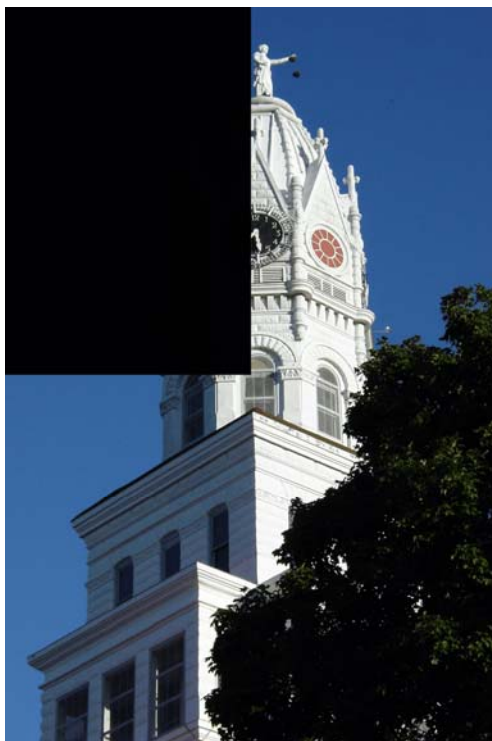


PERSONNEL POLICY FOR EDGAR COUNTY



July 8, 2011

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INTRODUCTION

Welcome to employment with EDGAR COUNTY. It is our desire that you enjoy working with us and do your best to serve the citizens of EDGAR COUNTY. Each employee has been hired to perform the duties specified in their respective job description. How he or she does it has an important effect on the quality of service provided to our citizens.

Certain specific responsibilities of employees are set out in sections of this employee handbook. There are, in addition, broader responsibilities of personal integrity which are expected of all employees. You can expect fair treatment and consideration from EDGAR COUNTY and, in turn, EDGAR COUNTY expects you to put forth your best efforts and to work in harmony with your fellow employees.

The contents of this handbook are presented as a matter of information only. While EDGAR COUNTY believes wholeheartedly in the plans, policies, and procedures described here, they are not conditions of employment. EDGAR COUNTY reserves the right to add, amend or delete any benefit or policy stated herein at any time, except as otherwise committed to by collective bargaining agreements. Any suggestions you may have for changes in the contents of this handbook are welcome. **THIS HANDBOOK DOES NOT CONSTITUTE A CONTRACT BETWEEN THE EMPLOYEE AND THE EMPLOYER.** Also, except for employees covered by a collective bargaining agreement, all employees of EDGAR COUNTY are employed "at will." That is, either the Employer or the employee can terminate the employment relationship at any time.

The fringe benefits referred to in this handbook apply to regular full-time employees. All employees of Edgar County are covered by these policies except:

1. Elected Officials and Department Heads
2. Employees hired on a contractual basis, unless an individual contract provides otherwise.
3. Employees covered by a collective bargaining agreement
4. Personnel appointed to serve without compensation.

If any section of this Personnel Policy or any addendum's thereto shall be held invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any section should be restrained by such tribunal, the remainder of this Personnel Policy and addendum's shall not be affected thereby, and the Office head and/or Board, where applicable shall devise a substitute for the invalidated section or portion thereof.

The Personnel Policy will not supercede any Federal or State Statute or any Illinois Municipal Retirement Fund policies.

RECEIPT ACKNOWLEDGMENT

DATE _____

I hereby acknowledge receipt of the following:

Handbook For Employees of EDGAR COUNTY

I understand that all employees are expected to abide by the guidelines and rules contained within this employee handbook. NOTHING CONTAINED IN THIS BOOKLET IS INTENDED AS A CONTRACT BETWEEN THE EMPLOYER AND ME. I also understand that my employment is at will, that is, either the Employer or I can terminate the employment relationship at any time.

Employee Signature _____

CHAPTER 1 GENERAL POLICIES AND RESPONSIBILITIES

1-1 DEFINITIONS

- A. Office Heads: shall be defined as the elected county positions of County Clerk, County Treasurer, Circuit Clerk and State's Attorney as well as the appointed positions of Probation Officer and Supervisor of Assessments.
- B. Department: shall have the same meaning as "office" which shall include the Offices of County Clerk, County Treasurer, Circuit Clerk, State's Attorney, Probation Officer and Supervisor of Assessments
- C. Regular Full-Time Employee: persons who are scheduled to work thirty five (35) hours per week (office workers) or forty (40) hours per week (field workers) on a continuing basis. Eligible to earn fringe benefits referred to in this handbook.
- D. Regular Part-Time Employee: a person who works by the hour and includes on-call employees - not eligible for fringe benefits. These persons are regularly scheduled to work 1,040 hours or six (6) months continuously.
- E. Temporary Employee: persons hired to work six (6) months or less. Not eligible for fringe benefits.
- F. Exempt Employees: a salaried employee who is not covered by the provisions of the Fair Labor Standards Act and is not eligible to receive overtime compensation in the form of time off (compensatory time) or cash.
- G. Non-Exempt Employee: one who is covered by the provisions of the Fair Labor Standards Act and is eligible to receive overtime compensation.
- H. Statutory Constraints - shall be defined as federal and state laws including federal and state labor rules and regulations.

1-2 OPERATION OF OFFICE

Each Office head shall control the internal operations of his/her office and procure the necessary equipment, materials and services to perform the duties of his/her office subject to appropriations and statutory constraints.

1-3 BUDGET

Each Office head shall provide the Board with a proposed budget for the fiscal year when requested. Said proposal shall contain realistic figures for the necessary operation of each department. Each Office head shall make himself/herself reasonably available to the Board to discuss his/her proposed budget before the determination of final appropriations. Each Office head pledges to make a good faith effort to maintain his/her departmental expenses with its appropriations, but without failing to perform his/her constitutional duties.

1-4 POLICY ADDITIONS OR CHANGES

Each Office head may promulgate reasonable additional and necessary policies for his/her employees within statutory constraints. Mandatory statutory provisions shall alter this personnel policy to come within compliance. The Board may adopt additional guidelines concerning county employees within statutory constraints. The Office heads within their discretion may agree in conjunction with the Board to reasonably change or eliminate certain provision of the Personnel Policy for Edgar County without notice to county employees, however, county employees shall be notified within a reasonable time after the alteration is effective.

1-5 POST-OFFER, PRE-EMPLOYMENT PHYSICAL EXAMINATION

Prospective regular full-time employees may be required to submit to the Employer a pre-employment physical examination by a qualified physician after a conditional offer of employment has been made. This determination of the need for a physical exam will be made by the Department Head. This examination must be completed prior to a person being unconditionally hired on a form provided by the Employer. The expense of the physical will be borne by EDGAR COUNTY. Pre-employment drug testing for all prospective employees will be in keeping with the Drug-Free Workplace Policy shown in Chapter 11

1-6 RESERVED

1-7 RE-EMPLOYMENT

All former employees of EDGAR COUNTY are considered new hires and have no accumulated benefits from previous employment except as mandated by law. Transfer of an employee from one department to another department of EDGAR COUNTY shall not be considered re-employment and the employee shall retain all accumulated benefits

1-8 RESIGNATION

While we would prefer that all our good employees remain with us until they are ready to retire, we understand that circumstances do change from time to time and that some resignations are certain to take place. If you should decide that it has become necessary to quit your job, you are expected to present a written resignation at least two (2) weeks prior to the effective date of resignation. If proper advance notice is not given by the employee, all accumulated fringe benefits are forfeited. All items that are the property of Edgar County such as keys, clothing, identification cards etc., must be returned before a final check will be processed.

1-9 RETIREMENT

A retired employee is one who has applied for and is receiving a retirement allowance from the Illinois Municipal Retirement Fund. There is no mandatory retirement age, except for law enforcement personnel, provided the employee is physically and mentally capable of satisfactorily performing their duties.

1-10 RESERVED

1-11 PERSONNEL FILES

A. Each Office head is responsible for personnel records which are kept in a locked file cabinet in his/her office.

B. Personnel files on employees should contain the following information:

1. Employment application and/or resume
2. Educational background
3. Verification of past employment if appropriate
4. Correspondence regarding personal references
5. Job description and/or employee classification
6. Training record indicating workshop and conference attendance
7. Performance evaluations
8. Signed statement indicating that the employee has reviewed the County's and department's personnel policies
9. Disciplinary action and appeal process
10. Job attendance and general pay information
11. Federal Fair Labor Standards Act, as amended, required information

C. The following is a list of the persons who have access to departmental personal files:

1. Employee or legal representative, within seven (7) days of his request
2. Office head and his legal representative
3. Other persons authorized by law

D. The review of personnel records shall be subject to statutory constraints.

E. If any employee disagrees with any information contained in his/her personnel file, a removal or correction of that information may be mutually agreed upon by the Office head and employee.

F. Correction

If an agreement cannot be reached, the employees may submit a written statement explaining the employee's position regarding the disputed portion of the personnel record. The employee's statement shall be included whenever that portion of the record is released

to a third party. The inclusion of the employee's statement shall not imply or create any presumption of agreement by the employer.

G. Performance Evaluation

Each Office head should conduct written annual performance evaluations of employees. After review with the employee, the evaluation forms signed by the employee shall be placed in the employee's personnel file.

CHAPTER 2 CLAIMS PROCEDURE

2-1 INTRODUCTION

The purpose of this document is to establish claim handling standards for officers and employees of Edgar County.

2-2 CLAIMS PROCEDURES

- A. Incident Report – Completion of an incident report initiates a claim. Incident reports are to be completed by the Office head or his/her designee immediately upon notification of an incident. These reports should then be forwarded immediately to the Edgar County Clerk.
- B. Contacts with Attorneys – Any contact made by outside attorneys on behalf of claimants should be directed to the Edgar County State's Attorney.
- C. Claim Handling – The Edgar County Clerk should execute the following procedure for all claims reported to the Clerk:
1. Assign the claim a number and a file
 2. Correspondence should be date-stamped and reviewed
 3. A copy of any claim should be immediately forwarded to:
 - (a) The Chairperson of the Edgar County Board's Insurance Committee
 - (b) The Edgar County State's Attorney
 - (c) The appropriate insurance carrier, as directed by the Chairperson of the Insurance Committee. If there is any question as to coverage, each insurance carrier shall be notified of the claim.
 4. If Automobile Claim:
 - (a) Receive report of vehicle accident
 - (b) Report all third party bodily injury and property damage claims to insurer and chairman of the insurance committee within 24 hours of receipt of an accident report.
 - (c) If no third party or other vehicle is involved, report to the chairman of the insurance committee to determine if it would be appropriate to self insure.
- D. Claim Follow-up – All open claim files shall be reviewed by the Edgar County Board Insurance Committee at each committee meeting.
- E. Proof of Loss Procedures – It is important to be aware of and follow insurer requirements for submitting a loss. Often insurers impose a deadline for the insured to provide a sworn statement listing all damages caused by the loss. Usually this deadline is 60 days after the loss.

CHAPTER 3 EQUAL EMPLOYMENT OPPORTUNITY

3-1 POLICY.

- A. There shall be no discrimination and/or harassment in any employment practice based on race, color, national origin, religion, age, sex, marital status, disability, unfavorable discharge from military service or any other non-merit factor. No person shall, on the grounds of race, color, national origin, religion, age, sex, marital status, disability, unfavorable discharge from military service or any other non-merit factor, be excluded from participation in, be denied benefits of, or be subjected to discrimination and/or harassment under any program or activity sponsored or provided by Edgar County.
- B. It is the policy of the County to ensure that applicants and employees are protected against discrimination if they have a disability, have a history of a condition which constitutes a disability, are perceived to have a disability or have a known relationship or association with a disabled individual. The County will reasonably accommodate the physical and mental limitations of otherwise qualified disabled applicants and employees when such accommodation does not impose undue hardship on the County.
- C. Any violation of this policy could result in disciplinary action up to and including discharge.

3-2 GUIDELINES.

- A. Each member of the county board, office and department heads and other supervisory personnel shall be fully committed to achieve equal employment opportunities.
- B. No qualified individual will be excluded from employment, appointment, training or promotion opportunities because of race, color, national origin, religion, age, sex, marital status, unfavorable discharge from military service, any other non-merit factor, or disability, unless that disability prevents the employee from performing the essential functions of the position.

3-3 RESPONSIBILITIES

- A. It is the responsibility of each employee to refrain from acts of discrimination and/or harassment toward another employee or other individuals they may be in contact with while performing the duties and responsibilities of their job. It is the responsibility of the County's managers and supervisors to ensure that the work environment is free from discrimination and harassment. All employees shall cooperate in the investigation of allegations of civil rights violations.
- B. County board, office and department heads and other management personnel shall comply with the requirements of Equal Employment Opportunity (EEO) Policies and federal and state mandates.

CHAPTER 4 EMPLOYMENT AND PERSONNEL ACTION

4-1 APPOINTMENT OF EMPLOYEES

Each Office head shall be solely responsible for the appointment of assistants, deputies or other employees to perform the duties of his/her office, including the determination of the method of appointment and necessary qualifications of the appointee, subject to appropriations and statutory constraints. The Office head may confer with the Board prior to making the appointment of the employee, but shall inform the Board concerning the new employee at the Board's next regularly scheduled meeting. Office heads may employ temporary employees in case of emergency, but should attempt to contact the appropriate Board committee prior to so doing.

4-2 JOB DESCRIPTIONS

- A. Each Office head shall maintain written job descriptions for all positions within his/her department. Job descriptions shall be made available to all qualified job applicants.
- B. Job descriptions shall include a complete but concise statement of the position's principal duties and responsibilities, plus the education, skills, experience and statutory requirements necessary to satisfactorily fulfill said duties and responsibilities. Job titles shall be assigned to accurately reflect the job content. Job titles and job descriptions shall be submitted to the Board.

4-3 EMPLOYEE CLASSIFICATIONS

Each Office head shall be responsible for the classification of his/her employees, including their classifications for purposes of the Fair Labor Standards Act, as amended, with appropriate legal guidance.

4-4 RESIDENTS

Residents of Edgar County shall be hired whenever qualified applicants who are satisfactory to the Office head may be found. If no satisfactory applicants are found within Edgar County, then non-residents may be considered.

4-5 TESTING

Testing may be required as part of the application process at the discretion Office head.

4-6 REDUCTION IN WORKFORCE

Should general economic conditions or some phase of the County's operation change significantly, a reduction in the work force may be necessary. This action will only be done after careful analysis of the staffing required to provide essential services. Layoffs will be done at the discretion of the effected Department Head.

4-7 PROBATIONARY STATUS

All new employees shall serve a probationary period of six (6) months. Employees shall be evaluated for work performance at three (3) months and again just prior to six (6) months. This shall include both a conference and a written report to be placed in the employee's personnel file. If the probationary employee completes the probation period with uninterrupted employment, and work performance is acceptable to their Office head, then the position shall become permanent subject to appropriations and statutory constraints. Unless otherwise indicated, the personnel policy shall apply to probationary employees except that a probationary employee may be terminated or disciplined within the sole discretion of their Office head prior to six (6) months without statement of cause and without recourse.

4-8 PROMOTION

Each Office head shall be solely responsible for the promotion of his employees based on merit and qualifications and shall reclassify the job title of the employee, if appropriate.

4-9 OUTSIDE EMPLOYMENT

No employee shall engage in any outside employment which may interfere with the function of the department or be detrimental to county service. Any employee who has or plans to engage in outside employment must obtain approval for such employment from the Office head.

4-10 ACCIDENT REPORT

Employees involved in, or having knowledge of, any accident whereby any person employed by the County of any property or equipment owned or operated by the County is involved, shall immediately report the accident and pertinent information to the proper Office head who shall forward such information to the County's Insurance Company as determined by the Board.

4-11 POLITICAL ACTIVITY

Employees may voluntarily engage in political activities and make political contributions if such activity does not interfere with the function of the department.

4-12 EMPLOYEE RULES

- A. In order to maintain a safe, efficient, and harmonious organization, disciplinary action for the Rules and Regulations listed below have been established for EDGAR COUNTY employees. Each of the Rules and Regulations have a sound background of common sense based on experience. These Rules are not necessarily the only areas in which disciplinary action may be taken if conduct or instances require. These Rules may be modified as changing conditions warrant. Each case shall be considered on its own merits with due consideration to the nature of the offense, the cause, the background, likelihood of repetition, and the attitude of the offender.
- B. We ask the whole hearted cooperation of all employees of EDGAR COUNTY in observance of these rules and regulations which are designed for our common protection and benefit.
- C. GROUP 1 work rules are work rules which, if violated for the first time, will usually not result in discharge:
1. Horseplay, loafing, or lackadaisical performance of job assignments or disturbing others at work.
 2. Failure to begin work at starting time or stopping work before quitting time.
 3. Tardiness, absenteeism, or leaving work early without authorization or just cause.
 4. Working unauthorized hours or violation of work hours, or lunch periods.
 5. Unauthorized extension of break and/or lunch periods.
 6. Leaving employee's work place during work hours without authorization.
 7. Unnecessary visiting or extended visiting during work hours.
 8. Loitering or wasting time during working hours.
 9. Unauthorized or unnecessary time spent away from the assigned work station.
 10. Attending to personal affairs on County time.
 11. Minor violations of County policies and procedures.
 12. Failure to have adequate knowledge of the policies and procedures of EDGAR COUNTY.
 13. Smoking in restricted area.
 14. Causing minor damage to County property due to carelessness.
 15. Posting, altering, or removing any material on bulletin boards or County property unless specifically authorized to do so.
- D. GROUP II work rules are work rules which are of a more serious nature than GROUP I and if violated, will result in more serious disciplinary measures, up to and including discharge.
1. Dishonesty, lying
 2. Work performance not up to standard (e.g., inefficiency, misuse of County time)
 3. Failure to perform duties or carry out assignments or instructions.

4. Failure to follow proper procedures or policies of EDGAR COUNTY.
5. Refusal to work, without a good reason, when needed due to emergency call-ins, etc.
6. Sleeping during working hours or giving the impression of sleeping.
7. Fighting; disorderly, subversive, insubordinate, immoral or indecent conduct.
8. Physical assault of fellow employees during working hours.
9. Willful violation of safety and health rules.
10. Excessive absenteeism.
11. Failure to notify your supervisor that you will be absent from work.
12. Making untruthful or capricious statements about a fellow employee.
13. Threatening, intimidating, or coercing fellow employees, or others.
14. An act of sexual harassment.
15. Working on personal jobs or carrying on secondary employment on Employer time.
16. Conviction of a criminal offense.
17. Use of obscene or abusive language.
18. Receiving three (3) written warnings for any combination of GROUP I or GROUP II offenses during a twelve (12) month period.

E. GROUP III are serious violations and may result in immediate discharge.

1. Theft, willful destruction and/or unauthorized use or altering of property or equipment belonging to the Employer or any employee.
2. Consuming, having unauthorized possession of, or being under the influence of intoxicants, narcotics, controlled substances, or other non-medically prescribed drugs while on the work premises or on work related activities.
3. Being absent for two (2) scheduled workday without notifying the supervisor.
4. Absolute disobedience, insubordination, or refusal to comply with reasonable instructions of authorized supervision.
5. Deliberately falsifying, altering, or supplying false information on EDGAR COUNTY records, including Payroll records and time cards.
6. Falsifying sick leave claims.
7. Unauthorized copying of EDGAR COUNTY records without proper release and permission.
8. Violation of safety standards that could result in harm to employees, or major damage to equipment.
9. Failure to report an occupational injury.
10. Failure to keep necessary licenses and/or certifications.
11. Failure to maintain insurability. Loss of insurability may be the result of moving violations and/or accidents both on the job and on an employee's own personal time.
12. Giving false reason for obtaining a leave of absence.
13. Failure to maintain commercial driver's license and/or loss of insurability.

4-13 RESIGNATION/TERMINATION/RETIREMENT

A permanent employee who desires to terminate his employment will be requested to submit a written resignation to the Office head at least two (2) weeks in advance of the termination date. An Office head shall submit his resignation to the Board at least thirty (30) days in advance of the termination date. This two (2) week (or thirty (30) day) period must be exclusive of any vacation time or personal days unless approved by the Office head. The Board shall be notified of all resignations, terminations or retirements. The resigning, retiring or terminated employee shall be entitled to monetary compensation for accrued payable vacation days and overtime, and sick days in accordance with policy as stated elsewhere. Note that a retiring employee may utilize his unused, accumulated sick days as a pension service credit for purposes of IMRF pursuant to the rules and regulation of IMRF.

CHAPTER 5 HOURS OF WORK

5-1 POLICY.

- A. All offices shall establish work schedules for their employees. No work schedules of less than 35 hours per week are to be submitted for full-time employees. Typically, employees assigned to the office work a 7-hour day and employees assigned to the field an 8-hour day.
- B. These general provisions may be modified by the *Fair Labor Standards Act* if the Act would allow greater benefits to the employees. In those cases, the Act and interpretations issued by the Wage and Hour Division of the United States Department of Labor are controlling.
- C. Permanent part-time employees should work a minimum of 20 percent up to, but not exceeding, 85 percent of the work week based on 35 hours per week, unless otherwise modified by collective bargaining agreement. Any deviation from this policy must be submitted to and approved by the County Board

5-2 OFFICE HOURS

Office hours shall correspond to the times the Edgar County Courthouse is open to the public, being Monday through Friday from 8:00 A.M. to 4:00 P.M. except for holidays as declared by the Board and/or Presiding Judge.

5-3 WORKING HOURS

A regular full-time employee's standard working hours per week shall be from 8:00 A.M. to 4:00 P.M. Monday through Friday, as corresponds to the public Courthouse hours and holidays. Each employee shall be entitled to one (1) hour for an undisturbed lunch period to be commenced within one hour of noon as scheduled by the Office head. Employees are expected to perform their duties at those specific hours.

Each Office head may within his/her discretion allow a trade-off of time for time for the employee to perform his duty.

5-4 PAY PERIOD

A pay period shall consist of two (2) work weeks being fourteen (14) consecutive days.

5-5 EMPLOYEE'S RESPONSIBILITIES.

All employees are expected to be at their work stations and ready to work at the appointed starting time until the appointed quitting time. Abuse of county time by an employee shall result in disciplinary action, up to and including discharge. An employee may be asked to pay restitution for the cost of abused county time.

5-6 SUPERVISOR'S RESPONSIBILITIES.

All supervisors will take necessary measures to provide that leave and overtime is properly accounted for on the employee's time and attendance records.

5-7 TARDINESS.

- A. If an employee is going to be late to work, he/she shall contact his/her supervisor or designated contact(s) prior to the start of the work shift or as specified in collective bargaining agreements or work rules and give the expected time of arrival.
- B. Failure to give proper notice as outlined in A. above could result in disciplinary action.
- C. Excessive tardiness shall be cause for disciplinary action.

5-8 OVERTIME

- A. Non-exempt employees can receive overtime compensation. Overtime is work in excess of a normal work schedule and is to be worked only when it is authorized.
- B. Normal Work Schedule -- Full-Time Employees.
 - 1. Office employees will work 7 hours per day, 5 days per week.
 - 2. Field employees will work 8 hours per day, 5 days per week or 10 hours per day, 4 days per week, for a total of 40 hours per week.
- C. Eligible full-time employees earn overtime at the time and one-half rate for all hours worked in excess of their normal work schedule or as provided by the employee's applicable bargaining unit language or work rules. If an employee is eligible for holiday pay, holiday hours worked are paid at the time and one-half rate or as provided by the employee's applicable bargaining unit language or work rules. Time charged to leave with pay shall be considered as hours in the regular workday when overtime is a consideration. Time charged as authorized or unauthorized dock time shall not be considered as hours in the regular workday when overtime is a consideration, unless otherwise provided for in an applicable bargaining unit agreement.
- D. Part-time and hourly employees unless otherwise provided by collective bargaining agreements or work rules, are eligible for time and one-half rate overtime for all hours worked in excess of the total full-time employee paid hours in a normal work schedule in which the time is worked. All other hours worked are paid at straight time.
- E. Compensation for overtime work may be in the form of cash or compensatory time off at the County's discretion. The employee may request cash payment or compensatory time, and budgetary restraints and/or operational need will be considered in the decision. If compensatory time off is taken, it shall be scheduled at the convenience of the agency with due consideration of the employee's preference. All cash overtime shall be liquidated within the fiscal year in which it was earned. All compensatory time off within a given calendar year shall be liquidated by April 1 of the following calendar year.

All provisions outlined above for the compensation of overtime may be superseded by an employee's applicable bargaining unit language.

CHAPTER 6 EMPLOYEE BENEFITS AND SERVICES

6-1 HEALTH, DENTAL, VISION AND LIFE INSURANCE PROGRAMS

- A. Health, dental, vision and life insurance benefits are available annually to County employees under the County Employees Group Insurance Programs. Annual booklets detail the provisions of the programs in force for the contract year. A copy of these booklets shall be issued to each employee.
- B. The programs as outlined in these booklets were designed to provide protection for County employees, retirees and their families.
- C. Employees should become familiar with the provisions of the programs as presented in the booklets. It is incumbent on employees to keep their group insurance programs current at all times by reporting changes in needed coverage as they occur.

6-2 ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF)

All qualified employees are required to participate in the IMRF. In order to qualify, an employee must work either full-time, part-time (600 hours per year or 12 hours per week). IMRF benefits are in addition to those provided by social security. Informational pamphlets regarding IMRF are available in the County Clerk's Office.

6-3 WORKERS' COMPENSATION.

- A. The *Illinois Workers' Compensation Act* and *Illinois Occupational Diseases Act*, as amended, provide compensation and medical benefits to employees for personal injuries/diseases that arise out of and in the course of their employment. The Act also provides payment of benefits to certain beneficiaries if an employee's death results from a job-related injury or disease.
- B. When a permanent employee has an injury or disease ruled compensable, there is a waiting period of three working days, except as modified by collective bargaining agreement, before the employee is entitled to temporary total disability compensation. The injured employee will be continued on the regular payroll during the waiting period of up to three days, except as modified by collective bargaining agreement, provided medical information documents that the employee is unable to work because of the injury. This time is not charged against the employee's sick leave, vacation or personal business leave and is referred to as Policy Days.
- C. An employee absent from work longer than three working days, will be removed from the regular payroll beginning the fourth work day after the injury, except as modified by collective bargaining agreement and will be paid temporary total disability benefits in lieu of salary or wages pursuant to provision of the *Illinois Workers' Compensation Act*. The county pays all necessary medical expenses related to the injury. Temporary employees do not receive the Policy Days. Should they be required to be away from work for fourteen calendar days or more, they will be paid for the first three working days as temporary total disability.

- D. Any employee injured on-the-job shall immediately report the injury to his/her supervisor who will complete an accident report and forward it to the County Clerk's Office. An employee injured on-the-job whose claim is ruled compensable, will receive two-thirds of their average weekly earnings while off work and on temporary total disability unless the amount of compensation exceeds the maximum amount provided by law.
- E. When it is determined that an employee is able to return to work with restrictions and there is needed work to be done within the employee's position description that the employee can perform, every effort will be made to provide suitable work for the employee.
- F. Supervisors and injured employees shall cooperate with the County Clerk's Office in the handling of all Workers' Compensation claims.

6-4 MEDICAL SERVICES.

- A. On-the-job Injury or Illness.
 - 1. All injuries, no matter how slight, shall be reported to appropriate personnel within twenty four (24) hours of the occurrence or as soon as reasonably possible.
 - 2. All employees shall be referred to an appropriate medical facility without delay if they are injured or become ill on-the-job and require emergency treatment.
 - 3. After medical attention is given or arranged for, the employee's supervisor shall report any on-the-job personal injury or illness immediately to the County Clerk's Office.

CHAPTER 7 LEAVE ADMINISTRATION

7-1 POLICY .

Edgar County believes in providing time off from work for reasonable and legitimate purposes such as recuperative rest periods, illness or disability and the resolution of personal affairs.

7-2 GENERAL.

A permanent employee may be absent from work with pay, with management approval, for the following reasons:

- A. Holiday
- B. Vacation
- C. Personal day
- D. Sick leave
- E. Attendance in court
- F. Annual military reserve training or special duty
- G. Leave to take employment-related examinations
- H. Leave to attend conferences of professional associations and societies
- I. Maternity/paternity leave
- J. Other excused absences

A permanent employee, who has been authorized time off, shall not be docked for an absence until s/he exhausts the appropriate earned benefit time.

7-3 HOLIDAYS

- A. A list of paid holidays for the following calendar year shall be established and distributed to all county offices by December of each year by the Board and Presiding Judge
- B. All employees who are scheduled to work full-time receive full holiday pay, if they work on their last scheduled work day before and the first scheduled work day following the holiday or if absence on either or both of these days is for good cause and approved by the Office Head.
- C. Regularly-scheduled, part-time employees receive holiday pay on a prorated basis.
- D. Temporary employees who are called out to work on an as-needed basis do not receive holiday pay.

- E. Employees on leave of absence without pay shall not receive holiday payment for any holiday which falls within such leave of absence. When a scheduled holiday falls within a period of disciplinary suspension, an employee shall not receive payment or any other compensation for the holiday.
- F. Any salaried employee whose work schedule is other than that of the usual Monday through Friday week shall receive no fewer holidays than employees who observe the normal work schedule.

7-4 VACATION

- A. All full time employees shall earn vacation from the date of employment. Vacation shall be earned based upon the length of time employed. Employees with less than one (1) year of employment are not entitled to any vacation benefits, but may be awarded prorated paid vacation days at the discretion of the Office head.
- B. After completion of one (1) year of employment, an employee shall be credited with ten (10) paid vacation days.
- C. After completion of five (5) years of employment, an employee shall be credited with one (1) additional paid vacation day for each year of completed service, up to a maximum of twenty (20) days per year.
- D. Vacation shall be used within one (1) year after earning, except that an employee may carry over a maximum of ten (10) payable vacation days to the next year. Vacation shall not be taken in increments of less than a full day. Holidays do not count against paid vacation days.
- E. All vacation time shall be scheduled in advance and is subject to the approval of the Office head. The Office head shall, to the extent possible, accommodate employee preferences, while maintaining office efficiency.

7-5 PERSONAL DAYS

All full time employees shall be permitted five (5) paid personal days each calendar year. Except for emergency situations, personal days off shall be scheduled in advance with the Office head. Personal business days shall not be taken in increments of less than one-half (1/2) day. If more than one (1) full day is to be taken at a time, approval must be given by the office head. Credits for personal leave days shall not be carried over to the following calendar year.

7-6 SICK LEAVE.

- A. General. Sick leave is an accumulated benefit for permanent employees and will not be construed as being earned. Sick leave abuse may be the basis for disciplinary action up to and including discharge.
- B. 1. Allowance - It is the policy of Edgar County to provide protection for its permanent full-time employees against loss of income because of illness. All eligible employees are encouraged to save as much sick leave as possible to meet serious illness situations. Sick leave is not intended for one day vacation nor to be used to extend a vacation period or holidays. Any employee contracting or incurring any sickness or disability, which renders such employee unable to perform the duties of his employment, shall receive sick leave with pay, unless workman's compensation applies. Employees shall be eligible for sick leave after completing their six (6) months probationary period.
2. Allowance and Accumulation – Permanent full-time employees shall accumulate sick leave at the rate of one (1) day for each month's service. Sick leave may be accumulated up to ninety (90) work days. Employees who retire, terminate their employment, or are discharged, may collect pay for 50% of their sick leave which they have accumulated up to a maximum of 45 days pay. For employees who retire, the remaining sick leave may be used as pension service credit for IMFR purposes. In accordance with IMRF rules, terminated employees will not be allowed to apply unused sick leave towards service credits. IMRF's disability benefit, beginning on the thirty-first (31) calendar day of disability, assures the qualifying disabled employee monthly income equal to 50 percent of the average monthly earning. At the discretion of the employee, personal days or vacation days may be used before receiving disability benefits.
3. Procedures – No employee will be permitted to take sick leave if it has not yet been earned. Sick leave shall be paid at full pay at the current rate of compensation.

An employee who begins work or returns from leave during the first half of the month will receive a full day for the month's sick leave; after the first day of the second pay period of the month, no sick leave will be credited until the beginning of the following month.

- C. Use of Sick Leave. Accumulated sick leave shall be used only for the following circumstances:
1. Illness, disability or injury of the employee. When the employee is incapacitated for duty because of sickness, injury or pregnancy and confinement.
 2. Appointments with doctors, dentists or other professional medical practitioners, including a person who holds a current national certification as a nurse practitioner.
 3. When a member of the employee's family is afflicted with a serious illness, disability, injury or when death occurs. Family is defined as:

- a) A group of individuals living under one roof and usually, but not always, having a common ancestry and including the employee's spouse;
 - b) Such natural relation of the employee, even though not living in the same household, as parent, sibling or child,
 - c) Adoptive, custodial and in-law individuals when residing in the employee's household but excluding persons not otherwise related of the same or opposite sex sharing the same living quarters but not meeting any other criteria for family; or
 - d) For bereavement purposes only, including funeral arrangements, travel, and attendance at funeral, the term family also includes grandparents, grandchildren, parents-in-law, brother- or sister-in-law and son- or daughter-in-law.
- 4. When treatment by specialists whose services are not available in the local area is required, a reasonable amount of time spent in traveling to the specialist may be charged to sick leave.
 - 5. Sick leave may be taken in initial increments of one hour and one-half hour increments thereafter, except as modified by contract.
 - 6. Employees injured while performing their duties are entitled to apply for benefits under the *Workers' Compensation and Occupational Disease Act*. If such benefits are granted, the employee cannot use sick leave, personal leave or vacation in lieu of Workers' Compensation. In the event an injury or illness is not determined to be compensable by the State and later becomes the subject of an award by the Industrial Commission, the employee shall restore to the county the dollar equivalent which duplicates payment received as sick leave days, vacation days or personal days and the employee's sick leave, vacation, and/or personal leave account(s) shall be credited with leave day equivalents.
- D. Approval of Sick Leave.
- 1. Use of sick leave is subject to approval by the employee's supervisor. When an employee is incapacitated, it is his/her responsibility to notify the supervisor at the earliest possible moment. Such notification should include the exact duration of the absence, if possible.
 - 2. Requests for sick leave use for medical, optical and dental examinations or treatments must be made prior to the beginning of the absence and should be made so as to create minimal disruption of work schedules.
 - 3. When a supervisor has reason to believe that the use of sick leave is being abused, proof may be required of individual employees for every sick leave absence, regardless of the period of time. Prior to use of this control, the employee concerned must be counseled and notified of the constraint being placed upon the use of sick leave. For periods of absence of more than ten consecutive work days the employee shall provide verification for the absence.

7-7 MATERNITY/PATERNITY LEAVE (See Section 7-10)

7-8 DISABILITY LEAVE (Please see IMRF rules and regulations on Disability Leave policy)

7-9 RESERVED.

7-10 FAMILY AND MEDICAL LEAVE ACT OF 1993.

- A. Employees who have been employed by the County for at least twelve (12) months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, are eligible for up to a total of twelve (12) workweeks of unpaid leave during any rolling twelve (12) month period for one or more of the following reasons:
1. Because of the birth of a child and in order to care for such child (within 12 months after the birth of the child);
 2. Because of the placement of a child for adoption or foster care (within 12 months of the placement of the child);
 3. In order to care for a spouse, child, or parents if they have a "serious health condition;" or
 4. Because of a "serious health condition" that makes the employee unable to perform the functions of his/her job.
- B. The federal law provides for FMLA leaves of absence to be unpaid. However, employees may qualify for additional benefits under other County leave policies. If a spouse also works for the County and both employees become eligible for a leave under paragraphs a. or b. above, or for the care of a sick parent under paragraph c. above, the two employees together will be limited to a combined total of twelve (12) workweeks of leave in any rolling 12-month period.
- C. Coordination with Other Policies. Employees may substitute paid leave time for unpaid leave under this policy. If an employee uses paid leave time under this policy, it will run concurrently with Family and Medical Leave. If employees otherwise qualify for disability pay or other leave benefits, he/she will collect it at the same time they are on Family and Medical Leave. Similarly, if employees otherwise qualify for any other type of leave of absence, that leave must be taken concurrently with Family and Medical Leave. Pursuant to Federal law, compensatory time cannot be taken concurrently with Family and Medical Leave. Employees taking time off from work on an intermittent basis that qualifies for the Family and Medical Leave protection will be required to use their accumulated sick time concurrently with the Family and Medical Leave prior to using other benefit time or approved dock status.
- D. Medical Certification. Any request for a leave under A. 3. or A. 4. above, must be supported by certification issued by the applicable health care provider. At its discretion, the County may require a second medical opinion and periodic recertification to support the continuation of a leave. If the first and second opinions differ, a third opinion can be obtained from a health care provider jointly approved by both the County and the employee.
- E. Serious Health Condition. For purposes of this policy, "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:
1. Hospital Care. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care relating to the same condition;

2. **Absence Plus Treatment.** A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: 1) treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
 3. **Pregnancy.** Any period of incapacity due to pregnancy, or for prenatal care;
 4. **Chronic Conditions Requiring Treatment.** A chronic condition which requires periodic visits over an extended period of time for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; and may cause episodic rather than a continuing period of incapacity.
 5. **Permanent/Long-Term Conditions Requiring Supervision.** A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.
 6. **Multiple Treatments (non-chronic conditions).** Any period of absence to receive multiple treatment (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.
- F. **Intermittent Leave.** If certified as medically necessary for the serious health condition of either the employee or the employee's spouse, child or parent, leave may be taken on an intermittent or reduced schedule. If leave is requested on this basis, however, the employee may be required to transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent base pay and benefits. Reduced schedules for the purpose of child care will only be granted in accordance with the provisions of Section 7-7, *Family Responsibility Alternate Work Schedule* and will run concurrently with FMLA leave. Employees taking time off from work on an intermittent basis that qualifies for the Family and Medical Leave protection will be required to use their accumulated sick time concurrently with the Family and Medical Leave prior to using other benefit time or approved dock status.
- G. **Notification and Reporting Requirements.** All requests for leaves of absence must be submitted to the employee's supervisor in writing at least thirty (30) days in advance of the start of the leave (except when the leave is due to an emergency or is otherwise not foreseeable). A delay in submitting this request could result in a delay of the start of the leave. The supervisor will forward the request to the appropriate personnel office for approval. If the leave request is approved, the employee will receive written notice to this effect. If the leave request is denied, the employee will be notified promptly after that decision is made and he/she can reapply in the event the circumstances for the denial have changed. Employees must also make an effort to schedule intermittent leave so as not to disrupt business operations. During the leave, employees may be required to report periodically on their status and intention to return to work.

1. Any extension of time for a leave of absence must be requested in writing prior to the scheduled date of return to work, unless the need for the extension is unforeseeable, and written documentation may be required to support the extension. The maximum time on FMLA leave of absence cannot exceed a total of twelve (12) weeks in a rolling twelve-month period.
 2. A FMLA leave of absence will not affect the continuity of employment. An employee's original date of employment remains the same for seniority purposes. However, the employee will not accrue any benefits during the period they are on FMLA leave, except as provided by another leave policy.
- H. Employee Benefits During Family and Medical Leave of Absence. Employees will be permitted to maintain health insurance coverage for the duration of the FMLA leave under the same conditions coverage would have been provided if he/she had remained actively at work. However, employees must make arrangements for the continuation and payment of their portion of insurance premiums before they go on unpaid leave status. If the employee does not return to work after the leave, or if they fail to pay their portion of the premiums, they will be required in most cases to reimburse the County for the premiums paid during the leave.
- I. Return from Family and Medical Leave. Upon return from leave which has extended no longer than a total of twelve (12) workweeks in a rolling twelve (12) month period, employees will be restored to the same or equivalent position as the one they held when the leave started. Of course, the employee has no greater right to benefits and other conditions of employment than if they had been continuously employed during the FMLA leave period. Employees on leaves for their own serious health condition will be required to submit a fitness for duty certification from their health care provider stating that they are able to perform the essential functions of the job before they will be permitted to return to work. An employee's failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date may result in discipline up to and including discharge.
- J. An Employee shall not be granted FMLA leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including discharge.
- K. In the event there is a conflict between the notice and the Family and Medical Leave Act, the Act shall prevail.

7-11 ATTENDANCE IN COURT.

- A. Jury Duty.
1. The County will not ask that its employees be excused from jury duty except in cases of necessity. Supervisors should request that their employees be excused from jury duty in those instances where their services are required to meet essential work schedules and where public interests are better served by the employees' remaining on duty.
 2. Any permanent employee called for jury duty shall be allowed time away from work with pay for such purposes.
 3. Employees must report for work during any periods they are excused from jury duty.
 4. Employees whose normal work schedule falls entirely outside the core work hours (10:00am to 3:00pm) are not required to report to work while they are serving jury duty. Employees should be assigned

temporarily to a day shift operation for the purposes of "calling in" for jury service and then report to work on those days that they are not required to serve for jury duty. In the event there is no day shift operation to assign the employee to, the employee must be excused from work for the duration of the jury duty assignment.

B. Witness Service.

1. Whenever County employees are requested to be witnesses in civil lawsuits related to the County's operations, the employee must insist on being subpoenaed and not agree to serve voluntarily as a witness. The foregoing policy does not apply to an employee who is a party to the lawsuit, if the suit has no relationship to the County's operations or if the Attorney General requests voluntary appearance by the employee.
2. Documents shall not be provided except in response to a subpoena
3. If a subpoena is issued by any judicial, legislative or administrative tribunal in a matter relating to County operations, the employee shall have time away from work with pay to serve as a witness. If an employee is subpoenaed for something other than a County-related matter, the employee shall be granted time off with pay unless the employee is personally involved. An employee who receives a subpoena or notice to appear in a personal litigation nonwork-related matter must use available vacation, personal business leave, compensatory time or be absent without pay.
4. The employee's supervisor is to be notified when the employee receives either a request to appear as witness or is subpoenaed, and the supervisor shall be responsible for the approval of the leave request.

C. Expert Witness Testimony. A County employee shall not serve as an expert witness if the employee's expertise is based in whole or in part on employment with the County. An employee who receives a subpoena to appear in a matter in which the employee is likely to be asked to give expert opinion testimony shall contact the State's Attorney's Office to request that a motion be filed to quash the subpoena. This provision does not apply to an employee asked to testify on behalf of the State, the county, another county or the United States.

D. Jury/Witness Service Pay.

1. Pay received by an employee for jury duty or witness fees shall be turned over to the Treasurer's Office . The employee may not waive a fee set by law and is responsible for remitting the full amount of the fee to the County. The employee may keep any pay received for jury duty or for witness service if performed while on vacation, personal business leave, compensatory time off for accumulated overtime or during other regularly scheduled time off. The employee may retain any portion of such pay that covers mileage and parking reimbursement.
2. Temporary employees shall have time off without pay for jury duty or witness service not required by the County and may retain pay received for such services.

7-12 MILITARY LEAVE.

- A. Military leaves of up to four years are granted to all permanent employees, except temporary employees who leave their positions to enter military service. A permanent employee may be restored to the same or a similar position by making application to the employing agency within 90 days after discharge or from hospitalization continuing after discharge for not more than one year.
- B. Military Reserve Training and Emergency Call-Up.
1. Any full-time employee who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia shall be granted leave from the County for any period actively spent in such military service including basic training and special or advanced training, whether or not within the county, and whether or not voluntary.
 2. To be eligible for military reserve leave or emergency call-up pay, the employee must provide the employing agency with a certificate from the commanding officer or his/her unit that the leave taken was for either such purpose.
 3. During basic training and up to 60 days of special or advanced training, if such employee's compensation for military activities is less than their compensation as a County employee, he/she shall receive their regular compensation as a County employee minus the amount of their base pay for military activities. During such training, the employee's seniority and other benefits shall continue to accrue.
 4. In the case of an emergency call-up (or order to state active duty) by the Governor, the leave shall be granted for the duration of the emergency with pay and without loss of seniority or other accrued benefits. Military earnings for the emergency call-up must be submitted and assigned to the County, and the employing agency shall return it to the payroll fund from which the employee's payroll check was drawn. If military pay exceeds the employee's earnings for the period, the employing agency shall return the difference to the employee.
 5. Should employees serve on their regular days off, they may keep the portion of military pay received. Affected employees may elect to take vacation time during the callout and receive both their salary and military payment.
 6. Annual Training Leave. Any full-time employee who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia, shall be allowed annual leave with pay for one full pay period and such additions or extensions to fulfill the military reserve obligation. Such leaves will be granted without loss of seniority or other accrued benefits. During leave for annual training, the employee shall continue to receive regular compensation as a county employee. The employee must present a copy of the military orders directing such training. These orders must specify that the time is spent in training. If the employee volunteers to work on setting up the training facility, this time is not part of the training and not eligible for payment. An employee may not use

annual reserve training benefits to be in paid status when meeting routine weekend or evening training obligations.

7-13 RESERVED.

7-14 RESERVED

7-15 RESERVED

7-16 OTHER EXCUSED ABSENCES.

Emergency Closing. If a County facility is officially closed due to a disruption of work at the work site caused by a condition beyond the control of the County such as equipment failure, fire, flood, snow, tornado, or other natural disasters, or interruption of essential services such as water or electricity, the employees who are at work may be dismissed with pay for the remainder of that day. The employees will also be paid for any subsequent days that the facility is closed for the same reason (up to 5 days). If weather conditions prevent employees from reporting to work or if they choose to leave work due to severe weather, employees may opt to charge their absenteeism against earned vacation, compensatory time or unused personal business leave. If the employee does not have appropriate unused leave time, they may be docked.

7-17 ABSENCE WITHOUT APPROVED LEAVE.

An employee who is absent for two consecutive workdays without reporting to the County may be discharged.

7-18 LEAVE WITHOUT PAY.

Employees will not be granted leave without pay as a matter of right. Granting of leave without pay is a matter of administrative discretion.

CHAPTER 8 COMPENSATION

8-1 POLICY

Each Office head shall determine the salaries of his/her employees based on merit and qualifications in conjunction with the Board and subject to appropriations and statutory constraints. Each Office head shall agree to meet with other Office heads and the Board to develop reasonably consistent salaries among the departments based on employee classifications, for each fiscal year.

CHAPTER 9EMPLOYEE CONDUCT

9-1 POLICY .

- A. Edgar County now has in effect and will establish from time to time such reasonable rules as it considers necessary to maintain the orderly and efficient conduct of its business, to maintain good order and discipline, to provide for the safety of its employees and property and to comply with public laws.
- B. Employees are required to comply with the rules established by the County. Failure to do so may subject any employee to appropriate disciplinary measures up to and including discharge.

9-2 RESERVED.

9-3 RULES FOR EMPLOYEE CONDUCT.

All County employees are required to adhere to and comply with all the following sections. Failure to do so could result in disciplinary action, up to and including discharge:

- A. Alcohol and Drugs
 - 1. Possession of alcoholic beverages or addicting and/or illegal drugs on County property, including in County vehicles, County sites or on County time is prohibited, unless in the performance of duty for law enforcement personnel. Reporting for work under the influence of any illegal drug or alcohol is forbidden, and no employee will be permitted to remain at work while under the influence.
 - 2. Employees may possess and use prescription drugs provided solely for their use by a physician unless the medication adversely affects the employee's ability to perform the job and/or is a risk to the safety of the employee, co-workers, or the public.
 - 3. Employees who are approached by anyone on County premises or work sites with regard to the purchase of addicting and/or illegal drugs must report this fact to their supervisors.
- B. Civil Rights Violations. An employee shall not engage in actions which constitute a violation of federal and state laws and Executive Orders. Examples of conduct which could constitute such violations are: sexual harassment, racial harassment, sexually or racially-offensive remarks, discrimination on the basis of an individual's race, color, national origin, religion, age, sex, marital status, disability, unfavorable discharge from military service or any other non-merit factor.
- C. Courtesy. Employees shall treat all members of the public and other employees fairly, impartially, and with respect and promote a positive public image of the County.

- D. Disruptive Conduct. Employees shall not engage in disruptive conduct, including but not limited to, instigating or participating in disruptive behavior, interrupting work or impeding the work effort of others.
- E. RESERVED
- F. Employee Appearance . Reasonable modes of dress and personal hygiene currently acceptable to the community standards with consideration to the nature of the assignment should be followed by County employees so as not to disrupt the work place. This shall prevail except where a certain mode of dress is required by the County's Safety Code or other safe practice directives, or bargaining unit language. Supervisors shall be responsible for making determinations of reasonable modes of dress and personal hygiene for their work area.
- G. Efficient Performance of Duties. Employees shall perform their duties to the best of their abilities and cooperate with others in the performance of their duties as assigned. Inattention to work, including but not limited to, sleeping, loitering or loafing shall not be tolerated.
- H. Employee Ethics. Employees of the County are subject to a higher standard of conduct and scrutiny than most citizens. The efficient operation of the County requires public trust and confidence in its employees. Employees shall conduct themselves and their business to the highest possible ethical standards that reflect professional management and/or engineering practices.

An employee shall keep confidential all information acquired through his/her employment with the County unless and until such information becomes available to the general public or is required to be released pursuant to the Illinois Freedom of Information Act, or other lawful authority, or is requested by the person(s) to whom the information relates pursuant to a valid written release.

Employees shall not use their official position for personal gain or influence.

- I. Reserved.
- J. Insubordination.
 - 1. Employees will comply with the instructions or orders given by their immediate supervisor or higher-ranking supervisory personnel.
 - 2. Employees shall not show disrespect toward their immediate supervisor or higher-ranking supervisory personnel.
- K. Investigations. All employees have a duty to participate in, and shall cooperate with, all official investigations.
- L. Lawfulness. Employees shall obey all laws and ordinances of the State of Illinois and all rules and regulations of Edgar County.
- M. Personal Mail. Personal mail should be received at the employee's home and not at the office or work area.
- N. Professionalism. Employees shall act with honesty, integrity and preserve confidentiality in the performance of their duties.

- O. Reporting Questionable Incidents. All employees are responsible for reporting any incidents or allegations of misconduct, corruption, conflicts of interest, malfeasance or misfeasance.
- P. RESERVED
- Q. Smoking. All County-owned enclosed facilities will be smoke-free environments. A county vehicle when occupied by one or more non-smokers shall be a non-smoking area.
- R. County Property.
1. County property is defined as any real or personal property, legally owned or leased by Edgar County, or acquired by county employees while performing official county business. This means all property including but not limited to real estate, buildings, vehicles, furniture, equipment, supplies and any scrap items of value.
 2. Employees shall not:
 - a) Use or consume county property, including county credit cards, for personal or private purposes. County property is to be utilized only for conducting official county business and disposed of in accordance with rules and regulations.
 - b) Remove any property belonging to the county or property belonging to any person without county authorization or authorization of the owner of the property.
 - c) Intentionally or carelessly damage, deface or waste county property or the property of others.
 - d) Use county telephone services for personal use.
 - e) Use county information technology resources for personal use. Authorized use of information technology resources are outlined in the County's Acceptable Use Policy.
 - f) Permit, without authorization from a supervisor, another person the use of their county assigned identification cards, telephone card, pager, telephone, keys, county vehicle, computer or other county property.
 - g) Retain any county assigned property upon separation from the County.
 3. Employees may be held financially liable for damage or loss of county property resulting from unauthorized use or negligence. Intentional damage or destruction of county property may result in prosecution.
- S. Truth in Reporting. Employees are expected to report accurately and truthfully all information pertaining to employment including, but not limited to, applications, timekeeping records, and any written reports, verbal reports or testimony given during an official investigation.

- T. Violence in the Workplace. The use of violence or the threat of the use of violence by County employees to subordinates, co-workers, superiors or others will not be tolerated. No employee may physically use or threaten to use any object to harm another individual. All employees have the responsibility to promptly and completely report any actions of violence or the threat of violence, to the appropriate management personnel.

9-4 DRUG FREE WORKPLACE

Edgar County has established and maintains an ongoing drug-free workplace for all employees, and has an ongoing drug-free awareness and education program in compliance with the Federal Drug-Free Workplace Act (DFWA).

Employees are notified of the following:

- A. That the unlawful manufacture, distribution, dispensing and possession or use of a controlled substance is prohibited in the workplace.
- B. All employees must notify Edgar County in writing of his/her conviction for a violation of criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
- C. That Edgar County will notify the Federal Transit Administration, within ten (10) days of receiving a notification from an employee pursuant to Paragraph B., above.

Failure to comply with the above could result in disciplinary action up to and including discharge.

CHAPTER 10SEXUAL HARASSMENT POLICY

10-1 POLICY.

It is the responsibility of each individual employee to refrain from sexual harassment, and it is the right of each individual employee to work in an environment free from sexual harassment.

10-2 DEFINITION.

- A. 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. According to the Illinois Human Rights Act, sexual harassment is defined as, "any unwelcome sexual advances or 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 or substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- B. Other conduct commonly considered to be sexual harassment includes:
1. Verbal. Sexual innuendoes, 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.
 4. Physical. Touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault.
- C. Sexual harassment most frequently involves a man harassing a woman. However, it can also involve a woman harassing a man or between members of the same gender.

10-3 RESPONSIBILITY OF EMPLOYEE.

Each individual employee has the responsibility to refrain from sexual harassment in the workplace. An individual employee who sexually harasses a fellow worker is liable for his or her individual conduct. The harassing employee will be subject to disciplinary action, up to and including discharge.

10-4 RESPONSIBILITY OF SUPERVISORY PERSONNEL.

- A. Each supervisor is responsible for maintaining the workplace free of sexual harassment. This is accomplished by promoting a professional environment

and by dealing with sexual harassment as with all forms of employee misconduct.

- B. Specifically, a supervisor must address an observed incident of sexual harassment or a complaint, with seriousness, take prompt action to investigate it, report it, end it, implement appropriate disciplinary action, and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint.
- C. In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

10-5 PROCEDURES FOR FILING A COMPLAINT.

- 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 the supervisor and offending employee. It is not necessary for sexual harassment to be directed at the person making the complaint. The employee should also document what was said or done along with the date, time and place it took place and keep any written records of harassment (i.e. letters, notes, memos, telephone messages).
- B. The official process for making a complaint about sexual harassment falls into several stages:
 - 1. Direct Communication. If there is sexually 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 subsequent messages are needed, they should be put in writing in a note or 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. If the harasser is the immediate supervisor, the problem should be reported to the next level of supervision.
 - 3. Formal Written Complaint. An employee may also report incidents of sexual harassment directly to the County Board. The County Board will counsel the reporting employee and be available to assist with filing a formal complaint. The County will fully investigate the complaint and advise the complainant and the alleged harasser of the results of the investigation.
 - 4. Resolution Outside County. It is hoped that most sexual harassment complaints and incidents can be resolved within the County. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the federal Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. This complaint must be filed with the IDHR within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint to the EEOC must be filed within 300 days.

- C. An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges of assault and battery.

10-6 FALSE AND FRIVOLOUS COMPLAINTS.

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. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can result in disciplinary action, up to and including discharge.

CHAPTER 11 DRUG-FREE WORKPLACE

11-1 POLICY.

- A. Purpose – Pursuant to the federal Drug Free Workplace Act which became a law in 1988 and the Illinois Drug Free Workplace Act which became effective January 1, 1992, Edgar County shall provide a drug free work place by:
1. Notifying all employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in any County workplace and specifying the actions that will be taken against any employee for violation of this prohibition.
 2. Establishing a drug free awareness program to inform employees about:
 - a) the dangers of drugs in the workplace
 - b) distribution of the Edgar County policy on maintaining a drug free workplace
 - c) any available drug counseling; rehabilitation and employee assistance programs
 - d) the penalties that may be imposed upon employees for drug abuse.
 3. Each person employed by Edgar County will be given a copy of the policy.
 4. Each employee will be notified that as a condition of employment at Edgar County the employee will:
 - a) abide by the terms of the policy; and
 - b) notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after conviction.
 5. Notify the County Board Chairman and the appropriate grant agency within ten (10) days after receiving notice under sub-paragraph 4. (b) from an employee or other receiving actual notice of such conviction.
 6. Take one of the following actions, within 30 days of receiving notice under sub-paragraph 4. (b) with respect to any employee who is convicted:
 - a) take appropriate personnel action against such an employee, up to and including termination; or
 - b) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.
 7. Making a good faith effort to continue to maintain a drug free work place through implementation of paragraphs 1, 2,3,4,5, and 6.

11-2 EMPLOYEE ASSISTANCE PROGRAM (EAP).

- A. The primary purpose of the EAP is to enable valued employees to overcome personal problems that affect their on-the-job performance. The areas that most often affect job performance are alcohol abuse, drug abuse, emotional difficulties, financial

problems, legal problems, and family problems. When these problems persist and grow, they often times seriously hamper on-the-job performance and eventually may jeopardize employment.

- B. EAP is primarily a referral service designed to assist employees before personal problems seriously interfere with job performance. The EAP links troubled Edgar County employees with specific professional counselors who help employees deal with their problems.
- C. Drug or alcohol abuse and emotional or personal problems can cause absenteeism, tardiness, faulty decision making and higher accident rates. It is far less costly for the County of help a troubled employee resolve problems than to hire and train replacement employees. Since employees are the County's asset, they can benefit from the EAP.
- D. Edgar County is interested in the health and well-being of all its employees, and acknowledges that it is in the interest of everyone to deal with personal problems which affect job performance within the following framework.
- E. It is recognized that almost any human problem can be successfully treated, provided it is identified in its early stages and referral is made to an appropriate source of care. This applies whether the problem is one of physical illness, finances, marital or family distress, alcohol or drug abuse or legal problems. Alcoholism and drug abuse are recognized as illnesses responsive to treatment rehabilitation. Any employee of the County having any of these problems will receive the same careful consideration and referral to treatment that is extended to an employee having any other illness. Covered charges for medical and professional treatment will be handled in accordance with the provisions of present individual insurance plans.
- F. When an employee's job performance deteriorates from expected standards and the employee is unable or unwilling to correct the situation, there may be some reason outside the realm of the job responsibilities. It is the duty of each department head/office holder to refer the employee to the EAP for assessment of the problem. The necessity of referral for diagnosis and treatment or assistance will be based strictly on unsatisfactory job performance, resulting from an apparent medical or behavioral problem.
- G. The EAP is designed to assist employee with personal problems that affect work performance. If, however, an employee continues to have unsatisfactory work performance regardless of participation in the program, the employee will be subject to normal corrective disciplinary procedure.
- H. Every effort will be made to maintain strict confidentiality of records and information. Those receiving help will not have job security or promotional opportunities jeopardized by participating in the program.

- I. Employees who have problems that they feel may affect their job performance are encouraged to voluntarily seek assessment and treatment on a confidential basis by contacting the EAP.
- J. Since employee work performance can be affected by the problems of a spouse or other member of the immediate family, the family member is encouraged to seek assistance.
- K. Implementation of this policy will not require or result in any special regulation, privilege or exemption from the standard administrative practices applicable to job performance requirements.
- L. Edgar County employees are encouraged to seek help with drug, alcohol, or other personal problems. Assistance and referrals are available through the Human Resource Center.
- M. The Edgar County Board is responsible for the review and approval of the EAP policies and procedures.

DRUG FREE WORKPLACE ACT STATEMENT

In accordance with Drug Free Workplace Act of 1988 the following provisions and statements apply:

1. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the Edgar County Offices and workplaces. This policy also applies to employees engaged in official business while on assignment away from an agency office.
2. Employees will notify the County Board Chairman if he or she is convicted of illicit substance violation in the workplace within five days of a conviction.
3. Within thirty days, the County Board will discipline the convicted employee or require his or her participation in an approved drug abuse assistance or rehabilitation program.
4. Upon receiving notice of a conviction the County Board Chairman will evaluate the case and determine the most appropriate action in accordance with federal and state laws. Appropriate personnel actions against an employee include remedies up to an including termination or mandatory participation in drug abuse assistance or rehabilitation program.

I have read and agree with the above statements and will abide by their conditions.

Employee

STATE OF ILLINOIS

DRUG FREE WORKPLACE CERTIFICATION

This certification is required by the Drug Free Workplace Act 30 ILCS 580/1et.seq. The Drug Free Workplace Act effective January 1, 1992, requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or services from the State, unless that grantee or contractor has certified to the State that the grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments termination of the contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but not more than five (5) years.

For the purpose of this certification, “grantee” or “contractor” means a corporation, partnership, or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division, or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

1. Publishing a statement:
 - a. Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee’s or contractor’s workplace.
 - b. Specifying the actions that will be taken against employees for violations of such prohibition.
 - c. Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 1. Abide by the terms of the statement; and
 2. Notify the employer of any criminal drug statutes conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
2. Establishing a drug free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The Grantee’s or contractor’s policy of maintaining a drug free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon an employee for drug violations.
3. Providing a copy of the statement required by subparagraph (1) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
4. Notifying the contracting or granting agency within ten (10) days after receiving notice under part (2) of paragraph (c) of subsection (1) above from an employee or otherwise receiving actual notice of such conviction.
3. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by section 5 of the Drug Free Workplace Act.
4. Assisting employees in selecting a course of action in the event drug counseling, treatment, and rehabilitation is required and indicating that a trained referral team is in place.
5. Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.

THE UNDERSIGNED AFFIRMS, UNDER PENALTIES OF PERJURY, THAT HE OR SHE IS AUTHORIZED TO EXECUTE THIS CERTIFICATION ON BEHALF OF THE DESIGNED ORGANIZATION.

Printed Name of Organization

Signature of Authorized Representative

Printed Name and Title

Requisition/Contract, Grant ID Number

Date

CHAPTER 12 VEHICLE USAGE

12-1 VEHICLE OPERATION.

- A. Employees are required to operate vehicles within the law and in accordance with County policy. Any employee possessing or consuming alcohol or drugs in county vehicles or in private vehicles being used at county expense shall be subject to discipline, up to and including discharge.
- B. Any employee whose position requires that he/she possess a valid operator's license, or who operates county vehicles, private vehicles at county expense, county vessels, and/or mobile equipment must have a valid driver's or operator's license or special permit in the correct classification for the type of equipment operated.
- C. The employee shall immediately notify in writing, his/her supervisor if his/her license becomes invalid, suspended, revoked or lost. Failure to report the above information could result in disciplinary action.
- D. Invalid License - Impact Statement.
 - 1. In those instances when an employee's driver's or operator's license becomes invalid, and where said loss will have significant effect on the performance of the employee's duties, will increase the costs of the County's operations, the County's liability, or create an adverse public image, or where the employee's position requires that he/she possess a valid operator's license, the employee must choose one of the options listed in subsections a) and b) below. The employee, in exercising one of these options, shall not be permitted to utilize benefit time and shall not be permitted to take a leave of absence (other than the unpaid general leave of absence provided for in subsection a) below) during any period in which his/her license is invalid, unless state or federal law dictates otherwise.
 - a) The employee may opt to take an unpaid general leave of absence not greater than 90 calendar days from the date the license becomes invalid. If the employee obtains a license or permit to operate the appropriate class(es) of vehicle(s) during the 90-day period, he/she will be allowed to return to work on the earliest appropriate date after he/she has submitted the appropriate documentation to his/her supervisor indicating his/her vehicle operation privileges have been restored.

If this option is selected by the employee and he/she has not obtained a vehicle operator's license or acceptable operator's permit by a date fifteen (15) working days prior to the end of his/her unpaid leave of absence, the employee shall be notified of his/her pre-termination meeting in writing by certified mail, return receipt requested, at the employee's last home address listed in the personnel file. The pre-termination meeting shall be scheduled ten (10) working days prior to the 90th day of the employee's leave.

The employee shall be discharged effective the day after the leave of absence expires.

- b) The employee may opt to terminate his/her employment through resignation with no prejudice.
- 2. In those instances in which an employee's driver's or operator's license becomes invalid and where said loss will not have effect upon the County as stated in D.1. above and as determined through the impact statement, no action will be taken.
- E. Discipline. Any employee who fails to notify his/her supervisor of the invalidity of their license or who works without a valid license and said loss did have significant effect on the performance of the employee's duties, would increase the costs of the County operations, the County's liability, or create an adverse public image, or where the employee's position required that he/she possess a valid operators license shall be disciplined as follows:
 - 1. An employee whose violation does not exceed thirty (30) calendar days, shall be suspended for one (1) calendar day for each day his/her license was invalid.
 - 2. An employee whose violation exceeds thirty (30) calendar days shall be discharged.
 - 3. Any employee whose license becomes invalid for a second time in five years while employed by the County in a position that has impact as described in D.1. above, shall be discharged.
- F. An employee's supervisor(s) shall not knowingly permit an employee to operate County vehicles or equipment or private vehicles or equipment at the County's expense, without a valid license or operator's permit. Permitting an employee to do so shall be cause for discipline of the supervisor(s) up to and including discharge.

An employee who may lose or have his/her drivers license canceled, suspended, or revoked by the Secretary of State's Office may make application for a restricted driving permit which is subject to provisions established by the Secretary of State. A request by the Secretary of State for proof of the need for the employee to operate a vehicle in the course of employment will be completed by the employee's supervisor on the form provided by the Secretary of State's Office.
- G. If an employee has any restrictions on his/her driver's license he/she will operate vehicles or equipment in compliance with those restrictions.

12-2 VEHICLE RISK MANAGEMENT CONSIDERATIONS.

All accidents, when the vehicle use is in the course and scope of employment, must be reported through the appropriate police agency as well as to the employee's supervisor. A copy of the report should be forwarded to the County Clerk's Office, within 24 hours of the occurrence of the mishap. Failure to promptly report a vehicle accident is cause for the claim to be denied, and the employee can be held personally liable for all costs associated with the accident.

CHAPTER 13ACCEPTABLE USE POLICY-INTERNET

13-1 POLICY

- A. The Edgar County Board provides access to the Internet and electronic mail (“email”) for its employee’s use in conducting the business of local government. It is our policy that the use of this system is in a manner that is responsible, legal and appropriate. Use of the system is a privilege. Those who use the system are subject to high standards of ethics to insure the privacy, security, and proper use of data.
- Ultimate responsibility for actions that do or do not conform to this policy is with the individual user.
 - Users are expected to respect all copyright issues regarding software, information and attributions to authorship.
 - Use of the system for any illegal activities is prohibited. Illegal activities include tampering with computer hardware or software, unauthorized entry into computer, or destruction of computer files.
 - Use of the system for personal financial or commercial gain is not acceptable.
 - All users are to respect the privacy of other users. Users should not intentionally seek information on another user. Additionally, users should not obtain copies of, modify files, other data, or passwords belonging to other users, nor should they represent themselves as another user. Unsolicited communication, including uninvited talk session or broadcast messages is prohibited.
 - The origination or transmission of files that are defamatory, derogatory, abusive, obscene, sexually oriented, threatening, offensive, or inaccurate nature will not be tolerated.
 - The user shall not operate the system improperly; install or execute software commands that weaken or threaten the security and integrity of the network; or propagating computer worms or viruses.
- B. Failure to adhere to the Acceptable Use Policy may result in the revocation or restriction of the user’s access privileges and possible disciplinary action.
- C. Users are responsible for keeping their password secure. All passwords are the property of Edgar County Board. No user may use a pass code that has not been issued to that user by their Supervisor.
- D. The system is for conducting County business. Any personal use beyond incidental use must be approved by Supervisor in advance. The Supervisor reserves the right to access all user accounts and service transaction logs and data files at any time, including electronic mail.

13-2 ACKNOWLEDGMENT

Prior to being granted permission to use the Edgar County Board network each user will sign the County's Acceptable Use Policy Agreement acknowledging its requirements. By signing below, the user is acknowledging that he or she has read, understands, and accepts its restrictions, conditions, and consequences.

User Name (Printed)_____

Dated_____

User Signature _____

Department or Office_____

CHAPTER 14 CONFLICT OF INTEREST

14-1 POLICY AND GUIDELINES.

- A. Conflict of Interest/Additional Employment Outside the County. It is the responsibility of all County employees and members of their immediate families to avoid situations involving conflict of interest and the appearance of conflict of interest.
- B. Policy Guidelines. It is essential that County employees maintain unusually high standards of honesty, integrity, impartiality and conduct to ensure the proper performance of County business and the citizens' confidence in their county government. The avoidance of misconduct and conflicts of interest on the part of County employees through informal judgment is indispensable to the maintenance of these standards. In accordance with these concepts, the following guidelines are established as County policy.
1. County employees shall not:
 - a) Acquire outside interests which could cause a reasonable person to presume that the employee's judgment and loyalty on County matters might be affected.
 - b) Accept outside employment which will conflict with regular work hours or work, impair efficiency or be considered a conflict of interest in the performance of assigned duties.
 - c) Use County personnel, equipment or supplies in their outside work.
 - d) Advertise or solicit for outside work of any type where the advertisement or solicitation makes any reference to employment with the County.
 - e) Advertise or endorse (whether or not any compensation is received) any product or service where the advertisement or endorsement includes reference to employment with the County.
 - f) Use information obtained by reason of their County employment for personal gain or advantage.
 - g) Accept any economic opportunity under circumstances where the employees know or should know that there is a substantial possibility that the opportunity is being afforded them to influence their conduct in the performance of their official duties.
 - c) Make official decisions that are not in accordance with established statutes and County policies and procedures.
 2. Violation of these standards may be cause for disciplinary action up to and including discharge.

3. This policy shall not be construed to prohibit participation in charitable, educational and similar organizations; however, such activity(ies) should be carefully analyzed to ensure consistencies with the foregoing guidelines.
4. If there is any question of a conflict of interest or work relationship in regard to outside work or activity, the employee shall obtain the approval of the employee's supervisor before proceeding.

CHAPTER 15 EDGAR COUNTY ETHICS ORDINANCE

15-1 ETHICS ORDINANCE

- A. Whereas, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and
- B. Whereas, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units “in a manner no less restrictive” than the provisions of the Act; and
- C. Whereas, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and
- D. Whereas, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and
- E. Whereas, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;
- F. Therefore, Edgar County adopts the Edgar County Ethics Ordinance with the following provisions;

15-2 Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

- A. “Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

- B. "Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election code (10 ILCS 5/1-3).
- C. "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5ILCS 315/3).
- D. "Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of the Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.
- E. "Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.
- F. "Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).
- G. "Employee" means a person employed by Edgar County, whether on a full-time or part-time basis or pursuant to a contract, whose 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.
- H. "Employer" means the County of Edgar.
- I. "Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.
- J. "Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.
- K. "Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

- L. “Political activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.
- M. “Political organization” means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.
- N. “Prohibited political activity” means:
1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
 2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
 3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
 4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
 5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
 6. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
 7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
 8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

9. Making contributions on behalf of any candidate for elective office in the capacity or in connection with a campaign for elective office.
10. Preparing or review responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

O. "Prohibited source" means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

15-3 Section 5-1. Prohibited political activities

- a. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of Edgar County in connection with any prohibited political activity.
- b. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity as (i) part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

- c. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- d. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- e. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

15-4 Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as “recipients”), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates the Section.

15-5 Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- a. Opportunities, benefits, and services that are available on the same conditions as for the general public.
- b. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- c. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- d. Educational materials and missions.
- e. Travel expenses for a meeting to discuss business.
- f. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual’s spouse and the individual’s fiancé or fiancée.
- g. Anything provided by an individual on the basis of a personal

friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

- h. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- i. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- j. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
- k. Bequests, inheritances, and other transfers at death.
- l. Any item or items from any one prohibited source during any calendar year having a cumulative total of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

15-6 Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under section 501 (c) (3) of

the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

15-7 Section 25-1. Penalties

- a. A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- b. A person who intentionally violated any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- c. Any person who intentionally makes a false report alleging a violation of any provision of the Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- d. A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for Edgar County by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.
- e. A violation of Article 10 of the Ordinance may be prosecuted as a quasi-criminal offense by an attorney for Edgar County, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.
- f. In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

Therefore, this Ordinance shall be in effect upon its passage, approval and publication as provided by law.

CHAPTER 16 DISCIPLINE

16-1 POLICY.

The County subscribes to the concept of progressive and fair discipline, which is a system of implementing more formal and severe discipline if behavior fails to improve or offenses become more serious. This policy is applicable to all full time employees that are not covered by a collective bargaining agreement.

16-2 ORAL WARNING

Whenever an employee's performance, attitude, work habits or personal conduct falls below a desirable level, the Office head shall inform the employee by an oral warning. After a reasonable period of time, if improvement or corrections are not evident, further disciplinary action shall be initiated. Notes shall be made of said oral warning by the Office head and shall be placed in the employee's personnel file.

16-3 WRITTEN REPRIMAND

After counseling by an employee's Office head has met with little or no success, or in the case of more serious conduct, a written reprimand may be sent to the employee with a copy placed in the employee's personnel file. The employee shall give his Office head a written commitment that he will resolve the problem that exists.

16-4 SUSPENSION

- A. Suspension without pay is appropriate if oral warnings or written reprimands have been unsuccessful or when the gravity of the offense necessitates corrective action of a greater severity.
- B. Unless delay in the imposition of discipline will result in clear harm or damage to the department, the employee shall be informed in writing of the proposed suspension and the reasons therefore at least four (4) working days prior to the effective date of the proposed suspension is based. The employee shall have three (3) working days after being informed of the proposed suspension within which to address written rebuttal to the reasons given for the suspension to the Grievance Committee. Such written rebuttal shall stay a non-immediate suspension. A decision of the Grievance Committee not to suspend the employee shall be rendered in writing to the Office head. Final authority is that of the Office head. Suspensions may range from a period of five (5) to thirty (30) working days.

16-5 TERMINATION

- A. Each office may terminate an employee with cause. Causes for immediate termination include but are not limited to discrimination or harassment of a co-worker, gross misconduct, negligence, inefficiency, insubordination, unauthorized absence, conviction of a criminal offense, falsification of records, use of a position for personal advantage, or other justifiable reasons where alternative discipline actions are not appropriate or have failed to rectify the problem.
- B. The employee shall be furnished with a written statement setting forth the reasons for such action. A copy of the termination notice shall be sent to the Grievance Committee.
- C. All employees have a right to appeal a termination notice to the Grievance Committee. The committee will consider the appeal at a time set by the Committee and will submit its determination in writing to the employee. The Grievance Committee shall recommend a decision as to the grievance. Final authority is that of the Office head.

16-6 GRIEVANCE PROCEDURE

- A. DEFINITION
A grievance is the dissatisfaction of an employee when he believes, rightly or wrongly, that he has not been treated fairly concerning seniority, hours of work, vacation and holiday eligibility or other related terms and conditions of employment, or when he believes a mistake has been made in the administration of a rule, plan, policy or disciplinary action.
- B. APPEAL
Employees who have any grievance arising out of the employment by the County have the right of appeal. Appeals shall be submitted in writing, signed by the employee, and presented personally or through an authorized representative within three (3) working days of the event which has caused the grievance to be filed with the Office head. Failure to do so automatically abandons the grievance. The Office head shall make every effort to resolve the grievance. Office heads shall submit a written reply within two (2) working days after receipt of the grievance to the employee.
- C. If settlement is not reached, the grievance may be submitted to the Grievance Committee within three (3) working days from receipt of the Office head's decision. The Grievance Committee will place the matter on their agenda. The Committee shall hear and investigate all sides of the case and render a recommendation within ten (10) working days after the Committee meeting unless a postponement is agreed to by the Committee and the employee.
- D. In any case, employees shall be assured freedom from restraint, interference, discrimination and/or reprisal arising from any grievance presented.

- E. **Grievance Committee**
The Grievance Committee shall be comprised of at least a County Board member, elected officeholder, or appointed official and two county employees. The Board shall select the members of the Grievance Committee. If a conflict of interest exists with the person grieving and any member of the Grievance Committee, an alternate shall be appointed to the committee in order to eliminate said conflict of interest. The Committee shall recommend a decision as to the grievance. Final authority is that of the Office head.

- F. **Records**
Records of the appeal process shall be maintained and placed in the employee's personnel file.

CHAPTER 17 LABOR-MANAGEMENT RELATIONS

17-1 GENERAL.

- A. The Rules promulgated and decisions issued by the State Labor Relations Board created by 5 ILCS 315/5 will govern Edgar County's labor-management relations.
- B. Wherever there is disagreement between these general guidelines and the specific provisions of a Collective Bargaining Agreement, the Agreement shall control.

17-2 POLICY.

- A. It is the County's policy to act in good faith with duly certified representatives of employees and to strive for the maximum degree of mutual understanding, confidence and respect in its relations with such representatives.
- B. All personnel are expected to abide by and demonstrate an affirmative willingness to comply with governing regulations. No interference, restraint, coercion or discrimination will be practiced to encourage or discourage membership in any labor organization.

17-3 DEALING WITH LABOR ORGANIZATIONS.

- A. The County Board is designated as the principal contact point for conducting business with labor organizations.
- B. Labor organizations granted exclusive recognition in addition to their right to bargain with respect to wages, hours and working conditions have a right to be consulted by management on matters of legitimate concern to the organization. A labor organization granted exclusive recognition also has the right to act for employees and negotiate agreements.

17-4 RESPONSIBILITY OF MANAGEMENT.

- A. Management is responsible for maintaining a strictly neutral position with employees in matters concerning labor organizations, refraining from discussion of strengths and/or weaknesses of organization membership or the merits of one organization over another.
- B. Those management officials and supervisors dealing with labor organizations should become thoroughly familiar with the labor-management policies of the County and have an active, working knowledge of the contract provisions which apply to their work areas.
- C. Interpretation of Collective Bargaining Agreements shall be directed to the County Board.

17-5 LIMITS OF A STEWARD'S AUTHORITY.

The job of the steward is limited to the amount of authority delegated by the union, the terms of the written agreement and restrictions imposed by the county personnel system (in particular, the Civil Service Law).

17-6 THE SUPERVISOR AND THE STEWARD.

The employee's right to be represented by the union in presenting a complaint must be recognized and accepted. The fact that an employee chooses to be represented should not influence the supervisor's attitude in any way.

17-7 UNION SOLICITATION ACTIVITIES.

Solicitation is permitted except during working time. Working time and/or workdays for most County facilities is normally from 8:00 a.m. to 4:00 p.m. with the exception of those operations customarily on a different schedule. Nonwork hours are those times before and after starting and stopping time and lunch periods. Solicitation is absolutely prohibited during work hours and in work areas unless specifically granted by contract.

17-8 DISTRIBUTION OF UNION LITERATURE AND MATERIAL

Recognized employee organizations may distribute their literature during the lunch period in County facilities commonly available to the public. However, the distribution of literature and material by employee organizations and/or the distribution of any printed or written materials concerning collective bargaining in work areas by employees is prohibited. Nothing in this paragraph shall be construed to waive the requirement that requests to distribute union literature and materials must be made and approved in advance.

17-9 USE OF COUNTY FACILITIES BY UNION ORGANIZATIONS.

- A. County facilities will not be used by employee organizations for meetings unless a request has been submitted and approved. Such approval will only be granted to the exclusive representative or to intervening and petitioning organizations when the determination of a recognized representative is before the State Labor Relations Board.
- B. Unless allowed by contract, no request for the use of county facilities will be approved unless it is outside of work hours of the employees involved, will not interfere with the regular functions of county activities, and will not involve additional expense to the County. Under no circumstances is employee organization business to be conducted utilizing county resources or equipment.
- C. With prior approval of the head of a County facility, conference rooms or portions of a lobby with a table may be available before or after work time or during lunch periods.

17-10 USE OF BULLETIN BOARDS BY UNION ORGANIZATIONS.

- A. Recognized employee organizations, at all times, and petitioning and intervening employee organizations during periods when the processing of representation petitions is timely, may place informational material on County bulletin boards subject to the following conditions:
1. The employee organization must be readily identified in the materials.
 2. The contents of the material posted must relate to the activities of the employee organization and cannot relate to partisan political matters or be defamatory in nature.
 3. Employee organizations must receive prior approval of County management for the privilege of using bulletin board space and such approval will not be withheld unless bulletin board space has been provided by contract.
 4. Employee organizations shall assume all costs incidental to the preparation, production, reproduction and/or distribution of material.