Wastewater Treatment Plant to await instructions.
- FIRE STATION #1: After the building is evacuated, fire department personnel shall assemble in the front of the building to await instructions, unless otherwise directed by the Fire Chief or Station Command Officer.
- FIRE STATION #2: After the building is evacuated, fire department personnel shall assemble in the grassy area south of the station to await instructions.
- POLICE DEPARTMENT: After the building is evacuated, all personnel should assemble in the parking lot of Building and Engineering to await instructions.
- BUILDING and ENGINEERING: After the building is evacuated, all personnel should assemble in the parking lot at the southeast corner (behind the Police Department) to await instruction.
- In the event of inclement weather, arrangements will be made to transfer personnel to another location.

## **BOMB THREAT**

If, for any reason, any municipally owned building may require evacuation, the City Manager, Department Head, or Supervisor will issue the evacuation notice, and police personnel will search the building for any remaining occupants and any explosives/IED.

- ***Building Evacuations***

- The emergency route plan should be followed for each floor. Each office shall first see that visitors are safely out. It is each office's responsibility to close all office door(s) before leaving the office. Doors should be left unlocked for emergency personnel to have quick access, if needed. DO NOT operate any light switches and/or any other electronic devices. Any cash registers and or vaults should be locked/secured prior to leaving the building.
- While evacuating the building, employees should be alert and aware of any possible secondary explosive devices that may be placed throughout or near the building, and report such suspicions IMMEDIATELY to the Incident Commander (*ranking Police or Fire personnel on the scene*).
- Each Department Head or designee shall account for all of their on-duty personnel, and must IMMEDIATELY report to the Incident Commander if they believe any of them are still inside the building.
- Police will keep people from entering the building until re-entry has been approved by the City Manager and/or Department Head. Entry into the building prior to the announced all clear is PROHIBITED for any personnel other than those under the direction of the Incident Commander.

- No light switches or any electronic devices shall be turned on or off from their current working position; no radio transmission, cell phone or, electronic devices of any kind may be used within a three (3) block area; no cars may be accessed either in person or by remote devices (i.e. remote door control, remote start, etc.); and no one should touch any suspicious or unattended item.
- The building(s) shall remain evacuated until permission to re-enter is granted by the City Manager and/or Department Head.
- If such a threat occurs during working hours, NO EMPLOYEE may leave the designated reporting area until the City Manager or Department Head release them.
- ***Assembly Locations***
  - SYCAMORE CENTER: After the building is evacuated, all personnel should assemble in the City Parking Lot south of the building (corner of Somonauk and Elm Streets) to await instructions.
  - PUBLIC WORKS/STREET DIVISION BUILDING: After the building is evacuated, all personnel should assemble in the driveway intersection between the Public Works/Streets Building and the Wastewater Treatment Plant to await instructions.
  - WASTEWATER TREATMENT PLANT: After the building is evacuated, all personnel should assemble in the driveway intersection between the Public Works/Streets Building and the Wastewater Treatment Plant to await instructions.
  - FIRE STATION #1: After the building is evacuated, fire department personnel shall assemble in the parking lot behind the Police Station to await instructions, unless otherwise directed by the Fire Chief or Shift Commander.
  - FIRE STATION #2: After the building is evacuated, fire department personnel shall assemble in the grassy area south of the station to await instructions.
  - POLICE DEPARTMENT: After the building is evacuated, all personnel should assemble in the parking lot of Building and Engineering to await instructions.
  - BUILDING and ENGINEERING: After the building is evacuated, all personnel should assemble in the parking lot at the southeast corner (behind the Police Department) to await instruction.
  - In the event of inclement weather, arrangements will be made to transfer personnel to another location.

## **WEATHER THREATS**

### ***Tornado***

- It is the responsibility of by City Manager and/or Department Head to determine if employees are to move to areas of shelter. If this decision is made, the City Manager or Department Head shall notify all departments within the City that employees are to immediately report to an area of shelter (below ground level is at all possible.). Any cash registers and or vaults should be locked/secured prior to leaving the work area.
- While Public Works and Building and Engineering office staff should attempt to notify field personnel by either radio or cell phone that they are to return to a City owner building or seek immediate shelter nearby, these attempts should not delay office personnel from moving to a safe area as directed in the emergency plan. If individuals cannot be reached within a reasonable and safe amount of time, office personnel should make no further attempts and they should move immediately to a safe shelter area.



- The City Manager or Department Head shall be responsible for keeping fellow staff members informed of weather conditions and for notifying employees when it is safe to leave the shelter.

***Flood***

- It is the responsibility of the City Manager and/or Department Head to determine if employees are to move to another area. If this decision is made, employees will be notified to immediately report to a designated area. Any cash registers and/or vaults should be locked/secured prior to leaving the work area. Any equipment or records that may be vulnerable to flood waters may be moved to a higher location as time/space permits.

***Snow Emergency***

Should the City Manager declare an Official City-Wide Snow Emergency:

- All Emergency Response Personnel (in Fire, Police, Public Works Street Operations) are required to stay/report to work as scheduled and/or as called in by their Department Head or designee.
- All Non-Emergency Response personnel are to await instructions from their Department Head or designee.
- If emergency is declared prior to reporting to work, the employee will be contacted at their home and given the option of whether or not they choose to report to work. They will be allowed to use either vacation or comp-time, and will not be penalized for choosing to stay home.
- If the emergency is declared while employees are at work, employees will be given the choice of whether they wish to stay and work, or leave and go home. If they choose to leave, they will be paid only for the time they worked and will be required to use vacation or compensatory time to fulfill their normal work schedule for the day.

ALL OTHER EMERGENCIES OTHER THAN THOSE DESIGNATED, SHOULD AWAIT INSTRUCTIONS FROM EITHER THE CITY MANAGER OR THEIR DEPARTMENT HEAD.

**SECTION VIII: EMPLOYEE BENEFITS**

**A. *Vacation***

Full-time employees are entitled to vacation leave, granted at the convenience of the Department Head. The amount of vacation days allowed for employees is based on their respective bargaining agreement or the City Code.

Employees shall provide department heads their vacation preference within a reasonable amount of time. Vacation periods shall be limited to two consecutive weeks unless approved by the Department Head and City Manager. In the case of Supervisors, no two supervisors in the same department shall be gone at the same time in excess of two days.

Choice of vacation periods shall be based upon seniority rights; provided, however, supervisors have first rights of vacation periods.

**B. *Holidays***

Holiday schedules for non-exempt employees are defined in the City's collective bargaining agreements, and for management employees, in the annual salary ordinance.

If the holiday falls on a Saturday, it shall be observed on the proceeding Friday. If the holiday falls on Sunday, it shall be observed on the following Monday.

Employees who are normally scheduled to work twenty-four hour shifts receive vacation days in lieu of holidays as outlined in their collective bargaining agreement.

**C. *Health, Dental, and Vision Insurance***

All full-time employees may participate in the City-sponsored health, dental, and vision insurance plans after thirty (30) days of employment. If the employee desires to obtain coverage, the employee will be responsible for contributing an amount determined by the respective bargaining agreement or wage and salary ordinance.

The full Schedule of Benefits is outlined in each employee's health, dental, and vision insurance booklets. The booklets can be obtained from the Director of Human and Administrative Resources office.

Enrollment forms should be completed in the following instances:

- When a new full-time employee begins service with the City.
- When an employee wishes to add an eligible dependent to the plan.
- When an employee wishes to delete a dependent from the plan.

It is the responsibility of the employee to notify the Director of Human and Administrative Resources within **thirty (30) days** of any changes to his/her dependent(s) status.

A committee comprised of a member from each department, a member from each bargaining group, the Department Heads, a retiree, the City Manager, and the Director of Human and Administrative Resources shall meet each year at policy renewal time to consider the current options available to the City concerning its health, dental, and vision insurance plans. As a group, this committee will decide upon which option is the best for all plan participants and recommend its acceptance to the City Council.

The City reserves the right to change insurance carriers or plans, provided the benefit levels and the coverages remain substantially the same as those provided in the current health, dental, and vision insurance plans.

**NOTE:** If the process of finding a new health plan or carrier necessitates that medical data on all current plan participants be supplied to potential carriers in order to receive premium cost quotes or to begin coverage, each plan participant will be required to reasonably cooperate with the City and potential carriers by complying in a timely manner to such requests. The employer will work with the potential carriers to insure that this data is handled as required under the prevailing Privacy Laws.

## **D. COBRA**

COBRA continuation coverage is a continuation of medical and/or dental and/or vision (“the Plans”) coverage when coverage would otherwise end because of a life event known as a “qualifying event”. After a qualifying event, COBRA continuation coverage must be offered to each person who is a “qualified beneficiary.” You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plans is lost because of a qualifying event.

### **1. Qualifying Events**

- a. For the Employee
  - Reduction in the number of hours worked.
  - Termination of employment for any reason other than the employee’s gross misconduct.
- b. For the Spouse of an Employee
  - Death of the employee.
  - Reduction in the number of hours worked by the employee.
  - Termination of employment for any reason other than the employee’s misconduct.
  - The employee becomes enrolled in Medicare benefits under Part A, Part B, or both.
  - Divorce from the employee.
- c. For Dependent Children of the Employee
  - Death of the employee.
  - Reduction in the number of hours worked by the employee.
  - Termination of employment for any reason other than the employee’s misconduct.
  - The employee becomes enrolled in Medicare benefits under Part A, Part B, or both.
  - The parents become divorced.
  - The child stops being eligible for coverage under the Plans as a dependent child.

### **2. Notice of a Qualifying Event**

- a. Director of Human and Administrative Resources will notify the Plans when the qualifying event is the end of the employee’s employment, reduction in hours of employment, death, or when the employee becomes entitled to Medicare benefits.
- b. In the case of divorce or a dependent child’s loss of eligibility under the Plans, the employee must notify the Director of Human and Administrative Resources within sixty days after the qualifying event occurs.

### 3. Election of Continuation Coverage

- a. Each qualified beneficiary will have an independent right to elect to continue medical, dental, and/or vision coverage beyond the date that it would otherwise terminate.
- **Rights of Employee.** Employees and their eligible dependents presently covered by the insurance plans may continue their coverage for up to 18 months from the date that employment terminates or status changes to a nonparticipating (non-insured) employment status due to a reduction in hours provided that the employee pays the full cost of premium and any administrative fee (up to 2%) that may be imposed.
  - **Rights of a Spouse of Employee.** The spouse of an employee covered by the medical, dental, and/or vision plan(s) has the right to continue coverage due to the death of the employee, the employee's becoming entitled to Medicare benefits, or if a divorce from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pays the premium in full and any administrative fee (up to 2%) that may be imposed.
  - **Rights of Child(ren).** Dependent children of an employee covered by the medical, dental, and/or vision plan(s) have the right to continue coverage if group coverage under the plans is lost because of the death of the employee, parents' divorce, the employee's becoming entitled to Medicare benefits, or the dependent ceases to be a "dependent child" under the insurance plan. Coverage under these circumstances may continue for a period up to 36 months provided that the dependent pays the premium in full and any administrative fee (up to 2%) that may be imposed.
  - **Disabled Individuals.** Special rules for disabled individuals and certain family members may extend the maximum periods of coverage. If a qualified beneficiary who has experienced an 18-month qualifying event is determined under Title II or Title XVI of the Social Security Act to have been disabled within the first 60 days of COBRA coverage, then that qualified beneficiary and all of the qualified beneficiaries in his or her family may be able to extend COBRA medical continuation coverage for up to an additional 11 months. The qualified beneficiary may lose the right to the 11-month extension if notice is not provided to the employer within 60 days of the date of the determination and before the expiration of the 18-month COBRA continuation period. The premium for the 11 additional months may be increased to 150%.
- b. If an employee or eligible spouse or dependent does not elect to continue coverage, group medical, dental, and/or vision insurance will end as scheduled under the plan.
- c. If an employee elects to continue group medical, dental, and/or vision coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share) and any

administrative fee (up to 2%) that may be imposed. This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage.

- d. Continued coverage may be terminated earlier than the 18, 29, or 36 month period if group medical and/or dental plans for all other employees are terminated, or if:
- The qualified beneficiary fails to remit the required monthly payments within 31 days of the due date;
  - The qualified beneficiary becomes eligible under any other group medical, dental, and/or vision plan(s) after the date of COBRA election;
  - In the case of a covered spouse, the spouse remarries and becomes eligible to be covered under a group medical, dental, and/or vision plan(s)
  - The qualified beneficiary first becomes eligible for Medicare after the date of COBRA election;
  - The employer ceases to provide any group medical, dental, and/or vision plan(s) to any employee;
  - The qualified beneficiary ceases to be disabled according the Social Security Administration after the 11-month disability extension has begun.

A copy of the COBRA Notice and applicable forms may be obtained from the Director of Human and Administrative Resources.

#### ***E. Flexible Benefits/Section 125***

Through Section 125, an employee may increase his or her take home pay by reducing the amount of tax paid to the Federal and State governments. Under IRS regulations, employees can have their group insurance premiums deducted from their paycheck on a pre-tax basis. This plan also allows for employees to set aside pre-tax dollars for non-reimbursed medical expenses and dependent care expenses through flexible spending accounts (FSA).

Annually, each participating employee will complete a Flex Benefits enrollment form. This enrollment is good for that entire plan year (September 1 – August 31) and cannot be changed unless there is significant change in family status (i.e., newborn, divorce). Section 125 monies deposited into a medical or dependent care FSA cannot be refunded, so accurate estimates are important.

Examples of expenses that qualify as unreimbursed medical expenses under Section 125 include, but are not limited to:

- Chiropractor
- Co-payments
- Deductibles
- Hearing aides
- Dental Care
- Orthodontia
- Oxygen equipment
- Psychiatric therapy

- Substance abuse rehabilitation
- Vision care
- Over-the-counter medications, excluding those used for cosmetic purposes (unless they are supported by a doctor's statement)

Examples of expenses that qualify as dependent/child care expenses under Section 125 include:

- Child care services for children under the age of thirteen
- Elderly care services for parents or grandparents who reside in employee's home

In some cases, terminated employees may be able to continue their Medical Flexible Spending Account through COBRA continuation coverage.

***F. Life Insurance and Accidental Death and Dismemberment***

In addition to any benefits payable under either the Illinois Municipal Retirement Fund or the Police and Fire Pension Funds, the City currently provides all full-time employees with a life insurance policy covering both natural death and accidental death and dismemberment, at such level as periodically established by the City Council, upon recommendation of the City Manager or by collective bargaining agreements. Coverage for these benefits takes effect 30 days after the date of hire and is discontinued on the date of termination or the last date worked. Information concerning this policy is available from the Director of Human and Administrative Resources.

***G. Short Term Disability Insurance (including Pregnancy/Disability)***

All active, full-time employees of the City of Sycamore are provided with Short Term Disability Insurance thirty (30) days after their employment begins. The policy pays a weekly benefit to partly replace income lost during periods of disability resulting from injury, sickness, or pregnancy.

Employees who use all of their accumulated sick leave and require more time off work due to illness or injury may take advantage of Short Term Disability Insurance if they meet the requirements of the policy, which includes exhausting all options thru their respective pension opportunities. Information concerning this policy is available from the Director of Human and Administrative Resources.

***H. Pension Funds***

All full-time employees (except Sworn Personnel in the Fire and Police Departments) and part-time employees working more than 1,000 hours in a calendar year are covered by the Illinois Municipal Retirement Fund (IMRF). This fund is a combination of a State Security Plan and Federal Social Security. An amount is deducted from each employee's paycheck (currently 4.50% of salary) on a pre-tax basis for his/her contribution to the plan. In addition, the City contributes an amount that is based upon the funding level established annually by IMRF.

All full-time sworn personnel in the Police Department receive a pension through the Sycamore Police Pension Fund. Employees contribute a percentage of their base pay, the amount being

established by Illinois statutes. The City contributes an amount that is based on the funding level of the pension plan.

All full-time sworn personnel in the Fire Department receive a pension through the Sycamore Fire Fighter's Pension Fund. Employees contribute a percentage of their base pay, the amount being established by Illinois statutes. The City contributes an amount that is based on the funding level of the pension plan.

Pursuant to the Illinois Insurance Code's Municipal Employee's Continuance Privilege (215 ILCS 5/367j), employees who leave employment due to disability or retirement as defined by the Illinois Pension Code are eligible for health insurance continuation coverage as long as the employee is a current participant in the health insurance plan at the time of his or her disability or retirement. The statute states this continuation coverage shall continue, at the employee's expense, until the end of the disability and/or retirement period. Therefore, coverage cannot be terminated when the retiree or disabled employee becomes Medicare eligible. A reduced benefit plan for those who are Medicare-eligible may be offered by the municipality, but the municipality is not responsible for paying for any premium for this coverage. If an employee leaves employment with the City of Sycamore and is not eligible for a disability or retirement benefit through his or her pension plan, the employee is only eligible for continuation coverage under COBRA.

#### ***I. Deferred Compensation Plans***

The City permits all employees to participate in a deferred compensation program, as prescribed in the terms and conditions of the plan(s) selected by the City. The deferred compensation plan provides participating employees with the ability to start a supplemental retirement fund, while reducing their income tax liability as prescribed by federal and state law. The City does not make any contributions to these plans on the employees' behalf. Employees wishing to participate or obtain additional information should contact Human Resources.

#### ***J. Worker's Compensation***

This policy, which is in accordance with Illinois Workers' Compensation Act 820 ILCS 305/, has been designed to assist the employee and the supervisor in completing claims for workers' compensation. Please see your immediate supervisor or the Director of Human and Administrative Resources for the necessary forms. Please refer any questions or requests for a complete copy of the City of Sycamore's Workers' Compensation policy to the Director of Human and Administrative Resources.

1. Any employee injured during the course of employment with the City, regardless of fault, shall be eligible for Workers Compensation benefits in accordance with Illinois statutes.
2. Employees shall give notice to their respective supervisor of all work-related injuries or illnesses as soon as practicable after the incident. Notice of the accident shall give the approximate date and place of the accident, if known, and may be given orally or in writing.
3. Applicable forms are to be completed without exception for every personal injury and vehicle accident claim even if no time is lost and no medical expense is incurred. The forms are as follows:

- a. Employer's First Report of Illness or Injury – Form 45 (to be completed by the Supervisor)
  - b. Employee's Statement of Work Related Illness or Injury
  - c. Supervisor's Report of Injury
  - d. The employee will also need to complete the back supplement, if this was the type of injury that was sustained.
4. All completed forms if not authored by Medcore are to be submitted to the Director of Human and Administrative Resources within forty-eight (48) hours of the incident or as soon as practicable. Those reports that do not involve lost time or expenses are filed with the Director of Human and Administrative Resources office. Those that do involve lost time and/or medical expenses are mailed to our workers compensation carrier.
5. Police Officers and Firefighters injured in the line of duty are guaranteed salary continuation for up to one year under the *Public Employee Disability Act (PEDA)*. The City of Sycamore has extended the benefits of this Act to all other full-time City employees. Employees will be required to use their accrued time until the City's Worker's Compensation Carrier has approved such injury or illness as covered by law. At which time as the Carrier has deemed it a work place injury or illness, any accrued time that was utilized will be refunded back to the employee's accrual balance. Those Police Officers, Firefighters or full-time employees who sustain injuries on the job will continue to receive 100% of their pay for the period of time that they are disabled, up to one year. At the end of this one-year period, the employee will be covered only by the Workers Compensation Act and is eligible to continue receiving the 66 2/3% TTD (temporary total disability) benefit he/or she had been receiving.
- a. If, after one consecutive year after the date of disability, the employee has not yet reached maximum medical improvement as determined by the treating physician, such employee may be eligible for disability benefits in accordance with State law.
  - b. If the employee reaches maximum medical improvement and is deemed unable to perform his or her job duties by the treating physician before the end of the one-year period, the employee will continue to receive 100% pay. Once the one-year period ends, such employee may be eligible for disability benefits in accordance with State law.
  - c. According to PEDA, employees who are unable to work their primary jobs with the City but are still able to work a second job are not entitled to 100% salary continuation. As the City has extended PEDA benefits to all full-time City employees other than Police Officers or Firefighters, this provision will apply to them as well.
  - d. Any disability benefits received by the employee from the City's workers compensation insurance carrier **must**, per the *Public Employees Disability Act*, be turned over to the City. The TTD benefit received from the workers comp carrier is not subject to federal or state income taxes, but is subject to FICA and Medicare.
6. Absence from work due to an on-the-job injury or illness is considered to be a serious health condition for the purposes of applying Family and Medical Leave.



FMLA benefits will run concurrently with benefits provided by Workers' Compensation. Any lost time of three (3) consecutive days or more will be counted against the employee's 12-week FMLA entitlement. The City will inform the employee in writing within 5 days of the Director of Human and Administrative Resources being informed of the injury that the employee's workers' compensation leave will also be designated as FMLA leave.

## ***K. Alternate Productive Duty***

### Purpose

The purpose of establishing an alternate productive duty policy is to provide temporary duty/work for employees who are injured or incapacitated to such an extent that they cannot be assigned to regular duty but are healthy enough to perform alternate productivity duty. The duties to be performed by the employee will always be bona fide work that will be limited in duration and intended for employees who are expected to return to full duty in the near future, but no later than one year.

### Eligibility

Eligible candidates for alternate productive duty must be currently employed by the City of Sycamore and be temporarily disabled. Temporary disability is defined as the lack of ability to perform all aspects of the employee's regular job for a specific period of time that is generally less than one calendar year. Alternate productive duty will be required for all employees who have been injured as a result of a work related injury provided there is work available. Alternate productive duty may be requested by employees who are injured as a result of non-work injuries or suffering an illness that prohibits them from performing their regular duties. The employer shall, if alternate productive work is available, and if the employee has permission from his physician, approve these requests for alternate productive duty.

### Physician's Role

- The treating physician must release an eligible employee for alternate productive duty.
- The eligible employee must bring a letter to the Director of Human and Administrative Resources from their treating physician detailing the following information in writing after each examination:
  1. The length of time the employee is to remain on restricted duty;
  2. The exact nature of the work that the employee can and cannot perform; and,
  3. The date of the next scheduled reexamination to determine any change in the employee's physical status.

### Types of Duty or Work

Projects or tasks assigned to eligible employees for alternate productive duty must be legitimate and productive work and cannot be "manufactured" or "busy" work. These duties cannot be construed as creating a new position. Furthermore, these duties must be within the employee's job description. An eligible employee who is released by a physician to return to alternate productive duty shall be directed by their immediate supervisor as to their job duties and responsibilities while under injury-related restrictions. Said duties must be within the restrictions enumerated by the treating physician. Alternate productive duty can, but does not

have to, involve work assignments to areas other than the eligible employee's regular duty station or division. The eligible employee may be assigned to an entirely different division within the department. Coordination of the placement of eligible employees into alternate productive duty will be through the employee's immediate supervisor in conjunction with the department head. If there are not alternate productive duties available or, in the future, should these duties no longer be available, the eligible employee will be so informed and returned to disability leave. Availability and assignment of alternate productive duty will be at the discretion of the eligible employee's department head, upon approval by the City Manager and the guidelines set forth in this policy.

### Scheduling

Department heads will schedule eligible employees assigned to alternate productive duty and the assignments shall not be in derogation of any existing collective bargaining agreements. However, alternate productive duty schedules may or may not be the same as the employee's regular work schedule.

### Administrative Review

An employee assigned to alternate productive duty will be subjected to an Administration Review every 30 days. Included in that meeting will be the employee, the immediate supervisor, the department head, the Director of Human and Administrative Resources and the appropriate collective bargaining unit representative, if requested by the employee. This review will consist of an evaluation of the employee's physical status and of the availability of the legitimate work. Use of alternate productive duty is to benefit both the employee and employer. Department heads are encouraged to outline department procedures regarding alternate productive duty for present and future situations.

*This policy is not intended to abrogate binding agreements currently in place between the City of Sycamore, AFSCME, FOP and IAFF.*

## **L. *Employee Assistance Program (EAP)***

The City recognizes that a wide range of personal problems not necessarily directly associated with one's job function can have an effect on an employee's job performance. This applies to financial problems, physical illness, marital or family stress, alcohol or other drug abuse problems, legal problems, and many other concerns. The City believes it is in the best interest of the employee, the employee's family, and our City, in its capacity as an employer, to provide employees with a service that will assist in dealing with problems of a personal nature. A policy under which such problems will be handled is offered by the City and contains the following features:

1. This policy applies to all City employees, regardless of job title or responsibilities.
2. It is recognized that problems at home can adversely affect an employee's ability to function effectively and efficiently at work. Therefore, this program is also available to family members of all City employees, to include their spouse, children and other family members living in the same domicile.
3. The City wishes to emphasize that it is generally concerned with the health and well-being of its employees, and has no desire to interfere in their private lives. The administration will be concerned with an employee's personal problems only when job performance is adversely affected.

4. When employees or their dependents realize that an employee has personal problems that may benefit from the assistance provided by the Employee Assistance Program, they will be encouraged to seek assistance and will be supported in their collective or individual efforts to do so.
5. Participation in the Employee Assistance Program will be strictly confidential and will not jeopardize an employee's job security, promotional opportunities, or reputation.
6. All records and discussion of personal programs will be handled in a confidential manner, as are other medical records.
7. Past experience shows that a significant portion of the problems encountered in such programs are related to problems involving the use of alcohol and/or other drugs. It will be the City's policy that chemical dependency is recognized as a treatable illness and will be dealt with as such.
8. The program is not designed to provide treatment or counseling. It is designed to provide early identification of problem areas, motivation towards resolution, and referral to other appropriate care-giving resources when such referral is necessary.
9. When performance problems are not corrected with normal supervisory attention, employees may be referred to the Employee Assistance Program to determine if personal problems are causing unsatisfactory job performance. If performance problems are corrected, no further action will be taken. If performance problems persist, the employee will be subject to normal disciplinary procedures.
10. The policy will not alter or replace existing administrative policies or contractual agreements, but will serve as an adjunct in assisting their utilization.
11. Employee compliance with the program will be strictly voluntary. If an employee is referred to the Employee Assistance Program in lieu of other corrective or disciplinary measures and chooses not to participate in the Employee Assistance Program, normal measures will apply.
12. Employees can access the program by calling 779-777-3044 during the hours of 8:00 a.m. – 5:00 p.m. Monday through Friday. A counselor will ask for the employee's name, the name of the employer, and the general nature of the problem. The City will pay for the initial assessment visit and two additional visits. Any services required beyond these three visits must be submitted to the employee's health insurance plan.
13. For further information about the EAP, please contact your Supervisor or the Director of Human and Administrative Resources.

***M. Tuition Reimbursement***

The City encourages all employees to improve and upgrade their skills through participation in job related courses at local colleges and universities. Tuition reimbursement is offered to encourage both personal and professional development for all full-time employees to improve job-related skills and abilities.

Unless stated otherwise in an individual's collective bargaining agreement, the City's Tuition Reimbursement Policy will be as follows:

1. Tuition reimbursement is intended for courses offered by an accredited two (2) or four (4) year college or university which are directly related to an employee's current or prospective job duties or are a part of a degree program directly related to an employee's current or prospective job duties.
2. Any full-time employee who has completed his or her probationary period may make application for tuition reimbursement.

3. Applications will not be considered if the employee is eligible for or is receiving funds for the same course from any other source.
4. Applications are to be submitted for approval to the Department Head and the City Manager in advance of beginning the course.
5. Tuition reimbursement will be based on budgetary allocations available each fiscal year, however, reimbursement for tuition and required lab fees are limited to a maximum of \$2,000 per fiscal year per each employee according to the following schedule:
  - 100% tuition reimbursement for one course at the completion of each semester with a grade “C” or better, or numerical equivalent;
  - 50% tuition reimbursement for one course at the completion of each course period and/or academic period completed with a “satisfactory” or “passing” grade under a “pass/fail” option;
  - 0% tuition reimbursement for courses not completed or completed with a grade of less than a “C” or its numerical equivalent, or “unsatisfactory” or “failing” under a “pass/fail” option.
6. Expenses such as textbooks, student fees, parking fees, mileage and meals are not eligible for reimbursement.
7. In order to receive tuition reimbursement, employees must submit an official school transcript or an official grade card showing the course, the grade, and the tuition cost.
8. Whenever possible, the schedule of courses selected must not interfere with the employee’s normally assigned hours of work. Hours in classes attended after an employee’s normal work hours will not be counted as hours worked or credited toward compensatory time or leave. Attendance in a class during regular work hours requires the prior approval of the Department Head and the City Manager. Hours spent in classes attended during regular work hours will be counted as hours worked.
9. If the employee leaves the City within three (3) years of completing courses for which the City has paid, the City’s share of the costs in the thirty-six (36) months preceding termination will be deducted from the final payment of salary, wages, and accrued leave. If the amount of the final payment is not sufficient to cover costs, the individual will be required to reimburse the City for the amount due at the time of termination.

***N. Educational Incentives***

Full-time employees who have received job related college credits may be eligible to receive allowances as incentive money in accordance with their collective bargaining agreement or ordinance. Employees must supply college transcripts to qualify for incentive money.

***O. Employee Recognition and Awards***

We believe our employees are our greatest resource. Therefore, in recognition and appreciation of their continuous service with the City of Sycamore, we have established the Employee Service Award Program.

Awards are made to eligible employees who have completed 5, 10, 15, 20, 25, or 30 or more years of continuous service. Service awards are presented annually at the first Council meeting in December and will be administered by the Director of Human and Administrative Resources.

## **SECTION IX: LEAVE AND DISABILITY**

### **A. Sick Leave Requests**

1. Any employee incurring a non-job related sickness or disability shall receive sick leave with pay to the extent of sick days accumulated. Employees may not use vacation or comp time in lieu of sick time unless their accrued sick time has been exhausted.
  - a. Employees may use sick time to care for a sick family member.
  - b. Employees may use accumulated comp time for doctor/dentist visits.

Job-related sickness or disability shall not be charged to the cumulative sick leave of the employee.

2. Department Heads will require a Physician's Certificate, as a condition of sick leave pay, for any absence longer than three days in duration or if an employee has used excessive sick time over a given period of time before the employee is permitted to return to work
3. As mutual protection for the City and the employee, the Department Head may require an employee to submit to a complete physical examination, by a physician designated by the City, when, in the Department Head's opinion, the performance of the employee may have become seriously limited or weakened by virtue of impaired health.
  - a. If the City requires a physical examination, the cost of such physical examination is the responsibility of the City.

### **B. Sick Leave**

Sick leave is not a right but a benefit provided by the City in order to provide an employee protection against the loss of pay for a specific period of time due to illness or injury. The paying of employees during sickness shall be governed by the following regulations:

1. As provided by collective bargaining contracts or by City ordinance, sick leave shall be earned by all full-time employees as follows:
  - AFSCME members: 9 days per year (72 hours)
  - FOP members: 9 days per year (108 hours)
  - IAFF members: 9 days per year (216 hours)
  - Non-union employees: 9 days per year (72 hours)
2. There shall be no advance payment of sick leave, excepting two weeks, by the City, of workmen's compensation on behalf of the City's insurer.
3. Active employees may accumulate sick time beyond the maximum, but shall only be compensated in cash at their straight hourly rate of pay for any unused accumulation, not to exceed 960 hours (2,880 for IAFF members and 1,200 for FOP members) when they are permanently separated from City service by resignation, discharge, retirement, or death.

4. An employee who uses all accumulated leave and exhausts all City-sponsored short-term disability benefits may be terminated if it is determined that he/she cannot perform the essential functions of the job or be reasonably accommodated.
5. Part-time employees not eligible for sick leave or vacation benefits will be terminated if they cannot perform the essential functions of the job or be reasonably accommodated after 12 weeks of leave taken within a “rolling backward” 12-month period. Each time the employee takes leave, the remaining leave allowed will be the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

**C. *Disability***

Any full-time who is incapacitated from sickness or injury incurred in the course of his/her employment with the City so that he/she is physically or mentally disabled to an extent or in such a manner that he/she can no longer perform regular duties shall be entitled to leave on account of such disability with full pay up to a maximum of one (1) year. The City may require an employee receiving or making application to receive disability benefits, to undergo medical examinations to determine the extent of physical and/or mental incapacitation, projected date of return to regular duties, and/or availability for restricted hours of duty. For more detail, refer to the Workers’ Compensation Act and the City’s Workers’ Compensation Policy. Disability leave may qualify for leave under the Family and Medical Leave Act.

**D. *Bereavement Leave***

Paid leave of three days will be allowed, at the time of death, for a death within the immediate family of a City employee. IAFF Local 3046 Employees shall be allowed one (1) shift off with pay in the event of a death in the immediate family. Immediate family includes current spouse, parent (including step-parents), children (including step or adopted), brother or sister (including step brother or sister), grandparents, grandparents-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, and grandchild with the approval of the Department Head and/or City Manager.

An employee may request authorization for bereavement leave involving the death of family members other than those listed where the employee considers such leave justified, which the Employer may in its sole discretion grant or deny. The Employer may require satisfactory evidence of the need for such absence.

**E. *Family or Medical Leave (FMLA)***

The Family and Medical Leave Act of 1993 (FMLA) and its amendments in 2009 is intended to provide job and benefit protection for eligible employees who must take certain types of leave. Pursuant to the Act, the City will grant up to 12 weeks (or up to 26 weeks of leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees.

1. Eligibility

To be eligible for FMLA benefits, an employee must meet the following criteria:

- a. Must have worked for the company for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- b. Must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence, and does not include time spent on paid or unpaid leave as hours worked.
- c. Must work in a worksite where 50 or more employees are employed by the company within 75 miles of that office or worksite.

## 2. Types of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- a. The birth of a child and in order to care for that child.
- b. The placement of a child for adoption or foster care and to care for the newly placed child.
- c. To care for a spouse, child or parent with a serious health condition (described below).
- d. The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

- e. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered

active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

“Covered active duty” means:

- in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- f. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member. Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered service member” means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness”:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed



Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### 3. Length of Leave

Employees eligible for FMLA may take up to twelve (12) weeks of unpaid leave (increased to 26 weeks for a covered service member with a serious injury or illness) during a leave year. The City of Sycamore uses the "rolling backward" method for calculating the leave year meaning that the 12 month leave year period is measured backward from the date the employee uses any FMLA leave. This 12-month period, however, is measured from the date the FMLA leave commences going forward in situations whereby the employee uses FMLA leave to care for a covered service member. Each time the employee takes FMLA leave, the remaining leave entitlement will be the balance of FMLA leave that has not been used during the 12-month period.

If a husband and wife both work for the City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent in-law) with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the City and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

If leave is requested for an employee's own serious health condition, the employee must use all of his or her accrued leave in the following order: paid sick leave followed by vacation, personal leave, and short-term disability benefits. If leave is requested for any other qualified reason, an employee must use all of his or her accrued paid sick, vacation and personal leave. The remainder of the leave will then

consist of unpaid leave. This section shall be applied in accordance with the City's Leave and Disability policy (see Section IX, Paragraph A).

Paid time-off will be run concurrently, that is, at the same time as FMLA, provided the employee is eligible for both paid leave and FMLA, and the employee has actually accrued paid leave as of the time the FMLA commences.

Absence from work due to an on-the-job injury or illness is considered to be a serious health condition for the purposes of applying Family and Medical Leave. FMLA benefits will run concurrently with benefits provided by Workers' Compensation. Any lost time of three (3) consecutive days or more will be counted against the employee's 12-week FMLA entitlement. The City will inform the employee in writing that the employee's workers' compensation leave will also be designated as FMLA leave.

#### 4. Employee Responsibilities

Employees seeking FMLA leave are required to provide their supervisors and Director of Human and Administrative Resources with at least 30 days written notice of the proposed leave. If advance notice is not possible due to circumstances beyond the employee's control, notice should be given as soon as practical. Failure to give advance notice where foreseeable may delay or postpone the commencement of the leave. Contact the Director of Human and Administrative Resources for the applicable forms.

The City requires that an employee provide the Director of Human and Administrative Resources with certification from a health care provider or from the military (as appropriate) for any leave taken that qualifies under the FMLA. After it is requested, it is the employee's responsibility to return the certification within 15 calendar days to the Human and Administrative Resources office. Failure to return this certification to the Director of Human and Administrative Resources may result in the denial of the request for leave.

While an employee is on FMLA leave it is important that he or she notify the appropriate person at the City of any changes in his/her circumstances that could impact his/her return to work. It is the employee's responsibility to notify the City within two (2) days of any changes to his/her circumstances where notification is foreseeable. It is also the employee's responsibility to notify the City of his/her intent not to return to work following the expiration of the period of leave.

#### 5. Employer Responsibilities

It is the employer's responsibility to designate leave, whether paid or unpaid, as FMLA-qualifying. Designation will be based upon information received from the employee or the employee's spokesperson. The City must inform employees requesting leave whether they are eligible under the FMLA. The City has a form for this purpose, so that once the employee has sufficiently notified the Director of Human and Administrative Resources that he/she has a qualifying reason for FMLA, if he/she is eligible for leave the form will be mailed or hand delivered to the employee notifying him/her of his/her eligibility, responsibilities and rights, as well as

additional information regarding the leave. If the employee is not eligible, the City will provide the employee with the reason(s) for his/her ineligibility.

The City must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA protected, the City will notify the employee accordingly.

An employee who is granted a leave under this policy will continue to be covered under the City's group health insurance plan, life insurance plan, and short-term disability plan under the same conditions as coverage would have been provided if he or she had been continuously employed during the leave period. Employee contributions for the group health insurance plan will be required either through payroll or by direct payment to the City of Sycamore. The employee will be advised at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that may occur while the employee is on leave. The employee will be required to reimburse the City for any delinquent payments that it makes on the employee's behalf. If the employee fails to return to work for reasons other than the continuation of a serious health condition of the employee or a family member or circumstance that are beyond the employee's control, the City may seek reimbursement from the employee for the premiums (the employer's share) it paid on the employee's behalf.

#### 6. Return from FMLA Qualifying Leave

Employees returning from leave (with the possible exception of "key employees") will be reinstated to the same or equivalent position, with equivalent pay, benefits, and other terms and conditions of employment. Failure to return to work may result in the termination of employment.

Employees with specific questions about the City's FMLA policy should contact the Director of Human and Administrative Resources. A complete copy of the policy is available in the Director of Human and Administrative Resources office.

#### ***F. Victims Economic Security and Safety Leave (VESSA)***

The Victims Economic Security and Safety Act (820 ILCS 180/1 et seq.) enacted in 2003 and amended in 2009, allows employed victims of domestic or sexual violence to take unpaid leave without reprisals from their employers. Employees working for an employer with at least 15, but not more than 49 employees shall be entitled to a total of 8 workweeks of leave during any 12-month period. Employees working for an employer with at least 50 employees are entitled to a total of 12 workweeks of leave during any 12-month period.

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

1. To seek medical attention for, or recover from, physical or psychological injuries.
2. To obtain services from victim service organizations.
3. To obtain psychological or other counseling.

4. To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase safety from future domestic or sexual violence.
5. To seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding.

Employees may also take such leave to help a family/household member who is a victim of domestic or sexual violence. "Family or household member" means a spouse, parent, son, daughter, and persons jointly residing in the same household whose interests are not adverse to the employee as it relates to the domestic or sexual violence.

Qualified employees must provide the Director of Human and Administrative Resources with at least 48 hours advance notice of the employee's intention to take the leave, unless providing such notice is not practical. When an unscheduled absence occurs, the City will not take any action against the employee if the employee, within 15 days after the absence provides certification as follows:

- A sworn statement by the employee, **and**
- Documentation from an agent of victim services, an attorney, or other professional from whom the employee or their family/household member has sought assistance, **or**
- A police or court record, **or**
- Other corroborating evidence

Employees are entitled to a maximum of 12 weeks unpaid leave during any 12-month period, provided, where practicable, notice has been given at least 48 hours in advance. Employees may also elect to substitute sick leave, paid personal days, vacation or FMLA leave. *This leave is not intended to confer a right to leave beyond the twelve weeks of FMLA.*

Employees are entitled to continue health insurance on the same terms and conditions as if the employee remained continuously employed. If an employee fails to return from leave, the City, in some cases, shall recover any and all premium contributions provided by the City during the leave period.

Employees who take leave under this policy are entitled to be restored to the same or equivalent position upon their return.

Employees with specific questions about the City's VESSA policy should contact the Human and Administrative Resources office. A complete copy of the policy is available in the Human and Administrative Resources office.

#### ***G. Educational Leave***

City employees may be granted time off with pay for educational purposes with the approval of their Department Head or designee. Educational leave is to be used to attend approved classes that conflict with normal business hours. Examples of these types of classes may include but are not limited to conferences, seminars, briefing sessions, or other functions of a similar nature that are intended to improve, maintain, or upgrade an employee's certifications, job related skills, or professional abilities.

Please refer to your respective collective bargaining agreement or the Salary Ordinance for specific requirements.

## **H. *Military Leave***

The City of Sycamore observes all Federal and State laws regulating absence from work for military service.

A military leave of absence will be granted to an eligible employee called to active duty or in reserve duty in the armed forces or state militia, including basic training, special or advanced training, and annual training. The City will require certification from the proper military authority to verify employee eligibility for military leave. Requests for such leave must provide a copy of official orders requiring such training or leave as soon as available. An employee's seniority and other benefits will continue to accrue while on a military leave. An employee shall continue to receive his or her full pay from the City without any reduction for military pay received while on military leave for Annual Training. While an employee is completing basic training, or up to sixty days of special or advanced training, or any other duty or training required by the United States Armed Forces, daily compensation received from the City will be reduced by the daily base military pay received. An employee who is a member of any reserve component of the United States Armed Services, including the Illinois National Guard, and who is mobilized to active military duty as a result of an order of the President of the United States, shall continue to receive the same regular compensation that he/she receives or was receiving as an employee at the time he/she is or was mobilized to active military duty, plus any health insurance and other benefits he/she is or was receiving or accruing at that time, minus the amount of his/her base pay for military service, for the duration of his/her active military service. A copy of the military pay voucher shall be submitted to the City prior to authorization for payment to the employee for the leave period. Per the Local Government Employees Benefits Continuation Act, however, this will not apply if 20% or more of the City's employees are called to active duty as the result of a Presidential order.

### **Military Leave of Absence for Ordered Training**

The City is required to allow an employee time off for ordered military training. Outside of the actual training time, the City is not obligated to pay the employee for the travel time to/from the military training site, nor the remainder of their regularly scheduled shift/day. Once the training is complete, the employee is required to return to work, or the employee may utilize accrued leave, if available, to complete his/her scheduled shift.

Nothing precludes the employee from trading time or scheduling a day off, if available, which would allow them to keep their full military pay. This option would be only at the employee's choice, and as allowed by any established department procedure/policy.

The City of Sycamore will require that all military personnel provide a copy of their orders/Battle Assembly schedule for the year. Special Trainings and Annual Training orders must be provided as soon as possible upon their receipt. Payroll will be processed as usual during your military absence. HOWEVER, we are requiring that within 30 days of the absence, you provide the Treasurer/Payroll with the corresponding LES to ensure the proper differential calculations are accessed in the subsequent payroll period.

## **General Provisions of the IL Military Leave of Absence Act (5 ILCS 325/)**

Any full-time employee of the State of Illinois, a unit of local government, or a school district, other than an independent contractor, who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia, shall be granted leave from his or her public employment for any period actively spent in military service, including:

- basic training;
- special or advanced training, whether or not within the State, and whether or not voluntary;
- annual training; and
- any other training or duty required by the United States Armed Forces.

During these leaves, the employee shall continue to accrue their seniority and other benefits.

During leaves for Annual Training, the employee shall continue to receive his or her full regular compensation as a public employee.

During leaves for Basic Training, for up to 60 days of Special or Advanced Training, and for any other training or duty required by the United States Armed Forces, if the employee's daily compensation for military activities is less than his or her daily compensation as a public employee, he or she shall receive his or her regular compensation as a public employee minus the amount of his or her base pay for military activities.

A violation of this Act constitutes a civil rights violation under the Illinois Human Rights Act.

Any full-time employee of the State of Illinois, other than an independent contractor, who is a member of the Illinois National Guard or a reserve component of the United States Armed Forces or the Illinois State Militia and who is mobilized to active duty shall continue during the period of active duty to receive his or her benefits and regular compensation as a State employee, minus an amount equal to his or her military active duty base pay. The Department of Central Management Services and the State Comptroller shall coordinate in the development of procedures for the implementation of this Section.

A home rule unit may not regulate its employees in a manner that is inconsistent with this Act.

The City will not discriminate in any aspect of employment, reemployment or any benefits of employment on the basis of an employee's participation in the uniformed services, in accordance with the Uniformed Services Employment and Reemployment

Rights Act of 1994 (USERRA). Upon completion of military service, an employee is eligible for reemployment if the employee reports back on a timely basis as required by federal and state law.

### ***I. Family Military Leave***

Under the Illinois Family Military Leave Act, eligible employees who are the spouses or parents of a person called to state or federal military service lasting longer than thirty days are eligible for unpaid leave up to 30 days.

1. An employee is eligible if he or she has worked at least twelve months and at least 1,250 hours in the twelve months immediately preceding the requested leave.

2. An employee must first exhaust all of his or her accrued vacation, personal, and comp time (except sick and/or disability leave) before he or she is eligible for benefits under the Act.
3. Employees must give the City at least 14 days' notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days. The City will not interfere with or restrain an eligible employee's request for leave, and will not retaliate against employees who exercise this right.
4. During family military leave, the City will make it possible for qualified employees to continue their benefits at the employee's normal contribution rate.
5. Employees who return to work from Family Military Leave are entitled to return to their job or an equivalent position without the loss of benefits or pay.

***J. Jury Duty***

A full-time employee who loses time from work during his/her regularly scheduled hours of work because of jury duty shall be paid his/her regular straight time rate of pay for such time lost upon receipt of the entire sum paid for jury service, which payment the employee must submit to the City. An employee released from jury duty shall return to work immediately upon said release.

***K. School Visitation Rights***

Pursuant to State of Illinois Law, The School Visitations Right Act (820 ILCS 147) permits employed parent(s)/guardian(s) who are unable to meet with educators because of a work conflict, the right to an allotment of time during the school year to attend necessary educational or behavioral conferences at their child(ren)'s school.

1. The Act applies to public and private employers that employ at least fifty (50) or more individuals in Illinois, and to their employees.
2. Eligible employees must be employed for at least six (6) months and have been employed at least half-time.
3. Eligible employees can be granted up to eight (8) hours during any school year; no more than four (4) hours may be taken in one day.
4. This time may only be taken if the employee has exhausted all accrued leave time, except for sick leave or disability leave.
5. The employee must provide the employer with a written request for leave at least seven (7) days in advance. In an emergency situation, twenty-four (24) hour notice is required.
6. The leave permitted under this Act is not required to be paid time; however, the employee may choose the opportunity to make up the time so taken on a different day or shift as directed by the employer. Employers are required to make a good faith effort to permit an employee to make up the timer taken for

the purposes of this Act; if no reasonable opportunity exists for the employee to make up the time taken, the employee shall not be paid for the time. A reasonable opportunity to make up the time does not include the scheduling of make-up time in a manner that would require the payment of wages on an overtime basis.

7. The School Administrator shall provide the parent or guardian documentation of the school visitation. The parent or guardian shall submit such verification to the employer within two working days of the school visitation. Failure to submit the verification to the employer within this timeframe will be cause this time away from work to be considered an unexcused absence.
8. No employee shall lose any benefits except those as provided for in the Act, for exercising his/her rights under the Act. Nothing in this Act shall be construed to affect an employee's obligation to comply with any collective bargaining agreement or employee benefit plan. The rights afforded by this Act shall not be diminished by a collective bargaining agreement or by any employee benefit language. No employer that is subject to this Act is required to grant school visitation leave to an employee if granting the leave would result in more than five (5) percent of the employer's workforce or five (5) percent of the workforce shift taking school conference or activity leave at the same time.

***L. Unpaid Leaves of Absence***

Other than for illness or injury as prescribed by law covered under FMLA or otherwise addressed by collective bargaining agreement, there shall be no unpaid leaves of absence granted, with the exception of the following:

1. With the approval of their Department Head, part-time employees not eligible for paid vacation benefits may take no more than two weeks (10 consecutive days) of unpaid leave at any one time.

**SECTION X: DISCIPLINE POLICY**

***A. Goals***

Employees are our most important asset. The success of the government of the City of Sycamore hinges on the productivity of the individual worker and his/her ability to work with other employees and the public. To achieve the goal of improved employee performance, this uniform citywide discipline policy is intended to correct unacceptable employee actions in an equitable and positive way.

***B. Objectives***

This policy is based on a foundation of three integrated components: the utilization of the Employee Assistance Program (EAP); the implementation of a progressive disciplinary process; and the continued assurance of due process. Another purpose of this policy is to establish a base set of rules and regulations for the conduct of all City of Sycamore employees.



1. It is recognized that some City departments have written disciplinary rules and regulations that, in part, may be specific to the tasks and the work environments within those departments. Other City departments do not have any rules and regulations, although it is understood that these departments may develop their own rules and regulations as they apply to their own functions.
2. Employees in bargaining units are subject to both personnel rules and regulations of the City, and to the terms and conditions of the working agreement.
3. Communication of the rules and regulations to employees is crucial if management is to accomplish the mission of the organization while treating its employees fairly.

**C. *Progressive Disciplinary Procedures***

The City of Sycamore agrees with the concept of progressive disciplinary action, and to the extent circumstances warrant such, the City of Sycamore shall impose disciplinary actions in a progressive manner. In this regard, however, it should be noted and emphasized that each infraction giving rise to disciplinary action must be judged accordingly, and that consequently a major or particularly serious infraction, or a series of repeated infractions, may warrant the imposition of a more severe disciplinary action including discharge. Each collective bargaining agreement outlines procedures regarding progressive discipline. In addition, regarding police and fire sworn personnel, discipline must comply with the Board of Fire and Police Commissioner's Rules and Regulations and individual department Rules and Regulations.

**D. *Exceptions to Progressive Disciplinary Procedures***

Progressive disciplinary procedures may be waived for certain types of unacceptable behavior. In such cases, disciplinary actions up to and including dismissal may be exercised for the first occurrence. The City Manager or his/her designee must approve disciplinary measures taken under this section before becoming effective. Examples of this type of include, but are not limited to:

1. Any criminal activity engaged in by any employee in the performance of his/her duties.
2. Insubordination or refusing to follow the instructions of the Supervisor.
3. Falsifying or omitting pertinent information on any City record or report, including but not limited to employment applications and related forms, time sheets, expense reports, claims for benefits, or other documents.
4. Three or more consecutive unexcused absences, repeated tardiness, or leaving early.
5. Leaving work without a Supervisor's permission.
6. Abusing lunch and break time limitations.
7. Violation of established safety rules, policies, and procedures.
8. Divulging or misusing confidential information.
9. Intentional abuse or neglect of City equipment or City owned property.
10. Suspensions from work without pay exceeding thirty (30) days in any twelve (12) month period.
11. Drinking of alcoholic beverages on the job or being intoxicated while on the job (this shall not apply to law enforcement personnel required to use alcohol as a part of their undercover work).

12. Obscene or abusive language directed toward fellow employees, Supervisors, vendors, guests, or the public.
13. Fighting on the job.
14. Sleeping on the job (this shall not apply to Fire personnel who are sleeping during authorized hours or to personnel engaged in emergency work who are given permission to take rest periods at work rather than returning home).
15. Unsatisfactory work performance.
16. Ethics Violations.

The misconduct described above is not listed in any particular order of importance and is by no means all-inclusive. No list of rules can include all instances of conduct that may result in discipline, and the above examples do not replace common sense or sound judgment in determining what conduct is appropriate.

***E. Demotions for Disciplinary Reasons***

Employees may be demoted with the appropriate reduction in salary for disciplinary reasons. Demoting an employee may serve as an alternative step to dismissal in normal progressive disciplinary procedure. Department Head may make a recommendation to the City Manager who must approve all demotions before they become effective.

***F. Alternative Disciplinary Procedures under the Employee Assistance Program***

In all disciplinary cases, the supervisory personnel responsible for determining the appropriate disciplinary action to be taken may offer the employee the option of accepting a referral to the Employee Assistance Program in lieu of immediate disciplinary action. The employee involved may, when given the option, elect to serve the appropriate discipline, or he/she may elect to accept the referral to the EAP. Once the appropriate supervisory personnel have offered the option of an EAP referral in lieu of immediate disciplinary action, it is the employee who must decide which alternative he/she wishes to accept. An employee may elect not to accept an EAP referral when it is offered; a supervisor may not force an employee to accept an EAP referral.

In addition:

1. In cases where an EAP referral is offered and accepted by the employee in lieu of disciplinary action, the disciplinary action shall be temporarily waived.
2. An employee who accepts a referral to the EAP in lieu of immediate disciplinary action shall be subject to said disciplinary action at all times during the referral and treatment process until documentation has been received by the EAP coordinator certifying the employee's successful completion of the counseling/treatment programs as prescribed by the EAP referral agency.
3. The disciplinary action as determined and documented by the appropriate supervisory personnel shall be administered immediately if any of the following cases occur:
  - a. The employee accepting the EAP fails or refuses to appear at the EAP referral scheduled by the EAP coordinator.

- b. The employee accepting the EAP referral refuses to authorize the EAP referral agency to obtain the employee's work performance record.
  - c. The employee accepting the EAP referral refuses to accept counseling or referral to another service agency for counseling and/or treatment after the initial assessment and evaluation.
  - d. The employee accepting the EAP referral fails to successfully complete the counseling and/or treatment program as determined by the EAP referral or service agency.
  - e. The employee accepting the EAP referral fails to correct and/or improve his/her work performance, and/or behavior that led to the EAP referral.
4. Upon the employee's successful completion of the counseling/treatment program, as documented by the EAP coordinator, the discipline action, which initiated the employee's referral to the Employee Assistance Program, shall be abated. Notification will be sent to the employee and his/her department head from the EAP coordinator stating that the employee has successfully completed the Employee Assistance Program referral in lieu of serving the disciplinary action, which is then abated. A copy of this notification shall be placed in the employee's personnel file. Documentation of the behavior that led to the original EAP referral shall remain in the employee's personnel file with the notation that an EAP referral shall not interrupt the progressive disciplinary process. If an employee successfully completes an EAP referral, said notice of completion shall remain in the employee's personnel file.

## **XI: SEPARATION AND REINSTATEMENT**

### **A. *Types of Separations***

#### **1. Voluntary Resignation**

Non-supervisory personnel who voluntarily leave the City service shall give advance written notice of not less than ten (10) working days. Professional and supervisory personnel who voluntarily leave the City service shall give a month's advance written notice. Failure to comply with this rule may result in the denial of re-employment rights. The Department Head, with the approval of the City Manager, may waive this requirement if, in his/her judgment, exceptional circumstances warrant such exception.

#### **2. Involuntary Resignation**

An employee who, without valid reason, fails to report to work for three (3) consecutive workdays, without authorized leave, may be separated from the organization and reported as an involuntary resignation.

#### **3. Reduction in Work Force/Recall**

This paragraph pertains to involuntary termination that is initiated by the City for non-disciplinary purposes.

- a. A reduction in force may occur as a result of the elimination of services, changes of work methods, or lack of funding. A reduction in force is

accomplished in accordance with Collective Bargaining Agreements and provisions of the City Code.

- b. Employees who are laid off retain the right to recall as governed by their respective Collective Bargaining Agreement and provisions of the City Code.

#### 4. Discharge

- a. A non-sworn employee may be discharged from the employment of the City whenever the Department Head determines that it is in the best interests of the City to do so. Reasons for discharge may include, but are not limited to, incompetence, insubordination, misconduct, delinquency or lack of the ability to perform the duties and responsibilities of an assigned position satisfactorily. The Department Head may obtain the recommendations and comments of such supervisory personnel or other employees as he deems appropriate to assist in his determination. The City Manager's determination, after the completion of the grievance process, that it is in the best interest to the City to discharge a non-sworn employee shall be final and conclusive.
- b. Sworn employees shall be subject to discharge only in accordance with applicable provisions of State statute and the rules and regulations of the Board of Fire and Police Commissioners.

#### 5. Retirement

Retirement will normally occur when an employee separates from employment and is eligible to receive a pension as a result of employment with the City. Employees are eligible to retire with certain benefits upon attaining specified ages and years of service as stipulated in the regulations of the Illinois Municipal Retirement Fund, Police Pension Fund, and Fire Pension Fund.

- a. An employee wishing to retire shall give written notice at least ninety (90) days prior to the effective retirement date.
- b. An employee wishing to change their retirement date after it has been accepted, will need approval from the City Manager.

### ***B. Termination Date***

The official date of termination will be the last full day the employee reports to work.

- 1. Although resigning/retiring employees are generally discouraged from using accrued benefit time (vacation days and comp time) during their period of notice, the Department Head, after consultation with the City Manager, may grant an employee's request for time off, if such absence does not compromise the needs of the department.
- 2. Participation in the group insurance plans will cease on the last day of employment.
  - a. Separating employees are eligible for an extension of medical, dental, and vision insurance benefits under the "Consolidated Omnibus Budget

Reconciliation Act” / COBRA of 1986 (See the *COBRA Extended Insurance Coverage* section).

3. If employees have attained a vested status under a pension program, they are eligible for a future retirement pension. Those employees who have not become vested are eligible for a refund of pension contributions.
4. Employees participating in a deferred compensation plan can obtain the necessary forms for the disposition of funds through the plan representatives.

**C. *Final Paycheck***

The final paycheck for separating employees is normally issued on the next payroll date following the last day of employment. The final paycheck will only be issued after the separating employee returns City keys, uniforms, equipment, and identification card to his or her Supervisor.

**D. *Accrued Time Pay-out at Separation***

All accrued time will be paid out within 30 days of the employee’s final paycheck being issued.

1. **Vacation Time**
  - a. Unless otherwise specified by Collective Bargaining Agreement, vacation time is prorated through the employee’s last workday.
  - b. Employees will be compensated for unused, prorated vacation leave at termination.
2. **Comp Time**

Employees will be compensated for unused comp time at termination, up to the maximums specified in their respective Collective Bargaining Agreement or by the City Code.
3. **Sick Time**

Employees will be compensated for unused sick time at termination, up to the maximums specified in their respective Collective Bargaining Agreement or by the City Code.

Employees being promoted from one position to another within the City, may not qualify under the terms for accrued time pay-out at separation, unless there is a difference in the maximum accrual.

**E. *Reinstatement***

1. Any employee terminated for performance reasons or misconduct or any employee who resigns without giving 10 working days’ notice shall not be eligible for re-employment.
2. Unless otherwise specified by a collective bargaining agreement, any employee who is re-employed by the City shall not be entitled to any previously earned benefits or seniority.