

VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2025-O-4

AN ORDINANCE AMENDING
THE VILLAGE EMPLOYEE POLICY MANUAL
OF THE TOLONO MUNICIPAL CODE

Passed by the Board of Trustees and
Approved by the President
of
Village of Tolono, Illinois
On February 18, 2025

Published in pamphlet form by authority of the President and Board of Trustees
of the Village of Tolono, Champaign County, Illinois,
this 18th day of February, 2025

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**AN ORDINANCE AMENDING THE VILLAGE EMPLOYEE POLICY MANUAL
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WHEREAS, the Village of Tolono, Champaign County, State of Illinois (the “Village”) is a duly organized and existing Municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village of Tolono previously adopted a Village Employee Policy Manual; and

WHEREAS, the Village Board of Trustees finds that it is appropriate to update and revise said Village Employee Policy Manual as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation Clause.

The President and Board of Trustees of the Village of Tolono hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance.

Section 2. Purpose.

This Ordinance is to amend the Village Employee Policy Manual of the Tolono Municipal Code as provided herein.

Section 3. Amendment.

Title III of the Tolono Municipal Code is hereby amended as follows:

“Chapter

33. EMPLOYEE POLICY MANUAL

General Provisions

33.001 Disclaimers

(A) It is important for the employee to understand that the employee is employed at-will, which means that either the employee or the Village may end his or her employment at any time, for any reason, with or without notice and with or without cause.

(B) No one except the President can change the at-will relationship, or make any binding promises regarding the terms of employment, and any such change or promise must be in writing, signed by the Village President, to be effective.

33.002 Changes in Policy

These policies may be amended or changed from time to time as conditions require and deemed appropriate by the Board of Trustees. Changes to this policy require a public meeting prior to adoption as a Village ordinance by a vote of the majority of Trustees.

33.003 Collective Bargaining

If the employee is a member of a bargaining unit, parts of this chapter may not be applicable or may be supplemented by additional procedural information found elsewhere. The employee should refer to her or his collective bargaining agreement as it will take precedence over this chapter to the extent of the specific conflict only.

33.004 Organization

(A) Village President (Police Chief, Village Clerk, Office Manager, Public Works Superintendent).

(B) Police Chief (full-time and part-time officers).

(C) Public Works Superintendent (full time and part time staff).

(D) Administrative Secretary

33.005 State and Federal

(A) Family Medical Leave Act, being 29 U.S.C. §§ 2611 et seq.;

(B) Mini-COBRA, being 215 ILCS 5/367e;

(C) Separability; and

(D) Police policies.

33.006 Separability

Each rule in this chapter and each section thereof is an independent rule or section. The holding of any court of competent jurisdiction that any rule or section is void, invalid, or ineffective, for any reason, does not affect the validity of any other rule or section.

33.007 Action on Behalf of President

(A) Whenever permitted or required to act under this chapter, the Village President may act through a designee. The President shall appoint any designee by a written order, which shall be signed and dated by the President, shall identify the powers given to the designee, and may identify a specific time frame during which the appointment will be effective. The President may appoint more than one designee with the power to act at the same time, but the same powers may

not be given to more than one designee. The President may revoke the appointment of any designee by a signed and dated written order. An appointment may be revoked even if any time frame specified in the original appointment order has not yet expired.

(B) If the President lacks the physical or mental capacity to perform any act permitted or required by this chapter, any President pro tempore duly appointed by the Board may act on behalf of the President, but only if the President has not appointed a designee with authority to perform that act.

Customer Service

33.010 Purpose

(A) It is the goal of the Village to provide quality, reliable, and affordable services, while fostering a small-town atmosphere of friendliness and caring in our community. To these ends, the Village employees must embrace the timeless spirit of public service, while constantly seeking new ways to increase the efficiency of Village operations. Customer service supports and enhances the relationships we have with those we serve. Even brief interactions are opportunities for good service.

(B) The hallmark of a great small town is the knowledge people have of one another, and the willingness to use that knowledge to make each other's lives a little easier. As Village employees, we operate a not-for-profit service organization that is vitally important to those who reside, do business, or visit Tolono. Each of us has a responsibility to do our part to keep Tolono a special place. The following Tolono Customer Service Standards have been established as a guide for employees and as a reminder that the spirit in which we discharge our duties is just as important as the work itself.

33.011 First Impressions

(A) The following customer service standards have been established as a guide for employees and as a reminder that the spirit in which employees discharge their duties is just as important as the work itself.

(B) Employees should make every first impression a positive one.

(1) First impressions impact every subsequent interaction. Employees should be aware of their body language and tone of voice from the first moment of customer contact.

(2) Employees should use appropriate phone etiquette and state their department and name every time they answer the phone.

(3) Employees should keep in mind that from the customer's perspective, the employee is the village.

(4) Employees should always be aware that some customers may have multiple relationships with various departments and that those relationships don't end even though the interaction is complete.

(5) Employees should create a welcoming atmosphere through their actions and words; even when they must bear bad news, they should do so in a professional, courteous manner.

(6) Employees should never lose sight of the fact that they are here to serve and attend to the needs of their customers, whoever they may be.

33.012 Help and Initiative

(A) Every employee is empowered to help.

(1) Employees should resolve to fully listen to all concerns when approached with a question or issue. If the employee is unable to help, he or she should ensure that the appropriate person provides help. There is very little that employees do that cannot be paused to take the time to help someone or steer them in the right direction.

(2) Employees should know their scope of authority and feel comfortable operating within it.

(B) In order to serve the public well, employees must be prepared to do so.

(1) Current information should be maintained on the phone system, internet, and in printed materials.

(2) Common questions should be anticipated, and appropriate materials should be made readily available.

(3) It is the responsibility of every employee to understand their department's procedures so that every customer can be assisted promptly.

33.013 Pride

(A) Employees should always display a high level of professionalism to fulfill their roles in the maintenance of the Village's good reputation.

(B) Negativity is contagious; employees should strive to remain positive in all situations.

(C) Employees should ensure that their words and actions are supportive of all Village departments in every interaction, whether internal or external. Employees are all on the same team.

(D) Employees should be open to give and receive constructive feedback as a means to continually improve the organization.

33.014 Flexibility

(A) Employees should be open-minded and willing to change current practices to improve service delivery.

(B) Employees should recognize that the best solution is not always the quickest or easiest.

(C) Employees should strive to recognize when a unique situation requires normal procedures to be modified within the Village's ability to do so.

(D) Employees should respond appropriately when dealing with those who may require additional services due to language differences or physical limitations.

33.015 Conflict Resolution

Conflict resolution is everyone's responsibility.

(A) Employees should never be the one to terminate a discussion or meeting without agreement, unless someone is being abusive.

(B) Employees should always try to instill calm before attempting to provide a resolution to a situation.

33.016 Empathy

Empathy is always the best policy.

(A) Employees should always try to put themselves in the place of the person the employee is working with and make their best effort to fully understand the request or comment.

(B) Employees should seek to understand the needs of the person before seeking to be understood.

(C) While employees cannot always do what every customer wants, they can always treat them with fairness and respect.

33.017 Timeliness

People deserve a timely response to their inquiries.

(A) As long as it can be done safely and practically, an immediate response to people's inquiries is always the ideal.

(B) As a service organization, the Village must strive to always be aware of other peoples' schedules and be willing to accommodate them whenever possible.

(C) When an immediate response is not possible, employees should always provide a realistic expectation of when a follow-up response from a person knowledgeable of their situation can be expected.

(D) Voicemails and emails should be responded to on the same day they were received whenever possible. If an employee can't provide an answer immediately, she or he should at least tell the person quickly that the employee is working on a solution to his or her question.

33.018 Follow-Up

(A) Employees should always follow up to make sure the customer's situation is resolved.

(1) When appropriate, employees should send follow-up letters (or emails, if that was the format of their request) to customers, with questions about how their experience with the village could have been better.

(2) Before ending any interaction, employees should always be sure that all of a customer's needs have been discussed and ensure that all avenues that the Village can realistically provide to resolve the situation at hand have been addressed.

(B) When appropriate, employees should offer suggestions to their supervisors as to how similar problems could be avoided in the future.

Terms of Employment

33.020 Hiring Authority

The President has the authority to hire or appoint all positions in the Village, including Police Chief, Office Manager, and Public Works Supervisor, unless otherwise established by statute or ordinance. All recruitment and hiring processes will follow the steps outlined in 33.032. The Village Clerk, Office Manager, Police Chief, Public Works Supervisor, Building Official, and Village Treasurer are appointed with the advice and consent of the Board.

33.021 Place of Work

The nature of municipal work sometimes extends the definition of “workplace” beyond the facilities owned by the Village. For administrative staff, this may include trips to the bank or the post office. For public works employees, this is extended to the corporate limits of the Village. Due to the nature of police work, they may have occasions when they need to travel beyond the Village limits (i.e., transporting arrestees). The place of work for police will be determined as appropriate by the Chief. For all other non-emergency situations, employees are not authorized to travel beyond 50 miles outside of the Village limits without prior supervisor approval.

33.022 Equal Employment Opportunity

The Village maintains a policy of nondiscrimination with employees and applicants for employment. Under federal, state, and local law, no aspect of employment with the Village will be influenced in any manner by race, color, religion, sex, age, national origin, physical or mental disability, or any other basis prohibited by law.

33.023 Employment At-Will

With exceptions set forth in statutes and ordinances of the Village, including the collective bargaining agreement, all employees are considered to be employees at-will. Village employees may resign from their employment at any time, for any reason. Likewise, the village may terminate the employment relationship of such employees, at any time, with or without cause. However, an employee cannot be fired for discipline without the Village following the progressive discipline set forth in Section 33.122. Neither the policies contained in this chapter, nor any other written or verbal communications by a supervisor are intended to change the at-will relationship or create a contract of employment.

33.024 Residency Requirement

Currently, the village does not have any residency requirement for employees, unless otherwise stated in a job description.

33.025 Job Classification

(A) *Full-time employees.* Individuals who are regularly scheduled to work no less than 40 hours per week. Full-time employees receive all benefits provided by these policies, upon successful completion of the initial review period. Bargaining unit members may have different benefits than other employees. If the employee is a member of a bargaining unit, he or she should refer to his or her Bargaining unit agreement for the latest information.

(B) *Part-time employees.* Individuals who are regularly scheduled to work less than 1,000 hours per year are deemed to be part-time employees. Part-time employees are not eligible for benefits described in the manual, except where noted or to the extent required by state or federal law.

(C) *Temporary and seasonal employees.* Individuals who are hired for specific periods of time or for the completion of a specific project are deemed temporary or seasonal employees. Seasonal employees are considered to be temporary employees. Temporary employees are

limited to work less than 1,000 hours per year and are not eligible for benefits described in this manual, except to the extent required by state or federal law.

(D) *Elected and appointed officials*. Elected and appointed officials are not eligible for benefits described in the manual except where noted or to the extent required by state or federal law.

33.026 Exempt and Non-Exempt Employees

(A) Exempt employees, those on salary, are not entitled to overtime pay under the Fair Labor Standards Act. Those are employees with management or professional duties who earn a specified minimum salary per year.

(B) Non-exempt or hourly employees are entitled to be paid one and one-half times their regular hourly wage for hours worked over 40 hours per week.

(C) Time off of work for any reason is counted as hours worked for purposes of computing overtime.

(D) The Village will only employ non-exempt employees.

33.027 Initial Six-Month Review Period

(A) Unless otherwise stated in the job description approved by the President, both new employees and existing employees in new positions will be more closely monitored and reviewed during the first six months of employment. This six-month period is an opportunity for both the Village and the employee to determine if the job is right for the employee. Performance evaluations will generally be done during this time period.

(B) A decision will be made by the Village at the end of the six-month review period regarding whether the employment relationship will be continued. The initial six-month review period may be extended an additional six months by mutual agreement between the Village and the employee.

33.028 Reasonable Accommodations

(A) The Village is committed to ensuring that no otherwise-qualified person with a disability is excluded from participating in, be denied the benefits of, or be subjected to discrimination in the context of his or her employment with the Village. Consequently, the Village will make reasonable accommodations to individuals that do not impose undue hardships on the Village.

(B) With regard to an employee's religious observances, practices, and beliefs, of which the Village is aware, the Village will make reasonable accommodations that do not impose an undue hardship on the Village.

(C) Employees who believe that they need a reasonable accommodation of some kind because of a disability or a religious observance should submit a written request to their immediate supervisor. The Village cannot make a reasonable accommodation unless it knows that the employee needs one.

33.029 Background Investigation and Reference Checks

Prior to being hired, all applicants must consent to a background investigation. Background verification is performed prior to any job offer. Employment is contingent on its successful completion. Employees who do not successfully complete the background verification may be terminated or the conditional offer of employment may be withdrawn.

33.030 Medical Screening

The physical nature of some positions in the Village will require physical examination and medical testing, at Village expense, after a conditional offer of employment has been made. Employment for these positions is contingent on its successful completion. If the physical examination reveals an inability to complete essential functions of the position, the Village will consider providing reasonable accommodations to allow the individual the opportunity to fill the position.

33.031 Pre-Employment Drug Testing

Any Village position will require drug screening at Village expense.

33.032 Recruitment and Selection

(A)(1) The Village recruits candidates as broadly as possible (i.e., both externally and internally), for all vacant positions, except as otherwise provided for by state statutes and in compliance/agreement with 33.020.

(2) Recruitment shall be sought internally, if possible, before external recruitment is sought.

(3) The Village is committed to the principle of recruiting and selecting employees on the basis of demonstrated and potential ability to perform the functions of the position available and in accordance with the Village's policy of equal employment opportunity.

(4) Applicants for certain Village positions may be subject to specific testing or certifications as determined by the respective department.

(B) The following steps should be taken in the selection and recruitment process for all positions/departments:

(1) The President or staff identifies an open position;

(2) An updated job position and advertisement is prepared;

(3) A job description, proposed budget, and salary range is provided to the Board for approval;

(4) The President approves the hiring action;

(5) The President selects two Trustees to advise the Board regarding applicants. In the case of a Police Department hire, the two Trustees will work with the Police Chief to identify qualified candidates;

(6) Application forms are provided by staff to applicants during recruiting period;

(7) The two Trustees will be provided with completed applications;

(8) The two Trustees review and approve a short list of qualified applicants for interviews and background checks and select two applicants to be interviewed in closed session by the entire Board;

(9) The Board makes a recommendation on a suitable candidate to the President; and

(10) The President may agree or disagree with recommendation and then negotiates the salary and makes the hiring commitment.

Sexual Harassment

33.040 Policy

Language in the Village ordinances notwithstanding, all prior existing sexual harassment policies and/or provisions shall be superseded by this subchapter.

33.041 Prohibition on Sexual Harassment

(A) It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations.

(B) It is a policy of the Village to prohibit harassment of any person by any municipal officials, municipal agents, municipal employees, and municipal agencies or offices are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof.

33.042 Definitions

(A) This policy adopts the definition of sexual harassment as stated in the state's Human Rights Act, being 775 ILCS 5/1-101 et seq., which currently defines **SEXUAL HARASSMENT** as:

(1) Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

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

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

(c) 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.

(2) Conduct which may constitute sexual harassment includes:

(a) *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;

(b) *Non-verbal*. Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, catcalls, or smacking or kissing noises;

(c) *Visual*. Posters, signs, pin-ups, or slogans of a sexual nature, viewing pornographic material or websites;

(d) *Physical*. Touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault; and

(e) *Textual/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 (email, text/picture/video messages, internet/on-line postings, blogs, instant messages, and social network websites like Facebook and Twitter).

(B) The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle 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.

33.043 Procedure for Reporting

(A)(1) An employee who either observes sexual harassment or believes himself or herself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating his or her position to the offending employee, and his or her immediate supervisor.

(2) It is not necessary for sexual harassment to be directed at the person making the report.

(B) Any employee may report conduct which is believed to be sexual harassment, including the following.

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

(2) *Contact with supervisory personnel.*

(a) 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 of the person making the report, a department head, a Director of Human Resources, an Ethics Officer, the Village Manager or Administrator, or the Chief Executive Officer of the municipality.

(b) The employee experiencing what she or he 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 municipality will not be presumed to have knowledge of the harassment.

(3) *Resolution outside municipality.*

(a) The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the municipality. However, all municipal employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities.

(b) 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.

(C) Documentation of any incident may be submitted with any report (what was said or done, the date, the time, and the place), including, but not limited to, written records such as letters, notes, memos, and telephone messages.

(D) All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the municipality. However, because of the serious implications of sexual harassment charges, 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.

33.044 Prohibition on Retaliation for Reporting

(A) No municipal official, municipal agency, municipal employee, or municipal agency or office shall take any retaliatory action against any municipal employee due to a municipal 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 subchapter; or
 - (3) Assistance or participation in a proceeding to enforce the provisions of this policy.
- (B) For the purposes of this subchapter, **RETALIATORY ACTION** means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any municipal employee that is taken in retaliation for a municipal employee's involvement in protected activity pursuant to this policy.
- (C) No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.
- (D) Similar to the prohibition against retaliation contained herein, the state's 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's Officials and Employees Ethics Act.
- (E) 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.
- (F) According to the state's 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 or she has opposed that which he or she reasonably and in good faith believes to be sexual harassment in employment, because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the state's Human Rights Act.
- (G) 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.

33.045 Consequences of Sexual Harassment

In addition to any and all other discipline that may be applicable pursuant to municipal policies, employment agreements, procedures, employee handbooks, and/or collective bargaining agreement, any person who violates this chapter 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 municipality and any applicable fines and penalties established pursuant to local ordinance, state law, or federal law. Each violation may constitute a separate

offense. Any discipline imposed by the municipality shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

33.046 Consequences for Knowingly Making a False Report

(A) A **FALSE REPORT** is a report of sexual harassment made by an accuser using the sexual harassment report to accomplish some end other than stopping sexual harassment or retaliation for reporting sexual harassment. A false report is not a report made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in 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 municipal policies, employment agreements, procedures, employee handbooks, and/or collective bargaining agreements.

(B)(1) In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act, being 5 ILCS 430/1-1 et seq. to an ethics commission, an inspector general, the state police, a State Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor.

(2) 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.

Compensation and Benefits

33.050 Compensation Plan

(A) The Board is committed to paying competitive wages to its employees based on the skill required for the position, the experience, and/or longevity of the individual employee with regard to the position, and ongoing performance of the employee in the assigned position.

(B)(1) Over the course of employment with the Village, an employee may receive periodic increases in wages based on merit (i.e., performance equal to or exceeding expectations) and based on seniority.

(2) All raises must be approved by the Village Board.

(C) Under unusual circumstances, an employee may have her or his wages reduced. This reduction can occur because of a reassignment to the employee, a restructuring of the position, or exceedingly poor performance during an individual evaluation period.

(D) Employee evaluations will be completed every March. Performance bonuses or adjustments to wages may take place following their evaluation. Raises will take effect on May 1, the beginning of the Village's fiscal year.

(E) Pay scale for the Police Department employees shall be as follows:

- (1) Full-time police officers starting rate shall be a minimum of \$27.00 per hour.
- (2) Part-time police officers starting rate shall be a minimum of \$27.00 per hour.
- (3) Sergeant shall be paid no less than 10% above the top paid officer below her/him.
- (4) Deputy Chief shall be paid no less than 12% above Sergeant.
- (5) Chief shall be paid no less than 12% above Deputy Chief.

(6) The starting rate may be looked at and changed from time to time. If a hire is made at a higher rate than previous pay rates, pay for Sergeant, Deputy Chief, and Chief will be adjusted accordingly.

(F) Pay scale for the Public Works Department employees shall be as follows:

- (1) Full-time laborers starting rate shall be a minimum of \$23.75 per hour.
 - (2) Part-time laborers starting rate shall be a minimum of \$19.00 per hour.
 - (3) Seasonal laborers starting rate shall be a minimum of \$15.00 per hour.
 - (4) Lead shall be paid no less than 5% above the top paid laborer below her/him.
 - (5) Superintendent shall be paid no less than 12% above Lead.
 - (6) The starting rate may be looked at and changed from time to time. If a hire is made at a higher rate than previous pay rates, pay for Lead and Superintendent will be adjusted accordingly.
- (G) Pay scale for the Administrative Department shall be as follows:
- (1) Administrative Secretary starting rate shall be \$23.50 per hour.
 - (2) Office Manager shall be paid no less than 12% above Administrative Secretary.
 - (3) The starting rate may be looked at and changed from time to time. If a hire is made at a higher rate than previous pay rates, pay for Office Manager will be adjusted accordingly.

33.051 Benefits Eligibility

Only full-time employees are eligible for employee benefits listed in this chapter unless otherwise noted. Some benefits may be added or changed during open seasons. Employees should see the administrative staff for more information.

33.052 Payroll Deductions

- (A) There are two categories of payroll deductions:
- (1) Those required by state and federal law; and
 - (2) Those authorized by the employee.
- (B) Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, and wage garnishments as required by law (e.g., child support payments, court-ordered payments, IRS garnishments).
- (C) If authorized in writing by an eligible employee, the Village will also make additional deductions for health insurance and other purposes that are for his or her benefit. These include payments into savings funds; retirement contributions; union dues; and voluntary contributions to charities. Arrangement for these voluntary deductions may be made with the administrative staff.

33.053 Social Security (FICA)

Social security is a payroll deduction representing an employee's contribution to the federal government's social security program. The Village also contributes money on behalf of the employee to the program (with the exception of elected and appointed officials).

33.054 Workers' Compensation Insurance

The Village pays a premium for workers' compensation insurance for all employees. This insurance protects employees from a loss of income and pays medical expenses, resulting from a workplace accident or injury. Employees are required to report all work-related injuries to their supervisors immediately.

33.055 State Unemployment Insurance

If an employee is separated from the Village under no-fault circumstances such as a layoff, she or he may be eligible for unemployment benefits pursuant to state statute and regulations.

33.056 Health Coverage

(A) The Village provides health insurance for full-time employees on an annual basis, based on funding available for the village.

(B) Cash in lieu of insurance in the amount of \$500 per month will be paid to any employee who refuses health insurance coverage with proof of other health insurance coverage.

(C) Insurance for family members is at the expense of the employee and will be deducted from the employee's paycheck.

(D) Questions about benefits may be directed to the President or his or her designee.

33.057 Continuation of Group Health Insurance

(A)(1) The continuation coverage mandated by the federal law commonly known as COBRA does not apply because the Village does not have 20 or more employees. However, the state currently has what is known as a Mini-COBRA Law, which allows health insurance benefits to be continued for up to 12 months after the termination of employment or after an employee suffers a reduction in hours resulting in a loss of coverage under the group health plan. The premium for continuation coverage must be paid by the employee, but it may not exceed the group rate.

(2) To be eligible, the employee must have been continuously covered under the group health plan for three months. Continuation coverage is also available for spouses and dependents who have been continuously covered under the group health plan for three months.

(B) In addition, the state has a Spousal Law and a Dependent Child Law, which allow health insurance benefits to be continued for spouses and/or dependent children following a qualifying event, which may be the retirement, death, or divorce of an employee, or which may be the age at which coverage is no longer provided for a dependent under the group health plan. In these situations, written notice of the qualifying event and a request for continuation coverage should be given to the Village within 30 days of the event. The Village will forward the written notice to the group health insurance company.

33.058 Retirement IMRF

All full-time employees participate in the Illinois Municipal Retirement Fund (IMRF). Employees' mandatory contribution of 4.5% from their gross pay will be deducted from their paychecks. Employees do have the option to take an additional deduction up to 10%, in addition to the 4.5%. To be fully vested, employees must be employed with the Village for eight or ten years, depending on the IMRF tier the employee is enrolled in. This is not an optional deduction.

Compensatory Time Off

33.060 General

Compensatory time off is for full-time employees subject to the Fair Labor Standards Act.

33.061 Introduction

(A) Eligible employees who record more than 40 hours worked in a work week may be compensated for the overtime in one of two ways:

- (1) Overtime pay; or
- (2) Compensatory time off.

(B) It is the expectation that employees will be paid for time worked more than 40 hours per week unless management decides to allow compensatory time off based upon budgetary constraints and/or operational needs of the department. As of the effective date of this chapter, employees may elect to receive compensatory time off as described in this chapter.

33.062 Eligibility

All permanent employees employed on a full-time basis by the village are eligible. Part-time employees, seasonal employees, and temporary employees shall not be covered under this policy.

33.063 Coverage

(A) Employees earn time-and-one-half for all hours worked in excess of 40 hours in a work week.

(B) Working more than eight hours in a workday does not constitute overtime or require compensatory time off. The additional accrual occurs only after working more than 40 hours in a work week.

(C) Sick days, holidays, vacation time, and other time off benefits will be counted as time worked for purposes of overtime.

33.064 Overview

(A) Management reserves the right to determine whether compensatory time off may be earned in lieu of overtime pay based upon the operational needs of the department or the Village.

(B) Compensatory time off is paid time off equal to one and one-half times the amount of time worked in excess of 40 hours in a work week. For example: an employee who works 44 hours in a work week would receive the 40 hours of pay and accrue six hours of compensatory time off (four hours times one and one-half).

(C)(1) When an employee plans to take compensatory time off, such compensatory time off must be scheduled in advance and approved by the supervisor. Every effort should be made to accommodate the preference of the employee when scheduling compensatory time off unless the requested compensatory time off will unduly disrupt the department's operations.

(2) Compensatory time off may be used for any purpose but must be used prior to the use of vacation leave.

33.065 Amounts

The maximum amount of compensatory time off an employee may carry at any time is 40 hours. Any overtime in excess of the 40-hour maximum cannot be considered compensatory time off; instead, the overtime must be paid in the employee's next paycheck.

33.066 Payouts and Transfers

Compensatory time off may be carried over to the next fiscal year. Compensatory time off must be used prior to using vacation leave or prior to the employee going on leave without pay.

Timekeeping and Leave Policies

33.070 Work Hours

The normal work schedule is as follows:

(A) Office staff; 7:00 a.m. through 4:00 p.m., Monday through Friday, with a one-hour lunch break.

(B) Public Works; 6:00 a.m. through 3:00 p.m., Monday through Friday, with a one-hour lunch break.

(C) Police Officers may be required to work eight hours five days a week or ten hours four days a week for a total of 40 hours.

33.071 Time Records

It is important that employees' time be accurately reported. Employees will be required to complete time sheets and may be required to punch a time clock. If a time clock is in use, employees may not punch in more than seven minutes prior to their start time or seven minutes after their end time. Employees who violate this provision are subject to discipline. No one is authorized to punch a time clock for another employee. The employee is responsible for the accuracy of the time records. Falsification of time records could lead to disciplinary action, up to and including termination of employment. If an employee finds errors in the records, the employee is required to notify his or her supervisor.

33.072 Breaks and Meal Periods

(A) Employees are entitled to a 15-minute break for every four hours in her or his work schedule. Each break must be separated by a meal period, and the time may not be taken at the beginning or end of a shift or meal period. The time is not cumulative.

(B) All full-time employees must take a one-hour lunch break each day. If a time clock is in use, the employee must punch out and punch in. Lunch periods will be scheduled with a supervisor and variances in the lunch period must be approved in writing.

(C) Employees may take Village vehicles or equipment home or to a business to obtain food and/or beverages during breaks/meal periods.

33.073 Pay Periods

All employees are paid on a bi-weekly basis. The work week ends on Tuesdays at midnight. Paychecks are distributed every other Friday.

33.074 Overtime Compensation

(A) From time to time, it may be necessary for an employee to perform overtime work. When possible, the President must approve all overtime in advance. Except in the event of an emergency, the Village will attempt to provide you with advance notice of the necessity for overtime work.

(B) Non-exempt employees are entitled to be paid one and one-half times their regular hourly rate of pay for all time worked in excess of 40 hours per week. Sick days, holidays, vacation time, and other time off benefits will be counted as time worked for purposes of overtime.

(C) Police Department employees required to attend court on off-duty time shall be compensated with a minimum of two hours or the actual time, whichever is greater.

33.075 After-Duty Emergency Call Out/Board Meetings

Employees who are called back to work non-contiguous to their regularly scheduled working hours shall be compensated a minimum of two hours or the actual time, whichever is greater. The Village President must approve prior to the occurrence, except for emergencies.

33.076 Attendance and Tardiness

(A) Absence or tardiness places an extra burden on coworkers and undermines the efficient operations of the village. Good attendance is expected of every employee. It is each employee's responsibility to be on the job, on time each day, and fully able and ready for work. Employees are expected to arrive at work on time, to return from rest breaks and lunch breaks on time, and to work until the shift is complete.

(B) With the exception of emergency situations, absences from work due to illness or injury must be reported to the employee's supervisor within a minimum of three hours prior to the employee's assigned work shift. In the absence of an employee's supervisor, notice should be given to his or her designee or the Police Chief. Employees are required to notify their supervisor at least three hours before each day of a continuing absence, unless the requested leave is established by a medical professional. Failure to follow these policies will result in discipline. An absence of three consecutive days without notification is considered a resignation.

(C) Absence of more than three consecutive days due to illness or injury requires a written statement from a medical professional explaining the absence. The Village may also require a statement from a medical professional whenever absences are excessive. In addition, the Village may require the employee to submit to a physical examination by a medical professional selected by the Village at the Village's expense at any time illness or injury is interfering with the employee's productivity.

33.077 Sick Leave

(A) Sick leave is a benefit and not a right for the employee to use at her or his discretion. Accumulated sick leave is an employee's assurance of a regular continuing income in the event of their personal illness or physical incapacity, exposure to a contagious disease that would endanger the health of other employees or our customers, personal illness within his or her immediate family, disability resulting from pregnancy, childbirth, or other medical conditions, enforced quarantine in accordance with community health regulations, or appointment with a licensed medical doctor, dentist, or other health practitioner.

(B) Full-time employees accrue sick leave at the rate of two and one-half hours per pay period. Accrued leave may not be used or paid to the employee upon separation of employment.

(C) Employees may have their hours recorded in a bank, which may be used to extend service time for purpose of IMRF retirement, up to 1,920 hours or 240 days.

33.078 Vacation Leave

(A) Full-time employees are entitled to vacation leave based upon length of service and anniversary date. If there is a break in service, eligibility for vacation will be based on the employee's current hire date.

(B) Vacations must be scheduled with, and approved by, the employee's supervisor at least two weeks prior to the commencement of the leave time. While his or her supervisor will make every effort to accommodate his or her leave request, work priorities and conflicting leave schedules may prevent approval of his or her request.

(C)(1) The purpose of vacation leave is to provide employees with time to rest and relax. Employees, therefore, are expected to take vacation leave during the year the leave was earned. Vacation time shall be accrued per pay period, rather than a lump sum on the employee's anniversary. For example: if an employee earns 40 hours of vacation a year, 1.54 hours will be earned per pay period. Maximum accrual of vacation shall not exceed two times the employee's annual accrual. No additional pay will be granted for vacation earned beyond the maximum accrual. Employees will be paid for accrued, unused vacation pay upon termination.

(2) Vacation leave is accrued based on the date the employee was hired and the following schedule:

- (a) 1 year employment; 40 hours
- (b) 2 years employment; 80 hours
- (c) 5 years employment; 120 hours
- (d) 8 years employment; 160 hours
- (e) 12 years employment; 200 hours

33.079 Personal Days

(A) Full-time employees are entitled to 2 days of personal leave per year. This leave must be used within 12 months of when the leave was earned.

(B) Personal leave time may be taken in one- hour increments.

33.080 Paid Time Off

(A) Part-time and seasonal employees are entitled to paid time off.

(B) Employees will accrue 1 hour for every 40 hours worked, with a maximum of 40 hours of leave accrued in a twelve-month period.

(C) Employees may carry over unused leave from year to year up to 40 hours.

(D) Leave must be taken in increments of 2 hours or more.

33.081 Training and Travel

From time to time, employees may either request or be required to attend workshops, institutes, or short-term courses. If the employee is granted advanced approval for attending these courses,

he or she will continue to receive regular pay. Reimbursement for travel, meals, and lodging will also be paid by the Village. For sessions of more than one consecutive day, work time will be considered during those hours the employee is attending training and/or meetings, meeting with vendors, or any type of learning for the betterment of the Village. Full-time police officers that normally work 10-hour shifts and attend an eight hours training, will be paid for ten hours.

33.082 Bereavement Leave

(A) Leave must be taken as a block of time when the family member relationship qualifies for more than one day of leave.

(B) Leave must be taken in full day increments.

(C) Leave must be taken within 60 days after the employee receives notice of the death.

(D) Five days of leave in the event of death of immediate family members as listed:

(1) Father, mother, brother, sister, spouse, domestic partner, civil union partner, children, grandparents, grandchild.

(2) Step-parents, step-brothers, step-sisters, step-children, step-grandparents.

(3) Father-in law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother-in-law, grandfather-in-law.

(4) A member of the employee's household.

(E) One day for a relative other than the above who is not a member of the employee's household (i.e. aunt, uncle, cousin, niece, or nephew).

(F) One day for an ex-spouse to which the employee shared children.

(G) Additional accrued leave of any type may be used with supervisor approval.

33.083 Inclement Weather

(A) The Village is always open for business, regardless of weather conditions, unless otherwise determined by the President. Weather conditions may prevent employees from getting to work or cause them to arrive late. Employees are expected to make every reasonable effort to report to work during inclement weather.

(B) When severe weather conditions exist, it is the responsibility of each employee to contact her or his supervisor before the start of the shift if they are unable to report to work on time. For hourly employees, work time missed due to inclement weather is unpaid time. However, employees may request to use vacation or personal leave time. If the President determines weather conditions warrant the Village to be closed, all full-time employees will be paid without taking leave.

33.084 Holidays

(A) The following are the recognized holidays for employees:

(1) New Year's Day; January 1

(2) Martin Luther King Day; Third Monday in January

(3) Memorial Day; Last Monday in May

(4) Independence Day; July 4

(5) Labor Day; First Monday in September

(6) Veteran's Day; November 11

(8) Thanksgiving; Fourth Thursday and Friday in November

(9) Christmas; December 24 and 25

(B) Full-time employees will be paid for observed holidays. If a holiday falls on a Saturday, the holiday will be observed on the preceding Friday. If a holiday falls on a Sunday, the holiday will be observed on the following Monday.

(C) Employees that work Saturdays and/or Sundays will be paid for the actual holiday, instead of Friday or Monday.

(D) To be eligible to receive pay, the employee must not have been absent without leave either on the workday before or after the holiday.

(E) Employees who are required to work on the holiday will be paid for all hours worked on the observed holiday at one and one-half times the hourly rate.

(F) Full-time employees will be allotted 2 floating holidays per calendar year in addition to the observed holidays.

(G) The President is allotted 3 discretionary days per calendar year to allow the full-time employees to take extra time off by closing the Village for business.

33.085 Leaves of Absence

(A) Full-time employees may apply for an unpaid, discretionary leave of absence for up to six months if they have exhausted their annual leave (or sick leave if appropriate). All leave of absence requests must be approved by the President, with requests exceeding 80 hours requiring the additional approval of the Board.

(B) Discretionary leave of absence will be unpaid, and the employee is not entitled to accrue any benefits, including vacation, sick leave, holidays, and personal days. Participation in medical coverage must be paid entirely by the employee during the discretionary leave.

(C) An employee taking a discretionary leave of absence may be granted, by other full-time employees, a portion of their unused leave to continue to receive pay. Gifted leave will not allow the employee to continue to accrue any benefits, and the employee must still pay for medical coverage entirely during the leave.

33.086 Worker's Compensation

If a Village employee sustains an accidental injury arising out of and in the course of his or her employment, the employee should immediately notify his or her supervisor. The Village maintains insurance to cover its obligation under the state's Worker's Compensation Act, being 820 ILCS 305/1 et seq.

33.087 Military Leave

The Village will comply with all federal and state laws governing military leave and employees' rights pertaining to military service. Upon receiving orders, employees should provide a copy to their supervisors.

33.088 Jury Duty or Court Appearance

Upon notification to serve on jury or witness duty, an employee shall submit a copy of the summons to her or his supervisor. Jury duty will be treated as an authorized absence from work, and the employee will continue to receive her or his regular base wage while performing jury services. An employee who is subpoenaed or otherwise required to appear for issues directly

related to their employment by the village will also receive all regular pay and benefits, whether she or he is on duty or off duty. The employee may keep any pay from the court.

33.089 Service Call-Outs

In the event an off-duty full-time employee is called out on an emergency service call, that employee shall be paid a minimum of two hours paid at the equivalent of 1.5 times the regular hourly rate of pay.

33.090 Parental Leave

Eligible employees can have up to two weeks of paid leave following the birth of a child or the initial placement of a child under age 18 in a legal adoption. This automatically counts towards the 12-week family and medical leave entitlement for eligible employees.

Workplace Policies

33.100 Personnel Records

(A) The Village maintains an official personnel file for each employee and each applicant for employment. A change of personal status may have an important effect upon employee benefits. Therefore, an employee should notify the administrative staff of any changes in the following:

- (1) Legal name;
- (2) Home address or telephone number;
- (3) Marital status: name of spouse, date of birth (date of marriage/divorce if after date of hire);
- (4) Number, names, and date(s) of birth of dependents, only if the employee is seeking health insurance coverage for named dependents;
- (5) Name, address, and telephone number of the person to be notified in case of emergency;
- (6) Change of beneficiary;
- (7) Military or draft status; and
- (8) Exemptions of the W-4 tax form.

(B) An employee may inspect his or her own personnel file twice a year. An employee wishing to inspect his or her personnel file should take the following steps:

- (1) Make a dated written request to the administrative staff for review and approval by the President;
- (2) Inspection will be allowed during normal working hours, unless other arrangements are approved by the President;
- (3) The file must be reviewed under the supervision of the President or her or his designee. No employee may remove her or his personnel file from the office or personally make copies.
- (4) Copies of personnel records may be made for the employee by a request to the President or her or his designee. However, a reasonable charge for copying may be required.

(C) The right of an employee (or the employee's designated representative) to inspect her or his personnel records does not apply to:

- (1) Letters of reference for that employee;
- (2) Any portion of a test document, except that the employee may see a cumulative total test score for an entire test document;

(3) Information of a personal nature about a person other than the employee if disclosure of the information would constitute an unwarranted invasion of the other person's privacy;

(4) Records relevant to any pending claim between the Village and employee which may be discovered in a judicial proceeding; and

(5) Investigatory or security records maintained by the Village to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the Village's property, operations, or business or could, by the employee's activity, cause the Village financial liability, unless and until the Village takes adverse personnel action based on information in such records.

(D) If an employee disagrees with the information found in his or her file, removal or correction of the information may be agreed upon by his or her supervisor, the President, and the employee. If an agreement cannot be reached regarding the removal or correction of the employee's file(s), the employee will be permitted to submit a written statement explaining his or her position. The statement will become a permanent part of the employee's personnel file and must accompany a transmittal or disclosure from that file to anyone else who is legally allowed to inspect the file.

(E) Employee personnel files and their contents are confidential and will not be made available to anyone, other than the employee, without written approval by the President. Any request for inspection of personnel files by a designated representative must be signed by the employee.

33.101 Reimbursable Miscellaneous Expenses

(A) With prior approval by an employee's supervisor, legitimate expenses will be reimbursed by the Village. The employee must submit receipts in order to reimburse the employee. Reimbursement may be in the form of petty cash or a check.

(B) The Board must approve reimbursements by a roll call vote at an open meeting of the Board, unless it is less than \$500, in which the President or his or her designee shall be authorized to approve without preapproval of the Board.

(C) Before any reimbursement may be approved pursuant to this section, a standardized form for submission of such expenses shall first be submitted. This form shall include, at minimum, the name and title of the requestor, a list of expenses, receipts from expenses that have been incurred, and the date or dates of expenses and nature of the official business wherein the expenses were incurred.

(D) Full-time and part-time police department employees shall receive an annual uniform allowance. The amount will be determined by the Police Chief on an annual basis. The uniform allowance may be used to purchase clothing and equipment to replace any items on the list approved by the Chief of Police.

33.102 Reimbursable Travel Expenses

(A) *General.* With prior approval by an employee's supervisor, legitimate expenses will be reimbursed by the village. Reimbursement may be in the form of petty cash or a check.

(B) *Interpretation.* This section shall be interpreted to be consistent with the Local Government Travel Expense Control Act, 50 ILCS 150.

(C) *Definitions.* For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.

ENTERTAINMENT. This includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

TRAVEL EXPENSE. Any expenditure directly incident to official travel by employees and officers of the Village or direct payment to private agencies providing transportation or related services, such as meals, lodging, fuel, airfare, rental car, etc.

(D) *Official business requiring expenses.* Travel, meal, and lodging expenses will only be allowed for official business of the Village which is necessary to the functioning or improvement of the Village. Official business includes: education conferences related to the duties of the employee or officer of the Village; site visits to current or potential vendors of the Village; or out-of-town meetings related to the official duties of the employee or officer of the Village.

(E) *Entertainment expenses.* No entertainment expenses incurred by any employee or official may be reimbursed.

(F) *Maximum allowable reimbursement.* Unless otherwise excepted herein, the maximum allowable reimbursement for an employee or officer of the village shall be those rates set by the Federal Travel Regulation and maintained by the U.S. General Services Administration for travel per diem, meals, lodging, and incidental expense in effect at the time the expense was incurred.

(G) *Approval of expenses.* The Board of Trustees must approve the following reimbursements for travel expense, including meals, transportation, and/or lodging by a roll call vote at an open meeting of the Board of Trustees:

(1) Any expense of any officer or employee that exceeds the maximum permitted under division (F) above;

(2) Any expense of any member of the corporate authorities of the Village;

(3) The cost of travel including the allowable automobile expenses allowed by the IRS for business travel, rental car, airplane, ride share, cab, private car, train, and/or bus. In the event that there is a choice of class, only coach or economy class or similar shall be approved. Any upgrades to the equivalent of first and/or business class may only be done at the additional expense of the traveler;

(4) The cost of lodging which shall be reasonable and customary for the location and time of the area where the traveler is staying;

(5) The customary cost of conference fees, class fees, supplies, books, software, and computer materials for educational purposes is allowed;

(6) The Board President or her or his designee shall be authorized to approve such travel without preapproval of the Board so long as the total cost of reimbursement is less than \$500.

(H) *Documentation of expenses.* Before any reimbursement for travel, meals, or lodging may be approved pursuant to divisions (F) and (G) above, a standardized form for submission of such expenses shall first be submitted to the Board of Trustees. This form shall include, at a minimum, the name and title of the requestor, a cost estimate or list of expenses that will or have been incurred, and the date or dates and the nature of the official business wherein the expenses were or will be incurred.

33.103 Health and Safety; Ergonomics

(A) Employees shall communicate ergonomic and health and safety issues to their supervisors in writing. The employee and the supervisor shall meet to review and discuss the information provided by the employee. Employees are to be generally aware of OSHA regulations regarding their place of work and duties.

(B) Employees shall stay current with any required OSHA training.

(C) Reporting a suspected OSHA violation in good faith will not result in discipline. Conscious disregard for OSHA regulations will result in discipline.

33.104 Alcohol and Drugs

Employees are prohibited from reporting to work while under the influence of alcohol, cannabis, or any controlled substance (not prescribed by a doctor) and are further prohibited from possessing or distributing such substances on Village property including vehicles. To the extent permitted by law, the Village reserves the right to require appropriate testing for alcohol or illicit substances whenever there is sufficient reason to believe that the employee is under the influence of those substances, not limited to but including all accidents during working hours. Refusal to undergo testing may jeopardize employment. Positive results on drug tests also may result in termination of employment.

33.105 Smoking Ban

Smoking of cigarettes, other tobacco products, cannabis, or vaping is not allowed on Village property with the exception of personal vehicles parked on Village property. Smoking debris may not be discarded on Village property, except in designated receptacles. Employees may not smoke while on company equipment or in a company vehicle. Employees are prohibited from smoking cigarettes, other tobacco products, cannabis, or vaping on private property when on Village business.

33.106 Seat Belt Use

Employees are required to use seat belts which are provided in any Village vehicle during the operation of the Village vehicle or equipment.

33.107 Media Relations

Only certain employees are authorized to speak to the media on behalf of the Village concerning Village business including individual social media. These individuals are the President or his or her designee, and for police matters, the Chief of Police or his or her designee.

33.108 Information Requests By Citizens

(A) The state's Freedom of Information Act (FOIA) helps to ensure an open and honest government. The FOIA law requires all public bodies to make public records available for inspection. However, not all records are public, so the law requires that every public body designate one or more employees to act as its Freedom of Information Officers. These individuals have the training to make the determination of what public records can be released, or what records can be redacted and released.

(B) The Village will select a FOIA officer or officers. That individual or individuals will be the only employees with authority to release any Village records.

33.109 Conflict Of Interest

The Village expects its employees to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create a conflict or create the appearance of a conflict of interest.

33.110 Pecuniary Interests And Gratuities

(A) Except for the receipt of compensation allowed by law, Village employees may not have any direct or indirect financial interests or profit from any business dealings with the Village.

(B) Employees must not accept any money, gift, gratuity, favor, preferred services, benefits, concessions, or considerations of any kind from any person or company.

33.111 Outside Employment

(A) Outside employment is any employment in addition to an employee's regular, full-time job with the village. Full-time employees may engage in outside employment providing:

(1) Such outside employment shall not interfere with the efficient performance of the employee's duties;

(2) Such employment shall not constitute a conflict of interest;

(3) Such employment shall not occur during the employee's regular or assigned working hours; and

(4) Such employment is reported to the employee's supervisor prior to acceptance of employment.

(B) Employees of the Police Department should consult rules, regulations, department policy, and labor contracts in regards to outside employment.

33.112 Political Activity

(A) It is the duty and right of every employee to register and vote. Employees are permitted to join political organizations or civic groups, but employees must follow these guidelines:

(1) Employees are not permitted to engage in any public political activity involving the election of candidates for any village office during business hours.

(2) Employees are not permitted to solicit, sell, or handle political contributions in village elections.

(3) Employees are not permitted to wear or display any political badges, buttons, or signs on their person during duty hours.

33.113 Nepotism

(A) *General.* The Village is committed to fair and impartial workplace practices while recognizing the staffing challenges of small municipal government.

(B) *Family and Personal Relationships.* Employees may not supervise, evaluate, or oversee immediate family members (as defined in 33.082) or individuals with whom they have a current or prior dating relationship. If such relationships exist or arise, the Village will take appropriate steps, such as adjusting oversight or implementing additional safeguards.

(C) *Relatives of Elected Officials.* Employees related to elected officials must not receive preferential treatment. Where feasible, oversight will be assigned to a neutral party, and steps will be taken to ensure fairness and transparency.

(D) *Accountability.* Supervisors, employees, and officials must report potential conflicts of interest and adhere to Village policies to ensure integrity in operations.

33.114 Use of Government Equipment Or Property

Village equipment and property may be used by employees in conjunction with the performance of village operations and duties. Village equipment and property may be used by Village employees for occasional personal purposes. Such personal use must be documented on the checkout and return system in the administrative office.

33.115 Gifts And Contributions

Village employees are prohibited from soliciting or accepting gifts from any person, vendor, business, or entity with whom they come in contact within the course of their official duties. This ban includes the spouse and immediate family of the employee. However, seasonal gifts of nominal value (up to \$25) such as calendars or consumable food items provided for a work group, if it is in accordance with the state's Gift Ban Act, and distribution is approved by the President.

33.116 Personal Dress

(A) Discretion in style of dress is very important to the Village. Employees are often the Village's representatives in dealing with the public. Office employees are to dress in business casual attire. Jeans may be worn with a business casual appropriate shirt. Jeans must not be ripped or "distressed." Employees arriving at work in inappropriate attire due to a violation of the above restrictions or because the clothing items are too revealing will be required to change their clothing and will not be paid for the time required to do so.

(B) Employees are required to dress in attire safe and appropriate for their positions. Clothing worn by all employees must not be torn, must meet safety requirements, and must not contain inappropriate language or graphics.

(C) In some cases, employees may be provided uniforms to wear. Uniforms or work clothes bearing the Village's name shall not be worn outside of Village work hours except for purposes of traveling to and from work or during municipal meetings and/or functions.

33.117 Canvassing or Solicitation

(A) In order to help maintain a work environment that protects Village employees from undue interference while performing their duties, employees may not orally solicit or distribute written materials for any organization, fund, activity, or cause to other employees in work areas while either employee is on duty.

(B) Employees may solicit or distribute information before or after work hours, during normal break or lunch times, and other times when neither are working.

33.118 Computer And Technology Use

Police officers shall abide by the Computer and Technology Use Policies provided for in the Police Department Procedures as adopted, and all other employees shall comply with the Computer and Technology Use Policies adopted by the Board of Trustees as amended.

Discipline

33.120 Authority to Discipline

The Village President has administrative authority to discipline personnel for violations of personnel regulations, village ordinances, state statutes, and federal laws.

33.121 Forms of Discipline

Maintaining discipline is usually not a problem in a work environment where there are reasonable rules, and standards of conduct are clearly communicated and consistently and equitably enforced. However, there are situations of misconduct or delinquency where there is no alternative but to take corrective action. In these instances, from least severe to most severe, include: written warnings, suspensions of up to 30 days without pay, and discharge from employment.

33.122 Progressive Discipline

(A) The Village will employ the progressive discipline policy where warranted by the circumstances involved. However, the village may consider any offense to be serious enough to discharge an employee without utilizing progressive discipline.

(B) *Behavior.* Examples of the types of behavior which may result in discipline include: insubordination; sleeping on duty, loafing, or delay in carrying out instructions; attendance offenses; discourtesy, gambling, fighting or creating a disturbance; false statements; dishonesty; stealing; misuse of village property; unauthorized use or possession of alcohol, drugs, or a controlled substance; possession of an unauthorized weapon; failure to observe written regulations, orders, rules, or procedures; discrimination based on race, color, religion, age, sex, national origin, political affiliation, disability, or marital status; sexual harassment; violation of employees constitutional rights; refusal to testify or obstruction of investigations; misappropriation; job actions; reprisal; or criminal, immoral, or indecent conduct (including off-duty conduct if nexus is established).

33.123 Garnishments

The Village does not take any part of an employee's salary to pay private debts except to enforce certain legal and financial obligations to the federal government or to make child support or alimony payments.

33.124 Grievance Procedures

(A) Under normal conditions, if an employee has a job-related problem, question, or complaint, she or he should discuss it with their supervisor within five working days of the

occurrence. Her or his supervisor will respond to her or his request within five working days. If an employee chooses to file a complaint, it should be done within five days of his or her supervisor's response. Please note that discharged employees may not grieve their discharge.

(B) If the discussion with the employee's supervisor does not answer her or his question or resolve the matter to her or his satisfaction, the employee may then present her or his complaint, in writing, to the President who will render a decision after appropriate investigation. If the employee's first line supervisor is the President, then the written complaint should be given to the Village Clerk who will present the complaint to the Board for final resolution.

(C) When the issue personally involves the supervisor with whom the employee would ordinarily discuss a problem, he or she may bypass the individual and proceed to the next person in authority without fear of reprisal.

Separation from Employment

33.130 Termination

(A) The relationship between the Village and the employee is that of employment at-will. An employee may be terminated at any time with or without cause. However, if an employee's termination is related to employee misconduct, the Village will adhere to the Progressive Discipline Policy in determining if the employee will be terminated immediately. Either the President may make a recommendation to the Board, or the Board may, by a majority vote, recommend that an employee be terminated. If the recommendation is from the President, the Board must approve the termination. If the termination is recommended by the Board, the President may or may not terminate the employee based on his or her discretion.

(B) In the event of a termination, normal voting procedures apply. In the event of a tie vote by the Board, the President will break the tie.

33.131 Resignation

(A) Voluntary separation occurs when the separation is initiated by the employee by:

- (1) A written or oral resignation;
- (2) Failure to appear or call for three consecutive work days;
- (3) Failure to return from an approved leave of absence;
- (4) Failure to report for work upon recall from a layoff or reduction-in-force; or
- (5) Retirement.

(B) Should an employee decide to resign from her or his employment with the Village, it is asked that the employee notify her or his supervisor of her or his decision at least two weeks in advance in writing of her or his planned departure date. The employee's thoughtfulness will be appreciated and will allow the Village to maintain work schedule and provide important services to the public.

33.132 Layoff/Reduction in Force

The President may lay off an employee in the service of the Village by reason of shortage of work and/or funds; abolition of the position(s); other material changes in the organization; or for other reasons beyond the employee's control, and which do not reflect discredit upon the employee. No permanent employee will be laid off while another person in the same class of position is employed in the same department on a part-time or temporary basis.

33.133 Separation Benefit

Upon separation from the village, employees will receive payment for accrued vacation and compensatory time.

33.134 Return of Village Property

The employee must return Village property that was assigned to the employee prior to issuance of the final paycheck. This shall extend to, but not be limited to, tools, keys, cell phones, and/or garments bearing the Village's name.

33.135 References

It is the policy of the Village to provide only dates of employment and positions held to prospective employers of former employees. Only the President or his or her designee is allowed to provide this information.

Section 4. Superseder and Publication. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

Section 5. Effective Date. This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

Motioned for approval by Trustee Ann Jack Haluzak
With a second by Trustee Daniel Grady, roll call vote:

Vicki Buffo aye

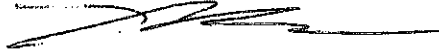
Jared Robbins aye

Daniel Grady aye

Terrence Stuber aye

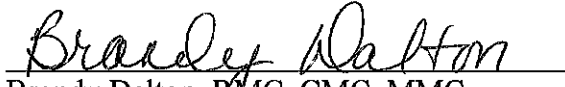
Ann Jack Haluzak aye

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF TOLONO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THIS 18th
DAY OF FEBRUARY, 2025 A.D.**



Robert Murphy, Village President

ATTEST:


Brandy Dalton, RMC, CMC, MMC
Village Clerk

(SEAL)

Recorded in Municipal Records: February 18, 2025.
Published in pamphlet form: February 18, 2025.