



# **MAINE TOWNSHIP**

## **PERSONNEL POLICY HANDBOOK**

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## **I. INTRODUCTION**

### **1.1 MISSION**

It is the mission of Maine Township (hereafter referred to as the "Township"), to serve residents in parts of Des Plaines, Park Ridge, Niles, Glenview, Morton Grove, and Rosemont. The Township aims to improve the quality of life for everyone in the Township by offering services, programs, general assistance, events and information in a fiscally responsible manner with the needs of our residents in mind.

### **1.2 GENERAL POLICY**

It is the policy of the Township to provide, support, implement, and maintain high quality services and facilities in order to promote and protect and enhance the health, safety, welfare and quality of life of its citizens. The ability of the Township to provide high quality services to its residents is dependent in large part on the employees of the Township performing at a consistently high professional level. The Township takes pride in the spirit of professionalism, warmth and hospitality of its employees, who as public servants are charged with the responsibility to courteously deliver reliable, efficient and effective municipal services.

This Personnel Policy Handbook shall be made available to all Township employees. All employees are expected to read the Personnel Policy Handbook, become familiar with its contents, follow the procedures contained within, and sign a statement affirming that the employee shall comply with the provisions set forth herein.

### **1.3 PURPOSE OF PERSONNEL POLICY HANDBOOK**

The purpose of this Personnel Policy Handbook is to provide the employees of the Township guidance in understanding and executing the duties, responsibilities and privileges of their employment with the Township. The Personnel Policy Handbook establishes the standard administrative procedures for employee hiring, discipline, benefits and services. The Township reserves the right to take any action deemed to be in its best interests, as a particular situation or circumstances may dictate.

**Nothing contained in this Personnel Policy Handbook and nothing said or done by a Township employee is or is intended to be an employment contract between the Township and any employee or a guarantee of continued employment. The Township and the employee both have the right to terminate the employment relationship at any time, with or without cause and with or without notice. This relationship is therefore considered to be employment "at-will."**

Each rule of the Personnel Policy Handbook and each section thereof is an independent rule. Should the provisions of any rule or section be held void, invalid, or ineffective, for any reason, said determination does not affect the validity of any other rule or section.

This Personnel Policy Handbook supersedes and replaces all prior versions, draft and other policy statements on the matters set forth in this Personnel Policy Handbook.

This Personnel Handbook shall not apply to the employees of the Township Assessor's Office wherein the Assessor has exclusive authority over all employment matters. Further, this Personnel Handbook shall not apply to the employees of the Township Highway Department wherein the Township Highway Commissioner has exclusive authority over all employment matters.

## **1.4 DEFINITIONS**

For the purpose of this Personnel Policy Handbook, the following definitions shall apply:

- **Administrator** - The Township Administrator serves as the organization's chief administrative officer and in this capacity is responsible for administration, coordination, and management of all Township services and employees, except those reporting directly to an elected official.
- **Authority** - Approval of personnel policy is vested in the Supervisor and Board of Trustees. It is the responsibility of the Township Supervisor to provide copies of recommended modifications to the Board of Trustees for final approval. The overall authority and responsibility to administer the personnel policy is vested in the Township Supervisor with approval by the Township Board of Trustees. The Township Supervisor, Administrator, and Department Heads shall be responsible for the day-to-

day administration of the personnel policies, procedures, rules and regulations.

- **CDL** – Commercial Drivers License issued by the State of Illinois.
- **Department Head** - Department Head is the supervisor of a department. When the Department Head is not identified the Township Supervisor shall be considered the Department Head until such time as a Department Head is identified.
- **Employee Year** – A twelve (12) month period, beginning with the first day of employment of an employee.
- **Excused Leave** - a non-paid excused work absence.
- **Exempt Employee** - An exempt employee is any employee of the Township, whether having achieved full employment status or not, who is exempted from coverage by the Fair Labor Standards Act (“FLSA”) or its amendments for purposes of wages and overtime.
- **Fair Labor Standards Act (FLSA)** – Federal law establishes minimum wage, overtime, record keeping, and youth employment standards affecting employees in both public and private sector employment.
- **Family Medical Leave Act (FMLA)** – Federal law that provides certain eligible employees with twelve (12) weeks of unpaid, job protected leave during any twelve (12) month period for the birth and care of a newborn child; adoption or placement of a child in a foster home; the care of an immediate family member with a serious health condition, or an employee’s own serious health condition. It also requires that eligible employees continue to receive group health benefits during the leave.
- **Fiscal Year** – The Township fiscal year begins on March 1st and ends on February 28th.
- **Full Time Employee** - Any employee who successfully completes a probationary period and works at least forty (40) hours per week, fifty-two (52) weeks of the year, less vacation. All full time employee positions shall be authorized by the Township Board of Trustees through the annual

budget process or through amendments to the budgets as approved at regular or special Board meetings.

- **Gratuities** - Gratuities shall include but are not limited to such items including, but not limited to: money; gift certificates; cash; contributions; stock; bonds; consumable goods such as liquor, candy, food, beverages; sporting goods; automotive equipment; appliances; clothing; flowers; plants; landscaping material; office supplies; perfume; cologne; electronic equipment; books; magazines; subscriptions; pictures; paintings; memberships; records; tapes; furniture and other such items for personal use.
- **Health Insurance Portability and Accountability Act of 1996 (HIPAA)** – Federal law that regulates the continuity of health insurance coverage, pre-existing conditions, and the maintenance of and access to individuals' medical records.
- **Hourly Employee** - Any person hired by the Township who may be regularly scheduled and is paid on an hourly basis.
- **Illinois Victim's Economic Security and Safety Act ("VESSA")** – Illinois law that allows employees who are victims of domestic or sexual violence or who have a family or household member who are victims of such violence to take twelve (12) weeks of unpaid leave during any twelve (12) month period for medical help, legal assistance, counseling, safety planning or other assistance. VESSA also prohibits employers from discriminating against employees who are victims of domestic or sexual violence.
- **Intern** - An undergraduate or graduate student seeking practical experience through an internship, which is a short-term, hands-on, supervised work experience designed to increase a student's knowledge of a professional career field.
- **NIDA** – National Institute of Drug Abuse ("NIDA") is a Federal scientific research institute under the National Institutes of Health, U.S. Department of Health and Human Services.
- **Non-Exempt Employee** - A non-exempt employee is any employee of the Township, whether having achieved full employment status or not, who is



provided coverage by the Fair Labor Standards Act as amended for purposes of wages and overtime.

- **Part Time Employee** – an employee scheduled to work less than forty (40) hours per week.
- **Personal Days** – Paid excused work absence days to be used for sick and/or personal business.
- **Personnel Record Review Act (PRRA)** – Illinois law that provides an employee a right to review, copy and correct personnel records, and prescribes the gathering and use of information about the employee by an employer. [820 ILCS 40/0.0/et.seq.]
- **Relative** - For the purpose of this Personnel Policy Handbook, a relative shall be deemed to include the following: father, mother, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandfather, grandmother, son, daughter, son-in-law, daughter-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter or spouse.
- **Salaried Employee** - Any person hired by the Township who is paid on a salary basis and is regularly scheduled on a permanent assignment.
- **Seasonal Employee** – An employee hired into a position with the Township who works six (6) months or less.
- **Seasonal Worker** – An employee hired by the Township for not more than one hundred twenty (120) days during the prior calendar year.
- **Work Week** - Seven consecutive calendar days beginning at 12:00 a.m., Sunday for all Township employees.

## 1.5 SUPPLEMENTS TO PERSONNEL POLICY HANDBOOK

The Township reserves the right to modify, revoke, suspend, terminate, or change the language and/or sections within this Personnel Policy Handbook, in whole or in part, at any time, with or without notice. If from time to time when changes are necessary or revisions are made, all employees of the Township will be given revised copies for inclusion in their copy of the Personnel Policy Handbook. All approved modifications to these policies shall become a part of

the Personnel Policy Handbook on their effective date until amended or withdrawn, by action of the Township Board. All approved modifications will be provided to all Township employees in written form for inclusion in their copy of the Personnel Policy Handbook. An updated copy of the Township's Personnel Policy Handbook is also available to all Township employees on the Township's website (change this to to "intranet" if that is where it can be found).

From time to time, the Township may also adopt policies that relate to, supersede or extend beyond the scope of the Personnel Policy Handbook. Employees shall be notified in writing when new policies that affect them are enacted.

## **II. REQUIREMENTS FOR EMPLOYMENT**

### **2.1 POLICY**

It shall be the policy of the Township to recruit and select the most qualified persons based on merit for positions within the Township's service. The Township recruits candidates, both externally and internally for vacant positions at all levels, in accordance with Federal, State and local laws. Individuals may be recruited for position vacancies from a geographic area as wide as necessary to assure obtaining well-qualified candidates.

### **2.2 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT**

The Township is an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, sex, sexual orientation, gender identity, age, status as a protected veteran, status as a qualified individual with a disability, or criminal conviction history.

This equal employment opportunity policy applies to all employment activities, including but not limited to hiring, promotion, demotion, transfer, recruitment, advertising, layoff, discharge, rate of pay and selection for training. This policy extends to all aspects of the Township, including recruiting, hiring, appointment and promotion into a job classification.

### **2.3 RECRUITMENT**

In order to provide growth opportunities for all employees, all Township vacancies shall be announced first by posting both at the Township Hall and on the Township website. Openings shall be posted for a minimum of two (2) weeks, but optimally three (3) weeks if possible, prior to any hiring decisions being made. A position shall be open to any individual meeting both the essential functions of the position pursuant to the Americans with Disabilities ("ADA") guidelines, and the minimum requirements, as established in the corresponding class specification.

#### **2.3.1 Application**

All applicants for Township employment shall complete an application and submit it to the Township. The application requires complete information

relating to experience, training and other requirements determined to be a bona fide occupational qualification. Failure to provide accurate information on the Application, or at any time during the hiring process shall disqualify the applicant from employment, or subject him/her to discipline (including discharge) if already hired.

No representative of the Township, except the Township Supervisor with the approval of the Township Board of Trustees has the authority to enter into any employment agreement for a specific period of time or to make any agreement contrary to that stated above. Any such agreement must be in writing and signed by the Township Supervisor and employee. Likewise, any modifications to any such agreement must be in writing and must be signed by the employee and the Township Supervisor. Verbal modifications shall not be legally binding upon the Township. No one has the authority to make any verbal statements of any kind at any time, which is legally binding on the Township.

### **2.3.2 Selection**

To determine whether an applicant qualifies for a position with the Township, factors such as level of education, previous experience, relevant skill sets, the personal interview, customer service orientation and references shall be used. A current employee who applies for a vacancy within the organization shall be judged according to the same established criteria as an outside applicant. In addition, his/her work performance with the Township shall be considered.

Prior to selection, the Township may, at its discretion, contact a prospective employee's personal and work references. Selection consideration may or may not include previous and part-time and/or seasonal employees. The final selection of a candidate for a position shall be made by the Township Supervisor, subject to approval from the Township Board of Trustees.

### **2.3.3 Background Check And Job Offer**

Following an offer of employment and prior to beginning employment, the applicant will furnish the Township with their date of birth for the purpose of conducting a background check investigation. Background checks, which may include a criminal background investigation, and may also include a credit check in accordance with the Fair Credit Reporting Act, a driver's license check, and a medical examination will be conducted prior to hiring and the commencement of work.

All applicants being considered for hire shall submit a signed release of information form that will be provided by the Township. Failure to sign the release shall result in the Township withdrawing its offer of employment. All completed reports on background checks will be kept in the employee's personnel file. All employees are subject to a periodic review of their background.

The applicant for safety sensitive positions is required to complete a drug screen test to establish compliance with the policies set forth in Section 9.2 of this Personnel Policy Handbook. NIDA drug screening is required for employees in positions requiring a CDL license. NON-NIDA drug screening is required for all other Township employees whose positions do not require having a CDL license. Failure to submit to a drug screening shall result in the Township withdrawing its offer of employment.

#### **2.3.4 Probationary Period**

The probationary period shall be regarded as an integral part of the appointment process for all full-time and part-time employees. It shall be used to closely observe an employee's work, for securing the most effective adjustment of a new employee to his/her position and for rejecting an employee whose performance does not meet the satisfactory standards established by the Township.

1. Once appointed, all full-time or part-time employees will serve a six (6) month probationary period.
2. In the event of lateral transfer or promotion, a probationary period of six (6) months is required unless specifically waived by the Township Administrator or as otherwise provided by State Statute.
3. The purpose of the probationary period is to test the qualifications of the employee to perform satisfactorily under actual working conditions, and to determine whether or not the employee should be considered for permanent placement in that position.
4. A performance evaluation will be conducted by the supervisor prior to completion of the probationary period. The performance evaluation will be forwarded to the Township Administrator, with one of the following recommendations:

- a) That the probationary period be extended,
  - b) That the employee be dismissed,
  - c) That the employee be accepted as a full or part-time employee, or
  - d) In the case of a promotion or lateral transfer, that the employee be returned to his/her former position, if still available.
5. At any time during the probationary period, the Department Head may recommend to the Township Administrator the termination of any employee, if that employee is unable or unwilling to satisfactorily perform the duties of the said position, or his/her performance does not merit employment with the Township.
  6. The Township Administrator shall be responsible for determining whether the probationary period has been successfully completed by the employee, or if other action needs to be taken. The Township Administrator shall notify the employee of his/her status in writing.
  7. The successful completion of the probationary period should not be construed as creating a contract or as guaranteeing employment for any specific duration.

## **2.4 EMPLOYEE PROMOTION**

An employee who is promoted to a new position within the Township shall be required to serve a six [6] month probationary period upon promotion. During the promotion probationary period, the employee shall be eligible for all benefits applicable to the new position. Upon successful completion of the promotion probationary period, the employee shall be classified as an employee in the new position. If the employee does not successfully complete the probationary period in the new position, efforts to reassign him/her to the previous position or otherwise compatible position will be attempted.

## **2.5 PERFORMANCE EVALUATION**

The performance evaluation program is intended to promote the following:

1. Provide employees with formal feedback about their job performance;

2. Commend employees for good or excellent performance;
3. Provide recommendations for improving performance;
4. Identify areas where employees might benefit from training;
5. Review previously set goals and objectives;
6. Provide merit [if applicable] adjustment to annual raise; and
7. Establish goals and objectives for the next evaluation period.

Employees need formal and informal performance feedback on an ongoing basis. While supervisors routinely coach employees in their performance, employees are encouraged to initiate communication with their supervisors if they have performance related concerns or questions.

The supervisor or Department Head shall meet with subordinate employees at the end of each review period to discuss openly and in detail the results of their performance evaluations. Employees are encouraged to add comments to the evaluation form prior to signing it.

The performance goals shall be prepared by each employee and his/her department head or immediate supervisor. Once completed, the immediate supervisor shall discuss the performance evaluation expectation with the individual employee. If the rating level in any of the performance standards and measured areas is determined to be unacceptable, the employee with his/her immediate supervisor shall develop an improvement plan. This improvement plan shall include a list of desirable objectives and a time table for expected improvement on the part of the employee.

Upon completion of the review process, both the supervisor and the employee shall sign the evaluation form to ensure that it has been discussed. If an employee does not concur with the evaluation, the statement to this effect should be written in the area provided on the evaluation form. A copy of the completed evaluation form and any supporting documents shall then be submitted to the Township Supervisor for review and further action, if necessary. The completed evaluation shall be placed in the employee's personnel file.

## **2.6 EMPLOYMENT OF RELATIVES**

The employment of relatives places a special obligation on those responsible for selecting and retaining employees. A person so hired or retained should meet all of the requirements for a particular position and should represent a superior choice among the candidates available. Relatives shall not be placed in a

supervisory/subordinate relationship nor employed in the same department unless waived by the Township Supervisor and the Board of Trustees. Termination of employment for relatives shall be handled in the same manner as all other terminations of employment.

## **2.7 RESIDENTIAL PREFERENCE**

When permitted by law, it shall be the policy of the Township that when considering equally qualified candidates for employment, the Township shall give preference to a qualified applicant who is a resident of the Township.

## **2.7 ORIENTATION**

The Township Administrator shall be responsible for handling all new employee orientations including but not limited to conveying information about salaries and benefits to all newly hired employees of the Township.



### **III. GENERAL RULES AND REGULATIONS**

#### **3.1 CODE OF ETHICS**

The proper operation of democratic government requires that public employment not be used for personal gain. In recognition of this goal there is hereby established this Code of Ethics for all employees. Township Employees shall adhere to the following tenets:

1. Employees shall serve the public with courtesy, honesty and integrity, and shall treat their fellow employees in the same manner.
2. All Township services shall be performed in an impartial manner, free of personal and political considerations.
3. Loyalty to the Township and a spirit of courteous cooperation, whether between individuals or departments, is essential in order to effectively deliver Township services. Further, employees shall assume the responsibility to preserve and protect Township property.
4. Personal information obtained through contact with citizens of the Township, or through any other source, should remain confidential.
5. Employees shall comply with the Gift Ban provision in the State Officials and Employees Ethics Act, 5 ILCS 430/10-10 as well as the provisions of Section 1.14 of this Personnel Policy Handbook and not accept any gifts or gratuities from any firm seeking to do business with the Township or doing business with the Township other than as provided in Section 1.14.
6. Employees are encouraged to participate in public and community affairs.

#### **3.2 OUTSIDE EMPLOYMENT**

Employees may engage in employment outside of official duty hours as long as it does not interfere with the ability of the employee to perform his/her responsibilities as a Township employee. The outside employment must not:

1. Place an employee in a position of conflict of interest with Township employment.
2. Do business with or seek to do business with the Township.
3. Place the Township employee in direct conflict with any municipal functions or ordinances.

Management approval of outside employment shall be required for all Township employees. If you have outside employment in addition to your position with

the Township, you are required to notify your supervisor of such employment and provide him/her with sufficient facts to enable the Township to make a determination as to whether approval of the outside employment is required and, if it is, whether management approval of such outside employment will be given. If permission to hold the outside employment position is denied, the employee will be expected to resign his/her outside employment position in order to keep his/her job with the Township.

### **3.3 HOURS OF WORK**

The Township Hall Offices shall generally be open from 9:00 a.m. to 8:00 p.m. on Monday through Thursday and 9:00 a.m. to 5:00 p.m. on Friday. The Township is closed on Saturday and Sunday except for special events. The Township Supervisor or a Department Head, with the approval of the Township Supervisor, may adjust or change normal work hours as the operational requirements of the departments may require. The following applies to hours of work:

1. Under certain circumstances, flexible hours are available in some departments. The Department Head, with the approval of the Township Supervisor, may approve flexible work hours if the requirements of the department will be met and the employee continues to work the regularly scheduled number of hours per week.
2. An employee shall report promptly at the designated starting time and is expected to devote all their efforts during working hours to assigned duties.
3. Pursuant to this section, Department Heads are authorized to establish the schedule for lunch and break periods during each workday. Full-time employees shall receive one (1) sixty (60) minute paid lunch period per work day. Part-time employees who work five (5) hours or less in a day shall receive a total of two (2) fifteen (15) minutes of paid break per workday.
4. The Township shall schedule lunch breaks for Full-Time employees no later than five (5) hours after beginning work. An employee who does not exercise the right to a lunch break waives this right and cannot claim it at a later date. Nor does the waiver of a lunch break or paid break permit an

employee to leave work early and prior to the end of the scheduled workday

### **3.4 PAY PERIODS AND PAYROLL DEDUCTIONS**

The Township has established bi-weekly pay periods, with payroll available every other Friday for a total of 26 pay periods per year. In the event of a payday occurring on a Holiday, paychecks shall be issued on the day preceding the Holiday. The following applies to pay periods and payroll deductions:

1. Automatic salary deductions shall be made for Federal and State income tax purposes, for an employee's pension contributions and for social security and Medicare where applicable.
2. Pension deductions for qualifying employees shall be made pursuant to IMRF requirements and regulations
3. Optional deductions for any of the following may also be arranged upon express written consent of the employee made at the time of deduction:
  - a) Contributions to programs or organizations as approved by the Township
  - b) Participation in the 457 deferred compensation plan.
  - c) Authorized deductions for the Section 125 Flexible Spending Plan.
  - d) Other monies may be deducted by the Township for services or supplies received upon express written consent of the employer made at the time of the deduction or overpayments made to an employee.

### **3.5 WORK HABITS**

Employees shall not conduct personal business during working hours. Employees are prohibited from being intoxicated while on the job or under the influence of drugs or in possession of liquor or drugs on Township property, or while on duty. Violation of this policy can result in discipline up to and including termination of employment.

### **3.6 ATTIRE AND PERSONAL GROOMING**

Employees are expected to be well groomed and dressed in a professional manner, suitable to their responsibilities and position as a representative of the Township. Employees attending external events including training, conferences, and seminars are expected to wear “business casual” or “business” attire as appropriate, unless special circumstances warrant a lesser standard (e.g. organized in-conference field trip). When safety equipment is issued to employees, it is mandatory that it be worn when performing tasks for which such equipment is provided. In the event that an employee fails to meet the requirements of this policy, his/her supervisor shall with the employee in an effort to identify and address the employee’s shortcomings. Repeated failures to adhere to attire and grooming standards may result in disciplinary action up to and including dismissal. It is the responsibility of the Department Heads to enforce this policy, however the Department Heads may also involve the Township Administrator in the resolution of issues arising under this policy.

### **3.7 IDENTIFICATION CARDS AND CREDIT CARDS**

Maine Township issues credit cards to employees who are Department heads and certain Elected Officials who have occasion on a regular basis to purchase merchandise for Maine Township business.

Receipts for all purchases made with a Maine Township credit card must be submitted to the Township bookkeeper for reconciliation with the credit card statement. The receipts are attached to the credit card statement and then reviewed by the Township Supervisor and the Township Board of Trustees for approval.

Maine Township credit cards, or the points accumulated by the use of those cards, shall not be used by employees for personal purposes.

Violation of the above provisions may be subject to disciplinary action.

### **3.8 KEY ISSUANCE TO CRITICAL FACILITIES**

The Township has a system to control the distribution of keys and access fobs to critical facilities within the Township. To that end in order to maintain security and protect those critical facilities, only employees with jobs that require them to enter critical facilities will be issued keys/fobs. The Township Supervisor shall designate an administrator to be responsible for creating and maintaining a list

of authorized employees that have been issued keys/fobs to critical facilities. Authorized personnel will be defined as employees essential to the operations at the critical facilities.

All keys/fobs to critical facilities will be numbered and assigned to employees. Keys/fobs will only be issued upon written authorization of the Township Supervisor. Keys/fobs will be issued to authorized personnel with the knowledge that they are responsible for the keys/fobs and are to return the keys/fobs upon separation of employment.

### **3.9 TELEPHONE USAGE**

In answering or placing calls, employees shall be polite, courteous, and professional. Employees of the Township should be aware that they are representatives of the Township government, and that their conduct in handling telephone calls, particularly citizen inquiries or problems, is a reflection on the Township.

Employees are permitted to use Township telephones on a limited basis for personal reasons. This is a privilege and a right and may be withdrawn by the Administrator or Department Head if abused through excessive use or if telephoning causes interference with work duties. Personal toll and extra-unit calls may be made only with the prior approval of the Administrator, Department Head or Township Supervisor and at the employee's expense.

### **3.10 SOLICITATION AMONG EMPLOYEES**

While the Township encourages all of its citizens (including its employees) to participate in civic, charitable and community organizations in order to provide the highest public service to Township residents, solicitation by employees or elected officials (for example, seeking payment, contributions, signatures, funds, memberships and other similar solicitations) is not permitted during working time or during nonworking time in areas where it will disturb other employees who are working.

Distribution or circulation's of non-work-related printed material by employees is not permitted during working time or during non-working time in working areas or in areas where it will disturb other employees who are working.

Working time refers to that portion of any work calendar day during which an employee is supposed to be performing any actual job duties; it does not include breaks, lunch or other duty-free periods of time.

### **3.11 PERSONNEL FILES/REFERENCE REQUESTS**

Employee personnel files are maintained in the Township Administration building and shall consist of, but not limited to: employment application, reference checks, , commendations, reprimands, performance evaluations, wage data, promotions, education and special training received at Township expense, and other related personnel documents. Medical records and dates and records of injuries shall be maintained in a separate medical files and shall not be disclosed without proper authorization and release. Such records shall be subject to review pursuant to the Personnel Record Review Act ("PRRA") [820 ILCS 40/0.0/et.seq.]

Employees are permitted to inspect and copy any material which is contained within their personnel file upon written request to their Department Head. The Department Head or their designate shall be present with the employee while the employee inspects his or her personnel file. The Township has five working calendar days to comply with properly processed written request from an employee.

If an employee disagrees with certain items within their file, he or she may submit a concise statement of disagreements for inclusion within the personnel file. No documents or other information shall be removed from an employee's personnel file without authorization from the Township Supervisor, the Township Supervisor, or the Board of Trustees.

Information contained in an employee personnel file shall be maintained and released should the Township receive a request for such information, in accordance with the Personnel Record Review Act. That means that only non-confidential information may be released upon request. No other information will be provided except by written request from the employee. Salary information shall be considered public information and will be made available to the public and news media upon written request. An employee's salary information, address and telephone number shall be furnished to credit agencies in writing only in response to a written request which must be accompanied by a release authorization signed by the employee in question.

In the event the Township receives a court subpoena for an employee's personnel records, the subpoena shall be immediately reviewed by the Township Attorney.

Upon being advised by the Township Attorney, the Township Bookkeeper will authorize the release of the appropriate information.

Copies of all reference requests for information and the Township's response shall be forwarded to the Township Supervisor and to the Township Board of Trustees. The Township will release reference data on current and previous employees only in accordance with provisions of the above paragraph. All release information is subject to the provisions of PRRA.

A change of personal status may have an important effect upon employee benefits. Employees must notify their Department Head, Township Administrator or Bookkeeper immediately of any change in:

1. Home address or telephone number.
2. Martial status - name of spouse, date of birth (date of marriage/divorce if after date of hire).
3. Number, names and date(s) of birth of dependents.
4. Name, address and telephone number of the person to be notified in case of emergency.

Each employee's driver's license status will be verified annually and any suspensions must be vacated in writing prior to the employee being allowed to drive any Township vehicle. Employees are required to immediately notify their Department Head of the loss of their license in the event that particular employee is an operator of any Township vehicle. Failure to notify their Department Head of any change in driver's license status may be cause for disciplinary action.

### **3.12 WORKSHOPS AND SEMINARS**

Requests to attend workshops and seminars should, when possible, be submitted in writing to the Department Head for approval at least seven (7) calendar days prior to the event. If an advance payment is required, the submission must coincide with the processing of the bimonthly routine billing list.

### **3.13 USE OF TOWNSHIP EQUIPMENT AND VEHICLES**

In using the Township's vehicular equipment, employees must be aware that they are representatives of the Township government and that their conduct reflects on the entire Township. Such employees abide by traffic rules,

regulations and speed limits. Vehicles, equipment, supplies and tools are provided by the Township to enable employees to perform the tasks required of them. Unauthorized private use of Township owned property is prohibited. Violations of this policy will result in disciplinary action up to and including discharge.

Employees operating Township vehicles have a special duty to always drive defensively, courteously, and obey all traffic laws and regulations, including speed limits.

Employees shall be responsible for the care and conservation of Township property, and all accidents, breakdowns or malfunctioning of any vehicle, equipment or item shall be reported promptly so the necessary repairs may be made.

It is acknowledged that the primary use of all vehicles purchased by the Township is for the purpose of conducting Township business. Employees shall not use personally assigned vehicles for vacation use or other unauthorized personal use including but not limited to commuting to and from work. In no event shall another driver, not an employee of the Township, operate the vehicle.

### **3.14 TRAFFIC ACCIDENTS & VIOLATIONS:**

All employees of the Township must report to their supervisor any moving traffic violations or accidents in which they are involved while on duty, or while using Township vehicles. Any accident involving a Township vehicle shall be reported to the Township Supervisor or the Township Administrator for investigation immediately.

Police accident reports shall be submitted as soon as they are available. Failure to adhere to this policy may be cause for disciplinary action and / or dismissal. Any employee operating a Township vehicle who receives a traffic ticket, i.e., speeding or red light violation, shall bear full responsibility for paying any and all fines associated with the traffic violation.

In addition, the employee shall submit to testing for compliance with the Township's Drug and Alcohol Policy as soon as requested by the Township Administrator to do so. Failure to adhere to this policy may be cause for disciplinary action and / or dismissal.



### **3.15 WORKPLACE PRIVACY AND SEARCHES**

Employees have no expectation of privacy with respect to any information sent, received, created, accessed, obtained, viewed, stored or otherwise used with Township property or found at any time in the Township's electronic systems. The Township reserves the right to search lockers, desks, filing cabinets, computer files/e-mails and personal belongings located on Township property at any time.

If personal belongings are to be searched, the Township will make every effort to have the employee present. Such searches will be conducted only if there is reasonable suspicion of employee related problems, such as missing money, tools, equipment, etc., or substance abuse. Searches of offices, desks, filing cabinets, or computer files may be made to retrieve a file, Township property, or for any of the above stated reasons.

### **3.16 POLITICAL ACTIVITIES**

Employees serve all Township residents equally. The political opinions or affiliations of any resident shall in no way affect the amount or quality of service they receive from the Township. An individual's political affiliation, preference, or opinion will not in any way influence their appointment, retention, or promotion as a Township employee.

No employee may (i) use his or her official position of employment to coerce or inhibit others in the free exercise of their political rights or (ii) engage in political activities while at work or on duty. During work hours, employees shall not directly or indirectly, demand, solicit, collect, or receive any assessment, subscription or contribution, whether voluntary or involuntary, intended for any political purpose whatsoever from fellow members or employees or from the general public.

Township property shall not be used to advance political campaigns, including the use of Township vehicles to conduct campaign business or display campaign stickers, or the use of Township duplicating services for campaign materials.

Failure to comply with these provisions will result in appropriate disciplinary action to be determined at the Township's discretion.

No political activity, including solicitation of political and/or monetary contributions, shall be conducted on Township property including the solicitation of signatures for candidates for elected office. While on Township property, employees, visitors and residents shall not be solicited for any political activity.

### **3.17 FINANCIAL INTEREST**

No employee of the Township shall have a financial interest, direct or indirect, in any contract with the Township, or be financially interested directly or indirectly in the sale to or by the Township of land, material, supplies or services. This provision may be waived by the Supervisor and Board of Trustees upon full disclosure of all pertinent facts when said transaction is in the Township's interest and in compliance with all Federal, State, and local laws, and Township ordinances.

It shall also be the responsibility of any employee to fully comply with all applicable Federal, State and local laws relating to conflicts of interest and financial disclosure.

### **3.18 CONFLICT OF INTEREST**

In the conduct of public business, employees of the Township shall avoid conflict between their individual private interests and the public welfare. The following are examples of conflicts of interest and are not intended to be inclusive:

1. Engaging in or accepting private employment or rendering services for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties; and
2. Appearance on behalf of private interests before any agency of the Township with or without compensation.
3. Failing to disclose the full nature and extent of a substantial or controlling financial interest in or any substantial dealing as a debtor, creditor or contractor with the Township for the sale of real estate, materials, supplies or services. Such employee, with or without such disclosures, shall refrain from participating in any such transaction or contract of sale.

4. Disclosing confidential information concerning the property, government or affairs of the Township or using such information to advance financial or other private interests.

Whether a conflict of interest exists shall be in the sole determination of the Township Supervisor and the Board of Trustees.

### **3.19 ACCEPTANCE OF GIFTS**

The Township has adopted the Gift Ban provisions enumerated in the State Officials and Employees Ethics Act, 5 ILCS 430/10-10. In addition, the acceptance of gifts and gratuities for providing municipal service or as a result of one's official position is strictly prohibited unless the item given is of insignificant value (less than \$25.00) , and it is given in appreciation for services rendered by an employee or to celebrate a special occasion or holiday. Employees are never to solicit anything of value from clients or residents.

Acceptance of gifts and donations not having essential or intrinsic value, such as a box of candy, or other food, which can be consumed on Township premises by the department as a whole without violating this rule is not prohibited, nor is the receipt of calendars, and other items of an advertising nature.

### **3.20 ELECTRONIC COMMUNICATIONS POLICY**

It is the policy of the Township to provide guidance for the appropriate use of electronic information and communications systems by Township employees, to ensure these systems are used in an appropriate, productive and lawful manner. Electronic information and communication systems are provided to Township employees for assistance in the performance of their duties. These include but are not limited to: mail and shipping services, photocopiers, fax and scanning equipment, audiovisual equipment, telephone system, voicemail, computer and network resources, email, analog and digital storage media, the Township's website and social media sites, and the Internet.

By using any of the aforementioned systems, Township employees agree that they will comply with these policies. All Township employees are responsible for reading, understanding, and complying with the policies and procedures specified below. It is the obligation of each Township employee to reconcile any questions or misunderstandings about this policy by contacting the Township employee's immediate supervisor for clarification.

## **A. Acceptable Usage Guidelines**

1. Township electronic and communication systems are to be used exclusively to advance the Township's mission and operations. Township employees may use these resources only for purposes related to the discharge of their duties as employees, their official business with the Township, and other Township-sanctioned or authorized activities.
  
2. Township electronic and communications systems may only be used for legal purposes and may not be used for any of the following purposes or any other purpose which is illegal, immoral, unethical, dishonest, damaging to the reputation of the Township, inconsistent with the mission or operations of the Township, or likely to subject the Township to liability. Unauthorized uses (some of which may also constitute illegal uses) include, but are not limited to, the following:
  - a. Harassment, libel or slander, fraud or misrepresentation,
  - b. Destruction of or damage to equipment, software, or data belonging to the Township or others,
  - c. Disruption or unauthorized monitoring of electronic communications, Installing unauthorized licensed software,
  - d. Violation or circumvention of computer system/network security, Unauthorized use of computer accounts, access codes (including passwords), or network identification numbers (including e-mail addresses) assigned to others,
  - e. Copying and/or using software, images, music or other intellectual property to which they have not obtained the proper rights to do so,
  - f. Soliciting money for causes not related to Township business without the express permission of the Township administration and Board of Trustees,
  - g. Advertising or selling products or services for personal gain, Development or use of unauthorized mailing lists,
  - h. Use of computing facilities for private business purposes unrelated to the mission of the Township, posting or sending obscene, pornographic, sexually explicit, or offensive material, or, intentional or negligent distribution of malicious software such as viruses or worms
  
3. Although the Township is restricted from soliciting information (e.g. user names and passwords) to gain access to an employee's social media

account, the Township reserves the right to inspect and examine any electronic content on any Township owned or operated communications system, computing resource, or other electronic device at any time.

4. When posting content about Township related subjects and issues as an individual, Township employees should make clear that their opinions and recommendations do not represent the Township, it's Board of Trustees, or the Township Administration.
5. All documents and files created by Township employees during their work time using Township equipment become the general property of the Township.
6. Township employees shall not share or disclose the passwords for their individual accounts or allow other staff or persons to log into the network under their individual account. Passwords used to access public workstations, or workstations used by multiple staff members, must not be shared with anyone who does not work for the Township. The use of personal passwords assigned to a Township employee is not grounds for an employee to claim privacy rights in the electronic or communication systems. The Township reserves the right to override personal passwords.
7. Only authorized Township employees may manipulate sensitive information, such as account data, shared network files, patron records, and bibliographic records. Modifying or deleting data, records, or files belonging to another staff member, department, or committee to which you have not been granted authorized permission is strictly prohibited.
8. Township employees are not allowed to download or install software from any source without authorization from the IT Systems Department.
9. It is the responsibility of Township employees to maintain the contents of their mailboxes.

## **B. Security**

Township employees must abide by the security policies and procedures set by the Township Administration and Board of Trustees. If Township employees are aware of any security risk or abuse of the computer or the Internet system, they must notify their supervisor and the IT Systems Department immediately.

### **C. Compliance**

All Township employees are expected to comply with this Policy. Any violation of this policy by a Township employee will subject the employee to discipline, up to and including termination. Any Township employee who sees or perceives a violation of this Policy must report that violation to his supervisor or the Township Supervisor. No Township employee should take any action that will risk his safety or the safety of others.

### **D. Supplements**

Township and/or system administrators may establish more detailed guidelines, as needed, for specific electronic and communication systems. Such guidelines will be considered extensions of these policies and be held to have equal force. The Township reserves the right to modify, revoke, suspend, terminate, or change the language and/or sections within this Policy, in whole or in part, at any time, with or without notice. If from time to time when changes are necessary, or revisions are made, all employees of the Township will be given revised copies. From time to time, the Township may also adopt policies that relate to, supersede or extend beyond the scope of this Policy. Employees shall be notified in writing when new policies that affect them are enacted.

### **E. Disclaimers**

The Township makes no warranties of any kind, whether expressed or implied, for the electronic and communication systems that it is providing to the staff. The Township will not be responsible for any damages suffered, including the corruption or loss of data resulting from user error, computer error, equipment malfunction, or service interruptions. The Township denies any responsibility for the accuracy, quality, or the objectionable nature of information obtained through the Internet.

## **IV. CLASSIFICATION AND SALARY**

### **4.1 CLASSIFICATION OF POSITIONS**

All employment positions in the Township are classified and grouped in classes. Within each class, positions have equivalent levels of complexity, difficulty of

duties, responsibility, and qualifications required including education, technical training, and experience.

1. An employee's employment status shall be determined by using the following criteria and definitions set forth in Section 1.4 of this Personnel Policy Handbook, which shall be used to determine eligibility for benefits and other considerations:
  - a) Full-Time Employees
  - b) Part-Time Employee
  - c) Seasonal Worker / Employee
2. Each position shall also be classified as either "EXEMPT" or "NONEXEMPT," as defined by the FLSA and within the guidance periodically set forth by the U.S. Department of Labor. This classification will be used to determine an employee's eligibility for overtime compensation.

#### **4.2 SALARY & WAGES**

The Township determines the salaries/wages of its full-time employees by means of a schedule that establishes ranges for each position.

- Rates of pay for employees shall be established by the Township Supervisor with the approval of the Township Board of Trustees. Consideration shall be given so that the hourly rate will be generally consistent with that being paid in the community for comparable activities and skills, and upon the Township's current and projected fiscal condition.

#### **4.3 APPOINTMENT RATE**

Full-time employees shall begin at the appropriate rate of pay for the position classification, except in cases where the Township Administrator can justify a higher starting salary because of an unusual history of quality experience or exceptional training.

#### **4.4 OVERTIME COMPENSATION**

It shall be the policy of the Township to keep overtime to a minimum whenever possible without jeopardizing the efficient operation of any department.

1. Any use of overtime shall be authorized by the Administrator or Department Head through the immediate supervisor, with final approval of the Township Supervisor or his designee. Department Heads shall be responsible for maintaining and submitting, as necessary for pay purposes, appropriate records of overtime worked and compensatory leave taken.
2. Overtime hours are defined under the FLSA as hours worked by non-exempt employees over forty (40) hours in a workweek at a rate of not less than time and one-half their regular rate of pay.
3. In the case of executive, administrative and professional personnel, classified as exempt under the FLSA it is implicit in the nature of their position that time beyond the normal work schedule may often necessarily be spent on the job, and are not entitled to overtime compensation or compensatory time.
4. It shall be the right and responsibility of the Township to schedule overtime for its employees. Repeated failure to report for overtime when directed by an immediate supervisor acting within established policy shall be grounds for disciplinary action.

#### **4.5 COMPENSATORY TIME**

Township FLSA-exempt employees may earn straight compensatory time when (1) they work at special events outside of normal business hours performing duties other than their normal work, and (2) they have received prior approval from the Township Supervisor or Township Administrator to earn compensatory time for working at the special event. Compensatory time earned at such events must be used within 6 months of its accrual or else it will be considered forfeited by the employee.

Compensatory Time as provided in this Section is at the discretion of the Township and will only be allowed for special events.

FLSA non-exempt employees shall earn overtime compensation as set forth in Section 4.4.



#### **4.6 SALARY INCREASES**

The Township may provide salary increases and/or bonuses to Township employees subject to the approval of the Board of Trustees.

1. Said increases may be awarded after the completion of an employee performance evaluation and at the sole and exclusive discretion of the Township.
2. Any newly hired or promoted employee who, on March 1, has not completed the twelve (12) month probationary period in the new position, shall not be eligible for a wage increase until the completion of the twelve (12) months.

#### **4.7 POSITION RECLASSIFICATION**

Whenever, in the opinion of a Department Head, the duties and responsibilities of a particular position change so drastically that the current position title and/or range no longer apply, the Department Head may recommend a position reclassification to the Township Supervisor.

1. The Township Supervisor shall determine whether or not to forward the request with his approval to the Township Supervisor and Board of Trustees for inclusion in the annual salary ordinance.
2. All such requests shall occur during the annual budget preparation, unless circumstances otherwise require.

#### **4.8 PART-TIME TOWNSHIP EMPLOYMENT**

All Part-Time employees who are hired by the Township will be placed on the payroll as a part-time employee. Part-time employees are entitled to Social Security benefits and coverage under the State of Illinois Worker's Compensation Statutes, and are subject to Social Security, Medicare, and Federal Income Tax withholding. Part-Time employees, however, are not eligible for healthcare benefits or IMRF benefits.

## V. EMPLOYEE BENEFITS

### 5.1 ELIGIBILITY

An employee's eligibility to receive benefits as described in this chapter is determined by the following categories of employment status:

1. Full-time employees shall be eligible for health, dental, and life insurance on the first day of the month following thirty (30) days of work for the Township. For purposes of the Affordable Care Act only, an average of thirty (30) hours per week or 130 hours per month over the course of a twelve (12) month "look back" period shall constitute "full-time" employment for the purpose of eligibility for health insurance benefits only. Otherwise, full-time employees shall be those who work forty (40) hours per work.
2. A full-time employee is entitled to all benefits described in this chapter, unless specifically stated otherwise or pre-empted by a contract with a recognized bargaining unit.
3. A part-time employee may be entitled to Workers' Compensation Insurance, Unemployment Insurance, holidays and overtime in the event the employee's work exceeds that of the regularly scheduled work week for a full-time employee. This individual may also contribute to the Section 457 Plan.

### 5.2 HEALTH INSURANCE

The Township currently offers Blue Cross/Blue Shield PPO health insurance, HMO Illinois and HMO Blue Advantage to its eligible full-time employees. Information concerning these plans and employee costs shall be made available through the Township's designated Insurance Representative.

1. Health coverage for eligible employees shall begin in the first full month after the employee has worked at least thirty (30) days as required by policy plan documents.
2. Due to fluctuations in health insurance premiums, the Township reserves the right to change insurance carriers, benefits and/or premium contribution rates. The Township will notify employees of a pending

change in health insurance benefits and/or premiums with reasonable notice.

3. In accordance with the Consolidated Omnibus Budget Reconciliation Act (C.O.B.R.A.), continuation of group health plan coverage is available for eighteen (18), twenty-nine (29) or thirty-six (36) months, depending on the reason for termination of employee or dependent status. Cost of this continuation coverage shall be borne solely by the participant.
4. Employees who retire before age 65 (55 or older) or become disabled, may continue health insurance under Illinois Public Act 86-1444 to age 65, if they qualify, and as long as premiums are paid by the former employee. Insurance coverage for spouses of such employees may also be continued to age 65. Upon reaching the age of 65, and if qualified, insurance coverage may be continued as a supplemental policy to Medicare.

### **5.3 DENTAL INSURANCE**

All permanent full-time employees are eligible for enrollment in the employee dental plan on the first day of the of the month following thirty (30) days of continuous work for the Township.

### **5.4 LIFE INSURANCE**

The Township currently provides, at no cost to the employee, term life insurance coverage for the amount of \$25,000.00 for all permanent full-time employees.

### **5.5 HEALTH SAVINGS ACCOUNT**

The Township offers to eligible employees a Health Savings Account (HSA) which is an individually-owned, tax-advantaged savings account. Eligible employees may use HSA funds to pay for medical, dental, prescription and vision expenses for the employee, the employee's spouse and qualifying dependents. When contributing money into the HSA via payroll, employee contributions are tax-free at time of deposit. It is important to note that if an employee is already enrolled in Medicare, the employee is not eligible to enroll in this plan, per the IRS.

### **5.6 HOLIDAYS AND HOLIDAY PAY**

Holiday recognition and designation shall be set by the Township alone. The following days are holidays with pay for all full-time employees of the Township:

New Year's Day	Columbus Day
Martin Luther King Day	Veterans' Day
Presidents' Day	Thanksgiving
Memorial Day	Friday after Thanksgiving Day
Independence Day	Christmas Day
Labor Day	

Employees required to work on a recognized Township holiday shall do so. Holidays are not considered a day worked for purposes of calculating overtime unless work is actually performed. Full-time non-exempt and part-time employees working on the holiday shall receive time and one-half pay for the hours worked on the holiday. Holiday pay is not to be considered hours worked in the computation of overtime. For each hour of holiday work, employees receive premium pay, which is equal to one and one-half times an employee's rate of basic pay.

## 5.7 VACATION

All full-time employees shall be eligible for paid vacation time. Vacation leave shall accrue each period at the employee's award rate as noted below and awarded on the anniversary date. Employees may carry over a maximum of 80 hours into the next fiscal year, otherwise the employee forfeits unused vacation time in excess of the 80 hours. No vacation can be taken until after it is earned. Before using vacation time, the employee will request the Department Head's approval with at least five (5) business days notice. No advances on vacation time off beyond vacation time accrued are permitted. Vacation will be earned at the following rates:

- For up to one (1) year of service 10 Days  
(5 days may be used after 6 months of service)
- Following completion of 2<sup>nd</sup> & 3<sup>rd</sup> years of service 10 Days
- Following completion of 4<sup>th</sup> through 9<sup>th</sup> years of service 15 Days
- After the 10<sup>th</sup> year and each anniversary 20 Days

Vacation leave is not earned or accrued for any pay period or portion thereof during which the employee is on an unpaid leave of absence or is otherwise not

on pay status with the Township. This includes, but is not limited to, pay periods during which the employee is not on pay status because he is receiving temporary total disability (TTD) benefits pursuant to the Illinois Workers' Compensation Act.

An employee on FMLA leave who has exhausted his/her accrued sick leave time shall be required to use vacation time and/or personal days in lieu of unpaid leave until the FMLA leave and any additional unpaid leave granted by the Township for FMLA purposes has been concluded or until all accrued paid time off has been exhausted, whichever comes first.

In order to maintain a supervisory coverage, the Department Head and Assistant Director shall not take vacation leave at the same time.

## **5.8 PERSONAL LEAVE**

At the beginning of the calendar year, all full-time employees shall be awarded six (6) days to be available for personal days. New full-time employees shall accrue personal leave at the rate of one-half (1/2) day per month from the hiring date until the beginning of the next calendar year.

1. To use personal leave, the employee will Request the Department Head's approval with at least three (3) business days prior notice
2. Personal time not used may not be carried over to the next Township calendar year. Personal leave not used shall not be paid out in cash at the end of an employee's tenure with the Township.

## **5.9 SICK LEAVE**

All full-time employees shall accrue sick leave at the rate of one-half (1/2) day per month for a total of six (6) sick days per year. In accordance with the Illinois Employee Sick Leave Act (the Act), Township employees may use their sick leave for absences due to an illness, injury or medical appointment of the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent for reasonable periods of time as the employee's attendance may be necessary but not to exceed one half of the employee's total sick leave accrual for any given calendar year totaling three (3) days. The use of such time, however, does not include absences from work for

which compensation is provided through an employer's plan including, but not limited to, a short or long-term disability plan.

In order to use sick leave, the employee shall call the Department Head within the first two (2) hours of the employee's regular work hours to notify that the employee will be using a sick day. In such an instance where more than three (3) consecutive days of sick leave are utilized by the employee, the Department Head may require a note from the employee's doctor stating that the employee is approved to return to work.

#### **5.10 ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF)**

All eligible Township employees are members of the Illinois Municipal Retirement Fund and shall be subject to all applicable fund requirements. The employee shall contribute 4.5% (before taxes) of his/her salary and the Township shall contribute at the rate set annually by IMRF. Vesting shall be as set forth by applicable law

#### **5.11 DEFERRED COMPENSATION (SECTION 457)**

All eligible Township employees are eligible to enroll in the 457 deferred compensation program regardless of position or salary. The only restriction is that the contribution must comply with federal tax laws regarding maximum contribution amounts.

An employee who wishes to participate must complete an enrollment form; participation will begin in the next payroll period.

Each quarter, the Township's 457 plan provider will forward directly to an employee's home a statement of his/her account. This should be reviewed carefully for errors. Any errors should be brought to the attention of the Finance Director immediately. Employees will also receive a complete annual financial report on the condition of the Retirement Corporation and the earnings for the past year.

#### **5.12 FLEXIBLE SPENDING PLAN (SECTION 125)**

All eligible employees may participate in a Section 125, Flexible Spending Plan. This plan deducts pre-set dollar amounts prior to taxes to pay for health, dental or vision insurance premiums; or, unreimbursed medical or dental expenses; or, child or elder care expenses. Details of the Plan are available upon request.



## **VI. LEAVES OF ABSENCE AND INJURY POLICIES**

### **6.1 JURY DUTY**

Full-time employees shall receive full pay for time not worked while serving on jury or witness duty. Part-time employees shall receive full pay for time served on jury or witness duty if said duty occurs during regularly-scheduled work hours.

### **6.2 MILITARY LEAVE POLICY**

The Township supports those who serve in the United States Armed Forces. In keeping with this commitment, and in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Illinois Services Employment and Reemployment Rights Act (ISERRA) employees who must be absent from work for military service are entitled to take leave consistent with the provisions of those Acts as they may be changed or amended from time to time. More specific information regarding military leave entitlement may be obtained from the Township Administrator. In addition to leave entitlement under the aforementioned Acts, upon return from leave employees shall be entitled to reinstatement to the position that they would have held if continuously employed provided that they meet the requirements for reinstatements as set forth in the Acts. Employees who are called to military service must inform their supervisor as soon as possible. The Township may also request verification of the need for leave in the form of military orders. Once an employee's military service ends, the employee must return to work or inform the Township that he or she wants to be reinstated in accordance with the following guidelines:

- For leaves of 30 or fewer days, the employee must report back to work on the first regularly scheduled workday after completing military service, allowing for travel time;
- For a leave of 31 to 180 days, the employee must request reinstatement within 14 days after military service ends;
- For a leave of 181 days or more, the employee must request reinstatement within 90 days after military service ends

Pursuant to ISERRA, employees of the Township called to military duty or training may be entitled to concurrent pay for leaves up to 30 days and differential pay for leaves more than 30 days. Differential pay shall be capped at 60 days per year.



Employees who have health insurance with the Township shall have their insurance benefits continued as if they had remained continuously employed provided that they return to work after 30 or fewer days of leave. This means that the Township will pay its then current share of the insurance premium and the employee shall pay his/her share. If military leave lasts longer than 30 days, employees will be allowed to continue their Township insurance benefits, but they shall have to pay the full cost of the premium.

Evaluations of employees who are or have been on military leave shall be completed consistent with the requirements of ISERRA.

As military leave laws and benefits for service members are subject to frequent changes and amendments, specific entitlements shall be further explained at the time that such leave becomes necessary.

### **6.3 UNEXCUSED ABSENCES**

Regular and timely attendance is an essential function of each and every job at the Township, therefore unexcused absence from work will be grounds for disciplinary action. Absence from work on a day on which he or she was scheduled to work without notifying his or her direct supervisor, or failure to report to work when called in after-hours duty (e.g. snow plowing, etc.), may be subject to disciplinary action, up to and including termination of employment.

An employee who is absent from work for three consecutive calendar days on which he or she was scheduled to work without notifying his or her direct supervisor will be considered as having terminated his or her employment, unless there were unusual circumstances, as determined by the Township Supervisor, that prevented notification.

### **6.4 TARDINESS**

Employees are expected to report to work and be prepared to begin work at the start of their work shift. An employee may be considered excessively tardy in the event tardiness exceeds two (2) instances in a thirty (30) calendar day period. Excessive tardiness may be grounds for disciplinary action, up to and including termination of employment.

### **6.5 ON-THE-JOB INJURIES**

### **6.5.1 Procedures**

An injury sustained by an employee while on the job should be reported immediately, to the employee's Department Head and Township Supervisor or their designee, and medical attention secured as required.

If the injury arose out of the employee's employment, he/she should inform the admitting office of the hospital or clinic that it is a Workers' Compensation case.

### **6.5.2 Reports**

A Workers' Compensation Report (Illinois Industrial Commission Form 45) and a Supervisor's Accident Investigation Report must be completed and sent together to the Department Head and Township Supervisor or their designee within 48 hours of the accident or injury, in order to avoid delays in payment of bills for benefits to an employee.

All questions regarding a Workers' Compensation claim should be directed to the Township Administrator or designee who acts as a liaison between the Township and the insurance provider, to insure that all bills are paid and that employees receive the benefits to which they are entitled.

In the instance of a Workers' Compensation case, it will be the injured employee's responsibility to keep their Department Head advised of their recuperation progress by submitting periodic reports from the employee's doctor. Said reports shall be immediately forwarded to the Department Head.

The day following an absence due to an on the job injury, it is the responsibility of the employee's Department Head to advise the Township Supervisor who will in turn advise the Supervisor and the Board of Trustees that the employee is to be placed on a "Workers' Compensation Status". Similarly, it will be the Department Head's responsibility to advise the Finance Director and the Township Supervisor of the employee's return to work date.

The Township Bookkeeper will assume the responsibility of advising the insurance provider of the employee's absence and return to work.

## **6.6 WORKERS' COMPENSATION INSURANCE**

Any employee injured during the course of employment with the Township, regardless of fault, shall be eligible for benefits in accordance with Illinois Worker's Compensation Act as amended from time to time.

1. Presently, the Act provides for:
  - a) The payment of all medical expenses related to the injury;
  - b) Payment of 66 2/3% of wages, after three calendar days following the date of injury for injuries arising out of and in the course of one's employment that leaves an employee temporarily disabled.
2. An employee temporarily injured and unable to return to work shall be eligible to use earned leave for the first three (3) calendar days following the injury until coverage under the Act begins. If the disability lasts for fourteen (14) calendar days or more from the date of injury, the initial three (3) calendar days of earned leave will be credited to the employee.
3. Once benefits under the Act begin, the employee shall be placed on injury leave. All compensation shall be paid through the Township's Workers' Compensation claims administrator. Compensation shall not be subject to any Township deductions, and will be distributed through the Finance Director.
4. An employee on an injury-related leave of absence shall not accrue paid vacation or personal leave credits. Full earnings of benefits will continue once the employee returns to work.
5. An employee on Workers' Compensation disability leave for an entire month (and not receiving a Township pay check) will be responsible for payment of the employee contribution for health insurance and any other elected insurance.
6. Any employee on Workers' Compensation disability leave shall return to work as soon as the doctor releases them in writing. It is expected that the disabled employee will inform the Township of their disability status after each doctor visit.
7. Workers' Compensation leave will run concurrent with Family and Medical Leave (FMLA).

## **6.7 INJURED OFF DUTY**

In the case of an injury or accident while NOT on duty, employees may use accumulated sick leave, sick/personal days or vacation leave, or a combination of all three.

## **6.8 LIMITED DUTY**

Employees who are injured either on duty or off duty and cannot assume the normal tasks of their position may be placed on limited or restricted duty, if available, until they have recovered from their disability. Such assignments shall be at the sole discretion of the Township. Employees will only be assigned to limited duty when such duty exists, and only as long as need dictates. If no limited duty is available, an employee may be placed in either a Worker's Compensation disability status or sick leave status (whichever is applicable) until they are medically released to return to work.

## **6.9 ACCIDENTS/PERSONAL INJURY**

All accidents and injuries occurring on Township owned property, property leased by the Township, or involving Township vehicles or Township equipment operated by a Township employee are to be reported to the Department Head and Township Supervisor or their designee immediately.

Failure to adhere to this policy may cause for disciplinary action and / or dismissal.

## **6.10 FAMILY & MEDICAL LEAVE ACT ("FMLA")**

The Township follows the guidelines of the Family and Medical Leave Act, as amended from time to time. Employees who have been employed by the Township for at least one (1) year, and for at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave under the Family and Medical Leave Act. Family or medical leave consists of up to twelve (12) weeks unpaid leave during any 12-month period. The applicable 12-month period is that immediately preceding the starting date of the FMLA leave.

Reasons for Leave: Family or medical leave may be granted for the following reasons:

1. The birth of the employee's child and in order to care for the child;

2. The placement of a child with the employee for adoption or foster care;
3. To care for a spouse, child or parent (but not parent in law) who has serious health condition; or
4. A serious health condition that renders the employee incapable of performing the functions of his/her job.

Entitlement to leave for the birth of a child or for adoption or foster care will expire twelve (12) months from the date of the birth or placement. Spouses are entitled to a combined total of twelve (12) weeks of leave for the birth or placement of a child or care of a parent.

Requests for FMLA shall be submitted at least thirty days before the leave is necessary, if the need for the leave is foreseeable, as is the case with maternity or elective surgery. The Township Finance Director may require proof of the necessity for the leave. The Township Finance Director shall designate the start date of any employee's FMLA leave, which may be in effect concurrently with another disability leave.

Intermittent or Reduced Work Schedule Leave: Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt the Township's operations. When an employee takes intermittent or reduced work schedule leave for foreseeable planned medical treatment, the Township may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

Military Caregiver Leave: Eligible employees who are family members of covered service employees will be entitled to take up to twenty-six (26) weeks of leave in a single twelve (12) month period to care for the covered service-member recovering from a serious injury or illness incurred in the line of duty while on active duty. Family members are a "spouse, son, daughter, parent or next of kin [the nearest blood relative]" of the injured or ill service member. Covered service members are those in the Armed Forces, including members of the National Guard and Reserves.

To qualify for this leave, the member of the Armed Forces must be 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." A "serious injury or illness" is "an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating."

An eligible employee is entitled to a combined total of 26 weeks of leave, including leave taken for any FMLA-qualifying reason, during a single twelve (12) month period.

Qualifying Exigency Leave: During the eligible employee's family member's duty in the Armed Forces, specifically, employees who have a spouse, parent or child who is on or has been called to active duty in the Armed Forces, the employee may take up to twelve (12) weeks of FMLA leave yearly when a "qualifying exigency" arises out of the fact that the family member is on active duty or has been notified of an impending call to active duty status. A "qualifying exigency" is:

1. Short-notice deployment;
2. Military events and related activities;
3. Childcare and school activities;
4. Financial and legal arrangements;
5. Counseling;
6. Rest and recuperation;
7. Post-deployment activities; and
8. Additional activities agreed to by the Township Supervisor.

Exhaustion of Paid Leave: Employees must exhaust any accrued paid vacation days, paid personal days, paid sick days, or other paid leave time for unpaid leave under this policy, and any such paid time off concurrent with his or her Family and Medical Leave. All time missed from work that qualifies for both Family and Medical Leave and for workers' compensation will be counted toward the employee's twelve weeks of Family and Medical Leave. If the employee qualifies for both Family and Medical Leave and any other leaves, Family and Medical leave must be taken first.

Benefit Continuation: While a full-time employee is on FMLA leave, the Township will maintain the employee's group health insurance coverage under

the same conditions that the employee had at the start of FMLA leave for a period not to exceed the FMLA 12-week period. The employee will be responsible for any employee premium contribution and/or payment to other employee elected benefit programs. To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid pursuant to a system voluntarily agreed to by the Township and the employee. Other benefits, if any, such as vacation, sick leave, or personal days, shall not accrue while an employee is on unpaid FMLA leave. Employees on FMLA leave, however, will not forfeit any benefits that accrued prior to the start of the FMLA leave by virtue of taking FMLA leave.

Requesting Leave: Requests for FMLA leave must be made in writing. At least 30 days advance notice of the birth or adoption of a child or for planned medical treatment should be given. In cases of emergency, notice should be given as soon as is practical (usually within one or two business days). A delay in submitting this request may result in a delay of the start of your leave, and jeopardize compensation under the FMLA leave.

1. The request must specify, in detail, the reasons for requesting the leave and the length of time the employee intends to be away.
2. In cases where an employee requests leave for the employee's own serious health condition or to care for a seriously ill family member, the Township requires medical certification from a health care provider to support the request. All medical certifications are due within fifteen (15) days from the date of the leave request. Failure to provide medical certification in a timely manner may result in denial of leave until it is provided.
3. If the Township has reason to doubt the employee's initial certification, the Township may: (i) with the employee's permission, have a designated health care provider contact the employee's health care provider in an effort clarify or authenticate the initial certification; and/or (ii) require the employee to obtain a second opinion by an independent Township-designated provider at the Township's expense. If the initial and second certifications differ, the Township may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

4. A request for leave of absence must be approved by the employee's Department Head.
5. An approved medical leave of absence will be considered FMLA if it qualifies as such under the FMLA regulations promulgated by the U.S. Department of Labor.

Recertification of Leave and Reporting to Department Head Regarding Leave Status: During FMLA leave, the Township may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide the Township with periodic reports regarding the employee's status and intent to return to work. These periodic reports must be made on or about the 1<sup>st</sup> and 15<sup>th</sup> of each month that the employee is on leave. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the Township with reasonable notice (i.e. within 2 business days) of the employee's changed circumstances and new return to work date. If the employee gives the Township notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Return from Leave: Upon returning from FMLA leave, the employee will be reinstated to the employee's original or equivalent position with equivalent pay and benefits. In the case of an employee's own serious health condition, a physician's statement certifying the employee's ability to perform the essential functions of the job is required. In some cases, the Township may require that the employee be examined by a physician of its choice to determine if the employee is fit to perform the essential functions of the position.

An employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a lay off reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

Failure to Return to Work Following FMLA Leave: An employee who fails to return to an available position after the leave of absence has expired may be considered, depending upon the circumstances, to have voluntarily resigned. The Township may recover health insurance premiums that the Township paid on behalf of the employee during any unpaid FMLA leave, except the



Township's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, the Township may require the employee to provide medical certification of the employee's or the family member's serious health condition.

Depending upon the circumstances, including receipt by the Township of documented medical information that the employee is unable to return to work because of the employee's or family member's serious health condition, the employee may be eligible for emergency or other unpaid leave following the expiration of FMLA leave. If the employee needs additional leave after the expiration of FMLA leave, the employee is encouraged to contact the Township as soon as he or she becomes aware of the need for additional leave and should be prepared to document the need for such additional leave with medical information provided by the appropriate health provider. Failure to communicate in a timely fashion with the Township regarding the need for additional leave or otherwise to cooperate with the Township regarding the documentation or substantiation of such need may result in termination of employment.

## **6.11 UNPAID LEAVE**

As the Township recognizes that an employee, from time to time, may need to take time off to deal with personal, medical, family and other issues, the Township provides the employee with both vacation and personal days to allow paid time off. Unpaid leave is not intended to provide "extra vacation days," but it provides a mechanism to grant an employee additional time off for personal, medical, family or other issues after he or she has exhausted the paid leave available to him or her. Accepting a position with another employer while on any leave of absence will result in the forfeiture of the leave of absence and the termination of Township employment.

### **6.11.1 UNPAID LEAVE UNDER FMLA OR VESSA**

Upon application to the Department Head and the approval of the Township Supervisor, an employee may be granted a leave of absence without pay for sick leave, personal leave or maternity leave in conformance with the FMLA, VESSA, and other applicable state and federal regulations. The leave may extend up to the maximum leave allowed under FMLA, VESSA or other applicable state or federal law. Unpaid leave under FMLA or VESSA will have no effect upon

seniority, longevity, vacation accrual, personal leave accrual, or participation in the Township's health insurance program.

### **6.11.2 UNPAID LEAVE OTHER THAN FMLA OR VESSA**

A leave of absence may be granted for personal reasons beyond the scope of FMLA or VESSA if, in the opinion of the Department Head and the approval of the Township Supervisor, the staffing and operation of the department is not impaired if the leave is granted. The decision to grant or deny such leave shall be at the sole discretion of the Township. The leave of absence may be cancelled by the Township Supervisor if the leave impairs the Township's functioning. During an unpaid leave that is beyond the scope of FMLA or VESSA, the employee will cease acquiring seniority and longevity as of the first day of leave, and will not accrue vacation or personal leave during the leave period. The time on unpaid leave is not creditable toward any right or privilege of which length of service is a factor. For unpaid leave exceeding thirty (30) days, the employee may not continue to participate in the Township health insurance plan unless other arrangements are approved by the Township Supervisor in advance.

### **6.11.3 CHILD BEREAVEMENT LEAVE**

In accordance with the Illinois Child Bereavement Leave Act (Public Act 099-0703), an employee who is an eligible employee under the Family and Medical Leave Act of 1993, 29 U.S.C. § 2601, et seq., (that is, an employee who has been employed by the Township for at least 12 months and who has worked at least 1250 hours in the 12 month period preceding a leave taken in accordance with this Section) shall be entitled to a maximum of ten (10) working days of unpaid bereavement leave to attend the funeral (or alternative to a funeral) of the employee's child (defined as the employee's son or daughter who is the biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis), make arrangements necessitated by the death of the child, or grieve the death of the child. Such leave must be completed within 60 days after the date on which the employee receives notice of the death of the child.

In the event of the death of more than one child in a 12-month period, an eligible employee is entitled to up to six (6) weeks of child bereavement leave during that 12-month period.

An eligible employee must give the Township at least 48 hours advance notice of the employee's intention to take child bereavement leave, unless providing such

notice is not reasonable or practicable. The Township may require reasonable documentation to support the leave, which may include a death certificate, a published obituary notice, or written verification of death, burial or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.

An employee may substitute paid time off, to the extent available, for unpaid time off, to the extent that such paid time off is available and permitted by the Township's general bereavement policy, set forth above. However, nothing in this Child Bereavement Policy shall be interpreted as increasing the total amount of time off (consisting of unpaid time off or paid time off substituted therefor) available to an employee in any 12-month period under the Family and Medical Leave Act, nor shall this Child Bereavement Policy be interpreted as increasing the amount of paid time off otherwise available to an employee under the General Bereavement Policy or any other Township leave or paid time off policy.

#### **6.11.4 VICTIMS' ECONOMIC SAFETY AND SECURITY ACT ("VESSA")**

All employees, both part-time and full-time, shall be entitled to a total of twelve (12) work weeks of unpaid leave during any twelve (12) month period if:

- A. The employee is a victim of domestic or sexual violence; or
- B. The employee has a family or household member, or other person related by blood or by current or former marriage or who share a child, where said person is a victim of domestic or sexual violence.

The leave may be taken to:

1. Seek medical attention for or to recover from physical or psychological injuries;
2. Obtain services from a victim services organization;
3. Obtain psychological or other counseling;
4. Participate in safety planning, temporarily or permanently relocating, or taking other actions to increase safety from future domestic or sexual violence or insure economic security; or
5. Seek legal assistance or remedies, including preparing for or participating in any civil or criminal proceeding related to or derived from domestic or sexual violence.

At the employee's discretion, the leave may be taken intermittently or on a reduced work schedule provided that the aggregate amount of leave does not exceed twelve (12) weeks, including any leave taken for any FMLA-qualifying reason.

VESSA leave may only be taken if the employee has complied with certification requirements established by law and Township policy.

Notice to Township of Intention to Take Leave: Whenever practicable, the employee shall provide the Township with at least forty-eight (48) hours advance notice of the employee's intention to take the leave. The Township will not take any action against the employee if an unscheduled absence occurs, provided the employee provides the proper certification set forth below as soon as is practicable.

Confidentiality: All information provided to the Township pursuant to this policy shall be confidential and shall not be disclosed unless requested or consented to in writing by the employee or otherwise required by state or federal law.

Certification: When applying for this leave, the employee shall provide to the Township a sworn statement and obtain one of the following documents:

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

Nothing in this subsection shall be construed to prohibit the Township from requiring an employee on leave to report periodically to the Township regarding the employee's progress in treatment or recovery or regarding employment matters.

Employee Benefits: Upon returning to work after taking leave enumerated under this policy, the employee shall be restored to the position held prior to taking leave or to an equivalent position. Equivalent position shall mean a position that is equivalent in benefits, pay, and other terms and conditions of employment. The employee shall retain all employment benefits accrued prior to the date on which leave commenced and will continue to accrue benefits while on leave as if the employee were reporting to work.

Health Benefits: The Township shall maintain coverage for the employee and covered family or household members under any group plan for the duration of the employee's leave. These benefits will be maintained under the same conditions of coverage that the employee would have been eligible for if the employee was not on leave. If the employee fails to return to work after his or her leave has been exhausted or expired and for any reason other than continued domestic or sexual violence or treatment thereof, the Township shall have the right to seek reimbursement for all premiums paid by the Township while the employee was on leave.

Reasonable Accommodation: Any employee who is entitled to take leave under this policy or under the Act may request and shall receive a reasonable accommodation as long as the accommodation does not pose an undue hardship to the Township. Exigent circumstances and danger to the employee, his or her family member or household member shall be taken into consideration.

#### Use of Existing Leave

An employee who is entitled to take paid or unpaid leave (including family, medical, sick, annual, personal, or similar leave) from employment pursuant to federal, state or local law, a collective bargaining agreement, or the employment benefits program or plan, may elect to substitute any period of leave for an equivalent period of leave provided under this policy. This policy does not provide additional time if the leave is also covered by the Family Medical Leave Act.

## **VII. DISCIPLINARY ACTION**

Regulations regarding the conduct of employees are intended to promote the orderly operation of the Township. Disciplinary action is at times necessary to insure that such regulations are observed and to maintain continuity of Township business and operations. It is the Township's policy to utilize progressive discipline and when necessary impose disciplinary action that is proportionate to the seriousness of the offense. However, in cases of serious offenses, the appropriate discipline may be immediate discharge and progressive discipline may not be followed.

### **7.1 CAUSES FOR DISCIPLINARY ACTION**

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

1. Falsification or fraud in securing employment.
2. Intoxication, use or sale of un-prescribed drugs, or use of prescribed drugs which may affect performance or endanger other employees without notifying the supervisor while on duty.
3. Negligent destruction or loss of property.
4. Theft or willful destruction of Township or individual personal property.
5. Any act which endangers an employee's safety, health or well being or that of another Township employee or which is of sufficient magnitude that the consequences cause or act to cause disruption of work or discredit to the Township.
6. Incompetence or inefficiency in the performance of the duties of a position. The term 'incompetence' shall mean a lack of ability, knowledge or fitness to perform duties which are reasonable within the scope of employment and the term 'inefficiency' shall mean the performance of the duties of the position at a level lower than ordinarily expected of other employees in similar positions.
7. Failure to perform the duties of the position because of neglect.
8. Insubordinate actions, including willful disobedience of a rule, order or directive.

9. False representation to a superior as to the quality and/or quantity of work performed.
10. During work hours, the solicitation of any donation, gift, or other thing of value for personal benefit; or, the attempt to sell any item, service, or product for personal benefit or performing any business matters not pertaining to the Township.
11. The attempt to use Township employment or the name of the Township for any personal benefit, or other group benefit.
12. Absence without leave, the use of sick leave or any other leave of absence in an unauthorized manner, a record of excessive absence or tardiness, or engaging in unauthorized outside employment when on disability leave or sick leave.
13. Failure to return from sick or disability leave when released by the doctor.
14. Use of Township property or the service of Township employees for unauthorized purposes.
15. Violation of any of the policies contained in this Personnel Policy Handbook.
16. Engaging in 'horseplay' during working hours.
17. Gambling or promoting lotteries.
18. Loafing, lounging or sleeping, or visiting other departments without permission.
19. Discourteous treatment of the public.
20. Immoral, unethical or disgraceful actions or any other personal conduct likely to impact the efficiency of the Township service or bring the Township into disrepute.
21. Assault on a fellow employee or customer.
22. Conviction of a criminal offense which involves moral turpitude or relates to the performance of an employee's duties.
23. Any other activity which is not compatible with public service or the professional image maintained by the Township.
24. Any other acts of misfeasance, malfeasance or nonfeasance during employment.

## 7.2 FORMAL DISCIPLINARY MEASURES

Disciplinary action should be reasonable in relation to the seriousness of the offense. However, nothing herein should be construed in any way to limit the Township's right to bypass progressive discipline and summarily discharge or suspend an employee for serious offenses. Any misconduct or non-performance requiring disciplinary action may result in any of the following measures:

1. **Verbal Reprimand** - Ordinarily, the first course of disciplinary action is a verbal reprimand given by the Department Head. The employee should be made aware of the problem(s) and the manner in which the problem(s) can be resolved. This reprimand should, whenever possible, be given in private. The Department Head shall maintain a record of such action.
2. **Written Letter of Warning** - A recurrence of an incident for which a verbal reprimand was given or a more serious initial violation will necessitate the issuance of a written letter of warning. This letter, given by the supervisor or Department Head, shall include a description of the incident, an outline of the circumstances surrounding the incident, and a statement regarding the resolution of the incident. The employee shall be given an opportunity to sign the letter of warning indicating receipt. Failure to sign shall be noted. A copy of this warning shall be placed in the employee's personnel file.
3. **Suspension** - A suspension is the removal of an employee from Township service generally without pay. An employee may be suspended when the violation is a serious infraction, but not so serious as to merit dismissal. When a suspension is enacted by the Township Supervisor, a notice of suspension shall be given to the employee. Said notice shall include documentation of the circumstances surrounding the incident, the length of the suspension, and a reference made to the procedures for appeal. The employee shall be given an opportunity to sign the suspension to indicate receipt. Failure to sign shall be noted. A copy of the suspension shall be placed in the employee's personnel file.
4. **Demotion** - A demotion is the reassignment of an employee to less responsible work when the employee's performance has not been satisfactory but does not warrant dismissal. The Township Supervisor, in consultation with the Department Head, may demote any employee. A demotion may be accompanied by a salary reduction at the Township



Supervisor's discretion. When a demotion is made, a copy of the demotion shall be given to the employee involved. Said demotion notice shall include the circumstances surrounding the demotion, the effective date of the demotion, and a reference made to the procedures for appeal. The employee shall be given an opportunity to sign the demotion to indicate receipt. Failure to sign shall be noted. A copy of the demotion shall be placed in the employee's personnel file.

5. **Dismissal** - A dismissal is the involuntary end of an employee's tenure, as recommended by the Township Administrator and approved by the Township Supervisor. In instances where dismissal is an appropriate disciplinary action, the Supervisor retains the discretion to allow the disciplined employee the opportunity to resign voluntarily before the employee is dismissed.

### **7.3 PERFORMANCE IMPROVEMENT PLAN**

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

## **VIII. RETIREMENT, RESIGNATION AND RE-EMPLOYMENT**

### **8.1 RETIREMENT**

So long as practical, an employee wishing to retire shall give a written notice at least ninety (90) calendar days prior to the effective retirement date, unless otherwise agreed to by the Township Supervisor. Any unused earned vacation time may be converted into a cash payment or used as vacation prior to retirement.

Any employee who, after June 1, 2021, retires at age 55 or older, may elect to receive the Mainstreamer newsletter and participate in Mainstreamer activities at the guest rate.

### **8.2 RESIGNATION**

The following guidelines apply to any employee wishing to leave Township service in good standing:

1. Any employee wishing to leave Township service in good standing should file with the Administrator or Department Head a written resignation stating the reason(s) for leaving and giving at least ten (10) working days notice. The Administrator or Department Head may consent to the employee leaving sooner.
2. A copy of the letter of resignation must be forwarded to the Township Supervisor within one (1) working day of receipt.
3. Any employee whose employment with the Township terminates, whether by resignation, retirement or otherwise, shall be entitled to the cash payment of any unused earned vacation time, in accordance with the Illinois Wage Payment and Collection Act (820 ILCS 115/1-16).
4. All Township-owned property has been returned or appropriate remuneration collected.

### **8.3 EXIT INTERVIEW**

Any time an employee terminates employment with the Township, whether by resignation, retirement or otherwise, the following guidelines apply:

1. The employee's Department Head or Administrator may schedule an exit interview between the employee and the Township Supervisor or his/her designee.
2. Exit interviews are entirely voluntary on the part of the employee and in no way affects monies or benefits due to the employee by virtue of separation.
3. The exit interview is designed to solicit information from the employee concerning matters directly associated with Township employment, such as: job satisfaction, working conditions, supervision, training, compensation, work safety procedures, and general suggestions as to how to improve the overall delivery of service.

#### **8.4 RE-EMPLOYMENT**

Any employee terminated for performance reasons or misconduct or any employee who resigns without giving ten (10) working days notice shall not be eligible for re-employment with the Township. Any employee who is re-employed by the Township shall not be entitled to any previously earned benefits or seniority.

## IX. SUPPLEMENTAL POLICIES

### 9.1 SEXUAL HARASSMENT POLICY

#### 9.1.1 Definitions.

A. “Employee” means a person employed by Maine Township, whether on a fulltime or part-time basis or pursuant to a contract, who duties are subject to the direction and control of an Employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

B. “Employer” means Maine Township.

C. “Officer” means a person who holds, by election or appointment, an office in Maine Township regardless of whether the officer is compensated for service in his or her official capacity.

D. “Sexual Harassment” means any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when:

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

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

E. “Working environment” is not limited to a physical location an Employee is assigned to perform his or her duties.

#### 9.1.2 Prohibition on Sexual Harassment.

A. Each Employee and Officer of Employer has the responsibility to refrain from sexual harassment in the workplace and is prohibited from engaging in conduct that constitutes sexual harassment.

B. Conduct which may constitute sexual harassment includes:

1. Verbal: sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other Employees, even outside of their presence, of a sexual nature.

2. Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, “catcalls”, “smacking” or “kissing” noises.

3. Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.

4. Physical: unwelcome touching, hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.

5. Texting/Electronic: “sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).

C. The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is subtler and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a “reasonable person”.

### **9.1.3 Reporting an Allegation of Sexual Harassment**

A. An Employee who either observes or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to her/his immediate supervisor or the Township Administrator or the Township Supervisor.

B. It is not necessary for sexual harassment to be directed at the person making a complaint.

C. During the occurrence of an incident of sexual harassment or following reporting, the Employer may document or record each incident. (what was said or done, the date, the time, and the place). Additionally, the Employer may collect and/or compile related written records such as letters, notes, memos, electronic messages and telephone messages.

D. All charges, including anonymous complaints, will be accepted and investigated regardless of how the matter comes to the attention of the Employer. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

E. Proper methods of reporting conduct believed to be sexual harassment include the following:

1. Electronic/Direct Communication. If there is sexual harassing behavior in the workplace, the harassed Employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If the subsequent messages are needed, they should be put in writing in a note or a memo.

2. Contact with Supervisory Personnel. At the same time direct communication is undertaken, or in the event the Employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor or the Township Administrator or the Township Supervisor.

3. Formal Written Complaint. An Employee may also report incidents of sexual harassment directly to the Township Administrator. The Township Administrator will counsel the reporting Employee and be available to assist with the filing a formal complaint. The Employer will fully investigate the complaint and advise the complainant and the alleged harasser of the results of the investigation.

4. Resolution Outside Employer. The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an Employee has the right to contact the Illinois

Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint with those entities. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

F. All reports shall be received and handled as confidential to the extent permitted by law and subject to any disclosure requirement pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.).

G. The Employee experiencing what he or she believes to be sexual harassment must not assume that the Employer is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the Employer will not be presumed to have knowledge of the harassment.

#### **9.1.4 Prohibition Against Retaliation for Reporting Sexual Harassment**

A. An Employee shall not be retaliated against by the Employer or the Employees or Officers of the Employer due to the Employee's:

1. Disclosure or threatened disclosure of any violation of this policy;
2. The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy; or
3. Assistance or participation in a proceeding to enforce the provisions of this policy.

B. No individual making a report will be retaliated against even if a report made in good faith is not substantiated.

C. The Employer will take reasonable steps to protect from retaliation any Employee or Officer who is a witness.

D. Supervisors must ensure that no retaliation will result against an Employee making a sexual harassment complaint.

E. Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension,

demotion, or denial of promotion or transfer that occurs in retaliation for an Employee who does any of the following:

1. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any Officer, member, State agency, or other State Employee that the State Employee reasonably believes is in violation of a law, rule or regulation;

2. Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any Officer, member, State agency or other State Employee; or

3. Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.

F. Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an Employer may not retaliate against an Employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the Employee has reasonable cause to believe that the information discloses a violation of a State or Federal law, rule, or regulation. In addition, an Employer may not retaliate against an Employee for disclosing information to a government or law enforcement agency, where the Employee has reasonable cause to believe that the information discloses a violation of a State or Federal law, rule, or regulation. (740 ILCS 174/15(b)).

G. According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding or hearing under the Illinois Human Rights Act.

H. An Employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC may file a retaliation charge- due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.



### **9.1.5 Consequences**

A. In addition to any and all other discipline that may be applicable pursuant to the Employer's policies, employment agreements, procedures, Employee handbooks and/or collective bargaining agreement, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable discipline or discharge by the Employer and any applicable fines and penalties established pursuant to local ordinances, State law or Federal law. Each violation may constitute a separate offense. Any discipline imposed by the Employer shall be separate and distinct from any penalty imposed by any ethics commission and any fines or penalties imposed by a court of law or a State or Federal agency.

B. False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. A false and frivolous charge is a severe offense that can itself result in a disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable Township policies, employment agreements, procedures, Employee handbooks and/or collective bargaining agreements.

C. Any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State's Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.

### **9.1.6 Severability**

It is the intention of the Supervisor and the Board of Trustees that this policy and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this policy shall not affect the validity of any other portion of this policy.

## **9.2 DRUG AND ALCOHOL ABUSE POLICY**

It is the policy of the Township that the residents have the right to expect all persons employed by the Township to be free from drug use and alcohol abuse. All employees are required to report to work on time and in an appropriate mental and physical condition for work. It is the Township's intent to provide and maintain a drug and alcohol free, healthful, safe and secure work environment.

### **9.2.1 Prohibited Conduct**

In accordance with the Federal Drug-Free Work Place Act of 1988, Township employees shall not manufacture, distribute, dispense, possess or use illicit drugs, unauthorized prescription drugs, alcohol or controlled substances on the premises of any Township building or facility (unless authorized), in Township-owned vehicles or during working hours. Likewise, employees also are prohibited from being under the influence of illegal drugs, controlled substances, unauthorized prescription or alcohol on the premises of any Township building or facility (unless authorized), in Township-owned vehicles or during working hours. Compliance with this policy is a condition of employment. Sanctions for violation of this policy include discipline up to and including discharge and referral to law enforcement authorities for prosecution consistent with applicable local, state and federal law.

This policy does not apply to the lawful use of prescription drugs under the supervision of a licensed health care professional and within the limits of a valid prescription. An employee who has been prescribed drugs is required, however, to consult with his or her doctor or pharmacist about the prescribed medication's effect on the employee's ability to perform his or her job safely and to immediately disclose to his or her supervisor any medication-related work restrictions. While employees are required to disclose any medication-related work restrictions, employees should not disclose the type of drugs they have been prescribed or the underlying medical conditions or disabilities unless directed to do so by their doctors or pharmacist or asked to do so by the Township.

As part of our drug free work-place policy, it is the policy of the Township to conduct drug testing during the post offer, pre-placement physical examination required for all Township positions. It is also the policy of the Township to conduct drug/alcohol testing where it has reason to believe that an employee may be under the influence of alcohol, illegal drugs or other controlled substances. Employees subject to United States Department of Transportation (“DOT”). testing shall be tested in accordance with DOT regulations in addition to the testing and discipline provisions of this policy. Refusal to submit to testing will result in disciplinary action, up to and including termination of employment.

As a condition of initial or continued employment, employees shall abide by the terms of this policy and shall notify the Township Supervisor of any criminal drug statute conviction, guilty or *nolo contendere* (i.e. “no contest”) plea for a violation occurring in the work place no later than five calendar days after such conviction or plea.

#### **9.2.2 “Controlled Substance” Defined**

For purposes of this policy, the term “controlled substance” means a controlled substance listed in the Illinois Controlled Substances Act (720 ILCS 570) or Cannabis Control Act (720 ILCS 550) and substances listed in Schedules 1 through V of the Federal Controlled Substances Act (21 U.S.C. 812), as further defined by regulation at 21 CFR 1308.11 through 1308.15.

#### **9.2.3 “Under The Influence Of Alcohol” Defined**

For the purpose of determining whether the employee is under the influence of alcohol in violation of this policy, test results showing an alcohol concentration of .02 or more based upon the grams of alcohol per 100 millimeters of blood will be considered positive, and results showing an alcohol concentration of less than 0.02 shall be considered negative.

#### **9.2.4 Consequences Of Positive Test Results**

Applicants who refuse to cooperate with or fail to pass a post-offer, pre-employment drug test will not be hired by the Township.

Employees who refuse to cooperate in a required test, who test positive, or who use, possess, distribute, purchase, sell, manufacture or dispense illegal drugs on

Township premises or work sites will be disciplined, up to and including termination of employment.

Employees who consume illegal drugs or alcohol or possess illegal drug paraphernalia or alcoholic beverages on Township premises or work sites will be disciplined, up to and including termination of employment.

Employees who have been convicted of, sentenced for, or pled *nolo contendere* to a drug crime committed on Township premises or work sites, will be disciplined up to and including termination of employment.

### **9.3 WORKPLACE VIOLENCE POLICY**

The safety and security of its employees is of paramount importance to the Township. The Township is committed to providing a safe environment for working and conducting business. The Township will not tolerate acts of violence or threats of violence committed by or against Township employees, whether working or not working, on or off Township property.

Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts against Township employees shall be immediately removed from the premises as safety permits, and shall remain off the premises pending the outcome of an investigation. The Township will initiate an appropriate response, which may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

No other Township policy, practice, or set of procedures will be enforced or interpreted in a manner inconsistent with the terms and provisions of the Workplace Violence Policy.

Violations of this policy will lead to disciplinary action, which may include dismissal, arrest, and prosecution.

#### **9.3.1 Employee Reporting Duties**

Any violent incidents or threats must be reported to the Township Supervisor, who shall designate a Township administrator to promptly investigate all such

reports and take appropriate disciplinary and legal action. Employees are responsible for notifying a supervisor or management of any behavior they have witnessed which:

- a) is regarded as threatening or violent; and,
- b) has occurred in the workplace, during activities related to Township employment, which may be at sites other than the workplace, or is job related.

Employees are responsible for notifying management regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior, and the person or persons who were threatened or were the focus of the threatening behavior. Designated management representatives include the employee's immediate supervisor or Department Head and the Township Supervisor. Complaints involving the employee's immediate supervisor should be directed to the Township Supervisor. In the event that a violent action is actually occurring, every effort should be made to contact local police as quickly as possible. No employee acting in good faith, who reports real or implied threats or violent behavior will be subject to retaliation or harassment based upon their report.

### **9.3.2 Protective Or Restraining Orders**

All individuals who apply for or obtain a protective or restraining order which lists Township locations as being protected areas, must provide to their supervisor a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

### **9.3.3 Report Confidentiality**

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

#### **9.4 PREGNANT WORKERS FAIRNESS POLICY AND NURSING MOTHERS IN THE WORKPLACE**

Under the provisions of the Illinois Human Rights Act, 775 ILCS 5/1, *et seq.*, as amended by P.A. 98-1050, effective January 1, 2015, employees and applicants for employment are protected against discrimination in employment on the basis of pregnancy. If you are pregnant, you may request a reasonable accommodation to enable you to accept employment or continue working, consistent with medical advice, if you choose to do so rather than take leave under any leave law or Township policy. You will be required to supply medical documentation from your health care provider to support your request for a reasonable accommodation. Once a reasonable accommodation is requested and supported by medical documentation, the Township must grant the accommodation unless the Township can show that the accommodation would impose an undue hardship on its ordinary operation. You cannot be required to accept an accommodation that you did not request if you choose to decline it. Further information as to your rights and obligations under the law and this policy can be obtained from the Township Supervisor and/or the Illinois Department of Human Rights. The Illinois Department of Human Rights can be contacted at:

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

After childbirth, reasonable break time shall be provided to nursing mothers for the purpose of expressing breast milk. Nursing mothers are encouraged to use express breast milk when they take their normally scheduled breaks, however no compensation shall be lost if this cannot be accomplished. The Township shall provide an appropriate private location for the expressing of breast milk. The Township shall provide accommodation to nursing mothers under this policy provided that providing such accommodations in the form of additional break time, if needed, does not cause an undue hardship to the Township. Additional break time for the purpose of expressing breast milk shall be granted under the terms of this policy for a period of up to one (1) year following the birth of a child. Questions and/or requests regarding this policy should be presented to the Township Administrator.

## **9.5 TUITION REIMBURSEMENT POLICY**

### **A. General Purpose.**

To increase the effectiveness of Township services to the residents of Maine by encouraging the personal development of Maine Township employees through education and training, as well as by preparing employees for advancement.

### **B. Effective Date.**

This policy is effective September 1, 2023. Reimbursement for any course which concludes on or after this date will be subject to this policy statement.

### **C. Eligibility Requirements.**

#### **1. Applicants**

- a) Applicants must be Township employees currently on township payroll for a minimum of two (2) years.
- b) Applicants must be employed full-time (a minimum of 40 hrs. a week) or part-time (19 hours per week or less). Temporary employees, student interns and other student employees are NOT eligible.

#### **2. Colleges, Universities and Vocational/Technical Institutions**

- a) Applicant's school of enrollment must be located in the State of Illinois and offer in-person classroom instruction, although applicant may attend some classes remotely. Applicant's school of enrollment must be listed in the U.S. Department of Education's Database of Accredited Post-Secondary Institutions and Programs.

#### **3. Course of Study**

- a) Courses of study must be related to the employee's current work or probable future work with the Township.

### **D. Conditions and Limitations on Reimbursement.**

#### **1. Conditions Applicable to Requests for Tuition Reimbursement**

- a) Tuition Reimbursement is available to applicants working towards an associates, bachelor or other advanced degree.
- b) A maximum of two (2) courses will be reimbursed per semester, quarter or term.

- c) This policy will pay up to 100% of tuition not to exceed a yearly entitlement amount set at \$2,000 and an employee cumulative maximum of \$10,000.
- d) Reimbursement is for tuition only; costs of books, lab fees, late penalties, supplies and other special fees are NOT reimbursable.
- e) Reimbursement will not exceed the amount actually paid by the employee. Reimbursement will not be made for tuition paid for by financial aid the employee receives from other sources.
- f) Review courses for licenses or degrees, such as the Bar Review or CPA Review, will not be eligible for reimbursement.
- g) Reimbursement will be based on available funds.
- h) Class days, times, and assignments must not interfere with employee's current working schedule.

## **2. Procedure for Seeking Reimbursement**

- a) All applications must be submitted to the Department of Human Resources within 30 days after the date classes begin, along with required forms.
- b) The application must be approved by the employee's Department Head or Administrator/Supervisor.
- c) Reimbursement will be paid directly to employee upon (1) proof of completion of an approved class with a passing grade, and (2) proof of prior payment to the school.

## **E. Required Forms.**

### **The applicant must complete the following forms:**

1. Tuition Reimbursement Application form.
2. Release of Financial Aid Information form.
3. Signed Receipt of Notice of Tuition Repayment Requirements Form. (This form must be submitted only once and will be kept on file for every person participating in the Tuition Reimbursement Program.)



## **F. Reimbursement Procedure.**

### **1. Reimbursement Documentation**

Reimbursement is granted upon submission of original grade reports and original receipts of payment to the Department of Human Resources. On-line statements of accounts and grades are also acceptable. Xerox copies of payment receipts and grade reports will NOT be accepted.

### **2. Failure to Complete an Approved Course:**

The Township will reimburse tuition costs when the employee demonstrates that they have successfully completed the course with a passing grade. If an employee fails to complete a course while participating in the Tuition Reimbursement Program without a satisfactory reason, or if the employee fails to receive a passing grader, the employee may be disqualified from further participation in the Tuition Reimbursement Program.

### **3. Repayment of Tuition upon leaving Township Service:**

- a) As of September 1, 2023, employees who participate in the Tuition Reimbursement program and subsequently leave will be required to repay any reimbursement they have received based on the following conditions:
  1. If an employee commences an undergraduate or graduate degree program after September 1, 2023, obtains an undergraduate or graduate degree with the assistance of the Tuition Reimbursement program and then, within one (1) year of obtaining such degree voluntarily resigns from the employ of the township, all tuition costs related to such degree which have been reimbursed to the employee by the Township shall be repaid to the Township.
  2. If an employee voluntarily resigns after one (1) year but less than two (2) years after obtaining the degree, one-half (50%) of the related tuition costs reimbursed to the employee shall be repaid to the Township.

## **G. Failure to Comply.**

Failure to comply with this policy will result in the disapproval of the application and non-payment of reimbursement. The Department of Human Resources will, in all cases, exercise the final judgment as to whether or not reimbursement will be granted and, if so, the amount of reimbursement.

The Department of Human Resources will administer the Tuition Reimbursement program without regard to race, color, religion, sex, age, national origin or handicap.

## **9.6 REIMBURSEMENT OF TRAVEL, MEAL AND LODGING EXPENSES POLICY**

### **A. Purpose.**

The Township will reimburse employee and officer travel, meal, and lodging expenses incurred in connection with approved travel, meal, and lodging expenses incurred on behalf of the Township. Employees and officers are expected to exercise the same care in incurring expenses for official business as a prudent person would in spending personal funds.

### **B. Definitions.**

"Travel" means any expenditure directly incident to official travel by employees and officers of the Township involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

"Meals" shall include reasonable expenses incurred for the purchase of food and non-alcoholic beverages not to exceed \$75 per day.

"Lodging" shall include reasonable expenses incurred for approved hotel stays.

### **C. Authorized Types of Official Business.**

Travel, meal and lodging expenses will be reimbursed for employees and officers of the Township only for purposes of official business conducted on behalf of the Township. These include but are not limited to off-site or out-of-town meetings related to official business and approved seminars, conferences and other educational events related to the employee's or officer's official duties. If you are unsure whether an expense is reimbursable, please contact the Supervisor.

#### D. **Categories of Expenses.**

1. **Airfare** – Travelers are expected to obtain the lowest available airfare that reasonably meets business travel needs. Travelers are encouraged to book flights at least 30 days in advance to avoid premium airfare pricing. Only coach or economy tickets will be paid or reimbursed. The traveler will pay for the difference between higher priced tickets and coach or economy tickets with his or her personal funds.
2. **Personal Automobiles** – Mileage reimbursement will be based on mileage from the work location office to the off-site location of the official business, not from the employee's or officer's residence. When attending a training event or other off-site official business directly from an employee's or officer's residence, no reimbursement will be made if the distance is less than the mileage of a normal commute to the workplace. If the distance is higher than the employee's or officer's normal commute, reimbursement will be paid based on the differential of the commute less the mileage of a normal commute to the workplace. An employee or officer will be reimbursed at the prevailing IRS mileage rate. The traveler will only be reimbursed up to the price of a coach airfare ticket if they drive to a location for which airfare would have been less expensive.
3. **Automobile Rentals** – Travelers will be reimbursed for the cost of renting an automobile including gasoline expense only as provided in this section. Travelers using rental cars to conduct official business are required to purchase insurance through the rental agency. Car rental insurance will cover the vehicle during personal use, e.g., using the vehicle after the conference has ended. Compact or mid-size cars are required for two or fewer employees or officers traveling together and a full-size vehicle may be used for three or more travelers. The traveler must refuel the vehicle before returning it to the rental company.
4. **Public Transportation** – In the case of local training or official business where an employee or officer chooses to use public transportation, reimbursement for use of public transportation is based on mileage from the agency office to the training site (not from the

traveler's residence), regardless of the transportation method chosen. When attending training or business directly from an employee's or officer's residence, no reimbursement will be made if the distance is less than the mileage of a normal commute to the workplace. If the distance is higher than the traveler's normal commute, reimbursement will be paid at the differential of the commute less the mileage of a normal commute to the workplace.

5. **Other Transportation** – The traveler should utilize hotel shuttle service or other shuttle services, if available. If none are offered, the use of the most economic transportation is encouraged.
6. **Hotel/Motel Accommodations** – The traveler will be reimbursed for a standard single-room at locations convenient to the business activity. In the event of a change in plans or a cancellation, the traveler must cancel the hotel/motel reservation so as not to incur cancellation charges. Cancellation charges will not be reimbursed by the Township unless approved by a vote of the Board of Trustees of the Township.
7. **Meals** - Meal reimbursement is limited to the current U.S. General Services Administration (GSA) regulations in place at the time the expense is occurred. Prior approval by the Board of Trustees of the Township and submission of receipts are required for per diem allowances. Meals provided by the conference or seminar should be deducted from the per diem allowance. Partial reimbursement may be made for departure and return days based on time. Meals during in-state travel that is not an overnight stay will be reimbursed for actual cost not to exceed the GSA regulations.
8. **Vacation in Conjunction with Business Travel** – In cases where vacation time is added to a business trip, any cost variance in airfare, car rental, lodging and/or any other expenses must be clearly identified on the Travel, Meal, and Lodging Expense Report form and paid by the traveler.
9. **Accompanied Travel** – When a traveler is accompanied by others not on official business, any lodging, transportation, meals or other expenses above those incurred for the authorized traveler will not be reimbursed by the Township.

10. **Parking** – Parking fees at a hotel/motel, conference center, or other site will be reimbursed only with a receipt.
11. **Entertainment Expenses** - No employee or officer of the Township shall be reimbursed for any entertainment expense, unless ancillary to the purpose of the program, event or other official business.

**E. Approval of Expenses.**

1. **Expenses for Officials or Employees Other than Members of the Board of Trustees.** Travel, meal, and lodging expenses incurred by any official or employee that is in excess of the maximum allowable reimbursement, as defined in Section B of this policy, must be approved by roll call vote at an open meeting of the Board of Trustees.
2. **Advanced Expenses.** Travel, meal, and lodging expenses advanced as a per diem to any employee or official of the Township must be approved by roll call vote at an open meeting of the Board of Trustees prior to payment. Documentation of expenses must be provided in accordance with Sections C, D and F of this policy, and any excess from the per diem must be repaid.
3. **Other Expenses.** All other expenses that do not fall within paragraphs E.1, E.2, or E.3 are subject to the Township Supervisor's approval.

**F. Documentation of Expenses.**

Before an expense for travel, meals, or lodging may be approved under Section E of this Policy, the following minimum documentation must first be submitted, in writing, to the Township Supervisor on a Travel, Meal, and Lodging Expense form:

- a. an estimate of the cost of travel, meals, or lodging if expenses have not yet been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;
- b. the name of the individual who received or is requesting the travel, meal, or lodging expense;
- c. the job title or office of the individual who received or is requesting the travel, meal, or lodging expenses; and

- d. the date or dates and nature of the official business for which the travel, meal, or lodging expense was or will be expended.

All documents and information submitted in connection with this policy are public records subject to disclosure under the Freedom of Information Act.

**G. Travel, Meal, and Lodging Expense Report Form.**

The Township utilizes a standardized form for the submission of travel, meal, and lodging expenses which can be obtained from the Township Administrator. .

**H. Additional Expenses**

In addition to travel, meal and lodging expenses, employees shall also be reimbursed for necessary expenditures incurred by employees within the scope of their employment and at the direction of the Township. Employees must obtain authorization from the Township prior to incurring any such expenses. Further, in order to obtain reimbursement for said expenses employees must submit an expense reimbursement request within 30 days of incurring the expense along with supporting documentation. **Again, employees shall not be eligible for reimbursement of expenses incurred without prior approval of the Township.**

**9.7 TRANSGENDER POLICY**

**A. Discrimination Prohibited:**

The Township's policy on transgender is designed to create a safe, inclusive working environment in which staff can be honest and open about who they are. It will act as a guideline; each situation that occurs will need to be evaluated on a case by case basis. It is the Township's policy to treat all of its employees with dignity and respect and to provide a workplace that is free of discrimination whether that discrimination is based upon race, color, religion, gender (including pregnancy, gender identity, gender expression, gender change, gender orientation, gender stereotyping, or transgender status), national origin, disability, parental status, political affiliation, genetic information, marital status, membership in an employee organization, age, reprisal, or other non-merit factors. All Township employees are expected to conduct themselves in the workplace in such a manner that is consistent with their

obligation to maintain a work environment that is free of discrimination, including discrimination that is based upon gender identity or perceived gender non-conformity.

The following definitions are not provided to label individuals but rather to assist in understanding this policy and the obligations of Staff. These terms may or may not be used by transgender individuals to describe themselves.

“Gender identity” or “Affirmed Gender” is a person’s deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. Gender identity is also defined as an individual’s internal sense of being male or female or something else. It is not based on physical anatomy. The Township’s understands that gender identity is a very personal matter that should be respected by all fellow employees and supervisors.

“Assigned Gender” refers to the gender assigned to a child at birth based on physical anatomy.

“Gender Marker” The “male” (“M”) or “female” (“F”) on your birth certificate, ID, or passport is called a “gender marker

“Transgender” describes people whose gender identity is different from their gender assigned at birth

“Transgender Man” is a term used to describe an individual who currently identifies as a man.

“Transgender Woman” is a term used to describe an individual who currently identifies as a woman.

“Gender nonconforming” describes people whose gender expression differs from stereotypical societal expectations related to gender.

“Gender expression” refers to the way a person expresses gender identity to others, such as clothing, hairstyles, activities, voice or body characteristics, behavior or mannerisms.

“Transition” is the time when a person begins to live as the gender with which they identify instead of the gender that they were assigned at birth. This may include changing one’s name, dressing and grooming differently. Transitioning may also include such medical and legal aspects as taking hormones, having surgery or changing identity documents to reflect one’s gender identity.

## **B. Transitioning Employee Responsibilities**

1. Any employee planning a transition should notify the employer at least sixty (60) days prior to the planned transition so that the employer can prepare a transition plan and address the necessary logistics of the transition. Employees may speak with their direct supervisor, human resource manager or upper level administrative staff. Remember the employer may not be educated about what an employee may need during the transition time. The employee should be prepared to educate the employer to the best of their ability.
2. The Township recommends creating a Transition Plan as part of the transition process. This can assist the employer to create the necessary support system and plan for how the transition will occur. A Transition Plan should essentially be a detailed time line. Items to include are transitioning milestones, dates such as legal name change, when appearances will change and when the use of gender-specific facilities will change. Consider all the people in the Township’s who will need to be engaged in the transition. Be sure to allow time for education and engagement of staff. Consider possible challenges such as lag time with payroll, insurance paperwork, etc.

## **C. Co-Worker Responsibilities**

Be open, honest and supportive. If a co-worker is divulging information confidentially, be sure to keep the information confidential. Feel free to ask questions and allow the co-worker to educate you, but only do so if the co-worker expresses a willingness or desire to speak about the transition or gender identification. Employees shall not question other employees about suspected gender identity issues. Employees should use the appropriate male or female pronouns and the appropriate name in all official and unofficial communications. Employees must also be aware of the Township’s anti-harassment and discrimination policies. Co-workers



must remember that discrimination based upon gender identity or expression is prohibited by the Township's. This prohibition applies not only to discrimination but also to harassment based upon an individual's gender identity or expression, as part of the prohibition based on gender. Failure to adhere to the Township's non-discrimination policy may result in disciplinary action up to and including dismissal. If a co-worker is uncomfortable the Township's can assist them in learning more about the transition process or transgender issues in general.

#### **D. Township Responsibilities**

The Township's will remain supportive of a transitioning employee and his/her needs. The Township enforces its non-discrimination policies uniformly.

The Township, its managers and supervisors are prepared to listen and be open-minded to transgender, non-conforming and transitioning employee issues. Conversations will be kept confidential from anyone who is not directly involved with the issues.

#### **E. Personnel Documentation**

All employees should be in the payroll system with their assigned gender and legal name. Once an employee has proof of changing their gender marker in the Social Security Administration records it may be changed in payroll. Health insurance records should also include the assigned gender until a medical provider approves the affirmed gender to be used. However, preferred names can be used for name tags, phone lists and other internal documents. The Township will make every effort to recognize a transgender employee's preferred name.

#### **F. Names/Pronouns**

It is respectful and consistent with the law to address employees by a name and pronoun that corresponds to their affirmed gender. This name does not need to be the name under which the person is employed. Intentional or persistent refusal to respect an individual's gender identity through the use of names and pronouns not correlated with the affirmed gender is a violation of this policy and may lead to disciplinary action up to and including dismissal.

**G. Restroom/Locker Room Accessibility**

Once a transitioning employee begins living and working full-time in the gender that reflects the employee's gender identity and presentation, the employee may choose to use the restrooms and (if provided to other employees) locker rooms that correspond to the employees full-time gender identity. Reasonable accommodations which provide access to restrooms or locker rooms may be necessary to ensure the privacy, dignity, and respect of all employees. The objection of co-workers to a transgender or non-conforming gender employee using the same restroom or locker room facility shall not be the basis for denying the transgender or non-conforming gender employee use of that facility. Rather, the Township may designate a different restroom or locker room facility for the objecting co-worker if available and reasonable.

**H. Dress Code**

Transgender and non-conforming gender individuals are entitled to dress as their affirmed gender within the Township dress code. A transitioning employee's attire should remain professional and in conformance with required Township dress code standards. Dress codes shall be applied to all employees equally.

**I. Discrimination/Harassment**

Complaints received regarding discrimination and/or harassment involving transgender or non-conforming gender individuals will be handled in the same manner as any other discrimination or harassment complaints. Procedure details are described in the Township's Harassment Policy.

**9.8 WEAPONS IN THE WORKPLACE POLICY**

The Township strives to maintain a safe workplace environment for its employees and visitors and therefore it is the policy of the Township that the possession of weapons and/or concealed carry by Township employees is prohibited at all times while on or in Township property or while engaged in work for or business with the Township, as provided in this section.

**A. Concealed Carry Prohibited**

All property controlled by the Township is a “prohibited area” under Section 65 of the Illinois Firearms Concealed Carry Act and thus, concealed carry in or on any property controlled by the Township is not authorized by Illinois law. Accordingly, and in all events, concealed carrying is not an exception to this policy.

**B. Weapons Prohibited**

1. Except as specifically provided herein, no Township employee except duly authorized law enforcement personnel, may wear, carry, store, transport, or otherwise possess a weapon at any time while on or in Township property, whether on duty or off duty, or while performing any duties for on behalf of the Township, whether on, in or off Township property.
2. Except as specifically provided herein, no Township employee may use a privately owned vehicle for Township business if that vehicle contains a firearm of any type or size, whether loaded or unloaded.
3. Township property for the purposes of this section means every building and property, or portion of a building or property, owned or leased by or otherwise under the control of, the Township. Township property also includes every Township-owned or leased vehicle.

**C. Inspections**

Township representatives may inspect or search any workplace area or any Township property at any time for the presence of a weapon.

**E. Violations**

Any violation of this policy by a Township employee will subject the employee to severe discipline, up to and including termination and/or arrest. Any Township employee who sees or perceives a violation of this policy must report that violation to his supervisor or the Township Supervisor. No Township employee should take any action that will risk his safety or the safety of others.

## **F. Public Safety and Concealed Carry Act Exceptions**

Nothing in this policy prohibits an employee, non-employee invitee or visitor on Township property from possessing or using a weapon as an occupational requirement of a public safety position, or work assignment, or as authorized by applicable federal or state law.

Also, nothing in this policy prohibits an employee possessing a valid license under the Firearm Concealed Carry Act, 430 ILCS 66/1, et seq., from carrying a concealed firearm and/or ammunition on or about his person within a vehicle into a Township parking area, provided that, before the employee leaves the parked vehicle, the firearm and ammunition are stored and concealed within the locked vehicle, or locked container within the vehicle, out of plain view within the vehicle in the parking area. An employee with a concealed carry license may carry a concealed firearm in the immediate area surrounding his or her vehicle within a Township parking area only for the limited purpose of storing a firearm within or retrieving a firearm from the vehicle's trunk, provided that the licensee ensures that the concealed firearm is unloaded prior to exiting the vehicle. For purposes of this policy, "case" includes a glove compartment or console that completely encloses the concealed firearm and/or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box, or other enclosing container.

## **9.9 COMPUTER USE POLICY**

The Township computer and information technology resources are to be used exclusively to advance the Township's mission and operations. Employees may use these resources only for purposes related to the discharge of their duties as employees, their official business with the Township, and other Township-sanctioned or authorized activities.

Township computers and information technology resources may only be used for legal purposes and may not be used for any of the following purposes or any other purpose which is illegal, immoral, unethical, dishonest, damaging to the reputation of the Township, inconsistent with the mission or operations of the Township, or likely to subject the Township to liability. Unauthorized uses (some of which may also constitute illegal uses) include, but are not limited to, the

following: harassment, libel or slander, fraud or misrepresentation, destruction of or damage to equipment, software, or data belonging to the Township or others, disruption or unauthorized monitoring of electronic communications, installing unauthorized licensed software, violation or circumvention of computer system/network security, unauthorized use of computer accounts, access codes (including passwords), or network identification numbers (including e-mail addresses) assigned to others, development or use of unauthorized mailing lists, use of computing facilities for private business purposes unrelated to the mission of the Township, posting or sending obscene, pornographic, sexually explicit, or offensive material, or, intentional or negligent distribution of malicious software such as viruses or worms

Although the Township is restricted from soliciting information (*e.g.* user names and passwords) to gain access to an employee's social media account, the Township reserves the right to inspect and examine any electronic content on any Township owned or operated communications system, computing resource, or other electronic device at any time.

#### **9.10 POLICIES REFERENCED**

This Section is reserved for references to supplemental policies that are not contained in the Personnel Policy Handbook. All supplemental policies listed in Section 9.10 shall be incorporated by reference as part of the Personnel Policy Handbook and as official Township policy. Any supplemental policy not listed in this Section does not constitute a waiver by the Township that it should be incorporated by reference as Township policy.

## Exhibit 1

### PERSONNEL POLICY HANDBOOK STATEMENT RECEIPT

The undersigned acknowledges that he/she has received a copy of the Township's Personnel Statement. I understand that I am responsible for reading the contents, and to the extent consistent with the law, I agree to abide by the policies and procedures contained herein. I also understand that this Personnel Statement is not a contract of employment and that the practices and benefits described herein are subject to modification or deletion, at Township's discretion, both as to active or retired employees. I also acknowledge that I am an at-will employee and can be terminated for any reason at any time with or without cause, and without a hearing so long as there is no violation of applicable federal or state law. This at-will status will continue despite changes in my compensation and/or position. Furthermore, nothing in this Personnel Policy Handbook is intended to constitute an offer, statement, or confirmation of any terms or conditions of employment.

Employee Signature:

By: \_\_\_\_\_

Employee Name (printed):

Name: \_\_\_\_\_

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

## Exhibit 2

### MAINE TOWNSHIP COMPLAINT FORM SEXUAL HARASSMENT/ DISCRIMINATION/ RETALIATION

Maine Township is committed to providing a work environment free from discrimination, harassment and retaliation. The Township's Equal Employment Opportunity Policy and Non-Harassment Policy outline the Township's prohibitions against discrimination, harassment and retaliation. These policies can be found in the Township's Policy and Personnel handbook, located in every department.

These policies encourage employees to report prohibited conduct to management. One option for reporting discrimination, harassment or retaliation is to complete this form and provide it to a Department Head or the Township Supervisor. You are not required to use this form to file a complaint.

Any employee can report discrimination, harassment and retaliation, whether as a victim or a witness. Regardless of your experience with the discrimination, harassment or retaliation, it is important to be as specific as possible in your complaint so that the Township can fully investigate the conduct and take prompt corrective action, as necessary. Include all known information about the complaint, including the identity of any witnesses with knowledge of the allegations or offenses and any other known evidence related to the complaint. You are not limited to the space provided. The Township encourages you to attach any additional materials that may assist us in investigating the claim. This form must be signed and dated by you to be considered an official complaint. Although not encouraged because it limits our ability to verify the facts alleged in your complaint, you may submit this complaint anonymously.

To investigate the complaint, the Township may need to interview you, those subject to the alleged discrimination, harassment or retaliation (if not yourself), the alleged offender(s) and any known witnesses. However, the Township will notify all individuals involved that the investigation is confidential to the extent permitted by law and make clear that unauthorized disclosures could result in disciplinary action.

**Employee Name:**

**Employee Title:**

**Supervisor or Manager Name:**

**Supervisor or Manager Title:**

**Today's Date:**

**Incident Date/Period of Ongoing Incidents:**

**Incident Time (if a single incident):**

**Incident Location (if a single incident)**

Identify the individual(s) who participated in discrimination, harassment or retaliation:

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Identify the individual(s) subject to the alleged discrimination, harassment or retaliation:

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Identify (to the best of your knowledge) when the discrimination, harassment or retaliation occurred. If it occurred over a period of time or continues to occur, identify that period of time:

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Identify why you believe the discrimination, harassment, or retaliation occurred:

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Has anyone else witnessed the alleged conduct? To the best of your knowledge, please identify those individuals and describe their scope of knowledge of the alleged conduct:

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Describe in detail the facts that form the basis of this complaint (attach additional sheets of paper if necessary):



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Are you aware of any other evidence of the alleged conduct (for example, documents, emails, or other records or materials that substantiate your complaint)? To the best of your knowledge, please identify and describe any and all existing evidence and attach any and all existing evidence in your possession to this complaint:

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Have you previously reported or complained about the alleged conduct or any other discrimination, harassment or retaliation while employed at the Township? If so, please identify the person you reported the conduct to, the date of the report and the resolution:

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How would you like to see the situation resolved?

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I acknowledge that I have read and understand the above information. I certify that to the best of my knowledge, the information I have provided on this form is accurate. I understand and acknowledge that a copy of this complaint and any attachments may be provided to the alleged offender(s). I also understand that this complaint and any attachments may be viewed by appropriate administrators and other witnesses involved in the investigation of this complaint. I am willing to fully cooperate in this investigation.

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Employee Signature

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Date

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Signature of Supervisor Reviewing  
Complaint

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Date

**Exhibit 3**

**ACKNOWLEDGEMENT OF RECEIPT AND REVIEW AND SEXUAL  
HARRASSMENT POLICY**

**I have read and understand the Policy Prohibiting Sexual Harassment. I understand that if I ever have any questions or concerns I can speak to my immediate supervisor or the Township Administrator. I have signed and dated this acknowledgement to confirm my receipt and understanding of the policy.**

**Printed Name:**\_\_\_\_\_

**Signature:**\_\_\_\_\_

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