

EMPLOYEE HANDBOOK



February 2007

**City of Sycamore
Employee Handbook**

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SECTION I: INTRODUCTION

A. *Welcome from the City Manager*

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

This is the sixth edition of the *Handbook* that we first issued in October 1999. It covers a number of personnel matters of interest to us all. In the document and in our collective bargaining agreements, City Code, and administrative policies there is an insistence on fairness, participation, and cooperation. To the extent that we approach these goals, we will more successfully serve others and we will enhance our integrity as a professional organization.

The *Employee Handbook* is a guide to what is, rather than a prescription for what might be. The reader will notice that some differences remain across union contracts and the personnel provisions of the City Code. A cooperative effort by the City's management and labor groups will continue in an attempt to reconcile these differences in future collective bargaining sessions and labor-management meetings. As needed, the *Handbook* will be updated to reflect any changes in benefits or working conditions that may result from these forums.

I am pleased to have the opportunity to work with you and to advance our work in the eyes of the community.

B. *Purpose of the Employee Handbook/Disclaimer*

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

The contents of this *Handbook* may be periodically amended to insure compliance with evolving state and federal law and consistency with changing operational requirements in the City. The City reserves the right to change, interpret, withdraw or add to any of the policies, benefits or terms and conditions of employment at its sole discretion, and without prior notice or consideration to any employee. This manual supersedes all prior policies and practices.

If your employment is governed by a collective bargaining agreement, the terms of such agreement govern in the event of a conflict between this *Handbook* and the collective bargaining agreement, except where required by law.

C. *History and City Profile*

Sycamore traces its origins to the arrival, in 1835, of Carlos E. Lattin who built a cabin on the north bank of the Kishwaukee River. Later, after he married, Lattin built the first frame house in the community.

The present location was surveyed as a village plat in 1836. In 1839, a county seat controversy was settled in Sycamore's favor and Sycamore's broad streets were laid out by Eli Barnes and James Waterman.

The surrounding prairie soils were particularly suitable for the raising of corn and by 1850 the population of 390 persons looked to the expanding rail network around Chicago as a vital link between local agriculture and a wider regional marketplace. In 1852, community leaders attempted to raise local subscriptions to build a rail line connecting Sycamore with the growing east-west rail traffic. This attempt failed and it was not until 1859 that Sycamore was linked with the prominent Galena and Chicago Railroad at Cortland for a cost of about \$75,000.

In 1858 Sycamore was formally incorporated as a village under the laws of Illinois and in 1869 the community was organized as a city. By the early 1880's Sycamore had developed a substantial industrial base including the Marsh Harvester Manufacturing Company, the Reuben Ellwood Manufacturing Company, and the Sycamore Preserve Works. At the turn of the century Sycamore's population had reached 3,300. In 1903 the cornerstone was laid for the current courthouse.

With Interstate Highway 88 about five miles distant, Sycamore is linked to the west fringe of the Chicago Metropolitan area which is only 25 miles to the east. Sycamore's primary arterial highways are State Highways 64 and 23, which run east-west and north-south respectively.

Today Sycamore treasures its past; a fact evidenced by the 99-acre Sycamore Historic District with 26 homes and buildings listed on the National Register. The Historic District includes the Court House, the Old Popcorn Stand from the late nineteenth century that is still open for business, and the Sycamore-Cortland-Chicago railroad depot.

D. *Sycamore Government*

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

**E. *List of All City Positions
(Effective May 1, 2007)***

Elected Officials

Mayor
Two First Ward Aldermen
Two Second Ward Aldermen
Two Third Ward Aldermen
Two Fourth Ward Aldermen
City Clerk

Exempt Positions

City Manager
Asst. City Manager/Comptroller-Treasurer
City Engineer
Assistant City Engineer
Building Commissioner/Zoning Officer
Human Resources Director
Fire Chief
Assistant Fire Chief
Police Chief
Police Lieutenant
Police Command Secretary
Executive Secretary
Director of Public Works
Assistant Director of Public Works
Superintendent of Public Works,
Street Division
Superintendent of Public Works,
Treatment Plant Division
Superintendent of Public Works,
Water Division

Contractual

City Attorney

Non-exempt, Part-time

Crossing Guards

**Positions Represented By
Collective Bargaining Groups**

AFSCME Local 3957

Laborer
Building Inspector
Part-time Laborer
Mechanic
Accounting Supervisor
Billing Coordinator
Account Clerk
Secretary
Custodian
Part-time Custodian
Desk Officer
Parking Clerk
Parking Meter Officer
Part-time Clerk
Part-time Engineering Assistant
Community Services Officer

FOP Lodge 133

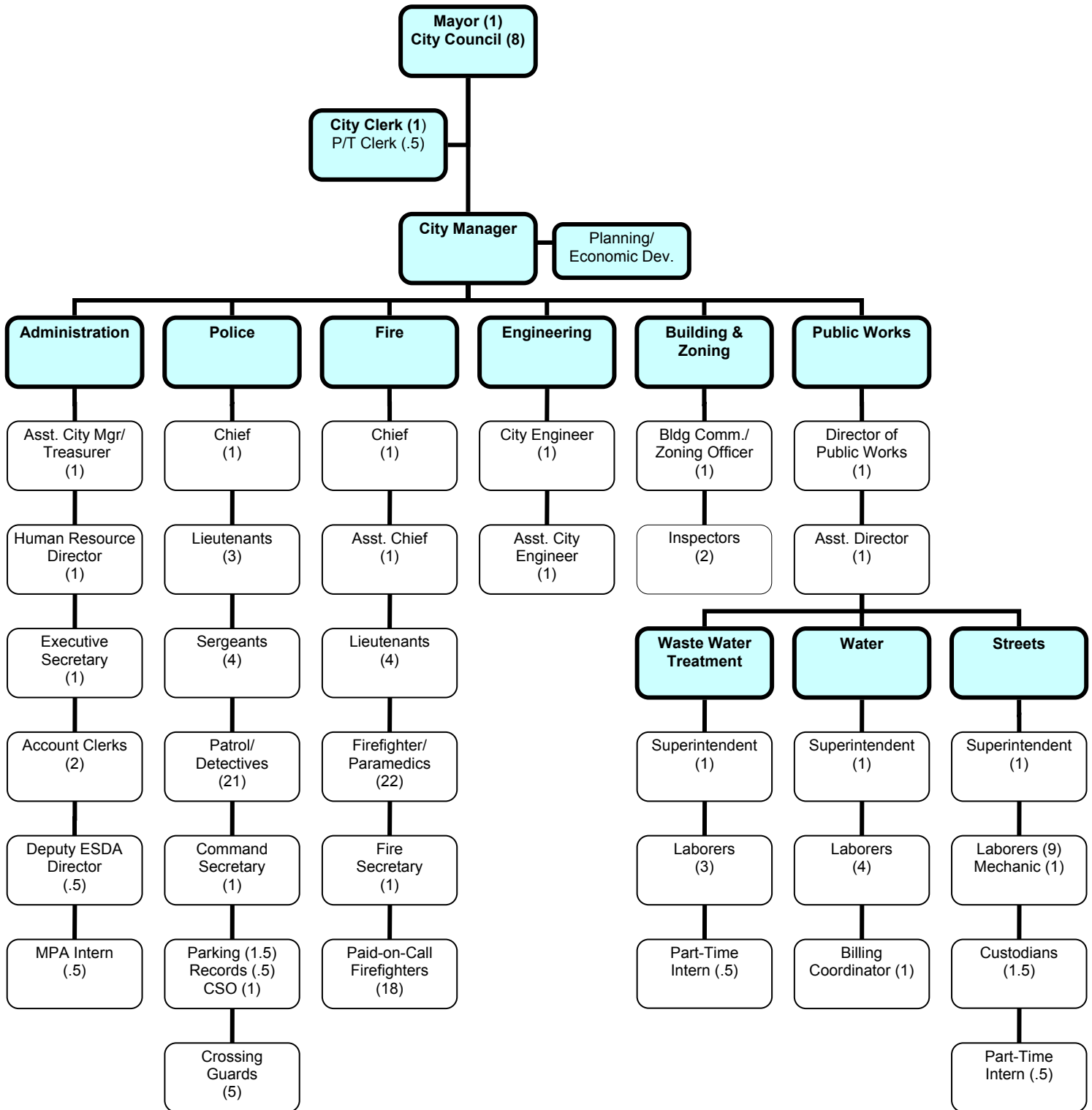
Patrol Officer
Investigator
Sergeant

IAFF Local 3046

Fire Lieutenant
Firefighter

F. Organizational Chart (Effective May 1, 2007)

(Numbers in parentheses indicate full-time equivalents)



SECTION II: RECRUITMENT AND SELECTION

A. Equal Employment Opportunity Statement

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

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

B. Immigration Law Compliance

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

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

C. Employment Authority

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

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

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

D. Position Vacancies

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

E. Nepotism Policy

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

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

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

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

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

F. Application Process

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

G. Medical Examinations

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

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

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

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

H. Other Examinations

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

I. Background Investigations

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

J. Drug Testing

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

K. Residency Requirements

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

1. IAFF Local 3046 members shall reside and maintain their domicile within twenty (20) miles of the intersection of State and Main Streets in the City of Sycamore, Illinois to be qualified employees of the City of Sycamore Fire Department.

Residency must be made within six months of completing the probationary period for membership on the Sycamore Fire Department

2. FOP Local 133 members shall reside and maintain their domicile within twenty (20) miles of the intersection of State and Main Streets in the City of Sycamore, Illinois, to be qualified employees of the Sycamore Police Department. Residency must be made within twelve (12) months of completing the probationary period for membership on the Sycamore Police Department.
3. AFSCME Local 3957 members shall reside and maintain their domicile twenty (20) miles of the intersection of State and Main Streets in the City of Sycamore, Illinois. Residency must be established within twelve (12) months of the date of hire.
4. Management members shall reside and maintain their domicile within twenty (20) miles of their place of work to be qualified employees of the City of Sycamore, Illinois. Residency must be established within twelve (12) months of the date of hire.

L. Secondary Employment

No regular full-time employee of the City is permitted to engage in any outside work, business venture or other activity considered as secondary full-time or part-time employment without the department head's knowledge and approval. Such employment will not be acceptable under a number of conditions, including, but not limited to:

1. Where the nature or place of employment might bring disfavor on the City.
2. Where secondary employment would involve the employee's appearance in City uniform, involve use of City equipment, or in any manner be considered as a conflict of interest with the employee's municipal position.
3. Where it appears that secondary employment has an adverse effect on the employee's attendance, punctuality or sick leave record.
4. Where secondary employment impairs the employee's ability to discharge the duties and responsibilities of his/her City job.
5. Where an employee might be considered to be using his/her City position to influence, to solicit business for the outside employment, or where there is any appearance of impropriety.

Employees who engage in secondary employment shall do so only with the understanding and acceptance that their primary duty, obligation and responsibility is to The City of Sycamore. All City employees are subject to call at any time for emergencies, special assignment, or overtime duty, and no secondary employment may infringe on this obligation.

M. Probationary Period

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

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

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

1. IAFF members: all new Firefighters shall serve a probationary period of twelve (12) continuous months of work. Said probationary period may be extended for an additional period, not to exceed twelve (12) months to allow an employee to secure the required certification when delay is due to an inability to schedule the requisite classes in a timely manner. See Article 7 of the IAFF contract.
2. FOP members: all new Police Officers will serve a probationary period of twelve (12) months. Said probationary period may be extended up to 90 days if the new member is assigned to the Illinois State Police Training Academy or the Police Training Institute for mandatory Police Officer certification. An Officer who is promoted to the position of Sergeant will have a twelve (12) month probationary period for that promotion. See Article 5 of the FOP contract.
3. AFSCME members: all new members of the bargaining unit will serve a twelve (12) month probationary period. Members who are promoted or make a lateral transfer will be considered a probationary employee for the first six (6) months in the new position.
4. Management members will serve a probationary period of twelve (12) months.

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

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

SECTION III: COMPENSATION

A. *Employment Categories*

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

B. *Workweek Schedule*

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

C. *Collective Bargaining Agreement Compensation*

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

D. *Management Employees Compensation*

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

E. *Overtime*

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

F. *Compensatory Time*

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

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

G. *Pay Period*

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

1. Employees are encouraged to use the City's Direct Deposit Program. This program utilizes electronic funds transfer to provide employees with a timely, accurate, and convenient method of depositing their earnings. Registration forms for this program are available in the Finance Office or Human Resources Office.
2. Payroll checks and Direct Deposit Advices will be distributed to employees by 8:30 a.m. on payday.
3. When payday is a holiday, checks will be issued the day before the holiday.
4. Those persons who are hired or who terminate their employment in the middle of the pay period shall be paid at an hourly rate based on their current salary schedule for hours worked in that period after their hiring or prior to their termination.
5. The City takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the event that there is an error in the amount of pay, the

employee should promptly bring the discrepancy to the attention of the Finance Office so that corrections can be made as quickly as possible.

H. Payroll Deductions

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

I. Wage Garnishments

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

J. Travel Expenses

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

1. Mileage

- a. Employees using their own personal vehicle(s) for the conduct of City of Sycamore business, either within or outside the community, are entitled to be reimbursed for mileage at the national rate then in effect and so approved by the Internal Revenue Service. The City Manager shall notify the individual departments of this rate as it is, from time to time, revised.
- b. Costs incurred driving to and from work are not eligible for

reimbursement. For employees receiving monthly car allowances, mileage will be reimbursed at the standard rate beginning with the fifty-first (51st) mile.

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

2. Other Travel

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

3. Meals

- a. While conducting City business or performing assigned tasks while absent from the City, employees may receive an allowance for meals as follows: up to \$5.00 for breakfast; up to \$10.00 for lunch; and up to \$15.00 for supper/dinner. Such allowances are to include the tipping of service personnel in an amount not to exceed 15 percent of the meal.
- b. Reimbursement for such allowable expenses may take one of two forms. For local business trips or for trips that do not involve overnight travel, employees are reimbursed from expense report, with the approval of their supervisor, provided that receipts are submitted. **NOTE: reimbursements will not be made if receipts are not submitted.**
- c. For business or training trips involving overnight travel outside DeKalb County, employees may receive meal allowances, either in the form of advances or reimbursement, in conformance with the dollar amounts listed above. In the event that the allowances advanced to the employee after the submittal of an approved expense request exceed the actual cost of the meals, the employee shall remit the unused balance of the advance to the Finance Office. An employee who is given an advance has thirty (30) days from his or her return to submit the receipts and/or the unexpended funds. The amount of any unexpended funds not returned will be deducted from the employee's next paycheck. **There**

are no per diems. If an employee receives an advance, and the trip is extended, he or she shall be reimbursed the allowable amounts upon the submittal of an expense request statement approved by his or her supervisor. Verifiable receipts **are required** to support such statements, before authorizing reimbursement.

4. Miscellaneous Travel Expenses

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

SECTION IV: EMPLOYEE RECORDS

A. *Personnel Files*

1. The Human Resources Director shall be responsible for the maintenance of the official personnel files for all employees. These files are confidential and contain the complete employment history of each employee during their tenure with the City of Sycamore. All personnel records will be secured in a locked file cabinet located in the Human Resources Department.
 - a. In accordance with the Americans with Disabilities Act, medical records will be maintained in separate, confidential files.
 - b. **Protected health information as defined by the Health Insurance Portability and Accountability Act (HIPAA) shall be kept separate from other employee information and shall be maintained confidentially, in keeping with the privacy and confidentiality rules imposed by all relevant statutes regarding the use and storage of these records. The City of Sycamore shall be accountable for strict adherence to such policy by all its employees, but shall not be held responsible for any disclosure of such privileged information by individuals or agencies that may have acquired said information by legitimate means but violated statutory strictures against unwarranted disclosure in the conduct of their business.**
2. Employees are permitted to inspect and copy (at their own expense), any material, except as exempted by Section 10 of the Personnel Review Act, 820 ILCA 40/10, which is contained in their personnel file. The Human Resources Director or a designee shall be present with the employee while the employee inspects his or her personnel file.
3. If factual information is demonstrated to be incorrect by the employee, it will be corrected.
4. **If an employee disagrees with certain items in his or her file, such as disciplinary action, the employee may submit a statement of disagreement for inclusion in his or her personnel file. No documents or other information shall be removed from an employee's personnel file without the authorization of the City Manager.**

B. *Release of Personal Information*

1. Only non-confidential information will be provided upon request for business or reference purposes. This information will be limited to employment status, dates of employment, job title, and salary confirmation. No other information will be given over the telephone.

2. An employee's salary information, address and telephone number will be furnished to credit agencies in writing only in response to written requests. The written request for information must be accompanied by a release authorization signed by the employee in question.

C. Personal Data Changes

A change in an employee's personal data may have an important effect upon employee benefits. It is the responsibility of each employee to promptly notify the City of any changes in their personal data. Employees should report any change of status, including:

- Name
- Address
- Telephone number
- Marital status
- Addition or deletion of dependents
- Change of beneficiaries
- Persons to be notified in the case of an emergency

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

SECTION V: GENERAL CONDUCT

A. *Code of Ethics for Government Employees*

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

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

1. **Conflicts of Interest**
Employees shall not engage in any business or transaction, or have a financial or personal interest, whether direct or indirect, that is incompatible with the proper discharge of their official duties in the public interest or that may tend to impair their independence, judgment, or action in the performance of these duties.
2. **Disclosure of Interest**
Employees who have an interest in a transaction shall disclose the nature and extent of such interest to the City Manager.
3. **Abuse of Power**
Employees shall not use the power or prestige of their positions for their direct or indirect private gain.
4. **Confidentiality**
Employees shall not disclose confidential information concerning the property, government or affairs of the City or use such information to advance their own financial interests or that of others.
5. **Incompatible Employment**
Employees shall not engage in or accept private employment, or render services for private interests, if such employment or service would create a Conflict of Interest or impair their independent judgment or action in the performance of their official duties in the public interest.
6. **Gifts**
In accordance with the State Gift Ban Act, employees of the City shall be prohibited from receiving any monetary rewards or other gifts relating to services provided as a City employee, including any discounts, promotions, services or products offered by a liquor licensee, or any officer, associate, member, representative, agent or employee of any licensee, unless said gift, discount,

promotion, service or product can be consumed or enjoyed on the premises, or can be enjoyed by all employees.

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

7. Public Property

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

8. Fairness and Impartiality

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

B. Drug Free Workplace

Intent and Policy

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

Procedures and Regulations

1. Employees are expected to report to work on time and in appropriate mental and physical condition to work. Employees are not to report to work under the influence of intoxicants (alcoholic beverages or illegal drugs) and shall not consume, use or possess intoxicants at any time during their scheduled work day, on City property, or in City vehicles (while traveling to or from City property while on duty). The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on municipal premises or while conducting City business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action up to and including termination, and may have legal consequences.
2. If a supervisor has reasonable cause to believe that an employee has reported to work under the influence of intoxicants, the supervisor, with the approval of the department head, has the right to request the employee to submit to an alcohol or drug-screening test that may be grounds for discipline including termination. The results of the alcohol or drug test shall not be used by the City for any other purpose other than to determine adherence to Municipal policy, to discipline an employee whenever necessary, and to comply with applicable terms of this Section.
3. The City of Sycamore recognizes drug dependency as a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to seek help. Conscientious efforts to seek such help will not jeopardize any

employee's job and will not be noted in any personnel record except where action follows a referral made by a supervisor.

4. No employee shall be subject to discipline for the appropriate use of legal nonprescription or prescribed legal drugs for the treatment of injury or illness. However, if an employee knows or should know that use of a nonprescribed or prescribed drug does or could impair the employee's ability to perform his or her job, such information should be reported to the employee's immediate supervisor. Violation of this Section of the policy may subject the employee to disciplinary action.
5. Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction to the department head. Within ten (10) days of learning of an employee's criminal conviction for illegal drug activity within the workplace, the City will notify the federal government of such a conviction. Within thirty (30) days of learning of an employee's criminal conviction for illegal drug activity within the workplace, the City will take the appropriate personnel action.

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

C. Smoke Free Workplace Policy

The City of Sycamore is committed to providing a healthy, comfortable and productive working environment for all employees on City property, in City vehicles, and City work areas. Since smoking has been identified as a major cause of preventable diseases and deaths in this country and creates a health hazard for everyone in the vicinity of the smoke, and in efforts to comply with the Illinois Clean Air Act, the City of Sycamore has taken several steps to protect non-smokers yet help employees who do smoke to adjust to the restrictions on smoking.

This policy is not intended to deprive anyone of the right to smoke, but rather to protect the rights of all people to breathe smoke-free air. Though smoking is a personal privilege, state law mandates that nonsmoker rights take precedence in public buildings (Public Act No. 86-1018). Accordingly, smoking is prohibited in all offices, meeting rooms, hallways and entryways. Smoking is also prohibited in workspaces where non-smokers might reasonably object to the presence of second-hand smoke. Consistent with this policy, City departments may designate smoking areas.

This policy does not apply to any City owned property that is leased by a business, organization or agency. However, lessees of City owned property are expected to follow the rules and regulations regarding smoking as outlined by the Illinois Clean Air Act.

D. *Anti-Harassment Policy*

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

1. **Harassment** includes verbal, physical, visual, or other conduct that is based upon or relates to a person's race, gender, age, national origin, disability, religion, sexual orientation, veteran or military discharge status, or membership in any other legally protected category.
 - a. Prohibited conduct includes any conduct or action that is directed toward or about any employee or applicant OR that is taken with respect to any employee or applicant because of that person's race, gender, age, national origin, disability, religion, sexual orientation, veteran or military discharge status, or membership in any other legally protected category.
 - b. The conduct that is forbidden by this policy specifically includes, but is not limited to: epithets, slurs, jokes, negative stereotyping, or intimidating acts that are based upon a person's protected status; referring to a person's protected status, particularly when making decisions affecting the individual in the workplace and which affects the individual's ability to perform his/her job; written or graphic material circulated, available on the City's computer system, or posted or distributed within the workplace that shows hostility towards a person because of his/her protected status.

2. **Sexual Harassment** includes any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct based on sex, gender, or of a sexual nature when submission to the conduct is an explicit or implicit term or condition of employment, OR when submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, OR when the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
 - a. This policy forbids harassment based upon gender regardless of whether the offensive conduct is sexual in nature and also prohibits expressions of hostility or dislike or other inappropriate conduct based upon gender.
 - b. The conduct that is forbidden includes but is not limited to physical assaults of a sexual nature, including, but not limited to, rape, sexual battery, molestation, intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, etc; unwanted sexual advances, propositions or other sexual comments, including, but not limited to, sexually oriented gestures, noises, remarks, jokes, comments, or verbal abuse of a sexual nature; preferential treatment and promises of preferential treatment to an employee for submitting to sexual conduct; sexual or discriminatory displays or publications anywhere in the City work place by City employees including, but not limited to, pictures,

posters, calendars, graffiti, emails, objects, reading materials, or other materials that are sexually suggestive, demeaning, or pornographic.

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

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

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

E. Attendance and Punctuality

Regular, predictable attendance is an essential function of all positions. Tardiness and absenteeism place a burden on other employees and on the City organization. When an employee is unable to come to work as scheduled, or cannot avoid being late to work, the employee must notify his/her supervisor immediately of the anticipated tardiness or absence. The failure to provide timely notice may result in disciplinary action. Additionally, employees who are excessively or consistently tardy or absent, as determined in management's discretion, will be disciplined, up to and including immediate termination, as management deems appropriate.

B. Dress Code

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

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

Employees are not allowed to wear any type of apparel that advertises an alcoholic beverage or illegal drug; includes any offensive terminology, profanity, nudity, or displays a derogatory or inflammatory statement of any type. Graphics or lettering shall be no larger than a pocket-sized logo (e.g. clothing brand or trade group logo on the pocket of a polo shirt).

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

organizations of which the employee is a member, or training organizations which promote understanding of City Government.

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

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

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

Prohibited Items of clothing include:

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

C. Solicitation and Distribution

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

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

H. Performance Evaluations

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

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

SECTION VI: USE OF CITY PROPERTY AND EQUIPMENT

A. Use of City Property

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

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

B. Use of City Vehicles

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

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

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

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

C. Personal Use of Office Equipment

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

Cellular telephones require special attention:

- a. Those employees who are issued City cell phones are accountable for calls made outside of City business. If an employee must use a City-issued cell phone for personal use, he or she is expected to reimburse the City for any applicable charges.
- b. Employees who become disabled and are unable to work for an extended period of time must turn in their cell phones to their supervisor while they are out on sick leave.
- c. The use of 411 and other types of informational services for which there is a charge should be limited to situations where all other possible means of obtaining the necessary information have been exhausted.

As a general guideline, office equipment may not be used in a manner that increases the operating cost to the City or decreases productive employee time on the job. Each employee should be familiar with this general guideline and any policy established for the department for which they work. Should an employee consider the use of office equipment for any personal reason, they should consult with their supervisor before the use of the equipment.

D. *Computers*

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

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

TERMS DEFINED

1. Information System Resources

Information system resources, for the purpose of this policy, are defined as all computer hardware, software, data stored and managed in the City owned PCs and networks, and the access to various information resources, i.e. LAN, Internet and intranet, etc.

2. Storage Space

Storage space is defined as the data storage media such as hard disk, floppy disk, zip disk, magnetic tape and recordable CD.

3. Information System Users (IS users)

IS users are those who are employed by the City of Sycamore and use computers, such as stand-alone PCs and networked PCs/terminals, to access and process information for their work.

4. Output

Output refers to the end product of the computing process. Such output may include printed hard copies, a document (e.g., memos, E-mail messages, etc.) displayed on the screen, and files stored on various storage spaces (e.g., hard/floppy disks and zip disks).

- a. E-mail messages are text documents which are created, stored, and delivered in an electronic format. As such, e-mail messages are similar to other forms of communicated messages, such as correspondences, memoranda, and circular letters.
- b. Non-record messages are e-mail messages that do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. Rather, they are informal communications that are similar to communications during telephone conversations or conversations in an office hallway. Generally non-recorded messages are short-lived, with no historical significance or public importance, and need not be retained after they have fulfilled their purpose. Examples include:
 - Routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies.
 - Originating office copies of letters of transmittal that do not add any information to that contained in the transmitted materials.
 - Quasi-official notices including memoranda and other records that do not serve as the basis of official actions, such as holiday notices or meeting confirmations.

5. Records Retention

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

POLICY

1. Scope

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

2. Privilege of Use and Violation of the Policy

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

3. Responsibilities

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

4. Management of Information System Resources

- a. LAN. The Administrator or designee is responsible for assigning and managing the user ID and password for both individual PCs and networks.
- b. Internet. The Administrator or designee is responsible for assigning passwords for City IS users.
- c. Management. For maintenance purposes, the Administrator or designee has the right to access all City information system resources. However, with respect to the IS users' privacy and the confidentiality of the work, the Administrator will notify the IS users in regard to such access.
- d. Assigning and Removing Password. Upon notice that an employee is terminating his or her services with the City or that a new employee is joining the City, the Human Resources Department will notify the Administrator or designee so that the old password can be deleted or as new password added, as the case may be.

5. The Output

- a. Ownership. The output of the City's information system resources is the property of the City and is subject to public inspection. In order to promote the use of computers IS users may process certain personal information (e.g., personal E-mail messages) with City owned information system resources. However, upon being created and saved onto City-owned media, such personal files become part of the City's property and are subject to public inspection. Using City owned information system resources for outside employment is prohibited.
- b. Access and Privacy. The output, e.g., E-mail and electronic files, are presumed to be confidential unless they have explicitly been made

available to other authorized individuals. The Administrator or designee may access IS users' files, with the knowledge of the users, when necessary for maintenance. When performing such maintenance, every effort will be made to insure the confidentiality of a user's files except emergencies. **All E-mail users should take note that the information generated on E-mail may be a public record subject to public inspection.**

- c. Retention. Generally, E-mail messages are temporary communications which are non-vital and may be discarded routinely. However, depending on the content of the e-mail, it may be considered public record. Accordingly, staff have the same responsibilities for E-mail messages as they do for any other public record and must distinguish between records and non-record information.
- Non-record messages should be deleted from files as soon as they have fulfilled their purpose. These are records that are not required to be kept under law or whose preservation is not necessary or convenient to conduct municipal business.
 - Messages determined by users to be records should be properly preserved and disposed of as specified in the municipality's approved records retention schedule. Factors to consider when deciding whether a document is a record include its connection with the transaction of public business; whether it is official documentary material (a draft of a letter versus the letter itself); if it is a record that must be produced under the Freedom of Information Act – FOIA - (when the record is publicly cited and identified by the head of the public body); whether the material is appropriate for preservation by the agency or an officer as evidence of the organization, function, policies, decisions, procedures, or other activities thereof or because of the informational data the material contains; whether the document has any historical significance or is evidence of the function, policies, decisions, procedures, or other activities of the municipality. If the records are duplicative, only one copy need be retained.

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

Messages and attachments should be reviewed at minimum every 15 days and, if they are determined to be records, printed fully (including date, time, sender, and receiver) and retained in paper format.

The City may delete all messages from the server thirty (3) days after they have been opened.

6. Use of the Information System Resources

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

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

7. Changing the Configuration of the Systems

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

8. Reporting Technical Difficulties

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

9. Internet Usage

- a. Appropriate use. The City of Sycamore encourages the staff to use the Internet as a resource to gain various types of information via a homepage, Email, news groups, or discussion groups on the Internet. However, when accessing the Internet with hard/software provided by the City, the contents of the usage should be limited to job-related information. Usage for personal reasons (i.e., Email from/to friends or relatives) is allowed, but it should be occasional rather than regular use. The City provides access to the Internet, but it does not have control over what is available on the Internet. Therefore, it is the IS users' responsibility to limit Internet usage to a proper level in terms of content of the usage.

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

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

SECTION VII: SAFETY

A. Employee Safety

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

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

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

B. General Safety Rules

To ensure safety, employees are expected to abide by the following rules:

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

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

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

C. *Work Place Violence*

The City of Sycamore is committed to working to prevent the potential for violence in and around the workplace; reducing the negative consequences for those employees who experience or encounter violence in their personal or work lives; and fostering a work environment of respect and healthy conflict resolution. By making this commitment, the City believes that it is contributing to a safer and better workplace.

The City asserts that acts of violence are not acceptable, and assures its employees will be held accountable should they commit acts of violence in the workplace and that employees who experience violence within their families, workplace, or communities have avenues for resolution and support.

Workplace violence includes, but is not limited to:

1. Harassment or threats – expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is conditional or future.
2. Physical attack – unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects.
3. Property damage – intentional damage to property, including property owned by the City, employees, or others.

The City further requires that all employees treat each other, as well as all others, with courtesy, dignity, and respect. Any employee who has been determined to be in violation of this policy will be subject to appropriate disciplinary action up to and including termination and, depending upon the violent act, may be subject to criminal sanctions.

SECTION VIII: EMPLOYEE BENEFITS

A. *Vacation*

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

Employees shall provide department heads their vacation preference for the fiscal year by May 1 and this shall not be changed, except in an emergency, without the approval of the department heads.

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

B. *Holidays*

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

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

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

C. *Health, Dental, and Vision Insurance*

All full-time employees may participate in the City-sponsored health, dental, and vision insurance plans after thirty (30) days of employment. There is no charge to the employee for employee-only coverage. If the employee desires to obtain dependent coverage, the employee will be responsible for contributing an amount determined in the respective bargaining agreement or wage and salary ordinance.

The full Schedule of Benefits is outlined in each employee's health, dental, and vision insurance booklets. The booklets can be obtained in the Human Resources office. Enrollment forms should be completed in the following instances:

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

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

A committee comprised of a member from each department, a member from each bargaining group, the Department Heads, two retirees, the City Manager, and the Human Resources Director shall meet each year at policy renewal time to consider the current options available to the City concerning its health, dental, and vision insurance plans. As

a group, this committee will decide upon which option is the best for all plan participants and recommend its acceptance to the City Council.

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

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

D. COBRA

1. An employee's and/or dependent's coverage under the current medical, dental, and vision plans may cease as a result of one of the following qualifying events:
 - a. Voluntary or involuntary termination of employment for reasons other than "gross misconduct".
 - b. Change to nonparticipating employment status.
 - c. Divorce or legal separation.
 - d. Loss of dependent child status under the plan rules.
 - e. Covered employee becomes entitled to Medicare making his or her dependents no longer eligible for coverage.
 - f. Death of the covered employee.

2. Employees or dependents may elect to continue medical, dental, and/or vision coverage beyond the date that it would otherwise terminate by doing one of the following:
 - a. Convert the group medical coverage to an individual policy provided directly by the insurance carrier. Employees will be sent benefit information and rates regarding conversion options directly from the insurance company. For additional information, contact the Human Resources office.
 - b. Continue to participate in the group medical, dental, and/or vision plan(s) under the criteria outlined below:
 - **Rights of Employee.** Employees and their eligible dependents presently covered by the insurance plans may continue their coverage for up to 18 months from the date that employment terminates or status changes to a nonparticipating (non-insured) employment status provided that the employee pays the full cost of premium and any administrative fee (up to 2%) that may be imposed.
 - **Rights of a Spouse of Employee.** The spouse of an employee covered by the medical, dental, and/or vision plan(s) has the right to continue coverage due to the death of the employee, or if

a divorce or legal court-decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pays the premium in full and any administrative fee (up to 2%) that may be imposed.

- **Rights of Child(ren).** Dependent children of an employee covered by the medical, dental, and/or vision plan(s) have the right to continue coverage if group coverage under either plan is lost because of the death of the employee, parents' divorce or legal court-decreed separation; or the dependent ceases to be a "dependent child" under the insurance plan. Coverage under these circumstances may continue for a period up to 36 months provided that the dependent pays the premium in full and any administrative fee (up to 2%) that may be imposed.
- **Disabled Individuals.** Special rules for disabled individuals and certain family members may extend the maximum periods of coverage. If a qualified beneficiary who has experienced an 18-month qualifying event is determined under Title II or Title XVI of the Social Security Act to have been disabled within the first 60 days of COBRA coverage, then that qualified beneficiary and all of the qualified beneficiaries in his or her family may be able to extend COBRA medical continuation coverage for up to an additional 11 months. The qualified beneficiary may lose the right to the 11-month extension if notice is not provided to the employer within 60 days of the date of the determination and before the expiration of the 18-month COBRA continuation period. The premium for the 11 additional months may be increased to 150%.

3. Election.

- a. If an employee or eligible spouse or dependent does not elect to continue coverage, group medical, dental, and/or vision insurance will end as scheduled under the plan.
- b. If an employee elects to continue group medical, dental, and/or vision coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share) and any administrative fee (up to 2%) that may be imposed. This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage.
- c. Continued coverage may be terminated earlier than the 18, 29, or 36 month period if group medical and/or dental plans for all other employees are terminated, or if:
 - The qualified beneficiary fails to remit the required monthly payments within 31 days of the due date;
 - The qualified beneficiary becomes eligible under any other group medical, dental, and/or vision plan(s) after the date of COBRA election;

- In the case of a covered spouse, the spouse remarries and becomes eligible to be covered under a group medical, dental, and/or vision plan(s)
- The qualified beneficiary first becomes eligible for Medicare after the date of COBRA election;
- The employer ceases to provide any group medical, dental, and/or vision plan(s) to any employee;
- The qualified beneficiary ceases to be disabled according the Social Security Administration after the 11-month disability extension has begun.

It is the employee's responsibility to notify the Human Resources office in writing within 30 days of a qualifying event.

E. Flexible Benefits/Section 125

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

Annually, each participating employee will complete a Flex Benefits enrollment form. This enrollment is good for that entire plan year (September 1 – August 31) and cannot be changed unless there is significant change in family status (i.e., newborn, divorce). *Section 125 monies cannot be refunded, so accurate estimates are important.* The Human Resources Director will help those employees who request additional assistance in this area.

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

- Chiropractor
- Co-payments
- Deductibles
- Hearing aides
- Dental Care
- Orthodontia
- Oxygen equipment
- Psychiatric therapy
- Substance abuse rehabilitation
- Vision care
- Over-the-counter medications, excluding those used for cosmetic purposes (unless they are supported by a doctor's statement)

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

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

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

F. Life Insurance and Accidental Death and Dismemberment

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

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

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

Employees who use all of their accumulated sick leave and require more time off work due to illness or injury may take advantage of Short Term Disability Insurance if they meet the requirements of the policy. Information concerning this policy is available from the Human Resources Director. All inquiries concerning this coverage should be directed to the Human Resources office and such inquiries shall be recorded and kept on file with Human Resources.

H. Pension Funds

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

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

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

Pursuant to 215 ILCS 5/367, all municipal employers must offer health insurance continuation coverage to employees who leave employment due to disability or retirement

as defined by the Illinois Pension Code. The statute states this continuation coverage shall continue, at the employee's expense, until the end of the disability and/or retirement period. Therefore, coverage cannot be terminated when the retiree or disabled employee becomes Medicare eligible. A reduced benefit plan for those who are Medicare-eligible may be offered by the municipality, but the municipality is not responsible for paying for any premium for this coverage. If an employee leaves employment with the City of Sycamore and is not eligible for a disability or retirement benefit through his or her pension plan, the employee is only eligible for continuation coverage under COBRA.

I. Deferred Compensation Plans

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

J. Worker's Compensation

This policy has been designed to assist the employee and the supervisor in completing claims for workers' compensation. Please see your immediate supervisor or the Human Resources Director for the necessary forms. Please refer any questions or requests for a complete copy of the City of Sycamore's Workers' Compensation policy to the Human Resources Director.

1. Any employee injured during the course of employment with the City, regardless of fault, shall be eligible for Workers Compensation benefits in accordance with Illinois statutes.
2. Employees must report all work-related injuries or illnesses immediately – **i.e. no later than the end of the work shift** – to the respective supervisor regardless of the degree of illness or injury.
 - a. Employees who sustain back or shoulder injuries must undergo a fitness for duty examination before they can return to work.
3. Applicable forms are to be completed without exception for every personal injury and vehicle accident claim even if no time is lost and no medical expense is incurred. The forms are as follows:
 - a. Employer's First Report of Illness or Injury – Form 45 (to be completed by the Supervisor)
 - b. Authorization to Treat
 - c. Employee's Statement of Work Related Illness or Injury
 - d. The employee will also need to complete the back supplement, if this was the type of injury that was sustained.
4. All completed forms are to be submitted to the Human Resources Director within forty-eight (48) hours of the incident. Those reports that do not involve lost time

or expenses are filed with the Human Resources office. Those that do involve lost time and/or medical expense are mailed to our workers compensation carrier.

5. Police Officers and Firefighters injured in the line of duty are guaranteed salary continuation for up to one year under the *Public Employees Disability Act (PEDA)*. The City of Sycamore has extended the benefits of this Act to all other full-time City employees. Those Police Officers, Firefighters or full-time employees who sustain injuries on the job will continue to receive 100% of their pay for the period of time that they are disabled, **up to one year**. At the end of this one-year period, the employee will be covered only by the Workers Compensation Act and is eligible to continue receiving the 66 2/3% TTD (temporary total disability) benefit he/or she had been receiving.
 - a. If, after one consecutive year after the date of disability, the employee has not yet reached maximum medical improvement as determined by the treating physician, the employee may be separated from active payroll if it is determined that he/she cannot perform the essential functions of the job or be reasonably accommodated.
 - b. If the employee reaches maximum medical improvement and is deemed unable to perform his or her job duties by the treating physician before the end of the one-year period, the employee will continue to receive 100% pay. Once the one-year period ends, the employee may be separated from active payroll if it is determined that he/she cannot perform the essential functions of the job or be reasonably accommodated.
 - c. According to PEDA, employees who are unable to work their primary jobs with the City but are still able to work a second job are not entitled to 100% salary continuation. As the City has extended PEDA benefits to all full-time City employees other than Police Officers or Firefighters, this provision will apply to them as well.
5. Any disability benefits received by the employee from the City's workers compensation insurance carrier **must**, per the *Public Employees Disability Act*, be turned over to the City. The TTD benefit received from the workers comp carrier is not subject to federal or state income taxes, but is subject to FICA and Medicare. Once the check for TTD benefits is received by the Finance Office, it will be processed on the next upcoming pay date. Through payroll, an earnings code (WC) will be entered for the amount of the TTD benefit received from the insurance carrier; the employee will only have federal and state income tax deducted from their regular paycheck for the 33-1/3 of their salary that the City continues to pay to them while they on workers comp disability (unless the employee is a Police Officer or Firefighter covered under the PEDA, in which case 100% of the work comp salary is non-taxable). NOTE: The non-taxed TTD benefits may appear on the employee's paycheck at a time when he/she is once again working all or a portion of his/her regular hours. This case may occur due to a delay in receiving the insurance check. The TTD benefits will not have an effect on overtime calculation.
6. Absence from work due to an on-the-job injury or illness is considered to be a serious health condition for the purposes of applying Family and Medical Leave. FMLA benefits will run concurrently with benefits provided by Workers'

Compensation. Any lost time of three (3) consecutive days or more will be counted against the employee's 12-week FMLA entitlement. The City will inform the employee in writing within 2 days of Human Resources being informed of the injury that the employee's workers' compensation leave will also be designated as FMLA leave.

K. Alternate Productive Duty

Purpose

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

Eligibility

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

Physician's Role

The treating physician must release an eligible employee for alternate productive duty. The eligible employee must bring a letter to the Human Resources Director from their treating physician detailing the following information in writing after each examination:

1. The length of time the employee is to remain on restricted duty;
2. The exact nature of the work that the employee can and cannot perform; and
3. The date of the next scheduled reexamination to determine any change in the employee's physical status.

Types of Duty or Work

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

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

Scheduling

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

Administrative Review

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

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

L. *Employee Assistance Program (EAP)*

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

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

4. When employees or their dependents realize that an employee has personal problems that may benefit from the assistance provided by the Employee Assistance Program, they will be encouraged to seek assistance and will be supported in their collective or individual efforts to do so.
5. Participation in the Employee Assistance Program will be strictly confidential and will not jeopardize an employee's job security, promotional opportunities, or reputation.
6. All records and discussion of personal programs will be handled in a confidential manner, as are other medical records.
7. Past experience shows that a significant portion of the problems encountered in such programs are related to problems involving the use of alcohol and/or other drugs. It will be the City's policy that chemical dependency is recognized as a treatable illness and will be dealt with as such.
8. The program is not designed to provide treatment or counseling. It is designed to provide early identification of problem areas, motivation towards resolution, and referral to other appropriate care-giving resources when such referral is necessary.
9. When performance problems are not corrected with normal supervisory attention, employees may be referred to the Employee Assistance Program to determine if personal problems are causing unsatisfactory job performance. If performance problems are corrected, no further action will be taken. If performance problems persist, the employee will be subject to normal disciplinary procedures.
10. The policy will not alter or replace existing administrative policies or contractual agreements, but will serve as an adjunct in assisting their utilization.
11. Employee compliance with the program will be strictly voluntary. If an employee is referred to the Employee Assistance Program in lieu of other corrective or disciplinary measures and chooses not to participate in the Employee Assistance Program, normal measures will apply.
12. Employees can access the program by calling 800-357-3133 during the hours of 8:00 a.m. – 5:00 p.m. Monday through Friday. A counselor will ask for the employee's name, the name of the employer, and the general nature of the problem. The City will pay for the initial assessment visit and two additional visits. Any services required beyond these three visits must be submitted to the employee's health insurance plan.
13. For further information about the EAP, please contact your Supervisor or the Human Resources Director.

M. Tuition Reimbursement

The City encourages all employees to improve and upgrade their skills through participation in job related courses at local colleges and universities. Tuition reimbursement is offered to encourage all full-time employees to improve job-related skills and abilities, increase their value to the City, and to assist the employee in preparing for future advancement with the City.

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

1. Tuition reimbursement is intended for courses offered by an accredited two (2) or four (4) year college or university which are directly related to an employee's

- current or prospective job duties or are a part of a degree program directly related to an employee's current or prospective job duties.
2. Any full-time employee who has completed his or her probationary period may make application for tuition reimbursement.
 3. Applications will not be considered if the employee is eligible for or is receiving funds for the same course from any other source.
 4. Applications are to be submitted for approval to the Department Head and the City Manager in advance of beginning the course.
 5. Reimbursement for tuition and required lab fees shall be according to the following schedule:
 - a. 100% tuition reimbursement for one course each semester completed with a grade "C" or better, or numerical equivalent;
 - b. 50% tuition reimbursement for one course each semester completed with a "satisfactory" or "passing" grade under a "pass/fail" option;
 - c. 0% tuition reimbursement for courses not completed or completed with a grade of less than a "C" or its numerical equivalent, or "unsatisfactory" or "failing" under a "pass/fail" option.
 6. Expenses such as textbooks, student fees, parking fees, mileage and meals are not eligible for reimbursement.
 7. In order to receive tuition reimbursement, employees must submit an official school transcript or an official grade card showing the course, the grade, and the tuition cost.
 8. Whenever possible, the schedule of courses selected must not interfere with the employee's normally assigned hours of work. Hours in classes attended after an employee's normal work hours will not be counted as hours worked or credited toward compensatory time or leave. Attendance in a class during regular work hours requires the prior approval of the Department Head and the City Manager. Hours spent in classes attended during regular work hours will be counted as hours worked.
 9. If the employee leaves the City within two (2) years of completing courses for which the City has paid, the City's share of the costs in the twenty-four (24) months preceding termination will be deducted from the final payment of salary, wages, and accrued leave. If the amount of the final payment is not sufficient to cover costs, the individual will be required to reimburse the City for the amount due at the time of termination.

N. *Educational Incentives*

Non-exempt employees who have received job related college credits may be eligible to receive the following allowances as incentive money:

- 15-29 College Education Credits \$25.00 per month
- 30-44 College Education Credits \$50.00 per month
- 45-59 College Education Credits \$75.00 per month
- 60-120 College Education Credits or an Associates Degree in a job related field \$100.00 per month
- 120-160 College Education Credits or a Bachelor's Degree in a job related field \$150.00 per month

- 160 or more College Education Credits or a Graduate Degree in a job related field \$200.00 per month

Employees must supply college transcripts to qualify for incentive money. Please refer to the following Section of your respective collective bargaining agreement for specific requirements:

- AFSCME members: Article XXII, Section 5
- FOP members: Article 21
- IAFF members: Article 26, Section 4

O. Employee Recognition and Awards

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

Awards are made to eligible employees who have completed 5, 10, 15, 20, 25, or 30 or more years of continuous service. Service awards are presented annually at the first Council meeting in December.

SECTION IX: LEAVE AND DISABILITY

A. *Sick Leave Requests*

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

Job-related sickness or disability shall not be charged to the cumulative sick leave of the employee.
2. Department Heads may require a Physician's Certificate, as a condition of sick leave pay, for any absence longer than three days in duration.
3. As mutual protection for the City and the employee, the Department Head may require an employee to submit to a completed physical examination, by a physician designated by the City, when, in the Department Head's opinion, the performance of the employee may have become seriously limited or weakened by virtue of impaired health.
 - a. If the City requires a physical examination, the cost of such physical examination is the responsibility of the City.

B. *Sick Leave*

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

1. As provided by collective bargaining contracts or by City ordinance, sick leave shall be earned by all full-time employees as follows:
 - AFSCME members: 9 days per year (72 hours)
 - FOP members: 9 days per year (90 hours if a 10 hour shift or 72 hours if an 8 hour shift)
 - IAFF members: 9 days per year (216 hours)
 - Non-union employees: 9 days per year (72 hours)
2. There shall be no advance payment of sick leave, excepting two weeks, by the City, of workmen's compensation on behalf of the City's insurer.
3. Active employees may accumulate sick time beyond the maximum, but shall only be compensated in cash at their straight hourly rate of pay for any unused accumulation, not to exceed 960 hours (2,880 for IAFF members) when they are

permanently separated from City service by resignation, discharge, retirement, or death.

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

C. *Disability*

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

D. *Bereavement Leave*

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

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

IAFF Local 3046 Employees shall be allowed one (1) shift off with pay in the event of a death in the immediate family.

E. Family or Medical Leave (FMLA)

The Family and Medical Leave Act of 1993 (FMLA) is intended to provide job and benefit protection for eligible employees who must take certain types of leave.

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

1. Be employed by the City of Sycamore for at least twelve months; and,
2. Have worked at least 1,250 hours in the 12 month period immediately preceding the start of the leave; and,
3. Be employed at a worksite of the City of Sycamore that has over 50 or more employees within 75 miles of that location.

Employees meeting the FMLA criteria listed above may take FMLA leave for the following reasons:

1. The birth and care of the employee's child;
2. Placement with the employee of a child for adoption or foster care;
3. The employee's own serious health condition;
4. To care for the employee's spouse, child (defined in the Act as any child under age 18 for whom the employee is acting as a parent or children 18 or older if they are incapable of self-care or they have a mental or physical disability as defined by the ADA), or parent with a serious health condition.

If your FMLA leave is due to a serious health condition (whether it involves the employee, or your spouse, child, or parent), medical certification from a health care provider will be required. Employees returning from a leave for a serious health condition must also provide the City with a certification from their health care provider documenting their fitness to return to work.

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

Employees eligible for FMLA leave may take up to twelve (12) weeks of unpaid leave during a leave year. The City of Sycamore uses the "rolling backward" method of calculating the leave year, meaning that the 12-month leave year period is measured backward from the date the employee uses any FMLA leave. Each time the employee takes FMLA leave the remaining leave entitlement will be the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

The employer may permit FMLA leave on an intermittent or reduced leave schedule at its discretion and on a case-by-case basis.

Paid time-off will be run concurrently with FMLA leave. If leave is requested for an employee's own serious health condition, the employee must use all of his or her accrued paid sick leave or vacation leave. If leave is requested for any other qualified reason, the employee must use all of his or her accrued paid vacation. The remainder of the leave will then consist of unpaid leave.

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

Absence from work due to an on-the-job injury or illness is considered to be a serious health condition for the purposes of applying Family and Medical Leave. FMLA benefits will run concurrently with benefits provided by Workers' Compensation. Any lost time of three (3) consecutive days or more will be counted against the employee's 12-week FMLA entitlement. The City will inform the employee in writing within 2 days of Human Resources being informed of the injury that the employee's workers' compensation leave will also be designated as FMLA leave.

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

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

F. Victims Economic Security and Safety Leave (VESSA)

The Victims Economic Security and Safety Act allows employed victims of domestic or sexual violence to take unpaid leave without reprisals from their employers in accordance with Public Act 93-0591 passed by the Illinois General Assembly on August 25, 2003. The Act applies to any person employed by an employer of the State or any agency of the State, any unit of local government or school district, or any employer that employs at least 50 employees.

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

1. To seek medical attention for, or recover from, physical or psychological injuries;
2. To obtain services from victim service organizations;
3. To obtain psychological or other counseling;
4. To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase safety from future domestic or sexual violence;

5. To seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding.

Employees may also take such leave to help a family/household member who is a victim of domestic or sexual violence.

Qualifying employees must notify the Human Resources Director as soon as possible when requesting time off. While verification is required, the Human Resources Director will take every precaution to see that all information is kept as confidential as possible. Verification will consist of:

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

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

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

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

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

G. *Educational Leave*

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

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

H. Military Leave

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

If a City employee is called to duty as a result of a **Presidential order**, the City will continue to pay that employee's salary. In this case, the employee will be required to turn over their military pay to the City. Per the Local Government Employees Benefits Continuation Act, however, this will not apply if 20% or more of the City's employees are called to active duty as the result of a Presidential order.

The City will grant an unpaid leave of absence to an employee who is called to active duty as a result of an order of the Governor or as part of his or her one weekend per month or two weeks. Employees may use their earned vacation or comp time to cover this period of absence.

Individuals in either case must present a copy of their military orders to their supervisors as soon as possible after call-up. Employees are required to notify their supervisors at the earliest possible date upon learning of their scheduled military duty.

Military leave of absence shall result in no loss of seniority status or benefits that would have normally accrued if the employee had not been absent.

I. Family Military Leave

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

1. An employee is eligible if he or she has worked at least twelve months and at least 1,250 hours in the twelve months immediately preceding the requested leave.
2. An employee must first exhaust all of his or her accrued vacation, personal, and comp time (except sick and/or disability leave) before he or she is eligible for benefits under the Act.

J. Jury Duty

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

K. School Visitation Rights

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

1. The Act applies to public and private employers that employ at least fifty (50) or more individuals in Illinois, and to their employees.
2. Eligible employees must be employed for at least six (6) months and have been employed at least half-time.
3. Eligible employees can be granted up to eight (8) hours during any school year; no more than four (4) hours may be taken in one day.
4. This time may only be taken if the employee has exhausted all accrued leave time, except for sick leave or disability leave.
5. The employee must provide the employer with a written request for leave at least seven (7) days in advance. In an emergency situation, twenty-four (24) hours notice is required.
6. The leave permitted under this Act is not required to be paid time; however, the employee may choose the opportunity to make up the time so taken on a different day or shift as directed by the employer. Employers are required to make a good faith effort to permit an employee to make up the time taken for the purposes of this Act; if no reasonable opportunity exists for the employee to make up the time taken, the employee shall not be paid for the time. A reasonable opportunity to make up the time does not include the scheduling of make-up time in a manner that would require the payment of wages on an overtime basis.
7. The School Administrator shall provide the parent or guardian documentation of the school visitation. The parent or guardian shall submit such verification to the employer within two working days of the school visitation. Failure to submit the verification to the employer within this timeframe will be cause this time away from work to be considered an unexcused absence.
8. No employee shall lose any benefits except those as provided for in the Act, for exercising his/her rights under the Act. Nothing in this Act shall be construed to affect an employee's obligation to comply with any collective bargaining agreement or employee benefit plan. The rights afforded by this Act shall not be diminished by a collective bargaining agreement or by any employee benefit plan. No employer that is subject to this Act is required to grant school visitation leave to an employee if granting the leave would result in more than five (5) percent of the employer's workforce or five (5) percent of the workforce shift taking school conference or activity leave at the same time.

L. Unpaid Leaves of Absence

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

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

SECTION X: DISCIPLINE POLICY

A. *Goals*

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

B. *Objectives*

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

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

C. *Progressive Disciplinary Procedures*

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

D. *Exceptions to Progressive Disciplinary Procedures*

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

1. Any criminal activity engaged in by any employee in the performance of his/her duties.
2. Insubordination, or refusing to follow the instructions of your Supervisor.
3. Falsifying or omitting pertinent information on any City record or report, including but not limited to employment applications and related forms, time sheets, expense reports, claims for benefits, or other documents.
4. Three or more consecutive unexcused absences, repeated tardiness, or leaving early.
5. Leaving work without a Supervisor's permission.
6. Abusing lunch and break time limitations.
7. Violation of established safety rules, policies, and procedures.
8. Divulging or misusing confidential information.
9. Intentional abuse or neglect of City equipment or City owned property.
10. Suspensions from work without pay exceeding thirty (30) days in any twelve (12) month period.
11. Drinking of alcoholic beverages on the job or being intoxicated while on the job (this shall not apply to law enforcement personnel required to use alcohol as a part of their undercover work).
12. Obscene or abusive language directed toward fellow employees, Supervisors, vendors, guests, or the public.
13. Fighting on the job.
14. Sleeping on the job (this shall not apply to Fire personnel who are sleeping during authorized hours or to personnel engaged in emergency work who are given permission to take rest periods at work rather than returning home).
15. Unsatisfactory work performance

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

E. Demotions for Disciplinary Reasons

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

F. Alternative Disciplinary Procedures under the Employee Assistance Program

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

In addition:

1. In cases where an EAP referral is offered and accepted by the employee in lieu of disciplinary action, the disciplinary action shall be temporarily waived.
2. An employee who accepts a referral to the EAP in lieu of immediate disciplinary action, shall be subject to said disciplinary action at all times during the referral and treatment process until documentation has been received by the EAP coordinator certifying the employee's successful completion of the counseling/treatment programs as prescribed by the EAP referral agency.
3. The disciplinary action as determined and documented by the appropriate supervisory personnel shall be administered immediately if any of the following cases occur:
 - a. The employee accepting the EAP fails or refuses to appear at the EAP referral scheduled by the EAP coordinator.
 - b. The employee accepting the EAP referral refuses to authorize the EAP referral agency to obtain the employee's work performance record.
 - c. The employee accepting the EAP referral refuses to accept counseling or referral to another service agency for counseling and/or treatment after the initial assessment and evaluation.
 - d. The employee accepting the EAP referral fails to successfully complete the counseling and/or treatment program as determined by the EAP referral or service agency.
 - e. The employee accepting the EAP referral fails to correct and/or improve his/her work performance, and/or behavior that led to the EAP referral.
4. Upon the employee's successful completion of the counseling/treatment program, as documented by the EAP coordinator, the discipline action, which initiated the employee's referral to the Employee Assistance Program, shall be abated. Notification will be sent to the employee and his/her department head from the EAP coordinator stating that the employee has successfully completed the Employee Assistance Program referral in lieu of serving the disciplinary action, which is then abated. A copy of this notification shall be placed in the employee's personnel file. Documentation of the behavior that led to the original EAP referral shall remain in the employee's personnel file with the notation that an EAP referral shall not interrupt the progressive disciplinary process. If an employee successfully completes an EAP referral, said notice of completion shall remain in the employee's personnel file.

XI: SEPARATION AND REINSTATEMENT

A. Types of Separations

1. Voluntary Resignation

Non-supervisory personnel who voluntarily leave the City service, shall give advance, written notice of not less than ten (10) working days. Professional and supervisory personnel who voluntarily leave the City service shall give a month's advance written notice. Failure to comply with this rule may result in the denial of re-employment rights.

- a. The Department Head, with the approval of the City Manager, may waive this requirement if, in his/her judgment, exceptional circumstances warrant such exception.

2. Involuntary Resignation

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

3. Reduction in Work Force/Recall

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

- a. A reduction in force may occur as a result of the elimination of services, changes of work methods, or lack of funding. A reduction in force is accomplished in accordance with Collective Bargaining Agreements and provisions of the City Code.
- b. Employees who are laid off retain the right to recall as governed by their respective Collective Bargaining Agreement and provisions of the City Code.

4. Discharge

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

- b. Sworn employees shall be subject to discharge only in accordance with applicable provisions of State statute and the rules and regulations of the Board of Fire and Police Commissioners.

5. Retirement

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

- a. An employee wishing to retire shall give written notice at least ninety (90) days prior to the effective retirement date.

B. Termination Date

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

1. Although resigning employees are generally discouraged from using accrued benefit time (vacation days and comp time) during their period of notice, the Department Head, after consultation with the City Manager, may grant an employee's request for time off, if such absence does not compromise the needs of the department.
2. Participation in the group insurance plans will cease on the last day of employment.
 - a. Separating employees are eligible for an extension of medical, dental, and vision insurance benefits under the "Consolidated Omnibus Budget Reconciliation Act" (COBRA) of 1986 (See the ***COBRA Extended Insurance Coverage*** section).
3. If employees have attained a vested status under a pension program, they are eligible for a future retirement pension. Those employees who have not become vested are eligible for a refund of pension contributions.
4. Employees participating in a deferred compensation plan can obtain the necessary forms for the disposition of funds through the plan representatives.

C. Final Paycheck

The final paycheck for separating employees is normally issued on the next payroll date following the last day of employment.

1. The final paycheck will only be issued after the separating employee returns City keys, uniforms, equipment, and identification card to his or her Supervisor.

D. Accrued Time Pay-out at Separation

1. Vacation Time

- a. Unless otherwise specified by Collective Bargaining Agreement, vacation time is prorated through the employee's last workday.
- b. Employees will be compensated for all unused, prorated vacation leave at termination.

4. Comp Time

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

3. Sick Time

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

E. Reinstatement

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

EMPLOYEE ACKNOWLEDGEMENT FORM

I acknowledge having received a copy of the City of Sycamore's Employee Handbook dated February 2007. I agree to read and become familiar with its contents. I understand that this Handbook is not an express or implied contract of employment, nor does it create any rights in the nature of an employment contract. Rather, this Handbook is an overview of personnel policies related to my employment with the City of Sycamore.

I also understand that all policies, rules and regulations in the Handbook may change from time to time.

Employee Signature

Date

Employee Printed Name