



The City of  
Des Plaines

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# **PERSONNEL POLICY MANUAL**

Revised January 1, 2025



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**\*\*\*NOTICE\*\*\***

**The City’s Personnel Policy Manual is NOT intended to create any contractual or other legal rights. It is NOT an expressed or implied “contract” of employment, nor is it intended to create any property or tenant rights in the nature of an employment contract. Employment with the City of Des Plaines is at-will, except for non-probationary appointees of the Board of Fire and Police Commissioners and non-probationary employees covered by a collective bargaining agreement. The termination of the employment relationship can be by the employee or by the City at any time, without restriction or limitation. No other section, subsection, benefit or procedure set forth in this Personnel Policy Manual implies, or may be construed to imply, that it or any portion thereof, is an employment contract or alters the employment at-will relationship.**

**\*\*\*NOTICE\*\*\***

## **Welcome to the City of Des Plaines!**

As a City employee, you can take a great deal of pride in being associated with a hard-working organization that has a long-standing tradition of providing the very best in municipal services. Together, our mission continues to be to enhance the quality of life enjoyed by the citizens and businesses of the Des Plaines community through the development and delivery of reliable and efficient services.

Always keep in mind that the citizens of the City of Des Plaines are our ultimate “employer”. As local public officials and employees, we are a service provider for City residents and the public in general. **Customer service is our highest priority.** Each public contact is an opportunity for excellent performance: whether it is handling a complaint, a request for service, or an occasional thank-you. Customer service is not limited to our citizens, local businesses and the general public, but includes the interaction between all City employees, representatives of other government agencies, suppliers, providers of services and other outside businesses and organizations with whom we work. The primary goal is always to provide all of our customers with quality service in a prompt and courteous manner.

Each individual in our organization plays an important role in carrying out the City’s mission and ensuring that the organization thrives. I encourage you to be actively involved in this process, to engage your manager/supervisor, and to support the principles of continuous improvement and teamwork that we believe are necessary to accomplish our goals and assure continued success. By working cooperatively, we not only strive to get the job done but to create a challenging and stimulating work environment as well.

Again, I welcome you and hope that you will enjoy a happy and productive employment experience with the City of Des Plaines.

## **City's Mission Statement, Beliefs & Vision**

### **City's Mission Statement**

The mission of the City of Des Plaines is to continually enhance the quality of life enjoyed by the citizens and businesses of the Des Plaines community through the development and delivery of reliable and efficient services.

### **We Believe...**

That the municipal government exists to serve the residents and business community.

That continuous improvement in the quality and methods of service is essential to maintain a standard of excellence in municipal government.

That working together, the City Council and City Staff provide the leadership and guidance to meet the needs of our community.

That our employees are a valuable resource to our community and through their personal and professional growth enhance the quality of services.

That encouragement of citizen participation and community involvement is essential for good government.

That the City should continually evaluate its services in an environment of rapid social, cultural, economic and technological change.

That the City should continue to be a leader in municipal government.

### **Our Vision Includes...**

Excellence – The City will be a model of excellence in providing municipal services.

Leadership – The City will provide leadership to manage change and encourage creativity, productivity and innovation.

Commitment – The City is committed to continually improve the quality of services to our residents and our employees.

Communication – The City will communicate openly with honesty and integrity.

Environment – The City will foster good stewardship of our natural environment through protection and conservation of natural resources.

Diversity – The City will leverage its strength as a uniquely diversified community by developing interactive relationships with all residents in order to enhance the quality of life throughout the City.

Resources – The City is dedicated to assuring that resources are used efficiently and wisely toward the achievement of our mission.

## **Chapter 1 – General Provisions**

### **1.1. Introduction**

This document is known as the City of Des Plaines Personnel Policy Manual and will be referred to throughout as the “Manual.” The Manual is comprised of the current personnel policies, procedures, and practices that uniformly regulate and govern employment with the City. Also identified in the Manual are benefit programs and other services available to employees. As a consolidated reference guide, it assists the supervisor in standardizing the application of the City’s personnel program and serves to protect and clarify the rights and responsibilities of employees. Interpretations of the Manual are to be directed to Human Resources Director to ensure a consistent application of policies and practices throughout the City.

### **1.2. Applicability of the Personnel Policy Manual**

The provisions of this Manual apply to all city employees and its purpose is to provide a better understanding of the role employees hold as members of the City’s workforce. It is the responsibility of all employees to abide by the policies and procedures regulating employment with the City and their applicable department.

### **1.3 Other Employment Laws, Rules and Regulations**

Other employment laws, rules and regulations besides the Manual govern individuals employed by the City. A collective bargaining agreement (CBA) defines the wages, hours and other conditions of employment for those employees covered by that union contract. Sworn Fire and Police personnel are subject to the Board of Fire and Police Commissioners (BFPC) rules for original appointment, promotion, discipline, and separation procedures. The City’s Municipal Code codifies standards and levels of service set by the elected officials. State law provides employees certain mandated benefits and identifies safety standards (e.g., “Workers Compensation Act”). In addition, employment rights are afforded to specific classes of the population and workforce standards are established through the enactment of Federal legislation (e.g., “Americans with Disabilities Act” (ADA); “Equal Employment Opportunity Act” (EEO); “Fair Labor Standards Act” (FLSA) etc.).

### **1.4. Personnel Manual’s Precedence with Laws, Rules and Contracts**

The employment laws, rules and regulations of other agencies may from time to time come in conflict with provisions of the Manual and the following order of precedence shall be used to reconcile such conflicts as they arise:

1. In the event of a conflict between a section, sub-section or provision of the Manual with any Federal, State and local laws, acts, statutes or ordinances, the latter shall govern.
2. If a section, sub-section, or provision of the Manual is in conflict with a similar provision in the BFPC’s rules or of a CBA, the provisions of the BFPC’s rules or CBA shall take precedence. Such precedence only pertains to those employees covered by the BFPC rule

or a CBA and only for the provision(s) of the Manual in conflict. If the BFPC's rules or CBA are silent on a subject, the Manual's provision shall be in full force and effect.

3. The Manual, except as noted in sub-section 2 above, is a comprehensive document identifying the benefits, policies, procedures and individual rights that govern employment with the City. The Manual also supersedes all previous staff or personnel policy manuals, general orders, administrative procedures, handbooks, past practices and/or customs.
4. Department rules provide for the implementation of sections or sub-sections of the Manual consistent with the operational activities of the department and outlines procedures for those activities not covered by the Manual. If a conflict should occur between a department rule and the Manual, the Manual shall be in full force and effect.

#### **1.5. Conflict with Law in the Personnel Manual**

Each chapter, section or sub-section of the Manual represents an independent statement. If Federal, State or local law voids any section or sub-section of the Manual, it does not invalidate any other provision.

#### **1.6. Gender Usage in the Personnel Manual**

Whenever a singular/plural pronoun is used in the Manual, it is intended to refer to all employees, male and female.

#### **1.7. Maintenance of the Personnel Manual**

Once adopted, the Manual is not a static document and updates are essential to keep the Manual current and meaningful. Changes in technology, new Federal, State and local laws, court rulings, local policies and demands upon City services create a constant need to update and continually modify the intent and applicability of the Manual. The policies, procedures and practices referenced in the Manual shall be amended or added to at any time at the sole discretion of the City Manager in order to carry out the effective and efficient operation of the City. All employees will be notified when an update occurs but the most updated Personnel Policy Manual can be obtained by contacting the Human Resources Division. Printed pages of the updated sections will not be distributed with each revision or change and the on-line edition of the Manual shall be the official version and shall take precedence over any previously printed copy of the Manual.

#### **1.8. Types of Employees**

The City has several different types of positions which are defined in this section. Full-time positions are defined as those which are budgeted for and work between 1,950-2,080 hours annually. Employees in these positions are eligible to receive the City Benefit Package (1.0 FTE).

**Part-Time IMRF Positions** are budgeted for and regularly work between 1,000-1,462 hours annually (.51-.75 FTE). Employees in these positions are enrolled in IMRF (Illinois Municipal Retirement Fund) but receive no other benefits other than those required by law.

**Part-Time Positions** are defined as those which are budgeted for and work 975 hours (.50 FTE based upon 1,950 annually). These positions are assigned to work a regular, reoccurring schedule. These positions do not receive any benefits other than those required by law.

**Seasonal/Sporadic Part-Time Positions** are defined as those budgeted for and working approximately 487.50 hours (.25 FTE) and whose work is sporadic or seasonal (for a specified time period, like crossing guards). These positions are not eligible for any benefits other than those prescribed by law.

## **Chapter 2 – City Employment Authority**

### **2.1. City Council**

The City of Des Plaines is a home-rule municipality operating under the Manager form of government. The City Council consists of the Mayor, elected at large, and eight Aldermen, elected by ward, and it is they who establish the City's mission and annual goals. The City Council is the appointing authority of the City Manager and positions on the City's various boards and commissions. Among its other legislative responsibilities, the City Council authorizes the annual budget and collective bargaining agreements providing for the staffing and compensation levels to maintain the City's workforce.

### **2.2. City Manager**

Appointed by the Council, the City Manager serves as the organization's chief administrative officer. The City Manager is responsible for maintaining the staffing levels of departments at the level needed to carry out the City's mission and goals. The City Manager is the appointing authority for all employees of the City except for those employees appointed or promoted under the jurisdiction of the BFPC. The City Manager issues policies, rules and regulations as administered by the Human Resources Division to attract and maintain a quality workforce and effectively carry out City services.

### **2.3. Board of Fire and Police Commissioners**

Appointed by the City Council, the Board of Fire and Police Commissioners (BFPC) directs the recruitment and selection for original entry of sworn Fire and Police personnel. The BFPC is also responsible for the promotional process for designated sworn positions in the Police Service and Fire Service. In addition, the BFPC is the hearing body for formal charges of misconduct brought against sworn Fire and Police personnel and the appeals by these employees of disciplinary actions. Additional information can be found in the BFPC's rules and regulations.

### **2.4. Department Directors and Supervisors**

Appointed by the City Manager, all non-BFPC management and supervisory staff members of each operating department are responsible for ensuring the effective and efficient delivery of services to the public and enforcement of appropriate ordinances and laws. Department Directors and supervisors establish goals and provide leadership to employees for carrying out assigned tasks.

## **Chapter 3 – City Work Environment**

### **3.1. Equal Employment Opportunity (EEO)**

The City is an equal opportunity employer and complies with all applicable Federal, State and local laws regarding employment. All applicants and employees will be treated without regard to race, color, ancestry, religion, sex, national origin, age, disability, pregnancy, veteran status, marital status, sexual orientation, or other legally protected characteristics or conduct. This policy applies to recruitment, hiring, compensation and fringe benefits, promotion, transfer, performance evaluation, disciplinary action, discharge, training, and all other terms, conditions or privileges of employment. Any employee feeling that they have experienced unwanted or prohibited action by another employee is encouraged to bring the matter to the attention of the Human Resources Division. Employees may also seek assistance through the Employee Assistance Program (EAP), in addition to the City's fair and impartial investigation into complaints.

### **3.2. Harassment & Sexual Harassment**

#### **3.2.1 Introduction**

The City of Des Plaines is committed to maintaining a work environment that fosters appropriate conduct among colleagues and respect for individual values and sensitivities. The City will not tolerate harassment of its employees of any kind, including sexual harassment, by any individual, including any supervisor, co-worker, elected official or third party, and will take immediate steps to stop it when it occurs. Violations of this policy will result in disciplinary action up to and including termination.

#### **3.2.2 Definitions**

Harassment is defined as unwelcome conduct, whether verbal, physical or visual, that is based upon or derisive of a person's race, color, ancestry, religion, sex, national origin, age, disability, veteran status, marital status, sexual orientation, or other legally protected characteristics or conduct. Harassment occurs where the unwelcome conduct affects tangible job benefits, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive working environment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct explicitly becomes a condition of employment;  
*or*
2. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the employee; *or*
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive environment. To meet this threshold, conduct must be sufficiently severe or pervasive to alter the conditions of the victim's employment by having created a workplace permeated with discriminatory intimidation, ridicule and insult.

All employees are advised that submission to such conduct shall be neither an explicit nor an implicit term or condition of employment, and that submission to or rejection of such conduct shall not be used as a basis for making employment decisions.

Even where conduct is not sufficiently severe or pervasive to constitute an actionable legal violation, the City discourages such conduct in the workplace.

### **3.2.3 Prohibited Conduct**

All employees of the City are expected to avoid any behavior or conduct toward any other employee that is or reasonably could be interpreted as harassment. Employees are encouraged to inform others in the workplace when their behavior is unwelcome, offensive, inappropriate, or in poor taste. Employees are expected to come forward promptly and report any violations pursuant to this policy before the alleged offending behavior becomes severe or pervasive.

Examples of harassment include but are not limited to: epithets, slurs, negative stereotyping, or intimidating acts that are based on a person's protected status; written or graphic material that is circulated, available on the City's computer system or technology resources, or posted or distributed in the workplace that shows hostility toward a person or persons because of their protected status; sexually orientated verbal "kidding," teasing or jokes, comments, written materials or visual displays which may be demeaning or cause a person to feel uncomfortable; subtle or direct pressure for sexual favors; sexual propositions, sexual innuendo or suggestive comments; physical conduct such as patting, pinching, or brushing up against someone's body or physical or sexual assaults; and displaying or transmitting demeaning, obscene or sexually suggestive pictures, objects, cartoons, or posters anywhere in the workplace. Hostile work environment sexual harassment can be the product of a supervisor harassing a subordinate, a subordinate harassing a supervisor, harassment between two employees, or non-employees harassing an employee.

A victim of harassment does not have to be the person harassed, but could be anyone affected by the offensive conduct. Additionally, preferential treatment of an employee, or the promise of preferential treatment to an employee, in exchange for dates or sexual conduct; denial or threat of denial of employment, benefits or advancement for refusal to consent to sexual advances is considered sexual harassment and is prohibited conduct. Sexual harassment can occur between men and women, or between members of the same gender.

It is not, however, considered harassment for a member of the management/supervisory staff, as part of their job responsibilities, to enforce standards of conduct and job performance in a fair, lawful and consistent manner.

#### **3.2.4 Complaint Procedure**

To ensure that appropriate actions can be taken to prevent harassment from occurring in the work environment, an employee who experiences or witnesses conduct he or she believes is inconsistent with this policy, either by a supervisor, co-worker, or non-employee, is not only urged, but also obligated to report such conduct.

Complaints of harassment are to be promptly directed either verbally or in writing to the employee's Department Director, who shall in turn report it to the Human Resources Director. In the event the complaint involves the Department Director, or if the employee for any reason is uncomfortable in dealing with the Department Director, the employee may report such conduct directly to the Human Resources Director, Assistant City Manager or City Manager. This policy does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination.

All Department Directors and other supervisors who become aware of such conduct shall immediately report such actions to the Director of Human Resources (the designated Title VII compliance officer), Assistant City Manager, or City Manager, so corrective action can be taken to prevent other similar situations from arising. All City officials including elected or non-elected corporate authorities, who become aware of sexual harassment in the workplace, have a duty and obligation to report such conduct to the Human Resources Director or City Manager.

A supervisor's failure to make such a report may constitute a violation of this policy.

#### **3.2.5 Confidentiality**

The City respects the confidentiality and privacy of all its employees. Accordingly, the City will make every effort to protect the confidentiality of employees involved in a claim of harassment, to the extent that the investigation process permits. However, in the event of a lawsuit, grievance or other proceeding, some records the City maintains may not be considered privileged from disclosure.

#### **3.2.6 Investigatory Procedures**

The Human Resources Director will promptly initiate an investigation of the suspected harassment.

The City will investigate all complaints expeditiously, confidentially and professionally. At the conclusion of the investigation, the Human Resources Director will make a determination as to the validity of the complaint and what appropriate actions should be taken to correct the situation. If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the City will take appropriate corrective actions, including but not limited to disciplinary action up to and including termination.

It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a

mechanism for reporting such incidents. At the same time, the purposes of this policy against harassment in the workplace are not furthered where a complaint is found to be false and frivolous and made to accomplish some other end than stopping harassment. A complaint that is determined to be false and frivolous can result in a severe level of discipline or discharge. A false or frivolous complaint does not refer to complaints made in good faith that cannot be proven.

Employees are encouraged to use the above complaint procedure(s) to report and resolve their complaints of harassment or retaliation to promote prompt resolution of any problems. However, employees may also file a charge of discrimination in writing with the Illinois Department of Human Rights within 180 days of the harassment and/or the Equal Employment Opportunity Commission at:

Illinois Department of Human Rights  
100 W. Randolph St., Suite 10-100  
Chicago, IL 60601  
(312) 814-6200

Equal Employment Opportunity Commission  
500 West Madison Street, Ste. 2800  
Chicago, Illinois 60661-2511  
(312) 353-2713

#### **3.2.7 Retaliation**

The City will not tolerate retaliation, by any employee, in any way, against anyone who makes a good-faith complaint of harassment; assists or cooperates in an investigation of a complaint by someone else, whether internally or with an external agency; or files a charge of discrimination or harassment; or otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws. Examples of the types of retaliation that are prohibited include intimidation; discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment; termination of employment; or threats of any such actions. Retaliation is a serious violation of this policy that may result in discipline up to and including dismissal. All employees who experience or witness any conduct they believe to be retaliatory should immediately follow the complaint procedures stated above. All employees who experience or witness any conduct they believe to be retaliatory should immediately follow the reporting procedures stated above.

#### **3.4. Drug-Free Workplace**

The City subscribes to and is in compliance with the federal “Drug Free Workplace Act” and corresponding laws of the State of Illinois. The unlawful manufacturing, distributing, dispensing, possessing, or using of controlled substances, cannabis and other abused drugs/substances that can affect the individual’s performance on the job is strictly prohibited. This prohibition applies to any City facility, on City property, in any City owned or leased vehicle or at any location that employees are working or conducting City business. The City considers drug abuse or the misuse of drugs as a potential health, safety and security problem. Employees shall not report to work under the influence of controlled substances. Further, employees are required by this law to notify

the City within five (5) days of any conviction, guilty plea or imposition of a sentence for a drug crime that occurred in the City’s workplace.

Compliance with the “Drug Free Workplace Act” is a condition of continued employment for those employees whose positions with the City are funded, in part, or in total through a grant. Grant employees found in violation of the provisions of the Act shall be required to satisfactorily participate in drug rehabilitation and may be disciplined up to and including termination. The City’s *Alcohol and Substance Abuse Policy* is attached in the Appendices section of the Manual.

### **3.5. Americans with Disabilities Act (ADA)**

#### **3.5.1 Introduction**

The Americans with Disabilities Act of 1990 (ADA) is intended to eliminate discrimination against individuals with disabilities and bring them into the social and economic mainstream of American life. The Act prohibits discrimination against a "qualified individual with a disability" by providing two (2) mandates. The first is the disabled individual's entitlement to participate in the services, programs and activities provided by the City of Des Plaines. The second mandate is to remove barriers for a disabled individual as to job application procedures, hiring, advancement, discharge, compensation, training, and other terms, conditions and privileges of employment.

The ADA definition of disability is the same as is found in Section 504 of the Rehabilitation Act of 1973:

1. Any physical disorder or condition or any mental or psychological disorder that substantially limits one or more major life activities. Major life activities that have been found to be potentially impaired under the Rehabilitation Act and under the ADA Interpretive Guidelines include, but are not limited to: caring for one's self, performing manual tasks, walking, sitting, standing, lifting, reaching, seeing, hearing, speaking, breathing, learning, and working.
2. Having a record of an impairment that would substantially limit one or more of an individual's major life activities (i.e., a condition or impairment that would be covered if it were current).
3. Is regarded as having such impairment.

#### **3.5.2 Endorsement and Non-Discrimination**

The City of Des Plaines endorses the mandates of the Americans with Disabilities Act to remove barriers that prevent a qualified individual with a disability from enjoying the same opportunities that are available to persons without a disability. The City does not discriminate on the basis of disability in any of its programs or activities or employment.

Consistent with this policy of equal employment opportunity, it is the City’s policy to make reasonable accommodations for applicants and employees with disabilities who are

otherwise qualified for the job, in accordance with applicable law. Persons with disabilities may request reasonable accommodations by directing their request to the Human Resources Director via his/her Department Director. The Human Resources Director will coordinate the review process of any requested accommodation in light of: The precise physical or mental limitations resulting from the disability; and any reasonable accommodation suggested by the individual that could overcome the limitation.

The City may engage in an interactive process with employees to determine the nature of limitations and potential accommodations that might remove such limitations. As part of this interactive process, the City may request an employee to provide certain information from his or her health care provider regarding the employee's ability to perform the essential job functions with or without a reasonable accommodation. Upon presentation of medical documentation supporting the need for a workplace accommodation, the City will consider accommodation of pregnancy pursuant to this procedure to the extent such accommodation does not pose an undue hardship on the ordinary operation of the business of the City.

An accommodation consists of any change in the work environment or the manner in which a job is usually performed that enables an individual with a disability to enjoy equal employment opportunities. The ADA requires that reasonable accommodations be made only to the known physical or mental limitations of an otherwise qualified individual. It is thus the responsibility of the person with a disability to inform the City that an accommodation is needed.

The City will not place an individual with a disability into a position that poses a direct threat to the health and safety of themselves or others and who cannot perform the job at a safe level even with a reasonable accommodation.

#### **3.6. Employee Personnel Files**

The Human Resources Division maintains a personnel file for each employee of the City. This file includes changes in pay status, performance evaluations, commendation or disciplinary action, training records, medical documentation, and other related files. Non-medical information contained in an employee's personnel file is considered sensitive and access to it is only granted on a need-to-know basis. Strict confidentiality is observed with employee medical information contained in a personnel file and is accessible only in accordance with the American's with Disabilities Act, or applicable with the City's *HIPPA Privacy Standards*. Employees may review their own personnel file and will be provided with copies of their file upon request to the Human Resources Division. Employees may provide a rebuttal to any document contained within their personnel file. Employees may also request that a document be corrected or removed from their personnel file upon the review and agreement of the employee's Department Director and the Director of Human Resources.

On occasion, credit bureaus, financial institutions or other agencies contact the Human Resources Division or an operating department to verify employment status. In response to inquiries, the City's policy is to confirm an individual's employment, position title, length of employment, beginning salary, and ending salary. The Human Resources Division will only release other information upon the receipt of a written request from an employee, which request specifically provides identification of which information is to be released and to whom release is authorized. The City will comply with an ordered release of employee information required by law.

### **3.7. References on Former Employees**

The Human Resources Division is the only authorized source of references on former employees and inquiries received by other departments should be referred to the Human Resources Division. The City's standard response to inquiries regarding former employees is to confirm an individual's employment, position title, length of employment, beginning salary and ending salary. Other reference information may be provided by the Human Resources Division in consultation with the applicable Department Director based upon verified documents in the employee's personnel file. Additional reference information may be obtained in conjunction with a legal proceeding or by the former employee securing the information from their official personnel file.

## **Chapter 4 – Classification Plan**

### **4.1. Introduction**

Each authorized position within the City has clearly assigned job functions. All positions are assigned to a specific classification, which may be singular in nature covering only one position or representing multiple positions. Employees of the same classification share the same title, minimum qualifications, and similar kinds of work activities, but may be assigned to different departments, divisions or work units. Thus, the tasks of individual employees within the same classification can differ in response to the different operational needs of each department.

### **4.2. Position Descriptions**

The Classification Plan of the City represents a complete inventory of all positions within the organization and the class to which they are allocated. Each class title has a corresponding position description that includes: union, commission, and FLSA status; position summary; supervisory relationships; essential duties and responsibilities; minimum and special qualifications; physical demands; and work conditions. The position description describes the minimum qualifications required by an employee assigned to that class and not necessarily the actual qualifications of a current or prospective employee. Employees may obtain copies of current position descriptions by contacting the Human Resources Division.

### **4.3. Organization Charts**

In conjunction with the Classification Plan, the Human Resource Division shall maintain the official organization charts of the City's operating departments and divisions. The organization charts shall depict class title; number assigned; full-time, part-time, or seasonal status; and supervisory relationships for each position of the Classification Plan. Employees may obtain copies of current organization charts by contacting the Human Resources Division.

### **4.4. Use for Other Personnel Functions**

The Classification Plan, aside from being a formal registry of positions, provides a basis for several personnel functions. These include:

1. Preparing recruitment advertisements that target specific segments of the labor market.
2. Grouping of classes in the Compensation Plan with similar market values.
3. Identifying areas of similar knowledge, skills and abilities in providing developmental and/or training programs.
4. Providing position descriptions for use in establishing work standards and evaluating employee performance.
5. Establishing standard position terminology for staffing and budgetary purposes.

### **4.5. Classified Service**

The Classification Plan contains all authorized full-time and regular part-time positions of the City and is collectively referred to as the "Classified Service". The City reserves the right to modify position descriptions and class titles at any time to reflect changes in job activity. If such changes

occur, it does not necessarily imply a change in classification, or in the classification's placement in a salary schedule. As additional positions are authorized, these positions will either be placed into existing classifications or, if there is not a sufficient match, a new classification will be developed.

#### **4.6. Maintenance of the Classification Plan**

Changes can and do occur in the duties, work activity or functions of positions. Directors are responsible to report any changes in a position's work activity to the Director of Human Resources. These changes will be reviewed for possible modifications to the position's description. In addition to department notices, the Human Resources Director will periodically audit positions in the Classification Plan.

#### **4.7. Request for a New Classification or Reclassification**

Changes in department operations and service delivery may result in the need for a new class of position(s) to perform significantly different duties and responsibilities not reflected in the current class of positions. In other situations, the complexity of work or level of responsibility of a position or a class of positions may change so that a significant amount of the daily work no longer reflects the duties contained in the current position description for an employee's classification. If the applicable Department Head or Director of Human Resources believes either situation is present, they shall meet and confer on submitting a written request for a new classification or reclassification to the City Manager, typically during the annual budget process.

A request for a new classification or reclassification should include the following information in memorandum format:

1. A detailed identification of the essential duties, responsibilities, and minimum qualifications for the new classification or for those that have changed warranting a reclassification.
2. A clear, quantifiable analysis outlining the changes in the department that have caused a need for the new classification or requested reclassification. This should include a projection of future changes over the next couple of years that may impact the department and how this will affect staffing.
3. A draft position description of the new or reclassified position along with a draft department organizational chart clearly indicating the change to the department's staffing structure.

If there is disagreement between the applicable Department Head and Director of Human Resources as to whether a request is warranted, then that differing viewpoint or recommendation should be included with the request. The City Manager shall review each request and provide a final determination on the matter.

## **Chapter 5 – Recruitment & Selection**

### **5.1. Introduction**

When a vacancy occurs in the City, the applicable Department Head shall submit a request to the Human Resources Director to initiate the recruitment process. The Human Resources Director shall then make a recommendation on the request and forward it to the City Manager for authorization to proceed. All employment decisions involved within the recruitment process will reflect the City's commitment as an equal employment opportunity employer. To this end, the City bases its recruitment and ultimate employment decisions on the ability of candidates to perform the essential functions of the job. The Human Resources Division shall coordinate the employment process for all positions in the City except for sworn Fire and Police personnel who fall under the jurisdiction of the BFPC.

The City reserves the right to recruit externally and internally simultaneously, as well as to hire the most qualified candidate, whether that individual is an internal or external candidate. Current qualified employees may still be considered along with qualified candidates outside the City.

### **5.2. Application for Employment**

Applications for employment shall be submitted on the City employment application form. The application form shall be completed in its entirety and any evidence of falsification or fraud on the form may be grounds for dismissal or disqualification from consideration for employment.

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

### **5.3. Examinations and Testing**

Employees may be required to complete a drug screen, background check, physical examination, polygraph, psychological examination, and other job-related tests, as required by the Human Resources Department, in order to assess their skills or qualifications for certain positions as part of the selection process.

All candidates identified for hiring will undergo a background check, including a criminal background history, prior to a conditional offer of employment.

The existence of a criminal conviction record does not mean that a candidate will not be hired. The decision to offer/not offer the position will be based upon the offense and how it is related or relevant to the position for which the candidate is being considered.

In addition, all previous employers and personal references will be contacted regarding the candidate. For CDL holders, information regarding urine drug tests and breath alcohol test results

from previous employers will be obtained, as mandated in 49 C.F.R. Part 40 of the Federal Motor Carrier Regulations.

In addition, a more extensive background check through the Police Department and/or background-checking agency will be performed when the prospective new hire is being considered for certain positions.

#### **5.4. Medical Examinations**

All candidates must submit to drug testing prior to commencement of their employment. All candidates for positions that have significant physical requirements must submit to a physical examination and functional job screen prior to commencement of their employment. Police officers and firefighters are subject to psychological assessments. Failure of any testing or exam and/or screen may result in termination of the employment offer. Employees are required to submit to a physical and/or psychological examination per department requirements as may be necessary to determine the employee's fitness to perform the duties of his/her position. Such examination may be ordered to verify use of sick leave, fitness for duty, or for other business-related reasons such as to determine the extent of the illness or injury, prognosis, and possible date and ability to return to work. The failure or refusal by an employee to submit to such an examination may result in the disallowance of any sick pay requested, cancellation of leave of absence, and possible termination of employment. A City-approved licensed medical professional or professionals shall perform all examinations, which are required by the City.

#### **5.5. Appointing Authority**

The City Manager and members of the City's various boards and commissions are appointed as provided in the City Code. The Board of Fire and Police Commissioners is the appointing authority for the sworn entry-level positions and for designated higher-ranking sworn positions in the Fire and Police Departments. The appointment of all employees to full-time, part-time, seasonal, temporary and intern positions, except for the sworn Fire and Police personnel under the jurisdiction of the BFPC, is made by the City Manager.

#### **5.6. Probationary Period**

All new employees covered by a CBA serve a formal probationary period. The length of the period ranges from twelve (12) months to longer periods outlined in the rules of the BFPC for covered sworn Fire and Police personnel. Probationary employees are evaluated periodically as to satisfactory progress in meeting job requirements, proficiency in performing essential job function and identifying areas of improvement and development. Probationary employees may be suspended, laid off, or terminated during this period at the sole discretion of the City. A termination during a probationary period is not subject to the provisions of any CBA grievance procedure unless specifically provided-for in the applicable CBA. Non-union employees do not serve a probationary period, as they are at-will employees. This Personnel Policy does not authorize or provide for review or grievance of the separation of probationary or non-union employees.

### **5.7. Employment of Relatives**

Due to actual and perceived conflicts of interest, it shall be the policy of the City that relatives of an elected City official will not be hired. Relatives of current employees are considered for employment on the basis of their qualifications. However, the City will not consider or accept such applications where the employment of an employee's relative would result in the types of prohibited employment relationships identified below:

1. A supervisor/subordinate relationship would, or could reasonably exist between a relative and an employee. If a direct supervisory or managerial relationship would or could reasonably be established, relatives of a current employee cannot be considered as applicants for an open position.
2. The employment of a relative would create an actual conflict of interest or the appearance of a conflict of interest. For example, this policy bars the hiring or employment of an employee's relatives in any position that has an auditing or control relationship to the employee's job.

If such personal relationship is established after employment, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Department Director or Director of Human Resources. Employees who marry can continue in their current positions as long as a prohibited employment relationship is not created. If one of the prohibited situations does occur, attempts will be made to find another position within the City to which one of the employees can transfer. All practical efforts will be made to arrange such a transfer at the earliest possible time. If accommodations of this nature are not feasible, then one of the employees at the City's discretion will be discharged.

Employees hired prior to the implementation of this policy (January 1, 2008) found to be in one of the prohibited employment relationships described above shall not be subject to the transfer and/or discharge provisions. However, the applicable Department Director, Director of Human Resources and the City Manager shall review each instance on a case-by-case basis and implement the appropriate steps to ensure all actual and/or potential conflicts of interest are appropriately reconciled.

For the purposes of this policy, relatives include spouses, civil union partners, parents, children, siblings, in-laws, grandparents, grandchildren, aunts, uncles, cousins, step-relatives, or any individual with whom an employee has a close personal relationship, such as a domestic partner, co-habitant, or significant other.

### **5.8. Employment of Elected Officials**

Due to actual and perceived conflicts of interest, the City will not consider the applications for employment of elected City officials or officials of any other level of government or political party

that appears on an election ballot within the City while they are in office or for one year after they leave office, except as otherwise provided by law.

### **5.9. Enrollment and Orientation**

All new employees come to the Human Resources Division on the first day of employment to complete their enrollment forms, receive an explanation of benefit programs, policies and procedures, and be provided a copy of the Manual and other applicable policies. Also on the first day of employment, departments to which new employees are assigned will provide an orientation as to operations, policies, procedures and safety practices.

### **5.10. Re-employment Opportunities**

Former employees who have separated or retired from employment with the City may be eligible to be re-hired if they demonstrate the ability to perform the essential job functions. (NOTE: Former employees seeking to return to City employment in positions as sworn Fire and Police personnel must comply with the rules and selection requirements of the BFPC.) Any former employee terminated for performance reasons, misconduct, or who resigns without providing two weeks' notice shall not be eligible for re-employment.

Employees retired under either the Fire Pension or Police Pension funds can, if they demonstrate the ability to perform the essential job functions, work in either a full- or part-time position without any effect on retirement benefits. Employees receiving an Illinois Municipal Retirement Fund (IMRF) pension can only work in a position that is scheduled for less than one thousand (1000) hours annually in order to continue to be eligible to receive retirement benefits.

## **Chapter 6 – Changes in Employment & Separation**

### **6.1. Introduction**

The job status of an employee may change several times during their course of employment with the City. Any change in job status shall be implemented via a properly completed and authorized *Personnel Actions* process through the payroll system.

### **6.2. Inter-Department Transfers**

Employee transfers are considered a change of positions within the same job classification from one department or division to another. Employees transferring under the same job classification to another department retain the same employment anniversary date for their annual performance evaluation. Departments from which employees have transferred will provide input during the performance evaluation covering the period from the previous employment anniversary date until the date of the transfer. Any compensation paid for performance will be based on the feedback of both departments but ultimately decided by the current director of the department where the employee has been transferred.

### **6.3. Reduction in Class**

Employees may voluntarily submit a written request for an assignment to a lower job classification. Employees may also be assigned to a lower job classification due to the loss of a certification or license required to do essential job functions; unacceptable job performance; or where changes in department operations affect job duties and responsibilities. Employees assigned to a lower job classification retain their employment anniversary date for the purposes of their annual performance review.

When an employee is assigned to a lower job classification the current rate of pay in the former job classification will remain the same as long as said rate of pay falls within the salary range of the new job classification to which the employee is being assigned. If the current rate of pay exceeds the maximum rate of the salary range of the new job classification, then one of the following two options shall occur: 1) the employee's rate of pay will be adjusted down to the maximum rate of the new job classification's salary range; or 2) the employee's rate of pay shall be "frozen" until such time the new job classification's salary range surpasses the employee's current rate. The City Manager shall determine which course of action shall be implemented based upon the recommendation of the Department Head and the Human Resources Director.

### **6.4. Layoffs**

Should the need arise, the City may be required to temporarily reduce the number of employees in a Department/Division, and will attempt to do so with the least impact on employees. Reductions may occur through the phase out of positions, attrition, transfers, reduced hours, or other work schedule options that does not adversely impact service delivery.

1. In the event it becomes necessary to lay off employees in a Department, the Human Resources Director shall, with the Department Head, prepare a rank order list of employees for layoff. The preparation of the list considers the operational job tasks and skill needs of

the department/division, individual job performance evaluations and if all other factors are equal, those of least seniority. Employees under a CBA, or appointed by the BFPC, follow the prescribed work reduction procedures.

2. Employees shall be paid for applicable accrued leave. Coverage in a City group health plan, dental, and life insurance cease at the end of the month of the layoff. Laid off employees will be eligible for continued medical and dental insurance benefits covered under *Section 15.7 COBRA Extended Insurance Coverage*.
3. Laid off individuals may be recalled to City employment in reverse order of the layoff. Individuals recalled must still meet the qualifications of the position. Recall rights end six (6) months plus an additional month for each year of continuous service up to a maximum of twelve (12) months after the date of layoff.
4. A recalled individual will resume employment with full prior seniority and service benefit time held before the layoff.
5. Laid off individuals, who fail to report back to work or make other arrangements within three (3) working days of the date of the certified notice of recall, shall forfeit all rights to City employment.

#### **6.5. Resignation/Separation from Employment**

Voluntary resignation is the most common way employees separate from City employment, however, other circumstances such as termination and death are also applicable. Employees are asked to provide at least two (2) weeks' notice in writing to their Department Director before their last day of employment with the City. Departments are to forward a copy of the employee's resignation letter to Human Resources and approve a Personnel Action process through the City's payroll system that identifies the last date worked. Accruals of paid leave cease at 11:59 p.m. of the last day of employment, which is considered the official separation date. Depending upon the employee's enrollment status, hours of accrued but unused vacation, personal, and sick leave are paid into the employee's Retiree Health Savings (RHS) plan or in a lump sum on a subsequent payroll disbursement (See *Chapter 10 - Vacation, Personal & Holiday Leave* and *Chapter 11- Sick Leave*).

#### **6.6. Final Pay Check**

The separating employee shall be paid for all hours worked during the payroll period of separation when the payroll is processed for that pay period. The following payroll period shall contain the final paycheck, which shall include payment of any accrued but unused leave and any ancillary benefits as described in this manual. The final paycheck, however, will only be issued after employees return all City keys, identification cards, and other property to the immediate supervisor. Also, any adjustments for mandated or court ordered deductions, amounts owed by the employee, and the value of lost or damaged items will be deducted from this last check.

#### **6.7. Separation Benefit Eligibility**

Participation in the group health and other insurance programs provided by the City cease at the end of the month in which the separation date occurs.

1. Separating employees are eligible for an extension of medical and dental insurance benefits under the “Consolidated Omnibus Budget Reconciliation Act” (COBRA) of 1986 (See *Section 15.7 COBRA Extended Insurance Coverage*).
2. 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. Human Resources will provide forms for employees enrolled in an IMRF pension program upon request. Pension questions from sworn Fire and Police personnel should be directed to the Fire Pension or Police Pension Board.
3. Employees participating in a deferred compensation plan, can obtain the necessary forms for the disposition of funds through Human Resources or the plan representatives upon request.

### **6.8. Exit Interview**

The separating employee may be asked to participate in a confidential interview with a Human Resources representative prior to their last day of employment to obtain the employee’s opinion of their employment with the City. The exit interview is voluntary and has no effect on the compensation or the benefits due to an employee by virtue of separation.

## **Chapter 7 – Compensation Plan**

### **7.1. Introduction**

The City's Compensation Plan consists of all salary and other monetary benefits afforded to the various job classifications representing the full-time and regular part-time union and non-union hourly employees, and the salaried members of the City's workforce. The benefits provided for under the Compensation Plan is the total compensation for the work performed by employees, unless eligible for other payments as defined in sections of this Manual or under specific provisions of a CBA.

### **7.2. Philosophy of the Compensation Plan**

The City strives to provide the quality of life desired by the community through services provided by our various departments. The most important vehicle for providing these services is through our employees. The purpose of the Compensation Plan is to attract, retain and motivate a highly qualified and competent work force to provide the quality of service our citizen's expect and deserve.

The City shall seek to be competitive within the labor market, subject to the availability of funds. This will be accomplished through regular salary surveys of the applicable external markets via the collective bargaining, budget process, or as requested by the City Manager.

The City strives to retain and motivate a highly qualified and competent workforce. Internal equity is maintained through a program of reviewing each job class within the City and making compensation adjustments to applicable positions when needed. In addition, the City's performance evaluation system is monitored to ensure the fair and consistent treatment of employees advancing through the salary range of their respective position.

### **7.3. Maintenance of the Compensation Plan**

The City Manager shall direct the Director of Human Resources to conduct internal and external analyses of the Compensation Plan process to identify whether or not, and how much, salary ranges and/or other monetary benefits require adjustment to maintain consistency with the City's compensation plan philosophy.

### **7.4. Salary Schedules**

Each salary schedule lists the applicable salary ranges within that schedule and can be found in Appendix N. Union employees may review their respective collective bargaining agreement salary schedules via the City's Website or by contacting the Human Resources Division.

### **7.5. Advancement in Salary-Range Schedules and Benefit for Performance**

Employees appointed to a classification in a salary-range schedule are eligible for increases in compensation upon the completion of twelve (12) months of continuous employment, and on each subsequent annual anniversary date of continuous employment subject to the process described in this section.

Benefit for performance is the mechanism which utilizes the City's compensation and classification systems to evaluate and compensate and/or reward employees based on their performance. It is comprised of four components: 1. Employee Performance Evaluation; 2. Base Pay; 3. Bonus Pay; 4. Additional Paid Time-Off.

**1. Employee Performance Evaluation** – The intent of the employee performance evaluation is to provide an opportunity for the supervisor and employee to discuss and review pre-determined job requirements, determination of specific goal accomplishments, and to establish future goals for the next evaluation period. It shall be the responsibility of the Department Director to ensure all employees receive, at minimum, an evaluation on or about their prescribed review date.

The Human Resources Director will recommend the range(s) of merit pay increases and/or General Wage Increase to the City Manager. The City Manager will establish the merit pay range and/or GWI on an annual basis. All employees are eligible for an increase within their salary range, or a lump sum bonus if they are at the maximum of their range. This provision only applies to employees not covered by a collective bargaining agreement (CBA).

The City Manager, at their discretion, may approve an increase above what is recommended by writing a memorandum, in coordination with the Director of Human Resources, providing a description of the performance and recommended increase.

**2. Base Pay** – Each employee shall receive base pay in accordance with their respective classification and compensation system. Only base pay is included within the pay range.

- **Original Appointment:** Employees shall normally be appointed at the minimum pay range level for the corresponding position classification. However, the City Manager shall have authority to establish initial base pay at any salary level within the pay range authorized by the position classification.
- **Employee and/or Position Reclassification:** Reclassified employees will be adjusted to a rate in the new job classification's salary range that is five percent (5%) above the rate of pay in the former position, but not exceeding the maximum rate of the new salary range. If the rate of pay in the former salary range (occupied before reclassification) is more than five percent (5%) below the starting rate of pay of the job classification an employee is being reclassified into, than the rate of pay will be adjusted to the starting rate of the new job classification's salary range. The date the reclassification takes effect will control for an employee's annual performance review and pay increase related to performance.

The City Manager may approve an employee's reclassification rate at a rate higher or lower than described above upon the recommendation of the Department Head and Director of

Human Resources. Such approvals shall be based on the merits of the employee, the additional duties and responsibilities of the new class, and other relevant factors.

- Base Pay Adjustments – Base pay adjustments may be required from time to time. Adjustments to base pay shall be approved by the City Manager based upon the recommendation of the Department Director and the Director of Human Resources. The base pay of each employee may only be adjusted based on factors such as economic conditions, retention, distinguished employee performance, or other factors determined by the City Manager.

**3. Bonus Pay** – The intent of the annual bonus pay is to:

- Recognize and reward employees for exemplary and outstanding performance beyond normal performance expectations.
- Encourage employees to work collaboratively and develop professionally in order to strengthen the individual employee and the organization.

The total aggregate amount allocated towards employee pay shall be included in the budget and approved by City Council. The City Manager shall be responsible for the administration and interpretation of all Bonus Pay within the compensation plan.

Prior to the end of each fiscal year, each Department Director shall use employees' performance evaluations from the prior 12 months and other methods to review and develop their recommendations for Bonus Pay. At a minimum, the Director shall review the Department's goals from the fiscal year and objectives assigned to the employees to achieve those goals to develop the recommendations to the City Manager. The issuance of any merit bonus shall be based upon the employee's ability to successfully achieve established goals and objectives, exemplary work performance beyond expectations and other factors determined by the Department Director and City Manager. This provision only applies to employees not covered by a collective bargaining agreement (CBA).

In accordance with State of Illinois pension requirements, which may be changed from time to time, those covered by the Illinois Municipal Retirement Fund (IMRF) shall have bonuses count towards pensionable compensation. Those covered by the Illinois Police and Fire Pension code shall not have bonuses count towards pensionable compensation. These bonuses are discretionary as defined by the Fair Labor Standards Act (FLSA) and therefore not credited towards overtime compensation.

**4. Additional Paid Time Off** – From time-to-time, at the request of a Department Director, or at their own discretion, the City Manager may provide an employee a one-time accrual adjustment to their vacation bank in recognition of exemplary performance and/or achievement of an organizational goal that required time and resources beyond an employee's regular work week schedule.

### **7.6. Compensation on Promotion**

In most circumstances, employees promoted to a higher classification will have their salary adjusted to the minimum rate of the new job classification. In instances where the employee's current rate of pay is greater than the minimum rate for the new position, an increase of five percent (5%) to ten percent (10%) shall be applied. The actual percentage increase shall be authorized by the City Manager based upon the recommendation of the Department Director and Director of Human Resources. The City Manager may approve an employee's promotional rate at a level higher than described above based upon the recommendation of the Department Head and Director of Human Resources. Such authorization shall be based upon the outstanding merits of the employee over and above the minimum qualifications for the class along with other relevant factors. However, under no circumstances shall a promotional increase result in an employee being compensated above the maximum rate of the new position. The date the promotion takes effect will be the date used for an employee's annual performance review and any pay increase tied to performance.

### **7.7. Working Out of Classification Pay**

Circumstances may arise where an employee is qualified for and is temporarily required to serve in a classification attributable to a higher rate of compensation whereby the employee is performing the essential duties and responsibilities of the higher-compensated classification for a period of 20 business days or more. During such instances employees shall receive an additional compensation of 5% or the minimum compensation afforded to the higher-compensated classification, whichever is greater. The City Manager may approve an employee's working out of classification compensation at a rate higher than described above upon the recommendation of the Department Head and Director of Human Resources. Such approvals shall be based on the outstanding merits of the employee and the additional duties and responsibilities of the temporary assignment. An employee may be temporarily assigned to work in any other classification with the same or lower compensation without a reduction in compensation.

### **7.8. Longevity Pay**

Longevity pay is additional compensation afforded to employees for their continuous years of service with the City at ten (10), fifteen (15) and twenty (20) year steps. The specific compensation afforded for longevity is according to job classification and listed on the applicable salary schedule.

Several job classifications, either through the terms of a CBA or City Code, prohibit longevity pay to employees hired after a specific date. The longevity exclusion date for affected job classifications is listed at the bottom of the applicable salary schedule. New job classifications introduced after the longevity exclusion date listed on the applicable salary schedule shall not be afforded longevity pay.

Employees who are promoted, transferred, or otherwise change from a job classification afforded longevity pay to a job classification that does not afford longevity pay shall cease to receive longevity pay.

### **7.9. Uniform Allowance**

A uniform allowance is additional compensation afforded to employees for the purchase and maintenance of required clothing and equipment as provided for under an applicable CBA. Management and supervisory employees in the public safety departments of the City shall receive a uniform allowance consistent with the allowance afforded to employees directly under their supervision. The City Manager may authorize management and supervisory employees in non-public safety departments of the City to receive some form of a uniform allowance based upon the operational requirements of their department and the customary activities of the employee requesting the allowance.

### **7.10. Vehicle Allowance**

A vehicle allowance is additional compensation afforded to management employees who use their personal vehicle in the conduct of City business. The City Manager may authorize a vehicle allowance ranging from \$150 to \$350 per month on a case-by-case basis upon the request of the applicable Department Director. Management employees assigned a City vehicle shall not be authorized to also receive a vehicle allowance.

### **7.11. Documentation for Changes in Compensation**

A *Personnel Action* through the City's payroll system, with the approvals from the applicable Department Head, Human Resources Director, Finance Director and City Manager is required as authorization for any change to an employee's compensation. Exceptions to this policy shall occur only with the prior authorization of the Human Resources Director and only as an alternative method of documentation to expedite the payroll process (e.g. a memorandum, email, etc., in lieu of a status form). Regardless of the alternative method authorized, the review process of Department Director, Human Resources Director, Finance Director and City Manager shall still be observed for any change to an employee's compensation.

### **7.12. Bi-Weekly Pay Periods**

Paychecks are issued on bi-weekly periods of work on alternating Fridays. The standard pay period begins on a Sunday at 12:00 a.m. and ends fourteen (14) calendar days later on Saturday at 11:59 p.m. Pay stubs are available through the City's payroll system by Thursday of the week following each pay period. If the Thursday is a holiday, pay stubs are issued to employees on the last working day before the holiday.

### **7.13. Payroll Deductions**

The following deductions are made from employees' paychecks:

1. **Mandatory** - Automatic payroll deductions are made from all paychecks for Federal and State income taxes (per individual *W-4 Form*), pension contributions (IMRF, Fire or Police pensions) and applicable Social Security and Medicare taxes. (All Pay Periods)
2. **Court Directed** - Court orders directing the City to withhold designated sums from employee's wages for child support, restitution, and wage garnishments. The City shall comply with all court ordered deductions and will apply any administrative fees authorized. The City will only change, modify or stop court ordered deductions by the terms of a subsequent court order. (As stipulated in order)
3. **Insurance Premiums** - Payroll deductions are made for the employee's co-payment of insurance premiums for the City's health insurance program or optional insurance programs (e.g., supplemental life). Signed enrollment forms or deduction authorization cards are required before deductions are made. Premium deductions are made twice a month. (24 Pay Periods)
4. **Savings** - Several voluntary savings programs are available to employees, including retirement savings programs (e.g., IRA, 457 plans, etc.), and the Northwest Municipal Employee Federal Credit Union Signed enrollment forms or deduction authorization cards are required before any deductions are made.
5. **Services** - Other deductions made from employees paychecks for a program or activity that is authorized by the City. These involve payments under a CBA. Signed enrollment forms or authorization cards are required before any deductions are made. (As Authorized)
6. If there are insufficient earnings in a bi-weekly paycheck to adequately cover employees authorized insurance premium deductions, remaining unpaid balances due will be deducted from future paychecks or a mutually agreeable alternative method of payment will be implemented.

#### **7.14. Reimbursement Accounts**

The Internal Revenue Service (IRS), under Section 125 of the IRS Code, provides a means whereby employees can pay for unreimbursed medical expenses and dependent child care expenses with pre-tax dollars. Unreimbursed medical expense reimbursements should meet the criteria for inclusion on Schedule "A" of the *IRS 1040 Tax Form*, while dependent child care reimbursements should meet the criteria required for the *IRS 2441 Tax Form*.

Earnings authorized to be withheld under Section 125 are not subject to Federal, State, and if applicable, Social Security taxes. Participation in either, or both, the unreimbursed medical or childcare reimbursement accounts is for a twelve (12) month plan year (calendar year) with enrollment taking place prior to each plan year. To continue in the program participation must be renewed each plan year.

Enrollment in a Section 125 plan is a commitment of payroll deductions for the whole plan year. An exception may occur due to a life-changing event as defined in the plan document. Deducted earnings throughout the plan year remaining in an account at the end of a plan year are forfeited and are not returnable to the participating employee.

**7.15. Direct and Auto Deposits of Pay Checks**

The City requires employees to have their paychecks processed through a direct deposit agreement with their designated financial institution. Employees must complete a *Direct Deposit Enrollment Form* and submit it to Human Resources for processing to enroll in a direct deposit program. The direct deposit paycheck is posted at the employee’s designated financial institution the same day that non-direct deposit paychecks are issued.

Employees are also provided with an auto deposit option whereby specific dollar amounts can be designated for deposit into one (1) or two (2) accounts (e.g., a savings account).

## **Chapter 8 – Schedule & Hours of Work**

### **8.1. Work Schedule**

Department work schedules are designed to meet the operational demands required to effectively deliver City services. Employees are expected, except when on authorized periods of leave, to be available promptly at the start of their assigned periods of work. Under certain conditions, employees may be authorized as described in the sections below, to work a schedule that differs from the normally assigned work schedule. In addition, the City may find it necessary to change an employee's work schedule to meet temporary or permanent operational needs. Employees affected by a schedule change will be given notice as far in advance as is reasonably possible.

### **8.2. Hours of Work**

Non-shift department operations normally follow a common business schedule with hours Monday through Friday, though a schedule including weekend work may be required for the effective delivery of services. Shift operations are staffed twenty-four (24) hours a day – seven (7) days a week. Sworn Police and certain civilian shift employees follow an average forty (40) hour weekly schedule, while sworn Fire shift employees follow a schedule of twenty-four (24) hours on duty and forty-eight (48) hours off duty. The City may from time to time change the starting and ending times of daily work.

### **8.3. Reporting to Work**

All employees are expected to report each workday and be ready to begin work when scheduled to start according to their department operations and procedures. The concept of reporting on time is not limited to the start of the workday but encompasses returning to work from lunch breaks, meetings or other work tasks. An employee's Department Director must approve any schedule change to make up lost time. Employees who report in late shall be subject to progressive disciplinary action, up to and including termination.

### **8.4. Flextime Work Schedules**

All employees may make a request to their Department Director to work a flextime work schedule. When establishing a flextime schedule, Department Directors will consider the department's operational needs, service to the public, seasonal activities, and other needs. Working a flextime work schedule is a privilege, not an entitlement, and each request will be evaluated on a case-by-case basis. A Department Director may withdraw a previously approved flextime work schedule at any time, without notice.

### **8.5. Non-Exempt Employee Overtime**

The "Fair Labor Standards Act" (FLSA) specifies eligibility criteria for overtime compensation. Certain positions, as defined under the FLSA, are exempt from overtime compensation regardless of the number of hours worked in a week. The position description for each job classification shall indicate whether the position is exempt or non-exempt from the FLSA (See *Section 4.2. Inventory of Positions*). Employees in non-exempt positions who are authorized by their Department Director

to work hours eligible for overtime compensation may receive overtime pay, or with the concurrence of the Director, an equivalent amount of compensatory time (See *Section 8.8. Compensatory Time*).

Compensation for authorized hours of overtime, worked by non-exempt, non-contract employees, is at a rate of one-and-one-half (1½) times the employee's straight time hourly rate of pay. An overtime rate is paid for all hours worked in excess of forty (40) hours during a seven (7) day work cycle (12:00 a.m. Sunday through 11:59 p.m. Saturday). Some employees, however, in addition to the regular base hourly rate of pay, receive additional compensation for certifications, longevity, or other authorized pay. For these employees, the overtime rate as prescribed under the FLSA, is one-and-one-half (1½) times the total of their straight hourly rate of pay plus the hourly equivalent of any of these other forms of compensation for work (regardless if the additional compensation is paid in an hourly rate or periodically compensated in a lump sum). In addition to the provisions described above, the following shall also apply in the application of overtime compensation:

1. Shift employees, in addition to an overtime rate of pay for hours of work in excess of forty (40) hours in a seven (7) day work cycle, shall be paid the overtime-hourly rate of pay for all hours actually worked in excess of eight (8) hours in a workday.
2. Non-shift employees working a schedule of less than forty (40) hours per week who work additional hours shall be compensated at the regular straight-time hourly rate of pay for all hours worked up to forty (40) hours.
3. Employees who reach a total of forty (40) hours of compensation, that is a combination of both straight time and overtime pay, in a seven (7) day work cycle are not guaranteed additional hours of work during that work cycle.
4. Fractional hours of overtime work will be rounded for payroll purposes in accordance with FLSA and department practices.

### **8.6. No Overtime for Exempt Employees**

Employees in executive, administrative, or professional positions as defined by the FLSA and the State of Illinois are exempt from the overtime provisions. Employees within these positions should have no expectation for compensation for hours worked over forty (40) hours in any given work week. The compensation for exempt employees is designed to be the remuneration for the performance of assigned duties regardless of the hours needed to complete those tasks. There is no compensatory time system for exempt employees.

The City Manager may provide consideration for the extraordinary working conditions of certain executive, administrative, or professional positions by authorizing monetary or non-monetary compensation upon the request of the Department Director and recommendation of the Human Resources Director. Examples of such working conditions warranting consideration may include working alongside subordinate personnel receiving overtime pay; called back for non-scheduled work; working an extraordinary amount of hours outside the normal work schedule, etc. Regardless of whether this consideration is provided, exempt personnel are expected to work the hours necessary to complete their responsibilities as salaried staff.

### **8.7. Compensatory Time**

Non-exempt employees working in excess of forty (40) hours during a workweek may request compensatory time in lieu of pay for overtime hours worked. The request for compensatory time must have the concurrence of the Department Director. Compensatory time for hours worked is one-and-one-half (1½) times each hour of overtime worked.

1. Employees may accumulate compensatory time up to a maximum of forty (40) hours and upon reaching the maximum limit of accumulated compensatory time are still eligible to be paid overtime for hours worked under *Section 8.5. Non-Exempt Employee Overtime*.
2. Scheduling of accumulated compensatory time will be at the mutual agreement of the employee and the Department Director.
3. Compensatory time shall not be accumulated from one year to the next. An employee shall have until December 31 to use or be paid for any unused compensatory at their regular straight-time hourly rate of pay
4. Upon separation from City employment, employees will be paid for any unused hours of compensatory time at their regular straight-time hourly rate of pay.

### **8.8. Right to Schedule Overtime**

The City reserves the right to require employees to work at times other than those regularly scheduled. This may involve extending the workday, weekend work, evening work, holidays, or such time as necessary to meet the operational needs of the City.

### **8.9. Call-Back Pay**

Non-exempt employees who were not scheduled to work overtime and are called back to work outside the normal work schedule (i.e., hours not contiguous to the regular work schedule), shall receive the greater of a minimum of two (2) hours pay at the overtime hourly rate of pay, or the actual overtime hours worked.

### **8.10. No Pyramiding of Paid Time**

There shall be no “pyramiding” of overtime or premium compensation rates. Compensation shall not be paid, nor compensatory time earned, more than once for the same hours under any section of the Manual.

## **Chapter 9 – Conferences, Training & Education**

### **9.1. Introduction**

The City is committed to the training, development, and education of its employees to enhance individual job skills and improve the quality of services delivered. The City will strive to provide employees with training opportunities through in-house programs, or attendance at seminars, classes, professional conferences, training sessions, or other relevant experiences based upon the availability of funds and operational needs.

### **9.2. Conferences & Training**

The City recognizes that attendance at and participation in professional conferences and training is a valuable method of enhancing job knowledge, skills and abilities. Requests to attend single or multi-day conferences or training should be submitted in writing to the Department Director for review and then forwarded for approval through the annual budget process. Such requests will be considered based upon the availability of funds, operational needs of the department, and other relevant criteria.

### **9.3. Reimbursement of Expenses**

City employees may be reimbursed for eligible travel and other related expenses associated with professional development activities and other City business. See the City's *Travel Policy* attached in the Appendices section of the Manual.

### **9.4. Tuition Reimbursement**

The City seeks to encourage employees to continue their education. The facilitation of employee development through personal education efforts is consistent with the City's goals of service, increased work efficiency, and higher employee productivity. Depending on availability of funds, the City provides a reimbursement program for full-time, non-probationary employees to attend approved post-secondary courses related to their job, or a job to which the employee may reasonably aspire within his/her related field. A copy of the City's *Tuition Reimbursement Program Policy* is attached in the Appendices section of the Manual.

**Chapter 10 – Vacation, Personal, Paid-Time Off & Holiday Leave**

**10.1. Vacation Leave**

All full-time employees are eligible to earn and accrue paid vacation leave. An employee’s annual rate of vacation leave accrual is based on the employees’ continuous years of service with the City. City Directors annual vacation leave is based on their commensurate years of experience as recommended by the Director of Human Resources and approved by the City Manager. When scheduling vacation leave, employees can only utilize time up to the total number of hours accrued, excluding shift employees who shall follow department-specific vacation leave scheduling and balance procedures. Department Directors shall have the exclusive right to authorize vacation leave requests and the maximum number of employees that can be on vacation leave at any time.

**10.2. Accrual of Vacation Leave**

Employees begin accruing vacation leave with the first payroll period and each subsequent payroll period. Employees accrue vacation leave hours consistent with the number of hours of their regular workday (e.g. An 8-hour workday earns an 8-hour vacation day, etc.). Vacation leave hours do not accrue bi-weekly if employees are absent on any leave “without pay”, while receiving disability payments, or for the accrued paid leave paid-out upon separation or retirement. Annual vacation leave hours are earned by employees at a rate that corresponds to the number of completed years of continuous full-time service according to the schedules below:

**10.2.1. Non-Management Employees – Full-Time (8 hour/7.5-hour workday)**

<u>Length of Service</u>	<u>Annual Accrual</u>
1 to 4 Years	10 Days
5 to 9 Years	15 Days
10 to 14 Years	17 Days
15 to 19 Years	20 Days
20 to 24 Years	23 Days
25+ Years	25 Days

**10.2.2 Management Employees (8 hour/7.5-hour workday)**

<u>Length of Service</u>	<u>Annual Accrual</u>
1 to 4 Years	15 Days
5 to 9 Years	20 Days
10+ Years	25 Days

**10.2.3 Management Employees (24-hour workday)**

<u>Length of Service</u>	<u>Annual Accrual</u>
1 to 4 Years	7.5 Days
5 to 9 Years	10 Days
10+ Years	12.5 Days

**10.2.4 Directors (8 hour/7.5-hour workday)**

<u>Years of Experience</u>	<u>Annual Accrual</u>
1 to 4 Years	15 Days
5 to 9 Years	20 Days
10+ Years	25 Days

**10.3. Scheduling of Vacation Leave**

Employees may request taking vacation leave up to their actual hours available in no less than one (1) hour increments. In scheduling vacation leave, the City will attempt to meet an employee’s scheduling preference; however, the final authorization is at the discretion of the Department Director based on the operational needs of the department. Employees shall not be allowed to schedule vacation leave if the amount of time scheduled results in a negative balance, excluding shift employees who shall follow department-specific vacation leave scheduling procedures.

**10.4. Maximum Vacation Leave Balance**

Non-shift employees may accumulate a maximum vacation leave balance equal to one-and-one-half (1.5) times their annual accrual (e.g., An annual accrual of 10 vacation days would allow a maximum balance of 15 vacation days; an annual accrual of 15 vacation days would allow a maximum balance of 22.5 vacation days; etc.). Employees reaching their maximum vacation leave accrual will cease to earn additional vacation leave hours until their vacation leave balance falls below their maximum accrual limit, excluding shift employees who shall follow department-specific vacation scheduling procedures. Employees are informed on each bi-weekly payroll voucher of current vacation leave balances. It is the responsibility of employees to monitor their individual vacation leave balances and know how close they are to their maximum accrual limit.

**10.5. Vacation Leave for Shift Employees**

Employees assigned to 24-hour shift operations are subject to minimum staffing levels and other staffing requirements that control the scheduling of vacation leave and the maximum balances that may be accrued. Under the authorization of the City Manager, the applicable Department Director shall implement department-specific vacation leave policies for 24-hour shift operations that ensure employee access to vacation leave while maintaining appropriate staffing levels.

**10.6. Illness/Injury during Vacation Leave**

An occasion may arise whereby an employee is hospitalized or medically incapacitated on a scheduled workday prior to and extending over into a period of scheduled vacation. If using available sick leave prior to the vacation period, the scheduled vacation shall be canceled and the employee will continue using available sick leave until the end of the medical absence. However, any illness or injury occurring after a vacation period has begun will still be charged as vacation leave for the remaining time of the scheduled vacation and not converted to sick leave unless the employee provides documentation from their treating health care provider verifying their injury or illness.

**10.7. Vacation Leave Payout upon Separation**

Employees who separate from the City for reasons other than a retirement or duty disability retirement shall have all accrued but unused vacation leave paid directly to them in a lump sum on a subsequent payroll disbursement (See *Section 6.6. Final Paycheck*).

Qualified employees within the City’s Retirement Health Savings (RHS) plan shall have all accrued but unused vacation leave paid into an RHS plan account upon retirement or duty disability retirement. Non-qualified employees (i.e. those who elected not to participate in the City’s RHS plan when it was first introduced and irrevocably “grandfathered” out of this plan) shall have all accrued but unused vacation leave paid directly to them in a lump sum a subsequent payroll disbursement upon their retirement or duty disability retirement (See *Section 6.6. Final Paycheck*).

**10.8. Personal Leave**

All full-time employees are eligible to earn and accrue paid personal leave. An employee’s annual rate of personal leave accrual is based on the employees’ continuous years of service with the City. City Directors annual personal leave is based on their commensurate years of experience as recommended by the Director of Human Resources and approved by the City Manager. When scheduling personal leave, employees can only utilize time up to the total number of personal leave hours accrued, excluding shift employees who shall follow department-specific personal leave scheduling and balance procedures. Department Directors shall have the exclusive right to authorize personal leave requests and the maximum number of employees that can be on personal leave at any time. Regular part-time employees are not eligible to earn and accrue paid personal leave.

**10.9 Accrual of Personal Leave**

Employees begin accruing personal leave with the first payroll period and each subsequent payroll period. Employees accrue personal leave hours consistent with the number of hours of their regular workday (e.g. an 8-hour workday earns an 8-hour leave day, etc.). Personal leave hours do not accrue bi-weekly if employees are absent on any leave “without pay”, while receiving disability payments, or for the accrued paid leave paid-out upon separation or retirement. Annual personal leave hours are earned by employees at a rate that corresponds to the number of completed years of continuous full-time service according to the schedules below:

**10.9.1. Non-Management Employees – Full-Time (8 hour/7.5-hour workday)**

<u>Length of Service</u>	<u>Annual Accrual</u>
1 to 4 Years	0 Days
5 to 9 Years	1 Day
10 to 14 Years	2 Days
15 to 19 Years	3 Days
20-24 Years	4 Days
25+ Years	5 Days

**10.9.2. Management Employees (8 hour/7.5-hour workday)**

<u>Length of Service</u>	<u>Annual Accrual</u>
1 to 4 Years	3 Days
5 to 9 Years	4 Days
10+ Years	5 Days

**10.9.3. Management Employees (24-hour workday)**

<u>Length of Service</u>	<u>Annual Accrual</u>
1 to 4 Years	1.5 Days
5 to 9 Years	2 Days
10+ Years	2.5 Days

**10.9.4. Directors (8 hour/7.5-hour workday)**

<u>Years of Experience</u>	<u>Annual Accrual</u>
1 to 4 Years	3 Days
5 to 9 Years	4 Days
10+ Years	5 Days

**10.10. Scheduling of Personal Leave**

Employees may request taking personal leave up to their actual hours available in no less than one (1) hour increments. In scheduling personal leave, the City will attempt to meet an employee’s scheduling preference; however, the final authorization is at the discretion of the Department Director based on the operational needs of the department. Employees shall not be allowed to schedule personal leave if the amount of time scheduled results in a negative balance, excluding shift employees who shall follow department-specific personal leave scheduling procedures.

**10.11. Maximum Personal Leave Balance**

Employees may accumulate a maximum personal leave balance equal one-and-one-half (1.5) times their annual accrual (e.g., an annual accrual of 1 personal day would allow a maximum balance of 1.5 personal days; an annual accrual of 2 personal days would allow a maximum balance of 3 personal days; etc.). Employees reaching their maximum personal leave accrual will cease to earn additional personal leave hours until their personal leave balance falls below their maximum accrual limit. Employees reaching their maximum personal leave accrual will cease to earn additional personal leave hours until the personal leave balance falls below their maximum accrual limit, excluding shift employees who shall follow department-specific personal leave scheduling procedures.

**10.12. Personal Leave for Shift Employees**

Employees assigned to 24-hour shift operations are subject to minimum staffing levels and other staffing requirements that control the scheduling of personal leave and the maximum balances that may be accrued. Under the authorization of the City Manager, the applicable Department Director shall implement department-specific personal leave policies for 24-hour shift operations that ensure employee access to personal leave while maintaining appropriate staffing levels.

### **10.13. Personal Leave Payout upon Separation**

Employees who separate from the City for reasons other than a retirement or duty disability retirement shall have all accrued but unused personal leave paid directly to them in a lump sum on a subsequent payroll disbursement (See *Section 6.6. Final Paycheck*).

Qualified employees within the City’s Retirement Health Savings (RHS) plan shall have all accrued but unused personal leave paid into an RHS plan account upon retirement or duty disability retirement. Non-qualified employees (i.e. those who elected not to participate in the City’s RHS plan when it was first introduced and irrevocably “grandfathered” out of this plan) shall have all accrued but unused personal leave paid directly to them in a lump sum a subsequent payroll disbursement upon their retirement or duty disability retirement (See *Section 6.6. Final Paycheck*).

### **10.14. Paid Time Off for Regular Part-Time Employees**

Regular part-time employees accrue one (1) hour of paid time off (PTO) for every 40 hours worked. Paid time off does not accrue if the employee does not work any hours.

.25 example: a regular, part-time employee who usually works 9 hours per week (487.5 hours annually) would accrue approximately 12 hours of PTO after working one full year of annual hours.

.50 example: a regular, part-time employee who usually works 19 hours per week (975 hours annually) would accrue approximately 24 hours of PTO after working one full year of annual hours.

.75 example: a regular, part-time employee who usually works 27.5 hours per week (1,430 annually) would accrue approximately 36 hours of PTO after working one full year of annual hours.

#### **10.14.1. Regular Part-Time Employee Defined**

Regular part-time employees are those part-time employees that work year-round and have a regularly set annual schedule of hours. Employees considered seasonal part-time (i.e. Public Works and other seasonal employees with a set start and end date, including interns) are not eligible.

#### **10.14.2. Maximum PTO Accrual Balance**

Regular part-time employees may accumulate a maximum PTO balance equal to one-and-one-half (1.5) times their annual accrual. Regular part-time employees reaching their maximum PTO will cease to earn additional PTO hours until their PTO balance falls below their maximum accrual limit. Regular part-time employees are informed on each bi-weekly paycheck, available on HR eSuite, of current PTO balance.

**10.14.3. Scheduling PTO**

Regular part-time employees may request taking PTO up to their actual hours available in not less than one (1) hour increments. Regular part-time employees may use a combination of PTO, flexible time and unpaid leave at one time. However, all accrued PTO must be used before going unpaid. Flexible time is on a case-by-case basis based on the department’s needs at the time. In scheduling PTO, the City will attempt to meet an employee’s scheduling preference; however, the final authorization is at the discretion of the Department Director based on the operational needs of the department. Employees shall not be allowed to schedule PTO if the amount of time scheduled results in a negative PTO balance.

**10.14.5. PTO Payout upon Separation**

Regular part-time employees who separate from the City shall have all accrued but unused PTO paid directly to them in a lump sum on a subsequent payroll disbursement (*See Section 6.9 Final Paycheck*).

**10.15. Holiday Leave**

Certain holidays during a calendar year commemorate an event or recognize a person nationally or statewide. The City has designated eleven (11) such days as holidays to be observed by members of the non-contractual work force. During holidays City facilities are closed and City employees are scheduled off from work with pay, except for twenty-four (24) hour, seven (7) day a week operations or under emergency conditions.

**10.16. Designated Holidays**

Full-time employees shall be compensated for the following designated holidays observed by the City:

<b><u>Designated Holidays</u></b>	<b><u>Day/Date Observed</u></b>
New Year’s Day	January 1 <sup>st</sup>
Martin Luther King Day	Second Monday in January
President’s Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans’ Day	November 11 <sup>th</sup>
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25 <sup>th</sup>

**10.17. Observance of Holidays**

The standard observance of a designated holiday shall be on the day on which it occurs. For the New Year’s Day, Independence Day, Veteran’s Day, or Christmas Day the observance will be on Friday when the holiday falls on a Saturday, and on Monday when the holiday falls on a Sunday.

For shift employees, designated holidays shall be observed on the day they actually occur. Shift employees may request to change a designated holiday to a floating holiday. If such request is approved, at the Director’s recommendation and under the City Manager’s authority, the floating holiday must be used within six (6) months of the designated holiday or by the end of the calendar year, whichever occurs first. If a converted floating holiday is not used, it will be forfeited.

**10.18. Compensation for Holidays**

To be eligible for holiday pay, employees must work the scheduled weekday before and after a designated holiday or have had either, or both, of these days previously scheduled off (e.g., vacation, floating holiday or comp time). If employees call in sick either of these days, they will not receive holiday pay unless the Director is satisfied of the eligibility for sick leave.

## **Chapter 11 – Sick Leave**

### **11.1. Sick Leave**

The City provides a sick leave program for all full-time employees. The program provides employees with temporary paid leave during non-job-related illness or injury, or to attend health care appointments that cannot be scheduled during non-work hours. Sick leave may also be used for the care of an employee’s “close” family member if it is a medical necessity to be present (See *Chapter 13 Other Unpaid Leave*).

### **11.2. Accrual of Sick Leave**

Employees begin accruing sick leave hours with the first payroll period and each subsequent payroll period. Employees accrue sick leave each payroll period equal to one (1) day a month (8 or 7.5 hours depending on work schedule) up to twelve (12) days annually. Fire shift personnel accrue sick leave bi-weekly at a rate of one-half (½) shift (12 hours) a month up to six (6) full shifts annually. Sick leave hours do not accrue bi-weekly if employees are temporarily absent in a no pay status under unpaid Family Medical Leave, while receiving a disability pay, on an authorized leave “without pay” of more than thirty (30) days, or for the accrued paid leave paid-out upon separation or retirement.

### **11.3. Scheduling of Sick Leave**

Employees shall request the use of sick leave to their Department Director or immediate supervisor as far in advance as possible of a scheduled day of work or as prescribed by departmental policy. Employees shall report to their Department Director or immediate supervisor on each subsequent sick day absent from a scheduled day of work unless an alternative schedule of reporting is authorized by departmental policy. An employee’s failure to report when absent on sick leave shall be considered absent without leave or pay and subject to disciplinary action, up to and including discharge.

Employees may request taking sick leave up to their actual hours available in no less than one-hour (1) increments. Use of sick leave cannot result in a negative balance, nor are employees allowed to substitute other accrued paid leave in conjunction with a sick leave request. Any request for sick leave that would result in a negative sick leave balance for that employee shall be denied. Employees who are absent subsequent to their sick leave request being denied shall be considered absent without leave or pay and subject to disciplinary action, up to and including discharge.

Employees whose non-FMLA-qualified illness or injury continues after exhausting all available sick leave must apply for an unpaid Extended Medical Leave (See *Section 14.2. Extended Medical Leave*).

### **11.4. Excessive Sick Leave Usage**

Not including legally protected leave under the FMLA & VESSA, employees who are absent in excess of one (1) instance in a thirty (30) day period, or six (6) instances in a twelve (12) month period, may be considered excessive. In the case of fire-shift personnel, three (3) instances of

absence in a twelve (12) month period may be considered excessive. Employees found to be excessively absent shall be subject to progressive disciplinary action, up to and including termination. An instance of absenteeism may be all consecutive work days connected to a single reason for the absence (e.g. two (2) or more consecutive work days due to illness will be considered one instance of absence). In addition, patterns of absenteeism such as before or after days off or holidays, patterns of occurrences during a month, etc., may be grounds for identifying abuse and subject employees to progressive discipline, whether or not established guidelines are exceeded.

### **11.5. Verification of Sick Leave Absence**

The City may require at the employee's expense, verification from the treating health care provider that the absence is due to sick leave. Verifications may be requested for:

1. Absences for a period of three (3) or more days; or
2. Repeated absences of two (2) days or less; or
3. Sick Leave used in conjunction with a designated holiday or other scheduled day off; or
4. Other circumstances deemed appropriate by the Department Director.

The City retains the right to audit, monitor and/or investigate employee sick leave usage and subject employees to progressive discipline as warranted. Absences for a period of three (3) days or greater due to illness/injury should be addressed in accordance with *Chapter 13 Other Unpaid Leave* and/or *Chapter 16 Work-Related Injuries* as applicable.

### **11.6. Eligible FMLA Entitlement**

Certain employee absences chargeable to sick leave may also be eligible for entitlement under the "Family Medical Leave Act" (FMLA) during part or all of the absence (See *Chapter 13 Other Unpaid Leave*). Under the FMLA, the City requires employees entitled to Family or Medical Leave (FMLA leave) to use the appropriate categories of accrued paid leave of absence (See *Section 13.1 Family Medical Leave Act (FMLA)*). Even after all paid leave has been exhausted employees may still be entitled to continue on a FMLA leave in a "non-paid" status. The period of "non-paid" FMLA leave for a personal serious medical condition may also be qualify for disability status and payment under an applicable pension plan or other applicable provision (i.e. PEDDA, etc.).

### **11.7. Sick Leave Bonus for Non-Absence**

For each six-month period (January 1 through June 30 and July 1 through December 31) an employee is not absent from work due to sick leave they shall receive an additional one day-and-a-half (1.5) of sick leave credited to their sick leave balance. These bonus sick leave days shall be subject to the provisions of *Section 11.8. Maximum Sick Leave Balance*.

### **11.8. Maximum Sick Leave Balance**

Non-management employees may accumulate a maximum sick leave balance of ninety (90) days. Management employees may accumulate a maximum sick leave balance of one hundred and

twenty (120) days. Employees are informed on each bi-weekly payroll voucher of their current sick leave balances. Annual sick leave earned in excess of an employee's maximum balance is applicable to the provisions of *Section 11.9. Sick Leave Payout Annually*.

### **11.9. Sick Leave Payout Annually**

Annually, qualified non-management employees shall have sick leave hours accrued in excess of ninety (90) days paid into their personal Retiree Health Savings (RHS) plan account at 75% of their hourly rate of pay.

Annually, qualified management employees shall have 75% of the sick leave hours accrued annually in excess of ninety (90) days, but less than one hundred and twenty (120) days paid into their personal Retiree Health Savings (RHS) plan account at 75% of the hourly rate of pay. The remaining 25% of sick leave hours accrued shall remain a part of the employee's sick leave total moving forward into the next year. Upon reaching the maximum balance of one hundred and twenty (120) days, qualified management employees shall then have sick leave hours accrued in excess of one hundred and twenty (120) days paid into their personal Retiree Health Savings (RHS) plan account at 75% of their hourly rate of pay on annual basis.

Annually, non-qualified non-management employees (i.e. those who elected not to participate in the City's Retiree Health Savings (RHS) plan when it was first introduced and irrevocably "grandfathered" out of this plan) shall have sick leave hours accrued in excess of ninety (90) days paid directly to them in a lump sum at 50% of their hourly rate of pay.

Annually, non-qualified management employees (i.e. those who elected not to participate in the City's Retiree Health Savings (RHS) plan when it was first introduced and irrevocably "grandfathered" out of this plan) shall have sick leave hours accrued in excess of one hundred and twenty (120) days paid directly to them in a lump sum at 50% of their hourly rate of pay.

### **11.10. Sick Leave Payout upon Separation**

Upon retirement or duty disability retirement each qualified management and non-management employee shall have their first forty-five (45) days of accrued sick leave paid into their Retiree Health Savings (RHS) plan account at 25% of their hourly rate of pay. All accrued sick leave in excess of forty-five (45) days shall be paid into their personal Retiree Health Savings (RHS) plan account at 75% of their hourly rate of pay.

Upon retirement or duty disability retirement each non-qualified management and non-management employee (i.e. those who elected not to participate in the City's Retiree Health Savings (RHS) plan when it was first introduced and irrevocably "grandfathered" out of this plan) shall receive no payment for the first forty-five (45) days of accrued sick leave. For these nonqualified employees, all accrued sick leave in excess of forty-five (45) days shall be paid directly at 50% of their hourly rate of pay in a lump sum a subsequent payroll disbursement (See *Section 6.6. Final Paycheck*)

## **Chapter 12 – Other Paid Leave**

### **12.1. Funeral/Bereavement Leave**

An employee may be excused from work with pay for up to three (3) days for the death of a member of the employee's immediate family. The leave is to make funeral arrangements, if necessary, and attending the funeral (including travel time if out of the area). A day shall be considered the employee's regular assigned workday (for a Fire shift employee three (3) days equals one (1) twenty-four (24) hour shift). The immediate family shall include spouse, child (including stepchild or legal custody), daughter or son-in-law, grandchild, parent, step-parent, spouse's parent, grandparent, spouse's grandparent, sister, brother, step-sister or brother, sister or brother-in-law, or legal guardian. For the absence to be approved as Funeral Leave, employees need to produce documentation of the death and receive prior authorization from their Department Director.

1. Full-time employees need to contact their Department Director if additional time off from work is needed. This shall be the balance of the eligible three (3) days for an immediate family member up to an additional two (2) days off for any covered family member. Approved extended bereavement time off will be charged against the employee's available paid leave balances or if there is no available balance of paid leave, the extended absence is without pay.
2. Regular part-time employees may be excused from work with pay for up to three (3) days for the death of "close family members" (spouse, child, parent or spouse's parents).
3. Employees may desire time off to attend the funeral of a relative, not included in the definitions of immediate or extended family, a close friend or co-worker. Approval of time-off will depend on the operational needs of the department and available staffing. Time-off shall be charged against available paid leave, or if no available balance of paid leave, the absence is without pay.

### **12.2. Jury Duty Leave**

On occasion, employees may be required to serve on a jury, grand jury or to be subpoenaed as a witness for a trial or deposition. The City shall apply the following policies in accordance with the applicable circumstance:

1. Employees required to serve on a jury will receive leave and full pay in addition to the payment/fees received from the court upon the presentation of the summons and check stub to their Department Director. Shift employees will be granted leave for jury service, even though such service occurs during the daytime, if reporting to work would impose an unreasonable hardship on the employees. If an employee reports for jury service, and learns within a reasonable period that he/she will not be serving on a jury, the employee shall report to work.
2. Employees may be required to testify as a witness at the request of the City, or testify under a summons or a subpoena related to matters of employment with the City. Employees will receive leave with the presentation of the summons, and will receive full pay in addition to the payment/fees received from the court.

For personal civil actions, employees may require time off from work when they are the plaintiff, defendant, or subpoenaed as a witness on a non-City matter. Such time shall be chargeable against the employee's available paid leave accruals. Employees, whose presence is required for a personal civil action, must show the immediate supervisor the legal notice of the action.

## **Chapter 13 – Other Unpaid Leave**

### **13.1. Family Medical Leave Act (FMLA)**

#### **13.1.1. Introduction**

The City is committed to compliance with the Federal Family and Medical Leave Act (the “FMLA”) and the State’s Victims’ Economic Security and Safety Act (“VESSA”).

Both Acts provide eligible employees with job-protected rights to unpaid leave for up to twelve (12) weeks for certain verified family, medical or victim reasons. The FMLA also allows up to twenty-six (26) weeks of leave to care for a family member who is a “covered servicemember” recovering from injury or illness incurred during active duty military service.

#### **13.1.2. Eligibility for FMLA Leave**

FMLA leave is available to certain eligible employees. To be an “eligible employee” under the FMLA, an employee must have been employed with the City for at least one (1) year and have worked at least 1,250 hours during the twelve (12) months before the date on which the leave is to begin. The City measures available leave based on a 12-month rolling period, measured backward from the date a leave is to be taken.

#### **13.1.3. Reasons for FMLA Leave**

Employees who are considered eligible may request FMLA leave for the following reasons:

1. For a serious health condition that makes the employee unable to perform the essential functions of his/her job; or
2. For the birth of a child, and to care for the newborn child (within 12 months after the birth of the child); or
3. For the placement of a child with the employee for adoption or foster care (within 12 months of placement of the child); or
4. To care for the employee’s spouse, child (who is under the 18 years of age or incapable of self-care due to a physical or mental disability), or parent (not a parent-in-law), who has a serious health condition.
5. To address “qualifying exigencies” that arise because the employee’s spouse, son, daughter, or parent is a member of the Armed Forces (including a member of the Reserves or National Guard) who is on or has been notified of an impending covered active duty deployment to a foreign country.
6. To care for a spouse, son, daughter, parent, or next of kin who is a “covered servicemember” who has a serious injury or illness that was incurred or aggravated in the line of duty and has rendered the servicemember medically unfit to perform the duties of the servicemember’s office, grade or rank or is an eligible veteran who is undergoing medical treatment, recuperation or therapy for a serious illness or injury.

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

#### **13.1.4 Definitions**

1. Spouse means a marital partner.
2. Parent means the biological parent of an employee or an individual who stands or stood in loco parentis (meaning a person who has/had responsibility for the employee in terms of medical, financial needs, etc.) to an employee when the employee was a child. This definition does not include an in-law of the employee.
3. Son or Daughter means a biological, adopted, or foster child, a stepchild, a legal ward or a child of an employee standing in ‘loco parentis’ who is under eighteen (18) years of age, or older if incapable of self-care because of a mental or physical disability).

In the event the City employs a married couple, FMLA provides up to an aggregate of twelve (12) weeks of leave for a birth, placement for adoption or foster care, or to care for an immediate FMLA family member, not twelve (12) weeks for each employee, or a combined total of 26 workweeks to care for a covered servicemember. If, however, an absence is due to the employee’s own serious health condition, each employee is entitled up to twelve (12) weeks of individual FMLA leave to the extent a balance remains available for individual use after accounting for the combined FMLA usage.

#### **13.1.5. Serious Health Condition**

For purposes of this policy, “serious health condition” means an illness, injury (duty or non-duty), impairment, or physical or mental condition that involves one of the following:

1. Hospital Care. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical facility, including any period of incapacity or subsequent treatment in connection with or consequent to such in-patient care.
2. Absence plus Treatment. A period of incapacity of more than (3) three full consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition that also involves either:
  - (a) Treatment by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider, provided that such treatment occurs two (2) or more times within 30 days of first day of incapacity provided the first visit takes place within seven (7) days of the first day of incapacity; or
  - (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider. The first visit to the health care provider must take place within seven (7) days of the first day of incapacity.

3. Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care.
4. Chronic Conditions Requiring Treatments. A chronic condition which:
  - (a) Requires at least two (2) periodic visits for treatment per year by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
  - (b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - (c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
5. Permanent/Long-term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
6. Multiple Treatments (Non-Chronic Conditions). Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury (duty or non-duty), or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

Ordinarily, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontic problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. However, if any of the above criteria are met, the condition is a serious health condition.

#### **13.1.6 Military Caregiver Leave (Covered Servicemember Leave)**

Eligible employees as defined above are entitled to a total of twenty-six (26) workweeks of unpaid FMLA leave in a single 12-month period to care for a spouse, son daughter parent or next of kin who is a "*Covered Servicemember*."

A "*Covered Servicemember*" means a member of the Armed Forces, including a current active member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness, OR

A veteran (as defined by federal law) who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including member of the National Guard or Reserves) at any time during the period of 5 years preceding the first date on which the employee seeks to take FMLA leave to care for the veteran.

A “*serious injury or illness*” generally means an injury or illness that was incurred or aggravated by service in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the members’ office, grade, rank or rating or in the case of a veteran a physical or mental condition for which the covered veteran has received a Veteran Affairs Schedule for Rating Disabilities (VASRD) of 50% or greater requiring the need for caregiver leave or that substantially impairs the veteran’s ability to secure or follow gainful employment or on the basis of which the veteran has been enrolled in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

Employees seeking Military Caregiver FMLA leave should consult with the Human Resources Division for the appropriate certification forms.

#### **13.1.7. Qualify Exigency Leave**

Eligible employees as defined above may take up to twelve (12) weeks of unpaid FMLA leave for any qualifying exigency arising out of the fact that a covered military member is on active or called to active duty status. The leave described in this paragraph is available during a 12-month rolling period, and may be taken on an intermittent or reduced leave schedule basis.

With respect to a Qualifying Exigency Leave:

1. A “covered military member” means an employee’s spouse, son, daughter, or parent who is on active duty or called to active duty status.
2. A “qualifying exigency” includes the following broad categories: (a) short notice deployment; (b) military events and related activities; (c) childcare and school activities; (d) financial and legal arrangements; (e) counseling; (f) rest and recuperation; (g) post deployment activities; including reintegration activities, for a period of 90 days following the termination of active duty status; (h) attending post-deployment briefings; (i) parental care and, (j) additional categories that are agreed to by the employer and employee within this paragraph.
3. The terms “son” and “daughter” are defined as the employee’s biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on active duty or called to active duty status who is of any age. (Note: This definition is different from other sections of this FMLA policy).

4. For purposes of parental care, the parent of the military member must be incapable of self-care and must be the military member’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was under 18 but does not include “parents in law”.

Employees seeking Qualifying Exigency Leave should consult with the Human Resources Division for the appropriate certification forms and will be required to provide a copy of the covered military member’s active duty orders or other documentation issued by the military that indicates that the military member is on active duty or called to active duty status in support of a contingency operation and the dates of the covered military member’s active duty service.

An eligible employee who is the grandparent of a person called to military service lasting longer than 30 days pursuant to a state or federal deployment order may also be entitled to up to 15 days of unpaid family military leave during the time the deployment order is in effect, if the employee has exhausted all available vacation and personal time.

#### **13.1.8 Requests for Leave and Reporting Requirements**

When an employee’s need for FMLA leave is foreseeable, requests for FMLA leave must be submitted to the employee’s Department Head or Human Resources Division at least 30 days prior to the start of the absence. If the absence is due to an emergency or is otherwise not foreseeable, notice must be as “soon as practicable” - which generally means either the same day or the next business day that the employee learns of the need for the leave.

Employees requesting FMLA leave may use the *FMLA Leave Request Form*. Employees are required to respond to the City’s questions relative to the leave request so that the City can determine if the leave qualifies for FMLA leave; failure to do so may result in a delay or denial of FMLA leave.

Employees are required to comply with their Department’s usual and customary policies for reporting absences and requesting leaves even where the absence is covered by FMLA, absent “unusual circumstances.”

Whenever an employee is absent under circumstances that would otherwise qualify as FMLA leave and normally be eligible, the City will consider such incidents as “notice” that the FMLA may apply to the leave request.

During the leave, the employee may be required to report periodically on the employee’s status and the employee’s intentions to return to work. Any extension of time for the employee’s leave of absence must be requested in writing prior to the employee’s scheduled return to work date, and the employee will be required to provide a recertification of the serious health condition by a treating health care provider. An employee who fails to return to work immediately after the expiration of the leave period for reasons other than the continuation of a serious health condition will be considered to have voluntarily terminated

his/her employment. Upon request, the City will consider reasonable accommodation for an employee who is unable to return to work at the expiration of the FMLA period due to the continuation of a serious health condition.

Employees on FMLA leave for their own serious health condition must provide fitness for duty releases from their health care provider before they will be permitted to return to work. The employee's maximum time on a leave of absence under this policy, all types combined, and including all extensions cannot exceed a total of twelve (12) weeks in a rolling twelve month period unless the employee is a spouse, child, parent, or next of kin on leave to care for a Covered Service member, in which case the employee's leave can last for up to twenty-six (26) workweeks in a single twelve (12) month period.

### **13.1.9 Certification of a Serious Health Condition**

The City may request that employees requesting FMLA leave because of a serious health condition to themselves or a family member as defined above have the treating health care provider complete a *Certification of Health Care Provider for Employee's Serious Health Condition* or a *Certification of Health Care Provider for Family Member's Serious Health Condition*.

Employees have a minimum of fifteen (15) days to submit their certification form to the Human Resources Division after it is requested.

At its discretion and its expense, the City may request a second medical opinion as to the employee's health condition. If the certification from the employee's health care provider and the second opinion differ, a health care provider agreed on jointly by the employee's and City's health care providers will submit a third opinion, the results of which will be binding. The City will require recertification for leave due to an employee's serious health condition following the minimum duration of the condition as stated in the certification form or every thirty (30) days. The City may request recertification more frequently as permitted by law. In all instances, the City requires recertification every six (6) months in connection with an FMLA medical leave. The City will notify employees when recertification is required and will give employees at least 15 calendar days to provide medical recertification. The City may provide the health care provider with the employee's attendance records and ask whether the need for leave is consistent with the serious health condition.

Employees shall be notified if submitted medical certifications are incomplete or insufficient and must correct any deficiencies within 7 days of notification or as otherwise permitted by the City. The City may delay or deny FMLA leave to employees who fail to timely submit a requested *Certification of Health Care Provider for Employee's Serious Health Condition* or *Certification of Health Care Provider for Family Member's Serious Health Condition* forms or who otherwise fail to timely correct deficiencies. With the employee's permission, the City (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify

completed and sufficient medical certifications. All documentation of an employee's personal or family member's health conditions will be held in strictest confidence and maintained in a separate medical records file maintained in the Human Resources Division.

#### **13.1.10 Intermittent or Reduced FMLA Leave**

If it is medically necessary, FMLA leave may be taken intermittently (a few days/hours at a time), or on a reduced leave schedule to care for a covered family member with a serious health condition, or because of the employee's personal serious health condition. An employee will need to submit a certification of the medical necessity for such leave including information such as the needed treatment, frequency, and other information identified on a certification form. Where such leave is sought due to planned medical treatments or appointments, subject to the approval of the health care provider, employees must schedule such leave so as to minimize interference or disruption to City operations.

1. A leave taken intermittently or on a reduced leave schedule for the birth of the employee's child, the child's placement with the employee for adoption or foster care, or to care for a child following birth or placement requires the City's consent.
2. For an eligible employee working less than full time or variable hours, FMLA leave entitlement is calculated on a pro-rata basis using the twelve (12) weeks worked immediately prior to the start of the leave to calculate the employee's normal workweek.
3. The salary of FLSA exempt employees will be reduced by the hours taken as unpaid leave during the workweek, without having their exempt status under FLSA affected.

#### **13.1.11 Use of Paid Leave**

Employees on an FMLA covered absence are required to exhaust any available and eligible paid leave (sick leave, vacation, personal leave, and compensatory time) before taking unpaid FMLA leave. The employee will receive paid leave benefits for an FMLA covered absence in accordance with the applicable policy for use of the paid leave (e.g., the use of sick leave for an FMLA-covered absence is allowed only if the circumstances of the absence consist of a situation for which sick leave would be allowed even if the leave was not covered by FMLA). Within the provisions of the previous sentence, the sequence for using eligible accrued paid leave during FMLA shall be at the discretion of the employee. Use of paid accrued leaves will run concurrent with FMLA leave. In all circumstances, FMLA runs concurrently with worker's compensation and disability.

Employees using all eligible paid leave accruals before the end of a scheduled FMLA leave will be in an "unpaid" status for the remainder of the leave. While in an unpaid FMLA leave status, an employee with a serious medical condition may be eligible for disability benefits under the applicable pension program. Receipt of disability benefits under a pension program or through workers' compensation does not extend the maximum limit of FMLA leave entitlement.

#### **13.1.12 Key Employee**

Certain highly compensated key employees are eligible for FMLA leave but may be denied reinstatement when necessary to prevent “substantial and grievous economic injury” to the City’s operations. A “key” employee is a salaried employee who is among the highest paid 10% of City employees. Employees will be notified of their status as a “key” employee when the employee requests leave, when the leave begins, or as soon as practical.

#### **13.1.13 Employee Donation of Paid Leave**

The City allows employees to donate a portion of their accrued paid sick leave to an employee taking FMLA leave according to the following criteria:

1. To be qualified to receive a donation, the employee must be eligible for and taking FMLA leave and not receiving benefits under workers’ compensation or any other disability benefit plan. In addition, the employee must have depleted all of his or her accrued paid leave, completed any applicable probationary period, and not have been issued any disciplinary actions within the past 12 months.
2. To begin the donation process, a qualified employee must apply, or a co-worker or Supervisor may apply on behalf of the employee, to the Department Head. The Department Head will consider the request and submit it along with a recommendation to the Director of Human Resources. Once evaluated, the Director of Human Resources will discuss the application with the City Manager who will make the final decision.
3. The Human Resources Division shall communicate and process approved paid leave donations by other employees in conjunction with the taking of FMLA leave. Generally, donation requests will be solicited amongst co-workers in the employee’s Department; however, if further donations are needed to cover the full length of absence, the solicitation may go out organization-wide.
4. The maximum amount a qualified employee may receive in accrued paid leave donations from other employees is the difference between the twelve (12) weeks of authorized leave under FMLA and the qualified employee’s accrued paid leave total at the time of their FMLA request.
5. The maximum amount of accrued paid leave an employee may donate to a qualified employee is five (5) days (or the equivalent converted time for 24-hour employees). The accrued paid leave donated by an employee shall be in the form of vacation, personal, comp or sick leave.

An employee’s accrued paid leave donations shall be submitted and approved by the employee’s department on a *Personnel Status Form*. Employee donations will be approved and processed by Human Resources on a first come, first serve basis, up to the qualified employee’s maximum as described above.

#### **13.1.14 Benefit Status while on FMLA Leave**

Coverage of employees under the City’s group health, dental and life insurance plans continues under the same conditions that existed when actively employed. Employees are obligated to continue to make the same co-payments of insurance premiums as made while actively employed. This includes the payment of any increases in insurance premiums that occur during a FMLA leave. Additional policies regarding benefit provisions are outlined below:

1. Insurance premiums of employees using paid leave during a FMLA leave will be deducted from each paycheck.
2. Employees going on unpaid FMLA leave will be informed at the beginning of the unpaid leave period of the right to continue group health and dental insurance, the responsibility for premiums, the amount due, and frequency of insurance premium payments. Premium payments more than thirty (30) days late can result in the City terminating group health and dental insurance coverage. However, group health insurance coverage will be restored, without a waiting period, immediately upon the employee’s return from FMLA leave.
3. Employees who fail to return from unpaid FMLA leave for reasons other than (1) the continuation of a serious health condition of employee or a covered family member or (2) circumstances beyond the employee’s control (certification required within 30 days of failure to return for either reason) may be required to reimburse the City for the cost of the premium paid by the City to maintain coverage during the employee’s unpaid leave.
4. Employees continue to earn service and paid leave accruals and the City continues to make pension and other payroll deductions from paychecks during periods of paid FMLA leave.
5. If the FMLA leave is unpaid, service and paid leave accruals cease, as do non-health insurance contributions and deductions. Employees on unpaid FMLA leave are not treated as having a break in service for purposes of vesting or eligibility to participate in benefit programs. All service and paid leave accrual rates and balances in effect at the time of the start of an unpaid FMLA leave will resume upon the completion of the leave.

### **13.2. VESSA**

#### **13.2.1 Eligibility for VESSA Leave**

Any full- or part-time employee of the City is eligible for leave under VESSA to seek assistance in response to an act or threat of domestic violence, sexual assault, or stalking. Employees may take this leave to seek services for a victim of domestic or sexual violence if the victim is: 1) the employee; 2) a covered family member (spouse, child, parent); or 3) a household member (who is currently residing with the employee). VESSA leave is not allowed, however, if the employee’s interests regarding the violent act are adverse to the victim’s interests. Employees are entitled to a maximum of twelve (12) weeks of leave during any twelve (12) month period.

VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA which also qualifies under the Family and Medical Leave Act (“FMLA”), will

be simultaneously designated as both VESSA and FMLA leave. Likewise, absences for which an employee receives sick time or short-term disability benefits for a purpose covered under VESSA will also be designated as VESSA leave. VESSA leave is unpaid leave but the employee may elect to substitute any eligible paid leaves for any period of the VESSA leave. VESSA leave may be taken intermittently or on a reduced work schedule.

During an approved VESSA leave, the City will maintain an employee's health benefits, as if the employee continued to be actively employed. If paid leave is substituted for unpaid leave, the City will deduct the employee's portion of the health plan premium as a regular payroll deduction. If an employee's leave is unpaid, the employee must pay the employee's portion of the premium during the leave. The employee's group health care coverage may cease if the employee fails to make timely payments of the employee's share of the premiums. If an employee does not return to work at the end of the leave period, the employee may be required to reimburse the City for the cost of the premiums paid by the City for maintaining coverage during the employee's unpaid leave, unless the employee cannot return to work because of the continuance, onset or recurrence of domestic or sexual violence, or other circumstances beyond the employee's control. If that is the case, the employee will be required to produce written certification to confirm the circumstances beyond the employee's control.

An employee who is a victim of domestic or sexual violence may take VESSA leave during work hours to address the violence by:

1. Seeking medical attention for, or recovery from, physical or psychological injuries.
2. Obtaining services from victim service organizations.
3. Obtaining psychological or other counseling.
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety from future domestic or sexual violence; or
5. Seeking legal assistance or remedies to ensure health and safety including participating in any civil or criminal legal proceedings related to the violence.

Employees may also be eligible for VESSA leave to help a family or household member who is a victim of domestic or sexual violence. A family or household member is defined as one of the following:

1. Spouse.
2. Parent (biological parent of an employee or an individual who stood in 'loco parentis' to an employee when the employee was a child).
3. Son or Daughter (biological, adopted, or foster child, stepchild, legal ward or child of an employee standing in 'loco parentis' who is under eighteen (18) years of age, or older if incapable of self-care because of a mental or physical disability).
4. Persons residing in the same household.

### **13.2.2 Notice and Certification Requirements for VESSA Leave**

An employee, seeking a VESSA leave, shall provide the City with at least two (2) days advance notice of the employee's intention to take VESSA leave, except in such cases where it is not practicable to provide such notice. If an unscheduled absence occurs, the City will not take any action against the employee if the employee provides an acceptable certification of eligibility for VESSA leave within a reasonable period after the absence.

When an employee needs VESSA leave for a qualifying event, the employee should notify his or her Department Director of the absence as soon as possible. While verification is required, every effort will be taken to see that the information is kept confidential. Verifying documentation shall be sent directly to the Human Resources Division. The verification shall consist of a sworn written statement of the employee, and:

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

If an employee takes leave because of the employee's own medical or psychological condition, the employee will be required to provide medical certification that the employee is fit to resume work, according to the City's usual policies.

### **13.3. Protected Job Status while on FMLA or VESSA Leave**

Employees returning to work at the end of an FMLA leave period or from a VESSA leave shall be reinstated into the former or equivalent position with equivalent pay, benefits, status, authority and other conditions of employment according to the following provisions:

1. Reinstatement rights are lost if the position is eliminated, or employment is terminated for reasons other than being on a FMLA or VESSA leave.
2. Under limited circumstances, the City may deny the reinstatement of certain highly compensated or "key" employees returning from FMLA leave because such reinstatement would cause substantial and grievous economic injury to the City. The determination of whether an employee falls into this category and the resultant reinstatement rights will be made at the time of the leave request.
3. If an employee is unable to return to work at the end of the original FMLA leave period due to a continuation of a serious medical condition, then the Human Resources Division should be contacted regarding an extension of the FMLA leave. An employee requesting an extension is required to submit a new *Certification of Health Care Provider Form*. Employees generally are not eligible for an extension of leave beyond the amount of FMLA leave available to the employee, however, upon request of an employee, the City may consider a further leave of

absence as a reasonable accommodation for an employee's continuing disability for which the employee was taking FMLA leave.

4. If an employee is unable to return to work at the end of an original VESSA leave period due to a continuation of circumstances relating to the condition of violence, then the Human Resources Division should be contacted regarding an extension of the VESSA leave. An employee requesting an extension is required to submit a new set of certification documents. Original and extended VESSA leave cannot exceed the employee's available VESSA leave entitlement (twelve (12) week maximum).

Employees failing to return to work by the end of an FMLA or VESSA leave period for reasons other than a continuation of a serious medical condition or circumstances related to being a victim may be subject to discipline, up to and including termination.

### **13.4 FMLA and VESSA Forms**

The following forms will be used as needed to administer FMLA and VESSA leave:

- *FMLA Leave Request Form*
- *Certification of Health Care Provider for Employee's Serious Health Condition*
- *Certification of Health Care Provider for Family Member's Serious Health Condition*
- *Certification of Qualifying Exigency for Military Family Leave*
- *Certification for Serious Injury or Illness of Covered Servicemember for Military Leave*
- *Fitness for Duty Form*
- *Designation Notice*

## **Chapter 14 – Leaves of Absence**

### **14.1. Military Leave**

The City recognizes that employees may serve in the Armed Services of the United States or State of Illinois in either an active or reserve capacity. When such service occurs, the City will comply with applicable law and the conditions of the federal, “United States Employment and Reemployment Rights Act” (USERRA) and the State of Illinois Service Member Employment and Reemployment Act (“ISERRA”).

#### **14.1.1. Leave of Absence**

To the extent authorized by law, and provided an employee provides notice to the City, an employee who serves in the United States Armed Services, including the Illinois National Guard will be granted a leave of absence for periods of active military service.

#### **14.1.2. Employee Notice**

The employee must immediately notify his or her Department Director in writing of any upcoming military duty and provide the City with a copy of the orders or other documentation as requested in order to facilitate the administration of benefits. Upon the completion of active service, employees must request timely reinstatement to resume employment with the City.

#### **14.1.3 Differential Pay**

An employee on military leave will be eligible for continuing differential pay as authorized by law:

1. Employees who are members of a reserve component shall continue to receive their full City compensation during their annual training commitment for up to 30 days per calendar year. Employees who exhaust their concurrent compensation for annual training may be eligible for differential compensation.
2. An employee who is a member of a reserve component and performs qualifying voluntary active service is eligible for up to 60 work days of differential compensation in a calendar year.
3. An employee who is a member of a reserve component and is ordered to perform involuntary active service is eligible to receive additional differential compensation.
4. Differential compensation is only paid for those work days where the employee would otherwise have been scheduled to work as a City employee. Work hours extending over two calendar days counts as two work days when calculating differential compensation.

#### **14.1.4. Reinstatement**

Employees are eligible for reinstatement if the employee was not separated from uniformed service with a disqualifying discharge and is able to still perform the essential job functions of the former position. Barring changed circumstances, employees will be reinstated to the same or similar position without loss of seniority, benefits, or the rate of pay in effect prior to induction. If necessary, during a military leave of absence, an employee will receive a performance evaluation in the manner provided by law.

#### **14.1.5. Health Insurance**

City-provided health insurance plan benefits will be provided for members of a reserve component during leave in accordance with federal and state law, except that the City will continue to pay its share of the insurance premium and administrative costs during the employee's "active duty" (as defined by Illinois law).

### **14.2. Extended Medical Leave**

Employees may suffer an injury or have an illness that incapacitates them over an extended period of time. Employees with a minimum of one (1) year of continuous full-time service, who remain incapacitated after the use of all accrued paid leave must, unless still on an approved FMLA leave, apply for Extended Medical Leave in order to maintain an employment relationship with the City. Extended Medical Leave needs to be requested even if an employee is receiving disability payments under a pension program. Approval for an Extended Medical Leave is at the discretion of the City Manager, taking into consideration operational needs, the employee's prognosis for full recovery and the estimated time needed before returning to work. A copy of the City's *Extended Medical Leave Policy* is attached in the Appendices section of the Manual.

### **14.3. General Leave of Absence**

Employees may request an unpaid leave of absence for personal reasons other than medical, military, or for outside employment. Requests will be reviewed by both the Department Director and Director of Human Resources, and then forwarded with a recommendation to the City Manager for approval. Requests will be considered on a case-by-case basis reviewing operational needs.

1. Benefits will not be accrued or be provided to employees on an approved unpaid leave of absence. Existing accrued leave balances are held and carried over during the period of the unpaid leave resuming upon the employee's return to work. All anniversary dates will be adjusted by an amount of time equal to the number of days on an approved unpaid leave. Employees on an unpaid leave of absence for greater than thirty (30) days may continue to participate in the City's health benefit insurance program with the payment of the full monthly premiums (i.e. employer and employee premium).
2. Re-employment is not guaranteed following unpaid leaves of absence in excess of thirty (30) days.

**14.4. School Visitation Leave**

In accordance with the State of Illinois School Visitation Rights Act, employees with six (6) months of continuous service will be granted unpaid leave up to eight (8) hours during any school year to attend school conferences or class room activities related to the employee’s child if such conferences or activities cannot be scheduled during non-work hours. No more than four (4) hours may be taken on any given day and employees must first have exhausted all accrued floating holiday, vacation, and compensatory time before taking unpaid School Visitation Leave.

**14.5. Election Day Leave**

Employees have the right to request, before the day of an election, up to two (2) hours of unpaid leave to vote in any general or special election, or in any election at which propositions are submitted to a popular vote in the State of Illinois. Scheduling of this leave will be at the mutual agreement of the employee and the Department Director.

## **Chapter 15 – Insurance Programs**

### **15.1. Introduction**

The City provides full-time employees with certain group insurance programs and offers them the opportunity to voluntarily elect participation in other optional insurance programs. These programs include a wide range of plans including health, dental, life, supplemental life and other specialized insurance plans. The City strives to remain competitive in its benefit programs and to maintain a reasonable level of cost sharing with employees. Payments for the employee's share of insurance premiums of both provided coverage and elected optional programs are made through payroll deduction. Under the Premium Conversion Plan, employees shall have their premium co-payments made on a pre-tax basis for the various medical insurance plans in which they have enrolled.

### **15.2. Health Insurance Program**

All full-time employees may elect to enroll in either single, single plus one dependent, or family coverage under the one of the City's group health plans, referred to as PPO2, PPO3 or HMO 1. The City's health plan coverage includes a Prescription Card program. The City retains the right to change carriers, change the type of health insurance plans, or institute other cost saving measures.

1. The group health insurance plan, in which new employees may enroll, becomes effective on their first day of employment with the City.
2. When an employee separates from employment after the 15<sup>th</sup> of the month, the second paycheck of the month will cover their insurance premium and coverage for the remainder of that month. If an employee separates from employment prior to the 15<sup>th</sup> of the month, then they shall be responsible for the entire month's premium for medical, dental and optical coverage through their applicable payroll deductions. Separating employees' group life insurance coverage ends on the last day of employment. (See *Section 15.7. COBRA Extended Insurance Coverage*).
3. Employees who do not initially enroll in a group health program upon starting with the City, or desire to transfer from one health plan to another (e.g., HMO to PPO) may do so during the annual open enrollment period. Such transfers become effective on the first day of the next plan year (i.e. January 1<sup>st</sup>). However, employees may be able to enroll in a City plan or transfer from one plan to another during the plan year if they have had a "life-altering event" as defined in the City's *Health Insurance Portability and Accountability Act (HIPAA) Privacy Standards & Notice Policy* attached in the Appendices section of the Manual.
4. The HIPAA Act was amended in 2004 to establish "Privacy Standards" limiting access to certain patient data, collectively referred to as Protected Health Information (PHI). The amendments also defined patient rights as to access to personal health information. The City complies with current HIPAA privacy and disclosure standards as identified in its *Health Insurance Portability and Accountability Act (HIPAA) Privacy Standards & Notice Policy* attached in the Appendices section of the Manual.
5. It is the responsibility of participating employees with family health plan coverage to keep the Human Resources Division informed of all current dependent members. Adding a new spouse or a new child to the list of dependents for family coverage MUST be done within thirty-one (31) days of the date of the marriage or birth of a child (includes the effective date of an adoption or legal guardianship). If new dependents are not added to the list of current

dependent members during this thirty-one (31) day period, they will not be able to enroll in the health plan until the next annual open enrollment period with coverage becoming effective on the first of the new plan year.

6. The monthly premiums for the City's group health insurance plans are a shared responsibility, currently with the City paying ninety percent (90%) and the employee paying ten percent (10%), depending upon employee plan choice. Monthly premiums are reviewed on an annual basis for whether financial conditions require an increase. Any increases shall be effective on the first day of the plan year (i.e. January 1<sup>st</sup>). Co-payments of monthly insurance premiums are made through payroll deductions during each payroll period. Commencing 1/1/2022, premium deductions are made on the first and second pay period of the month (24 pay periods annually).

#### **15.3. Dental & Optical Insurance Program**

Eligible employees may voluntarily elect to participate in an offered group dental insurance plan with the City paying eighty eight percent (88%) and the employee paying twelve percent (12%) of the monthly premiums. Eligible employees may voluntarily elect to participate in an offered group vision insurance plan with the City paying eighty percent (80%) and the employee paying twenty percent (20%) of the monthly premiums. Employees who elect not to enroll in a group dental and/or optical plan when hired may enroll during the next annual open enrollment period. Employees are required to add new dependents within thirty (30) days of the date they are eligible or not until the next annual open enrollment period. (See *Section 15.7. COBRA Extended Insurance Coverage*, or *Section 15.8. Insurance Continuation for Retirement/Disability* below).

Commencing 1/1/2022, premium deductions are made on the first and second pay period of the month (24 pay periods annually).

#### **15.4. Life Insurance Program**

All full-time employees are provided with a group life insurance policy including Accidental Death and Dismemberment (AD&D) while employed by the City. Employees are responsible for designating beneficiaries and for keeping such designations current. Coverage ceases on the last day of employment.

The City also offers supplemental life insurance programs that employees may elect for themselves and/or dependents. The employee pays the full premium costs for supplemental life insurance through payroll deductions. Coverage ceases on the last day of the month they conclude employment with the City.

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

The City provides an Employee Assistance Program (EAP) for all full-time and part-time employees, their spouses, and dependent children. The purpose of the program is to provide these individuals with a method of obtaining professional assistance to help resolve difficult personal problems such as family, marital, emotional, alcoholism, drug abuse, legal or financial difficulties.

Participation in the EAP does not excuse unacceptable conduct or performance, and it does not preclude disciplinary action based on that unacceptable conduct or performance or rule violation.

The City will receive statistical information from the service provider regarding usage of the program that will not disclose the identity of any participants utilizing program services. In the case of a participant introduced to the program by Supervisory Referral, general reports from the service provider on the progress of such participant shall, at the City's request, be made available to the Human Resources Director.

The City will provide an EAP under an agreement for services with an outside company. There are two guidelines for EAP referral:

1. Self-Referral - An employee or family member who desires confidential assistance for a personal problem may at any time contact the employee assistance counselor. The counselor will provide the necessary information or assistance over the telephone or will arrange an appointment for further confidential consultation. All contacts, verbal or written communications or reports will be held in strict confidence unless the employee or family member requests, through a signed waiver, that the City be notified. The employee, spouse, or child may receive counseling sessions for the presenting problem. The number of sessions will be determined based upon the service agreement with the provider. If the participant's presenting problem is determined not to be resolvable in the above number of sessions, the participant will be referred for alternative services after assessment. If and when the participant has need to pursue the alternative services or longer-term counseling, the participant will bear the cost of such treatment. Insurance coverage for such longer-term counseling may or may not be available under the medical insurance coverage provided to employees by the City. The employee should correspond directly with the insurance carrier in order to determine available benefits in each case.
2. Supervisory Referral - An employee's supervisor or Department Head, in consultation with the Human Resources Director, may require the employee to report to the EAP for initial counseling or evaluation of a particular on-the-job problem. This option would be applicable when the employee's work performance has changed markedly or some other work-related problem is observed. The employee, spouse, or child may receive counseling sessions for the presenting problem. The number of sessions will be determined based upon the service agreement with the provider. If the employee's presenting problem is determined not to be resolvable in the above number of sessions, the employee will be referred for alternative services after assessment. If and when the employee has need to pursue longer term counseling, the employee will bear the cost of such treatment. Insurance coverage for such longer-term counseling may or may not be available under the medical insurance coverage provided to employees by the City. The employee should correspond directly with the insurance carrier in order to determine available benefits in each case.

#### **15.6. Premium Conversion Plan (Section 125)**

Under Section 125 of the Federal IRS Tax Code, employees make their premium contributions for medical related insurance plans on a pre-tax basis through a Premium Conversion Plan. This plan reduces individual Federal, State, and Social Security (FICA) taxes. Signed enrollment forms or deduction authorization cards are required before deductions are made. Premium deductions are

made during each payroll period. Commencing 1/1/2022, premium deductions are made on the first and second pay period of the month (24 pay periods annually).

### **15.7. COBRA Extended Insurance Coverage**

Employees and dependents may be entitled to continue medical insurance coverage (health and dental) when eligibility to participate under City coverage ends. Eligibility is provided under the federal COBRA laws and any applicable laws of the State of Illinois, which provide participation in the City's group medical plans beyond a plan's eligibility limits.

1. Employees may continue medical coverage for up to eighteen (18) months following the date of separation.
2. Employees whose hours are reduced so that they are no longer eligible to receive health insurance coverage may continue medical coverage for up to eighteen (18) months following the effective date of the reduction in hours.
3. Due to a divorce, or the death of an employee, surviving spouse and dependents may continue participation in the group medical plan for up to thirty-six (36) months from the date that eligibility for coverage ceased.
4. When dependent children cease to be eligible according to the terms of a plan, they may continue participation in the group medical plan for up to thirty-six (36) months from the date that eligibility for coverage ceased.

Employees and dependents electing to continue participation in a group health or dental plan, under COBRA, are responsible for the prepayment of the monthly premium at a rate up to one-hundred-and-two percent (102%) of the applicable insurance premium cost, which includes a two percent (2%) administrative fee.

The Human Resources Division will send information regarding COBRA health and dental coverage rights to known employees and family coverage dependents whose participation in the City's group insurance program ceases. Employees are responsible to notify the Human Resources Division of any change in dependent eligibility within sixty (60) days of the date of that such eligibility ceases (e.g., divorce or child's age etc.) Employees failing to notify the Human Resources Division that a dependent's eligibility has ceased within the allowed sixty (60) day notification period will result in the dependent's eligibility for continued insurance coverage being forfeited.

### **15.8. Insurance Continuation for Retirement/Disability**

The Illinois Compiled Statutes allows employees who are about to receive retirement or disability payments through a City pension program (See *Chapter 17 Retirement & Pension Programs*) the right to elect continued participation in a City group health insurance plan. The Statutes require that the participation be continuous and uninterrupted from the time the City's co-payment of premiums ceases. The City also extends the option of continuous and uninterrupted participation in a City group dental insurance plan. Continued participation includes the right to change plans and/or types of coverage during the annual open-enrollment period. If coverage is interrupted and ceases, the former employee cannot re-enroll into a City group insurance program at a later date. Pensioners are responsible for the full pre-payment of the monthly premium (employer and employee co-payments). Also, when eligible, pensioners may continue participation in the group insurance plan under a Medicare plan.

## **Chapter 16 – Work-Related Injuries**

### **16.1. Introduction**

This policy pertains to a work related injury, illness, or death, that arises out of and during the course and scope of employment with the City. Employees of the City are entitled to specific benefits through this policy, or under the State of Illinois, Workers' Compensation Act, Occupational Disease Act, or Public Employees Disability Act (PEDA); whichever is applicable. Questions related to this policy should be directed to Human Resources.

### **16.2. Reporting an On-the-Job Injury**

If employees believe they have suffered an injury or illness related to employment with the City, they must **immediately** report the injury or illness to a supervisor, or no later than the end of the business day on which the injury occurred. All injuries, including those that do not require emergency medical care, must be reported. Upon being advised of an injury or illness, the employee's supervisor will complete a *Work Related Injury/ Incident Report* and submit to the Human Resources Division within 24 hours of the incident. The employee's supervisor will also complete a *Supervisor Injury/Incident Investigation Report* and submit to the Human Resources Division within 72 hours of the incident. The department head or applicable supervisor shall contact the Human Resources Division at any time, twenty-four (24) hours a day, in the event of an injury or illness, or of a death. Upon receiving verbal notice of an injury or illness requiring emergency medical care, or death; or after receiving the completed reports of a less serious injury or illness, the Human Resources Division will report the claim to the City's third party claims administrator.

### **16.3. Adjudication of a Workers' Compensation Claim**

The City third party claims administrator will, in conjunction with the Human Resources Division, investigate the circumstances surrounding the injury, illness, or death of an employee. In accordance with applicable Illinois law, the third party claims administrator will determine if the employee's injury, illness, or death is compensable. If the claim for benefits is determined to be compensable, the third party claims administrator shall distribute all appropriate benefits. If the claim is determined to be un compensable, the third party administrator will notify the employee, or beneficiary if a death, in writing of the denial. An employee who disagrees with the determination made by the third party claims administrator, or for any other reason, is entitled to file a claim for adjustment with the Illinois Industrial Commission.

### **16.4. Benefits while on a Workers' Compensation Absence**

In the event the third party claims administrator determines that the injury, illness, or death is compensable, employees are entitled to, but not limited to, the following benefits.

1. Medical Benefits - The City will pay all medical bills related to an employee's injury or illness that are determined to be reasonable and customary by the third party claims administrator. Employees requiring medical treatment while on duty will be directed to the City's occupational health provider. Employees needing care will be treated, and if

- necessary, transported to an emergency care facility. Employees receiving medical treatment must forward all medical bills to the Human Resources Division for processing.
2. Temporary Total Disability (TTD) - Employees authorized off work for more than three (3) days are entitled to TTD benefits. TTD benefits are paid at sixty-six-and-two-thirds percent (66-2/3%) of employee's average weekly wage. Average weekly wages are calculated on injured employee's regular wages for the fifty-two (52) weeks prior to the date of injury. Employees are entitled to TTD benefits for as long as they are authorized off work due to the injury or illness, or until they have reached maximum medical improvement as determined by a health care provider.
  3. Permanent Partial Disability (PPD) - In some cases employees may suffer a PPD as a result of an injury or illness and may be entitled to compensation for the disability. The Workers' Compensation Act determines the amount of PPD compensation.
  4. Permanent Total Disability (PTD) - If employees reach the maximum medical improvement and are still medically unable to return to work, they may be entitled to PTD benefits. These benefits are paid at a rate determined under the Workers' Compensation Act.
  5. Survivors - In the event of an employee death, spouses and dependents are entitled to survivor's benefits as determined under the Workers' Compensation Act.
  6. Public Employees Disability Act (PEDA) - For the duration of one (1) year, PEDA entitles sworn Police and Fire personnel to compensation equal to one-hundred percent (100%) of their salary if they are off work due to a compensable injury or illness that occurred on duty. These benefits will supplement any TTD benefits received by the employee.
  7. Illinois Municipal Retirement Fund Employees - TTD payments received by an employee due an on-the-job injury or illness are not considered 'earnings' by IMRF. Such time off of work, though authorized and receiving TTD payments, does NOT count as service time for the purpose of calculating future pension benefits. IMRF service time may be received during such periods by applying for an IMRF Disability through the Human Resources Division.

Employees are only entitled to lost time benefits if a health care provider authorizes time off work due to a compensable injury or illness. Upon returning to work after an injury or illness, employees will be required to use benefit time, other than workers' compensation benefits, to attend any medical appointment during scheduled hours of work. In the event that the health care provider does not have office hours after scheduled work hours, employees may be paid TTD and PEDA (if applicable) benefits for lost time during scheduled work hours or attending a medical appointment requested by the City.

### **16.5. Light Duty**

Employees recuperating from an injury or illness, and unable to perform essential job functions, shall have the treating health care provider complete a *Fitness for Duty Report*. The employee's treating health care provider may substitute another report form if it contains the same information as requested in the City's *Fitness for Duty Report*. The report must identify the employee's limitation(s) and the date on which the employee will next be examined or released for full duty.

It is the responsibility of the employee to inform all health care providers of the City's light duty policy, and failure to do so may result in discipline up to and including termination.

Light duty is defined as temporary work, which can be accomplished by an injured or ill employee within the stipulated medical or physical limitations, and without exposing others to the risk of being harmed. Light duty is further defined as temporary work, which when accomplished, will contribute to the fulfillment of the mission of the department as distinguished from "make work" assignments created solely to accommodate ill or injured employees.

An employee shall forfeit their workers' compensation benefits if they choose to do either of the following:

1. The employee fails to notify the Human Resources Director and Department Director of their release for light duty by the employee's treating health care provider.
2. The employee is released for light duty but refuses the light duty assignment.

The City's *Light Duty Policy* is attached in the Appendices section of the Manual.

### **16.6. Injuries Not Compensated**

Certain injuries are not compensated for under the Workers' Compensation Act. These would include those resulting from a violation of direct and specific instructions given to the employee or when the employee unnecessarily increases the risk of injury. A third party administrator adjudicates all claims for the City. It is their responsibility to evaluate each case and authorize payment of appropriate compensation based on information provide to them by the City and the employee.

## **Chapter 17 – Retirement & Pension Programs**

### **17.1. Introduction**

All employees of the City participate in at least one of several retirement programs. These include the Federal FICA, which includes Medicare, and/or IMRF for non-sworn employees, the Fire Pension Fund for sworn Fire personnel, and the Police Pension Fund for sworn Police personnel. Sworn Fire and Police personnel do not participate in the retirement/disability portion of Social Security, but sworn employees hired after March 31, 1986 contribute to the Medicare portion of the Social Security tax.

### **17.2. Federal Retirement Benefits (Social Security)**

All non-sworn employees, regardless of the number of hours worked, participate in Social Security, which includes Medicare – Part A (Hospital Insurance). This is a Federal program providing income assistance for retired workers, disabled workers, or the families of retired, disabled or deceased workers. Both the employee and the employer currently contribute to the system. A total of forty (40) quarters of participation in Social Security is needed to be eligible for benefits. Benefit estimates and answers to questions regarding Social Security, disability eligibility or Medicare may be obtained by contacting the local Social Security Administration office.

### **17.3. Retirement Processing**

Upon request, the Human Resources Division will provide retiring employees a personalized retirement packet containing information as to benefit changes that need to be made, the names and phone numbers of contact persons for specific benefit/savings programs and an estimated value of accrued but unused personal leave.

1. The official date of retirement will commence the day after the last day of employment. Vacation, personal, and sick leave accruals ceases at 11:59 p.m. the last full day the employee is on the payroll. The retiree's pension becomes effective according to the terms of the applicable pension program.
2. The retiring employee's final paycheck will include any time worked during the last payroll period. Depending upon the retiring employee's enrollment status, hours of accrued but unused vacation, personal, and sick leave shall be paid into the a Retiree Health Savings (RHS) plan or in a lump sum on the retiring employee's final paycheck (See *Chapter 10 - Vacation, Personal & Holiday Leave* and *Chapter 11 – Sick Leave*).
3. If an employee retires after the 15<sup>th</sup> of the month, their final paycheck will cover their insurance premium and coverage for the remainder of that month. If an employee retires prior to the 15<sup>th</sup> of the month, then they shall be responsible for the entire month's premium for medical and dental coverage by a separate check. Retiring employees' group life insurance coverage ends on the last day of employment.

### **17.4. Retiree Group Health & Dental Insurance**

Retirees and participating dependents have the option of continuing in the current group health and dental plans with the full pre-payment of the monthly premiums. Participation must be

continuous and uninterrupted from the last day of active employment. Premium payments are due the 1st of each month of coverage. Retirees may have their monthly premium payments deducted directly from their checking account, pension check, or RHS plan account. Retirees eligible for, or becoming eligible for Medicare after retiring, may elect to continue group health insurance participation under a Medicare enrollment option. The spouse and/or eligible dependent(s) of a deceased retiree, if covered under a City health plan at the time of the death, may continue the group health insurance participation with the full and uninterrupted pre-payment of the monthly premiums. (See *Section 15.8 Insurance Continuation for Retirement/Disability* for more information).

### **17.5. Illinois Municipal Retirement Fund**

Employees in non-sworn positions scheduled to work one-thousand (1000) hours or more in a year, will participate through payroll deduction in IMRF in addition to Social Security. Besides retirement benefits, IMRF also provides disability and death benefits to members after one year of participation.

1. The employee's contribution is set under the Illinois Compiled Statutes, and is a pre-tax payroll deduction. The City also contributes to IMRF on behalf of covered employees at an annual rate actuarially determined by IMRF. NOTE: Employees off from work and receiving TTD payments due to an injury on the job do not receive IMRF service credit for the period of time on TTD. Such employees must file and be accepted for IMRF Temporary Disability in order to receive credit for the period of TTD absence.
2. To become vested for a pension under IMRF, eight (8) years of participation in the fund is required. Vested participants are eligible for a full pension at age sixty (60) or after thirty-five (35) years of service and at least fifty-five (55) years of age. A reduced pension can be received at age fifty-five (55) with less than thirty-five (35) years of service.
3. Information regarding IMRF and pension requirements is available in the Human Resources Division or directly from IMRF.
4. An employee may apply for Military Service credit in IMRF if they served in the armed services of the United States prior to employment with the City.

### **17.6. Fire Pension Fund**

Sworn Fire personnel participate in a pension fund for retirement, disability and death benefits. The Fire Pension Board manages the Fund in accordance with Illinois Compiled Statutes. The City contributes to the Fund based on an annual actuarial analysis while participating Fire personnel contribute through payroll deductions.

1. Full vesting occurs after twenty (20) years of service with eligibility for a full pension upon reaching age fifty (50). The maximum pension of seventy-five percent (75%) can be received after thirty (30) years of service.
2. Information regarding applying to participate in the fund, disability requirements, qualifications for pension benefits, and the value of pension benefits is available from the Firefighters' Pension Board.

### **17.7. Police Pension Fund**

Sworn Police personnel participate a pension fund for retirement, disability and death benefits. The Police Pension Board manages the fund in accordance with Illinois Compiled Statutes. The City contributes to the Fund based on an annual actuarial analysis while participating Police personnel contribute through payroll deductions.

1. Full vesting occurs after twenty (20) years of service with eligibility for a full pension upon reaching age fifty (50). Thirty (30) years of service is needed for the maximum pension of seventy-five percent (75%). Police officers have portability rights between local Police pension funds.
2. Information regarding application to participate in the fund, portability rights, disability requirements, qualifications for pension benefits, and the value of pension benefits is available from the Police Pension Board.

## **Chapter 18 – Death of an Employee**

### **18.1. Introduction**

There are certain benefit rights for the survivor(s) or estate of employees who die during active employment with the City. (See *Section 16.4.5. Survivors* if the death occurs on-the-job.)

### **18.2. Survivor Pension Benefits**

Each City pension program provides surviving spouse, family and/or estate benefits as prescribed by the Illinois Compiled Statutes. A copy of the employee's death certificate should be forwarded to the IMRF or to the appropriate Fire Pension or Police Pension Board to initiate the survivor benefit process.

### **18.3. Life Insurance Death Benefits**

The Human Resources Division will process a claim with the City's group life insurance carrier and elected optional life insurance programs for which deductions were made from the employee's paycheck upon the receipt of a death certificate from the beneficiary. If the death was accidental, the group life insurance plan provides an additional Accidental Death & Dismemberment benefit.

### **18.4. Payment of Accrued Leave upon Death**

The employee's family or estate will receive the compensation for any time due during the pay period during which the employee died. Depending upon the employee's enrollment status, hours of accrued but unused vacation, personal, and sick leave are paid into the employee's Retiree Health Savings (RHS) plan (See *Section 11.10 Sick Leave Payout Upon Separation*) or in a lump sum on a subsequent payroll disbursement.

### **18.5. Health Insurance for Survivors**

The spouse and eligible dependents of a deceased employee, who are either non-probationary sworn employees or IMRF employees participating in the fund for more than one (1) year, may be eligible for continuation in the City's group health and dental insurance programs. Participation must have existed prior to and be continuous and uninterrupted from the date of death of the employee/retiree. The survivors must pay the full pre-payment of the monthly premiums (employer and employee co-payments) of the applicable insurance plan(s). Survivors of deceased probationary sworn personnel and IMRF employees with less than one (1) year of service may elect to continue in the health and/or group insurance plans under COBRA until eligibility limits are reached (See *Section 15.7. COBRA Extended Insurance Coverage*).

## **Chapter 19 – Code of Conduct**

### **19.1. Introduction**

The values and principles of an organization define its identity. These organizational values and principles guide its activities and help formulate the attitudes and actions of its employees. As public servants, City employees are expected to be responsible, honest and fair. The City places a trust in its employees to work harmoniously with co-workers, outside agencies, vendors, citizens and the public. The following sections outline the expectations for appropriate conduct for City employees that are in keeping with the mission and values of the City of Des Plaines.

### **19.2. Unacceptable Behavior**

In addition to provisions listed in other sections of the Manual, the City has certain expected standards of conduct. Below is a list of behavior and conduct that is not acceptable and for which disciplinary action may be appropriate. The list below is not intended to be an all-inclusive listing and does not limit the disciplinary authority of the City.

1. Conduct Unbecoming; which is any conduct on or off-duty which adversely affects the morale, operations, or efficiency of the City or any conduct which has a tendency to lower or destroy public respect for municipal employees and confidence in the operation of municipal services.
2. Insubordination; which is a failure or deliberate refusal to follow a lawful order or directive from a manager or supervisor.
3. Incompetence, inefficiency, or negligence in the performance of assigned duties.
4. Conduct that causes physical harm or injury to a co-worker or a citizen.
5. Acts that endanger the safety, health, or well-being of another employee or citizen or is of sufficient magnitude that the consequences cause a disruption of work or discredit the City.
6. Use of profane or abusive language; threatening or intimidating behavior toward others.
7. Theft, the misappropriation of City property, or the willful destruction of public property or the property of another employee.
8. Personal use of City equipment, property, or material for any unauthorized reason.
9. Falsification of official information or records; alteration of time sheets, personnel records, employment applications or any other City records.
10. Excessive or habitual tardiness, extended breaks or leaving work early; abuse of sick leave privileges; unauthorized absence without leave.
11. Failure of an employee with work related driving assignments to notify a supervisor of an expired, suspended or revoked driver's license; illegally operating a City vehicle, personal or other vehicle on City business.
12. Violation of established safety rules, policies and procedures.
13. Illegal use or possession of a weapon on City property or in a City vehicle (e.g., a firearm and/or other device, which the primary use is to cause bodily harm or property damage).
14. Divulging or misusing confidential information.

Please see Chapter 22, Disciplinary and Grievance Procedures for more information regarding the disciplinary process.

### **19.3. Confidentiality of Information**

The daily work of an employee may involve access to information about citizens, other employees or members of the general public that is sensitive and/or confidential in nature. Technological or manual capabilities should not be used in a manner that infringes upon an individual's right to privacy. Such information may be learned from City records, documents, files or conversations. Information originating from issues of litigation or medical documents is protected under strict Federal or State disclosure laws. Any form of confidential information shall only be accessed and disclosed to authorized individuals as necessary, on a need to know basis, or as required through the normal course of business or work activity. Any employee who has been determined to be in violation of this policy may be subject to disciplinary action up to and including termination of employment.

Any questions or concerns by City employees regarding the appropriateness of conveying certain confidential information should be directed to the City Attorney or Human Resources Director as applicable.

### **19.4. Fraternization in the Workplace**

The City considers certain personal relationships between employees to be inappropriate. Such relationships could create disruptions in the workplace and could negatively affect the morale of other City employees. Equally important, such activity can create the appearance of favoritism and/or the potential for unfair treatment or the appearance of a conflict of interest. Therefore:

1. All employees are discouraged from engaging in a personal/dating relationship with any person with whom he/she has a direct reporting relationship or an auditing or control relationship to the other employee's job.
2. If the City becomes aware of problems occurring as a result of employee relationships, appropriate corrective and disciplinary action will be taken to remedy the situation, up to and including dismissal or transfer of one or both employees.
- 3.

This policy applies without regard to marital status, gender or sexual orientation. Issues will be addressed on a case-by-case basis to avoid even the appearance of a conflict of interest.

### **19.5. Workplace Violence**

The City of Des Plaines is committed to providing a workplace that is free from intimidation, threats or violent acts by any of its employees and/or anyone who conducts business with the City. By making this commitment, the City fosters a safer workplace based upon courtesy, dignity and respect.

Each incident of violent behavior, whether committed by another employee or an external individual such as a customer, vendor or citizen, must be reported to the Department Director as soon as reasonably possible. The Department Director will complete a report of the incident and submit it to

the Human Resources Division. Once the report is complete, the Department Director and Human Resources Director will assess and investigate the incident and determine the appropriate action to be taken.

Any employee who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City property shall be removed from the premises as quickly as safety permits, and shall remain off City premises pending the outcome of a disciplinary investigation. Any employee who has been determined to be in violation of this policy may be subject to disciplinary action up to and including termination of employment and, depending upon the nature of the violent act, may be subject to criminal prosecution.

The City's *Workplace Violence Policy* is attached in the Appendices section of the Manual.

### **19.6. Harassment & Sexual Harassment**

The City of Des Plaines is committed to maintaining a work environment that fosters appropriate conduct among colleagues and respect for individual values and sensitivities. The City will not tolerate harassment of any kind, including sexual harassment, and will take immediate steps to stop it when it occurs. Verified offenses are treated as misconduct and offenders are subject to disciplinary action up to and including termination.

### **19.7. Theft & Falsification of Records**

Employees are required to report any observed instance or knowledge of theft. The theft may be of City property, the property of co-workers or other third party individuals. Theft is not limited to physical items, but includes the falsifying of time, travel, accident or other records. Employees shall not be subjected to retaliation for legitimate reports of suspected theft or falsification of records under this policy.

### **19.8. Alcohol & Substance Abuse**

The City subscribes to a work place free of alcohol usage and abused and misused substances. City policy prohibits employees from being under the influence of alcohol, illegal drugs, other dangerous substances, or impaired through the use of prescribed or over-the-counter medications, while performing assigned duties, representing the City, or while "on-call" for duty that can affect the individual's performance of the job.

1. The unlawful use, misuse, manufacture, distribution, dispensation, possession or distribution of alcohol, illegal drugs, including cannabis, or other dangerous substances is prohibited at any City facility, on City property, in any City-owned or leased motor vehicle or equipment or at any location at which employees are working or conducting City business.
2. Employees shall not report to work while under the influence of any substance that can affect job performance. Employees shall inform a supervisor that job performance may be impaired due to the proper use or misuse of alcohol, a legal or illegal substance, or medications prior to scheduled work.

3. Employees with an alcohol or substance dependency problem are strongly encouraged to seek help through the City’s confidential Employee Assistance Program (EAP) or other independent program. A violation of the City’s Alcohol and Substance Abuse Policy may result in disciplinary action up to and including termination. Violations of the law will be reported to the appropriate legal authority.
4. In accordance with the Alcohol and Substance Abuse Policy, applicants for positions with the City must successfully pass a pre-employment drug screen as a condition of employment. Once employed, all non-contract employees are subject to future alcohol and/or drug testing based on reasonable suspicion, post-accident vehicular crashes and certain return-to-work situations.
5. Testing of contract employees is subject to the provisions of each groups’ respective collective bargaining agreement. Public Works employees are also subject to alcohol and drug testing as prescribed by Federal and State law for operating a vehicle for which the driver is required to possess a Commercial Driver’s License (CDL).

A copy of the City’s *Alcohol & Substance Abuse Policy* is available on the City’s website.

### **19.9. Weapons Prohibited**

Except for duly authorized law enforcement personnel, City employees shall not possess or carry a gun or other weapon that is legally considered a dangerous weapon while at work, in City facilities, on City property or in a City vehicle. A weapon is considered a firearm and/or other device that has as a primary use of causing bodily harm or property damage. Employees shall not store or convey such weapons in a private vehicle that is parked on City property. The violation of this policy will lead to disciplinary action up to and including termination and/or criminal prosecution.

### **19.10. Outside Employment**

The outside employment of employees in a non-City job, including self-employment, shall not interfere with City duties and responsibilities. The definition of "interferes with" includes, but is not limited to absenteeism, tiredness and lack of effort or concentration. Employees are also responsible for ensuring that outside employment is not incompatible with or creates a conflict of interest with City employment. Time shall not be spent doing work for an outside job on City property, or while representing the City outside work hours. Employees shall never solicit or enhance personal opportunities by representing themselves as a City employee.

Employees sustaining an injury arising out of non-City employment resulting in lost time from the City will not be covered by the City of Des Plaines. Lost time due to an injury, not covered by the outside employer, shall be charged to the employee’s accrued paid leave.

### **19.11. Telephone Usage & Etiquette**

The purpose of the telephone usage and etiquette policy is to establish operational guidelines regarding appropriate methods for managing incoming telephone calls as part of ongoing efforts by the City of Des Plaines to improve customer service. Effective communication is a key

component of good customer service. Therefore, it is important that City employees have a clear understanding of procedures regarding proper telephone etiquette and call handling procedures when taking telephone calls. Additionally, utilizing a consistent and uniform telephone operating policy will improve response times and efficiency.

A copy of the City's *Telephone Usage and Etiquette Policy* is attached in the Appendices section of the Manual.

### **19.12. Personal Mail**

Employees may not use City funds or equipment to mail personal items.

### **19.13. Personal Appearance & Hygiene**

It shall be the responsibility of all employees to represent the City in a manner that shall be courteous, efficient, and helpful. City employees should always present themselves in business-appropriate attire and groomed in a manner suitable for the public service environment. Good personal hygiene habits should also be maintained while representing the City. Supervisors are required to provide the necessary direction and remedial action if an employee's personal appearance and/or hygiene does not positively reflect the image of the City.

Some departments may require certain employees to be in uniform to project an official image of the position to the public. Uniforms and rules and regulations will be provided to employees by department or division. Uniform clothing may be issued directly by the City or through a uniform allowance. All required uniform clothing is to be kept neat and clean and replaced appropriately.

### **19.14. Sales Solicitation**

Personal or non-City business or commercial sales representatives are not permitted to sell, explain or distribute material to City employees during work hours or on City premises. Certain authorized City service providers and organizations may make visits (e.g., authorized benefit, savings or other programs). All scheduling shall be handled through the Human Resources Division. Employees do not have the authority to invite the representatives of such organizations to City premises. Employees aware of unauthorized sales solicitation on City premises are required to report the matter to the City Manager's Office.

### **19.15. Smoking & Use of Tobacco Products**

The City strives to provide a smoke-free environment for employees and for the public who use its facilities. The Illinois Clean Indoor Air act prohibits smoking in any public facilities other than specifically designated areas (Public Act No. 86-1018). Therefore, all City employees and visitors are prohibited from smoking in any City facility, on City property, or in City-owned vehicles and equipment at any time, including non-working hours, except for where smoking areas have been designated.

The following smoking areas have been designated for City work sites:

1. City Hall: 15 feet from the back employee entrance near parking deck
2. Public Safety Building: 15 feet from the side entrance facing the parking lot
3. Public Works Building: 15 feet from any outside doorway
4. Fire Stations: 15 feet from the outside of the structure

Employees shall not prop exterior doors open while smoking and shall dispose of all smoking-related trash and products appropriately. Additionally, all employees shall refrain from smoking or using tobacco products when interacting with the public.

### **19.16. Employee Identification Cards**

The Information Technology Division issues a photo identification card to all new employees indicating the name, physical description, job title and assigned Department/Division. The identification card shall be carried at all times by an employee during business hours or when representing the City outside normal business hours. The employee's identification card, if not displayed, shall be shown upon request to the public to identify the holder as being a representative of the City.

Employees shall ensure their identification card is kept up to date and in a serviceable condition at all times. Any lost or irreparably damaged identification card shall immediately be reported to the employee's supervisor and arrangements made to have a replacement issued in the Information Technology Division. All cards are the property of the City and shall be returned, as well as any other department issued keys and equipment, to the supervisor upon termination of employment with the City. The employee's final paycheck will be withheld until the identification card and other issued City equipment and property is returned.

### **19.17. Keeping Personal Data Current**

Employees are to report any changes in personal data within thirty (30) days to the Human Resources Division via a *Personnel Status Form* generated by their department. This shall include changes of name, address, telephone number, marital or family status, dependents, beneficiaries and emergency contacts. Employees are also responsible to notify the Human Resources Division when W-4 Form changes and other payroll deduction changes (e.g., deferred compensation, credit union, direct deposit, etc.) are required.

### **19.18. Electronic Communications**

To facilitate an effective delivery of services and the efficient fulfillment of enforcement responsibilities, the City utilizes a full range of electronic communication and information technology systems. To facilitate proper use, a policy has been established to provide uniform guidelines and procedures throughout the City for the use of these systems in day-to-day work activities. This policy also identifies the rights and responsibilities of each employee who is assigned the use of any of these systems. All employees of the City are expected to utilize all

electronic communication and information technology systems in a manner that is professional, responsible and ethical.

### **19.19. Freedom of Information Act (FOIA) Requests**

Transparency in government is an essential cornerstone of the democratic process. As such, the Freedom of Information Act, or FOIA, is the process of accessing public documents and information generated by units of local government in Illinois. The City is required by law to provide existing documents and reports used in the normal course of business. Responding to requests for information from the public is important to the City of Des Plaines. However, in order to ensure that Federal and State laws and City policy regarding the protection of confidential information are followed, all City employees must adhere to the following protocol:

Any and all FOIA requests are to be referred to the City Clerk's office. All persons or entities requesting City documents should be encouraged to either visit the City Clerk's Office on the 6<sup>th</sup> floor of City Hall to fill out the FOIA request in person, or download, print and submit a FOIA request from the City's website at [www.desplaines.org/FOIA](http://www.desplaines.org/FOIA).

All FOIA requests shall be processed within the prescribed time limits by the Office of the City Clerk or designated department official. Certain personnel, land acquisition, law enforcement and matters of litigation are exempt from being accessed and the City Attorney's office will make the final determination of what can be made public.

The unauthorized release of confidential or official information by a city employee is considered a violation of this Policy and may result in disciplinary action up to and including termination. Any questions regarding the FOIA process should be directed to the City Attorney's office.

### **19.20. News Releases & Media/Public Contact**

Transparency of City operations is an essential component of building public trust in the organization, and toward that pursuit, the City will cooperate with the media to the fullest extent possible. Department heads or their designee are instructed to be the spokesperson for their respective department, giving the media information the department heads feel is appropriate and in accord with the policies established by the City Council and City Manager.

In order to avoid the distribution of misinformation to the media, no employee other than department head shall discuss publicly, or for publication, matters pertaining to City policies or procedures without prior approval from their applicable department head. Additionally, no employee other than a department head may release city-related documents, materials or information to the media outside of those that are typically available for day-to-day operations without the explicit permission from their respective department head.

### **19.21. Chain of Command**

The City recognizes an employee's right to freedom of expression in matters of public concern. However, employee disputes regarding the terms and conditions of work or conduct of City business should be addressed through the chain of command, starting with the immediate

supervisor. The management and supervisory employees of the City have the responsibility to address employee disputes over the terms and conditions of work or conduct of City business, and in many cases they can be resolved.

### **19.22. Employee Ethics**

The proper operations of a democratic government requires that its employee be responsible to the people, that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Additionally, City employees are expected to conduct themselves in a lawful, professional and business-like manner where quality service is valued and any impropriety, or appearance of impropriety, is unacceptable conduct. Employees should avoid all situations that could create a conflict of interest with their work duties and are obligated to report possible ethics violations to the City Ethics Officer. A copy of the City's Code of Ethics and Policy is attached in the Appendices of the Manual.

### **19.23. Political Activity**

In compliance with state and federal law, the City recognizes an employee's right to engage in political activities, including the right to associate with a political organization, petition, make speeches, campaign door-to-door and to run for public office. The rights, however, are not absolute and are subject to certain limitations. Specifically, the following political activities of employees are prohibited and may subject the employee to discipline, up to and including discharge:

1. Employees using their position to coerce or influence other employees within the City.
2. Employees engaging in political activities while on duty at work.
3. Engaging in political activity that involves the use of their uniform, equipment, vehicle or any other City resource.
4. Making political statements or speeches which are knowingly false, reckless, undermine the effectiveness of City operations or which may create a disharmonious workplace.
5. An employee elected to any office within the City must resign from employment with the City prior to taking the oath of office.

Political affiliations or activities shall not affect the City's selection, hiring, retention, promotion and assignment processes. In addition, employees shall not be required or compelled to take part in political campaigns or activities; to solicit votes; to contribute to or to solicit funds for the purpose of supporting or opposing the appointment or the election of any candidate for political office.

### **19.24 Information Technology Resource Policy**

Appendix G sets forth the City's Policy regarding use of various information technology resources including, but not limited to: computer systems, electronic mail (email), telephones and voicemail, the Internet and computer software.

All of the aforementioned equipment and systems are City property and the primary use of which is for City business. As such, City electronic communications equipment and systems are subject to monitoring and access at any time.

Employees should have no expectation of privacy with regard to the use of the City’s electronic communications equipment, systems, devices or any data, voice or images stored or kept on them. All information and messages that are created, sent, received, accessed or stored through these systems constitute official City records and may be subject to disclosure pursuant to the Freedom of Information Act (FOIA).

### **19.25 Fitness for Duty – Notification of Medication Use**

Employees are expected to report to work in the appropriate mental and physical condition to perform their jobs and remain in that condition the entire time while on duty. The City recognizes that the fitness for duty of an employee can be influenced by the proper use of legally prescribed medications. Regular prescriptions and over-the-counter medications can also affect an employee’s fitness for duty.

It is every employee’s responsibility to inquire of the treating physician what the side effects are of any prescribed substance, drug, or medication and how it will affect the performance of job duties. If there are side effects that will interfere with the employee’s ability to safely perform the job duties (in particular, those employees who are required to safely drive a vehicle or operate equipment) , the employee shall inform his/her supervisor or the Director of Human Resources of the side effects; the substance, drug, or medication being used ; and evidence that the prescribed substance, drug, or medication has been lawfully prescribed by a physician, as well as information from the physician concerning any potential side effects, precautions, or restrictions. Failure to do any of this may result in disciplinary action up to and including termination.

It is also the responsibility of an employee taking a non-prescription medication to use reasonable judgment in selecting (or seeking a doctor’s assistance in selecting) a product that will not impair the employee’s ability to perform their job safely. For example, an employee suffering from cold or flu symptoms will be expected to select a product which is designed to minimize drowsiness, as an alternative to a similar product which lists drowsiness as one of its side effects. If no such alternative exists, the employee is responsible for notifying the supervisor or the Director of Human Resources of the non-prescription medication being used and the side effects. Failure to do so may result in disciplinary action up to an including termination.

### **19.26 Gifts and Favors (City Code: 1-9-7)**

No employee shall directly or indirectly solicit, accept, or receive any valuable gift or benefit, whether in the form of money, services, loan, travel, entertainment, hospitality, thing, or promise, or any other form under circumstances in which it could reasonably be inferred that the gift or benefit was intended to influence the employee, or could reasonably be expected to influence him/her in the performance of official duties. Employees with questions regarding this

policy should contact their Department Head, Director of Human Resources or the City Attorney, who also serves as the City’s Ethics Advisor.

This policy does not apply to perishable gifts, such as food, fruit, or candy which may be shared for general consumption with co-workers or donated to a charitable organization.

**19.27 Personal Use of Social Media**

The City recognizes that many of its employees have personal accounts on various social media sites (Facebook, LinkedIn, and others). Appendix O sets forth the policy on the use of personal social media by City employees. Policy enacted May 24, 2021 and incorporated in the manual January 1, 2022.

## **Chapter 20 – Workplace Safety**

### **20.1. Introduction**

The health and safety of all employees is of utmost importance and concern to the City of Des Plaines. The City is committed to maintaining a safe and healthy work environment for all employees and visitors. A primary goal of the City’s safety and risk management program and the policies below is to prevent accidents.

The information found in this section is a summary of the City’s policy on Workplace Safety. Please see Appendix J for the City’s complete Safety and Risk Management Policy.

### **20.2. City Safety Responsibilities**

#### **20.2.1 Department Heads**

Department Heads are responsible for the safe operation of their respective departments. Although personnel exposure to safety hazards varies widely among departments, Department Heads are expected to work with Division Heads and Supervisors to provide a safe and healthy work environment for all employees, and to support a safety program that will effectively minimize and control accidents.

#### **20.2.2 Division Heads and Supervisors**

Division Heads and Supervisors are responsible for advising all employees of the potential safety risks of the tasks they will be performing as well as appropriate precautions for minimizing and reducing risk. Division Heads and Supervisors will likely be the first to receive a report of a workplace injury or incident, and will ensure that any injured personnel receive proper immediate medical treatment. Division Heads and Supervisors are also required to promptly investigate and report all accidents, incidents and injuries to the appropriate Department Head.

#### **20.2.3 Safety Coordinator**

The Director of Human Resources serves as the City’s Safety Coordinator, who is responsible for the direction and administration of the City’s safety program.

### **20.3. Employee Safety Responsibilities**

Each employee has individual responsibility for the prevention of accidents, and is required to develop and exercise safe work habits to prevent any injuries. Each employee is responsible for reading and complying with the City’s workplace safety procedures outlined in the Personnel Policy Manual, including Appendix J, as well as Department- specific safety policies and procedures.

## **20.4. Safety Activities**

### **20.4.1. Accident Investigation**

Department Heads will ensure that all workplace accidents are reviewed and investigated to determine its preventability and to help assess possible preventive measures.

### **20.4.2. Executive Safety and Department Safety Committees**

The City-wide Executive Safety Committee and Department Safety Committees are an integral part of the continued development and coordination of the City’s overall safety program. The members of the Executive Safety Committee are selected by the City Manager and are comprised of at least one Department Head and include representation from Department Safety Committees.

The Executive Safety Committee is responsible for reviewing safety issues, and developing and improving best practices and safety policies. The Department Safety Committees are responsible for reviewing all accidents, assisting in the development and presentation of safety related programs, conducting safety inspections and reviewing safety suggestions from employees. Please see Appendix J, Safety & Risk Management Policy, for more details on the activities and functions of the Safety Committees.

## **20.5. General Safety Rules**

Employees are expected to perform their jobs in a safe manner, and to conform to departmental safety rules and the General Safety Rules as set forth in Appendix J, Section J.10. Following safety rules is important. Failure to follow safety rules could result in permanent injury or disability. For this reason, employees who do not follow the safety rules may be disciplined.

## **20.6. Personal Protective Equipment**

Employees may be provided with and required to wear certain safety equipment. Protective equipment that is lost or destroyed willfully, or through the neglect of an employee, will be replaced at the employee’s expense, and the employee may be subject to disciplinary action. The City will replace equipment that is damaged or worn out due to normal use during the course of employment.

If an employee chooses to utilize “personal” protective equipment not required for a specific job function, prior approval must be granted. The City does not supply, pay for or replace such “personal” equipment.

**20.7. Injuries Requiring Medical Attention**

Refer to *Chapter 16 – Work Related Injuries* in the Personnel Policy Manual for the City’s policy regarding employee responsibilities and benefits related to injuries on duty. Employees who receive injuries requiring medical attention must seek treatment immediately.

**20.8. Reporting of Employee Injuries and Accidents**

Any employee who is injured or may think they are injured should seek appropriate medical treatment immediately. Employees shall report **any** accident or injury to their supervisor immediately and absolutely no later than the end of the business day in which the injury occurred. Appropriate forms shall be completed and information provided to the appropriate personnel following an accident.

## **Chapter 21 – Disciplinary & Grievance Procedure**

The City maintains a grievance procedure in the Manual and its various CBA's to resolve disputes between employees and the City regarding the terms and conditions of work or conduct of City business, and employees are expected to observe these procedures. Employees who attempt to address their disputes outside of the City's chain of command as described in the applicable grievance procedure shall be subject to discipline, up to and including termination. Exceptions to this policy shall only occur in instances allowed by law (e.g. "whistleblower" provisions) or by specific policy of this Manual (e.g. Harassment & Sexual Harassment Policy).

In addition, elected officials shall deal with the administrative service of the City through the City Manager and shall not give inappropriate orders to any subordinates of the City Manager, either publicly or privately. For the purposes of this section, an "inappropriate order" shall be defined as any request for service or information inconsistent with City policy or operating procedures.

Employees who find themselves receiving an inappropriate order by an elected official shall promptly notify their immediate supervisor and await further instruction. The immediate supervisor shall in turn proceed to notify the chain of command up to the City Manager. Employees who follow the inappropriate order of an elected official, or fail to notify their immediate supervisor of such an inappropriate order being given, shall be subject to discipline, up to and including termination.

### **21.1. Introduction**

On occasion, the work behavior, production, or personal conduct of an employee may fail to meet acceptable standards of performance. Supervisors are responsible to bring such situations to the attention of the employee in a timely manner with the goal of correcting the unacceptable behavior. If such behavior continues, disciplinary action may be issued.

In general, supervisors should consider the following elements in determining when and how to implement disciplinary action:

1. Notice: Employees should be informed of rules and regulations on performance standards and/or misconduct and the consequences of sub-par performance or committing a workplace infraction.
2. Reasonableness: Rules and regulations pertaining to performance standards and/or misconduct should be reasonable and pertinent to the job/workplace.
3. Investigation: All investigations concerning an employee's performance and/or misconduct should be performed in a fair, objective and timely manner.
4. Equitable Treatment: Similar instances of poor performance and/or misconduct should receive similar treatment in terms of discipline.
5. Preponderance of Evidence: Discipline should be based upon a strong supporting body of

evidence, rather than speculation and/or unfounded information.

6. Proportional: Discipline issued should be proportional to the poor performance and/or misconduct committed.
7. Progressive and Corrective: Excluding serious and other egregious offenses, discipline issued should be progressive in nature (i.e. verbal, written, etc.) and clearly display corrective attempts to remedy the employee's performance through training and/or counseling (i.e. retraining, EAP, etc.).

#### **21.2. Forms of Progressive Discipline**

If attempts at correcting the unacceptable behavior of an employee fail, or if the performance that has fallen below acceptable standards is not corrected, disciplinary actions of a progressive nature may be issued. However, the City is not obligated to follow a progressive path of discipline in every instance. Employees who commit a serious offense will be issued discipline as deemed appropriate, up to and including termination.

##### **21.2.1 Oral Reprimand**

An oral reprimand is used to correct minor misconduct or performance problems where more severe disciplinary action is not warranted. The consequences of not correcting the misconduct or performance problems will result in more progressive disciplinary action. Notice of oral reprimands will not be placed in the employee's official personnel file.

##### **21.2.2. Written Reprimand**

A written reprimand may be issued for continued misconduct, performance problems of a minor nature, or for more serious matters that do not warrant suspension or other advanced disciplinary action. Copies of written reprimands shall be placed in the employee's official personnel file. The consequences of not correcting the misconduct or performance problem will result in more progressive disciplinary action.

##### **21.2.3. Suspension**

Suspensions are a temporary removal from job duties and responsibilities with loss of pay. Suspensions are used to discipline employees for serious misconduct or performance problems, or for repeated and uncorrected minor misconduct or performance problems. Disciplinary suspensions may range from one day to several weeks based upon the circumstances surrounding the employee misconduct. For Management and other FLSA exempt employees, suspensions shall take the form of an equivalent loss of accrued paid leave. Suspensions must be requested by the applicable Director, recommended by the Human Resources Director and approved by the City Manager before being issued.

##### **21.2.4. Demotion/Reduction in Class**

A demotion is a reduction to a lower job classification with a corresponding reduction in salary. It occurs when there has been a loss of a certification or license required for performing essential job functions, or for unsatisfactory job performance not warranting termination. A demotion may occur in conjunction with other forms of disciplinary action.

Demotions are issued upon the request of the applicable Department Director, recommendation of the Human Resources Director, and the approval of the City Manager. The effect a demotion has upon compensation and anniversary dates is described in the *Section 6.5. Reduction in Class*.

#### **21.2.5. Termination**

The termination of an employee is the permanent removal from employment with the City. This occurs when the misconduct or performance problem is severe in nature, or not corrected following lesser forms of discipline.

Other forms of discipline may be applied on a case-by-case basis upon the request of the Director, recommendation of the Human Resources Director, and approval of the City Manager.

#### **21.3. Probation**

Probation is for a defined period of time, up to but not exceeding twelve (12) months in length, that an employee's conduct or performance must be maintained within clearly defined and agreed to levels. Probation can occur simultaneously with other forms of discipline. An employee placed on probation shall receive a written notice stating the beginning and ending dates of the probation period. The notice or agreement shall also include the standard of conduct or performance that the employee must achieve during the period, the dates to review the employee's progress, and the consequences of the employee's failure to satisfy the agreed upon standards.

#### **21.4. Administrative Leave**

During the investigation of an incident of employee misconduct or other performance violation, the City Manager may place an employee on administrative leave. The leave may be either with full pay and benefits or without pay and benefits if an appropriate due process hearing is convened prior to the commencement of the leave. Such leave will be for the length of the pending investigation. Placement on administrative leave occurs when the nature of the incident creates an environment that compromises the employee's or other employees' safety or ability to effectively perform job duties, or otherwise adversely impacts the interests of the City.

#### **21.5. Illegal Activity**

Employees are obligated to comply with all Federal, State and local laws governing public employment. They must also comply with and carry out the provisions of applicable City policies, procedures, personnel rules and regulations and department policies and procedures. Illegal activity will be reported to the City of Des Plaines Police Department or other appropriate agency. The reporting of illegal activity to the proper authority does not mean that the City will forego its own investigation into the matter and issue disciplinary action as appropriate.

#### **21.6. Appeals of Discipline**

Other than an oral reprimand or termination, an employee may appeal other forms of disciplinary action in accordance with the Grievance Procedure section listed below.

### **21.7. Grievance Procedure**

A difference of opinion can arise out of the employment relationship in any organization. Usually a difference is resolved quickly and informally through a discussion between the employee and the supervisor. However, some differences cannot be resolved through this informal verbal communication process. Therefore, in order to resolve the issue, a formal grievance procedure enables employees to pursue employment matters that were not resolved in discussions with the immediate supervisor.

### **21.8. Definition of a Grievance**

A grievance is a difference of opinion over a matter that has recently come to the attention of an employee regarding either the work relationship or the work environment. It involves a misinterpretation or misapplication of a provision of the Manual or of Department rules or policies. It does not include:

1. Issues under the jurisdiction of another entity such as the BFPC, the Courts (e.g., wage deduction orders) or the State (e.g., “Workers’ Compensation Act”).
2. Issues with a separate appeal or complaint procedures described in a CBA or elsewhere in the Manual (e.g., Sexual Harassment complaints).
3. Issues involving outside benefit providers whose plans include appeal procedures.

### **21.9. Steps in the Grievance Process**

The City desires to resolve grievances early in the process. This is not always possible as some grievances arise out of decisions made at a level of the organization beyond the control of immediate supervisors. The time frame for each step is designed to provide for both sufficient review and advancement through the process in a timely manner. Thus, the failure of an employee to meet the specified time frames for advancing a grievance to the next step shall be viewed as having terminated the process. An employee, who has not received a response within a step’s allowed time frame, may immediately advance the grievance to the next step. The deadline dates for filing or responding to a grievance may be extended by mutual agreement.

#### **21.9.1. Step One**

Supervisor: The employee may utilize the formal grievance procedure by submitting the difference in writing to the immediate supervisor. The written grievance needs to be submitted within fourteen (14) calendar days of the action being grieved. The written grievance shall include:

1. The date and time of the issue or event.
2. The specific difference of opinion that is being grieved.
3. The specific section of the Manual or the department rule or policy being grieved.
4. The reason(s) the action is being grieved.
5. Any witnesses or documentation supporting the employee’s viewpoint.
6. The remedy being sought by the employee.

The supervisor is responsible for further investigating the facts and circumstances surrounding the grievance. Supervisors shall provide the grieving employee with a written response within fourteen (14) calendar days from the date a grievance is received. Copies of the grievance and supervisor's response shall be forwarded to the Director and to the Human Resources Director. If the grievance is not resolved at Step 2 of the process, the employee may appeal the grievance to Step 3.

#### **21.9.2. Step Two**

Assistant Director: The original written grievance, the immediate supervisor's response, any comments the grieving employee may have regarding the response, and the reason they believe the grievance was improperly denied in Step 2, shall be forwarded to the Assistant Director within fourteen (14) calendar days of the immediate supervisor's response. If a Department does not have an Assistant Director, the grievance shall be advanced as a Step 4 grievance.

The Assistant Director shall meet with the grieving employee and the immediate supervisor within fourteen (14) calendar days of the receipt of the grievance. The Assistant Director shall make whatever inquiries are appropriate and provide the employee and supervisor with a written response within fourteen (14) calendar days of the meeting and forwarding copies to the Director and to the Human Resources Director. If the grievance is not resolved at Step 3 of the process, the employee may appeal the grievance to Step 4.

#### **21.9.3. Step Three**

Director: The original written grievance, all responses from the previous steps, any comments the grieving employee may have regarding the Assistant Director's response, and the reason that they believe the grievance was improperly denied in Step 3, shall be submitted to the Director. The appeal to the Director shall be made within fourteen (14) calendar days of the Assistant Director's response.

The Director shall make a separate investigation of the facts and circumstances surrounding the grievance. The Director shall provide the grieving employee with a written decision within fourteen (14) calendar days from the date the appeal was received. A copy of the Director's response shall be forwarded to the Human Resources Director. If the grievance is not resolved at Step 4 of the process, the employee may appeal the grievance to Step 5.

#### **21.9.4. Step Four**

City Manager: The original written grievance, all responses from the prior steps, all comments the grievant may have regarding prior responses, and the reason the employee believes that the grievance was improperly denied in Step 4, shall be submitted to the City Manager. The appeal shall be made within fourteen (14) calendar days of the Director's response.

The City Manager, or his designee, shall consider the information provided and may, at the City Manager's discretion, conduct a meeting with the grieving employee and other involved individuals. The City Manager will respond in writing within fourteen (14) calendar days of the date the appeal was received. The City Manager's decision is final, binding, and not subject to appeal or further review.

The employee and Director will receive a copy of the decision with a copy forwarded to the Human Resources Division for the official personnel file.

**21.10. No Retaliation for Filing a Grievance**

Employees shall not be subjected to retaliation for filing a grievance under this policy. All employees feeling that they have been retaliated against for filing a grievance, or supporting a co-worker's grievance, shall immediately report the matter to the Human Resources Director, or City Manager.

## **Appendix A – Americans with Disabilities Act Policy**

### **A-1. Introduction**

The Americans with Disabilities Act of 1990 (ADA) is intended to eliminate discrimination against individuals with disabilities and bring them into the social and economic mainstream of American life. The Act prohibits discrimination against a “qualified individual with a disability” by providing two (2) mandates. The first is the disabled individual’s entitlement to participate in the services, programs and activities provided by the City of Des Plaines. The second mandate is to remove barriers for a disabled individual as to job application procedures, hiring, advancement, discharge, compensation, training, and other terms, conditions and privileges of employment. The ADA definition of disability is the same as is found in Section 504 of the Rehabilitation Act of 1973:

1. Any physical disorder or condition or any mental or psychological disorder that substantially limits one or more major life activities. Major life activities that have been found to be impairments under the Rehabilitation Act and under the ADA Interpretive Guidelines include, but are not limited to: caring for one’s self, performing manual tasks, walking, sitting, standing, lifting, reaching, seeing, hearing, speaking, breathing, learning, and working.
2. Having a record of an impairment that would substantially limit one or more of an individual’s major life activities (i.e., a condition or impairment that would be covered if it were current).
3. Is regarded as having such impairment.

### **A-2. Endorsement and Non-Discrimination**

The City of Des Plaines endorses the mandates of the Americans with Disabilities Act to remove barriers for a qualified individual with a disability from enjoying the same opportunities that are available to persons without a disability. The City does not discriminate on the basis of disability in the admission or access to, or treatment of, employment in its programs or activities.

Consistent with this policy of equal employment opportunity, it is the City’s policy to make reasonable accommodations for applicants and employees with disabilities who are otherwise qualified for the job, in accordance with applicable law. Persons with disabilities may request reasonable accommodations by directing their request to the Human Resources Director via his/her Department Director. The Human Resources Director will coordinate the review process of any requested accommodation in light of: The precise physical or mental limitations resulting from the disability; and any reasonable accommodation suggested by the individual that could overcome their limitation.

The City may engage in an interactive process with employees to determine the nature of limitations and potential accommodations that might remove such limitations. As part of this interactive process, the City may request an employee to provide certain information from his or

her health care provider regarding the employee’s ability to perform the essential job functions with or without a reasonable accommodation. Upon presentation of medical documentation supporting the need for a workplace accommodation, the City will consider accommodation of pregnancy pursuant to this this procedure to the extent such accommodation does not pose and undue hardship on the ordinary operation of the business of the City.

An accommodation consists of any change in the work environment or the manner in which a job is usually performed that enables an individual with a disability to enjoy equal employment opportunities. The ADA requires that reasonable accommodations be made only to the known physical or mental limitations of an otherwise qualified individual. It is thus the responsibility of the person with a disability to inform the City that an accommodation is needed.

The City will not place an individual with a disability into a position that poses a direct threat to the health and safety of themselves or others and who cannot perform the job at a safe level even with a reasonable accommodation.

## **Appendix B – Travel Policy**

### **B-1. Introduction**

The purpose of the City of Des Plaines Travel Policy is to set forth the regulations governing arrangements and reimbursement for business travel expenses. This document explains the travel policies and procedures a traveler on official City business is expected to follow. The regulations contained within this document are applicable for all travel expenses incurred on behalf of the City by employees and City officials. For definition purposes, the Mayor, City Clerk, City Council and all Commission Members are considered officials. Employees, by definition, include all full-time and part-time personnel.

The City of Des Plaines, so as to advance the training and professionalism of its officials and employees, authorizes travel to certain seminars, conferences and conventions. Officials and employees also travel, on occasion, during the normal course of business or to promote the City. It is not the intention of the City to expect an individual conducting official City business to incur personal out-of-pocket expenses without compensation or reimbursement.

Decisions regarding departmental travel expenses are made through the budget formulation process. All travel expenses incurred on behalf of City employees and officials, therefore, should be appropriated for in the City budget document. In situations where an employee expects to incur extraordinary travel expenses or where this regulation does not cover the situation or would cause significant hardship if strictly applied, the City Manager or their designee may authorize exceptions. If any City official expects to incur similar extraordinary expenses, the City Council would authorize exceptions.

### **B-2. Overnight Travel**

While the City recognizes that both the City and the Traveler receive benefit from the Traveler's affiliation with certain professional memberships and attendance at associated training seminars and conferences, Travelers requesting attendance at training and conferences requiring an overnight stay should make every effort to identify similar training opportunities locally, within the Chicago area.

1. *Pre-Approval* - All overnight travel related to City business shall be approved, in advance, by the Department Director or their designee. This approval may be provided verbally or by completing the "[Overnight Travel Pre-Approval Form](#)".
2. *Eligible Expenses* - A Traveler will incur a variety of expenses, of which, may be paid for and processed differently depending on the circumstances. The Department Director or their designee may deny reimbursement of all or a portion of the requested expenses, even if said expenses are deemed to be eligible for reimbursement under this policy. Under such circumstances the Traveler is responsible for any expenses in excess of the total amount approved by the Department Director or their designee. Below is a list of the most common expenses that are eligible for reimbursement during overnight travel.
  - Registration, conference and seminar fees

- Hotel and Lodging Accommodations
  - Transportation
  - Per Diem
3. Registration, Conference and Seminar Fees - The base registration, conference, seminar and banquet fees as stated per the registration program of the conference or seminar are eligible for reimbursement. Any optional or pre-conference registration fees require the approval of the Department Director in order to be eligible for reimbursement. All registration, conference and seminar fees should be paid off an invoice through the regular list of bills process or a City credit card. When traveling with a spouse or guest the Traveler will be responsible for any additional costs.
  4. Hotel and Lodging Accommodations - The Traveler shall use hotel accommodations that are economical and appropriate for the type and location of travel. At the time of securing hotel reservations, the Traveler should state that they are a City Employee or Official in order to ascertain whether a government rate is available. Lodging expenses shall be reimbursed using the expense reimbursement procedure outlined in this policy.
  5. Transportation - See Mileage and Transportation expenses in **Section B-4**.
  6. Per Diem Allowance - The Per Diem allowance is for travel requiring overnight lodging and is intended to cover meals and other incidental travel expenses incurred in a day for which employees can be reimbursed. Employees and City Officials will not be reimbursed for any expenses, which exceed the per diem allowance. City credit cards should not be used for meal expenditures covered by the per diem. **Receipts are not required for expenses covered by the per diem.** Incidental expenses include customary tips for doormen, housekeeping staff, valet parking, etc. and should not be submitted separately for reimbursement. Requests for the per diem must include the date, time, location, and purpose of the overnight travel.

*Determining the Per Diem Amount* - The City uses the daily per diem amount equal to the General Services Administration (GSA) standard meal per diem based on the location of the event. The per diem amounts for meals and incidentals (M&IE) are divided into separate amounts for breakfast, lunch, dinner and incidentals (gratuity). Consequently, if the Traveler's trip includes meals that are already paid for by the City (such as through a registration fee for a conference), the traveler will need to deduct the per diem amount for the meal(s) provided from the reimbursement request. Any costs for meals exceeding the per diem amount are the responsibility of the Traveler and are not eligible for reimbursement.

If the Traveler chooses not to consume a meal provided as part of a training session or conference, the Traveler will not receive a reimbursement in the per diem amount for that particular meal if they choose to eat elsewhere. On the first and last travel day, Travelers are eligible for 75 percent of the total M&IE per diem rate for their travel location, if reporting all three meals. If the traveler submits for reimbursement of one or two meals on the first and last day of travel away from home, that employee will receive 100 percent of

the per diem rate for the meal(s) they consume while traveling, capped at the sum of two meals combined.

For example, if on the travel day, the employee eats breakfast home and consumes lunch while traveling, the employee will be provided the full lunch per diem rate. If the employee choose to consume all three meals while traveling that are otherwise not covered by the training program, that employee will receive 75 percent of the total M&IE per diem rate for that day.

The table below illustrates an example of how the M&IE is calculated for first and last day of travel in Chicago, including Cook and Lake Counties.

**Meal and Incidental Expenses Breakdown for Chicago (2022 data):**

Breakfast	\$18.00
Lunch	\$20.00
Dinner	\$36.00
<u>Incidental Expenses</u>	<u>\$5.00</u>
Total \$79.00 (\$59.25 = 75%)	

7. Use of City Issued Credit Cards - City issued credit cards should not be used to pay expenses for which the Traveler is seeking reimbursement on the “Travel Reimbursement Form”.

All employees and elected or appointed City Officials are required to pay for training and registration fees through the Warrant Register submittal process or by using a City credit card. City issued credit cards may be used to pay for other overnight travel expenses such as lodging or transportation. **Meal expenditures under the per diem overnight travel policy should not be charged on a City credit card.**

**B-3. Same Day Travel**

Same day travel occurs when Travelers have City business outside of their normal work environment (e.g. seminar in Naperville) and the travel does not require an overnight stay.

Eligible Expenses for Reimbursement - A Traveler will incur a variety of expenses, of which, may be paid for and processed differently depending on the circumstances. The Department Director or their designee may deny reimbursement of all or a portion of the requested expenses, even if said expenses are deemed to be eligible for reimbursement under this policy. Under such circumstances, and when attendance has been approved, the Traveler is responsible for any expenses in excess of the total amount approved by the Department Director or their designee. Below is a list of the most common expense that is eligible for reimbursement during same day travel.

1. Transportation - Mileage reimbursements for same day travel will be processed with proper tax withholdings. See Mileage and Transportation expenses in **Section B-4**.

2. Meal Reimbursement - The per diem allowance does not apply to same day travel. Therefore, no reimbursements for meals purchased during same day travel will be made. Attach all original documents to the completed “Travel Reimbursement Form”.
3. Use of City Issued Credit Cards - City issued credit cards should not be used to pay for meal expenses during same day travel.

#### **B-4. Mileage and Transportation**

In most instances, City of Des Plaines Vehicles are to be used when available. Since the inventory of cars for use by employees is limited, it will not always be possible for a City Vehicle to be obtained. If a City Vehicle is unavailable, the employee should notify the Department Director. A personal vehicle may be used in these cases, only if approved by the Department Director. Whenever practicable, two or more travelers attending the same event shall share one (1) vehicle.

Mileage – Use of a Personal Vehicle - Personal Vehicles may be used, if approved by the Department Director, for travel on City Business when a City Vehicle is not available.

Example: If Bob drives 20 miles each way to and from work, his normal commute totals 40 miles round trip:

- Leaving from home: If Bob is required to use his personal car to attend an all-day seminar 30 miles from his home, he will depart from his home and travel 60 miles round trip. Bob will request reimbursement for the 20 miles he traveled in excess of his normal commute (normal commute is 40 miles round trip).
- Leaving from work: Bob drives 20 miles from his home to the office and later attends a meeting off site, which is 10 miles (20 miles round trip) from the office and returns to the office before going home. Bob will request reimbursement for 20 miles.
- Leaving from off-site meeting: Bob drives 20 miles from his home to the office and attends a late afternoon meeting which is 15 miles from the office and goes home directly from the meeting and does not return to the office. It is 20 miles from the meeting site to his home. Bob will request reimbursement for 15 miles.
- Normally use public transportation: Bob normally takes the bus to work, which is 8 miles (16 miles round trip). Bob has an off-site meeting and needs to drive his personal car. The offsite meeting is 30 miles round trip from his home. Bob will request reimbursement for 14 miles (30 miles – 16 miles = 14 miles).
- Travel on a day falling outside the normal work schedule: Bob is required to use his personal car to attend a two-day conference. Bob must travel 150 miles from his home on Sunday, which he is not regularly scheduled to work. Bob’s normal commute would not be deducted from the travel time. Bob would be reimbursed for the full mileage.

The City will reimburse a Traveler for the use of a personal vehicle at the then-current standard IRS mileage rate for business travel (<https://www.irs.gov/tax-professionals/standard-mileage->

[rates](#)). A printed map showing the most direct route to and from the destination, must be provided when seeking reimbursement.

*Private Insurance Coverage* - All Travelers who drive either private or City-owned vehicles to conduct City business shall ensure that they have a valid driver's license and that any private vehicle used for City business is properly registered, insured in compliance with state law, and in safe working condition. If a Traveler is involved in a vehicle accident while driving or traveling in their private vehicle and conducting City business within the scope of their employment, the insurance policy for the private vehicle will provide primary insurance protection for the Traveler. Therefore, it is essential that the Traveler consult their insurance agent to determine adequate insurance coverage in compliance with state law.

*Plane Fare* - Air travel will be reimbursed at the rate for coach class only. If the Traveler desires to arrange travel in a class other than coach, the Traveler will pay the difference between the coach rate and that class. If coach class accommodations are not available or impractical for a particular Traveler, and this is so documented, the Department Head and City Manager, or their designee, may authorize travel in a class other than coach. The Traveler will pay airfare for the Traveler's guest regardless of class of service used. The City will reimburse baggage fees, if reasonably necessary, for business travel.

*Rail Transportation* - Rail transportation may be approved if there is no significant difference in fare and time between rail and other forms of commercial travel.

*Ground Transportation* - Travel to and from airports, such as airport limousine, taxicab, ride share or bus transportation, is a reimbursable expense. Road tolls and parking fees are also reimbursable. After reaching the destination, the use of taxicabs or public transportation during overnight travel may also be reimbursable if deemed necessary by the appropriate Department Head, or designee. Receipts will be required.

*Vehicle Rental* - After reaching destination by commercial transportation, vehicle rental is permissible when necessary and is the most economical and practical means of transportation, when specifically approved by the Department Head and the City Manager or their designee.

### **B-5. Submission of Reimbursement Requests**

The appropriate forms and supporting documentation, with the appropriate approval, must be submitted to Accounts Payable within thirty (30) days of completing authorized travel. Travelers who fail to submit a properly-completed reimbursement form within thirty (30) days of completing their travel may not be eligible for reimbursement. Prior to submitting a request for expense reimbursement, the Traveler shall review the contents of the applicable expense reimbursement form to ensure their request complies with this policy. Forms are available upon request at [hr@desplaines.org](mailto:hr@desplaines.org).

**B.5.1 - Required Documentation for Overnight Travel Reimbursement**

Prior to submitting their request for expense reimbursement, the Traveler shall review the contents of the “Travel Reimbursement Form” to ensure that their request complies with this policy.

Requests for reimbursement of overnight travel must include the following:

- “Overnight Travel Pre-Approval Form” **B-6** completed and signed by the Department Director or their designee (if required by the Traveler’s Department);
- “Travel Reimbursement Form” completed and signed by Department Head;
- Applicable, itemized receipts (hotel, transit, other expenses);
- Printed map showing the most direct route to and from the destination when seeking mileage reimbursement; and
- Event program/agenda or other acceptable documentation

**B.5.2 - Required Documentation for Same Day Travel Reimbursement**

Requests for reimbursement of travel must including the following:

- “Travel Reimbursement Form” completed and signed by Department Director or their designee;
- Printed map showing the most direct route to and from the destination when seeking mileage reimbursement; and
- Applicable, itemized receipts (transit); and
- Event program/agenda or other acceptable documentation

**B-6. Non-Reimbursable Expenses**


The City will not reimburse expenses of the Traveler’s spouse, family or guests.

Except as authorized by the City Manager, or their designee, the following are travel expenses for which the City will not provide reimbursement. Travelers will be responsible for covering the costs of all unauthorized travel expenses including, but not limited to:

- Alcoholic Beverages
- Personal entertainment, including live shows, movies, videos, or pay-per-view services in a hotel room
- Outings not included as part of the registration fee, including golf, sight-seeing or other activities or excursions
- Admission or membership charges for health clubs
- Cleaning and laundry

- Airline or another trip insurance
- Beautician, barber, manicurist, or shoe shining services
- Repair costs for personal automobiles
- Traffic violations and court costs
- Membership fees in airline clubs
- ATMs
- Gambling

**B-7. Des Plaines Overnight Travel Pre-Approval Form**



Date: \_\_\_\_\_

**DES PLAINES OVERNIGHT TRAVEL PRE-APPROVAL FORM**

Traveler's Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Department: \_\_\_\_\_ Job Title: \_\_\_\_\_

Purpose of Travel:  Professional Development  Continuing Education Credits  Certifications/Licensing  
 Other Purpose: \_\_\_\_\_

Destination: \_\_\_\_\_

Departure Date: \_\_\_\_\_ Return Date: \_\_\_\_\_ Total Number of Days: \_\_\_\_\_

Was this training/travel included in the budget? Yes  No  Are funds available? Yes

Account Number/Project Number: \_\_\_\_\_

ESTIMATED COST OF TRAVEL		
<u>Proposed by Traveler</u>	<u>Description of Training/Seminar</u>	<small>(Attach brochure/registration forms)</small>
Registration Fees: \$ _____		
Cost of Transportation: \$ _____ <small>Circle: Car / plane / train / other</small>		
Mileage (\$0.585/mile): \$ _____		
Lodging: \$ _____		
Meals/Per Diem: \$ _____ <small>GSA Daily Rate: \$ _____</small>		
Other: \$ _____		
*Total Estimate: \$: _____		

**AUTHORIZATION**

I certify that this travel is necessary and that the required funds are available for expenditure.

Traveler's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Attach copy of approved form to your reimbursement request.

## **Appendix C – Tuition Reimbursement Program**

### **C-1. Introduction**

The City of Des Plaines wishes to encourage employees to continue their education. The facilitation of employee development through personal education efforts is consistent with the City's goals of service, increased work efficiency, and higher employee productivity. To this end, the City provides a tuition reimbursement program to full-time, non-probationary employees for degree programs or courses that are job-related and will enhance an employee's performance. Employees hired before July 1, 2022 are eligible to participate in the program regardless of probationary status. Employees hired on or after July 1, 2022, will be required to wait one year or through their probationary period, whichever is greater, to participate in the program.

### **C-2. Degrees & Courses Eligible for Tuition Reimbursement**

Degree programs and courses eligible for reimbursement include those offered by an accredited institution of higher learning (college, university, or technical school), those offered as part of an adult continuing education program, or those offered by a professional educational or training company or facility. However, degree programs or courses taken at the doctoral level are not eligible for tuition reimbursement.

### **C-3. Approval for Tuition Reimbursement**

This policy will be judiciously interpreted in determining whether a degree program or course is job-related or fulfills a job-relevant requirement as outlined below. The City Manager shall make the final determination on an employee's acceptance into the tuition reimbursement program and may deny any request for reimbursement that does not meet these criteria.

Several criteria are used to determine whether an academic program is directly or indirectly related or unrelated to an employee's position and responsibilities. The following factors are not exhaustive and will be examined in relation to each application for tuition reimbursement funds:

1. The immediate benefit which the program would provide to the employee;
2. The immediate effect which it would have on their on-the-job performance;
3. The recommendation of the employee's Department Director in regard to the particular application and the employee's overall educational pursuits;
4. The employee's written explanation of the benefits (both personal and job-related) provided by the program;
5. The individual's satisfactory work record.

In the event that the course for which tuition reimbursement funds are requested is not directly related to the employee's present position and responsibilities, the application will be evaluated

in terms of the benefits the course would provide by preparing the employee for another position within the organization for which he or she may be eligible (e.g., a management degree program which provides supervisory training for an employee in a non-supervisory position who may possibly be placed in a managerial role).

Employees are encouraged to meet with their Department Director and the Human Resources Department prior to starting a program leading to a degree, since requested funding for such a program will extend over a period of years.

**C-4. Application for Tuition Reimbursement**

Employees wishing to participate in the City’s tuition reimbursement program must first complete *Step One: Tuition Reimbursement Program Application* along with any supporting documentation. Employees shall then submit this form to their Department Director for review and recommendation, who will then forward it on to the Director of Human Resources for their review. The City Manager shall make the final determination on an employee’s acceptance into the tuition reimbursement program based upon the recommendations of the Department Director and Human Resources Director and other relevant information.

**C-5. Tuition Reimbursement Program Course Update Form**

Approved employees participating in an undergraduate or graduate degree program only must complete and submit a *Step 2: Tuition Reimbursement Program Course Update Form* no later than thirty (30) days prior to the start of each semester to Human Resources. Failure to complete the form may result in the denial of reimbursement that semester.

**C-6. Applicable Costs and Amounts for Tuition Reimbursement**

Approved employees may receive reimbursement for up to two (2) approved educational courses per semester provided that funding is available in the City's budget. Tuition reimbursement will be made only for tuition and not for mileage, fees, lodging, books, special materials or any other expense beyond tuition. Employees enrolling in college courses should take advantage of and pursue other financial sources such as grants, scholarships, G.I. benefits, and fellowships. The City only considers the difference between the actual tuition cost and any received financial assistance award as the amount eligible for reimbursement. Employees who fail to disclose other sources of financial assistance in connection with their application and subsequent receipt of tuition reimbursement shall be subject to discipline, up to and including discharge.

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

<u>Course Grade</u>	<u>Percent of Tuition Reimbursed</u>
Grade "A"	100% of allowed tuition
Grade "B"	85% of allowed tuition
Grade "C"	70% of allowed tuition
Grade “Pass”	75% of allowed tuition

Ungraded Courses	
Successfully “Completed”	100% of allowed tuition

Approved employees seeking a reimbursement of tuition costs must complete a *Step 3: Tuition Reimbursement Repayment Agreement* along with an official grade report and a receipt for the paid tuition. The Human Resources Director, Assistant City Manager/Finance Director, and City Manager or their designee must first approve the request prior to the employee receiving any reimbursement from the City.

### **C-7. Refund of Tuition Reimbursement**

If an employee separates employment within two (2) years of receiving tuition reimbursement funds, the City will seek to recoup one-hundred percent (100%) of the previous twenty-four (24) months’ tuition reimbursement payment from the employee. The employee agrees to consent to the deduction of any amounts owed at the time the employee terminates employment, even if such deduction is greater than fifteen percent (15%) of the employee’s final compensation. The employee will agree to repay within 30 days of separation. This two-year period commences with the completion of the last course reimbursed under this program.

### **C-8. Removal from the Tuition Reimbursement Program**

Employee participation in the tuition reimbursement program is a privilege, not a right. Therefore, employees are expected to maintain an above-average level of job performance and avoid any significant disciplinary action. The City Manager shall have the right to suspend any employee from the tuition reimbursement program that fails to maintain the proper level of performance and/or conduct.





## Personnel Policy Manual Appendix C – Tuition Reimbursement Program

<b>Program Information Continued (Please print clearly)</b>
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<input type="checkbox"/> Adult Continuing Education Program/ Professional Continuing Education Program/Training Program
Name of Educational Institution:
Location:
Total Number of Courses:
Name of Course(s):
Is the Course Required for a Certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, Name of Certificate:
Dates of Course(s):
<p><b>Describe specifically how this course contributes to maintain or improve your current job skills, contributes to your professional development, and/or contributes to your department of the City as a whole.</b></p>

<b>Estimated Tuition Reimbursement Requested (Please print clearly)</b>
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<b>Note:</b> Books, Fees and other education expenses are not eligible for reimbursement	
Est. Tuition Costs (per course):	
Less Other Financial Assistance Received:	
Total Reimbursement:	



# Personnel Policy Manual

## Appendix C – Tuition Reimbursement Program

### THE FOLLOWING DOCUMENTS WILL BE REQUIRED FOR REIMBURSEMENT

- (Degree and Certification Only) List of course required for degree or certification completion, including elective course, from the institution’s academic course catalog
- Proof of completion of course(s) including grades (where applicable)
- Proof of tuition payment (**NOTE:** Only receipts issued by the named institution will be accepted as proof of tuition payment)

#### Employee Certification

I certify that the information submitted on this *Tuition Reimbursement Program Application* is accurate to the best of my knowledge. I hereby release my attendance and grade records for this course or course of study for the purpose of verifying my participation and completion.

I have read and fully understand the City’s “Tuition Reimbursement Program Policy” and accept all its terms and conditions. I understand that reimbursement is conditional upon my satisfactory completion of the course and upon availability of funds. I understand that if I separate employment with the City of Des Plaines within two (2) years of receiving reimbursement funds, I am required to repay one hundred (100) percent of reimbursement funds that I received in the twenty-four months (24) prior to my separation.

Employee Signature:

Date:

#### PART II: DEPARTMENT DIRECTOR SECTION

The above requested program is **directly job-related**, the employees **job performance is satisfactory** and will be reimbursed at the coverage levels described in the Policy.

The above request program is **not job-related** and **will not be reimbursed**.

Department Director Signature:

Date:

#### PART III: HUMAN RESOURCES SECTION

The above requested program is **directly job-related** and will be reimbursed at the coverage levels described in the Policy.

The above request program is **not job-related** and **will not be reimbursed**.

Funding is unavailable at this time.

Human Resources Director Signature:

Date:

#### PART IV: CITY MANAGER SECTION

Request Approved

Request Denied

Comments:

City Manager Signature:

Date:



## Personnel Policy Manual Appendix C – Tuition Reimbursement Program

### **Step 2: Tuition Reimbursement Course Update Form (For Those Seeking Degrees Only)**

<b>Employee Information</b>
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Name:				Date:	
	First Name	Middle Initial	Last Name		
Department:		Position Title			
Office Phone:		Email:			

<b>Degree Program Information</b>
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School:
Location:
Degree Program:
Please list all course in which you plan to enroll in the upcoming term:
Term Start Date:
Course 1:
Course 2:
Course 3:
Course 4:
Total Tuition (do not include books, fees, etc.):

**Reminder: You will need to provide a paid receipt from the named institution verifying tuition payment and an official grade report or transcript indicating a satisfactory grade of C or better to receive reimbursement after every term to receive reimbursement.**

<b>HUMAN RESOURCES SECTION</b>
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Date Received:
Comments:
<div style="display: flex; justify-content: space-between;"> <span>Human Resources Director Signature:</span> <span>Date:</span> </div>



Personnel Policy Manual
Appendix C – Tuition Reimbursement Program

Step 3: Tuition Reimbursement Repayment Agreement

The City of Des Plaines (the City) agrees to provide \_\_\_\_\_ (full name) with \$\_\_\_\_\_ (amount total from table below) in Tuition Reimbursement Funds pursuant to the following repayment terms:

- 1. Employee remains employed with the City during the two-year period following receipt of the funds.
2. If Employee separates their employment with the City at any time within two years of receiving the funds:
a. Employee agrees to repay 100% of the funds received: \$\_\_\_\_\_.
b. Repayment will be deducted from Employee’s final compensation (if available).
c. If the amount owed exceeds the amount of the Employee’s Final compensation, Employee agrees to repay the remaining amount to the City within 30 days of the day that employee separated with the City.
3. Does this complete your program? (select only one) Yes No
4. Please include proof of payment, proof of course completion (including grades), and list of financial assistance (including scholarships and grants) received for tuition purposed. If this completes your program, please submit a copy of your diploma and final transcripts. Note: books fees and other educational expenses are not eligible for reimbursement.

Table with 4 columns: Cost Per Course, Total Courses, Total grants/scholarships received, Total Reimbursement Requested.

Employee Signature

Date

Human Resources Director Signature

Date

Asst. City Manager/Finance Director Signature

Date

## **Appendix D – Extended Medical Leave**

### **D-1. Introduction**

Employees may suffer an injury or have an illness that incapacitates them over an extended period of time. Employees with a minimum of one (1) year of continuous full-time service, who remain incapacitated after the use of all accrued paid leave, unless still on an approved FMLA leave, must apply for Extended Medical Leave in order to maintain an employment relationship with the City. Extended Medical Leave needs to be requested even if an employee is receiving disability payments under a pension program. Approval for an Extended Medical Leave is at the discretion of the City Manager, taking into consideration operational needs, the employee’s prognosis for full recovery and the estimated time needed before returning to work.

### **D-2. Maximum Period of Incapacitation**

The work relationship of an incapacitated employee may be maintained for a period up to a total of six (6) months from the first date of incapacitation. The incapacitation, however, must be temporary with the expectation that the employee will resume full work duties within the six (6) month period. This period is inclusive of accrued paid leave, paid and unpaid FMLA leave, and receipt of disability payments. To maintain a work relationship after all eligible FMLA and paid leave expires, employees must request an Extended Medical Leave. The request shall include a certification from the treating health care provider verifying the incapacitation and the date the employee is expected to resume full work duties.

### **D-3. Paid Leave Accruals & Service Credits**

While on an Extended Medical Leave, even if receiving a disability pension, all City service credit and eligibility for additional leave accruals cease. Existing leave balances are held with accruals resuming upon the employee’s return to work. All anniversary dates will be adjusted by an amount of time equal to the number of unpaid days on the approved leave.

### **D-4. Health Insurance during an Extended Medical Leave**

Employees on an Extended Medical Leave may elect to continue to participate in the City’s group health and dental insurance programs by paying the full monthly premiums. Such participation must be continuous and uninterrupted from previous coverage (See *Section 15.8 Insurance Continuation for Retirement/Disability*).

### **D-5. Notification of Health Status**

The Human Resources Division should be kept informed of the employee’s health status during an Extended Medical Leave. After each visit to a health care provider the health status, prognosis for recovery, eligibility for light duty and the next appointment should be reported. Employees who fail to provide the City with updates and status reports on their health condition as requested may be subject to discipline. The City may, at its discretion, verify the employee’s medical status by requiring then to have a “Fitness for Duty” or similar evaluation by a health care provider selected and paid for by the City.

**D-6. Long Term or Permanent Incapacitation**

During the six (6) months following an employee’s incapacitation, a health care provider may determine that the condition is for a long-term period or is permanent. The employment relationship shall cease at the end of the payroll period during which it is determined the employee is unable to return to work subject to the provisions of the City’s ADA Policy located in the Appendices of the Manual and other applicable law(s) (i.e. the Public Employees Disability Act (PEDA), 5 ILCS 345). All remaining accrued time will be paid out as provided by the terms of each leave program. Eligible employees not yet receiving a disability pension can apply for this benefit through the applicable pension program. Employees receiving a disability pension are eligible to continue participating in the group health and dental insurance programs with the full payment of monthly premiums.

**D-7. Return from an Extended Medical Absence**

All employees returning to work from an Extended Medical Leave must have prior authorization based on a “Fitness for Duty” evaluation from an attending health care provider certifying a full release to return to work and resumption of work duties. The City may, at its discretion, verify the employee’s medical status by requiring then to have a “Fitness for Duty” or similar evaluation by a health care provider selected and paid for by the City.

## **Appendix E – Health Insurance Portability and Accountability Act (HIPPA)**

### **E-1. Notice of Standards for Privacy of Individually Identifiable Health Information**

The City of Des Plaines Health Care Plan (“Health Plan”), the Plan Document and the Summary Plan Description (“Plan Documents”) are amended to comply with the amendments to HIPAA (“Privacy Standards”). The allowed actions of the City and the Health Plan are described below:

### **E-2. Disclosure of Summary Health Information to the Plan Sponsor**

In accordance with the Privacy Standards, the Health Plan may disclose Summary Health Information to the City if the City requests the Summary Health Information for the purpose of:

1. Obtaining premium bids from other health plans for providing health insurance coverage under the Health Plan, or
2. Modifying, amending or terminating the Health Plan.

“Summary Health Information” is defined as health information that may be individually identifiable that summarizes the claims history, claims expenses or the type of claims experienced by employees in the Health Plan, but it excludes all identifiers, which must be removed for the information to be de-identified, except that it may contain geographic information to the extent that it is aggregated by five-digit zip code.

### **E-3. Disclosure of Protected Health Information to the City for Plan Administration**

In receiving and using Protected Health Information (“PHI”) for Plan Administration purposes, the City shall observe the following practices:

- Not use or further disclose PHI other than as permitted or required by the Plan Documents or as required by law (as defined in the Privacy Standards);
- Ensure that any agents, including a subcontractor, to whom the Village provides PHI received from the Health Plan agree to the same restrictions and conditions that apply to the Village with respect to such PHI;
- Not use or disclose PHI for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of the Village, except pursuant to an authorization which meets the requirements of the Privacy Standards;
- Report to the Health Plan any PHI use or disclosure that is inconsistent with the uses or disclosures provided for of which the Village becomes aware;
- Make available PHI in accordance with Section 164.524 of the Privacy Standards (45 CFR 164.524);

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Make available PHI for amendment and incorporate any amendments to PHI in accordance with Section 164.526 of the Privacy Standards (45 CFR 164.526);  
Make available the information required to provide an accounting of disclosures in accordance with Section 164.528 of the Privacy Standards (45 CFR 164.528);  
Make its internal practices, books and records relating to the use and disclosure of PHI received from the Health Plan available to the Secretary of the U.S. Department of Health and Human Services (“HHS”), or any other officer or employee of HHS to whom the authority has been delegated, for purposes of determining compliance by the Health Plan with Part 164, Subpart E, of the Privacy Standards (45 CFR 164.500 *et seq*);  
If feasible, return or destroy all PHI received from the Health Plan that the City still maintains in any form and retain no copies of such PHI when no longer needed for the purpose for which disclosure was made, except that, if such return or destruction is not feasible, limit further uses and disclosures to those purposes that make the return or destruction of the PHI infeasible; and  
Ensure that adequate separation between the Health Plan and the City, as required in Section 164.504(f) (2) (iii) of the Privacy Standards (45 CFR 164.504(f) (2) (iii)), is established.

The following employees, or classes of employees, or other persons under control of the City, shall be given access to the PHI to be disclosed:

- City Manager
- Staff designated by the City Manager
- City Attorney
- Director of Human Resources
- Staff designated by the Director Human Resources
- Director of Finance
- Staff designated by the Director of Finance

The access to and use of PHI by the individuals described in subsection (i) above shall be restricted to the Plan Administration functions that the City performs.

In the event any of the individuals described above do not comply with the provisions of the Plan Documents relating to use and disclosure of PHI, the Plan Administrator (City Manager) shall impose reasonable sanctions as necessary to ensure that no further non-compliance occurs. Such sanctions shall be imposed progressively (for example, an oral warning, a written warning, time off without pay and termination), if appropriate, and shall be imposed so that they are commensurate with the severity of the violation.

“Plan Administration” functions are activities that would meet the definitions of treatment, payment and health care operations. “Plan Administration” functions include, but are not limited to quality assurance, claims processing, auditing, monitoring, management, stop loss underwriting, stop loss claims filing, eligibility information requests, medical necessity reviews, appeal

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determinations, utilization review, case management and disease management. It does not include any employment-related functions or functions in connection with any other benefit or benefit plans.

The Health Plan shall disclose PHI to the City only after receipt of a certification by the City that the Plan Documents have been amended to incorporate the above provisions and the City agrees to comply with such provisions.

#### **E-4. Disclosure of Certain Enrollment Information to the City**

Pursuant to Section 164.504(f)(1)(iii) of the Privacy Standards (45 CFR 164.504(f)(1)(iii)), the Health Plan may disclose to the City information on whether an individual is participating in the Health Plan or is enrolled in or has disenrolled from a health insurance issuer or health maintenance organization offered by the Health Plan to the City.

#### **E-5. Other Disclosures and Uses of PHI**

With respect to all other uses and disclosures of PHI, the Health Plan shall comply with the Privacy Standards.

#### **E-6. Employee “Notice of Privacy Rights”**

All participants in the City’s Health Plan shall be provided a “Notice of Privacy Rights” that describes how the City will use and disclose a participant’s medical information and how the a participant of the Health Plan can get access to this information.

### **NOTICE OF HIPAA PRIVACY PRACTICES**

**THIS NOTICE DESCRIBES HOW THE MEDICAL INFORMATION OF A HEALTH PLAN PARTICIPANT MAY BE USED AND DISCLOSED AND HOW THE PARTICIPANT CAN GET ACCESS TO THIS INFORMATION. PLEASE READ AND REVIEW IT CAREFULLY.**

#### **E-7. Introduction**

This Notice of Privacy Practices (“Notice”) describes how protected health information may be used or disclosed by your group health plan to carry out treatment, payment, health care operations and for other purposes that are permitted or required by law. This Notice also sets out our legal obligations concerning your protected health information and describes your rights to access and control your protected health information.

Protected health information (“PHI”) is individually identifiable health information, including demographic information, collected from you or created or received by a health care provider, a

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health plan, your employer (when functioning on behalf of the group health plan), or a health care clearinghouse and that relates to:

A Health Plan participant’s past, present or future physical or mental health or condition;  
the provision of health care to a Health Plan participant; or  
the past, present or future payment for the provision of health care to a participant.

The Notice is consistent with what is referred to as the “HIPAA Privacy Rule,” and any of the terms not defined in the Notice should have the same meaning as the HIPAA Privacy Rule. If there are any questions or additional information wanted about the Notice or the policies and procedures described in the Notice, please contact:

Human Resources Division  
1420 Miner Street – Room 503  
Des Plaines, IL 60016  
(847)391-5482

#### **E-8. Effective Date**

These HIPAA Privacy Rules became effective on April 14, 2004.

#### **E-9. City Responsibilities**

The City is required by law to maintain the privacy of the PHI of all Health Plan participants. The City is obligated to provide all participants, current and future, with a copy of the Notice. It provides a description of the City legal duties and privacy practices with respect to PHI. The City reserves the right to change the provisions of the Notice and make any new provisions effective for all PHI that is maintained. If the City makes material changes to the Notice, a revised Notice will be provided to or mailed to the address on record.

When using or disclosing PHI or when requesting PHI from another covered entity, the City will make reasonable efforts not to use, disclose or request more than the minimum amount of PHI necessary to accomplish the intended purpose of the use, disclosure or request, taking into consideration practical and technological limitations.

However, the minimum necessary standard will not apply in the following situations:

1. disclosures to or requests by a health care provider for treatment;
2. uses or disclosures made to the individual;

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3. disclosures made to the Secretary of the U.S. Department of Health and Human Services;
4. uses or disclosures that are required by law;
5. uses or disclosures that are required for compliance with the HIPAA Privacy Rule; and
6. uses or disclosures made pursuant to an authorization.

The Notice does not apply to information that has been de-identified. De-identified information is health information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual. Thus, it is not individually identifiable health information.

#### **E-10. Primary Uses and Disclosures of Protected Health Information**

The following is a description of how the City may use and/or disclose a participant’s PHI.

The City has the right to use and disclose a participant’s PHI for all activities that are included within the definitions of “treatment, payment and health care operations” as described in the HIPAA Privacy Rule.

##### **E-10.1. Treatment**

The City will use or disclose a participant’s PHI so that the participant may seek treatment. Treatment is the provision, coordination or management of health care and related services. It also includes, but is not limited to consultations and referrals between one or more of the participant’s providers. For example, the City may disclose to a treating specialist the name of a participant’s primary care physician so that the specialist may request medical records from that primary care physician.

##### **E-10.2. Payment**

The City will use or disclose a participant’s PHI to pay claims for services provided to the participant and to obtain stop-loss reimbursements, if applicable, or to otherwise fulfill the City’s responsibilities for coverage and providing benefits. For example, the City may disclose a participant’s PHI when a provider requests information regarding the participant’s eligibility for coverage under the Health Plan, or the City may use the participant’s information to determine if a treatment that was received was medically necessary.

##### **E-10.3. Health Care Operations**

The City will use or disclose a participant’s PHI to support the City’s business functions. These functions include, but are not limited to quality assessment and improvement, reviewing provider performance, licensing, stop-loss underwriting, business planning and business development. For example, the City may use or disclose a participant’s PHI: to provide you with information about one of our disease management programs; to respond to a customer service inquiry from you or in connection with fraud and abuse detection and compliance programs.

**E-10.4. Business Associates**

The City contracts with individuals and entities (Business Associates) to perform various functions on behalf of the City or to provide certain types of services. To perform these functions or to provide the services, the Business Associates will receive, create, maintain, use or disclose PHI, but only after the Business Associates agrees in writing to contract terms designed to appropriately safeguard participant's PHI. For example, the City may disclose a participant's PHI to a Business Associate to administer claims or to provide service support, utilization management, subrogation or pharmacy benefit management. Examples of Business Associates would be a third party administrator, broker, preferred provider organization and utilization review vendor.

**E-10.5. Other Covered Entities**

The City may use or disclose a participant's PHI to assist health care providers in connection with treatment or payment activities or to assist other covered entities in connection with payment activities and certain health care operations. For example, the City may disclose a participant's PHI to a health care provider when needed by the provider to render treatment the participant, and the City may disclose PHI to another covered entity to conduct health care operations in the areas of fraud and abuse detection or compliance, quality assurance and improvement activities or accreditation, certification, licensing or credentialing. This also means that the City may disclose or share a participant's PHI with other insurance carriers in order to coordinate benefits, if the participant or the participant's family member has coverage through another carrier.

**E.10.4. Plan Sponsor**

The City may disclose a participant's PHI to the plan sponsor of the group health plan for purposes of plan administration or pursuant to an authorization request signed by the participant. Also, the City may use or disclose "summary health information" to the plan sponsor for obtaining premium bids or modifying, amending or terminating the group health plan. Summary health information summarizes the claims history, claims expenses or types of claims experienced by individuals for whom a plan sponsor has provided health benefits under a group health plan and from which identifying information has been deleted in accordance with the HIPAA Privacy Rule.

**E-11. Potential Impact of State Law**

The HIPAA Privacy Regulations generally do not "preempt" (or take precedence over) state privacy or other applicable laws that provide individuals greater privacy protections. As a result, to the extent state law applies, the privacy laws of a particular state, or other federal laws, rather than the HIPAA Privacy Regulations, might impose a privacy standard under which the City will

be required to operate. For example, where such laws have been enacted, the City will follow more stringent state privacy laws that relate to uses and disclosures of PHI concerning HIV or AIDS, mental health, substance abuse/chemical dependency, genetic testing, reproductive rights, etc.

### **E-12. Other Possible Uses and Disclosures of PHI**

The following is a description of other possible ways in which the City may (and is permitted to) use and/or disclose participants PHI.

#### **E-12.1. Required by Law**

The City may use or disclose a participant’s PHI to the extent that federal law requires the use or disclosure. When used in the Notice, “required by law” is defined as it is in the HIPAA Privacy Rule. For example, the City may disclose a participant’s PHI when required by national security laws or public health disclosure laws.

#### **E-12.2. Public Health Activities**

The City may use or disclose a participant’s PHI for public health activities that are permitted or required by law. For example, the City may use or disclose information for the purpose of preventing or controlling disease, injury, or disability, or the City may disclose such information to a public health authority authorized to receive reports of child abuse or neglect. The City may disclose PHI, if directed by a public health authority, to a foreign government agency that is collaborating with that authority.

#### **E-12.3. Health Oversight Activities**

The City may disclose a participant’s PHI to a health oversight agency for activities authorized by law, such as: audits; investigations; inspections; licensure or disciplinary actions; or civil, administrative, or criminal proceedings or actions. Oversight agencies seeking this information include government agencies that oversee:

1. the health care system;
2. government benefit programs;
3. other government regulatory programs and
4. compliance with civil rights laws.

#### **E-12.4. Abuse or Neglect**

The City may disclose a participant’s PHI to a government authority that is authorized by law to receive reports of abuse, neglect or domestic violence. Additionally, as required by law, the City may disclose to a governmental entity, authorized to receive such information, a participant’s information if the City believes that the participant has been a victim of abuse, neglect, or domestic violence.

#### **E-12.5. Legal Proceedings**

The City may disclose a participant's PHI:

1. in the course of any judicial or administrative proceeding;
2. in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized) and
3. in response to a subpoena, a discovery request, or other lawful process, once we have met all administrative requirements of the HIPAA Privacy Rule.

For example, the City may disclose a participant's PHI in response to a subpoena for such information, but only after the City meets certain conditions required by the HIPAA Privacy Rule.

#### **E-12.6. Law Enforcement**

Under certain conditions, the City also may disclose a participant's PHI to law enforcement officials. For example, some of the reasons for such a disclosure may include, but not be limited to:

1. it is required by law or some other legal process;
2. it is necessary to locate or identify a suspect, fugitive, material witness, or missing person or
3. it is necessary to provide evidence a crime has occurred on the City's premises.

#### **E-12.7. Coroners, Medical Examiners, Funeral Directors, and Organ Donation**

The City may disclose PHI to a coroner or medical examiner for purposes of identifying a deceased person, determining a cause of death or for the coroner or medical examiner to perform other duties authorized by law. The City also may disclose, as authorized by law, information to funeral directors so that they may carry out their duties. Further, the City may disclose PHI to organizations that handle organ, eye or tissue donation and transplantation.

#### **E-12.8. Research**

The City may disclose a participant's PHI to researchers when an institutional review board or privacy board has:

1. reviewed the research proposal and established protocols to ensure the privacy of the information and
2. approved the research.

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#### **E-12.9. To Prevent a Serious Threat to Health or Safety**

Consistent with applicable federal and state laws, the City may disclose a participant's PHI if the City believes that the disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. The City also may disclose PHI if it is necessary for law enforcement authorities to identify or apprehend an individual.

#### **E-12.10. Military Activity and National Secrets, Protective Services**

Under certain conditions, the City may disclose a participant's PHI if the participant is, or was, Armed Forces personnel for activities deemed necessary by appropriate military command authorities. If a participant is a member of foreign military service, the City may disclose, in certain circumstances, the participant's information to the foreign military authority. The City also may disclose a participant's PHI to authorized federal officials for conducting national security and intelligence activities, and for protection of the President, other authorized persons or heads of state.

#### **E-12.11. Inmates**

If a participant or former participant, is an inmate of a correctional institution, the City may disclose the participant's PHI to the correctional institution or to a law enforcement official for:

1. the institution to provide health care to you;
2. your health and safety and the health and safety of others or
3. the safety and security of the correctional institution.

#### **E-12.12. Workers' Compensation**

The City may disclose a participant's PHI to comply with workers' compensation laws and other similar programs that provide benefits for work-related injuries or illnesses.

#### **E-12.13. Others Involved in Your Health Care**

With use of good judgment, the City may make a participant's PHI known to a family member, other relative, close personal friend or other personal representative that the participant identifies. Such use will be based on how involved the person is in the participant's care or payment that relates to the participant's care. The City may release information to parents or guardians, if allowed by law.

The City also may disclose a participant's information to an entity assisting in a disaster relief effort so that the participant's family can be notified about the participant's condition, status, and location.

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If a participant is not present or able to agree to these PHI disclosures, then, using the City’s best professional judgment, the City may determine whether the disclosure is in the participant’s best interest.

#### **E-13. Required Disclosures of a Participant’s PHI**

The following is a description of disclosures that the City is required by law to make.

1. Disclosures to the Secretary of the U.S. Department of Health and Human Services

The City is required to disclose a participant’s PHI to the Secretary of the U.S. Department of Health and Human Services when the Secretary is investigating or determining the City’s compliance with the HIPAA Privacy Rule.

2. Disclosures to You

The City is required to disclose to a participant most of the participant’s PHI in a “designated record set” when the participant requests access to this information. Generally, a designated record set contains medical and billing records, as well as other records that are used to make decisions about the participant’s health care benefits. The City also is required to provide, upon a participant’s request, an accounting of most disclosures of the participant’s PHI that are for reasons other than treatment, payment and health care operations and not disclosed through a signed authorization.

The City will disclose a participant’s PHI to an individual who has been designated by the participant as a personal representative and who is qualified for such designation in accordance with relevant state law. However, before the City will disclose PHI to such a person, the participant must submit a written notice of the individual’s designation, along with the documentation that supports the individual’s qualification (such as a power of attorney).

Even if a participant designate a personal representative, the HIPAA Privacy Rule permits the City to elect not to treat the person as the participant’s personal representative if the City has a reasonable belief that:

- a. the participant has been, or may be, subjected to domestic violence, abuse or neglect by such designated individual;
- b. treating such person as the participant’s personal representative could endanger the participant or
- c. the City determines, in the exercise of the City’s best professional judgment, that it is not in the participant’s best interest to treat the person as the participant’s personal representative.

#### **E-14. Other Uses and Disclosures of Your PHI**

Other uses and disclosures of a participant’s PHI that are not described above will be made only with the participant’s written authorization. If a participant provides the City with such written authorization, the participant may revoke the authorization, and the revocation will be effective

for future uses and disclosures of PHI. However, the revocation will not be effective for information that the City had already have used or disclosed, relying on the participant’s initial authorization.

### **E-15. Participant Rights**

The following is a description of participant rights with respect to PHI:

1. Right to Request a Restriction

A participant has the right to request a restriction on the PHI that the City uses or is disclosed about the participant for treatment, payment or health care operations.

The City is not required to agree to any restriction that a participant may request. If the City agrees to the restriction, the City will comply with the restriction unless the information is needed to provide emergency treatment for the participant.

A participant may request a restriction by contacting the Human Resources Division. It is important that the participant direct the request for a restriction to the Human Resources Division so that the City can begin to process the participant’s request. Requests sent to individuals or offices other than the Human Resources Division might delay processing the request.

The City will want to receive this information in writing and will instruct the participant where to send the request if the participant calls the Human Resources Division. A participant’s request should include:

- a. the information whose disclosure the participant wants to limit and
- b. how the participant wants to limit the City’s use and/or disclosure of the information.

2. Right to Request Confidential Communications

If a participant believes that a disclosure of all or part of the participant’s PHI may endanger the participant, the participant may request that the City communicate with them regarding the participant’s information in an alternative manner or at an alternative location. For example, the participant may ask that the City only contact them at the participant’s work address or via the participant’s work e-mail.

A participant may request a restriction by contacting the Human Resources Division. It is important that the participant directs the request for confidential communications to the Human Resources Division so that the City can begin to process the participant’s request. Requests sent to individuals or offices other than the Human Resources Division might delay processing the request.

The City will want to receive this information in writing and will instruct the participant where to send the written request if they call the Human Resources Division. A participant’s request, should include:

- a. that the participant wants the City to communicate the participant’s PHI with them in an alternative manner or at an alternative location and

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- b. that the disclosure of all or part of the PHI in a manner inconsistent with the participant’s instructions would put the participant in danger.

The City will accommodate a request for confidential communications that is reasonable and that states that the disclosure of all or part of the participant’s PHI could endanger them. As permitted by the HIPAA Privacy Rule, “reasonableness” will (and is permitted to) include, when appropriate, making alternate arrangements regarding payment.

Accordingly, as a condition of granting a participant’s request, the participant will be required to provide the City information concerning how payment will be handled. For example, if the participant submits a claim for payment, state or federal law (or the City’s own contractual obligations) may require that the City disclose certain financial claim information to the plan participant (e.g., an Explanation of Benefits “EOB”). Unless the participant has made other payment arrangements, the EOB (in which may include the participant’s PHI) will be released to the participant.

Once the City receives all the information for such a request (along with the instructions for handling future communications), the request will be processed as soon as reasonably possible.

Prior to receiving the information necessary for this request, or during the time it takes to process it, PHI may be disclosed (such as through an EOB). Therefore, it is extremely important that the participant contacts the City at the number listed in this Notice as soon as the participant determines the need to restrict PHI disclosures.

If a participant terminates a request for confidential communications, the restriction will be removed for the entire participant’s PHI held by the City, including PHI that was previously protected. Therefore, the participant should not terminate a request for confidential communications if the participant remains concerned that disclosure of PHI will endanger them.

### 3. Right to Inspect and Copy

A participant has the right to inspect and copy the participant’s PHI that is contained in a “designated record set.” Generally, a designated record set contains medical and billing records, as well as other records that are used to make decisions about the participant’s health care benefits. However, the participant may not inspect or copy psychotherapy notes or certain other information that may be contained in a designated record set.

To inspect and copy PHI that is contained in a designated record set, a participant must submit a request by contacting the Human Resources Division. It is important that the participant contact the Human Resources Division to request an inspection and copying so that the City can begin to process the participant’s request. Requests sent to individuals or offices other than the Human Resources Division might delay the processing of the request. If the participant requests a copy of the information, the City may charge a fee for the costs of copying, mailing or other supplies associated with the participant’s request.

The City may deny a participant’s request to inspect and copy PHI in certain limited circumstances. If a participant is denied access to the participant’s PHI information, the

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participant may request that the denial be reviewed. To request a review, the participant must contact the Human Resources Division. A licensed health care professional chosen by the City will review the participant's request and the denial. The person performing this review will not be the same one who denied the participant's initial request. Under certain conditions, the City's denial will not be reviewable. If this event occurs, the City will inform the participant of the City's denial that the decision is not reviewable.

#### 4. Right to Amend

If a participant believes that PHI is incorrect or incomplete, the participant may request that the City amend the participant's information. A participant may request that the Village amend the participant's information by contacting the Human Resources Division. Additionally, the participant's request should include the reason the amendment is necessary. It is important that the participant directs the request for amendment to the Human Resources Division so that the City can begin to process the participant's request. Requests sent to individuals or offices other than the Human Resources Division might delay processing the request.

In certain cases, the City may deny a participant's request for an amendment. For example, the City may deny a participant's request if the information the participant wants to amend is not maintained by the City, but by another entity. If the City denies a participant's request, the participant has the right to file a statement of disagreement with the City. The participant's statement of disagreement will be linked with the disputed information and all future disclosures of the disputed information will include the participant's statement.

#### 5. Right of an Accounting

A participant has a right to an accounting of certain disclosures of the participant's PHI that are for reasons other than treatment, payment or health care operations. No accounting of disclosures is required for disclosures made pursuant to a signed authorization by a participant or the participant's personal representative. A participant should know that most disclosures of PHI will be for purposes of payment or health care operations, and, therefore, will not be subject to the participant's right to an accounting. There also are other exceptions to this right.

An accounting will include the date(s) of the disclosure, to whom the City made the disclosure, a brief description of the information disclosed and the purpose for the disclosure.

A participant can request an accounting by submitting a request in writing to the Human Resources Division. It is important that the participant directs the request for an accounting to the Human Resources Division so that the City can begin to process the participant's request. Requests sent to individuals or offices other than the Human Resources Division might delay processing the request.

A participant's request may be for disclosures made up to 6 years before the date of the request, but not for disclosures made before April 14, 2004. The first list requested by a participant within a 12-month period is free. For additional lists, the City may charge a

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participant for the costs of providing the list. The City will notify a participant of the cost involved and the participant may choose to withdraw or modify the request at the time before any costs are incurred.

6. Right to a Paper Copy of This Notice

A participant has the right to a paper copy of this Notice, even if the participant has agreed to accept this Notice electronically.

#### **E-16. Complaints**

A participant may complain to the City if the participant believes that the City violated the participant's privacy rights. The participant may file a complaint with the City by contacting the Human Resources Division.

A participant also may file a complaint with the Secretary of the U.S. Department of Health and Human Services. Complaints filed directly with the Secretary must: (1) be in writing; (2) contain the name of the entity against which the complaint is lodged; (3) describe the relevant problems and (4) be filed within 180 days of the time the participant became or should have become aware of the problem. The City will not penalize or in any other way retaliate against a participant for filing a complaint with the City or with the Secretary.

## **Appendix F – Light Duty Policy**

### **F-1. Introduction**

The purpose of this policy is to clarify the conditions under which the City will place an employee on light duty, and to provide guidance to the departments for administering the policy consistently. The employee is responsible for informing all health care providers of the City's light duty policy.

### **F-2. Scope of the Policy**

This policy will apply to all full-time and part-time employees who have a temporary disability, which prohibits them from performing full job duties, or meeting the essential job functions of the position. Employees with chronic or permanent disabilities are excluded from this policy. This policy applies to both duty and non-duty related injuries and illnesses. However, in assigning light duty work, those employees who have suffered a duty-related injury will receive priority for any light duty work assignments.

### **F-3. Responsibility for the Policy**

The Human Resources Director and Department Directors are responsible for monitoring the administration of this policy. All requests for light duty assignments must include the physical or medical restrictions, which will be reviewed by the Human Resources Division, who will in turn consult with the applicable Director as to the availability of light duty work. The Director, or designee, will work with the Human Resources Division to determine the availability of assignments and monitor the employee's progress in returning to full duty status.

### **F-4. Definition of Light Duty**

Light duty is defined as temporary work, which can be accomplished by an injured or ill employee within the stipulated medical or physical limitations, and without exposing others to the risk of being harmed. Light duty is further defined as temporary work, which when accomplished, will contribute to the fulfillment of the mission of the department as distinguished from "make work" assignments created solely to accommodate ill or injured employees.

### **F-5. Physical Conditions of the Employee**

The City will consider providing an employee light duty work for reasons including but not limited to the following:

1. To assist an employee in recuperating from a temporary illness or injury by reintroducing them gradually to the demands of full duty work.
2. To avoid placing a temporarily disabled employee in positions that may aggravate the existing injury or illness or risk harm to themselves, co-workers or to other persons or property, by assigning them work they can perform within the restrictions of the treating health care provider.
3. To conserve resources by having a recuperating employee accomplish meaningful work that is otherwise performed by the regular work force.
4. To assist in determining an employee's fitness for duty.

### **F-6. No "Make Work" Assignments**

Based on the aforementioned objectives, there is no intention of creating "make work" assignments for any employee, regardless of the employee's physical condition, disability or illness. Employees assigned to light duty are placed in full pay status and expected to perform a fair day's work in a function that substantially contributes to the mission of the City.

### **F-7. Availability of Light Duty Work**

There is no right to light duty work and no employee will be removed from a City job to make light duty work available for a recuperating employee. The availability of light duty assignments may limit the number of individuals who can perform such work at any given time. Finally, there may be instances where light duty is not available.

An employee may be assigned to light duty within their regular department or to another department of the City. The employee will not receive out-of-classification pay while performing light duty work, regardless of assignment. Moreover, some employees may be unable to perform certain light duty jobs because of lack of skills, training, or similar reasons.

### **F-8. No Permanent Light Duty Assignment**

Light duty work is temporary in nature and will not be made permanent. Light duty may be denied if injured employees do not have a reasonable expectation of returning to full regular duties within ninety (90) days from the first date eligible for a light duty assignment.

### **F-9. Case-by-Case Consideration of Light Duty Assignments**

Each case of eligibility for a light duty assignment is considered independently of any other past or present assignments. Thus, the circumstances of each case, the needs of the City, the availability of assignments, and the nature of the work shall determine an assignment being made.

### **F-10. Procedure for Light Duty Assignment**

1. The procedure for assigning an employee to a light duty assignment is as follows:
  - Fitness for Duty Report: Employees recuperating from an injury or illness, and unable to perform essential job functions, shall have the treating health care provider complete a *Fitness for Duty Report*. The employee's treating health care provider may substitute another report form if it contains the same information as requested in the City's *Fitness for Duty Report*. The report must identify the employee's limitation(s) and the date on which the employee will next be examined or released for full duty. It is the responsibility of the employee to inform all health care providers of the City's light duty policy.
2. Identification of Light Duty Work: The employee shall submit the *Fitness for Duty Report* to the immediate supervisor who will forward the report to the Human Resources Division. The Human Resources Division will work with the employee's Department Director and any other applicable Department Director in identifying light duty work that is compatible with the employee's restriction(s), and the duration of the light duty assignment, as determined by the health care provider.

3. Expiration of Assignment: When the light duty assignment expires as stated on the *Fitness for Duty Report*, the employee cannot continue to work without furnishing the Human Resources Division with a new *Fitness for Duty Report* that will either:
  - a. Recommend the continuation of light duty for a specified period of time and state the date on which the employee will next be examined, or
  - b. Restrict the employee from performing any work for a specified period and state the date on which the employee will next be examined, or
  - c. Release the employee for full duty on a specified date, or
  - d. Any continuation of a light duty assignment will be reviewed and processed like the original assignment.

**F -11. Forfeiture of Worker’s Compensation Benefits**

An employee shall forfeit their workers' compensation benefits if they choose to do either of the following:

1. The employee fails to notify the Human Resources Director and Department Director of their release for light duty by the employee's treating health care provider.
2. The employee is released for light duty but refuses the light duty assignment.

## **Appendix G - Information Technology Resource Policy**

### **G-1. Introduction**

To more effectively and efficiently provide City services, the City has made significant investments in various information technology resources. In recognition of this investment and acknowledging that use of the City’s resources is a privilege, it is necessary to establish standards for careful and responsible use by employees.

### **G-2. Responsibilities of Users**

This policy and other related policies applies to all City employees and all other authorized users of the City’s information technology resources, which are collectively referred to as “users” throughout this policy.

Use of the City’s information technology resources must at all times be appropriate, professional and ethical. The City expects users to use these resources responsibly, respecting the public trust through which these resources have been provided, the rights and privacy of others, and all pertinent laws and City policies.

Users during the course of work will have access to personal information about a citizen, a co-worker, or member of the general public. All such information is confidential and shall only be discussed, exchanged or communicated on a “need to know” basis as part of the user’s assigned duty. Unless authorized to do so, users are prohibited from:

1. Gaining, or attempting to gain unauthorized access to information that is private or protected.
2. Running programs that attempt to identify passwords or codes.
3. Interrupting, or attempting to interrupt programs that protect data or secure systems.
4. Attempting to gain access to resources to which the user is not entitled.

### **G-3. Computer Systems: Passwords and Logon/Logoff**

1. The Information Technology (IT) Division shall be responsible for the administration of access controls to all City computer systems.
2. Each user’s computer and network access is protected by a personal, confidential password to be determined by the user. It is the user’s responsibility to maintain the confidentiality of their password. Individual users can be held accountable for this use of their account by others. From time to time, users will be required to change the password (no less than once a year) as determined by the IT Division.
3. Each user shall be responsible for all computer transactions that are made with the employee’s password. A user may not use another user’s password to gain access to the computer system. Neither may a user offer the use of their privileges for another user’s access. Users with a need to access a coworker’s files should contact the IT Division.
4. Users who believe their password has been compromised shall report the incident to their

supervisor, and advise the IT Division of the need to change the password.

5. Users are expected to log out or lock the screen when leaving a workstation for an extended period. To prevent unauthorized access, every user is expected to log off the computer every day at the close of the workday.

#### **G-4. Equipment and Systems**

1. It is the City's policy that all information technology resources, including email, telephone/voice mail and access and use of the Internet, are to be used for the benefit of the City. Use of any information technology resource to violate City policies is prohibited and may lead to disciplinary action up to and including dismissal.
2. All information technology resources, hardware, software, temporary or permanent files and any related systems or devices used in the transmission, receipt or storage of email, voice mail, or any other data, message or communication system are the property of the City.
3. The City's information technology resources shall be monitored and/or reviewed periodically. Possible reasons for monitoring may include, but is not limited to: examination of email, examination of the user's activity, and examination of any computer files. All information, including any personal information, placed on the City's communications equipment and systems is subject to monitoring and/or review.

#### **G-5. Electronic Mail (Email)**

The following applies to all users of the City's email system.

Users are expected to adhere to the City's customer service guidelines pertaining to email usage and etiquette (*See Appendix I - 5 Customer Service Guidelines*).

The use of the City's email system is provided for legitimate City business. Occasional personal use is permissible, and means infrequent, incidental and brief use, that does not interfere with City business or the performance of the user's duties.

Users should be aware that use of email for personal use will be treated no differently than other messages. Users should not expect that a message will never be disclosed to or read by others beyond its original intended recipients.

Following are examples of improper uses of email:

1. Intercepting, eavesdropping, recording, or altering a co-worker's email message without the user's permission.
2. Misrepresenting your identity, position or office on any email message.
3. Composing email that contains any information or message that is a violation of City personnel or department policies, including but not limited to those policies that protect

employees from discrimination and harassment based on race, color, religion, sex, age, physical disability, sexual orientation, political affiliation or national origin.

4. Composing, sending or forwarding email for any commercial purpose, including personal messages offering to buy or sell goods or services.
5. Sending or receiving copyrighted documents or electronic software in violation of applicable copyright laws.
6. Communicating confidential or sensitive information to persons not intended to receive such information.
7. Sending a mass email on the City's network without the prior authorization of the Department Head or the City Manager.
8. Subscribing to any email list that is not directly related to the user's assigned duties.

Users authorized to receive and use an email account are prohibited from encrypting any email message, and from establishing a direct connection from an outside source to a City email account, unless otherwise authorized by the IT Director.

Due to the potential for viruses and security breaches, users are expected to exercise extreme caution in downloading and executing any files attached to an email. If the attachment is not clearly business related and/or expected from a known source, it should never be opened or executed. If a user believes an email or an attachment contains a virus or otherwise comprises a security breach, the IT Division shall be immediately notified.

#### **G-6. Electronic Mail – Confidential Information**

Users are directed to use extreme caution when transmitting or forwarding any confidential or sensitive information via email. All users must protect the integrity of the City's confidential information as well as the privacy of others.

Confidential or sensitive information should never be transmitted or forwarded to persons who do not have a business need to know the information. Users who are unsure whether information is confidential or sensitive are directed to consult with their Department Head, City Manager, Assistant City Manager, City Attorney, or Director of Human Resources. Information that may be considered confidential or sensitive includes, but is not limited to:

1. Information from an employee's personnel files including private information such as employee's social security number or personal family information.
2. Medical information about any person.
3. Attorney-client communications.
4. Information concerning litigation or administrative proceedings of either a criminal or civil nature.
5. Information which would give a competitive advantage to one vendor over another.
6. Information concerning the value of property the City might wish to sell or buy.
7. Drafts or working papers involved in the preparation of proposed legislation.

To reinforce the above, the following message shall appear automatically at the bottom of all externally sent email messages:

*This communication is for use by the intended recipient and contains information that may be privileged, confidential or copyrighted under applicable law. If you are not the intended recipient, you are hereby formally notified that any use, copying or distribution of this email, in whole or in part, is strictly prohibited. Please notify the sender by return email and delete this email from your system.*

### **G-7. Telephones and Voice Mail**

Authorized users of desk telephones shall be provided with a voice mailbox that allows for storage of the user's password and messages. From time to time, users will be required to change the password (no less than once a year) as determined by the IT Division.

Users are expected to adhere to the City's customer service guidelines pertaining to telephone usage and etiquette (See *Appendix I - 5 Customer Service Guidelines*).

The use of City's desk telephone and voice mail system is provided for legitimate City business. Occasional personal use is permissible, and means infrequent, incidental, and brief use, that does not interfere with City business or the performance of the user's duties.

Authorized users of City issued cellular telephones are expected to comply with General Safety Rules pertaining to use of a cellular phone while driving a City vehicle. (See *Appendix J-10 General Safety Rules*) and any departmental rules.

### **G-8. Access and Use of the Internet**

The following applies to employee access and use of the Internet.

1. Access to the Internet shall be limited to those individuals determined by the Department Head to have a legitimate business purpose to use Internet resources.
2. The use of the Internet is provided for legitimate City business. Occasional personal use is permissible, and means infrequent, incidental, and brief use, that does not interfere with City business or the performance of the user's duties.
3. Internet use must be in compliance with all applicable laws and policies of the federal, state, local governments, and City policies. It is not to be used for illegal, inappropriate, unprofessional or illicit purposes.
4. Users are prohibited from accessing, viewing, creating, possessing, copying, downloading, transmitting, or distributing sexually explicit materials. The Internet shall not be used to communicate defamatory, derogatory, threatening, harassing, obscene, disruptive, profane, or otherwise objectionable materials or comments.
5. The City has no control over material that exists on the Internet and therefore is not

responsible for the content of information.

6. The transfer of information via the Internet is not secure; therefore unauthorized confidential or sensitive information should not be transmitted using the Internet.
7. Users are prohibited from using the Internet electronic communications systems to express their own personal views and represent them as those of the City.
8. Users are prohibited from subscribing to any services that broadcast material via the Internet. This includes listening to music, or radio stations, and receiving news, sports information, and/or stock market information.
9. Users should be mindful that Internet sites they visit collect information about visitors. Such information will link the user to the City. Users will not visit any site that might in any way cause damage to the City's image or reputation.

### **G-9. Computer Software**

The City purchases licenses for the use of copies of computer software from a variety of outside companies. The City does not own the copyright of such software or its related documentation, and unless authorized by the software developer, does not have the right to reproduce it for use on more than one computer.

No software applications of any kind, including, but not limited to: games, screensavers, Instant Messaging, (e.g. Yahoo, AOL Instant Messenger etc.), Flash, Shockwave software may be downloaded, installed or used on any City owned computer without the prior authorization of the Information Technology Division. If approved, the IT Division will coordinate the purchase and installation of the software.

Employees learning of any misuse or unauthorized installation of software or related documentation within the organization are directed to notify their Department Head, who in turn is required to notify the IT Division.

According to U.S. Copyright law, illegal duplication of software can be subject to civil and criminal penalties which may include substantial fines. The City does not condone the illegal duplication of software. Users who make, acquire or use unauthorized copies of City owned software may be disciplined.

### **G-10. Equipment and System Maintenance, Security and Virus Prevention**

The Information Technology (IT) Division is responsible for ensuring that all City electronic communications equipment and systems are properly maintained and secure. Accordingly, the IT Division will from time to time define maintenance, operational and access standards for users.

Users are prohibited from connecting accessories and from modifying the settings or programs to any City-issued computers, unless otherwise authorized by the IT Division.

Users with issues or problems regarding City-owned communications equipment and systems should contact the IT Division and not attempt to repair problems themselves.

The IT Division is responsible for maintaining security and anti-virus software on the City network and on all personal computers. Users shall not download and/or install any programs, antivirus software or other type of software without approval from the IT Division. All users must update security and anti-virus programs as requested by IT personnel.

**G-11. Discipline**

All employees are expected to comply with this policy. Violations will result in disciplinary action up to and including dismissal. The City's possible tolerance of prior policy violations is no defense against disciplinary action under the policy.

## **Appendix H - Workplace Violence Policy**

### **H-1. Introduction**

The City of Des Plaines is committed to providing a workplace that is free from intimidation, threats or violent acts by any of its employees and/or anyone who conducts business with the City. By making this commitment, the City fosters a safer workplace based upon courtesy, dignity and respect.

### **H-2. Definitions**

Workplace violence includes, but is not limited to, the following:

1. A threat is the expression of 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 contingent, conditional, or future.
2. Physical attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects.
3. Property damage is intentional damage to property, which includes property owned by the City, employees or others.

### **H-3. Reacting to Workplace Violence**

While every situation is unique, if physical violence does strike or appears imminent, an employee's response must depend on his or her own individual judgment. However, the following guidelines should be followed whenever possible:

1. Stay calm and alert. You can help the other person stay calm by staying calm yourself. At the same time, be ready to act quickly if trouble erupts.
2. As soon as you can safely do so, alert co-workers and call 911. Tell them where you are, who is there, etc. Follow their instructions exactly.
3. Try to leave yourself an escape path. Avoid letting a threatening person back you into a corner. Keep a safe distance. Be ready to escape quickly, if you must.
4. If the person has a weapon, seek safety at the first opportunity. Do not confront or argue with the person.
5. Listen to the person. Don't interrupt or respond with defensive words or angry gestures. Maintain eye contact without staring.
6. Be supportive. Acknowledge the person's feelings and ask questions. Don't argue or accept blame for the problem. Refer the person to others in the organization who could help.
7. Talk slowly and calmly. Use a firm, not angry, tone. Be clear and concise. Don't threaten, but state the consequences of any inappropriate behavior i.e. "If you keep hitting the desk, I'll have to get my supervisor."
8. Offer the person choices. Suggest ways to solve the problem. Give the person a graceful way out of the situation, if possible.
9. Be flexible. Do what you safely can to help the person calm down and regain self-control.

10. Do not try to restrain or disarm the person. Keep trying to calm the person until the police arrive.

#### **H-4. Prevention of Workplace Violence**

The City subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, the following:

1. Instructing employees regarding the dangers of workplace violence.
2. Communicating the sanctions imposed for violating this policy,
3. Providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

Consistent, effective communication between departments and coworkers as well as good customer service techniques may help in the prevention of workplace violence arising from difficult and/or irate customers. All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of a violent incident.

#### **H-5. Reporting Workplace Violence Incidents**

Each incident of violent behavior, whether committed by another employee or an external individual such as a customer, vendor or citizen, must be reported to the Department Director as soon as reasonably possible. The Department Director will complete a *Workplace Violence Incident Report Form* and submit it to the Human Resources Division. Once the report is complete, the Department Director and Human Resources Director will assess and investigate the incident and determine the appropriate action to be taken.

Any employee who acts in good faith by reporting real or implied violent behavior shall not be subjected to any form of retaliation or harassment. Any employee who believes they are subject to retaliation or harassment resulting from their submitting a report of workplace violence should contact the Human Resources Division.

#### **H-6. Prohibited Actions and Sanctions**

It is a violation of this policy to engage in any act of workplace violence. Any employee who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City property shall be removed from the premises as quickly as safety permits, and shall remain off City premises pending the outcome of a disciplinary investigation. Any employee who has been determined to be in violation of this policy may be subject to disciplinary action up to and including termination of employment and, depending upon the nature of the violent act, may be subject to criminal prosecution.

### **H-7. Security**

On an annual basis or whenever the physical layout of the workspace is significantly altered, the Department Director will examine the escape routes of the work area and communicate any changes to all department employees. On an as needed basis, the Department Director may request a security audit from the Police Department to determine whether any security measures, such as panic alarms, are necessary and effective.

## **Appendix I – Telephone Usage & Etiquette Policy**

### **I-1. Introduction**

The purpose of this policy is to establish operational guidelines regarding appropriate methods for managing incoming telephone calls as part of ongoing efforts by the City of Des Plaines to improve customer service.

Effective communication is a key component of good customer service. Therefore, it is important that City employees have a clear understanding of procedures regarding proper telephone etiquette and call handling procedures when taking telephone calls. Additionally, utilizing a consistent and uniform telephone operating policy will improve response times and efficiency. Both the caller and City employees will know what to expect.

The guidelines and procedures outlined below are to be used at all times when answering City telephones and handling customer service requests.

### **I-2. General Information & Guidelines**

There are both internal and external customers. External customers include: anyone who comes to or call City offices; all Des Plaines residents and businesses; visitors who use City businesses, City services, or attend City events.

Internal Customers are: fellow City employees who are affected by your services; treat every customer, whether internal or external, with respect. Be consistent when applying rules and requirements and support fellow City employees with communication. Better internal communication will help everyone to provide better services and avoid duplication of efforts.

### **I-3. Telephone Procedures**

Telephone calls should be answered as quickly as possible – in under three rings whenever practical. In order to facilitate this, features are available on office telephones to allow employees to answer calls for other employees in their work area. These features have already been set up in several departments. All employees are discouraged from screening phone calls or avoiding calls from a particular person or phone number. Exceptions include meetings, breaks, etc.

### **I-4. Receiving Calls**

Calls should be answered promptly and courteously for both internal and external callers. When answering an outside call, employees should identify their department as well as their name or job position as appropriate. Examples include:

*“Good morning, City of Des Plaines Public Works & Engineering Department. This is Rich speaking. How may I help you?”*

*“Good afternoon, City of Des Plaines Finance Department. This is the Utility Billing Clerk. How may I help you?”*

The caller should then be allowed to state their business or concern. Listen carefully and never cut a caller off before they are finished speaking. Take notes, if necessary.

The employee should then attempt to assist the caller by providing accurate information in as concise a manner as appropriate. Provide only factual information and refrain from giving opinions or speculating.

When the information or service has been provided, ask the caller if they need any other assistance. Once the caller is ready to hang up, thank the caller. Never hang up if a caller is still speaking, unless the caller is being abusive. See *Section I-11 Handling Difficult Callers*) for more details.

### **I-5. Transferring Calls & Placing on Hold**

In all cases, employees should make every effort to assist the caller and avoid placing the caller on hold or transferring. If an employee is unable to help or is dealing with a difficult caller or a complaint, the employee should not refer the caller to their alderman. Instead, the employee should follow the transfer and message protocol and refer to the difficult caller section if necessary. If the employee is unsure if any member(s) of Council should be brought in on an issue, take a message for the caller and contact the City Manager's Office immediately.

In the event that an employee is unable to assist a caller, needs information from another employee, or the caller needs to speak with someone from another department, the call must be transferred and/or placed on hold.

The employee should say something like:

*“I’m unable to help you with this issue, but I’d like to transfer you to someone who can help. May I place you on hold briefly while I contact them to transfer the call?”*

If the customer gives permission, place the caller on hold and call the extension of the employee who will be able to help.

Do not transfer a call without speaking to the other employee. It is difficult for employees to take calls without preparation and the caller will have to restate their request, which can be very frustrating to all parties.

If the employee answers, briefly inform them as to who the caller is and their general requests.

Before transferring, return to the line with the caller, thank them for holding, and let them know whom they are being transferred to. When appropriate, also provide the direct line number to the caller in case the call is lost or dropped so that the caller does not have to go through the transfer process again.

If the employee you are trying to reach is not available, do not transfer the call. Instead, inform the caller that that person is unavailable and offer to take a message (See *Section O-6. Taking Messages*).

Do not transfer a caller to the voicemail of another employee unless the caller requests it and it is appropriate to do so.

If the caller does not wish to hold, the employee should offer to take a message. If the caller would like this option, take down the appropriate information (see section d – Taking Messages). If the caller does not wish to leave a message, inform them politely that they are welcome to call back at another time.

### **I-6. Taking Messages**

If a caller is seeking a particular employee and that person is not available to answer their phone, another employee may take the call, if appropriate, and if the phone system is set up to allow group answering.

When taking a call, avoid asking the caller their name (screening) before determining the availability of an employee, as callers may find this offensive.

If the employee is not available to take the call, the answering employee should avoid providing unnecessary information to the caller. For example, state “I’m sorry, Jane is unavailable at this time.” Instead of: “Jane is down in the lunchroom right now.” The employee taking the call should offer to take a message.

### **I-7. Call Forwarding**

It may be necessary at times for certain employees, especially supervisory or management, to utilize the call forwarding feature through the phone system when out of the office or taking vacation. Employees should check with their supervisor to see if they should use the call forwarding feature during travel or vacation.

Phone calls are generally forwarded to department secretaries or to a City-issued cell phone, but may be forwarded elsewhere as needed at the discretion of the supervisor.

Employees should consult the user prompts on their office telephone for instructions on how to forward calls or contact the Information Technology Division for further assistance.

Messages should include the following information:

1. Name of the person the message is for.
2. Name or initials of the employee taking the message.
3. Name of the caller and business/organization, if needed. Be sure to check for spelling if unsure.
4. Telephone and other contact information where the caller can be reached. Ask also for the best times to call.

5. The purpose of the call/message/request.
6. The action requested by the caller (i.e. wants to see you, please return call, will call back, etc.)
7. Repeat the information back to the caller to check accuracy.

### **I-8. Making & Returning Phone Calls**

Employees should return calls as quickly as possible at all times; within one business day or sooner. It is important for employees to take good notes and give messages to other employees promptly, in order to provide quick and accurate customer service.

When placing calls, employees should identify themselves by city, department and name. For example:

*“Hello, this is Jerry Reed calling from the City of Des Plaines Human Resources Department. Is Mr. Griswald available?”*

If the caller answers, provide them with accurate and concise information, following the same protocol as for incoming calls.

If an employee must leave a message, they should be sure to clearly state their name, city, department and phone number, and a brief summary of the purpose of the call. When possible, repeat the return phone number twice. For example:

*“Hello, this message is for Mr. Frank Griswald. This is Jerry Reed calling from the City of Des Plaines Human Resources Department. My number is (847) 391-8486. I am returning your call about your application for employment. Please call me at your earliest convenience at (847) 391-8486. Thank you.”*

### **I-9. Voicemail Setup & Protocol**

The City voicemail system has been designed as a tool to supplement personal customer service, and should NOT be used for initial contact with city employees during business hours. Callers should not be transferred to voicemail unless they have given consent to the employee taking the call.

When setting up the primary greeting, employees should include their name and department. Greetings should be polite and concise. For example:

*“Hello, you have reached the voicemail of Bob Tilton, Inspector with the Des Plaines Public Works & Engineering Department. I am unable to take your call at this time. At the tone, please leave your name, phone number, and a brief message and I will return your call as soon as possible. If you are in need of immediate assistance, please dial 0 and the operator will assist you.”*

Employees may substitute the number for the appropriate employee to provide immediate assistance. For example, “If you are in need of immediate assistance, please dial (847) 391-4444 to speak with Sam Spade, Executive Assistant.”

Employees should change their voicemail greeting as their work schedule changes, when appropriate. If an employee plans to be out of the office at a meeting, or vacation, etc., they should leave a temporary greeting to notify callers. If the employee is to be away for an extended period of time, the message should include whom to contact in their absence. For example:

*“Hello, you’ve reached the voicemail of Bob Tilton, Inspector with the Des Plaines Engineering Department. Today is Tuesday, April 22. I will be out of the office until 2 p.m. If you would like to leave a message, please leave your name, phone number, and a brief message and I will return your call as soon as possible. If you are in need of immediate assistance, please dial (847) 391-4444 to speak with Sam Spade, Department Secretary.”*

Employees should check their voicemail often and return calls promptly, especially when returning from meetings or breaks.

### **I-10. Handling Complaints**

When responding to a complaint, employees should be patient and allow the caller ample time to explain the issue. Employees should strive to remain calm and respectful at all times during a complaint call. Maintaining a calm demeanor (speaking slowly, at constant level and tone of voice) will help avoid an unnecessary escalation. Employees should also project an air of interest, concern and genuine desire to help the caller.

Employees should allow the caller to vent a reasonable amount of stress, anger and/or frustration. Avoid taking customer complaints too personally or assigning blame or judgment. However, employees are not required to tolerate abusive, rude, or inappropriate conduct by callers. See “Handling Difficult Callers” below.

When the caller has finished speaking, employees should repeat the issues back to the caller in a clear and concise way, to make sure that all of the points are covered completely. Respond to the complaint or problem whenever it is appropriate to do so. If the complaint must be referred, the employee should advise the caller that another employee will help them to address the issue.

If the caller is calm, follow the same procedures for transferring a call or taking a message in sections c and d of Telephone Procedures. Avoid providing inappropriate details in the message (i.e. “Ms. Johnson is really peeved”).

Do not transfer a caller to another employee or their voicemail if the caller is irate. Instead, offer to take a message and make certain the message is delivered promptly. Do not send angry callers directly to the City Manager or Mayor without consulting your immediate supervisor or department head to see if they can resolve the issue first.

Do not tell the caller to contact their alderman. If the employee is unsure if an alderman or Council member(s) should be brought in on an issue, the employee should take a message for the caller and notify the City Manager’s office immediately.

The employee handling the complaint should address the issue as soon as possible.

### **I-11. Handling Difficult Callers**

Employees are not required to tolerate abusive, rude, or inappropriate conduct by callers.

If an employee is unable to de-escalate a caller through the strategies identified in the “Handling Complaints” section, the employee may utilize the strategies below:

If the caller is irate and refuses to listen, politely inform the caller that nothing can be done unless the caller cooperates.

Inform the caller that their behavior is not acceptable phone conduct, and that no assistance will be provided unless the conduct changes appropriately.

If a caller refuses to cooperate, employees should calmly inform them that they are terminating the phone call due to the caller’s behavior. For example:

*“I’m sorry, sir, but I can’t help you if you continue to shout over me. I’m ending the call at this time.”*

- or -

*“I’m sorry, ma’am, but I cannot help you if you continue to use abusive language. I’m ending the call at this time.”*

Then calmly hang up the phone. Do not slam the phone down. If a caller makes threats or in any way indicates a danger to safety, inform the Police Department immediately. Immediately inform a supervisor of the incident and how it was handled. Record the details of the incident and provide to the appropriate supervisor for reference purposes.

### **I-12. Conclusion**

The standards in this policy are designed to ensure that calls will be handled in a professional, courteous manner and that Des Plaines City employees are providing the best internal and external customer service.

Employees are encouraged to submit suggestions for amending and improving this policy document. Any suggestions or comments should be directed to the City Manager’s Office.

## **Appendix J – Safety and Risk Manager**

### **J-1. Purpose**

The City’s safety program is designed to accomplish one primary goal: To Prevent Accidents. An accident is defined as an incident involving an employee and/or vehicle which results in property damage and/or personal injury.

Preventing accidents results in saving lives, eliminating human suffering, increasing efficiency of operations and saving thousands of tax dollars. To be successful, the safety program must have continuous support of all employees, particularly Department Heads and Supervisors. As such, Department Heads and Supervisors at all levels of the City’s organization are directed to make safety a matter of continuing concern, at least equal in importance with all other operational considerations.

### **J-2. Concept**

Accidents are unplanned events. Proper planning can control accidents. Most accidents are preventable. Pre-planning is necessary to minimize unsafe acts, contain environmental hazards and control unsafe conditions. Continual emphasis on proper safety techniques, the refinement of work procedures, and safe working conditions will reduce significant injuries, property damage, and work interruption.

Every employee is charged with the responsibility of supporting and cooperating with the safety program outlined in this appendix. All employees are expected, as a condition of employment, to adopt the concept that the safe way to perform a task is the most efficient and the only acceptable way to perform it. Safety adherence and performance will be considered as an important measure of supervisory and employee performance evaluation.

### **J-3. City Manager and Department Heads**

The City Manager and Department Heads have overall responsibility for the City’s safety program. An organizational commitment to safety can only be realized by active management involvement in the safety program. Accordingly, the City Manager and Department Heads will undertake the following specific tasks:

1. Establish and administer the City’s overall safety program, including promoting a culture of “safety first” in overall City operations.
2. Establish risk management goals and objectives designed to meet the needs of the City based on review of loss history.
3. Review and approve City wide safety programs and policies as formulated and recommended by the Executive Safety Committee.

4. Periodically review at Senior Staff meetings safety related statistical data, records and reports pertaining to injuries, vehicle accidents and other liability incidents.
5. Conduct safety program audits with the Executive Safety Committee to monitor program's effectiveness.
6. Arouse and maintain the interest of employees and put safety directives into practice.

#### **J-4. Executive Safety Committee**

The Executive Safety Committee will function as an advisory body to the City Manager and Department Heads pertaining to matters of policy and procedure affecting the City's safety program.

Appointments to Committee - The City Manager shall appoint the members of the committee based on recommendations from Department Heads, and will seek to ensure that there is representation from all Departments.

Committee Membership – The Executive Safety Committee shall be comprised of the following:

1. A Chairman, as appointed by the City Manager.
2. At least one Department Head.
3. The Safety Coordinator
4. An employee from each of the following Department Safety Committees: Fire, Police, Public Works and Engineering and City Hall.

Committee Activities and Functions - The Executive Safety Committee shall meet at least once every two months. The activities and functions of the committee shall include, but not be limited to, the following:

1. Maintain meeting minutes and distribute approved minutes to the City Manager, Department Heads, and each committee member.
2. Plan and recommend policies and procedures affecting the development and the administration of an aggressive accident prevention program for all employees.
3. Establish safety program goals and objectives to ensure directives are consistent with current needs.
4. Identify unsafe work practices and conditions, and suggest appropriate remedies.
5. Review accident reports. Types of accidents, causes and trends shall be identified and appropriate corrective action suggested.
6. Assist in the development and implementation of effective safety awareness and safety training programs.
7. Encourage feedback from all individuals with regard to health and safety related ideas, problems, and solutions.
8. Provide support and serve as a resource in the development, implementation, and maintenance of a comprehensive risk management program.

### **J-5. Department Safety Committees**

The Fire, Police and Public Works and Engineering Departments shall maintain a Department Safety Committee. The Departments located at City Hall shall together form a City Hall Department Safety Committee.

The committee size, composition and duties will be as set forth below, or as determined by the Department Head or City Manager, or any applicable collective bargaining agreement.

The primary function of this Committee will be to focus on internal solutions to safety problems to support the primary goal of preventing accidents. Departmental Safety Committees shall be expected to:

1. Maintain a record of meeting minutes, and provide a copy to the Chairman of Executive Safety Committee.
2. Review safety suggestions presented by department employees.
3. Review all accidents involving employees and complete an Accident Preventability Report.
4. Review the progress of the City's loss prevention efforts as it pertains to their department's operation.
5. Formulate recommendations for new safety policy and procedure changes, equipment needs, and personal needs that can enhance the department's overall safety program.
6. Assist in presenting departmental safety education and training programs.
7. Conduct safety inspections in an effort to discover unsafe conditions and practices, and determine their remedies.

### **J-6. Safety Responsibilities**

Each City employee shall be fully responsible for implementing the provisions of the City's overall safety program as it pertains to his or her own position duties. The responsibilities listed below are minimal, and they shall in no way be construed to limit individual initiative to implement more comprehensive procedures to address safety matters.

City Manager - The City Manager, as authorized by the Mayor and City Council, supervises the activities of all departments which include the City's safety program. Specific responsibilities include

1. Designating the Director of Human Resources to serve as the City's Safety Coordinator, who shall be responsible for the organization, coordination and implementation of safety related and loss prevention programs.
2. Developing in Department Heads a strong commitment to support the City's safety objectives and ensure a clear understanding of their respective safety related duties and responsibilities.
3. Establishing the goals and objectives of the Safety Program based on the recommendations of the Executive Safety Committee and the Department Heads.

Safety Coordinator - The Safety Coordinator shall have the following duties and responsibilities:

1. Act as the initial chairperson of the Executive Safety Committee and present recommendations where necessary to the City Manager and Department Heads for approval and implementation.
2. Serve as liaison to the City's risk management consultant made available through the City's membership in the Municipal Insurance Cooperative Agency (MICA).
3. Together with the MICA consultant, coordinate and maintain the City's Safety Program to incorporate the current practices and philosophies adopted as the most effective in seeking to prevent injuries, occupational diseases, vehicular collisions, liabilities, and damage to equipment and materials.
4. Consult directly with all management personnel and employees on loss prevention matters and provide the guidance necessary to assure effective administration.
5. Convene and coordinate regular meetings of the Executive Safety Committee.
6. Make follow up investigations when required to ensure that unsafe conditions or practices identified by the Executive Safety Committee or the Department Heads have been properly corrected.
7. Inform the City Manager and Department Heads about the status of matters affecting the City's Safety Program.
8. Coordinate and serve as a resource to Department Heads regarding compliance with federal, state, and local safety laws.

Department Head - Each Department Head is responsible for providing the type of work environment, work procedures, and service to the public that will promote, to the highest extent possible, the safety of the municipal employees and the general public. Therefore, each Department Head shall:

1. Actively support a safety program that will effectively reduce and control accidents.
2. Develop practical safety rules and regulations pertinent to the activities conducted by the department, including safety policies necessary to ensure City compliance with applicable Occupational Safety and Health Administration (OSHA) Regulations and Standards.
3. Establish and maintain a system of job safety analysis and safety inspections.
4. Provide for adequate job training and continuing safety instruction to all employees in the department. Hold each supervisor fully accountable for an explanation of the preventable injuries, collisions, and liability incurred by a department employee.
5. Take corrective action for any unsafe condition that is observed which could adversely affect the safety of an employee or the general public.

Supervisory Personnel - A Supervisor has responsibility for the safe actions of affected employees and the safe performance of machines and equipment within the operating area. The full potential of an effective Safety Program can only be realized when supervisors cooperate in all phases of the program. The following is a list of the safety responsibilities of supervisors:

1. Must aggressively enforce the safety procedures that apply to the work they supervise.
2. Ensure that newly hired, newly assigned, or reassigned employees receive safety instruction, including the Safety Rules set forth in this Appendix, and all applicable job safety procedures.
3. Ensure that all policies herein are fully implemented for maximum efficiency of each job.
4. Continually observe and evaluate work conditions, work assignments and work procedures to detect and correct unsafe conditions and practices.
5. Promptly investigate accidents and make certain that the recommended corrective actions are completed.
6. Make sure the necessary safety equipment and protective devices for each job are available, used, and maintained properly.

Employees - Each employee is required, as a condition of employment, to develop and exercise safe work habits in the course of their work to prevent injuries to themselves and fellow workers. Each employee shall:

1. Immediately report to their supervisor all accidents and injuries occurring within the course of employment.
2. Cooperate with and assist in investigation of accidents to identify correctable causes and to prevent a reoccurrence.
3. Immediately report to their supervisor all unsafe actions, practices, or conditions they observe.
4. Be familiar with and observe approved safe work procedures during the course of their work activities.
5. Keep work areas clean and orderly at all times.
6. Avoid engaging in any horseplay and refrain from distracting others.
7. Obey all safety rules and procedures.
8. Wear required personal protective equipment as necessary.
9. Arrive at work suitably attired for the job(s) they are expected to perform. Suitable clothing means clothing that will minimize the possibility of damage from moving machinery, hot or injurious substances, sunburn, or other harmful agents.
10. Wear shoes that are in good condition and appropriate for the job.

#### **J-7. Loss Prevention Methods**

Each of the following loss prevention methods shares an important part in the overall Safety Program. Omission of any part may mean that the optimum results of accident prevention will not be achieved.

Safety Self-Inspections - Department Heads shall ensure that periodic safety inspections are conducted to assure that hazards are kept at a minimum and safe work practices are enforced.

Emphasis should be placed upon condition of facilities, equipment, and machines as well as implementation of the overall program such as:

1. Good housekeeping.
2. Use of prescribed protective equipment.
3. Compliance with published department work rules.
4. Ensuring that pre-trip inspections of vehicles are conducted at all times.
5. Proper storage of flammable liquids and maintenance of fire fighting equipment.
6. Proper guarding of open pits, ditches, tanks, etc.
7. Proper maintenance of electrical equipment, power tools, and hand tools.
8. Administrative compliance with this manual and other pertinent directives.

Semi-Annual Inspections - Department Heads shall ensure that formal safety inspections are made at least semi-annually by the Department Safety Committee, or other designated personnel. Emphasis shall be the same as the self-inspections. All city-owned or operated property shall be inspected and the proper reports made.

Job Safety Analysis for Hazardous Work - To eliminate accidents in high hazard areas, it is necessary that each Supervisor thoroughly review the hazards that exist and ensure that employees understand the methods of performing each job safely when such hazards cannot be eliminated. The Supervisor cannot rely on memory when instructing the employees, so it is essential that the Supervisor use published work rules which define each hazardous task employees are responsible for and define the correct procedures for its safe accomplishment. Procedures for developing these published work rules through job safety analysis (JSA) are as follows:

1. The job is broken down into basic steps, each step describing what is to be done in sequence.
2. After the steps are listed, each step is analyzed for hazards that could cause an accident. The purpose is to identify as many hazards as possible so that each step of the entire job can be done safely and effectively.
3. When the hazards and potential accidents associated with each step are identified and their causes understood, ways of eliminating them shall be developed. There are four ways in which this can be handled:
  - a. Eliminate the process or operation or provide a substitute action which can be done without the hazard, or
  - b. Isolate the process or operation so as to eliminate or minimize the hazard, or
  - c. Provide guards or automatic devices to eliminate or minimize the hazard, or
  - d. Provide personal protective equipment and enforce its use to eliminate the possibility of injury.

Using the information gathered from the first three steps, work rules shall be written, disseminated among all employees, and maintained on file for periodic review. This becomes a document to assist the Supervisor in instructing employees on the safe method of job performance.

Accident Investigation - Investigation of any accident is an invaluable tool in controlling losses. Thorough investigation, recording, and corrective follow-up of each accident can be time consuming but are important if we are to learn anything from the experience.

The Department Head shall ensure that every accident is investigated by the supervisor of the employee involved as soon as possible after the accident has occurred. The following types of accidents must be reported:

1. Accidents which result in injury.
2. Accidents which result in vehicle damage.
3. Accidents which result in equipment or property damage which are not reportable per “1” or “2” above. These accidents may lead to the correction of unsafe conditions or practices thereby avoiding future injury and loss.

When investigating accidents, the following procedures shall be adhered to as closely as possible:

1. Check the scene. Begin where the accident occurred and reconstruct as much as possible without producing an accident.
2. Collect the evidence. If an injury or near miss occurs when machine parts or structures fail, it is essential to determine what failed and why.
3. It is important to interview witnesses at the scene immediately or as soon thereafter as possible.
4. Take photographs, written statements, material samples, etc.
5. Interview the victim. If the injury is minor, the interview should be made as soon as possible. If the injury is serious, selecting the right time is a judgment factor and it must be considered.
6. Weigh the evidence and decide upon remedies to eliminate recurrences.

Accident Review - All employee accidents shall be reviewed by the Department Safety Committee. The committee shall review the investigation report(s) completed by supervisors and issue an Accident Preventability Report as to whether the accident should be considered:

1. Unpreventable
2. Preventable - Policy Change or Procedural Change Recommended
3. Preventable – Reinforcement or Additional Training Recommended
4. Preventable

Safety Discipline - When an employee violates safety procedures, rules and expectations, the employee’s supervisor is expected to consider disciplinary action as set forth in Section 22 of the City’s Personnel Policy Manual, and consult with the Director of Human Resources as needed.

Employee Safety Meetings - Supervisors should hold regular safety meetings or “tailgate talks” with employees under their direction. The objective of these contacts is to create greater safety

awareness and encourage the safe working behavior of every employee. The content of each meeting may utilize loss prevention information from outside agencies or strictly be a discussion of pertinent topics determined by the supervisor. The Safety Coordinator, Department Safety Committee or Executive Safety Committee will be a source of available safety resources. Documentation of these meetings should be maintained by the Supervisor for future reference and would include the date, attendee's names and subjects covered.

### **J-8. Occupational Illness/Injury and Infection Control**

In addition to the methods cited above, there are several steps which may be taken to reduce the possibility of occupational illness/injury and the spread of contagious disease.

Employee Physical Fitness - The physical fitness of employees is a prime requisite in preventing a significantly large number of personal injuries. All employees are encouraged to pursue regular exercise activity.

First-Aid Treatment for Sick or Injured Employees - All injuries or illness, regardless of how minor, shall be reported to the Supervisor, who shall send the injured employee to seek first aid, or medical treatment from a facility in conformance with guidelines from the City Manager's Office/Human Resources Division.

Emergency Medical Treatment - In the event of a serious injury requiring immediate medical treatment, administer first-aid as necessary and call 9-1-1 for an ambulance.

Infection Control – Employees are advised to remain at home if they are sick and at risk of spreading a contagious diseases to other employees. Employees are encouraged to receive a flu shot every year for the best chance of protection from the seasonal flu virus and to take these common sense steps to reduce the spread of germs:

- Wash hands frequently with soap and water for at least 20 seconds or use an alcohol-based hand sanitizer.
- Avoid or minimize contact with people who are sick (a minimum six feet distancing is recommended).
- Avoid touching your eyes, nose and mouth to prevent germs from entering your body.
- Cover your mouth and nose with tissues when you cough and sneeze. Put used tissues in a wastebasket and then wash your hands.
- If you don't have a tissue, cough or sneeze into the crook of your elbow.
- Disinfect door knobs, switches, handles, and other surfaces that are commonly touched. You can use a bleach solution that contains ¼ cup of bleach for every gallon of water. Mix new

solution each time you clean. You may also choose to use a commercially-produced surface disinfectant.

### **J-9. Fleet Safety**

Driver Education - The selection of employees who will be required to drive full or part-time will be done with care. Drivers of City vehicles will be considered qualified when they possess a valid state driver's license of the proper class, and can successfully pass a Department road and vehicle test that may be administered by a Department Supervisor.

Defensive Driving - While operating a City vehicle, all employees are expected to engage in defensive driving behavior. This includes:

- Making allowances for the lack of skill or improper driving practices of the other drivers.
- Adjusting driving behavior to compensate for unusual weather, road, and traffic conditions.
- Being alert to accident-inducing situations.
- Recognizing when it is necessary to slow down, stop or yield the right-of-way to avoid an accident and taking the necessary actions to prevent an accident.

From time to time, the City will offer a Defensive Driving Course to all employees who may be expected to operate a City vehicle. Department Heads are encouraged to send affected employees to the course as necessary.

### **J-10. General Safety Rules**

These safety rules are general and shall apply to all employees. These rules are not the complete set of rules any one employee is responsible for knowing and following. Each Department has established safety rules and procedures which are specific to Department operations.

The purpose of the general and departmental safety rules is to prevent injury and property damage due to accidents. All employees are encouraged to suggest improvements in rules and procedures and to report all hazardous conditions and practices to their Supervisor in an effort to avoid future injuries, accidents, and damages.

#### **1. General**

- a. Do not engage in horseplay or distract other employees while working.
- b. Review and be aware of specific Department Safety Rules or Job Safety Analysis (JSA) for infrequently performed or new tasks before beginning. Periodically review Department procedures or JSA's for routine tasks.
- c. Be considerate and concerned at all times for the safety of your fellow workers and the general public.
- d. Always follow established work procedures for each task performed.
- e. Remind your co-workers if they are working in an unsafe manner.

- f. Approach and open blind doors slowly and with caution to avoid injuring others and being injured yourself.
  - g. Be aware of the duties and responsibilities of your job and of the legal and correct way to do the job to avoid liability.
  - h. Desks, cabinets, and files must be kept closed when not attended. File drawers should be opened one at a time.
  - i. Keep work area clean and tidy.
2. When Using Chemicals
- a. Use adequate and proper ventilation when chemicals, abrasives etc., are being used.
  - b. Follow label directions when using any chemical including those not normally considered dangerous.
3. Avoid Trips and Falls
- a. Unless there is a public safety requirement to do so, employees should never run and should always walk.
  - b. Walk only in designated safe work zone areas.
  - c. Be aware of surroundings and environmental conditions.
4. Avoid Back Injuries – Lift Properly:
- a. Utilize proper lifting techniques – lift with the knees, not the back. Lifting is so much a part of everyday jobs that most of us don't think about it, but it is often done wrong, with bad results: pulled muscles, disk lesions, or painful hernia.
  - b. Following are five steps to safe lifting:
    - 1) Properly position your feet and lift with your legs (shoulders in line with your hips).
    - 2) Keep back straight, nearly vertical.
    - 3) Avoid twisting at the waist. Move your feet to turn your torso.
    - 4) Practice proper posture and body mechanics during every lift, move or activity.
    - 5) Strengthen and use your core muscles to reduce use and abuse of extremity muscles and joints.
  - a. Get assistance when lifting heavy or awkward objects. Assistance can be either another person or a piece of lifting equipment, depending on the task.
5. When Using Handtools, Powertools, Heavy Equipment and Office Equipment:
- a. Use tools only for their intended purpose.
  - b. Report defective tools for replacement or repair.
  - c. Inspect all equipment before and after use to assure safe working condition.
  - d. Properly store equipment to avoid damage to equipment and injury to personnel.
  - e. Check all electrical equipment, tools, appliances and office machines for frayed cords and damaged plugs. Report any deteriorated conditions for repair or replacement. Fire or electric shock may result.
  - f. Do not leave tools at levels above the head because they could fall on those below.
  - g. Keep all machine guards in place.
  - h. Do not work on rotating or moving equipment without locking the equipment to prevent inadvertent movement/operation.

- i. Jewelry is not to be worn while operating moving machinery, or within the immediate proximity of electrical circuits.
6. Use Protective Equipment:
  - a. Use protective equipment when required.
  - b. Safety equipment is to be kept clean and in good working order.
  - c. Wear only approved ANSI-compliant reflective clothing when working in a roadway both day and night, including Fire, Police and Public Works and Engineering Department personnel.
  - d. Wear hard hats on construction sites and when overhead work is ongoing, or as otherwise directed.
  - e. Wear goggles, face shields, or safety glasses to guard against flying debris and welding sparks.
  - f. Wear earplugs or earmuffs to guard against prolonged exposure exceeding sound tolerance levels or excessive noise exposures.
  - g. Wear respirators, gas masks and self-contained breathing apparatus to protect against toxic or abnormal atmospheric conditions.
  - h. Wear protective safety shoes or steel toe boots when required.
7. Wear Protective Clothing:
  - a. Wear gloves, sleeves, aprons, leggings and full suits to protect against lacerations, abrasions, bumps, heat or melted metals, etc.
8. Avoid Electrical Hazards:
  - a. Do not attempt to repair or otherwise alter electrical equipment, tools, or appliances (unless required by job).
  - b. Do not attempt to repair or otherwise alter distribution systems or supply lines (unless required by job).
  - c. Do not work on or repair electrical equipment without first locking the power source off (lockout) and noting the responsible party for such procedure (tagout).
  - d. Power cords must be of adequate size to fit the electrical demand of the equipment it is to supply.
  - e. Do not wear jewelry while working on electrical supply circuits.
9. Avoid Fires:
  - a. Use designated outside areas when smoking.
  - b. Do not smoke when fueling vehicle at the gas pump, or around other inflammable atmospheres.
  - c. Do not block fire doors and corridor doors.
  - d. Avoid the use of extension cords.
  - e. Do not store combustible items near heat producing appliances.
  - f. Avoid the use of space heaters when possible.
10. In Case of Fire or Other Emergency:
  - a. Contact Emergency Communications at 9-1-1.
  - b. Know the location of the nearest fire extinguisher.
  - c. Know how to properly use a fire extinguisher.
  - d. Do not attempt to suppress larger fast growing fires with a fire extinguisher.

- e. Know, and remain aware of all exits as posted throughout the facility from work area(s) in case of fires, and other emergencies (tornados, etc.).
- f. In a fire and smoke situation, stay low or crawl along the floor as the air may be better along the floor.

#### 11. In Case of Injury:

- a. Seek first aid for even minor injuries, this avoids complications.
- b. Know the location of the nearest first aid kit and automated external defibrillator (AED).
- c. Seek medical attention immediately.
- d. Know the location, telephone number, and route to the nearest medical facility, paramedic, or emergency squad.

#### 12. Employee Reporting Required:

- a. Immediately report all hazardous, or potentially hazardous conditions or practices to the Supervisor.
- b. Immediately report all incidents of injury, property damages, or near misses to the Supervisor for review in order to correct those practices or conditions leading to the incident thereby avoiding future injuries and damages from the same or similar conditions.

#### 13. Driving:

Unless the employee is operating a public safety emergency vehicle and there exists an overriding compelling public safety reason, employees are expected to follow the rules of the road. Please note the following:

- a. Do not take chances while driving.
- b. Use of a seat belt is mandatory.
- c. Complete a pre-trip vehicle inspection, including a form if required, to ensure the vehicle is in proper working order prior to use. At minimum, the inspection shall include a check of the horn, lights, and tires of the vehicle. Note any deficiencies or problems and report them to your Supervisor.
- d. Be sure you are fit to drive. If you are not fit to drive, advise your Supervisor.
- e. Do not eat while driving a vehicle.
- f. Do not use a cellular phone for personal reasons while driving a City vehicle. Employees whose job responsibilities include regular or occasional driving and who are issued a cellular phone are expected to refrain from using the phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.
- g. Do not send a text message or email from a communications device while driving.
- h. Always signal turns in advance and avoid sudden stops or braking.

- i. Report all potential vehicle abnormalities to the appropriate personnel.
- j. Ensure the insides of vehicles are clean and free of debris that could interfere with the safe operation of the vehicle.
- k. When backing large vehicles in to garage parking stalls, the driver should secure the assistance of another employee to observe blind areas and guide the procedure. Universal Rules and Signage should be learned.
- l. Do not try to make any major vehicle repairs, (unless it is your job).
- m. Do not smoke inside a vehicle, or outside while fueling a vehicle.

## **Appendix K-Identity Protection**

### **K-1. Introduction**

This policy is adopted pursuant to the Illinois Identity Protection Act to protect social security numbers from unauthorized disclosures.

### **K-2. Prohibited Acts**

All employees are prohibited from doing any of the following:

1. Publicly post or publicly display or otherwise intentionally communicate or otherwise intentionally make available to the general public in any manner an individual's social security number.
2. Print an individual's social security number on any card required for the individual to access products or services provided by the City.
3. Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.
4. Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this section to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Illinois Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.
5. Collect, use, or disclose a social security number from an individual, unless:
  - a. required to do so under state or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of the employee's duties and responsibilities;
  - b. the need and purpose for the social security number is documented before collection of the social security number; and
  - c. the social security number collected is relevant to the documented need and purpose.
6. Require an individual to use his or her social security number to access an Internet website.

7. Use the social security number for any purpose other than the purpose for which it was collected.
8. Encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this policy.

### **K-3. Exclusions from Prohibitions**

The prohibited acts listed in R-2 above do not apply in the following circumstances:

1. The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under the Identity Protection Act on a governmental entity to protect an individual's social security number will be achieved.
2. The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.
3. The collection, use, or disclosure of social security numbers in order to ensure the safety of: state and local government employees; persons committed to correctional facilities, local jails, and other law enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a state or local government agency facility.
4. The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.
5. The disclosure of social security numbers by a state agency to any entity for the collection of delinquent child support or of any state debt or to a governmental agency to assist with an investigation or the prevention of fraud.
6. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit,

**K-4. Freedom of Information Act Requests**

Consistent with the Illinois Freedom of Information Act, City employees must redact social security numbers from information or documents being supplied to the public pursuant to a Freedom of Information Act request before allowing the public inspection or copying of the information or documents.

**K-5. Applicability**

This policy does not apply to the collection, use, or disclosure of a social security number as required by state or federal law, rule, or regulation. This policy does not apply to documents that are recorded with a county recorder or required to be open to the public under any state or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any City employee that complies with the federal law shall be deemed to be in compliance with this policy.

**K-6. Identity Protection Procedures**

All City employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. The training shall include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information.

Only City employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.

Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.

When collecting a social security number, or upon request by the individual, a statement of the purpose or purposes for which the City is collecting and using the social security number shall be provided to the individual.

**K-7. Acknowledgment**

Each current City employee shall be provided and shall acknowledge receipt of a copy of this policy. Each employee hereinafter hired by the City shall be provided and shall acknowledge receipt of a copy of this policy upon commencing his or her employment. A copy of this policy shall be provided to elected officials of the City of Des Plaines and to any member of the public, upon request.

If the policy is amended, all City employees and members of the City Council shall be made aware of the amended policy and the City shall make a copy of the amended policy available to each of its employees. The acknowledged copy of this policy shall be filed and maintained in each City employee's personnel file.

## **Appendix L-Personal Appearance & Hygiene Policy**

### **L-1. Introduction**

Neatness and professionalism in dress and good personal hygiene for the public service environment are expected of all employees. Employees should always present themselves in business-appropriate attire and groomed in a suitable manner. Supervisors are to provide the necessary direction and remedial action if an employee's personal appearance and/or hygiene does/does not positively reflect the image of the City.

### **L-2. Business Casual Dress Policy**

The City operates under a “business casual” dress policy for those employees not required to wear uniforms. Employees should use good judgment in choosing business casual clothing that communicates professionalism. The type of public and business contact and interaction should be taken into account in determining the appropriate level of dress for the day. Under all circumstances, clothing that is vulgar, obscene, sexually expressive and/or offensive, or depicts language and/or pictures to this effect, is prohibited. Clothing should be clean; pressed; and wrinkle-free; not excessively worn or faded; and without holes or frayed areas.

Departments requiring specific employees to be in uniforms to project a professional, competent and official image of the position to the public, must adhere to the individual department uniform regulations. Uniform clothing may be issued directly by the City or through a uniform allowance. All required clothing is to be kept neat and clean and replaced when necessary.

Business casual for each department or division may differ based on the work functions of the employees. Certain functions or events may be scheduled that make it necessary for employees in a certain department or location to wear business attire. Department Heads shall have the discretion to determine the appropriate level of professional dress to accommodate a particular work setting.

### **L-3. Designated Casual Dress Days**

On designated days, as approved by the City Manager, employees may observe a “casual dress day,” that may be related to special interest activities.

### **L- 4. Appropriate and Inappropriate Dress**

Following are examples of “appropriate” and “inappropriate” business casual dress. The list below is not all encompassing and employees should use good judgment based on these examples for other items and should consult their supervisor with any questions:

## Appropriate Dress

### Tops

- long-sleeve/short-sleeve dress shirts -long-sleeve/short-sleeve sport shirts
- long-sleeve/short-sleeve blouses
- button down shirts
- banded collar shirts
- polo shirt/rugby shirts
- sweaters

### Bottoms

- slacks
- skirts
- khakis
- capri pants

### Shoes

- loafers/dress shoes
- career/dress open or closed toed shoes
- career dress boots

### Miscellaneous

- dresses
- jumpers
- jackets (suits, sport coats, blazers)
- vests
- scarves
- shawls

## Inappropriate Dress

### Tops

- tee-shirt
- sweatshirts
- sleeveless T-shirt
- halter tops
- tank tops

-midriff tops

**Bottoms**

-jeans, all colors

-micro/mini skirts

-sweat pants

-athletic wear pants/shorts

**Shoes**

-beach sandals/flip flops

-athletic shoes

-walking and hiking shoes

-tennis shoes/canvas shoes

**Miscellaneous**

-tight shorts or low cut clothing

-vendor (actual or potential) supplied logo merchandise

-overalls

-ripped or patched clothing

-sheer clothing

**L-5. Discipline**

All employees are expected to comply with this policy. Violations may result in disciplinary action up to and including dismissal.

## **Appendix M- Vehicle Usage Policy**

### **M-1. Introduction**

It is the policy of the City of Des Plaines (the “City”) to provide Officers and Employees Vehicles for Business use, to allow Officers and Employees to use Personal Vehicles for Business Use, and to reimburse Officers and Employees for operating Personal Vehicles for Business Use according to the following guidelines.

### **M-2. Definitions**

*Business Use* – Use of a Vehicle within the scope of a Driver’s City job duties and responsibilities.

*Chicago Metropolitan Area* – The Illinois counties of Cook, DeKalb, DuPage, Grundy, Kane, Kendall, Lake, McHenry, and Will; along with the Indiana counties of Jasper, Lake, Newton, and Porter; as well as Kenosha County in Wisconsin.

*City Vehicle* – Any Vehicle owned or leased by the City, including a Rental Vehicle.

*Commute* – The use of a City Vehicle by a Driver for the sole purpose of transporting the Driver to and from the Driver’s residence and work.

*Drivers* – All Officers and Employees who are approved to operate a Vehicle for Business Use pursuant to the Approval Standards set forth in Section T-4 below.

*Emergency Management Vehicle* – A City Vehicle intended for use only by Officers and Employees of the Homeland Security and Emergency Management Agency.

*Employee* – All full-time, part-time, temporary and seasonal City employees not including Officers.

*Fire Vehicle* – A City Vehicle intended for use only by Officers and Employees of the Fire Department.

*Motor Pool* – City Vehicles not permanently assigned to an Officer, an Employee, or department.

*Officer* – All elected and appointed officials of the City, including citizen volunteers participating in the Homeland Security and Emergency Management Agency’s programs.

*Personal Use* – Any use of a Vehicle other than Business Use.

*Personal Vehicle* – Any Vehicle owned or operated by a Driver, except a City Vehicle.

*Police Vehicle* – A City Vehicle intended for use by Officers and Employees of the Police Department.

*Rental Vehicle* – A Vehicle rented by an Officer or Employee.

*Vehicle* – Any automobile, motorcycle, truck or motorized transportation equipment.

### **M-3. General Guidelines**

1. *Qualification of Drivers.* Officers and Employees must be qualified at all times to operate a Vehicle for Business Use according to the Approval Standards set forth in Section III below.
2. *Conditions of Business Use.* Officers and Employees who operate a Vehicle for Business Use shall, in addition to meeting the Approval Standards, exercise due diligence to drive safely and to maintain the security of City Vehicles and their contents. Officers and Employees are responsible for any driving infractions or fines that result from their driving and must report them to their supervisors or the City Manager.
3. *Incident Reports.* Officers and Employees shall file an incident report after any accident, theft, damage, breakdown, or mechanical problem involving a City Vehicle under their control, regardless of the extent of damage or existence of injuries. Officers and Employees must also file an incident report after any accident involving a Personal Vehicle operated for Business Use. A police report, if made, shall suffice as the incident report. Each incident report shall be submitted to an Officer's or Employee's supervisor and the City Manager, and shall (1) detail the date and time of the incident, (2) explain the nature and extent of any damage or injury, and (3) indicate the name of the Driver and any other individual riding in the Vehicle. The report shall be submitted as soon as possible but no later than two business days after the incident. Officers and Employees are expected to cooperate fully with authorities in the event of an incident but should refrain from making any statements other than in reply to the questions of investigating officers.
4. *Other Vehicle Policies.* The head of any department may adopt additional Vehicle usage guidelines or requirements consistent with this policy as may be expedient in the management and operations of the department.
5. *City Manager.* For the purpose of this policy, the City Manager shall approve all take-home use of City Vehicles. The department head seeking to authorize any Officer or Employee to take home a City Vehicle for Business Use must complete the *Request for Take-Home Use of City Vehicle Form*, which shall be approved in writing.

### **M-4. Approval Standards**

1. *Approval.* An Officer or Employee who obtains prior approval of either their supervisor or the City Manager may operate a Vehicle for Business Use subject to the Standards of Operation provided in Subsection B. In determining whether any approval shall be granted, the supervisor or the City Manager may, but shall not be obligated to, take into account an Officer's or Employee's driving record, driver's license status, availability of Personal Vehicle liability insurance coverage, and eligibility for participation in the City's insurance program.
2. *Standards of Operation.* At all times following approval as provided in Subsection 1, each Officer and Employee shall:

- a. Hold a valid state driver's license which permits the legal operation of the type of Vehicle being driven.
- b. Inform their supervisor or the City Manager of any changes that may affect their ability to meet these Approval Standards including, but not limited to, reporting when their driver's license is expired, suspended or revoked.
- c. Refrain from driving a Vehicle when any physical or mental impairment causes the Officer or Employee to be unable to drive safely. This prohibition included circumstances in which the Officer or Employee in temporarily unable to operate a Vehicle safely or legally because of illness, medication or intoxication.
- d. Personal use of a City Vehicle shall be incidental to the employee's job functions.
- e. Maintain Personal Vehicle liability insurance coverage in an amount equal to or greater than the minimum amount required by law in the State of Illinois whenever operating a Personal Vehicle for Business Use.

#### **M-5. City Vehicles**

1. *Assignment Policy.* City Vehicles will be assigned by the City Manager to individuals and departments that have demonstrated a continuing need for them. Additional Vehicles will be maintained in a Motor Pool for use as needed.
2. *Tax Withholding.* Use of a City Vehicle for Commuting is considered to be income to the Officer or Employee and may be subject to tax withholding. The value of the Use of a City Vehicle shall be computed under the commuting valuation rule contained in the Treasury Regulations under the Internal Revenue Code. All Officers and Employees who operate City Vehicles for Commuting must complete the *Personal Use of City Vehicle Worksheet* as provided by the Director of Finance on or before December 15 of each year, or upon termination of employment if termination occurs before December 15. This Subsection shall not apply to vehicles categorized as Qualified Non-Personal Use under the IRS Rules and Regulations.

#### **M-6. Insurance**

The City's insurer may pay claims for third-party liability and third-party property damage whenever a Driver is involved in an accident while operating a Vehicle for Business Use. With respect to a Driver's use of a Personal Vehicle for Business Use, the Driver's Personal Vehicle liability insurance shall be deemed to be the primary coverage, and the City's liability insurance shall be deemed to be excess coverage. Damage to a Driver's Personal Vehicle will not be paid out by the City's insurance until the Driver's insurance is exhausted.

#### **M-7. Vehicle Allowance Program**

The City may provide a Vehicle allowance to the City Manager or a department head. The amount of the allowance and the administration of the program shall be under the Personnel Policy Manual of the City. Drivers receiving a Vehicle allowance are not entitled to reimbursement for mileage within the Chicago Metropolitan Area.

### **M-8. Reimbursement of Expenses**

1. *Reimbursement.* In order to compensate Drivers for the cost of gasoline oil, depreciation, and insurance, Drivers who use Personal Vehicles for Business Use will receive a mileage allowance equal to the Internal Revenue Service Standard Mileage Rate for the portion of the miles driven for Business Use.
2. *Expenses.* Drivers operating Vehicles for Business Use may claim reimbursement for parking fees and tolls actually incurred. In addition, Drivers operating City Vehicles for Business Use may claim reimbursement for gasoline and other expenses directly incurred for such Business Use. All requests for reimbursement must be approved by the Driver's supervisor or, if applicable, the City Manager.

### **M-9. Commuting Expenses**

1. *Required to Commute.* Drivers required by a supervisor or the City Manager to Commute that do not meet the requirements for Qualified Non-Personal Use shall use the Commuting Valuation Rule by submitting the *Personal Use of City Vehicle Worksheet* if the Driver Satisfies all of the conditions of this Section M-9.
2. *Personal Use Prohibited.* Drivers may not use the City Vehicle for Personal Use other than for Commuting. For purposes of this Section, "Commuting" shall include de minimis Personal Use such as a stop for a personal errand while traveling to/from home and work.

### **M-10. Police, Fire and Emergency Management Vehicles**

1. *Full Time Assigned Police Vehicles (Qualified Non-Personal Use)*
  - a. Due to the nature of their job responsibilities, the Chief of Police and undercover police officers assigned to regional task forces each shall be assigned an unmarked Police Vehicle for his or her sole use on a fill-time basis. Such Vehicles may be operated for Personal Use when incidental to law enforcement functions but shall not include use for vacation or recreational purposes. During times when the Chief of Police is unavailable and a Deputy Chief of Police serves as Acting Chief of Police, the Acting Chief of Police shall be assigned an unmarked Police Vehicle, which shall be used in accordance with the terms and conditions set forth in this section T-10 A.1 relating to the Vehicle assigned to the Chief of Police.
  - b. Due to the nature of his or her job responsibilities, the K-9 Officer shall be assigned a marked Police Vehicle for his or her sole use on a fill-time basis. The K-9 Officer must use this Vehicle for Commuting and may not operate this Vehicle for Personal Use other than for Commuting and Personal Use incidental to the K-9 Officer's law enforcement functions within the limits of the K-9 Officer's arrest powers.
2. *Other Police Vehicles*
  - a. The Chief of Police may require a member of his or her command staff to be on call and available to respond to law enforcement needs even if the member of the command staff is not on duty. The Chief of Police may assign an unmarked Police Vehicle for use by the command staff member during the time that he or she is on

- call, provided the use is approved by the City Manager in advance. This vehicle shall be used in accordance with the terms and conditions set forth in Section M.10.A relating to the Vehicle assigned to the Chief of Police.
- b. Marked and unmarked Police Vehicles, other than the Vehicles referred to in Section A.A. and Section B.A that are required to be used by Police Department Officers while on duty may be operated for limited Personal Use pursuant to the Police Department Policies related to break and meal-time activities. Personal Use is limited to operation within the limit of the Officer's or Employee's jurisdiction and incidental to their job functions.
3. *Full Time Assigned Fire Vehicles (Qualified Non-Personal Use)*
    - a. Due to the nature of his or her job responsibilities, the Fire Chief shall be assigned a marked Fire Vehicle for his or her sole use on a full-time basis. The Fire Chief must use this Vehicle for Commuting and may not operate this Vehicle for Personal Use other than for Commuting and Personal Use incidental to the Fire Chief's obligation to respond to an emergency within the Fire Chief's jurisdiction or under regional response plans. During times when the Fire Chief is unavailable and a Deputy Fire Chief serves as Acting Fire Chief, the Acting Fire Chief shall be assigned a marked Fire Vehicle which shall be used in accordance with the terms and conditions set forth in this Section A.C relating to the Vehicle assigned to the Fire Chief.
  4. *Other Fire Vehicles*
    - a. The Fire Chief may require a member of his or her command staff to be on call and available to respond to emergencies even if the member of the command staff is not on duty. The Fire Chief may assign one marked Fire Vehicle for use by the command staff member during the time that he or she is on call, provided the use is approved by the City Manager in advance. This Vehicle shall be used in accordance with the terms and conditions set forth in Section M-10.C relating to the Vehicle assigned to the Fire Chief.
    - b. Marked Fire Vehicles, other than the Vehicles referred to in Section M-10.C and Section M-10.D.a that are required to be used by Fire Department Officers and Employees in order to satisfy job requirements while on duty may be operated for limited Personal Use pursuant to Fire Department Policies. Personal Use is limited to operation within the limit of the Officer's or Employee's jurisdiction and incidental to their job functions.
  5. *Full Time Assigned Emergency Management Vehicle (Qualified Non-Personal Use)*
    - a. Due to the nature of his or her job responsibilities, the Homeland Security and Emergency Management Agency's Deputy Executive Coordinator shall be assigned a marked Emergency Management Vehicle for his or her sole use on a full-time basis. The Deputy Executive Coordinator must use this Vehicle for Commuting and may not operate this Vehicle for Personal Use other than for Commuting and Personal Use incidental to the Deputy Executive Coordinator's obligation to respond to an emergency within the Deputy Executive Coordinator's jurisdiction or under regional response plans.

### **M-11. Idling of City owned Vehicles**

The idling of City vehicles is an unnecessary waste of fuel and contributes pollutants into the environment. Vehicle idling also causes damage to the vehicle's engine and exhaust system. This policy seeks to eliminate the practice of vehicle idling where possible. This will significantly reduce overall fuel usage, improve fuel economy and reduce the emissions produced by the City's fleet of vehicles.

No City vehicle or piece of equipment is to be idled in a non-emergency situation. The operator of the vehicle/equipment is to turn off the unit and remove the keys from the ignition. The exemptions to this policy are permitted in the following instances:

1. Emergency vehicles at scenes where lights, power take off's and/or other accessories are needed to address the incident. Police vehicles working traffic enforcement details or if the K-9 is in the vehicle. Public Works, Code Enforcement and Engineering vehicles on assignments that require the lengthy use of emergency lighting, power take off's and/or other accessories to accomplish the assignment or to provide a safe work environment. Fire Department vehicles that need to maintain an acceptable temperature for the protection of medications and/or IV fluids in Fire Department vehicles.
2. Inclement weather situations as authorized by the employee's supervisor according to the following guidelines:
  - a. If the temperature is below 40 degrees or above 85 degrees Fahrenheit a vehicle may be idled to provide relief from the outside temperatures.
3. Operators of vehicles/equipment and supervisors will be judicious in the idling of units at emergency scenes and job sites. If not all units at a scene are required to idle, units shall be turned off and keys removed from the ignition

It is the responsibility of all City Departments to adhere to this policy as follows:

1. Each vehicle/equipment operator will be responsible for the idling operation of their unit while assigned to them.
2. Supervisors will be responsible for the adherence and enforcement of the idling policy. Violations of the policy are to be documented as to the vehicle/equipment operator, vehicle unit number, location, date, time weather conditions and circumstance of the violation.
3. The vehicle/equipment operator will be informed of the violation by the supervisors at the time of the infraction.
4. The Director or Chief of each Department will be responsible for the discipline of employees found violating the policy. Discipline will be per the City of Des Plaines disciplinary procedures and/or applicable collective bargaining agreement, and in a progressive manner.



**Personnel Policy Manual  
Appendix M – Vehicle Use Policy**

**REQUEST FOR TAKE-HOME USE OF CITY VEHICLE FORM**

Date of Request: \_\_\_\_\_

Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_

***Vehicle Information:***

Make/Model of Vehicle: _____
License Plate: _____
Vehicle Mileage upon Request: _____ Mileage upon Return: _____
Special Notes or Comments: _____

Vehicle requested (dates): \_\_\_\_\_

Justification for Take-Home use of City Vehicle and Additional Comments:

***Request:***

Department Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***Authorization:***

City Manager Approval:       Approved       Not Approved

Qualified Non-Personal Use:       Yes       No

City Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***Employee Acknowledgement:***

I hereby affirm that I have read and fully understand the City’s “Vehicle Usage Policy” and accept its terms and conditions.

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

\_\_\_\_\_  
Date



Personnel Policy Manual
Appendix M – Vehicle Use Policy

PERSONAL USE OF CITY VEHICLE WORKSHEET

Calendar Year \_\_\_\_\_

(To Be Completed for Each City Vehicle Operated During the Calendar Year)

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

Make/Model of Vehicle: \_\_\_\_\_

License Plate: \_\_\_\_\_

Date first available to you during current calendar year: \_\_\_\_\_

Date last available to you during current calendar year: \_\_\_\_\_

I hereby affirm that the vehicle provided for my use was used exclusively for purposes of commuting to and from my residence and work. Therefore, I qualify to use the Commuting Valuation Rule for the purposes of determining the amount of taxable fringe benefit included in my gross income:

Number of trips between home and work: \_\_\_\_\_

Number of trips between work and home: \_\_\_\_\_

- I request the City withhold Federal and State Income taxes from the taxable amount to be included in my gross income.
Do Not withhold Federal and State Income taxes from the taxable amount to be included in my gross income.

I certify that the representations made herein represent complete and accurate information to the best of my knowledge. I understand that it is my responsibility to maintain records of my personal use of City property and that my use of the above vehicle qualifies under IRS guidelines for the valuation method I have elected. I further understand that my representations may be subject to review by the IRS should an audit of City records be conducted.

Employee Signature

Date



**Personnel Policy Manual**  
**Appendix N – Position Grade & Compensation Plan**

**Appendix N – Position Grade and Compensation Plan**

**N-1. Classified Positions:**

The compensation plan with annual rates for all nonunion classified positions is hereby adopted according to the following schedule:

NONUNION PERSONNEL

Effective January 1, 2025

Position Title	Pay Grade	1/1/2025			Longevity		
		Min.	Mid	Max.	After 10 Years	After 15 Years	After 20 Years
No Positions Currently	14	160,988	190,791	220,593	1,000	1,500	2,000
Director of Community & Economic Development	13	149,063	176,659	204,254	1,000	1,500	2,000
Director of Finance	13	149,063	176,659	204,254	1,000	1,500	2,000
Director of Public Works & Engineering	13	149,063	176,659	204,254	1,000	1,500	2,000
Fire Chief	13	149,063	176,659	204,254	1,000	1,500	2,000
Police Chief	13	149,063	176,659	204,254	1,000	1,500	2,000
Assistant Director of Public Works	12	138,022	163,573	189,123	1,000	1,500	2,000
Deputy Fire Chief	12	138,022	163,573	189,123	1,000	1,500	2,000
Deputy Police Chief	12	138,022	163,573	189,123	1,000	1,500	2,000
Director of Information Technology	12	138,022	163,573	189,123	1,000	1,500	2,000
Assistant Director of Engineering	11	127,797	151,456	175,115	1,000	1,500	2,000
Director of Communications	11	127,797	151,456	175,115	1,000	1,500	2,000
Director of Human Resources	11	127,797	151,456	175,115	1,000	1,500	2,000
Assistant Director of Community & Economic Development	10	118,331	140,237	162,143	1,000	1,500	2,000
Assistant Director of Finance	10	118,331	140,237	162,143	1,000	1,500	2,000
Battalion Chief (Fire)	10	118,331	140,237	162,143	1,000	1,500	2,000
Chief Building Official	10	118,331	140,237	162,143	1,000	1,500	2,000
Commander (Police)	10	118,331	140,237	162,143	1,000	1,500	2,000
Division Chief (Fire)	10	118,331	140,237	162,143	1,000	1,500	2,000
Superintendent (Public Works)	10	118,331	140,237	162,143	1,000	1,500	2,000
Information Technology Manager	9	109,566	129,849	150,131	1,000	1,500	2,000
Accounting Manager	8	100,889	119,566	138,243	1,000	1,500	2,000
Foreman	8	100,889	119,566	138,243	1,000	1,500	2,000
Police Services Manager	8	100,889	119,566	138,243	1,000	1,500	2,000
Senior Network Engineer	8	100,889	119,566	138,243	1,000	1,500	2,000

## Personnel Policy Manual

### Appendix N – Position Grade & Compensation Plan

Position Title	Pay Grade	1/1/2025			Longevity		
		Min.	Mid	Max.	After 10 Years	After 15 Years	After 20 Years
Benefits Manager	7	91,719	108,698	125,676	1,000	1,500	2,000
Communications Manager	7	91,719	108,698	125,676	1,000	1,500	2,000
Community & Police Social Worker	7	91,719	108,698	125,676	1,000	1,500	2,000
Economic Development Manager	7	91,719	108,698	125,676	1,000	1,500	2,000
Finance Services Manager	7	91,719	108,698	125,676	1,000	1,500	2,000
Senior Financial Analyst	7	91,719	108,698	125,676	1,000	1,500	2,000
Systems Administrator	7	91,719	108,698	125,676	1,000	1,500	2,000
Code Enforcement & Permit Coordinator	6	83,379	98,815	114,250	1,000	1,500	2,000
Development Services Coordinator	6	83,379	98,815	114,250	1,000	1,500	2,000
Payroll/Accounting Analyst	6	83,379	98,815	114,250	1,000	1,500	2,000
Plan Coordinator	6	83,379	98,815	114,250	1,000	1,500	2,000
Financial Analyst	5	75,800	89,833	103,865	1,000	1,500	2,000
Management Analyst	5	75,800	89,833	103,865	1,000	1,500	2,000
Media Specialist	5	75,800	89,833	103,865	1,000	1,500	2,000
Communications & Events Associate	4	68,908	81,666	94,423	1,000	1,500	2,000
Executive Assistant	4	68,908	81,666	94,423	1,000	1,500	2,000
Human Resource Generalist	4	68,908	81,666	94,423	1,000	1,500	2,000
Jr. Accounting Specialist	4	68,908	81,666	94,423	1,000	1,500	2,000
Finance Assistant	3	62,644	74,281	85,837	1,000	1,500	2,000
No positions currently	2	56,950	67,493	78,035	1,000	1,500	2,000
No positions currently	1	51,256	60,744	70,232	1,000	1,500	2,000
Clerk (part time)		Statutory minimum wage - 37.00 per hour					
Seasonal Snow Plow Driver (Non-IMRF)		Statutory minimum wage - 37.00 per hour					
Part time (Non-IMRF)		Statutory minimum wage - 47.00 per hour					
Seasonal (Non-IMRF)		Statutory minimum wage - 23.00 per hour					
Temporary (Non-IMRF)		Statutory minimum wage - 23.00 per hour					
Intern (Non-IMRF)		Statutory minimum wage - 23.00 per hour					

#### **N-2. Determining Pay:**

The pay of city employees occupying nonunion positions shall be on the basis of salary ranges as described in the schedules in this section which reflect the minimum and the maximum annual salaries for each grade, as supplemented by longevity pay as also shown in the schedule.

**N-3. Annual Rates Based on Full Time Employment:**

The annual rates of pay and salary ranges prescribed are based on full time employment at the hours specified in the schedules for each position; provided that the salaries of technical, administrative and supervisory positions are fixed according to the responsibilities to be fulfilled and are not based on a number of hours worked per week, and shall not be adjusted with variations in work schedules. All full-time nonunion employees shall be paid annual salaries within the minimum/maximum salary ranges described in the schedules in this section for their respective positions.

**N-4. Conversion of Annual Rates to Hourly Rate Equivalents:**

Hourly salary equivalents of annual salary rates shall be determined according to the following conversion factors:

1,950 hours per year for positions on a 37.5 hour week

2,080 hours per year for positions on a 40 hour week

2,596 hours per year for positions on a 49.5 hour week

**N-5. Salaries of Part Time, Temporary and Seasonal Employees:**

Any employee working on a part time, temporary or seasonal basis shall be employed at an hourly rate. All part-time, temporary or seasonal employees, defined as regularly working less than thirty (30) hours per week, shall be paid pursuant to the classified rate schedule. Part time, temporary and seasonal employees shall be paid only for hours actually worked and shall not receive vacation, sick leave allowances, health insurance benefits or holiday pay. Those part time, temporary and seasonal employees, however, who work at least one thousand (1,000) hours per year meet the requirements for Illinois municipal retirement fund participation and therefore must participate.

## **Appendix O – Personal Use of Social Media**

### **O-1. Introduction**

The City recognizes that many of its employees have personal accounts on various social media sites (Facebook, LinkedIn, and others). This policy applies specifically to the use of personal social media by City employees. Use of City social media by employees on behalf of the City is governed by the “City of Des Plaines Communications Procedures” (first adopted in 2017 and updated in 2021).

### **O-2. Scope of Policy**

This policy applies to all City employees. Specifically, this policy applies to City employees while on City property, the City’s worksites or wherever City employees are performing a function of their jobs, or while participating in a City-sponsored event on or off City property. This policy also applies to off-duty conduct by City employees as specified in this policy.

### **O-3. The City’s Expectations**

The City has developed this policy to provide clear guidelines and standards as it relates to use of personal social media by City employees. Violations of this policy may result in disciplinary action up to and including termination.

### **O-4. Definitions**

**City Employees** means full- time, part-time, seasonal, temporary, and contract personnel and interns working for or on behalf of the City or any of its subsidiary bodies including City committees, boards, and commissions.

**OCM** means the Office of the City Manager.

**Social media** includes, without limitation, internet platforms that provide a means for various forms of discussion and information-sharing, and include, without limitation, websites, social networks, blogs, video sharing, podcasts, wikis, message boards, news media comment sharing/blogging, and related services and mobile applications. Social media platforms authorize users to utilize social media in numerous ways, including, without limitation, to establish, post content on, and maintain their own individual social media accounts and content, and to comment on the content or accounts of other users.

### **O-5. Policies Applicable to Personal Use of Social media**

1. **Use of City Systems and Equipment Prohibited.** Employees who wish to utilize personal social media may only do so through their own private user names and internet systems using their personal electronic devices. Accessing, posting to,

- reviewing, or otherwise utilizing any personal social media through any City equipment is strictly prohibited.
2. Use only During Non-working Time. During the workday, employees may engage in the personal use of social media only using their personal electronic devices and only during non-working time, which consists of authorized break times and meal periods only.
  3. Prohibited Disclosure and Use of Certain Information.
  4. Confidential Information. When posting comments to social media, employees may not include any confidential information relating to the City. Confidential information includes, without limitation, non-public written, photographic or video information about individuals who have received services from the City, City emergency operations, HIPAA protected health information (other than with respect to the individual making the post), and other information, the disclosure of which would violate any federal, state or local statute or regulation (including privacy laws). Questions about whether an item of information constitutes confidential information should be directed to the City Manager’s Office (Media Services Division).
  5. Use of City’s Intellectual Property Prohibited. Employees may not utilize any City logos, drawings, trademarks, copyrights, or other images or photographs typically associated with the City with respect to their personal social media activities if doing so would reasonably create the impression that the social media post or page is sponsored or sanctioned by the City. Questions about whether an item of information constitutes confidential information should be directed to the City Manager’s Office (Media Services Division).
  6. Representation on Social Media Pages.
  7. Public Record. Any communication by an employee about City business on personal social media may be considered a public record and subject to FOIA and records retention.
  8. No Authority to Speak for City. Employees may not make any statements on personal social media that reasonably create the impression that the views they have expressed are the opinions of the City or are provided in the employee’s role as a City employee. If there is the potential for confusion on this point (including, without limitation, when the individual making the post identifies themselves in the post as an employee of the City), employees are expected to include a disclaimer to the effect that the views being expressed are in their individual and personal capacities and are not presented as the views of the City.
  9. Disclosure of Affiliation with City. Employees posting positive comments to social media in their personal capacity about the City or its services are encouraged to disclose their affiliation with the City in the post.
  10. Content of Postings.

11. Compliance with City Policies. When using personal social media employees are expected to abide by all of the City’s applicable policies and procedures, including, without limitation, this policy, the City of Des Plaines Communications Procedures, and the City’s policy prohibiting unlawful discrimination and harassment, violence and unacceptable behavior as set forth in Chapter 19 – Code of Conduct in the City’s Personnel Policy Manual.
12. Emergency Operations Information. The City’s emergency operations, which include, without limitation, responses to public safety incidents and calls for assistance by the City’s police and fire departments, and related internal processes, concern both highly personal information relating to victims and other persons involved in those incidents, and information that would tend to compromise operational safety of the City and its departments. (“City Emergency Operations”). Information concerning City Emergency Operations is defined as confidential information for purposes of this policy.

Employees (on or off duty) are prohibited from using any personal phone, camera, or other personal electronic devices with photographic or other recording capabilities to take, store, transmit, or disclose any photos, videos, images, audio recordings, or other information concerning or relating to any City Emergency Operation. This prohibition includes, without limitation, any information concerning victims, patients, or other persons involved in any emergency operations of the City, unless that person knowingly provides their prior written consent to the obtaining and use of specific information.

Employees are prohibited from using any personal social media to post, discuss, or otherwise disclose any information concerning or otherwise relating to any City Emergency Operations, including, without limitation, photos, videos, descriptions, or any information concerning responses to public safety incidents or calls for assistance, confidential information concerning victims of public safety incidents or persons receiving medical treatment, or information concerning internal procedures or methods relating to City Emergency Operations.

13. Defamatory Content Concerning the City. Employees may not post statements that they know or reasonably should know to be false or defamatory, or otherwise place in a false light, the City and/or its managers, supervisors, employees, officials, independent contractors (consultants), or any third party.
14. Other Prohibited Content. Employees may not post content including, without limitation, images, videos, files or text, depicting City property, equipment or personnel in any manner that would adversely affect the reputation of the City or a City department. Posts should be respectful and courteous to fellow employees and the general public. Employees may not make comments or otherwise

communicate about coworkers, supervisors, the Company, or vendors or suppliers in a manner that is vulgar, obscene, threatening, intimidating, harassing, libelous, or discriminatory on the basis of age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status, or any other legally recognized protected basis under federal, state, or local laws, regulations, or ordinances. Those communications are disrespectful and unprofessional and will not be tolerated by the City.

15. Protected Concerted Activity. City personnel retain their full rights to engage in protected concerted activity through personal social media. For example, during non-working time, employees may utilize personal social media as a vehicle to discuss the terms and conditions of their employment with other City employees. This policy is not designed to interfere with, restrain, or restrict employee communications using personal social media during non-working time regarding wages, hours, or other terms and conditions of employment; provided, however, that the use of personal social media does not supplant or otherwise supersede any applicable requirement that an employee report workplace issues to designated City staff in the manner required by any applicable City code or policy.
16. No Expectation of Privacy. The City monitors all electronic communications activity conducted on the City's electronic communications systems (e.g., computers, hard drives, servers, routers, gateways, Internet portals), including, without limitation, personal social media activities by City employees. If an employee elects to access their personal social media from the City's electronic communications systems in violation of this policy, the employee— in addition to being subject to discipline up to and including termination pursuant to this policy – will have no expectation of privacy as to any information that they input or review concerning their personal social media while using City equipment, including, without limitation, usernames, passwords, codes or other information that is reviewed or that enables access to personal social media.
17. No Retaliation. The City prohibits taking retaliatory action against any employee for reporting possible violations of this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to discipline, up to and including termination.