
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: MATT ANASTASIA, FINANCE DIRECTOR
SUBJECT: RESOLUTION: APPROVING VILLAGE HUMAN RESOURCE MANUAL UPDATE
AGENDA: DECEMBER 19, 2023 REGULAR BOARD MEETING
DATE: DECEMBER 13, 2023

ISSUE

Shall the Village Board approve the update to the Human Resource Manual.

DISCUSSION

At the Village Board meeting on December 5, 2023, the Board discussed the full update to the Village's Human Resources Manual. The main topics of change were:

- Paid Leave for all Workers Act
- Sick Leave Bank
- Pay and Classification Plan
- Performance Evaluations
- Holidays
- Vacation Leave Accrual
- Statutory and Law Changes

No additional changes were made to the Manual since the prior meeting.

COST

There is no cost to approve the update to the Human Resource Manual.

RECOMMENDATION

That the Village Board approve Ordinance 20231219HR Amending the Human Resource Manual for the Village of Sugar Grove.



**Village of Sugar Grove
Kane County, Illinois**

Ordinance No. 20231219HR

**An Ordinance Amending the Human Resource Manual for the
Village of Sugar Grove,
Kane County, Illinois**

Adopted by the
Board of Trustee and President
of the Village of Sugar Grove
this 19th day of December, 2023

Published in Pamphlet Form
By the authority of the Board of Trustees
Of the Village of Sugar Grove, Kane County,
Illinois, this 19th day of December, 2023.

Ordinance No. 20231219HR
An Ordinance Amending the Human Resource Manual for the Village of Sugar Grove

BE IT ORDAINED by the Village Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

WHEREAS, the Village is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/3.1-300-5; and

WHEREAS, the President and Board of Trustees of the Village of Sugar Grove have determined that it is in the best interests of the Village and its citizens to replace the existing personnel policies of the Village with an amended human resource manual; and

WHEREAS, the primary purpose of the manual is to effectively communicate work rules, policies, procedures, lines of authority, responsibilities, and benefit plans covering Village of Sugar Grove employees; and

WHEREAS, this manual is not intended to create a contract between the Village of Sugar Grove and its employees and reiterates the Village's continued policy of at-will employment; and

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION 1 – MODIFICATIONS TO MANUAL. The policies stated in the Village of Sugar Grove Human Resource Manual are guidelines only and are subject to change at the sole discretion of the Board of Trustees; and additions, changes and deletions to the Manual attached as Exhibit A may be made by separate resolution of the President and Board of Trustees of the Village of Sugar Grove as they deem necessary.

SECTION 2 – REPEALS. To the extent that this ordinance conflicts with a presently existing ordinances or portions thereof enforced in the Village of Sugar Grove as of the effective date hereof, such prior and conflicting ordinance or portions thereof are hereby repealed. The repeal of any ordinance by this Ordinance shall not affect any right accrued or liability incurred under such repealed ordinance to the effective date hereof.

SECTION 3 – EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois this 19th day of December 2023.

Jennifer Konen
President of the Board of Trustees
of the Village of Sugar Grove,
Kane County, Illinois

	Aye	Nay	Absent
Trustee Sean Herron	_____	_____	_____
Trustee James F. White	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____
Trustee Heidi Lendi	_____	_____	_____
Trustee Sean Michels	_____	_____	_____
Trustee Matthew Bonnie	_____	_____	_____

ATTEST: _____
Rachel Wortham
Deputy Village Clerk



Human Resources Manual

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Chapter 1 - Introduction

Welcome to the Village of Sugar Grove

As a new employee, you are joining a team whose members work together to provide efficient and effective government services in a fiscally responsible and courteous manner to the residents of the Village of Sugar Grove ("Village"). This Human Resources Manual ("Handbook") is intended to assist employees in understanding and carrying out their duties and responsibilities as well as explain their benefits and privileges as Village employees. Please read this Handbook, sign the acknowledgement at the end of the Handbook, submit the signed acknowledgement to the Finance Department, and retain the Handbook for future reference. If you should have any questions pertaining to the contents herein, please discuss them with your supervisor or contact the Village Administrator or their designee.

The Village takes pride in the abilities and accomplishments of its employees. It is the policy of the Village that management communicate directly with employees and work with employees to resolve concerns as they arise.

Employees shall always be courteous to the public and tactful in their work duties. In the performance of their duties, employees must not express any prejudice concerning an individual's actual or perceived race, color, religion, sex (including sexual harassment), national origin, ancestry, age (40 or over), order of protection status, marital status, sexual orientation (including gender-related identity), physical or mental disability, conviction record (except as it pertains to job related duties), arrest record, military status or unfavorable discharge from military service, pregnancy, and citizenship status, or other protected characteristic in accordance with federal, state and local laws. Upon request from the public, employees shall supply their full name in a courteous manner.

The Village is governed by the Village President and the Board of Trustees (collectively, the "Village Board"). The Village President is elected at-large to a four-year term. Trustees are elected at-large to staggered four-year terms. The Village Clerk is appointed by the Village President with the advice and consent of the Trustees.

The Village Administrator is responsible to the Village Board for the day-to-day operations of the Village. In consultation with the Village Administrator, the Village President appoints Department Heads, with the advice and consent of the Trustees. In addition to specific responsibilities to the Village Board, the Village Administrator establishes certain operating procedures and personnel rules and is the final authority regarding all Village personnel matters, except as otherwise provided by state or federal law or the Village Board.

Village administration is divided into functional work groups called departments. Departments may be further sub-organized into divisions.

Disclaimer

Neither this Handbook nor the policies contained herein shall constitute a legal document or an employment contract, express or implied. Unless altered by an individual employment agreement or a collective bargaining agreement, employment with the Village is “at-will.” Accordingly, either an employee or the Village can terminate an employee’s employment at any time and for any reason or no reason (as long as the reason is not illegal), with or without prior notice. Any individual employment agreement must be in writing, authorized by the Village Board and executed by the Village Administrator.

The Village has made a considerable effort to provide clear and accurate information in this Handbook. However, this Handbook is not an exhaustive list of every workplace rule and policy. Rather, it should serve as a guide for employees on commonly raised questions. Each employee is responsible for knowing and understanding all rules, policies, and procedures of the Village. Any questions regarding a rule, policy, procedure, or matter not otherwise addressed by this Handbook should be brought to the attention the employee’s immediate supervisor. This Handbook supersedes any previous handbook or policy manual that may have been provided to employees. Further, any policy, rule, or statement contained herein may be revised, rescinded, or supplemented with or without notice, at the sole discretion of the Village.

While every attempt has been made to create this Handbook consistent with federal, state, and local law, if an inconsistency arises, the rules, policies or procedures contained herein will be enforced consistent with the applicable law, particularly regarding commissioned police officers. If there is an inconsistency between this Handbook and an individual employment contract, a collective bargaining agreement, or the rules of the Board of Fire and Police Commissioners, the terms of the employment agreement, collective bargaining agreement, or rules will be followed.

Chapter 2 - Employment

A - Equal Employment Opportunity Statement

The Village of Sugar Grove is committed to providing equal employment opportunities. All employment decisions are based on merit, qualifications, and abilities as well as the business needs of the Village. The Village hires employees and manages its workplace without discriminating on the basis of an individual's actual or perceived race, color, religion, sex (including sexual harassment), national origin, ancestry, age (40 and over), order of protection status, marital status, sexual orientation (including gender-related identity), physical or mental disability, arrest record, conviction record (except as it pertains to job related duties), and military status or unfavorable discharge from military service, pregnancy, citizenship status, or other protected characteristic in accordance with federal, state and local laws (collectively, a "protected classification"). Employment opportunities are open to all qualified individuals. If an employee or individual believes they have been discriminated against, they must contact the Finance Department at 160 S. Municipal Drive, Suite 110, Sugar Grove, IL 60554 or at 630-391-7215.

B - Anti-Harassment/Discrimination/Sexual Harassment Policy

APPLICABILITY: All elected officials, appointed officials, employees, on-site independent contractors/consultants, and interns.

POLICY: It is the policy of the Village that the Village maintain an environment that is free of unlawful harassment and discrimination for all the Village's elected officials, appointed officials, employees, on-site independent contractors/consultants, and interns (collectively, the "Village representatives"). Accordingly, all Village representatives are prohibited from harassing or discriminating against any person based upon that person's actual or perceived protected classification, regardless of any employment relationship or lack thereof.

Harassment includes, but is not limited to: verbal harassment (e.g., name-calling, letters, jokes, slurs, racial epithets), visual harassment (e.g., cartoons, graffiti, pictures, posters), non-verbal harassment (e.g., gestures, suggestive or insulting sounds), physical harassment (e.g., touching, unwelcome hugging, kissing, or other physical contact, brushing the body, any coerced act or actual assault) electronic harassment (e.g., e-mails or text messages containing any of the foregoing) and other like conduct, which is aimed at a particular Village representative based upon a protected classification.

Sexual harassment is also unacceptable conduct, which violates this policy. Sexual harassment encompasses a wide range of unwanted, sexually directed behavior, and has been defined in the following manner, as further set forth in the Illinois Human Rights Act (775 ILCS 5/*et seq.*):

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment applies to the conduct of a supervisor/officer toward a subordinate, a subordinate toward a supervisor/officer, an employee toward another employee, an officer toward another officer, an employee/officer toward a non-employee, a non-employee toward an employee/officer or an employee/officer toward an applicant for employment. Harassment can apply to conduct outside the workplace as well as on the work site. Unlawful discrimination can take many forms. Unlawful discrimination may occur when employees who are similarly situated (i.e., same job position, same department, same supervisor, etc.) are treated materially different under similar circumstances due to one's actual or perceived protected classification.

COMPLAINT PROCEDURE: Employees who wish to register a complaint of sexual harassment or harassment based upon their actual or perceived protected classification may do so through the Finance Department, by contacting their Department Head or their direct supervisor, the Village Attorney, or any appropriate member of the Village's management team. The employee experiencing what they believe to be sexual harassment must not assume that the Village is aware of the conduct. If there are no witnesses and the complaining employee does not notify a supervisor or other appropriate individual, the Village will not be presumed to have knowledge of the harassment.

If there is an allegation of sexual harassment made against an elected or appointed officer of the Village by another elected or appointed officer of the Village, a complaint may be made to the Finance Department, Village Administrator, the Village President, or the Village Attorney. The individual to whom the complaint is made shall take immediate action to retain a qualified individual or entity for independent review of the allegations. The outcome of this review shall be reported to the Village Board.

All allegations of harassment reported to the Village will be investigated thoroughly. The facts will determine the response of the Village to each allegation. Substantiated acts of harassment will be met with appropriate disciplinary action by the Village, up to and including termination. All information regarding any specific incident will be kept confidential within the necessary boundaries of the fact-finding process.

Reprisal or retaliation against the Village representative reporting the allegation of harassment or assisting in the investigation of a complaint will not be tolerated. No individual shall be retaliated against, even if a complaint made in good faith is not substantiated.

All Village representatives also have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with either of those entities. Generally, IDHR and EEOC complaints must be filed within 300 days of the alleged incident(s) and the employee is advised to review the specific requirements to ensure their right to file is exercised in a timely manner. The contact information for the above-referenced agencies is provided below:

The Illinois Department of Human Rights:

Chicago Office
100 W. Randolph St., 10th Floor
Chicago, IL 60601
(312) 814- 6200
TTY (866) 740-3953

Springfield Office
535 W. Jefferson St., 1st Floor
Springfield, IL 62702 (217) 785-5100
TTY (866) 740-3953
The Illinois Human Rights Commission
100 W. Randolph St., Suite 5-100
Chicago, IL 60601
(312) 814-6269
(312) 814-6517

The United States Equal Employment Opportunity Commission:

230 S. Dearborn St. #1866
Chicago, IL 60606
(312) 869-8001
TTY (800) 669-4000

C - Americans with Disabilities Act Policy

The Americans with Disabilities Act (ADA) and the Illinois Human Rights Act (IHRA) prohibit discrimination against qualified individuals with disabilities on the basis of their disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training and other terms, conditions, and privileges of employment. The ADA and the IHRA do not alter the Village's right to hire the best-qualified applicant, but does prohibit discrimination against a qualified applicant or employee because of their actual or perceived disability. As a matter of Village policy, the Village prohibits discrimination of any kind against people with disabilities.

DISABLED DEFINED: An applicant or employee is considered disabled if they (1) have a physical or mental impairment that substantially limits (1) one or more major life activities, (2) have a record or history of such an impairment or (3) are regarded or perceived (correctly or incorrectly) as having such impairment.

A qualified employee or applicant with a disability is an individual who satisfies the skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Discrimination based upon disability includes unlawful discrimination against any individual because of the individual's association with a person with a disability.

REASONABLE ACCOMMODATION: A reasonable accommodation is any change in the work environment to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.

Qualified applicants or employees who are disabled should request a reasonable accommodation from the Village to allow them to perform a particular job. An individual with a disability who desires a reasonable accommodation should contact the Finance Director. On receipt of a request for a reasonable accommodation, the Finance Director will meet with the person to discuss the disability. The Village may ask for information from health care provider(s) regarding the nature of the disability and the nature of the person's limitations, or may take other steps necessary to help determine viable options for providing a reasonable accommodation. The Village will then work with the individual to determine whether the disability can be reasonably accommodated, and if it can be accommodated, the Village will explore alternatives with the individual and endeavor to implement a mutually agreeable accommodation.

Reasonable accommodations may take many forms and will vary from employee to employee. Please note that according to the ADA and IHRA, the Village does not have to provide the exact accommodation requested, and if more than one accommodation is workable, the Village has the discretion to choose which one to provide. Furthermore, any accommodation that will impose undue hardship on the Village is not considered reasonable.

D - Employment of Relatives

The Village shall not consider an applicant for employment if the applicant bears any of the following relationships to an elected or appointed officer or employee within the same department: spouse, mother, step-mother, mother-in-law, father, step-father, father-in-law, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandparent, grandchild, aunt, uncle, nephew or niece, parent, brother, sister or child.

E - New Employee Orientation

The Village will provide orientation materials and resources to facilitate a new employee's adjustment to the Village and to their job, as well as to clarify the employee's role within the organization.

The Finance Department will convey information in the following areas:

1. Human Resources Manual;
2. Employee Benefits;
3. General Information on the Village;
4. Village Rules and Regulations;
5. Pay Procedures;

6. Probationary Period;

7. Compensation Plan.

The employee's supervisor, or their designee, will conduct the following orientation activities, when applicable:

1. Hours of Work;

2. Reporting of Absences;

3. Tour of Department and Village Facilities;

4. Job Instructions;

5. Introduction to Co-workers;

6. Safety Manual;

7. Departmental Rules and Regulations;

8. Division Goals and Objectives;

9. Uniform Allowance and Requirements;

10. Safety on the Job;

11. Performance Plans.

Chapter 3 - General Employment Conditions

A - Categories of Employment Status

1. An employee's employment status shall be determined by using the following criteria:

- a. Regular Full-time – Employees who are budgeted to work forty (40) hours or more per week in accordance with the schedule adopted by the Department Head.
- b. Regular Part-time – Employees who are budgeted to work less than forty (40) hours per week, even though the actual hours worked by such an employee may at times exceed forty (40) hours per week.
- c. Seasonal/Temporary – Employees who are hired for a specific period of time, or for the duration of a specific purpose, project, or group of assignments, not to exceed six (6) months. This includes employees who are hired to work as needed. Seasonal employees do not have a reasonable assurance that they will be rehired by the Village for the same service in a subsequent calendar year. This type of employee may work between zero (0) and forty or more (40+) hours in a week, and will be paid only for hours worked, and such hours must be reported on the time sheet.
- d. Nonexempt employees – Employees who are required to be paid overtime at the rate of time and one half (i.e., one and one-half times) their regular rate of pay for all hours worked beyond forty (40) hours in a workweek, in accordance with applicable wage and hour laws.
- e. Employees will be informed of their initial employment classification and status as an exempt or nonexempt employee as part of their orientation. If an employee changes positions during their employment because of a promotion, transfer, or otherwise, they will be informed by the Finance Department of any change in their exemption status.
- f. Employment status shall be used to determine, among other things, eligibility for benefits.
- g. All employees must be at least eighteen (18) years of age.
- h. Employment status shall be conclusively determined and may only be changed by the Village.

B - Introductory Period

1. After each original or promotional appointment, all regular full-time or regular part-time employees must serve an introductory period of one (1) year .

2. In the event of a lateral transfer, an introductory period of one (1) year is required unless specifically waived by the Village Administrator. This introductory period will not cause any change in salary or benefits.
3. The purpose of the introductory period is to test the qualifications of the employee to perform satisfactorily under actual working conditions, and to determine whether the employee should be considered for a permanent position. A performance evaluation will generally be conducted by their supervisor approximately six (6) months into the introductory period. For an initial appointment, an evaluation may be completed after three (3) months in addition to the formal evaluation completed at approximately six (6) months.

The successful completion of the introductory period does not alter an employee's at-will status and shall not be construed as creating a contract or as guaranteeing employment for any specific duration.

C - Pay and Classification Plan

The Village strives to pay all employees a fair wage. Wages for represented employees are contained within their applicable collective bargaining agreement. Wages for non-represented employees are contained within their individual employment agreements (as applicable) and/or as approved by the Village Board through the annual budget process.

D - Appointment Rate

The minimum rate of pay set forth in the salary schedule for a particular position shall be paid to a regular full-time employee upon appointment. The Department Head, with the approval of the Village Administrator, may adjust an employee's initial compensation, including vacation benefits, due to that individual's significant experience or exceptional training.

E - Salary Adjustments

1. The Village may, in its sole discretion, adjust salary based upon performance, cost of living, comparable analysis, or other factors.
2. Salary adjustments based upon performance are generally effective on May 1st of each year. Said salary adjustments are dependent upon a performance evaluation and direction from the Village Board. Any annual increase shall be awarded only after the satisfactory completion of an employee performance evaluation. Any salary increase shall be in accordance with the established salary schedule for the employee's position, subject to budgetary constraints.
3. Salary adjustments based on cost of living, comparable analysis, or other factors are generally effective on May 1st. Said adjustments are subject to budgetary constraints.
4. New employees with a start date after October 31st of the prior calendar year are not eligible for an individual salary increase until the following May 1st.

F - Reserved.

G - Performance Evaluation Report

1. A new regular full-time or regular part-time employee shall be evaluated after approximately six (6) months as part of their introductory period. A formal written performance evaluation will be performed around an employee's completion of eleven (11) months of employment.
2. Following the introductory period, each employee will be evaluated annually. Performance reviews for department heads shall be completed no later than December 31st of each calendar year.
3. Objectives of the Performance Evaluation:
 - a. To clearly convey expectations of a position and to assign responsibility.
 - b. To keep each employee informed of their job performance.
 - c. To evaluate each employee accurately and fairly.
 - d. To provide a means for improved communication between supervisors and subordinates.
 - e. To help guide career development.
 - f. To evaluate each employee's adherence to Village and departmental policies.
 - g. To recognize and reward outstanding performance.

H - Position Reclassification

1. Whenever, in the opinion of a Department Head, the duties and responsibilities of a particular position change so drastically that the current position title and/or salary range no longer apply, the Department Head may recommend a position reclassification to the Village Administrator.
2. All such requests shall occur during the annual budget preparation, unless circumstances require otherwise.

I - Promotion

1. Promotion is defined as a re-assignment to a position that entails greater skills and/or added responsibilities at a higher rate of pay. Under the salary schedule, a promotion may provide for a higher range of compensation.
2. As vacancies occur or new positions are created, the Village will accept applications from qualified employees as well as outside applicants identified through various sources of recruitment. In accordance with state statute, the testing process for establishing an

eligibility list for promotions of sworn officers will be handled by the Board of Police Commissioners.

3. An employee receiving a promotion shall be entitled to the greater of either (a) the minimum of the new compensation range established by the then current Village Compensation Plan or (b) a five-percent (5%) salary increase, unless said increase exceeds the maximum compensation of the new range. Such increase shall take effect with the beginning of the first pay period following the effective date of promotion. Exceptions to the amount of an increase may be made at the discretion of the Village Administrator.
4. An employee, once promoted, shall be required to serve a one (1) year introductory period.

J - Transfers and Demotions

1. Transfer of an employee from one position to another without change in pay range classification may be affected when:
 - a. The employee meets the qualification requirements.
 - b. It is in the best interests of the Village.
 - c. Work requirements of the Village necessitate the transfer.
 - d. Further training and development of an employee in the new position would be beneficial to the future staffing potential of the Village.
 - e. It meets a personal need of the employee and is consistent with (a) and (b) above.
2. Transfers of employees between departments, on either a regular or temporary basis, may be made upon the recommendations of the affected departments and with the approval of the Village Administrator.
3. Transferred employees shall conform to the working policies of the department to which they are transferred, and shall, except for benefit eligibility purposes, be subject to an introductory period in the new position.
4. No salary adjustment will be made in cases where the employee is transferred from one department or division to another without a change in position classification.
5. An employee may be demoted to a position of a lower classification for which they are qualified, for any of the following reasons:
 - a. The employee would otherwise be laid-off because their position is being eliminated;
 - b. The employee's position is reclassified to a lower grade;
 - c. There is a lack of work or lack of funds;

- d. The return to work from an authorized leave of absence of another employee to said position that necessitates such demotion;
 - e. The employee does not possess the necessary qualifications to render satisfactory service in the position they hold;
 - f. The employee demonstrates an inability to perform the normal quantity or quality of work;
 - g. The employee voluntarily requests such demotion;
 - h. At the sole discretion of the Village.
6. All demotions must receive the approval of the Village Administrator. Demotions may be accompanied by salary, hours, compensation, or benefit reductions as may be determined by the Department Head and the Village Administrator, provided that the employee shall be entitled to all benefits afforded to similarly situated employees in the new position. In the event of a demotion, for any reason, an employee's salary shall not exceed the maximum of the range to which they are demoted.
7. An employee, once demoted, shall be required to serve a one (1) year introductory period.

Chapter 4 - Employee Benefits

A - Eligibility

1. An employee's eligibility for benefits as described in this chapter is determined by the following categories of employment status:
 - a. A regular full-time employee is eligible to receive all benefits described in this chapter, unless specifically stated otherwise.
 - b. A regular part-time employee is typically eligible to receive Workers' Compensation Insurance and overtime in the event the employee's workweek exceeds that of the regularly scheduled workweek for a regular full-time employee.
 - c. A seasonal/temporary employee is eligible to receive Workers' Compensation Insurance, and overtime pay in the event the employee's workweek exceeds that of the regularly scheduled workweek for a regular full-time employee.
 - d. Insurance Premium Allocation. The medical and dental insurance premiums, which may change from time to time, shall be paid for on a contributory basis by the Village and the employee. The employee share shall be deducted each pay period.

B - Health Insurance

1. The Village currently offers health insurance to all regular full-time employees. All such benefits are provided in accordance with the applicable plan documents. Information concerning these plan(s) and any employee costs is available through the Finance Department.
2. In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), continuation of group health plan coverage is available. Cost of this continuation coverage shall be borne solely by the participant.
3. Village employees who retire or who become disabled may be eligible for continuation of health coverage in accordance with state law.
4. Requests for information regarding details of specific coverage should be directed to the Finance Department.

C - Dental Insurance

1. The Village currently offers dental insurance coverage to all regular full-time employees. All such benefits are provided in accordance with the applicable plan documents. Information concerning the plan(s) and any employee costs is available through the Finance Department.
2. In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), continuation of group health plan coverage is available. Cost of this continuation coverage shall be borne solely by the participant.

3. Requests for information regarding details of specific coverage should be directed to the Finance Department.

D - Life Insurance

1. The Village currently provides group term life insurance coverage to all regular full-time employees. All such benefits are provided in accordance with the applicable plan documents. Information concerning the plan and any employee costs is available through the Finance Department.
2. Requests for information regarding details of specific coverage should be directed to the Finance Department.

E - Workers' Compensation Insurance

The Village maintains its own worker's compensation insurance in accordance with the Illinois Workers' Compensation Act (820 ILCS 305) and other applicable state law. The Village will pay for all necessary first aid, medical, and surgical services reasonably required to cure or relieve the effect of any accidental injury or disablement arising out of, or in the course of, employment with the Village. Employees may seek treatment from their own medical provider for work-related injuries. However, the Village, through its agents or worker's compensation administrator, reserves the right to have another medical provider of its choice examine the employee.

An employee who suffers an accident and/or injury arising out of, or in the course of, employment must take the following actions:

1. Immediately report the accident and/or injury to the employee's supervisor, even if the accident/injury does not seem to warrant medical treatment.
2. Make a full written report of the employee's condition and the circumstances surrounding the accident or injury, including all witnesses, as soon as possible after its occurrence. The Village may provide reporting forms and the employee may obtain the forms (Illinois Form 45: First Report of Injury and/or any other required forms) from their supervisor.
3. Submit Illinois Form 45 (Employer's First Report of Injury) and/or any other required forms to the employee's supervisor as soon as possible after the accident or injury, but no later than the completion of that business day.
4. Adhere to any drug or alcohol testing requirements.

All employees must follow these procedures. Failure to immediately report an on-the-job accident and/or injury or otherwise comply with this policy may lead to disciplinary action, up to and including termination, and could lead to the denial of workers' compensation benefits.

In the instance that an employee suffers an accident and/or injury during the course of employment, the following shall also apply:

1. Any employee injured during the course of employment with the Village, shall be eligible for Workers' Compensation benefits in accordance with state law.
2. An employee temporarily injured and unable to return to work shall be eligible to use accrued leave for the first three (3) days following the injury until coverage under the Workers' Compensation Act begins. If the disability lasts for fourteen (14) calendar days or more, and an employee uses accrued leave to cover the initial three (3) days, such accrued leave will be credited back to the employee.
3. Once benefits under the Workers' Compensation Act begin, the employee shall be placed on an injury leave of absence. All compensation shall be paid through the Village's Workers' Compensation claims administrator. Compensation shall not be subject to any Village deductions.
4. An employee on an injury-related leave of absence shall not accrue paid vacation, sick, or personal leave credits. Full earning of benefits will resume once the employee returns to work.
5. An employee on Workers' Compensation disability leave for an entire month (and who is not receiving any Village pay check) should contact the Finance Director regarding the maintenance of health insurance and any other elected insurance while on leave.
6. If an employee is on disability leave that will extend more than thirty (30) days, the employee must contact IMRF to ensure that pension credits or other benefits are not lost. The responsibility to contact IMRF and provide any required documentation rests entirely with the employee.
7. Any employee on Workers' Compensation disability leave shall return to work as soon as the doctor releases the employee. The release must be in writing. The disabled employee shall inform the Village of their disability status after each doctor visit.
8. Workers' Compensation leave will run concurrent with Family and Medical Leave Act (FMLA) leave, as well as any other available leave, including but not limited to the Public Employee's Disability Act leave (PEDA).

F - Unemployment Insurance

All employees of the Village, except elected officials, are eligible for unemployment insurance benefits as provided by state law. For specific details, contact the Finance Department.

G - Holidays

1. Except as otherwise stated in this section, all eligible regular full-time employees are given holidays off with pay as adopted by the Village Board on its annual calendar.

2. Holiday pay shall be computed as follows:

- a. All regular full-time employees shall receive eight (8) hours pay per holiday. All regular part-time employees shall receive four (4) hours pay per holiday.
 - b. Eligibility Requirements. To be eligible for holiday pay under this section, an employee must work their full scheduled working day immediately preceding and immediately following the holiday, unless proof of sickness or excusable absence is established to the satisfaction of the Village. Employees who are suspended, who are on disability leave, or are otherwise on any other inactive payroll status shall not be eligible for holiday pay.
 - c. Pay for Holiday Work. If the Village requires an employee to work on one of the holidays set forth above, then said employee shall be paid one-and-one-half (1 ½) times the employee's straight time hourly rate of pay, computed at the employee's base rate of pay, for all hours worked on said holiday, in addition to the holiday pay. For purposes of this provision, the holiday shall be deemed to begin at the start of the first regular full shift on the holiday, and shall continue for twenty-four (24) consecutive hours only.
 - d. If a holiday falls within a properly scheduled vacation period, the holiday shall not count as a day of vacation/personal time
3. Any holiday occurring on a Saturday shall be observed as identified on the board meeting calendar adopted annually by the Village Board or on a day approved by the Department Head for employees who do not work a Monday through Friday schedule.

H - Personal Leave

1. Personal leave shall be provided in accordance with the provisions of the Paid Leave for All Workers Act (820 ILCS 192/*et seq.*). This provision shall not apply to employees covered by Collective Bargaining Agreements in effect on January 1, 2024. All regular full-time non-represented employees shall be issued five (5) days of personal leave on January 1 of each calendar year. Employees hired after the effective date of this policy shall be issued five (5) personal days beginning the first day of employment. Personal leave that is not used by December 31st of each calendar year shall expire and shall not be rolled over to the following calendar year.
2. Use of Personal Leave.
 - a. Personal leave may be used for any purpose in accordance with the Paid Leave for All Workers Act.
 - b. Personal leave may only be used with the prior approval of the Department Head, or their designee, and prior verification of time available by the Finance Department. Approval may be withheld for demonstrated operational or public safety reasons.
 - c. Each personal leave occurrence shall be scheduled and used, at a minimum, in a two (2) hour increment, with one (1) hour increments thereafter.
 - d. It is expressly understood that while the Village will make every effort to honor an employee's request to use personal leave, the final right to designate, cancel and/or

reschedule personal leave, and the right to determine the maximum number of employee(s) who may use personal leave at any time is exclusively reserved by the Village Administrator, or their designee, to the extent necessary to maintain operational or public safety services.

I - Vacation Leave

1. Employees may begin using their vacation time as it is accrued. Except as otherwise provided in this section, all regular full-time employees as defined in Section A shall receive forty (40) hours of vacation leave and earn vacation on a bi-weekly basis according to the following schedule:

<u>Years of Service</u>	<u>Bi-Weekly Accrual</u>	<u>Total Annual Vacation Hours</u>
Hire date through 5 years	3.077 hours	Two Weeks (80 hours)
6 through 13 years	4.615 hours	Three Weeks (120 hours)
14+ years	6.154 hours	Four Weeks (160 hours)

2. Vacation rules and procedures.
 - a. No vacation leave shall be taken until earned. Unearned vacation will not be advanced to employees unless approved by the Village Administrator.
 - b. An employee may accumulate up to one and one half (1½) years' worth of accrued vacation leave. Once an employee has reached one and one half (1½) years' worth of accrued vacation leave (i.e., an employee earning three (3) weeks of vacation per year may have up to four and one half (4½) weeks accrued at any one time) they will not accrue any additional vacation leave.
 - c. Vacation leave is not earned during an unpaid leave of absence, an absence due to disciplinary action, or a non-work-related disability leave.
 - d. Use of accrued vacation leave must be approved by the employee's Department Head or their designee, and shall be based upon the staffing and scheduling needs of the Department and such other factors as the Department Head deems appropriate. Absent exigent circumstances, vacation requests shall be considered on a first come, first served basis.
 - e. Vacation leave must be scheduled and used, at a minimum, in no less than four (4) hour increments.
 - f. It is expressly understood that the final right to designate, cancel and/or reschedule vacation periods, and the final right to determine the maximum number of employee(s) who may be on vacation at any time, is exclusively reserved by the Department Heads to ensure the orderly performance of the services provided by the Village.
 - g. When paid vacation time is taken, employees shall be compensated at their regular rate of pay.
 - h. Holidays which occur during an employee's vacation leave shall be charged as holidays and not as a vacation day.

- i. An employee who resigns, with or without notice, or is terminated for any reason will receive all earned accrued, but unpaid vacation pay.
- j. The Village Administrator or Department Head may grant additional earned vacation leave to an employee as a condition of employment.
- k. Employees shall not perform any job-related duties when they are on vacation.

J Family Bereavement Leave

In accordance with the Family Bereavement Leave Act (820 ILCS 154/*et seq.*), the Village may grant up to two (2) weeks or ten (10) workdays of unpaid bereavement leave to attend the funeral or alternative to a funeral of a covered family member, make arrangements necessitated by the death of the covered family member, grieve the death of a covered family member, or be absent from work due to: (i) a miscarriage; (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure; (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party; (iv) a failed surrogacy arrangement; (v) a diagnosis that negatively impacts pregnancy or fertility; or (vi) a stillbirth.

Subject to approval by the employee's Department Head, or their designee, a regular full-time employee is entitled to a maximum of twenty-four (24) hours (three (3) work days) of paid leave, if needed, to attend the funeral in the event of the death of an immediate family member, defined in Chapter 4 Section K. Employees may also take up to twenty-four (24) hours (three work days) of accrued vacation, sick, personal or unpaid leave of absence to attend the funeral of an aunt, uncle or cousin. In the case of the death of a spouse/partner, child or step-child, an employee is entitled to use up to an additional forty-eight (48) hours (six (6) work days), of accrued vacation, personal, sick or unpaid leave of absence (at the employee's discretion).

In the event of the death of a spouse/partner, child or step-child, an employee may take additional accrued vacation, personal, sick, or unpaid leave of absence based on the operation needs of the Village and subject to the discretion of the employee's Department Head or designee. The Village reserves the right to require proof of death as a condition of leave under this Section.

Bereavement leave must be completed within sixty (60) days after the date on which the employee receives notice of the death of the family member. The Village may require reasonable documentation to support any requested bereavement leave, which may include a death certificate, a published obituary notice, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. Other acceptable forms of documentation may include documentation from the adoption or surrogacy organization that the employee worked with or medical documentation certifying that the employee or their spouse/partner has experienced an event listed. Employees are not required to identify which category of event the leave pertains to.

An employee shall provide the Village with at least forty-eight (48) hours advance notice of the employee's intention to take bereavement leave, unless providing such notice is not reasonable and practicable. In the event of the death of more than one covered family member in a twelve

(12) month period, an employee is entitled to up to a total of six (6) weeks of bereavement leave during the twelve (12) month period.

K - Sick Leave

1. All eligible employees shall accrue sick leave on a bi-weekly basis beginning with the first day of employment. Said earnings shall be determined based on the number of annual hours that the employee is budgeted to work.
 - a. Regular full-time employees shall earn 2.769 hours of sick leave per pay period (nine (9) days per year).
 - b. Sick leave may be accumulated up to a maximum of one thousand nine hundred and twenty (1,920) hours for regular full-time. Sick leave shall not accrue during any period of unpaid leave.
 - c. Sick leave must be used, at a minimum, in no less than two (2) hour increments.
 - d. When an employee is absent due to illness for a period exceeding three (3) consecutive working days, a certificate from the treating physician shall be submitted along with the "Application for Leave" form, which shall specify the date of the employee's return. Except as otherwise may be provided herein, if an employee is absent for ten (10) or more consecutive working days and fails to submit an Application for Leave form and/or fails to return upon the date specified therein without first obtaining an extension from the Village, the employee shall be deemed to have abandoned their position.
 - e. When an employee, who due to illness, is absent from work for a period of one (1) consecutive week or more, the employee shall be required to submit a release from the treating physician prior to returning to work.
 - f. Sick leave shall not be authorized for injury or disability incurred in employment other than with the Village of Sugar Grove.
 - g. The Department Head, with the approval of the Village Administrator, may require an employee to submit to a physical or psychological examination, at the Village's expense, to determine whether the employee is still able to perform the essential functions of his or her job.
 - h. Eligibility for use of paid sick leave ends as soon as the doctor releases the employee to work in writing.
 - i. An employee who, for whatever reason, fails to notify the immediate supervisor or Department Head according to the above procedures shall be considered absent without authorization and the employee may be subject to disciplinary action including termination.

L - Light Duty

The Village may, in its sole discretion, offer light duty assignments based upon a physician's approval to employees who are temporarily unable to perform full-duty responsibilities because of illness, injury or disability, provided such light duty work is available and the employee can reasonably be expected to perform their full work duties following the expiration of the

designated light duty period. The physician's approval must detail the employee's capabilities and work restrictions relative to the available light duty assignment.

M - Illinois Municipal Retirement Fund

All eligible Village employees will participate in the Illinois Municipal Retirement Fund (IMRF). Such employees shall contribute (before taxes) that amount set from time to time by state statute of their salary and the Village shall contribute at the rate set annually by IMRF. Employees shall vest in this pension plan pursuant to the terms of the plan. Employees shall be eligible for disability benefits under this plan after one (1) year of participation in IMRF. For specific details, please contact the Finance Department.

N - Police Pension Fund

All eligible full-time commissioned police officers are members of the Sugar Grove Police Pension Fund. The employee shall contribute (before taxes) that amount set by time to time by state statute of their salary and the Village shall contribute at the rate set annually by Village. Employees shall vest in this pension plan and receive benefits pursuant to the terms of the plan. For specific details, please contact the Sugar Grove Police Pension Fund.

O - Deferred Compensation

All Village employees, regardless of position or salary, are eligible to enroll in the deferred compensation program offered by the Village, subject to the limitations provided by applicable tax laws. A deferred compensation plan is a retirement planning tool that allows employees to contribute pre-tax dollars through payroll deductions. The Finance Department will provide information brochures and enrollment documents upon request.

P - Cafeteria Plan

The Village of Sugar Grove currently offers a Cafeteria Plan for all full-time employees. The Cafeteria Plan is a reimbursement plan governed by Section 125 of the Internal Revenue Code which allows employees to contribute pre-tax dollars from each paycheck to pay for health and dental insurance premiums, as well as a flexible spending arrangement (FSA) for 1) unreimbursed medical, dental, or vision expenses, or, 2) child or elder care expenses.

The Cafeteria Plan operates on a calendar year basis. There are deadlines that must be met to request pre-tax deductions from paychecks or to request reimbursement for expenses. The Cafeteria Plan is administered in accordance with federal guidelines which are found in the Summary Plan Description (SPD) available from the Finance Department.

Chapter 5 - General Rules and Regulations

A - Hours of Work

1. The Village Hall offices shall generally be open from 8:00 a.m. to 4:30 p.m., Monday through Friday. The Public Works offices shall generally be open from 7:00 a.m. to 3:30 p.m. Work schedules shall be determined by each Department Head to meet the operational requirements of their department. Employees are expected to be at work and performing their jobs during their assigned hours. The Village Administrator or their designee may adjust or change work hours as the operational requirements of the departments may indicate. The Department Head or immediate supervisor shall make every effort to provide as much advanced notice as possible to an employee when a change in working schedule is necessary.
2. A work week begins on Monday at 12:00 a.m. and ends on Sunday at 11:59 p.m.
3. Flexible hours and compressed work week schedules may be available in some departments. The Department Head may, with the approval of the Village Administrator, approve flexible work hours and compressed work week schedules if the requirements of the department will be met and the employee continues to work the regularly scheduled number of hours per week.
4. An employee shall report promptly at the designated starting time and is expected to devote all efforts during working hours to assigned duties.
5. Department Heads are authorized to establish the schedule for lunch and break periods during each workday. Non-exempt employees working at least seven and one-half (7 ½) hours per day shall receive a thirty (30) minute unpaid lunch period. Such non-exempt employees shall also receive the equivalent of two (2) fifteen (15) minute paid daily breaks for a total of one-half (1/2) hour paid break time per work day. Non-exempt employees, who work more than four (4) hours in a day, shall receive one (1) fifteen (15) minute of paid break per workday.
 - a. All non-exempt employees must take the thirty (30) minute lunch period uninterrupted and must not engage in any work during that period. The lunch period will begin no more than five (5) hours after the start of the employee's shift.
6. Compensable Rest Time.
 - a. The Village Administrator or their designee may send employees home to rest during their assigned hours of work if a later call-back is foreseen which may require an employee to work in an otherwise unsafe condition caused by lack of rest. Should an employee have less than forty (40) compensable hours (total paid hours including all compensable time such as hours worked, vacation, personal, etc.), during a work week due to being sent home to rest and not called back, the number of hours that were not worked necessary to bring the work week compensable hours to forty (40) will be paid to the employee at their straight time rate.

7. Regular attendance and punctuality are very important. Employees are expected to begin and end work on schedule. The Village recognizes that circumstances beyond an employee's control may cause them to be absent or late to work. If an employee is going to be late or absent, they must call their supervisor to notify them of the reason for their tardiness or absence. Excessive absenteeism or tardiness in connection with the scheduled work times, breaks and meal periods may result in disciplinary action, up to and including termination.
8. An employee who is unable to report to work due to illness must notify their supervisor no later than two (2) hours prior to the employee's starting time. In cases of an emergency, the Department Head may allow less than two (2) hours' notice at their sole discretion. While on sick leave the employee must contact and advise their Department Head or designee daily of their condition, unless such requirement is excused in a specific instance by the Department Head. Failure to properly notify the Village will result in an unexcused absence.
9. Employees who are absent from work for three (3) consecutive days without giving proper notice will be considered to have voluntarily resigned.
10. No pyramiding: compensation shall not be paid more than once for the same hours under any provisions of this section.
11. Employees are responsible for ensuring that their time records are accurate and complete. Falsification of time records may result in disciplinary action, up to and including termination.
12. Payroll Complaint Procedures. Employees who believe they have been compelled to perform work without being properly compensated should contact the Finance Department or their immediate supervisor immediately to request an investigation. In such cases, the employee will be asked to specify in writing the circumstances of the pay discrepancy and whether it has occurred on other occasions. The Village will review applicable time and pay records and interview the supervisor, as well as the payroll representative(s) handling the employee's pay or hours worked, to determine if the allegation is correct. If the employee's allegations are true, the Village will reimburse the employee as promptly as possible (but in no case longer than two (2) pay periods from the identification of the problem). The individual(s) responsible for the error will be investigated further to determine if this was an isolated incident or a pattern of conduct that requires further action on the part of the Village. If warranted, the responsible person(s) will be held accountable for the error(s) made consistent with the Village's disciplinary policy. The resolution of the situation will be documented (including confirmation on the part of the employee that the situation has been resolved) and placed with the employee's pay records. Following the identification of such a problem, the Village will establish a practice to regularly audit employee pay records to ensure no further issues arise.

B - Pay Periods and Payroll Deductions

1. The Village has established bi-weekly pay periods, with a payroll every other Friday. Payroll/Holiday calendars are available from the Finance Department. In the event of a payday occurring on a holiday, paychecks will generally be issued on the day preceding the holiday.

2. Automatic salary deductions shall be made for federal and state income tax purposes, as well as for all mandatory deductions such as pension contributions, social security, and Medicare, where applicable.
3. Pension deductions shall be calculated and made in accordance with applicable pension plan regulations, laws, and Village policies.
4. Optional deductions for any of the following, when applicable, may also be arranged upon the express written consent of the employee:
 - a. Coverage for group health and dental insurance.
 - b. Contributions to programs or organizations as approved by the Village.
 - c. Participation in the Village's deferred compensation plan.
 - d. Participation in a direct deposit plan with any bank or financial institution affiliated with the Automated Clearing House (ACH) system.
 - e. Participation in the Village's life insurance plan.
 - f. Participation in the Village's Cafeteria Plan.
 - g. Other monies may be deducted by the Village for services or supplies received upon express written consent of the employee made at the time of the deduction or overpayments made to an employee or to comply with any and all court orders.

C - Overtime Compensation

Policy

It shall be the policy of the Village that overtime is kept to a minimum whenever possible without jeopardizing the efficient operation of any department. Any use of overtime shall be authorized by the Department Head through the employee's supervisor, with final approval of the Village Administrator or their designee. Department Heads shall be responsible for maintaining and submitting, as necessary for pay purposes, appropriate records of overtime worked.

Repeated failure to report for overtime when directed by an employee's supervisor acting within established policy shall be grounds for disciplinary action unless it is clearly proven that the employee's absence was beyond the employee's control.

Definition

Overtime hours shall be defined as those hours worked greater than forty (40) hours in a workweek period, except for full-time police officers. Full-time police officers overtime hours shall be defined as those hours worked beyond eighty (80) hours in a pay period. Overtime compensation shall be paid as per current collective bargaining agreement where applicable.

D - Regular Overtime

All hours worked in excess of forty (40) per week will be compensated at a rate of one-and-one-half (1 ½) times an employee's regular hourly rate of pay. An employee's use of paid vacation, personal leave, or sick leave will be counted as hours worked for purposes of overtime eligibility under this section. Disability leave, absence due to disciplinary reasons, and any other compensated hours not worked will not be considered as hours worked for the purpose of calculating scheduled overtime payment.

1. Call-Back Overtime

Call-back overtime is defined as extra duty where an employee is called back to work to perform necessary Village operations after completing their regularly assigned shift for that day, except in instances for snow/ice control. All call-back overtime will be compensated at a minimum of two (2) hours for each occurrence. Call-back time begins when the employee reports for work and ends when the employee leaves their place of reporting. All call-back overtime will be compensated at the rate of one-and-one-half (1 ½) times the employee's regular hourly rate of pay regardless of hours worked in a week.

2. Overtime Exemption

Certain positions are exempt from overtime compensation as provided by the Fair Labor Standards Act of 1938 (FLSA) (1938 29 U.S.C. § 203).

- a. In the case of executive, administrative and professional personnel, classified as exempt, as defined by the FLSA, it is implicit in the nature of their position that time beyond the normal work schedule may often be spent on the job.
- b. While some recognition of these additional hours may be made from time to time, this shall be at the discretion of the Department Head with the approval of the Village Administrator.

E - Outside Employment

1. Any regular full-time employee seeking to engage in outside employment shall make written application to the respective Department Head using a 'Request for Outside Employment' form. Such requests may not exceed twenty (20) hours of part-time employment per week.
2. The Department Head, after reviewing the request, shall notify the employee of the decision and forward a copy of the request to the Village Administrator indicating whether the request was approved or denied.
3. A Department Head may at any time require verification that an employee is complying with the maximum number of hours allowed per week. Any violations shall result in the immediate loss of permission for part-time employment and the possibility of disciplinary action.
4. If injury occurs at the second job, no Workers Compensation will be paid by the Village for that injury.

5. Employees may not utilize any Village offices, equipment, or information systems in their outside employment.
6. If outside employment, including self-employment, has previously been approved and permitted by the Village, and later it appears that such outside employment, including self-employment, may result in a conflict of interest or infringe on the ability of the employee to do their job for the Village, or increase the Village's exposure to legal liability, prior approval for such outside employment may be revoked at any time, in the Village's sole discretion.
7. Bargaining unit employees shall adhere to any outside employment section in the applicable collective bargaining agreement.

F - Prohibited Political Activities and Gift Ban

All employees shall adhere to and abide by the provisions of the Village Ethics Policy, as amended from time to time by the Village Board, and State Officials and Employees Ethics Act (5 ILCS 430/1-1 *et seq.*). Employees are not to provide any special services in exchange for gifts or other forms of compensation. Employees, their spouses/partners, and any immediate family member living with an employee are prohibited from intentionally soliciting or accepting any gift from any source prohibited by law, ordinance, or policy. If an employee, employee's spouse/partner, or immediate family member receives any compensation or offer of compensation because of the employee's status as an employee of the Village, the employee must report this immediately to their supervisor or Department Head.

G - Use of Village Equipment

1. An employee shall not be permitted to use Village vehicles, equipment, supplies or tools for personal use without prior written permission of the Department Head and approval from the Village Administrator.
2. An employee shall be responsible for the care and proper operation of any Village-provided vehicle, equipment, tools, or supplies assigned or used.
3. Village-owned vehicles may not be taken home unless authorized by the Department Head and approved by the Village Administrator.
4. When using Village vehicles, employees must keep in mind that they are representatives of the Village and that their conduct in adhering to the rules of safety and courtesy on the road is a reflection on the entire organization.
5. All employees of the Village must report to their Department Head any moving traffic violations or accidents in which they are involved while on duty, or while using Village vehicles. The employee must pay for any fines for violations incurred by the employee under these circumstances.

H - Personal Appearance

The Village's dress code policy is designed to help provide Village employees with guidance to ensure they present a professional image when engaging with residents and colleagues. To that end, it is incumbent on each employee to report to work dressing neatly and appropriately, in a manner that reflects the nature of their position and working situation. While each department and position may have different standards with respect to personal appearance, all employees shall adhere to the guidelines set forth herein.

Guidelines:

In keeping with this policy, the need for proper appearance from all staff is expected. Therefore, the following guidelines of dress are expected from all employees:

1. Attire should be clean and properly fitting;
2. Clothing should not be tattered, ragged, or overly revealing;
3. Employees should maintain good personal hygiene; and,
4. Employees should refrain from the overuse of perfume, cologne, and other scented products.
5. Some examples of inappropriate clothing include, but are not limited to:
 - a. Attire containing obscene, profane, discriminatory, provocative, or inflammatory words or pictures;
 - b. Attire depicting alcoholic beverages, drugs, and/or drug paraphernalia;
 - c. Pool/beach attire; and
 - d. Any other item of clothing deemed inappropriate by an employee's supervisor.

The employee's supervisor and/or Department Head shall be responsible for evaluating the dress and appearance of employees under their supervision. Employees may be sent home to change into appropriate clothing (time spent in transit will not be considered working time). Failure to adhere to appropriate dress and grooming standards may result in disciplinary action, up to and including termination. All Village dress code and grooming policies will be implemented to avoid potential discrimination because of any hairstyle or hair texture that are actually or perceived to be associated with a particular race.

I - Solicitation, Selling, Peddling or Distribution of Literature

1. Unless authorized by the Department Head and approved by the Village Administrator, all solicitations by Village employees during working hours for charitable or any other purposes, and all selling of tickets, magazines or merchandise of any kind are prohibited.

2. The distribution of non-work-related literature by an employee at any time in working areas of the Village is strictly prohibited. Solicitation and distribution are always prohibited during the working hours of any employee.
3. Solicitation and/or the distribution of literature by any non-employee is prohibited a) during the working time of any employee involved in the solicitation or distribution; b) at any time in the non-public areas of the Village; or c) in areas open to the public where such conduct is not incidental to the normal and regular use of the area, or where it disrupts the regular use of the area by members of the general public.

J - Change of Name, Address, or Personal Information

Employees must notify their Department Head and the Finance Department in writing within ten (10) days of any change of personal information, such as a change to an address, phone number, or marital status. This is important for insurance, pension plans, W-2's and for emergency contact purposes.

K - Review of Personnel Files

The Village shall maintain the official personnel file for each employee. All personnel files and related matters shall be in accordance with the Personnel Record Review Act (820 ILCS 40/*et seq.*), as may be amended from time to time.

1. An employee may request access to their personnel file(s) twice during a calendar year, at reasonable intervals, provided the file is reviewed at the Village Hall during business hours (Monday-Friday, 8:00 a.m. – 4:30 p.m.). The Village shall provide the employee with the opportunity to review their file within seven (7) working days after the employee makes their request, unless the Village can reasonably show that the request cannot be met within this timeframe, in which case the Village shall have seven (7) additional working days to provide said information. The review shall only be performed in the office area where the file is located and in the presence of the Finance Department.
2. While an employee may not remove any items from his personnel file, an employee may request a copy of an item(s). A reasonable copy fee may be assessed reflective of the actual cost of duplicating the information.
3. If an employee disagrees with any information contained in their personnel record, a removal or correction of the information may be mutually agreed upon by the employee and the Village. If an agreement cannot be reached, an employee may request to add a written statement explaining the employee's position. Any such memo shall not imply or create any presumption that the Village agrees with its contents. Further, it is understood by both parties that the Village bears no responsibility for additional investigation or action regarding the item in dispute.

L - Bulletin Boards

Village and union notices are posted on separate designated bulletin boards within Village facilities. Only authorized individuals may post notices on the Village's bulletin board. The union bulletin boards are provided for the exclusive use of the particular union and may only be used

for posting official union announcements and other items of union business in accordance with provisions of the applicable collective bargaining agreement. No materials posted on any board may be of a political nature or inflammatory in nature. Personal notices may not be posted on these bulletin boards without prior approval of the Village Administrator or their designee. Notices posted in violation of this rule may be removed by the Village.

M - Personal Orders

Personal orders for merchandise should never be placed in the name of the Village or any operating department of the Village.

If requesting a personal order be shipped to the Village Hall for convenience, for example, if it is too difficult to receive orders at home when an employee is working, the proper and only acceptable method is the following:

Ship To: John/Jane Doe
 c.o. The Village of Sugar Grove

All billing for personal orders must be sent directly to the employee's home address. C.O.D. or other deliveries that could interfere with the operations of the Village are not allowed.

Chapter 6 - Disciplinary Action

A - Purpose

Regulations regarding the conduct of employees are intended to promote the orderly operation of the Village. Disciplinary action is at times necessary to ensure that such regulations are observed. It is the Village's policy to select disciplinary action that is proportionate to the seriousness of the offense. In cases of serious offenses, the appropriate discipline may be immediate termination.

B - Causes for Disciplinary Action

Each of the following circumstances are examples of a reason for disciplinary action. The examples given below are not intended as an exclusive or exhaustive inventory of actions necessitating disciplinary action, but rather as a guide for determining appropriate behavior:

1. Falsification, omissions, dishonesty, or fraud in securing or retaining employment.
2. Intoxication, use and/or sale of unprescribed drugs, use of prescribed drugs which may affect performance or endanger other employees, without notifying the supervisor while on duty.
3. Possessing alcohol or drugs on the premises of any Village-owned property.
4. Negligent destruction or loss of property.
5. Theft or willful destruction of Village or individual personal property.
6. Any act which endangers an employee's safety, health, or well-being or that of another Village employee or which is of sufficient magnitude that the consequences cause or act to cause disruption of work or discredit to the Village.
7. Incompetence or inefficiency in the performance of the duties of a position. The term 'incompetence' shall mean a lack of ability, knowledge, or fitness to perform duties which are reasonable within the scope of employment and the term 'inefficiency' shall mean the performance of the duties of the position at a level lower than ordinarily expected of other employees in similar positions.
8. Failure to perform the duties of the position because of neglect.
9. Failure to maintain a valid driver's license or commercial driver's license when such license is required to perform the employee's job.
10. Insubordinate actions, including willful disobedience of a rule, order, or directive.
11. Engaging in lewd, sexual or any other unprofessional behavior.

12. Violating the Village's Anti-Harassment/Discrimination/Sexual Harassment Policy or any other policy contained in this Handbook.
13. Falsification of any written or oral statement or document, including false representation to a supervisor, Department Head, or Village Administrator as to the quality and/or quantity of work performed.
14. During work hours, the solicitation of any donation, gift, or other thing of value for personal benefit; or, the attempt to sell any item, service, or product for personal benefit or performing any business matters not pertaining to the Village.
15. The attempt to use Village employment or the name of the Village for any personal benefit, or other group benefit.
16. Absence without leave, the abuse or use of sick leave or any other leave of absence in an unauthorized manner, a record of excessive absence or tardiness, or engaging in unauthorized outside employment when on disability leave or sick leave.
17. Failure to return from sick or disability leave when released by the doctor.
18. Use of Village property or the service of Village employees for unauthorized purposes.
19. Violation of any of the policies contained in this manual, the Village of Sugar Grove Safety Manual, or Department rules and regulations (if applicable).
20. Engaging in 'horseplay' during working hours.
21. Gambling or promoting lotteries.
22. Loafing, lounging, or sleeping while on duty, or visiting other departments without permission.
23. Discourteous treatment of the public, officials, consultants, employees and guests of the Village.
24. Immoral, unethical, or disgraceful actions or any other personal conduct likely to impact the efficiency of the Village service or bring the Village into disrepute.
25. Threatening or fighting (verbally or physically) with the public, officials, consultants, employees and guests of the Village.
26. Assault on a fellow employee or visitor to the Village premises.
27. Conviction of a criminal offense, which involves moral turpitude or relates to the performance of an employee's duties.
28. Any other activity, which is not compatible with public service or the professional image maintained by the Village.

29. Any other acts of misfeasance, malfeasance, or nonfeasance during employment.

C - Corrective Measures and Progressive Discipline Guidelines

The Village is committed to furthering each employee's professional success and providing constructive feedback to employees when needed.

When performance issues arise, an employee's supervisor will meet with them to discuss the issues and establish goals for improvement. The issues raised and the outcomes reached at such meetings will be documented to ensure clarity on the relevant issues and steps to be taken. The failure to meet established goals effectively within an agreed upon time may result in discipline up to and including termination.

Progressive discipline means that, with respect to minor disciplinary problems, these steps will generally be followed: a first incident may call for a verbal warning; a second incident may be followed by a written warning; and additional incidents may result in demotion, suspension, or termination of employment. The progressive disciplinary procedures described below may also be applied to an employee who is experiencing a series of unrelated problems involving job performance and/or conduct. Certain employee misconduct may justify a suspension or termination of employment, without going through the usual progressive discipline steps. Again, the Village retains the discretion to address employee misconduct under the progressive discipline policy in the manner it deems most appropriate.

1. Verbal Warning

On the occasion of the first incident, the supervisor may take the following action:

- a. Meet with the employee to discuss the matter.
- b. Inform the employee of the nature of the problem and the action necessary to correct it.
- c. Prepare a memorandum to be placed in the personnel file indicating that the meeting has taken place and verifying the result of the meeting.

2. Written Warning

Should a second incident occur, the supervisor may hold a second meeting with the employee at which time the following action may be taken:

- a. Issue a written reprimand to the employee.
- b. Warn the employee that a third incident will result in severe disciplinary action.
- c. Prepare and forward to the Village Administrator a written report to be placed in the personnel file describing the first and second incidents and summarizing the action taken during this meeting with the employee. Issue a written reprimand to the employee.

3. Additional Procedures

Should additional incidents occur, the supervisor may proceed as follows:

- a. Recommend demotion, suspension with or without pay, or termination of the employee and forward to the Village Administrator a written report to be placed in the personnel file describing the violations, indicating the timing between the violations, and summarizing the action taken or recommended and the justification.
 - b. If a situation arises that, in the opinion of the supervisor, necessitates immediate disciplinary action the Department Head or their designee may immediately suspend an employee with or without pay, pending further investigation.
4. The Village, in its sole discretion, may accelerate discipline (i.e., skip disciplinary steps) depending on the severity and nature of the situation up to and including termination.
 5. Appeal Process. Any regular full-time employee who receives discipline above a verbal reprimand, demoted, or terminated, may appeal the disciplinary action through the Village's appeal process at the next appropriate level up to the final level of Village Administrator. All such appeals must be filed within seven (7) days from the date of the discipline. Any appeal of discipline to the Village Administrator shall be limited solely to presenting mitigating information which was not available to the employee prior to the decision to discipline the employee. Any appeal considered by the Village Administrator does not alter the employment at-will relationship or bind the Village to a specific standard in its decision-making.

D - Administrative Probation

As a means of attempting to improve employee performance after the regular introductory period has been completed, a Department Head, with approval of the Village Administrator, may in their discretion, place an employee on administrative introductory period of up to three (3) months in lieu of other disciplinary action. It is the supervisor's role to attempt to provide appropriate counsel during this period. An employee performance report shall generally be completed at least once every month during this period, which shall be reviewed with the employee, and a copy placed in the employee's personnel file. Failure of an employee to improve performance during the administrative introductory period may result in disciplinary action being taken, up to and including termination.

E - Non-Discipline Problem Resolution Process

The Village is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the Village. The Village strives to treat employees fairly and honestly. Department Heads, supervisors, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism. All disputes between any employee and the Village are to be resolved in accordance with the following procedure. Please note, however, that, as with all policies, the

Village reserves the right to modify this procedure at any time and nothing in this procedure should be construed to constitute a contract between an employee and the Village or to constitute any part of a contract between an employee and the Village.

If an employee believes that their employment has been adversely affected by unfair treatment, unsafe or unhealthy working conditions, or erroneous or capricious interpretation or application of Village policies or procedures, the employee may express their concern through the problem resolution procedure. Also, this process does not necessarily apply to reports of sexual or other illegal harassment or discrimination. An employee will not be penalized, formally or informally, for voicing a good-faith complaint with the Village in a reasonable, business-like manner, or for using the problem resolution procedure.

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

1. An employee must present the problem to their immediate supervisor within seven (7) calendar days after the incident occurs. If their supervisor is unavailable or the employee believes that it would be inappropriate to contact that person, they may present the problem to their Department Head, the Finance Director, or any other member of management within their chain of command, or, if mutually agreed, to a higher level of management. However, whenever possible, an employee should follow the appropriate chain of command within their department or division. At any time, management can determine whether the problem is at the correct supervisor and/or level. If deemed to be at the inappropriate level or supervisor, the problem will be assigned to the supervisor deemed appropriate.

Each problem or incident must be submitted in writing and include details as to the date and time of the incident, the specific violation(s) and facts relating to the incident, and the relief sought by the employee. The employee's supervisor or other appropriate manager will inquire as to the facts and circumstances of the complaint and provide the employee with a written response within seven (7) calendar days after receipt of the original written complaint.

2. If the employee is not satisfied with the decision of their direct supervisor, other appropriate manager, or Finance Director, they may appeal the decision to their Department Head, or the next level of supervision within their department, whichever applies, within seven (7) calendar days of receipt of their direct supervisor's written decision. The Department Head, or other appropriate manager or Finance Director, will make a separate investigation, review prior actions, and provide you with a copy of their written decision within seven (7) calendar days after receipt of the employee's appeal.
3. If the employee is not satisfied with the decision of the Department Head, supervisor, or Finance Director, they may submit a written request for a review of their complaint to the Village Administrator. The employee must submit this request within seven (7) calendar days of receiving the written decision. The Village Administrator will respond with their findings and decision in writing within fourteen (14) calendar days after receiving the request for a review and forward a copy of the written response to be placed in the employee's

personnel file. The Village Administrator has full authority to make any adjustment deemed appropriate to resolve the problem. The decision of the Village Administrator is final.

At any time in the process, the employee may consult with the Finance Director who may address the employee's questions regarding the application of the Village's policies or who may consult with the employee's supervisor or any other member within their chain of command, or, if mutually agreed, to a higher level of management, if necessary, to address application of a policy. Complaints or problems will be reviewed only when submitted within the time limits described above. If a complaint is not appealed within the time limits, it will be deemed settled based on the last response of the Village. If the Village fails to provide a response within the designated time limits, the employee may immediately appeal to the next step in the problem resolution procedure. Both parties may mutually agree in writing to extend any time limits. All non-disciplinary problem resolution investigations will be placed in a separate file from the employees personnel file for future reference.

A - Drug Free Workplace Policy

The Village is committed to maintaining a workplace that is drug and alcohol free. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

For purposes of this policy, “drugs” shall include, but not be limited to: (i) any non-prescribed controlled substance that the employee is not authorized to possess or consume by law, (ii) any substance listed in the Controlled Substances Act (720 ILCS 570/ *et seq.*), (iii) any substance listed in the Cannabis Control Act (720 ILCS 550/ *et seq.*), and, (iv) drugs or substances which may not be listed in the Controlled Substances Act or Cannabis Control Act but which may have adverse effects on perception, judgment, memory, or concentration.

1. Conduct Prohibited - In accordance with the Federal Drug-Free Work Place Act of 1988 (41 U.S.C. 81), the following conduct is prohibited:

- a. The unauthorized use, possession, manufacture, distribution, or sale of drugs, drug paraphernalia, or alcohol while on Village property, while conducting work-related business, or during working hours.
- b. Being under the influence of drugs or alcohol while on Village property, while conducting work-related business, or during working hours.
- c. Being under the influence of legal prescribed drugs or chemicals used in excess of, or in non-conformity with, prescribed limits while on Village property, while conducting work related business, or during working hours.
- d. The illegal use, possession, manufacture, distribution, or sale of drugs or drug paraphernalia (while on or off duty).
- e. The Village prohibits its law enforcement officers, public safety employees, and employees subject to D.O.T. regulations from the use, possession, manufacture, and sale of cannabis while on or off duty.
- f. Storing any illegal drug, drug paraphernalia, cannabis, or alcohol in or on Village property.
- g. Failing to notify an employee’s supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind, including cannabis, that the employee is taking (or has taken) which might affect the performance of the employee’s duties.
- h. Refusing to immediately submit to an alcohol and/or drug test when requested by a supervisor.

- i. Failing to provide, within one (1) workday following a request, documentation confirming a valid prescription for any drug or medication identified by a positive drug test.
- j. Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled as a condition of continued employment.
- k. Failing to notify the employee's supervisor of any arrest, conviction, or relevant pleas (including pleas of guilty and *nolo contendere*) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two (2) calendar days following the arrest, conviction, or plea.
- l. Tampering with, adulterating, altering, substituting, or otherwise obstructing any testing process required pursuant to this Policy.
- m. Performing any safety-sensitive duties while having a blood alcohol concentration of .02 or greater.
- n. Possessing or using drugs or alcohol while on duty or while operating a commercial vehicle.
- o. Operating a commercial vehicle within four (4) hours after using alcohol (an on-call employee who consumes alcohol within four (4) hours of being called in must acknowledge the use of alcohol and must not report for duty).
- p. Consuming alcohol or cannabis during the eight (8) hour period following an accident requiring a drug and alcohol test before a post-accident drug or alcohol test is given.
- q. Reporting for duty or remaining on duty requiring the operation of a commercial vehicle when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial vehicle.

2. Conduct Required - The following conduct is required of all Village employees:

- a. Employees must notify their supervisor prior to starting work of any known side effect of medications, prescription drugs, or other chemical compounds or supplements of any kind, including cannabis, that they are taking (or have taken) which might affect the performance of their duties or threaten the safety of the employee or any other person.
- b. Employees must notify their supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and *nolo contendere*) relating to drugs or alcohol no later than the earlier of the next day the employee is scheduled to work or two (2) calendar days following the arrest, conviction, or plea. In accordance with federal law, the Village will notify any applicable federal contracting officer(s) of any

relevant conviction(s) or plea(s) within ten (10) days of receiving notice of the conviction or plea.

- c. Employees must submit to drug testing in accordance with this policy and applicable law, including the Department of Transportation Omnibus Transportation Employee Testing Act of 1991 (49 CFR part 40).

3. Types of Testing

- a. **Pre-Employment Drug Testing** - As part of the drug free workplace policy, the Village will conduct drug testing during the post-offer-of-employment physical examination. Failure to successfully pass a post-offer drug test may result in the offer of employment being revoked. Employees in public safety positions and employees whose job duties require driving must pass a post-offer drug test as a condition of employment.
- b. **Random Drug and/or Alcohol Testing** - Employees subject to Department of Transportation (D.O.T.) testing shall be tested in accordance with D.O.T. regulations in addition to the testing and discipline provisions of this policy. Employees not subject to random drug and alcohol testing per D.O.T. regulations may be required to participate in random drug and alcohol testing. Such testing shall be conducted by an outside vendor. The process will be unannounced and employees shall be selected in a random, non-discriminatory manner. Refusal to submit to testing may result in disciplinary action, up to and including termination of employment.
- c. **Reasonable Suspicion Drug and/or Alcohol Testing** – All employees shall be required to submit to alcohol and/or drug testing if a supervisor determines that there is reasonable suspicion to believe that an employee has been using illegal drugs, abusing prescribed drugs, is under the influence of alcohol or cannabis, or is consuming alcohol or cannabis while working. For purposes of this policy, “reasonable suspicion” means a belief based upon objective facts sufficient to lead a reasonably prudent person to find that an employee is using, or has used, drugs or alcohol in violation of this policy. Such a suspicion shall be drawn from specific, objective facts and reasonable inferences drawn from those facts in light of experience.

Some factors that may be considered in determining whether a finding of reasonable suspicion is appropriate may include, but shall not be limited to, any of the following, alone or in combination:

- i. Observable phenomena, such as direct observation of drug or alcohol use, the presence of the odor of drugs or alcohol on or about the employee and/or the physical symptoms or manifestations of being under the influence of drugs or alcohol;
- ii. Abnormal conduct or erratic behavior;

- iii. Excessive unexcused absenteeism, tardiness, or deterioration in work performance;
- iv. Slurred speech or unsteady walking or movement;
- v. Illegal possession of drugs or controlled substances or an arrest for a violation of a drug statute;
- vi. Information obtained from a reliable and credible source with personal knowledge that has been independently corroborated;
- vii. Testing for cannabis based on reasonable suspicion shall be supported by the good faith belief that there is some impairment of the employee while at the workplace, while engaged in work for the employer or while on call subject to the definition of those terms in the Cannabis Regulation and Tax Act (410 ILCS 705/10-50);
- viii. Drug or alcohol testing may also be required at any time when an employee is involved in any work-related incident which has resulted in personal injury or property damage.

Once reasonable suspicion has been determined, the employee shall be required to take the applicable drug and/or alcohol test. An order to submit to testing shall be in writing and signed by a supervisor. If an employee declines the test, it will be treated as a positive test and the employee may be subject to discipline up to and including termination. When an employee is ordered to submit to a drug and/or alcohol test because of a supervisor's reasonable suspicion, the employee will not be allowed to work pending the results of the drug and/or alcohol test. Employees shall be deemed to test positive as under the influence of alcohol when test results show an alcohol concentration of 0.02 or more based upon grams of alcohol per 100 millimeters of blood. Employees shall be deemed to test negative as under the influence of alcohol when test results show an alcohol concentration of less than 0.02 grams of alcohol per 100 millimeters of blood.

4. Testing Protocol

Tests may be immediate result (results available within thirty (30) minutes) or delayed result. In the event of a positive result on an immediate result test, or at the time of any delayed result test, the employee may request that a blood sample be taken so that a blood test can be performed to verify any positive initial test result. All test results shall be submitted to the Finance Director and/or their designee for appropriate action. Results shall be kept confidential in accordance with applicable law. The Village shall only use licensed clinical laboratories for drug and/or alcohol testing. Such laboratories shall be responsible for maintaining a proper chain of custody of any samples.

5. Consequences of Positive Test Results

- a. Applicants who refuse to cooperate in, or fail to pass, a conditional offer-of-employment drug test may not be hired. An inability to produce a specimen, without a follow-up explanation from a doctor, constitutes a failure to fully cooperate.
- b. Employees who refuse to fully cooperate in a required test, who test positive, or who use, possess (except as proper for evidentiary assignment, training purposes, and authorized transport), consume, distribute, purchase, sell, manufacture, or dispense illegal drugs on Village premises or work sites will be disciplined, up to and including termination of employment. An inability to produce a specimen, without a follow-up explanation from a doctor, constitutes a failure to fully cooperate.
- c. Employees who have been convicted of, sentenced for, or pled no contest to a drug crime committed on Village premises or work sites, will be disciplined, or terminated. Public safety employees and employees who are in safety sensitive positions who have been convicted of, sentenced for, or pled no contest to a drug crime committed outside of the work place will be disciplined or terminated.

6. Records Relating to Drug and/or Alcohol Tests

Records reflecting positive drug and/or alcohol tests will be kept in the employee's file and will be kept confidential in accordance with applicable law. Information regarding drug and/or alcohol tests and an employee's participation in a substance abuse rehabilitation program may be disclosed to supervisors only if such information relates to the employee's ability to perform their work duties or the employee's need for a reasonable accommodation under the Americans with Disabilities Act of 1990 or other applicable law.

For employees in safety sensitive positions, the following records shall be maintained for a minimum of five (5) years:

- a. Records of annual management information system reports;
- b. Records relating to employee evaluations and referrals to substance abuse professionals;
- c. Records relating to follow-up tests and schedules;
- d. Records relating to refusals to submit to drug and/or alcohol tests;
- e. Records of alcohol test results including an alcohol concentration of .02 or greater;
- f. Verified positive drug test results; and,
- g. Breath testing device calibration documents.

B - No Smoking Policy

The health of each employee and every customer of the Village is of utmost importance to the Village. To protect the Village's residents and employees from the hazards involved in second hand smoke, and to maintain compliance with the Smoke-Free Illinois Act (410 ILCS 82), smoking is prohibited on all the Village's premises and property including all Village vehicles. The failure to comply with this policy and procedure may result in disciplinary action up to and including termination.

Employees may not smoke 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. Employees also may not smoke within fifteen (15) feet of entrances or exits, windows that open, or ventilation systems that serve an enclosed area where smoking is prohibited.

C Workplace Searches

To (1) protect and safeguard Village employees, their property, Village residents, and Village property, and, (2) help prevent the possession, sale, and use of illegal drugs on the Village's premises (in support of the Village's drug-free workplace policy), the Village establishes the right to question employees (and all other persons entering and leaving Village premises), and the right to inspect any personal property or any area from which the Village conducts business, whether locked or unlocked whenever there is reasonable suspicion to believe that any Village policy is being, or has been, violated.

This includes, but is not limited to, the Village's right to search any employee's office, desk, files, locker, cell phone, computer, laptop computer, electronic device, or any other area or article on the Village's premises, including personal or Village vehicles, whether such property is locked or unlocked and whether the lock is Village owned or employee owned. All offices, desks, files, lockers, and so forth, whether locked or unlocked, are the property of the Village and are issued for the use of employees only during their employment with the Village.

Searches and inspections may be conducted at any time at the discretion of the Village. There is no expectation of privacy for property owned by the Village or for employee's personal property or vehicles possessed or carried on to Village premises, including communications devices and electronically stored media.

Individuals entering the premises of the Village who refuse to cooperate in an inspection or search conducted under this policy will not be permitted to enter the premises of the Village. Employees who refuse to cooperate in an inspection or search, as well as employees who after the inspection or search are believed to be in possession of stolen property or illegal drugs, will be sent immediately to the Finance Department and may be subjected to disciplinary action up to and including termination (if, on investigation, they are found to be in violation of the Village's security procedures or any other Village rules and regulations).

D - Workplace Violence Policy

The Village is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States. Therefore, the Village has taken steps to help prevent incidents of violence from occurring on Village property. For this reason, workplace violence is strictly prohibited. Workplace violence includes, but is not limited to, any act of physical violence, threats of physical violence, harassment, intimidation, or other threatening or disruptive behavior. Workplace violence can affect or involve employees, visitors, or other parties.

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

1. To provide a safe and healthful work environment.
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 residents, former employees, or visitors to the Village's property 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 employees, former employees, officials, residents, and visitors from bringing unauthorized firearms or other weapons onto the Village's premises.
5. To establish viable security measures to ensure that the Village's facilities are safe and secure to the maximum extent possible and to properly handle access to Village 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 Village, in its sole discretion, deems offensive, threatening, dangerous, or inappropriate will be subject to disciplinary action, up to and including termination.

DUTY TO WARN: In furtherance of this policy, employees have a "duty to warn" their supervisors, security personnel, or the Department of Finance of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve other employees, former employees, residents, 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 Village 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 (29 U.S.C. § 151-169) or Illinois Public Employee Labor Relations Act (5 ILCS 315/*et seq.*).

E - Employee Reporting Duties

All individuals who apply for or obtain a protective or restraining order which lists Village locations as being protected areas, must provide to their supervisor a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. The supervisor shall immediately notify the Village Administrator and the Chief of Police with this information.

The Village understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee(s). To the maximum extent possible, the Village will maintain the confidentiality of all complaints. Information will be held in confidence and will be disclosed only on a need-to-know basis to investigate and resolve the complaint, or as required under applicable law.

F - Travel Policy

The purpose of the Village's travel policy is to provide broad guidelines for incurring and reimbursing expenses connected with Village business in accordance with applicable regulations and sound business practices. This policy governs expenses incurred during Village travel, as well as expenses incurred locally in connection with Village business. Willful violation or abuse of this policy, including falsifying expense reports to reflect costs not incurred by the employee, may result in disciplinary action, up to and including termination. Nothing in this policy shall preclude the Village from pursuing all other legally available remedies.

General Guidelines - The Village will incur or reimburse expenses that are: 1) reasonable and necessary; 2) for a Village business purpose; and 3) documented, approved, and submitted properly. This policy applies to all expenses incurred for a Village purpose regardless of whether incurred locally or during Village travel.

1. Travel Authorization

A travel authorization request shall be authorized in advance by a Department Head and submitted to the Finance Department not less than ten (10) days prior to the travel period. If a travel advance is being requested, the request must also be properly authorized. After processing, the Finance Department will notify the appropriate department.

Attendance at authorized or required professional conferences, seminars, technical meetings and/or training programs will be considered part of an employee's normal duties and will be counted as hours worked. Authorization of travel and reimbursement will be based upon need, cost/benefit of travel, and the availability of funds, as determined by the Village. An employee may request authorization to attend such an event at Village expense if it has been approved in the budget for the appropriate fiscal year. Otherwise, the Village Administrator or their designee must approve attendance at conferences or other such events not included in the budget. Once an employee's travel plans have been approved, the employee is responsible for making their own travel arrangements.

2. Travel Costs

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives and subject to the provisions listed below will be reimbursed by the Village. Lodging, travel fares, meal allowances, and registrations may be paid by the Village, directly by the employee, or by travel advance. Requests for travel advances shall be made and submitted to the Finance Department not less than ten (10) days prior to date of travel. Minimum travel advance requests must not exceed the employee's estimated travel expenses, excluding prepayments. The Village Administrator or their designee must approve all advances.

Expenses that generally will be reimbursed or paid for by the Village include the following:

- a. Airfare or train fare for travel in coach or economy class or the most reasonable based on travel plans available fare.
- b. Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel, or ride share (Uber, Lyft, etc.)
- c. Taxi or Uber, only when there is no less expensive alternative.
- d. Mileage costs for use of personal cars, only when less expensive transportation is not available.
- e. Cost of conference hotel accommodations or standard accommodations in low to mid-priced hotels, motels, or similar lodgings.
- f. Cost of meals, subject to the limitations described below.
- g. Charges for telephone calls, fax, and similar services required for business purposes.

3. Guidelines – Transportation

a. Airfare or Train Fare

Actual coach fare substantiated by a receipt will be reimbursed. First class travel may only be used in extraordinary circumstances and with the prior approval of the Village Administrator or their designee. Penalties and charges resulting from cancellation of airline or other travel reservations shall be the Village's obligation if the employee's travel has been approved in advance and the cancellation or change is made at the direction of and for the convenience of the Village. If the cancellation or change is made for the personal benefit of the employee, it shall be the employee's obligation to pay the penalties and charges. However, in the event of accidents, serious illness or death within the employee's immediate family or other critical circumstances beyond the control of the employee, the Village will be obligated to pay the penalties and charges.

b. Vehicle Use

Vehicles from the Village's fleet should be used whenever possible for local travel while on official Village business. When a vehicle from the Village fleet is not available or use is not practical, an employee may use their own private vehicle for travel on Village business. Rental vehicles are to be used as a last resort. Use must be approved in advance by the Village Administrator or their designee and an itemized receipt is necessary for reimbursement. The employee must obey all laws of the jurisdiction in which the vehicle is being operated. If an employee is involved in an accident while traveling on Village business, they must promptly report the incident to their immediate supervisor. A minimal amount of personal use, such as driving the vehicle to and from dinner, may be allowed.

Mileage reimbursement rates shall be the maximum allowed for privately owned vehicles under the most recent Department of the Treasury, Internal Revenue Service bulletin. Reimbursement for use of an employee's private vehicle shall be at the rate established above, plus any toll charges, if the round-trip does not exceed two-hundred and fifty (250) miles or is within the State of Illinois. When an employee chooses to drive their vehicle on a longer trip, reimbursement shall be limited to the fare for air travel, or the current rate per mile, whichever is lower. In such cases, no reimbursement shall be made for any hotel, meal or other expenses incurred en route, or for parking charges at the destination.

When two (2) or more employees travel in the same private vehicle, reimbursement shall be made only to the owner of the vehicle.

2. Guidelines – Lodging

Specific dates of lodging must be listed and substantiated by an itemized receipt from a commercial lodging establishment. Only charges for room and tax will be reimbursed. Tips for room service, other hotel services, and additional personal expenses are not reimbursable unless previously authorized by the Village Administrator or their designee. Employees or officials sharing a room with a non-Village individual (including family members) are responsible for reporting and requesting reimbursement of lodging expenses at single occupancy rates.

3. Guidelines – Subsistence

a. Local Travel

An employee may be reimbursed for actual expenses incurred for lunch while they are away from the Village on official business during a normal work day before and after the lunch period, including attendance at meetings, conferences, or training seminars. Meal expenses may also be claimed if they are incurred for the purpose of advancing a Village business relationship, are within the bounds of good taste, moderation, and legal requirements, and are within reasonable limits. Reimbursement for meals shall be based on the actual costs of the meal plus a gratuity. A receipt listing the business purpose and those in attendance will be required for reimbursement of meal costs.

b. Overnight Travel

A per diem reimbursement is available when an overnight stay is required. The Domestic Maximum Per Diem Rates as published by the U. S. General Services Administration shall be followed. Receipts are not required for per diem expenditures.

4. Reimbursement Request

a. Mileage Report

Employees who use a personal vehicle on a regular basis for trips in and around the Village or for one (1) day trips where mileage is the only expense incurred shall complete a mileage report. The date of the trip, nature of business with destination, and miles traveled should be completed. Mileage reports shall be approved by a supervisor and submitted to the Finance Department for reimbursement.

b. Expense Report

Expense reports should be presented within thirty (30) days of travel completion. Reports should be accompanied by receipts for all individual expenses except those meals and incidentals covered by the per diem, parking fees less than two dollars (\$2.00) per day, and reasonable baggage handling tips for porters at terminals and hotels. Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

G - Credit Card Policy

The Village's Credit Card Program is intended to streamline and simplify purchasing and payment procedures by consolidating supplier invoices and eliminating form processing. The Credit Card Program is not intended to avoid or bypass appropriate procurement or payment procedures. Rather, the Program complements the existing processes available by enabling staff to make practical decisions in regards to obtaining products or services for which they are knowledgeable and allows department heads to improve management control and decision-making.

This policy provides information about the process, the types of purchases that can and cannot be made, records that must be maintained and reconciled for each cycle, and a variety of other program related information.

The cardholder needs to remember that they are committing Village funds each time the credit card is used. This is a responsibility that should not be taken lightly. The cardholder is the person responsible for all charges made to the card. Intentional misuse or fraudulent abuse may result in disciplinary action up to and including termination and recovery of all unauthorized Village purchases.

This policy is applicable to all Village departments who have selected employees to use Village issued credit cards to purchase goods and services. The decision of when a credit card is issued, and to whom, will be decided by the Department Head. Individual employee credit limits will be set by the Department Head, with the consent of the Finance Director and Village Administrator.

Employees are expected to read, understand, and abide by this policy. This policy is designed to be a fluid document and may be modified from time to time to conform to changes in legislation, technology, and actual practice. Although it may not answer every question related to purchasing practices, it does provide general guidelines for the use of Village issued credit cards. Employees who require assistance in dealing with specific situations not covered by this policy should contact their Department Head, the Finance Director, or Village Administrator. The Village Administrator shall be the final authority with regards to enforcement of any of the provisions of this policy.

GENERAL INFORMATION

1. Credit Card Information

The employee cardholder's name, credit card number, expiration date and the Village's tax-exempt number will be shown on the face of the credit card. **The card shall have no impact on the employee's personal credit. Although the credit card lists an individual's name, the card is issued to the Village of Sugar Grove.**

2. Cardholder Spending Limits

Each employee cardholder will have a set maximum dollar amount for each single purchase (*Single Purchase Limit*), and a monthly limit (*Monthly Purchase Limit*) for all purchases made with the Village credit card within a given cycle. Each time a cardholder makes a purchase with their credit card these limits will be checked by the issuer, resulting in the transaction being declined should the amount exceed either of the aforementioned limits. The employee cardholder's single and monthly limits shall be determined by their Department Head.

3. Card Restrictions

The following list covers purchases for which use of the Village credit card is expressly prohibited:

- a. Cash advances through bank tellers or automated teller machines (ATM's). No personal identification numbers (PIN's) will be issued for any Village credit card.
- b. Computers and computer related accessories (e.g., printers, monitors, etc.), unless approved in advance by the employee cardholder's Department Head.
- c. Any items for personal use, including but not limited to purchases of personal clothing or footwear.
- d. Any capital or non-reoccurring purchases over two-thousand five hundred dollars (\$2,500) for employees and Department Heads, or up to five thousand dollars (\$5,000) approved by the Village Administrator. Any capital or non-reoccurring

purchases over five thousand dollars (\$5,000) for the Village Administrator, unless previously approved by the Village Board.

- e. Department specific regulations may allow further restrictions to this list.

4. Cardholder Responsibilities for Purchases

- a. The credit card is for Village purchases only. Employee cardholders cannot use the credit cards for personal purchases with the intent of reimbursing the Village at a later date.
- b. The credit card that the employee cardholder receives has their name embossed on it and may be used only by that employee cardholder. No other person is authorized to use the card.
- c. An original receipt must support each purchase prior to processing the monthly statement. The employee cardholder is responsible for ensuring a receipt or adequate support for the items charged on the Village's credit card. When online registration or purchases are made, printouts of the registration or purchase must be retained and attached to the monthly credit card statement. The lack of a receipt or adequate support may require the user to pay for the expense from the employee's personal funds.
- d. Each charge on the employee cardholder's monthly credit card statement must be itemized and coded to the applicable budgeted line item.
- e. In the rare case where no receipt is obtained, the cardholder must initial the credit card statement next to the charge and write "No Receipt." In addition, the employee cardholder's Department Head must review and approve these charges prior to being submitted to the Finance Department for processing. If it is determined by the employee cardholder's Department Head that there is inadequate support for the charge, the employee cardholder will be required to reimburse the Village from personal funds.

5. Employee Cardholder Reconciliation Responsibilities

- a. Employee cardholders are responsible for entering all sales receipts for their transactions.
- b. If a receipt cannot be obtained after a reasonable effort, the employee cardholder should write "No Receipt" and initial the statement next to the item. This will be allowed on an exception basis only, as identified in section 4-E above. Continued failure to provide receipts will result in card privileges being revoked.
- c. The monthly credit card transactions will be reviewed and approved by the employee cardholder's respective Department Head and then reviewed and processed through the Finance Department.

- d. The employee cardholder is responsible to follow-up with vendors regarding any erroneous charges, disputed items, returns or refunds. Cash refunds are not allowed.
- e. Credit card transactions must be entered in a timely manner, so the Finance Department can process monthly. Failure to do so may result in the cancellation of the employee cardholder's Village credit card.

6. Reporting and Control Procedures

The Finance Department will receive a master report from the credit card provider identifying all charges made by all authorized employee cardholders during the current billing cycle. This report will be reconciled against the entered monthly transactions of all individual employee cardholders to ensure that no discrepancies exist. In addition, the Finance Department will review the monthly statements of each individual employee cardholder to ensure that all charges are properly coded and that sufficient support (i.e., a receipt) is provided for each charge prior to processing payment.

7. Lost or Stolen Credit Cards

Should any employee cardholder lose or have their credit card stolen, it is their responsibility to immediately notify the credit card issuer, their Department Head and the Finance Department of the loss. The telephone number of the credit card issuer will be provided to the cardholder upon issuance.

8. Terminating Employee

- a. Credit cards are issued to individual employees. If an employee cardholder leaves the department, their card must be collected and destroyed. The Department Head (or their designee) will be responsible for collecting the card of the terminating employee and returning that card to the Finance Department for disposal. The Finance Department will contact the credit card issuer and have the terminating employee removed from the Village's account of authorized users.
- b. Should an employee cardholder be transferred within the Village to another department, it will be the responsibility of the new Department Head to determine if the employee cardholder should be issued a new credit card in their new position.

In the event the Department Head is not able to collect the credit card when the employee leaves, the Department Head shall immediately notify the Finance Department to ensure the credit card is voided in a timely manner. The Finance Department will notify the card issuer to void the credit card to prevent any unauthorized purchases.

H Technology Policy

This technology policy applies to all Village employees, officials, and all non-employees who utilize, in any way, Village technology or equipment such as computers, hardware, software,

network, internet, e-mail system, telephones, voicemail, cellular telephones, any peripheral or related equipment, and all data contained in or on any such device or system, collectively referred to as "Village Technology." Misuse of Village Technology may result in the loss of use or access to Village Technology. Additionally, misuse of Village Technology may result in disciplinary action, up to and including termination, and, if applicable, may be prosecuted under all applicable laws.

1. Village Ownership

All Village Technology, including but not limited to computers, hardware, software, network, internet, e-mail system, telephones, voicemail, cellular telephones, any peripheral or related equipment, and all data contained in or on any such device or system is the sole property of the Village. The Village reserves the right to access, copy, alter, destroy, or delete this data at any time, with or without prior notice.

Additionally, users of Village Technology shall have no expectation of privacy with regard to their use of Village Technology, including but not limited to, communications sent through the Village network or internet or via a Village computer, telephone, or cellular telephone. The Village reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over Village Technology. Any individual who is given access to Village Technology is hereby given notice that this right will be exercised periodically, without prior notice and without the prior consent of the employee. The interests of the Village in monitoring and intercepting data include, but are not limited to, the protection of proprietary and classified data; managing the use of the computer system; preventing the transmission or receipt of inappropriate materials by employees; and/or assisting the employee in the management of electronic data during periods of absences. No individual should interpret the use of password protection as creating a right or expectation of privacy. To protect everyone involved, no one can have a right or expectation of privacy regarding the receipt, transmission, or storage of data using Village Technology.

2. Confidential Information

Data files contained on or in any Village Technology may contain confidential information and should be treated accordingly.

3. Guidelines Pertaining to the Network and Computer Stations

- a. All data and files shall be stored and backed-up on the Village network system, also known as the central file server and all computers/workstations are attached.
- b. Department Heads shall have the responsibility to determine which employees need access to the central file server. A list of the authorized individuals must be given to the Computer Systems Coordinator for proper network security setup.
- c. All additions and deletions of users from the security systems must be done by the Computer Systems Coordinator. Periodic changes of all user passwords are required.

- d. No employee shall enter, without authorization, into another user's electronic or digital information to use, read, transfer, or change the contents, or for any reason without permission from their supervisor.
- e. No employee shall use another individual's password to access the network. Access to another user's files can be accomplished via network administration with permission by the user's supervisor. Requests should be directed to the Administration Department.
- f. No employee shall grant an unauthorized individual to their computer or password-protected information.
- g. No employee shall use the Village's network to gain unauthorized access to any computer systems.
- h. No employee with authorized access to any Village computer system shall allow an unauthorized person, employed, or not employed by the Village, to use the system for any reason.
- i. Each user shall be required to secure their system at the end of the work day or if they will not be in physical control of the computer and knows that they will be away from the computer for an extended period of time.
- j. No software shall be loaded or downloaded onto any Village computer or network, unless preapproved by their Department Head.
- k. No individual should duplicate, distribute, or pirate any Village software for any use, unless authorized by their Department Head.

4. Guidelines Pertaining to Electronic Communications (Email, Telephones, Voicemail)

- a. All electronic communications, including but not limited to communications via e-mail, telephone, and voicemail (collectively "electronic communications"), must be for business-related purposes only. Personal use must be kept to an absolute minimum. Such electronic communications should pertain to Village business activities or contain information related to the accomplishment of Village business, administration, or practices.
- b. Users of electronic communications are responsible for the management of their mailbox and any associated folders. The Village does not specifically backup electronic communications unless otherwise designated by the Village's retention schedule. Certain electronic communications, such as email, require extensive network capacity. Users shall exercise restraint when sending very large files or messages to a large number of recipients.
- c. Electronic communications reflect the Village image. All such communications should be conducted or composed in a professional manner. Employees should

keep in mind that electronic files are subject to requests pursuant to the Illinois Freedom of Information Act (FOIA) (5 ILCS 140) as well as discovery and may subsequently be used in litigation involving the Village or the employee. Any salutation or closing must be professional and related to a business purpose.

- i. Telephone Calls: employees should endeavor to answer all telephone calls before the third ring. Callers should be greeted with your name and the appropriate Village department name. Employees should be attentive, if necessary, take notes, and be patient, even with callers who are upset. If the caller must be transferred, the employee should explain to the caller who they are being transferred to. If an employee knows that the person to whom the call is being transferred is unavailable, they should advise the caller that they will be transferred to that person's voicemail.
- ii. Voicemail Greetings: employees' voicemail greeting should include their name, the Village department name, and state that by dialing zero the caller will be transferred to another employee. If an employee is going to be on an extended absence, their voicemail greeting should also include the dates or length of their expected absence.

Inquiries made to employees via electronic communications, such as voicemail messages and e-mails, should be responded to in a prompt and timely manner.

5. Guidelines Pertaining to Cellular Telephones

To promote a more efficient Village staff, the Village has provided certain employees with cellular phones, provided and paid for by the Village, for use by the employees in their official capacity as municipal employees. Village employees who are provided with cellular telephones shall only use (usage applies to telephone calls, text messages, e-mails, SMS, and MMS) such phones for business use.

The Village believes in employing 'reasonable' restrictions on the personal usage of cellular telephones provided by the Village. Employees are discouraged from using such phones for personal use, and the bills of any employee, including any and all usage logs of telephone calls made and received, may be reviewed and audited by the Village at any time, for any reason, without notice to the employee. If deemed to be necessary by a Village supervisor,, more specific guidelines on personal use shall be provided on a case-by-case individual basis. Calls home or to family by Village employees when required to work extended hours shall be considered business use. Personal use of an emergency nature is permitted. Non-emergency, non-extended hours personal use is to be kept to a minimum, with employees exercising discretion. Employees must realize that, although personal calls made within the local calling region and under the usage limits provided by the employee's plan do not result in additional charges, they do count towards the overall time limits established under the service agreement. Any overage or other charges realized by the employee for personal calls shall be the responsibility of the employee and the employee must reimburse the Village for all such charges.

6. Loss or Damage of Village Cellular Telephones:

In the event any telephone or other related equipment is damaged in the course of business, the item should be brought to the employee's supervisor for direction as to contacting the vendor for repair or replacement. Lost or stolen cellular equipment shall be immediately reported to the employee's supervisor so the service may be cancelled; a timely police report should also be filed.

The employee's Department Head must authorize the replacement request and provide an account to which the replacement will be charged. Employees may be financially responsible for the replacement if:

- a. Equipment is lost or damaged while in the care of an employee because of the employee's gross negligence.
- b. Equipment is not returned by an employee within the specified period of time or is damaged upon its return.
- c. Equipment is damaged due to failure to adhere to maintenance or operational policies.

7. Personal Cellular Telephones:

Employees are permitted to carry personal cellular telephones while at work for the Village. Usage of personal cellular telephones for non-business purposes is discouraged during working hours, but is permitted in the event of an emergency, or while employees are on breaks.

With the prior approval by an employee's supervisor or Department Head, an employee who would otherwise be assigned a Village used cellular phone, may choose to use a personal cellular phone for Village business. Said employees shall be reimbursed the base amount that the Village would pay for service. The Village will not reimburse the cost of the phone, accessories, additional service charges, or any other charges or fees. The phone number for the personal cellular phone shall be made available in the same manner the number for a Village issued cellular phone is made available.

Any other use by an employee of a personal cellular phone for business use, shall be considered *de minimus* and not be eligible for reimbursement. The Village is not responsible for any damage to a personal cellular telephone regardless of cause.

8. Restrictions on All Cellular Phones:

Employees should be aware that the Village does not promote the use of cellular phones while operating a vehicle. Cellular phone use includes, but is not limited to, texting, instant messaging, using the Internet, e-mailing, etc. Safety must be prioritized over all other concerns; under no circumstances should employees place themselves or others at risk to fulfill business needs.

Employees whose job responsibilities include driving, and who may use a cellular phone for business purposes, are expected to refrain from using their cellular phone while driving. Employees should plan calls to allow placement either prior to driving or while on rest breaks. Employees are expected to pull off to the side of the road and safely stop their vehicle before

using a cellular phone. If acceptance of a call while driving is unavoidable, and pulling over is not an option, employees are expected to keep the call short and use a hands-free device, so that their eyes remain focused on the road, and both hands remain on the steering wheel, at all times. Employees are prohibited from using a cellular phone in a school zone even with a hands-free device.

Employees are prohibited from using a cellular phone to compose, send and/or read electronic messages while driving. Electronic messages include, but are not limited to, e-mail, text messages, instant messages, and commands or requests to access e-mail sites. Employees that perform such actions may be subject to disciplinary action, up to and including termination and are solely responsible for all fines, fees and traffic violations resulting from the use of a cellular phone or electronic device while driving. Employees are specifically prohibited from using cellular phones in construction or maintenance speed zones regardless of the speed limit in those zones, unless the use is via voice-activation, which includes the use of a headset or cellular telephone with single-button activation. Additionally, Village policy prohibits using a hand-held cellular telephone while driving a commercial vehicle.

As technological advances continue to expand the functions of cellular 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 to transmit same may well be a violation of federal and state criminal laws and, regardless, will not be tolerated. Anyone determined to have engaged in such activity will be immediately disciplined as well as reported to the authorities.

Violations of this policy will be subject to discipline, up to and including termination. Further, failure to comply with any provision of this policy may result in suspension or revocation of the privilege of use or accessing personal cellular telephones while at work.

9. Guidelines Pertaining to Postings on the Internet

Employees must receive permission from their Department Head before posting messages to electronic bulletin boards, listservs, social media websites or similar public posting forums on the internet through the use of Village Technology. When posted, or when posted independent of Village Technology, such messages must recognize the following standards:

- a. Employees developing a Web site or writing a blog or entering any text or image onto any social network site that will mention the Village and/or the Village business must identify that the views expressed are yours alone and do not represent the views of anyone else, including the Village.
- b. Unless given permission by one's Department Head, employees are not authorized to speak on behalf of the Village, nor represent that they do so.
- c. Employees shall not share information that is confidential about Village business. If an employee has any questions about whether information has been released publicly or doubts of any kind, they must speak with their Department Head before releasing information.

- d. The Village logo may not be used without explicit permission in writing from the Village unless used for Village business.
- e. The Village acknowledges and understands that employees have the right to voice or post dissatisfaction with the Village or its management or one's supervision. However, the Village encourages employees to discuss any such dissatisfaction with management at any time to address such concerns directly.

10. Prohibited Use of Village Technology

- a. The use of any Village Technology that disrupts or threatens to disrupt the efficient operation of Village business or administration is strictly prohibited. Examples of prohibited uses include, but are not limited to:
 - i. Uses that publicize a personal dispute other than according to an approved grievance or complaint procedure.
 - ii. Uses that constitute insubordination.
 - iii. Uses that may harm close working relationships.
 - iv. Uses that publish abusive or profane language, such as sending emails or leaving voicemails that contain such language.
 - v. Uses that may take employees away from their assigned tasks.
 - vi. Uses that may undermine or affect the Village's ability to provide public services through its employees.
 - vii. Uses that harm the integrity or efficiency of the Village's system or network.
 - viii. Uses that result in the improper publication or transmission of confidential Village materials or information.
 - ix. Uses that publish or transmit communications anonymously or under a fictitious name.
 - x. Uses that result in the downloading or installation of software or other applications on Village Technology.
 - xi. Unauthorized representation of the Village.'
 - xii. Unauthorized use of subscription-based materials.
- b. Uses of Village Technology that violate law, violate individual rights, create potential liability for the Village or that violate public policy of the State of Illinois are also prohibited. These prohibited uses include, but are not limited to:

- i. Uses that generate, access, publish or transmit material that is pornographic or obscene.
 - ii. Uses that violate the Village's Anti-Harassment/Discrimination/Sexual Harassment Policy or any other policy prohibiting discrimination against a protected class or any other status protected by local, state, or federal law.
 - iii. Uses that generate, access, publish or transmit material involving the use of racial, religious, or ethnic slurs.
 - iv. Uses that are intended to or in fact harass or annoy.
 - v. Uses that generate, access, publish or transmit material involving a threat that implicates personal safety.
- c. Village Technology shall not be used to solicit others for non-job-related commercial ventures, religious or political causes, outside organizations, or other non-job-related activities.

11. Penalties for Misuse

- a. Failure on the part of any employee to comply with the provisions of this policy shall subject the employee to disciplinary action, up to and including termination.
- b. Further, failure to comply with any provision of this policy may result in suspension or revocation of the privilege of using or accessing Village Technology.
- c. Failure on the part of any appointed official to comply with the provisions of this policy will constitute grounds for the Village Board to deny the official access to or use of Village Technology.
- d. Failure on the part of any contractor or consultant to comply with the provisions of this policy will constitute grounds for termination of their contract with the Village.

12. Records Management

- a. Electronic communications that are intended to be retained in the ordinary course of the Village's business, including electronic communications that may be stored on an employee's personal device, are recognized as official records in need of protection/retention in accordance with the Illinois Local Records Act (50 ILCS 205/*et seq.*). E-mail communications which are intended to be retained as an official record should be retained in accordance with the Local Records Act. Examples of e-mail meeting these criteria are as follows:
 - i. E-mail created or received in connection with official public business;
 - ii. Electronic communication that documents the formulation and implementation of policies and decisions; and

- iii. Messages that initiate, authorize, or complete a transaction of public business.
- b. Electronic communications that are not intended to be retained and which serve no useful purpose to the Village may be deleted from the system.

I Safety

The Village is extremely concerned about work place safety from both a concern for health and welfare of Village employees and a Village-wide loss prevention standpoint. Safe working conditions and procedures are to be considered as high priorities for all employees. An employee is expected to perform all their duties safely and report potential safety hazards to their supervisor. All employees are required to familiarize themselves with and adhere to any applicable safety rules and standards. Additionally, all employees are required to exercise caution and good judgment while performing their duties and during meal and break periods. Safety is covered in detail in the Village of Sugar Grove Safety Manual. All Village employees should know where the Safety Manual is located in their individual department. Items presented here are an overview of the information contained in the Safety Manual.

1. Accidents While Operating Village Vehicles - If an employee has an accident while operating a Village vehicle, they should:

- a. Always notify the police immediately. If employed with the police department, notify a police supervisor immediately.
- b. Insist that all parties concerned remain at the scene of the accident until police or life support personnel have arrived.
- c. Immediately report the accident to the supervisor, no matter how small the accident.
- d. Refrain from arguing with anyone over who was at fault for the accident and not admit fault under any circumstances.

2. General Safety

- a. Follow all applicable safety policies/procedures.
- b. Maintain and use appropriate P.P.E. (Personal Protective Equipment).
- c. Report all unsafe conditions and acts to supervisor.
- d. Report all accidents and near misses to supervisor immediately.
- e. Follow recognized safe work practices.
- f. Recommend improvements to safety practices.

- g. Maintain appropriate class driver license in good standing.
- h. Conduct required vehicle, equipment, and facility inspections.
- i. Take personal responsibility for preventable accidents.
- j. Conduct daily inspections of work area.
- k. Perform appropriate housekeeping in all work areas to prevent losses.
- l. Follow proper lifting/material handling procedures at all times.
- m. Wear and maintain appropriate footwear for job duties.
- n. Maintain appropriate physical fitness to perform essential job functions.

J Employment Verification/References

All requests for employment verification, including professional references, shall go through the Department of Finance. The Village shall normally provide limited disclosures regarding former employees' work history, which shall be limited to: the dates of employment; descriptions of the jobs performed; salary or wage rates. Employees are prohibited from responding to a request for professional references on behalf of the Village regarding any other current or past Village employee without the written consent of the Finance Director or their designee. Personal references must expressly state that they are not being provided on behalf of the Village.

K Whistleblower Reporting and Anti-Retaliation Policy

1. General Policy

The Village hereby prohibits retaliation against any employee or contractor who acts as a whistleblower, as hereinafter defined. The purpose of this policy is to provide robust whistleblower protections, specifically by establishing clear standards for confidentiality and providing protection against retaliation in accordance with applicable state and federal law.

Pursuant to the Public Officer Prohibited Activities Act (50 ILCS 105/4.1):

WHISTLEBLOWER is any employee or contractor who: (a) reports an improper governmental action under the Public Officer Prohibited Activities Act, (b) cooperates in the investigation related to a report of an improper governmental action, or (c) testifies in a proceeding or prosecution of an improper governmental action.

EMPLOYEE means anyone employed by the Village, whether in a permanent or temporary position, including full-time, part-time, intermittent workers, and contractors as defined by 50 ILCS 105, as applicable. "Employee" also includes members of appointed boards or commissions, whether paid or unpaid. "Employee" also includes persons who have been

terminated because of any report or complaint submitted under the Public Officer Prohibited Activities Act.

IMPROPER GOVERNMENTAL ACTION includes any action by a Village employee, an appointed member of a board, commission, or committee, or an elected official that is undertaken in violation of federal, state, or unit of local government law or rule; is an abuse of authority; violates the public's trust or expectation of his or her conduct; is of substantial and specific danger to the public's health or safety; or is a gross waste of public funds. The action need not be written within the scope of the one's official duties to be subject to a claim of "improper governmental action."

IMPROPER GOVERNMENTAL ACTION does not include a unit of local government personnel actions, including, but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, reprimands, or violations of collective bargaining agreements, except to the extent the actions amount to retaliation. Retaliation in this context means retaliatory action that results from an employee's protected activity of reporting improper governmental action, cooperating in the investigation, proceeding or prosecution of a reported improper governmental action.

This policy contains the written processes and procedures for reporting improper governmental actions, and a copy of this policy and a copy of *Section 4.1 of the Public Officer Prohibited Activities Act* will be given to every employee upon hiring and employees are required to sign a written acknowledgement that they have received, read, and understood this policy. This acknowledgement should be submitted to the Village Administrator or other designated official of the Village. Additionally, these same documents will be furnished or made available to all employees on an annual basis.

2. Procedures for Reporting and Investigating Reports of Improper Governmental Action Pursuant to the Public Officer Prohibited Activities Act

a. Reporting an "Improper Governmental Action" or Retaliation.

- i. If an employee believes that they have witnessed an improper governmental action, as defined herein, the employee must submit a written report of the improper governmental action to the Village Administrator. The Village Administrator is hereby designated as the Village's "auditing official" with the duties set forth in this policy and *Section 4.1 of the Public Officer Prohibited Activities Act*.
- ii. An employee is deemed to be a "whistleblower" for purposes of this policy if an employee believes that they have been retaliated against for: (1) reporting improper governmental action, (2) cooperating in the investigation, or procedure involving a report of improper governmental

action, or (3) testifying in a proceeding or prosecution arising out of an improper governmental action, the employee must report such alleged retaliation to the Village Administrator within sixty (60) days of the retaliatory action taking place or gaining knowledge of the retaliatory action. The right of a whistleblower for protection does not include immunity from any personal wrongdoing that is alleged and investigated. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to disciplinary action.

- iii. The Village Administrator may transfer the complaint to another auditing official, including the Village Attorney, if they determine that it is appropriate.
- iv. If the Village Administrator is also the subject of the complaint, the employee may file the complaint directly with the Village Attorney.

b. Investigation of Complaint.

- i. Identity of the Complainant
 - A. The Village Administrator will keep the identity of the complaining employee confidential to the extent allowed by law. However, an identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals with their legal rights of defense.
 - B. The complaining employee may waive confidentiality in writing on a form presented to the Village Administrator.
 - C. The Village Administrator may take reasonable measures to protect employees who reasonably believe they may be subject to bodily harm for reporting improper governmental action.
- ii. The Village Administrator shall investigate the complaint promptly and thoroughly, and conclude whether the evidence gathered through such investigation warrants merit of a finding that either an improper governmental action, or retaliation for filing such a complaint or complying with such investigation, occurred or did not occur.
- iii. The investigation by the Village Administrator may include:
 - A. Interviews of the employee and witnesses;
 - B. Interviews of governmental officials who may have knowledge about the complaint or may be the subject of the complaint;

- C. Inspection of documentation (in written, printed, or electronic format) relevant to the complaint;
 - D. Taking any other appropriate measures to ensure that the complaint has been thoroughly investigated; and
 - E. Determining whether the complaint has merit or whether the complaint does not have merit.
- c. Determination and Remedial Action If Necessary.
 - i. If the Village Administrator determines that the complaint has no merit, they can dismiss the complaint.
 - ii. If the Village Administrator determines that the complaint has merit, they may take remedial action on behalf of the employee, including reinstatement, reimbursement for lost wages or expenses, promotion, or other remedial action that the Village Administrator deems appropriate. The Village Administrator may also make their investigative findings available to the employee's attorney if the Village Administrator finds that restitution is not sufficient.
 - iii. Any person who engages in prohibited retaliation under *Section 4.1 of the Prohibited Officer Political Activities Act* may also be subject to fines, appropriate employment action, civil or criminal prosecution, or any combination of these actions.

Chapter 8 - Leaves of Absence & Family & Medical Leave

A - Leaves of Absence Without Pay

1. A regular non-introductory employee may request a leave of absence for good cause. Good cause includes, but is not limited to, injury/illness which renders the employee temporarily unable to perform their job, or education related to the employee's job. The request must be made in writing to the Department Head stating the reason(s) for the request, why the request should be granted and the date when the leave is to commence and terminate. The determination of whether the reason for the request does in fact constitute good cause is solely the determination of the Department Head with the approval of the Village Administrator. Authorization for such a leave of absence will be in writing and will specify the length of the authorized leave.
2. An initial request for a leave of absence must be for a period not to exceed twenty (20) working days. Upon the showing of good cause, such a request may be renewed subject to all the requirements of the original request.
3. After reviewing the department's operational requirements, the need for temporary substitute employees and the attendance record of the employee requesting the leave, if the Department Head approves the request, they shall forward the request for approval to the Village Administrator. Any leave of absence shall only be granted with the approval of the Village Administrator.
4. The total length of a leave of absence may not exceed ninety (90) days during any calendar-year period, including Family and Medical Leave Act (FMLA) leave. Unless otherwise approved by the Village, an employee who exceeds ninety (90) days of absences during a calendar year will be deemed to have abandoned their position.
5. Employees applying for a leave of absence must be aware that any position in the Village is subject to elimination. Absolute assurance of reinstatement, therefore, cannot be given. Reinstatement shall always depend upon the needs of the Village as determined by the Department Head in conjunction with the Village Administrator.
6. Failure to return on the specified day and/or engaging in other employment during such leave without prior written approval of the Village Administrator may be grounds for disciplinary action up to and including termination of employment.
7. An employee, once granted a leave of absence, may not be entitled to any fringe benefits during the duration of the leave. An employee may choose to continue participation in the group health and/or life insurance plans at the expense of the employee.

B - Leaves - Military Duty

The Village shall comply with all applicable federal and state laws regarding leave for military reservist employees and those volunteering for or called to active military duty, including the Illinois State Guard Act (20 ILCS 1815/0.01 *et seq*) and the Illinois Service Member Employment and Reemployment Rights Act (330 ILCS 61/1-1 *et seq.*). Affected employees should contact the Finance Department as soon as they are notified of any duty requirements.

C - Jury Duty and Witness Duty

If a full-time regular employee is summoned to jury duty, the Village shall continue their salary during their active period of jury duty for up to two (2) weeks per calendar year upon relinquishing jury duty pay. Employees who are not a full-time regular employee, will be given time off without pay while serving jury duty.

All employees are allowed time off if summoned to appear in court as a witness. Full-time regular employees may use accrued vacation or personal leave time during this period or take the time off without pay. If an employee is summoned as a witness because of their Village employment, they will be paid their normal salary.

To qualify for jury or witness duty leave, employees must submit to their supervisor a copy of the summons to serve as soon as it is received. In addition, proof of service must be submitted to their supervisor when their period of jury or witness duty is completed.

The Village will make no attempt to have an employee's service on a jury postponed, except when necessitated by business conditions.

D - Family & Medical Leave Act

1. Overview:

In accordance with the Family and Medical Leave Act of 1993 (FMLA) (29 U.S.C. § 2601 *et seq.*) certain employees may be entitled to up to twelve (12) weeks of job-protected unpaid leave for a qualifying reason, measured on a rolling 12-month period measured backward from the date that the employee uses his or her 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 as clarified below.

2. Eligibility Requirements for Employees:

Employees are eligible for FMLA leave if: (a) they have worked for the Village for at least twelve (12) months; (b) they have worked at least 1,250 hours over the twelve (12) months preceding the start of the leave, and, (c) if at least fifty (50) employees are employed by the Village within 75 miles of the employee's location.

3. Qualifying Reasons for FMLA Leave:

Eligible employees may only use FMLA leave for one or more of the following qualifying reasons:

- a. For an incapacity due to pregnancy, prenatal medical care or child birth;
- b. To care for the employee's child after birth, or placement for adoption or foster care;
- c. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition (see *Serious Health Condition Defined* below);
- d. For a serious health condition that makes the employee unable to perform the employee's job (see *Serious Health Condition Defined* below); or
- e. For any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty in support of a contingency operation (see *Military Family Leave Entitlements* below).

The FMLA also requires that the Village provide up to 26 weeks of unpaid, job protected leave to eligible employees for them to -

- a. Provide care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member (see *Military Family Leave Entitlements* below).

If a husband and wife both work for the Village and each wish 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 Village and each wish 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.

4. Military Family Leave Entitlements:

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active-duty status in the *National Guard or Reserves*, or family members of active-duty service members, in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:

- a. Short notice deployment;
- b. Attending certain military events;

- c. Arranging for alternative childcare, addressing certain financial and legal arrangements;
- d. Attending certain counseling sessions;
- e. Leave during rest and recuperation periods (up to fifteen days);
- f. Attending post-deployment reintegration briefings;
- g. Arranging for certain parental care; and
- h. Additional situations agreed to by the Village and the employee.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member or covered veteran during a single 12-month period.

A covered service member is both a *current* member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy for an injury or illness incurred in the line of active military duty or that existed before the beginning of active duty and was aggravated by service in the line of duty, that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating; or is in outpatient status; or is on the temporary disability retired list. This leave entitles the eligible employee to only one 26-week period of leave per covered service member, per injury. Employees may be eligible for another 26-week period of leave for a different covered service member or for a different injury on the same covered service member for which an earlier leave was taken.

A covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness is also entitled to leave. A covered veteran is defined as an individual who was a member of the Armed Forces and was discharged or released under conditions other than dishonorable during the five-year period prior to the first date an eligible employee takes leave (October 28, 2009 through March 8, 2013 shall not count towards the five-year look-back period). In the case of a covered veteran, a serious injury or illness means an injury or illness that was incurred by the veteran in the line of duty while on active duty (or existed before the beginning of active duty but was aggravated in the line of duty) and that is (1) a continuation of a serious injury or illness incurred or aggravated when the veteran was an active member of the armed forces that rendered the service member unable to perform the duties of the service member's office, grade, rank or rating; (2) a physical or mental condition for which the covered veteran has received a "VASRD disability rating" of 50 percent or greater and the rating is based, at least in part, on the condition precipitating the need for leave; (3) a physical or mental condition that substantially impairs (or without treatment would impair) the veteran's ability to secure a gainful occupation by reason of disability related to military service; or (4) an injury, including a psychological injury for which the veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

5. Serious Health Condition Defined:

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either –

- a. An overnight stay in a medical care facility;
- b. “Continuing treatment” by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job; or
- c. Prevents the qualified family member from participating in school or other daily activities.
- d. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves –
 - i. Treatment during at least two visits to a health care provider within 30 days of the first day of incapacity;
 - ii. One visit and a regimen of continuing treatment;
 - iii. Incapacity due to pregnancy; or
 - iv. Incapacity due to a chronic condition.

An incapacity exists when the employee or covered family member is unable to work, attend school or perform other regular daily activities due to the serious health condition, treatment of the serious health condition, or recovery from the serious health condition.

Other conditions may meet the definition of continuing treatment. To qualify as treatment by a health care provider, the first (or only) in-person treatment visit must take place within seven (7) days of the first day of the employee’s incapacity. If it does not, your request for FMLA will be denied absent extenuating circumstances.

6. Employee Notification Responsibilities:

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, the employee must provide notice as soon as practicable and must comply with the Village’s normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family

member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave (see *Employee's Certification Responsibilities* below).

7. Employee's Certification Responsibilities:

The Village requires that an employee provide it with certification from a health care provider or from the military (as appropriate) for any leave taken for any of the following reasons:

- a. the employee's own serious health condition;
- b. to care for a covered family member with a serious health condition;
- c. for an employee's request for leave because of a qualifying exigency; or
- d. to care for a covered service member with a serious injury or illness.

After it is requested, it is the employee's responsibility to return the certification within fifteen (15) calendar days to the Finance Department. Failure to return this certification to the Finance Department may result in the denial of your request for leave.

Moreover, for employees who have their own serious health condition or are caring for the serious health condition of a family member, the Village may require that the health care provider recertify the status of the serious health condition. As with the initial certification, a recertification must be returned to the Finance Department within fifteen (15) calendar days. Failure to return the recertification to the Finance Department may result in the denial of your request for leave.

Certification of the Serious Health Condition of the Employee or the Spouse, Child or Parent of the Employee:

Certification of the serious health condition shall include the date when the condition began, its expected duration and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a family member who is seriously ill, the certification must include a statement that the patient, the family member, requires assistance and that the employee's presence would be beneficial or desirable.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced schedule.

The Village has the right to ask for a second opinion if it has reason to doubt the certification. The Village will pay for the employee to get a certification from a second doctor, which the Village will select. If necessary to resolve a conflict between the original certification and the second opinion, the Village will require the opinion of a third doctor. The Village and the employee will mutually select the third doctor, and the Village will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Documentation of the Covered Family Member's Call to Active Duty in the Armed Forces:

Employees requesting this type of FMLA leave must provide proof of the qualifying family member's call-up or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication.

Documentation of the Need for Service member FMLA Leave to Care for an Injured or Ill Service member:

Employees requesting this type of Service member FMLA leave must provide documentation of the family member's or next-of-kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the service member's injury or illness incurred on active military duty. The documentation may also be provided by any healthcare provider authorized under the FMLA to certify injury or illness.

8. Employee's Intent to Return to Work Responsibilities:

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

9. The Village's Responsibilities:

The Village must inform employees requesting leave whether they are eligible under the FMLA. The Village has designed a form for this purpose. Once the employee has sufficiently notified the Village that they have a qualifying reason for FMLA, if he or she is eligible for leave, the form will be mailed or hand delivered to the employee notifying him or her of their eligibility, responsibilities, and rights, as well as additional information regarding the leave. If the employee is not eligible, the Village will provide the employee with the reason(s) for his or her ineligibility.

The Village must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. The Village has designed a form for this purpose, too, which will be mailed or hand delivered to the employee. If the Village determines that the leave is not FMLA protected, the Village will notify the employee accordingly.

10. Benefits and Protections:

While an employee is on leave, the Village will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Village will require the employee to reimburse the Village the amount it paid for the employee's health insurance premium during the leave period.

Under current Village policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by the 15th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide fifteen (15) days' notification prior to the employee's loss of coverage.

11. Employee's Use of Leave & Intermittent or Reduced Work Schedules:

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 Village's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

The Village 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.

For the birth, adoption or foster care of a child, the Village and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

12. Substitution of Paid Leave for Unpaid Leave:

Employees are required to use accrued sick leave prior to taking FMLA leave. To use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

E - Victims' Economic Security and Safety Act ("VESSA")

The Village will provide the amount of unpaid leave required by law, up to eight (8) or twelve (12) weeks (if 50 or more employees) depending on the number of employees employed at the time of leave, on an intermittent or reduced work schedule basis to an employee who is a victim of domestic or sexual violence (or who has a family or household member who is a victim of domestic or sexual violence) to address domestic or sexual violence if the employee is:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
2. Obtaining services from a victim services organization for the employee or the employee's family or household member;
3. Obtaining psychological or other counseling for the employee or the employee's family or household member;
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or
5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from 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 averse to the employee as it relates to the domestic or sexual violence.

"Parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter. "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

PERIOD OF LEAVE: An employee shall be entitled to a total of eight (8) or twelve (12) workweeks of unpaid leave during any 12-month period. (This policy does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act).

EXISTING LEAVE: An employee may use any available paid or unpaid leave (including family, medical, sick, annual, personal, etc.) from employment, in substitution for any period of such leave for an equivalent period of leave.

NOTICE: An employee shall provide the Village with at least forty-eight (48) hours' advance notice of the employee's intention to take the leave, unless providing such notice is not practicable.

When an unscheduled absence occurs, the Village will not take any action against the employee if the employee, within a reasonable period after the absence (generally defined herein as fifteen (15) days) provides certification as shown under the next section.

CERTIFICATION: The Village may require the employee to provide certification to the Village that:

1. The employee or the employee's family or household member is a victim of domestic or sexual violence; and
2. The leave is for one of the purposes enumerated in the above "Basis" paragraph.

The employee shall provide such certification to the Village within a reasonable period after the Village requests certification.

An employee may satisfy the above certification requirement by providing to the Village a signed and dated statement of the employee, and upon obtaining such documents the employee shall provide:

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

CONFIDENTIALITY: All information provided to the Village, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this policy, shall be retained in the strictest confidence by the Village, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable Federal or State law.

RESTORATION TO POSITION: In general, an employee who takes leave under this policy shall be entitled, on return from such leave:

1. to be restored by the Village to the position of employment held by the employee when the leave commenced; or
2. to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

LOSS OF BENEFITS: The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

However, the employee is not entitled to:

1. the accrual of any seniority or employment benefits during any period of leave; or
2. any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

REPORTING TO THE Village: The Village may require an employee on leave under this policy to report periodically to the Village on the status and intention of the employee to return to work.

MAINTENANCE OF HEALTH BENEFITS: Except as provided under "Loss of Benefits," during any period that an employee takes leave under this policy, the Village shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

FAILURE TO RETURN FROM LEAVE: The Village may recover the premium that the Village paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during any period of leave under this policy if:

1. the employee fails to return from leave under this policy after the period of leave to which the employee is entitled has expired; and
2. the employee fails to return to work for a reason other than:
 - a. the continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave; or
 - b. other circumstances beyond the control of the employee.

The Village may require an employee who claims that the employee is unable to return to work because of a reason described in (a) or (b) above to provide, within a reasonable period after making the claim, certification to the Village that the employee is unable to return to work because of that reason.

An employee may satisfy the certification requirement of clause by providing to the Village:

3. a sworn statement of the employee;
4. documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the

employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;

5. a police or court record; or
6. other corroborating evidence.

The Village will not fail to hire, refuse to hire, discharge, or harass any individual exercising their rights under this policy or otherwise discriminate against any individual exercising their rights under this policy with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner for exercising their rights under this policy.

F - Non-Employment Elsewhere

A leave of absence under any provision of this manual will not be granted to enable an employee to try and accept employment elsewhere or for self-employment. Any employee who engages in outside employment (including self-employment) while on any leave of absence provided in this manual may be subject to disciplinary action up to and including termination.

Chapter 9 - Retirement, Resignation, Reduction in Force & Re-Employment

A - Retirement

1. An employee wishing to retire shall give a written notice at least ninety (90) days prior to the effective retirement date unless otherwise approved by the Village Administrator.
2. Any regular Village employee (unless specifically excluded) is entitled to a plan that provides for a pension upon retirement. Specific details concerning pension eligibility benefits and regulations should be obtained from the Finance Department or the Police Pension Board. Depending on the employee's affiliation with a particular department and job responsibility, the Village participates in and pays a varying portion toward the employee's retirement and disability programs as follows:
 - a. Commissioned Police Officers participate in and the Village contributes a portion to the Police Pension Fund and Social Security.
 - b. All other eligible Village employees participate in and the Village contributes a portion to the Illinois Municipal Retirement Fund (IMRF) and Social Security. IMRF provides retirement benefits, disability benefits, and death benefits for qualified employees. Employees may be covered under IMRF if they work more than 600 hours per year and were hired prior to February 3, 2014. Employees hired after February 3, 2014, may be covered under IMRF if they work more than 1,000 hours per year.
3. An employee terminated by reason of disciplinary action may or may not be eligible for retirement pay.
4. Any unused earned vacation time may be converted into a cash payment or used as vacation prior to retirement.

B - Resignation

1. Any employee wishing to leave Village service in good standing should file with the Department Head a written resignation stating the reason(s) for leaving and giving at least ten (10) working days' notice. The Department Head may consent to the employee leaving sooner.
2. A copy of the letter of resignation must be forwarded to the Village Administrator within one (1) working day of receipt.
3. Any employee who terminated Village service (other than by retirement) in good standing may be entitled to the following cash payment:

- a. Any unused earned vacation time, when applicable.
- b. Any contributions toward a pension plan unless contrary to specific pension regulations.
- c. Unused sick leave not converted into a cash payment, time will be reported as required by law to IMRF.
- d. Unused personal leave is not converted into a cash payment.

C - Reduction in Force

- 1. Whenever it becomes necessary, through change in duties, reorganization, lack of work, or lack of funds, to reduce the number of employees in any given class, the Department Head concerned will provide the Village Administrator with a list of those employees to be laid off. The required number of employees shall be laid off based upon an evaluation of their relative skill levels, ability, and work performance.
- 2. While on layoff status, employees do not accrue seniority, and are not eligible to receive nor are they entitled to Village benefits.

D - Exit Interview

- 1. Any time an employee terminates employment with the Village, whether by resignation, retirement, or otherwise, the employee's Department Head will schedule an exit interview.
- 2. Exit interviews are entirely voluntary on the part of the employee and in no way effects monies or benefits due to the employee by virtue of separation.
- 3. The exit interview is designed to solicit information from the employee concerning matters directly associated with Village employment, such as: job satisfaction, working conditions, supervision, training, compensation, work safety procedures, and general suggestions as to how to improve the overall delivery of service.

E - Re-employment

- 1. Any employee terminated for performance reasons or misconduct or any employee who resigns without giving ten (10) working days' notice (unless such notice is waived by the Village) shall not be eligible for re-employment.
- 2. Any employee who is re-employed by the Village shall not be entitled to any previously earned benefits or seniority, unless determined otherwise by the Village Administrator.