

# **DEWITT COUNTY 2011 PERSONNEL POLICIES**

**ADOPTED 11-28-11**

Disclaimer:

It is the intent of this handbook to provide employees with the County's personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook concerning employment with the County.

The Personnel handbook is not to be construed as an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor the County is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

I have received this personnel policy handbook.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee

## CHAPTER 32: PERSONNEL POLICIES

### General Provisions

- 32.001 Policy statement; purpose
- 32.002 Definitions
- 32.003 Nepotism

### Selection and Hiring

- 32.010 Responsibility for selection and hiring of employees; county as an equal opportunity employer
- 32.011 Authorization of positions
- 32.012 Filling of vacated positions
- 32.013 Retention of county funded positions
- 32.014 Retention of positions funded other than by county
- 32.015 Physical examination for new hire employees; examination form
- 32.016 Policy statement concerning health protection

### Conditions of Employment

- 32.025 Hours of work
- 32.026 Pay periods
- 32.027 Holidays
- 32.028 Probationary employment period
- 32.029 Temporary and permanent disability
- 32.030 Personal time
- 32.031 Line and staff relations
- 32.032 Reporting leaves required of department heads; Executive Admin. Assistant
- 32.033 Eye Protection
- 32.034 County owned vehicles
- 32.035 Identification cards

### Vacations

- 32.045 Vacation allowance per department
- 32.046 Computation of vacation
- 32.047 Payment of accrued vacation upon termination of employment
- 32.048 Unused vacation
- 32.049 Nonaccrual of vacation

### Leaves of Absence

- 32.060 Sick leave
- 32.061 Maternity leave
- 32.062 Military leave
- 32.063 Miscellaneous leave
- 32.064 Family and Medical leave
- 32.065 Domestic and Sexual Violence Leave

### Employee Personnel Records

- 32.075 Maintenance of individual personnel records
- 32.076 Confidentiality of files
- 32.077 Type of records

### Position Classification System

- 32.085 Purpose
- 32.086 Maintenance of classification system; salary scale
- 32.087 Position reclassification
- 32.088 New positions

### Wage and Salary Administration

- 32.095 Compensation policy
- 32.096 Entrance level salaries
- 32.097 Performance salary increases
- 32.098 Salary adjustments

- 32.099 Temporary employment
- 32.100 Acting status
- 32.101 Compensatory time
- 32.102 Overtime pay
- 32.103 Docking of pay
- 32.104 Transfers and promotions

#### **Code of Ethics; Standards of Conduct**

- 32.110 Conflict of interest
- 32.111 Misuse of funds or materials
- 32.112 Misrepresentation
- 32.113 Bribery
- 32.114 Standards of conduct

#### **Disciplinary Actions**

- 32.125 Conduct subject to disciplinary action
- 32.126 Types of disciplinary actions

#### **Terminations**

- 32.135 Termination of employment

#### **Benefits**

- 32.145 Group insurance
- 32.146 Retirement
- 32.147 Arbitration

#### **Grievance Procedures**

- 32.155 Grievance policy
- 32.156 Bargaining unit employees
- 32.157 Nonbargaining unit employees

#### **Accidents**

- 32.165 Reporting of accidents

#### **Building Closing Policy**

- 32.175 Persons authorized to recommend closing of county building
- 32.176 Conditions for closing of county building
- 32.177 Notification of closing
- 32.178 Payment of employees during closure
- 32.179 Re-opening of county building

#### **Evaluations**

- 32.190 Purpose of evaluations
- 32.191 Guidelines for evaluations
- 32.192 Support staffing for evaluations

#### **Employee Travel Policy**

- 32.205 General travel policy
- 32.206 Authorization for travel
- 32.207 Transportation
- 32.208 Routing of travel
- 32.209 Expenses related to transportation
- 32.210 Lodging
- 32.211 Meal allowances
- 32.212 Reimbursable expenses
- 32.213 Nonreimbursable expenses

#### **Activation of Emergency Sirens**

- 32.225 Duty of Sheriff's Department to activate system



- 32.226 When system will be activated
- 32.227 ESDA office to be manned and operational when system activated
- 32.228 Notification of local radio stations
- 32.229 False alarms

#### **Use of Communications Systems**

- 32.230 Statement of Policy
- 32.231 Passwords
- 32.232 Privacy and Monitoring
- 32.233 Discipline
- 32.234 Department Head or Elected Official Responsibility
- 32.235 Virus/Problem Reporting

#### **Educational Expenses**

- 32.240 Payment by county for classes and seminars
- 32.241 Reimbursable expenses for noncertified employees

#### **Anti-Harassment Policy**

- 32.250 Statement of policy
- 32.251 Procedures

- Appendix A: Disciplinary Forms
- Appendix B: Medical Examination Forms
- Appendix F: Employee Acknowledge Form

### **GENERAL PROVISIONS**

#### **§ 32.001 POLICY STATEMENT; PURPOSE.**

(A) The County Board and the Labor/ Policy Committee have researched all previous County Board policies pertaining to personnel. The County Board has collected individual personnel policy statements from elected officials and department heads to develop a county personnel policy manual for all county employees. It is the County Board's responsibility to establish a Personnel Policy for all county employees, while being accountable to the taxpayers of the county for the most effective and efficient operation of county government. The provisions of these policies should be considered to be advisory only as to elected department heads.

(B) The policies set forth in this chapter are designed to:

(1) Foster good working relationships and provide uniform personnel policies, opportunities for advancement, and consideration of employees' needs and desires; and

(2) Conduct all operations in an ethical and proper manner.

(3) Ensure dependable service to and by employees of the county and to the public with which it deals;

(4) All proposed policy changes will be sent to the department head/elected official for review prior to full board adoption at the following month's regular meeting.

#### **§ 32.002 DEFINITIONS**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BOARD.** The County Board of DeWitt County, Illinois.

**DEPARTMENT HEAD.** An employee of the county who is under contract to the County Board.

**ELECTED DEPARTMENT HEAD.** An official who has been elected by the people of the County.

**FULL-TIME EMPLOYEE.** A person working the regularly scheduled number of hours is considered a full-time employee and is eligible for all county benefits. Temporary and per diem employees are not considered full-time employees.

**PART-TIME EMPLOYEE.** A person working less than the department regularly scheduled number of hours for the assigned department is considered a part-time employee and is not eligible for county benefits unless otherwise stated. Department heads may be part-time employees; however, temporary employees are not considered part-time employees.

**TEMPORARY EMPLOYEE.** A person employed for a period of less than three months, or for a specific task is considered a temporary employee and is not eligible for county benefits, unless otherwise stated. Temporary employees may work the regularly scheduled number of hours for a department (full-time) or less than the regularly scheduled number of hours for a department (part-time). Student interns may be considered temporary employees and employed up to one year.

#### **§ 32.003 NEPOTISM.**

Members of the same immediate family whose qualifications rank each of them first for the positions under consideration may be employed, either on a full-time basis, part-time basis or temporary basis, so long as neither family member is immediately responsible for the decision to hire, the supervision, direction, evaluation, or salary recommendation of the other.

### **SELECTION AND HIRING**

#### **§ 32.010 RESPONSIBILITY FOR SELECTION AND HIRING OF EMPLOYEES; COUNTY AS AN EQUAL OPPORTUNITY EMPLOYER.**

(A) The county is an equal opportunity employer and does not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, ancestry or qualified individuals because of their handicapped status.

(B) All recruitment, selection and hiring activities are the responsibility of the elected official or department head.

#### **§ 32.011 AUTHORIZATION OF POSITIONS.**

All positions must be authorized by the Finance Committee and the job description, classification and salary be approved. All positions will be advertised.

#### **§ 32.012 FILLING OF VACATED POSITIONS.**

(A) Filling of positions vacated, for whatever the reason, having the salary paid by county funds, shall not be filled until the Finance Committee has reestablished and approved the replacement and set a starting day, if applicable.

(B) Filling of positions vacated, for whatever the reason, having the salary reimbursed in part or in total by other than county funds, shall not be filled until the Finance Committee has approved the replacement and set a starting date if applicable. The exception to this would be if the statute or policy of funding agency dictates otherwise.

#### **§ 32.013 RETENTION OF COUNTY FUNDED POSITIONS.**

Positions funded by county funds will be retained on an open ended basis with the persons in those positions being retained except as listed:

(A) Persons may request a transfer in writing to a vacated or newly created position in his/her department or in any other department.

(B) Persons may be removed from a position for unsatisfactory performance. This may result in forced transfer or termination.

(C) Positions may be eliminated or changed. The person in the position may be transferred or terminated. Should termination result, the person will be given a minimum of 2 weeks' notice and benefits per personnel policy in effect at that time for the department.

#### **§ 32.014 RETENTION OF POSITIONS FUNDED OTHER THAN BY COUNTY.**

Positions having salary reimbursed in part or in total by funds other than county funds will be retained and the person in those positions being retained except as listed:

(A) Persons may request a transfer in writing to a reestablished or newly created position in his/her department or in any other department.

(B) Persons may be removed from a position for unsatisfactory performance. This may result in forced transfer or termination.

(C) Positions may be eliminated or changed. The person in this position may be transferred or terminated. Should termination result, the person will be given such notice and benefits as are available from the agency providing the salary monies and/or county personnel policy for that department.

(D) The County Board may retain an employee and position if the County chooses to fund the position itself. If the County chooses not to fund the position, persons in these positions may be transferred or terminated. Should termination result, the person will be given such notice and benefits as are available from the agency providing the salary monies and/or county personnel policy for that department.

#### **§ 32.015 PHYSICAL EXAMINATION FOR NEW HIRE EMPLOYEES; EXAMINATION FORM.**

(A) (1) When employment is offered to an applicant, a pre-employment physical including drug testing shall be completed. The expense associated with this physical and drug testing shall be paid by the county with the physician being designated by the county.

(2) Failure of persons to satisfactorily complete the prescribed physical and lab tests as certified by the physician on the examination form will result in the applicant not being hired. Should the applicant wish to challenge the results, he/she may do so by asking for a second opinion from a specialist by or agreed to by the physician.

(3) All costs incurred to obtain and provide the second opinion will be borne by the applicant.

(4) Consultation between person providing the opinion and the final recommendation will be provided to the county and the county's decision will be made at that time.

(B) (1) Applicants hired will have the examination form filed in the employee's personnel file which will be retained by the office holder or department head.

(2) Applicants who are not hired will have the examination form placed on file with the application form which will be retained by the county's Executive Administrative Assistant.

(3) Applicants may apply for other county positions using the filed examination for a one-year period. The county has the right of choice to use the on file examination or require an additional examination at the expense of the county.

#### **§ 32.016 POLICY STATEMENT CONCERNING HEALTH PROTECTION.**

(A) The ever increasing threat of persons contracting communicable diseases, presents a condition for our employees at the Sheriff's Department and Maintenance Department that makes it a must to have all employees tested for such diseases.

(B) These tests will be provided by the county at no charge to the employees. The tests will be conducted and processed through the DeWitt-Piatt Bi-County Health Department.

(1) Future new hires will be tested prior to starting work.

(C) It is the policy of DeWitt County to comply with regulations of the Federal Occupational Safety and Health Act relating to occupational exposure to blood or other potential infectious materials. DeWitt County will encourage employees to take appropriate precautionary measures where employees may be exposed to infectious materials. The DeWitt County exposure control plan is developed in accordance with the OSHA Blood borne Pathogens Standard. Federal Register Regulations 29 CFR 1910.1030 and shall be implemented by all DeWitt County Departments.

**Cross-reference:**

Medical examination form to be filled out by applicant, see Appendix B§ 1.

Medical examination form to be filled out by physician, see Appendix B§ 2.

**CONDITIONS OF EMPLOYMENT**

**§ 32.025 HOURS OF WORK.**

(A) County office hours regularly visited by the general public shall be as follows:

(1) County building: 8:30 a.m. to 4:30 p.m. Monday through Friday. The County reserves the right to change hours if necessary. Exact starting times, additional time spent for lunch and ending times each day shall be specified by each department head.

(2) The sheriff's office: 8:00 a.m. to 4:30 p.m. Monday through Friday.

(3) The highway department works 7:00 a.m. to 4:00 p.m. with a 30-minute lunch hour.

(B) Each employee shall have a meal break during working hours.

(C) Work breaks will be scheduled by department heads.

**§ 32.026 PAY PERIODS.**

(A) Employees are paid every two weeks on Friday. Pay checks may be obtained from the department head or designee after 12:00 noon on pay day. Checks may be picked up only by the employee unless a signed note is sent authorizing another to obtain the check.

(B) Time sheets shall be turned in on the Monday preceding the pay day to the Administrative Assistant to the County Board. Failure to turn in time sheets will result in no pay check being issued.

**§ 32.027 HOLIDAYS.**

(A) (1) Illinois statutes require that the County Board annually adopt a resolution specifying the holidays to be observed during the following calendar year. Usually observed are the following:

New Year's Day  
King's Birthday  
Lincoln's Birthday  
Washington's Birthday  
Spring Holiday  
Memorial Day  
Fourth of July  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Day  
Day after Christmas

(2) Holidays falling on Saturday are observed on the preceding Friday. Holidays occurring on Sunday are observed on the following Monday.

(B) A holiday schedule applicable to all employees shall be posted at the beginning of each county fiscal year by the County Board.

(C) An employee must work their regularly scheduled workday before and immediately following the holiday or present a doctor's verification to utilize a sick day in order to receive holiday pay.

(D) Compensation for working a holiday will be at time and a half plus the regular pay for said holiday. If an employee is scheduled to work a holiday and declines to work, holiday pay will be forfeited.

#### **§ 32.028 PROBATIONARY EMPLOYMENT PERIOD.**

(A) A new employee shall be considered a probationary employee during the first six months of service. Benefits shall accrue after ninety (90) days of service. Continued regular employment beyond this period shall be dependent upon certification of ability to do the job and successful performance of the job.

(B) Part-time employees who have worked a period of six (6) months prior to full-time employment shall receive all benefits once going to a full-time status.

#### **§ 32.029 TEMPORARY AND PERMANENT DISABILITY.**

Employees should contact the IMRF representative for details.

#### **§ 32.030 PERSONAL TIME.**

(A) Employees, after receiving approval from their supervisor, may take two days of personal time off for personal business during each calendar year. One additional day shall be granted provided all offices remain open during the lunch period except in extenuating circumstances. This benefit is not cumulative. Employees will be paid for unused earned personal days if employee is not terminated for disciplinary action. Personal time will be used in no less than half-day increments.

(B) Personal time shall not be paid until the days are earned and shall not be advanced.

#### **§ 32.031 LINE AND STAFF RELATIONS.**

(A) Decisions affecting a given area should be made by the administrator in charge of said area.

(B) All personnel should refer matters requiring administrative action to the administrator in charge of said area.

(C) All personnel may have the right to appeal an administrative decision to a higher authority.

(D) Whenever possible, each employee should be made responsible to only one immediate supervisor. If this is not possible, the employee is to understand who he/she is responsible to for what functions.

(E) Staff personnel should always work through their administrator in carrying out their assigned functions.

#### **§ 32.032 REPORTING LEAVES REQUIRED OF DEPARTMENT HEADS; EXECUTIVE ADMINISTRATIVE ASSISTANT.**

Department heads shall submit reports to the Executive Administrative Assistant of the County Board



for vacation requests, sick leave, and personal days. The Executive Administrative Assistant shall report requests for vacation requests, sick leave and personal days to the County Board Chairperson.

### **§32.033 EYE PROTECTION**

(A) All maintenance and highway personnel will be required to wear safety glasses with side shields at all times during the working day. Custodian personnel will be required to wear safety glasses with side shields when working directly with cleaning chemicals. Each employee shall report to work with their safety glasses. Employees reporting to work without their safety glasses will not be allowed to work and will be docked in pay until they have reported to work with the safety glasses. If breakage occurs while at work, face shields/goggles will be provided and must be worn until replacement lenses may be obtained.

(B) The County of DeWitt will provide reimbursement for the purchase of safety glasses with side shields not to exceed \$55.00 every twenty-four months.

(C) Violation of any part of this policy will result in disciplinary action as outlined in §32.125 and §32.126.

### **§ 32.034 COUNTY OWNED VEHICLES.**

(A) Employees may not drive vehicles for County business without the prior approval of their supervisor. Before approving a driver, the supervisor must check the employee's driving record, verify the existence of a valid driver's license and personal auto liability insurance coverage, and make certain that the employee is eligible for coverage under any applicable County insurance.

(B) Employees whose jobs require regular driving for business as a condition of employment must be able to meet the driver approval standards of this policy at all times. In addition, employees holding those jobs must inform their supervisors of any changes that may affect their ability to meet the standards of this policy. For example, employees who lose their license must report this to their supervisors. For all other jobs, driving is considered an incidental function of the position.

(C) Employees who need transportation in the course of their normal work may be assigned a County vehicle for their use. All other employees needing transportation for County business may use vehicles assigned to their department or those from another department if available. As a last alternative, when no County vehicles are available, employees may use their own vehicles for business purposes, but only with the prior approval of their supervisor.

(D) Employees who drive a vehicle on County business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and follow all traffic laws, to avoid distractions while driving (such as using cellular telephones), and to maintain the security of the vehicle and its contents. Drivers also must make sure that the vehicle meets any County or legal standards for insurance, maintenance, and safety. Employees are responsible for any driving infractions or fines that result from their driving and must report them to their supervisors.

(E) Employees are not permitted, under any circumstances, to operate a County vehicle, or a personal vehicle for County business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

(F) A mileage usage log shall be kept by all departments who use a county vehicle with copies of the log being submitted to the controlling committee monthly.

(G) Employees driving on County business may claim reimbursement for parking fees and tolls actually incurred. In addition, employees driving County vehicles may claim reimbursement for gasoline and other expenses directly incurred for business purposes.

(H) Employees who use their personal vehicles for approved business purposes will receive a mileage allowance.

(I) Employees must report any accident, theft, damage, breakdown, or mechanical problem involving a County vehicle or a personal vehicle used on County business to their supervisor and the County Board's Administrative Assistant regardless of the extent of damage or lack of injuries. These reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, they should not make any statements other than in reply to questions of investigating officers.

(J) Time spent by nonexempt employees (those covered by the minimum wage and overtime provisions of the Fair Labor Standards Act) in driving a County or personal vehicle on County business during normal hours is considered hours worked for pay purposes. Commuting time before the start and after the end of the workday is not treated as work time for pay purposes.

#### **§ 32.035 IDENTIFICATION CARDS.**

(A) All county employees will be issued a photographic identification card ("Card") upon being hired. The badges will be programmed to enter and exit restricted portions of the building as directed by the employee's supervisor or office holder. Each employee will be notified of the restricted access door(s) that they may use along with the times their Cards will be active. This information is not to be disclosed to anyone by the employee.

(B) If the employee's Card is stolen or lost, it must be reported immediately to the Administrative Assistant to the County Board, and if s/he is unavailable, then to the Chief Deputy of the DeWitt County Sheriff's Department. Failure to notify the appropriate personnel immediately when a Card is stolen or lost may result in discipline, including termination of employment. If an employee's Card is lost or stolen, it will be replaced once without cost to the employee. Subsequent replacement Cards will be provided to the employee for a fee.

(C) Employees issued a Card must, when entering or exiting a door controlled by a restricted access Card Reader, scan their Card to activate the Card Reader. No employee may enter a restricted area without scanning his/her Card. Additionally, no employee may allow access to restricted areas to any person or persons not possessing a Card. Failure to activate a Card Reader as required or permitting unauthorized access to restricted areas may result in discipline, including termination of employment.

(D) An acknowledge form must be signed and returned to the Administrative Assistant to the County Board for the employee's Card to remain activated.

#### **VACATIONS**

##### **§ 32.045 VACATION ALLOWANCE PER DEPARTMENT.**

(A) Vacation time shall be with the approval of the department head and with consideration to department work schedules. Vacation time will be used in no less than half-day increments.

(B) Vacation time shall not be paid until the days are earned and shall not be advanced.

##### **§ 32.046 COMPUTATION OF VACATION.**

(A) The word **YEAR** when used in these criteria shall mean a year of employment beginning and ending on the anniversary of employment. Vacation is earned on the anniversary date of hire.

(B) Each employee shall be entitled to the number of paid working days of vacation as follows:

(1) Second year, five working days.

(2) Third year through seventh year, ten working days per year.

(3) Eighth year through twentieth year, 15 working days per year.

(4) Twenty first year and each year thereafter, 20 working days per year.

**§ 32.047 PAYMENT OF ACCRUED VACATION UPON TERMINATION OF EMPLOYMENT.**

The vacation days entitled during the year in which employment is terminated shall be prorated provided a two week notice is given. Absent a two week notice, benefits will be paid out pursuant to State Law.

**§ 32.048 UNUSED VACATION.**

Up to five earned but unused paid vacation days may be accumulated from one year and used the following year at the discretion of the department head.

**§ 32.049 NONACCRUE OF VACATION.**

Vacation time shall not accrue during leaves of absence or maternity leaves. See LOA, FMLA policies.

**LEAVES OF ABSENCE**

**§ 32.060 SICK LEAVE.**

Employees are credited with one sick day per month after probationary period. Sick leave may be used in one hour increments. Sick time may be used for sickness of the employee or immediate family (spouse, child, parent, bother, sister, grandparents, in-laws, or any relative or person so long as such person lives in the employee's household).

(A) Credited but unused sick days may be accumulated at a rate not to exceed 12 working days per year and an accumulated total of 90 days. For IMRF purposes employees may accumulate a total of 240 days for retirement.

(B) Employees who will be absent from work must notify the department head on the morning of the absence within one-half hour of the scheduled time for reporting to work. Notification must be given for each day of the absence unless the department head has prior understanding of the duration of the employee's expected sick leave.

(C) A doctor's verification is required for absences of three consecutive days. This shall be sent to the department head and attached to the time sheet for inclusion in the employee's file.

(D) In case of discharge or dismissal, accumulated sick leave will be forfeited by the employee.

(E) In case of resignation, an employee shall be paid one-half day salary for each accumulated sick day.

(F) Sick leave shall not be paid until the days are credited and shall not be advanced.

**§ 32.061 MATERNITY LEAVE.**

Refer to §32.064 Family and Medical Leave.

**§ 32.062 MILITARY LEAVE.**

Military leave shall be considered unpaid leave, unless otherwise required by Federal and State law. Compensation and benefits, when due, will be paid pursuant to Federal and State law.



### § 32.063 MISCELLANEOUS LEAVE.

(A) Court/civil leave. Time away from work, with pay is allowed to permanent employees for jury duty as well as complying with subpoenas by any judicial or administrative body. Temporary employees are allowed time without pay, for attendance in court. Any monetary compensation for jury duty will be returned to the employer.

(B) Professional training leave. With prior approval, the board will grant a leave of absence with pay to employees who wish to attend conferences, training institutes, seminars, workshops or training courses which are directly related to their job or the acquisition of specific skills and understandings necessary for improved job performance.

(C) Bereavement leave. The employee shall be allowed three consecutive work days off with pay to attend the funeral of the employee's parents, spouse, children, brother, sister, grandparents, parents-in-law, brother- or sister-in-law, grandchildren; including step parents, children, brother/sister, grandchildren and in-laws; or wards of guardianship. Employees shall be allowed one day off with pay to attend the funeral of an aunt, uncle, niece or nephew; and the time of the funeral for a friend.

(D) Educational Leave. The Board may grant an employee a leave of absence without pay for an appropriate academic term or terms for the purpose of engaging in full-time studies at an accredited school which would benefit the board by improving the employee's qualifications to perform the duties of their position.

### § 32.064 FAMILY AND MEDICAL LEAVE.

(A) Basic Leave Entitlement. FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth
- To care for the employee's child after birth, or placement for adoption or foster care
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition
- For a serious health condition that makes the employee unable to perform the employee's job

(B) Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active duty or call duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, on active duty, who has a serious injury or illness incurred in the line of duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

(C) Benefits and Protections. During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

(D) Eligibility Requirements. Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

(E) Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical

care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing his or her job functions, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by:

- A period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider
- One visit and a regimen of continuing treatment
- Incapacity due to pregnancy, or incapacity due to a chronic condition

Other conditions may meet the definition of continuing treatment.

(F) Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

(G) Substitution of Paid Leave for Unpaid Leave. Employees will be required to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies. DeWitt County does require the use of accrued paid leave while taking FMLA leave and will be counted as part of the FMLA leave.

(H) Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees may also be required to provide a certification and periodic recertification supporting the need for leave.

(I) Employer Responsibilities. Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the leave does qualify as FMLA leave the employee has for up to 12 weeks of unpaid/paid leave in a 12-month period calculated as a "rolling" 12-month period measured backward from the date of any FMLA leave usage. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

(J) Unlawful Acts by Employers FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

(K) An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information: 1-866-4US-WAGE (1-866-487-9243), TTY: 1-877-889-5627, or [www.wagehour.dol.gov](http://www.wagehour.dol.gov)

FMLA section 109 (29 U.S.C. §2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. §825.300(a) may require additional disclosures.

## § 32.065 DOMESTIC AND SEXUAL VIOLENCE LEAVE

- (A) The County will provide up to twelve (12) weeks of unpaid leave from work to an employee who is a victim of domestic or sexual violence (or who has a family or household member who is a victim of domestic or sexual violence) to address domestic or sexual violence if the employee is:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- (2) Obtaining services from a victim services organization for the employee or the employee's family or household member;
- (3) Obtaining psychological or other counseling for the employee or the employee's family or household member;
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

"Family or household member" means a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household whose interests are not adverse to the employee as it relates to the domestic or sexual violence.

"Parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter. "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

- (B) **Period of Leave.** Employee shall be entitled to a total of 12 workweeks (note that employers with less than 50 employees can provide 8 weeks instead of 12) of unpaid leave during any 12-month period. (This policy does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by the Federal and Medical Leave Act.) Leave may be taken intermittently or on a reduced work schedule.
- (C) **Existing Leave.** The employee may use any available paid or unpaid leave (including family, medical, sick, annual, personal, etc.) from employment, pursuant to Federal, State or local law, a collective bargaining agreement, or an employment benefits program or plan, in substitution for any period of such leave for an equivalent period of leave.
- (D) **Employee Notice Requirements.** The employee shall provide the County with at least 48 hours' advance notice of the employee's intention to take the leave unless providing such notice is not practicable.

When an unscheduled absence occurs, the County will not take any action against the employee if the employee, within a reasonable period after the absence (generally defined herein as 15 days) provides certification as shown under the next section.

- (E) **Employee Certification.** The County may require the employee to provide certification to the County that:
- (1) The employee or the employee's family or household member is a victim of domestic or sexual violence; and

- (2) The leave is for one of the purposes enumerated in the above "Basis" paragraph.

The employee shall provide such certification to the County within a reasonable period after the County requests certification.

An employee may satisfy the above certification requirement by providing to the County a signed and dated statement of the employee, and upon obtaining such documents the employee shall provide:

- (i) documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence;
- (ii) a police or court record; or
- (iii) other corroborating evidence.

(F) Confidentiality. All information provided to the County, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this policy, shall be retained in the strictest confidence by the County, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable Federal or State Law.

(G) Restoration to Position. In general, an employee who takes leave under this policy shall be entitled, on return from such leave:

- i. to be restored by County to the position of employment held by the employee when the leave commenced; or
- ii. to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

(H) Loss of Benefits. The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. An employee may elect to substitute available paid leave any period of leave under this policy. An employee will not be required to substitute available paid leave provided under this policy.

An employee who takes leave under this policy for the intended purpose of the leave shall be entitled upon return from such leave to be restored to the same position or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

However, the employee is not entitled to:

- the accrual of any seniority or employment benefits during any period of leave; or
- any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

(I) Reporting to the County. The County may require an employee on leave under this policy to report periodically to the County on the status and intention of the employee to return to work.

(J) Maintenance of Health Benefits. Except as provided under "Loss of Benefits", during any period that an employee takes leave under this policy, the County shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

(K) Failure to Return from Leave. The County may recover the premium that the County paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during the period of leave under this policy if:



- i. the employee fails to return from leave under this policy after the period of leave to which the employee is entitled has expired; and
- ii. the employee fails to return to work for a reason other than:
  1. the continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave; or
  2. other circumstance beyond the control of the employee.

The County may require an employee who claims that the employee is unable to return to work because of reason described in 1 or 2 above to provide, within a reasonable period after making the claim, certification to the County that the employee is unable to return to work because of that reason.

An employee may satisfy the certification requirement above by providing to the County:

- a sworn statement of the employee;
- documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;
- a police or court record; or
- other corroborating evidence.

The County will not fail to hire, refuse to hire, discharge, constructively discharge, or harass any individual exercising their rights under this policy or otherwise discriminate against any individual exercising their rights under this policy with respect to the compensation, terms, conditions, or privileges or employment of the individual, or retaliate against an individual in any form or manner for exercising their rights under this policy.

- (L) **Leave Availability Calculation.** The County has adopted a "rolling 12 month period" method of calculating available leave. In order to determine the amount of available leave, the calculation is made each time an employee commences leave. From that date, the preceding 12 month period is examined. Any leave used during that preceding 12 months is deducted from the 12 weeks annual leave provided by law under this policy. An employee is entitled to take no more than the remaining balance of leave.
- (M) **Reference to Required Posting.** The County has posted in the break room, a poster setting forth the relevant provisions of the Victims' Economic Security and Safety Act. The terms of that poster are incorporated in this policy document as if they were specifically set forth. Each employee is charged with familiarizing him/herself with the contents of that poster concerning all applicable employee rights and obligations under the Act.

## **EMPLOYEE PERSONNEL RECORDS**

### **§ 32.075 MAINTENANCE OF INDIVIDUAL PERSONNEL RECORDS.**

Individual personnel records will be maintained based on criteria outlined by the County Board and the State Department of Public Health.

### **§ 32.076 CONFIDENTIALITY OF FILES.**

Individual personnel records are confidential. An employee may see their individual file upon written request to the department head with an appointed representative present while viewing the file.

### **§ 32.077 TYPE OF RECORDS.**

(A) Personnel records may include but are not limited to:

- (1) Application form completed when employees first applied for position;

- (2) Health forms and reports;
- (3) Previous service record before employment by county;
- (4) Pertinent correspondence;
- (5) Pre-employment recommendations;
- (6) Evaluations signed by evaluator and employee;
- (7) Other signed written comments, complaints, a copy of which has been furnished to the employee, with the employee's response if he/she so chooses.

(B) The supervisor and the board have the responsibility for preserving the confidentiality of these files.

#### **POSITION CLASSIFICATION SYSTEM**

##### **§ 32.085 PURPOSE.**

The purpose of classifying positions is to differentiate responsibilities and qualifications between positions in order to provide for an equitable compensation system.

##### **§ 32.086 MAINTENANCE OF CLASSIFICATION SYSTEM; SALARY SCALE.**

(A) The County Board shall maintain, and recommend revisions of a uniform position classification plan.

(B) The salary scale, related to each class of positions, shall be based on the following:

- (1) Differential responsibilities between jobs;
- (2) Skills and qualifications required to perform the duties; and
- (3) Rate of pay comparable in other counties and units of government.

(C) The Finance Committee shall be responsible for recommending classifications of all positions by title and grade.

##### **§ 32.087 POSITION RECLASSIFICATION**

Any significant changes to a position that changes the job classification must be approved by the Finance Committee prior to making such a change.

##### **§ 32.088 NEW POSITIONS.**

New positions may not be filled unless there is an approved salary and job description on file with the Finance Committee.

#### **WAGE AND SALARY ADMINISTRATION**

##### **§ 32.095 COMPENSATION POLICY.**

It is the policy of the County Board to provide fair and reasonable compensation to employees for services rendered. Compensations shall be based on salary grades.

#### **§ 32.096 ENTRANCE LEVEL SALARIES.**

(A) Normally, upon original entry to service, an employee's salary will be at the base level of the salary range of the position being filled.

(B) If a candidate possesses directly related training and experience in excess of the minimum requirements of the class specification, the entrance salary may be above base level, as determined by the Finance Committee.

#### **§ 32.097 PERFORMANCE SALARY INCREASES.**

Employees in classes that are paid with the schedule of salary grades may be recommended for performance increases by their department head annually.

(A) Performance increases will be extended when a performance evaluation indicates satisfactory performance and increase has been adopted by the Finance Committee.

(B) Performance increases. Each employee whose level of performance has been rated satisfactory may be advanced in pay annually, provided the employee was in a pay status at the prior step at least twelve months.

#### **§ 32.098 SALARY ADJUSTMENTS.**

An employee may receive an upward or downward adjustment in his/her base for the purpose of correcting a previous error or oversight.

#### **§ 32.099 TEMPORARY EMPLOYMENT.**

Employees who are hired for positions designated as temporary by the Finance Committee are not eligible for vacation leave, sick leave, or other fringe benefits.

#### **§ 32.100 ACTING STATUS.**

Employees may be assigned to a higher classification in an "acting" status. Such employees will be paid at the salary rate designated for the position to be filled.

#### **§ 32.101 COMPENSATORY TIME.**

Effective 9-13-90, employees will not be permitted to accrue compensatory time. Employees who work a regularly scheduled 35-hour week will be paid straight time up to and including 40 hours.

#### **§ 32.102 OVERTIME PAY.**

(A) Employees who work in excess of 40 hours in any given work week shall be subject to provisions of the fair labor standard act and shall be paid in a manner established by such regulations.

(B) If an employee is required to work more than an eight-hour shift, 1-1/2 overtime will be paid.

#### **§ 32.104 TRANSFERS AND PROMOTIONS.**

Any county employee may apply for a job opportunity in other county departments. Interest for consideration for other positions must be presented to current department head. The current department head will review qualifications and availability with the prospective new department head, and communicate any arrangement for further consideration back to the employee.

#### **CODE OF ETHICS; STANDARDS OF CONDUCT**

#### **§ 32.110 CONFLICT OF INTEREST.**

It is considered a conflict for any employee to receive compensation for any purpose whatsoever from any business which is party to any contract entered into by the County Board.

#### **§ 32.111 MISUSE OF FUNDS OR MATERIALS.**

- (A) Personal use of state or county funds or in violation of State law.
- (B) Personal use or use by unauthorized person of any public equipment, materials, or funds.
- (C) Violation of State law.
- (D) Charitable or memorial gifts to employees will be by voluntary contribution. Use of office or county funds is prohibited.
- (E) Violations will be addressed in § 32.125 and §32.126.

#### **§ 32.112 MISREPRESENTATION.**

Deliberate misrepresentation of facts made in connection with obtaining employment with the county is prohibited and subject to immediate dismissal.

#### **§ 32.113 BRIBERY.**

- (A) Acceptance of solicitation of money or other consideration in exchange for special consideration in the discharge of duties as an employee of the county.
- (B) Failure to report any attempt of bribery and otherwise unlawful discharge of official duties is prohibited and subject to immediate dismissal.

#### **§ 32.114 STANDARDS OF CONDUCT.**

- (A) All employees should dress and conduct themselves in a professional manner.
- (B) The County Board expects honesty from its employees in all of their relationships arising from their employment.
- (C) The purpose of this policy is to assure, to the extent possible, that DeWitt County remains drug free as a place of employment. DeWitt County has a "zero tolerance" policy toward the consumption of alcohol or drugs by employees on duty or while on County property. The consumption of any amount of alcohol or illegal narcotics while an employee is on duty or on a periodic rest break or lunch break is prohibited. The unlawful manufacture, distribution, dispensation, possession or use of cannabis, a controlled substance or alcohol by a County employee is prohibited in the County workplace, including any and all instances while the employee is performing work for or on behalf of the County. In addition, this prohibition also applies to all County employees who are on County property but not actively at work at the time.

If there is a reasonable suspicion that a DeWitt County employee is involved in the unlawful manufacture, distribution, dispensation, possession or use of drugs or alcohol, the situation will be immediately investigated by the Department Head, their designee, or immediate supervisor. In the case of employee usage, the employee will be subjected to immediate drug testing. If the investigator of the situation finds a DeWitt County employee to be unlawfully manufacturing, distributing, dispensing, possession or using drugs or alcohol at the workplace, while performing work for the County, or on County property, the actions against the employee shall be in accord with DeWitt County Code §32.135.

The severity of the situation and appropriate corrective discipline shall be determined by the Department Head, their designee, or immediate supervisor in according with subsection §32.126 "Types of



Disciplinary Actions" of Chapter 32 of the DeWitt County Code. In addition, any such situation that could involve a criminal offense shall be immediately reported to the DeWitt County State's Attorney's Office for possible prosecution, independently of any action taken due to the individual's status as a County employee. If appropriate, DeWitt County will also require the employee to satisfactorily participate in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency. The County will assist the employee in the selection of a drug counseling, treatment, or rehabilitation program.

As a condition of employment, a DeWitt County employee will abide by the terms stated in this Drug Free Workplace Policy. Employees will notify the employer of any criminal drug statute conviction no later than five days after the conviction and participate in the DeWitt County Drug Free Awareness Program. If DeWitt County receives notice from an employee of a conviction of a violation of a criminal drug statute DeWitt County will take appropriate action against such employee up to and including termination of employment and/or provide employee assistance as stated above.

(D) All employees of the county shall conduct themselves in a courteous and professional manner.

(E) Reserved.

(F) Solicitation (by employees or others) of county employees is prohibited.

(G) Courtesy and identification of oneself should be used whenever placing or answering a call.

## **DISCIPLINARY ACTIONS**

### **§ 32.125 CONDUCT SUBJECT TO DISCIPLINARY ACTION.**

Violations of the standards of conduct set forth in the personnel policies may be subject to disciplinary action up to including termination.

### **§ 32.126 TYPES OF DISCIPLINARY ACTIONS.**

(A) Disciplinary Actions: Disciplinary action may be incremental in nature. The period the violation will be on employees record is up to the discretion of the Supervisor, but cannot be more than 3 years.

(B) Oral warning. The first notice of discipline may be an oral warning.

(C) Written warning. When the severity of the violation does not justify the disciplinary actions of a suspension, the matter may be addressed through written warning to the employee as a disciplinary measure. The written notice shall be transmitted to the employee and a copy placed in the employee's personnel file. The notice shall bear the signature of the issuing official.

(D) Suspensions. When the severity of the violation suggests termination, but is mitigated by extenuating circumstances, suspension of the employee for a period of not more than 30 days may be imposed.

#### **Cross-reference:**

Written warning form, see Appendix A, § 1.

Order of suspension form, see Appendix A, § 2

## **TERMINATIONS**

### **§ 32.135 TERMINATION OF EMPLOYMENT.**

Employees subject to these personnel policies may be terminated or laid-off from their employment with the county upon determination either that the position the employee holds is no longer necessary for the efficient operation of the county, or that adequate funding for the position is no longer available.

(A) If it becomes necessary for the county to terminate the employment of an employee based on reduction of force or job elimination, two weeks' notice or two weeks' severance pay will be extended to the employee as will pro rata pay for earned but unused vacation.

(B) Terminations for reasons of fraud or misconduct will not be given severance or notice.

## **BENEFITS**

### **§ 32.145 GROUP INSURANCE.**

(A) Upon completion of 90 days of service, full-time employees, as defined in § 32.002, are eligible to participate in employee benefit programs that are available.

(B) An employee who waives participation at the first enrollment opportunity, and later wishes to participate may be subject to later entrant medical exams at the employee's expense.

### **§ 32.146 RETIREMENT.**

(A) Immediately beginning full-time service, eligible employees are required to participate in the Illinois Municipal Retirement Fund (IMRF).

(B) Following eight years of continuous employment and having attained the age of 55, a retired employee will be eligible to carry county insurance at their own expense until they are eligible for Medicare.

### **§ 32.147 ARBITRATION.**

It is the policy of the County Board to have a procedure for arbitration in the event no satisfactory solution may otherwise be reached.

(A) If within 14 days the involved parties cannot mutually agree on the selection of an arbitrator, a list of seven arbitrators may be obtained from the Illinois State Labor Relations Board. The involved parties may then alternately dismiss the names of three arbitrators until one name remains. This person shall then preside as arbitrator.

(B) A jointly constructed letter notifying the arbitrator of his selection, date, time and place for the hearing should be sent. All hearings should be held in the county unless other arrangements are mutually agreed upon.

(C) Each party involved is responsible for expenses necessary to present their case. Each party shares equally the cost of the arbitrator.

(D) The decision of the arbitrator is binding.

## **GRIEVANCE PROCEDURES**

### **§ 32.155 GRIEVANCE POLICY.**

Employees shall have the right to present their grievance without prejudice or fear of retaliation. Employees presenting a grievance may do so without a representative at any level of the grievance.

### **§ 32.156 BARGAINING UNIT EMPLOYEES.**

Bargaining unit employees shall consult appropriate articles of written agreements for applicable grievance procedures.

#### **§ 32.157 NONBARGAINING UNIT EMPLOYEES.**

This policy shall provide a means for resolving complaints against the employee which involve the interpretation or application of policies.

(A) Step 1. A bona fide effort should be made to resolve a grievance informally. An employee shall submit a grievance orally within ten workdays of the first event to the department head. The department head shall respond orally within five workdays after its submission. If the grievance is not resolved orally, it shall be submitted in writing within five workdays following receipt of the oral response from the department head. The written grievance shall state the relevant facts and cite the provision or provisions allegedly violated, along with the specific relief requested. The department head shall give his/her written answer within ten workdays after receipt of written grievance. If the grievance is against the office holder it shall be submitted to the Finance Committee. The Finance Committee shall address the grievance within five working days after it is received.

(B) Step 2. If the grievance is not settled at Step 1 and the grievant wishes to appeal the grievance to Step 2, it shall be referred in writing to the Finance Committee within five workdays after receipt of the written answer at Step 1 and shall be signed by the grievant. The Finance Committee shall give a written answer within ten workdays after submission of the grievance at Step 2.

#### **ACCIDENTS**

##### **§ 32.165 REPORTING OF ACCIDENTS.**

It is the employee's responsibility to report all accidents and injuries within 48 hours to their supervisor. It is necessary that the employee have the department head or designee complete an incident report form. Failure to immediately report an incident may eliminate coverage by workman's compensation insurance. Department heads are responsible for immediately reporting all safety hazards to the board office.

(A) An employee who suffers an on the job injury shall be granted an initial leave with full pay up to two working days without utilization of any accumulated sick leave or other benefits. In case of absence thereafter, such employee shall be permitted to utilize his/her accumulated sick leave.

(B) If medical attention is necessary during normal business hours the employee shall see his/her physician. If it is an emergency situation or the physician is unavailable then the employee shall go to the emergency room.

(C) In the event such employment related injury becomes the subject of an award of the Illinois Industrial Commission or is otherwise compensated for under applicable law, the employee shall immediately remit to the Employer the dollar equivalent which duplicates payment received as sick leave days, whereupon the employee's sick leave account shall be reccredited with the number of sick leave days used and recompensated for. The Employer, upon notice of one payroll period to the employee, may deduct such above mentioned remittance in cases where the employee fails to remit the appropriate dollar equivalent.

#### **BUILDING CLOSING POLICY**

##### **§ 32.175 PERSONS AUTHORIZED TO RECOMMEND CLOSING OF COUNTY BUILDINGS.**

Conditions requiring closing will dictate the persons involved in the decision to close the county buildings. The following will be the only persons with separate or collective authority to recommend a closing to the County Sheriff:

- (A) Chairperson of the County Board.
- (B) Chairperson of the County Property Committee.
- (C) County Sheriff.
- (D) Resident circuit judge (emergency only).
- (E) EMA Coordinator.

#### **§ 32.176 CONDITIONS FOR CLOSING OF COUNTY BUILDINGS.**

The closing of the county buildings should occur when it is improper or dangerous for employees or the public to occupy the building. These conditions include but are not limited to:

- (A) Failure of the environmental system (heat, air conditioning, water);
- (B) Notification of a possible act of violence (bomb threat);
- (C) Weather related emergencies (snow, tornado, and the like).

#### **§ 32.177 NOTIFICATION OF CLOSING.**

The county building employees, elected officials and the public must be notified in the event of a building closure. When the decision is made in advance to allow notification on the day prior to the closing, the following should be adhered to:

(A) All elected officials and department heads will be notified who are in turn responsible for notifying their own employees.

(B) The responsible person making the decision (see § 32.175), is responsible for notification of local media and law enforcement of the times, possible duration, and reasons for the closure.

(C) When closure is required, and the time frame does not allow for prior notification, the elected officials and department heads will be notified upon arrival for business day. The elected officials and department heads will assume responsibility for notification of their employees.

#### **§ 32.178 PAYMENT OF EMPLOYEES DURING CLOSURE.**

Employees required to leave the building due to building closure will be paid for any time not worked because of the closure.

#### **§ 32.179 RE-OPENING OF COUNTY BUILDINGS.**

The return to complete or partial operation of the county buildings will be the decision of the responsible person, as set forth in § 32.175. Notification will be made to the media and the affected office holders and/or department heads.

### **EVALUATIONS**

#### **§ 32.190 PURPOSE OF EVALUATIONS.**

The purpose of evaluations shall be as follows:

- (A) Assessment of performance for retention, reassignment, or promotion of salary advancement.
- (B) Improvement of performance through constructive suggestions which will help the individual realize their full potential.
- (C) Maintaining in each employee's personnel files a record of their performance for the county.

#### **§ 32.191 GUIDELINES FOR EVALUATIONS.**

(A) The supervisor of each employee in his/her department should complete an annual performance evaluation report using applicable form for the job classification. A copy should be given to the employee and discussed with him/her. The original should be signed by the employee and the supervisor and placed in the employee's personnel file. Employees have the right to make comments on their file as an addendum.

(B) A specific time should be designated for a formal evaluation sessions with the Finance Committee using the performance report as one tool in attaching salary raises. The evaluation session should include discussion of strengths and weaknesses. Any judgment should be supported by as much rationale and objective evidence as possible.

#### **§ 32.192 SUPPORT STAFFING FOR EVALUATIONS.**

The County Board may enter into contractual agreements with an organization, company, or individual to provide the board whatever assistance is needed to properly review, reevaluate, or update evaluations. The charge for those services should be established before engaging the services.

### **EMPLOYEE TRAVEL POLICY**

#### **§ 32.205 GENERAL TRAVEL POLICY.**

Because some employees of the county are required to travel during the course of their employment, it is necessary that established guidelines be followed. This policy affects business trips, but is also applicable to travel that directly relates to seminars, conventions, and training courses. Employees are encouraged to attend the closest site.

#### **§ 32.206 AUTHORIZATION FOR TRAVEL.**

There are three basic criteria that must be met prior to any travel for which reimbursement is to be requested from the county. These criteria are:

- (A) Need. A definite need is identified that the travel is necessary.
- (B) Expenditure. The proposed expenditure is budgeted.
- (C) Approval. A travel request is submitted which identifies the estimated dollar expenditure by line item, such as, registration, lodging, meals, transportation, and the like, and signed by the Chairperson of the Controlling Committee or Finance Chairperson.

#### **§ 32.207 TRANSPORTATION.**

All travel shall be by the most economical mode of transportation available considering travel time, costs, and work requirements.

(A) Modes of transportation authorized for office travel include; automobiles, railroads, airplanes, buses, taxicabs, and usual means of conveyance. County vehicles may be used when the most practical, upon approval.

(B) Arrangements on airplanes, trains, and boats shall be the least costly reasonable available alternative.

(C) Chartered aircraft, boats, trains, buses, or other such conveyance, shall be used only as the last resort or if proven to be the most economical for the circumstances. A full explanation for the use of such transportation must accompany the voucher.

(D) The rental of an automobile while on travel status is allowed, if the circumstances require. The most economical vehicle available that is for county business shall be obtained. Collision damage and personal accident insurance on rented vehicles are not reimbursable.

(E) Privately owned vehicles may be used when the use conforms to division (A) of this section. Private vehicles used for county business must have adequate insurance coverage. Prior to such authorization, employees are required to file a statement certifying that they are duly licensed and carry at least the minimum insurance coverage or such certification shall be noted on the travel voucher. Reimbursement for use of a private vehicle shall be on mileage basis and shall be at the rate of \$.40 per mile effective December 1, 2008.

#### **§ 32.208 ROUTING OF TRAVEL.**

Travel shall be by the most direct route with the following exceptions: travel by less direct route saves time; less direct route is safer; or detour was necessary because of highway construction. Travel by other routes may be allowed when officially necessary.

(A) Distances between destinations shall be shown on the Illinois highway map published by the Secretary of State. Where no mileages are available, odometer readings may be used. Mileage in and around a city of destination may be claimed as such.

(B) Individuals choosing to travel by an indirect route or interrupt travel by direct route shall bear all additional expenses. Reimbursement for expenses shall be on the most direct mileage unless deviation is authorized.

(C) Mileage reimbursement will be payable to the owner of the vehicle.

(D) Car pooling or use of County owned vehicles should be encouraged.

#### **§ 32.209 EXPENSES RELATED TO TRANSPORTATION.**

Reimbursement for the cost of automobile parking fees and tolls shall be allowed.

(A) When the use of a common carrier is a reasonable alternative, the mileage payment shall not exceed the cost of its use. A reasonable alternative exists when the cost of travel, taking into account both transportation times, meal expenses, would be less if a common carrier were used.

(B) Where the nature and location of work at a temporary duty station are such that suitable meals cannot be procured there, the expenses of daily travel required to procure meals at the nearest available place shall be considered necessary transportation. A statement of the necessity for such delay travel shall be provided with a reimbursement voucher.

#### **§ 32.210 LODGING.**

(A) Only commercial lodging may be reimbursed. Lodging allowances will be based upon the preferred hotel listing as adopted annually by the State of Illinois. If a conference is held at a hotel not on the preferred list, approval must be obtained from the finance committee prior to travel.



(B) The county does not permit reimbursement for the use of employee owned or controlled housing while on travel status.

(C) Lodging expenses shall only be reimbursed for county employees.

(D) The county does not permit reimbursement for lodging within a 40-mile radius of Clinton.

(E) No lodging will be reimbursed for one day seminars.

#### **§ 32.211 MEAL ALLOWANCE.**

(A) A meal allowance of \$25 per day shall be paid with itemized receipts being submitted.

(B) Reimbursement for the cost of meals for approved seminars or official meetings, which are billed separately from the registration fee for the seminar or meeting, will be allowed in full when approved in advance as an essential part of the employee's attendance.

(C) Meals when travelers are attending official meeting or seminar and meals are provided or the cost of meals is included in the registration fee are payable.

(D) Meals purchased for non-county employees while on travel status and in connection with county business are reimbursable in reasonable amounts. A statement specifying why, for whom, and certifying that the claim does not include alcoholic beverages, shall be attached to the reimbursement voucher.

#### **§ 32.212 REIMBURSABLE EXPENSES.**

The cost of business related special expenses, if reasonable, shall be reimbursed with proper receipts. Examples are:

(A) Hire of room, exhibit space, and setup for official business;

(B) Laundry and dry cleaning if on travel status for at least seven consecutive days;

(C) Storage and handling of baggage;

(D) Taxis, including reasonable tips not to exceed 15% of the total bill;

(E) Telephone calls on official business including calls of three minutes or less to announce safe arrival or delay/change in plans;

(F) Telephone calls to secure lodging.

#### **§ 32.213 NONREIMBURSABLE EXPENSES.**

The cost of certain business related expenses are not allowable. Examples are:

(A) Alcoholic beverages;

(B) Coat check;

(C) Entertainment;

(D) Late check-in and room guarantee charges;

(E) Meals for other county employees or officers;

(F) Parking tickets or other traffic tickets;

(G) Tips incurred beyond the accepted rate (15% of total bill).

## **ACTIVATION OF EMERGENCY SIRENS**

### **§ 32.225 DUTY OF SHERIFF'S DEPARTMENT TO ACTIVATE SYSTEM.**

It shall be the duty of the Sheriff's Department personnel to activate the emergency siren system in the appropriate zones in the event of an emergency.

### **§ 32.226 WHEN SYSTEM WILL BE ACTIVATED.**

Activation of the system will begin upon receiving notification of an emergency by:

(A) Sheriff's deputies.

(B) EMA Coordinator.

(C) Weather spotters.

(D) Official law enforcement agency located within the county.

(E) Information from national weather service.

(F) Information from residents of the county willing to provide their name, address and phone number.

(G) Illinois State Police.

### **§ 32.227 EMA OFFICE TO BE MANNED AND OPERATIONAL WHEN SYSTEM ACTIVATED.**

In the event of the sirens being activated, the EMA office should be manned and operational. In those instances when the EMA office is not able to be manned and operational by EMA personnel, the Sheriff's Department will provide backup.

### **§ 32.228 NOTIFICATION TO LOCAL RADIO STATIONS.**

Local radio stations will be notified when sirens are activated. Notice shall include reason and location of the emergency causing sirens to be activated.

### **§ 32.229 FALSE ALARMS.**

It is better to sound the sirens, as a warning for our citizens, in anticipation of an emergency than never sounding the sirens at all. The amount of false alarms should be minimal following the procedures above.

## **USE OF COMMUNICATIONS SYSTEMS**

### **§ 32.230 STATEMENT OF POLICY.**

It is the policy of DeWitt County to provide or contract for the communications services and equipment necessary to promote the efficient conduct of its business.



#### **§ 32.231 PASSWORDS.**

Employees should never share or reveal their passwords. Employees are advised that they are solely responsible for actions conducted under their password or with their user name.

#### **§ 32.232 PRIVACY AND MONITORING.**

(A) All communications services and equipment, including the messages transmitted or stored by them, are the sole property of the County. Accordingly, the County may access and monitor employee communications and files as it considers appropriate.

(B) On-line services and the Internet may be accessed only by employees specifically authorized by the County. Employee's on-line use should be limited to work-related activities. Any violation of accessing anything other than work-related activities may result in the employee's authorization being revoked from the system. In addition, employees should not duplicate or download from the Internet or from an e-mail any software or materials that are copyrighted, patented, trademarked, or otherwise identified as intellectual property without express permission from the owner of the material. When appropriate Internet material or e-mail files are downloaded, they should be scanned using the antivirus software.

#### **§ 32.233 DISCIPLINE.**

Violations will result in disciplinary action, up to, and including, dismissal from employment and, if applicable, possible criminal or civil penalties or other legal action.

#### **§ 32.234 DEPARTMENT HEAD OR ELECTED OFFICIAL RESPONSIBILITY.**

Department Heads and Elected Officials are to ensure employees of their offices or departments read, understand, and sign a recognition form recognizing that they are responsible for abiding by the policies and procedures outlined in this policy.

#### **§ 32.235 VIRUS/PROBLEM REPORTING.**

If an employee suspects a virus and/or problems have been introduced to a computer they should notify the County Board Executive Administrative Assistant immediately.

### **EDUCATIONAL EXPENSES**

#### **§ 32.240 PAYMENT BY COUNTY FOR CLASSES AND SEMINARS.**

(A) The county will pay the expenses for certified officers of the Supervisor of Assessments personnel while attending classes/seminars. Upon receipt of the educational stipend from the Illinois Department of Revenue, full reimbursement of expenses must be made to the county's general fund. Reimbursable expenses include:

- (1) Mileage at the published mileage rate for the county;
- (2) Lodging if within the limits of the existing travel policy;
- (3) Meals associated directly with the attendance of the course;
- (4) Registration and/or books.

(B) Regular wages will continue to be paid for classes/seminars attended during the regular working hours.

(C) No wages will be paid for classes/seminars attended outside of regular working hours.

(D) Upon prior discretionary approval by the employer, employees may be eligible for reimbursement of all tuition and fees for approved programs and/or courses which are successfully completed at an institution of higher learning when such programs and/or courses are related to and beneficial in the performance of their employment duties. However, the employer shall deduct and be entitled to reimbursement from any such employee, for any and all such costs paid to the employee, upon their resignation of employment, pursuant to the following schedule: 100% reimbursement if resigning within one year of completing such program and/or courses; 50% reimbursement if resigning within two years; and 25% reimbursement if resigning within three years. The employer is authorized herein to withhold any amounts appropriate pursuant to this section from the employee's final paycheck.

#### **§ 32.241 REIMBURSABLE EXPENSES FOR NONCERTIFIED EMPLOYEES.**

The county will pay reimbursable expenses per the existing mileage and travel policy for those noncertified employees of the Supervisor of Assessments office up to the point of certification.

#### **ANTI-HARASSMENT POLICY**

#### **§ 32.250 ANTI-HARASSMENT POLICY.**

(A) It is the policy of DeWitt County Government to provide to all officials and employees a productive work environment free of harassment based upon gender, ethnicity, race, religious affiliation, age, and physical and mental disability, as well as sexual harassment. It is the right of all employees to work in an environment free from harassment, and the responsibility of all employees to refrain from harassment. DeWitt County prohibits sexual harassment and harassment based upon gender, ethnicity, race, religious affiliation, and physical and mental disability of and by its employees. Harassment is inappropriate, offensive, and in specific cases, may be illegal and will not be tolerated by DeWitt County.

(B) Harassment refers to physical or verbal actions that have the purpose or effect of substantially or unreasonably interfering with a person's work performance; and which create a hostile, intimidating, or offensive environment. Such actions, intentional or not, can annoy or disturb members of one sex, ethnicity, race, religion, age and disability. Examples include but are not limited to:

(1) Unwelcome sexual advances, requests for sexual favors, or physical conduct of a sexual nature.

(2) Any sexual, ethnic, racial, gender or religious related jokes, comments, insults, cartoons, innuendoes, or personal conduct or mannerisms that could be construed as offensive, intimidating, or hostile as measured from the point of view of a reasonable person of the same gender, ethnicity, race, religion, age or physical and mental capability.

(3) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual.

(4) Repeated unwanted, unwarranted, or unsolicited off-duty telephone calls, contact, or conduct which violates this policy.

(5) Transferring, promoting, demoting, or dismissing employees who receive sexual advances, i.e., submission to or rejection of such conduct is used as the basis for employment decisions.

(6) Displaying/circulating or permitting the display/circulation of pictures, drawings, graffiti, written materials, photographs, other objects, recorded or electronically transmitted messages that could be considered demeaning, insulting, intimidating, or sexually suggestive.

(C) DeWitt County directs all employees and supervisory personnel within DeWitt County to ensure

that their workplaces are free of harassment. Department Heads and supervisory personnel shall be responsible for supporting training on sexual, ethnic, racial, religious, age, and disability-related harassment prevention and this harassment policy. Department Heads and supervisory personnel shall post and distribute this policy, encourage employees to report harassment incidents, and assure employees they do not have to endure a hostile or negative work environment.

#### **§ 32.251 PROCEDURE.**

(A) Confidentiality. Employees are encouraged to report incidents of harassment and/or ask questions about conduct that may be considered harassment of any kind in confidence and without fear of retaliation. The disclosure of allegations shall be restricted to individuals directly involved with the incident or in the investigation process and shall not be discussed with anyone else. It is as important to protect the confidentiality rights of the alleged harasser as it is the rights of the complainant. Any employee bringing a good faith harassment complaint or assisting in the investigation of a complaint will not be adversely affected in the terms and conditions of employment, nor discriminated against or discharged because of the complaint or assistance.

(B) False or Frivolous Complaints. False and frivolous charges refer to cases where the complainant is using a harassment complaint to accomplish some end other than stopping harassment based upon gender, ethnicity, race, religious affiliation, age, and mental and physical disability, and more specifically sexual harassment. This does not include charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and/or frivolous charge is a severe offense that will result in disciplinary action as suggested in §32.251 (F)(1).

(C) Initial Step. An employee who believes that she or he is being harassed may first identify the offensive behavior to the offending party as directly and firmly as possible and request that it stop. Employees are particularly urged to take this step if they believe that the offensive conduct may be unintentional. However, if the employee does not feel comfortable confronting the offending party; feels threatened or intimidated by the situation; or the behavior continues after a confrontation with the offending party, a written complaint should be filed in accordance with DeWitt County policy.

(D) Reporting. All complaints should be in writing, describing in detail the following:

- (1) Name of the offending party
- (2) Nature of the offending conduct
- (3) Date, time, and location of the incident
- (4) Whether the offending party was advised by the victim to stop
- (5) Whether the offending party stopped suspect action after notification by the victim

The written complaint must be filed in accordance with the County's procedure. Complaints should be filed with the department supervisory personnel. In the event that the alleged harasser is a non-employee, the incident shall be reported to supervisory personnel or Department Head who shall take all appropriate action and may wish to confer with the State's Attorney's Office or the Sheriff's Department in regards to the said incident. In the event that such supervisory personnel is the alleged harasser, the employee should then file the complaint with the next higher supervisory personnel or the Department Head. If an appointed Department Head or Elected Official, other than the Finance Chair, is the alleged harasser, the complaint should be filed with the Finance Committee Chair. In the event the Finance Committee Chair is the alleged harasser, the complaint should be filed with the County Board Chair.

(E) Investigation. Once the proper authority has been notified, that authority shall designate an investigating party which that authority deems as having the knowledge, ability, and expertise to conduct a

thorough and complete investigation. The investigating party shall immediately initiate a thorough investigation. The complainant shall be assured confidentiality in the investigation to the extent possible. The complainant should be made aware, that in order to investigate the complaint to its fullest extent, it may be necessary to make his/her name known and/or necessary for the complainant to confront the alleged harasser. Confidentiality shall be maintained in conducting a property investigation.

In order to assure a proper and thorough investigation, all investigations of any harassment charges shall be conducted in the following manner:

(1) The investigating party shall conduct an interview with the employee who filed the complaint. The intent of the interview is to determine a true and complete account of the complaint. The following information should be sought in the interview: severity of conduct; the number and frequency of acts of alleged harassment; the apparent intent of the alleged harasser; the relationship of the parties; and the relative work environment.

(2) The investigating party shall interview all other individuals who witnessed or may have witnessed the incident and/or who may have knowledge of the incident.

(3) The investigating party shall interview the alleged harasser and inform the individual that a complaint has been made against him or her. The individual shall be informed that the incident is not to be discussed with co-workers and that retaliatory action against the complainant will not be tolerated and will result in disciplinary action.

(4) The investigating party shall review any other relevant information or evidence and/or interview any other relevant witnesses.

(5) The investigating party shall make a written record of the interviews and any other aspects of the investigation, noting the suggested disciplinary action set forth in this policy.

(6) The investigating party shall prepare a written summary of the findings of the investigation. These findings shall then be reported to either the Department Head of the alleged harasser; the Finance Committee Chair in the case that an appointed Department Head or Elected Official (other than the Finance Committee Chair) is the alleged harasser; or the County Board Chair if the alleged harasser is the Finance Committee Chair, for appropriate action.

(F) Disciplinary Action.

(1) The Department Head, Finance Committee Chair, or County Board Chair shall review the report of the investigation and make a determination as to whether the alleged harasser has committed harassment based upon gender, ethnicity, race, religious affiliation, age, or mental and physical disability, or more specifically, sexual harassment. If so, the appropriate action and/or discipline shall be determined and imposed by the Department Head, Finance Committee Chair, or County Board Chair, as appropriate.

(2) If the Department Head, Finance Committee Chair, or County Board Chair is not the supervisory personnel of the alleged harasser or is not authorized to impose disciplinary action on the alleged harasser, any or all action within the bounds of the Department Head, the Finance Committee Chair, or the County Board Chair should be taken to alleviate the unwarranted and unwelcome action of the alleged harasser.

(3) The discipline imposed should reflect the severity of the improper conduct, taking into consideration the nature and frequency of the conduct; the relationship of the parties involved; the intent of the offending party; and any other relevant information.

Severity shall be determined and discipline administered using the following as guidelines only:

(a) TYPE A OFFENSE: The harassment is of a verbal, visual, and/or non-physical nature. The suggested discipline for this type of behavior is a verbal reprimand.

(b) TYPE B OFFENSE: The harassment is of a physical nature or the offender has made sexual or other propositions. In addition, a second occurrence of a Type A offense or any retaliation of the accused directed toward the complainant is considered a Type B offense. The recommended discipline for this behavior is a written reprimand.

(c) TYPE C OFFENSE: The harassment is of a serious physical nature, meaning coerced or forced encounters or assault. Also, Type C offenses are third occurrences of a Type A offenses or second occurrences of Type B offenses. It is recommended that this behavior result in suspension or dismissal from employment.

(4) Any charges criminal in nature are required to be reported by the Department Head, Finance Committee Chair, or County Board Chair to the State's Attorney. Such charges will be processed independent of the harassment investigation. In all cases, the complainant shall be notified of the results of the investigation and the discipline imposed, if any.

(5) Complainants may also exercise their rights to contact the Illinois Department of Human Rights or the Equal Employment Opportunities Commission under the United States Civil Rights Act of 1964 (Title VII) if deemed necessary. However, these agencies, as well as DeWitt County, encourage the resolution of such issues at the local level so employees are encouraged to first report their initial complaint to their immediate supervisor, Department Head, Finance Committee Chair, County Board Chair, respectively and to seek a remedy using these procedures before accessing State or Federal agencies.