

**ALGONQUIN TOWNSHIP ROAD DISTRICT**  
**PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

**June 20, 2012**

Issued to: \_\_\_\_\_

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

**ALGONQUIN TOWNSHIP ROAD DISTRICT**  
**PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

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**ALGONQUIN TOWNSHIP ROAD DISTRICT**  
**PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

June 20, 2012

**INTRODUCTION**

The Algonquin Township Road District ("Road District") is pleased to provide you with a copy of the Algonquin Township Road District Personnel Policies and Procedures Handbook ("Handbook"). This Handbook supersedes any earlier Handbooks or policy statements that you may have seen or heard concerning the matters described in this Handbook.

The Handbook is presented to provide you with general guidance about the Road District's current rules and procedures as well as the benefits currently offered to eligible employees. This Handbook is not an exhaustive list of every workplace rule and policy, but rather a guide to employees on commonly raised questions. Other policies may exist that are not included in this Employee Handbook.

While the Road District believes wholeheartedly in the plans, policies and procedures described in this Handbook, they are not conditions of employment and are subject to unilateral change by the Road District, which may reinterpret, change, supplement, or rescind any part of this Handbook or any of its other policies from time to time as it deems appropriate, with or without prior notice.

**It is important for you to understand that you are employed "at will," which means that either you or the Road District may end your employment at any time, for any reason, with or without notice, and with or without cause. This Handbook is not to be construed as a contract for employment.** None of the benefits or policies in this Handbook is intended to entitle you to be employed by or to remain employed by the Road District. While we hope that your employment with the Road District will be long lasting, employees are of course, free to resign at any time, just as the Road District is free to terminate your employment at any time.

**APPLICANTS FOR EMPLOYMENT**

**SUBMITTING AN EMPLOYMENT APPLICATION**

Applications for employment are to be received only at the office of the Road District Highway Commissioner ("Highway Commissioner"). All applications must be on forms approved by the Highway Commissioner.

**SELECTION OF EMPLOYEES**

Applicants are to be employed after they have been subject to employment investigation into their educational and work backgrounds and personal references. Only fully qualified applicants will be considered for employment. The final employment decision will be made exclusively by the Highway Commissioner.

Applicants for employment will be thoroughly screened and interviewed by the Highway Commissioner. Items which may be considered during the screening process include:

- A. Written application.
- B. Preliminary interview using approved Job Description (See **Addendum A - Algonquin Township Road District Highway Maintenance Job Description**).
- C. Verification of references.
- D. License verification.
- E. Testing procedures where necessary.

### **RESIDENCY REQUIREMENT**

Employees must be residents of Algonquin Township, or relocate into the Township within one (1) year of being employed by the Road District.

### **PRE-EMPLOYMENT HEALTH EXAMINATION**

If an offer of employment is extended to an applicant, a pre-employment health examination will be conducted to determine physical fitness for employment. The health examination will be done only after an offer of employment has been extended to the applicant, but before the individual starts work. A pre-employment drug test will also be required.

### **EMPLOYMENT ELIGIBILITY VERIFICATION**

In compliance with the Immigration Reform and Control Act of 1986, all employees will complete Form I – 9 Employment Eligibility Verification, and submit copies of supporting documents within the time frames outlined in the Act.

### **THE EMPLOYMENT RELATIONSHIP**

**EMPLOYMENT AT WILL.** All employees of the Road District are at will employees and can be terminated at any time, for any reason, with or without cause. No employee shall have any property right or interest in a position with the Road District. Nothing in this Handbook or in any other documents, such as benefits statements, performance evaluations, or any other written or verbal communications, should be construed to create an employment agreement for a specified period of time.

## **EMPLOYMENT POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER**

The Road District is an equal opportunity employer and continually strives to comply with all known Federal, State and local government laws and guidelines with respect to employment, access, health and safety. The policy of the Road District in regard to equal employment opportunity continues to require employment, promotions and all personnel actions to be based solely on individual merit and personal capabilities without regard to race, color, religion, sex, natural origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, unfavorable discharge from military service or any other characteristic protected by law ("Protected Characteristics").

The Road District is committed to maintaining a work environment that encourages and fosters appropriate conduct among employees and respect for individual values and sensibilities. Accordingly, the Road District intends to enforce the Anti-Discrimination and Sexual Harassment Policies in all aspects of the Road District's operations in order to create an environment free from unlawful discrimination or harassment, including sexual harassment.

The Road District will take actions to prevent and or stop unlawful workplace discrimination or harassment. This policy requires the full cooperation of all Road District employees. Any employee who is aware of conduct that may violate this Policy should promptly report the conduct to either the Highway Commissioner or the Township Attorney as further described below in the section entitled "Internal Complaint Procedure".

### **ANTI DISCRIMINATION POLICY**

The Road District will not tolerate discrimination and/or harassment based on any Protected Characteristic and will take appropriate measures to prevent and/or stop such unlawful discrimination or harassment.

Harassment is defined broadly as any unwelcome or unsolicited conduct, physical or verbal, that denigrates, insults or offends a person or group on the basis of a Protected Characteristic and that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment.

### **SEXUAL HARASSMENT POLICY**

Sexual harassment is illegal. Illinois law defines sexual harassment as any unwelcome sexual advance or request for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.



Prohibited acts of sexual harassment can take a variety of forms ranging from subtle pressure for sexual activity or contact to physical contact. At times, the offender may be unaware that his or her conduct is offensive or harassing to others. Examples of conduct which could be considered sexual harassment include:

- (a) persistent or repeated unwelcome flirting, pressure for dates, sexual comments, or touching;
- (b) sexually suggestive jokes, gestures or sounds directed toward another, or sexually oriented or degrading comments about another;
- (c) preferential treatment of an employee, or a promise of preferential treatment to an employee, in exchange for dates or sexual conduct or the denial or threat of denial of employment, benefits, or advancement for refusal to consent to sexual advances;
- (d) the open display of sexually oriented pictures, posters, calendars, or other material offensive to others; and
- (e) retaliation against an individual for reporting or complaining about sexually harassing conduct.

### **INTERNAL COMPLAINT PROCEDURE**

While the Road District encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome, the Road District also recognizes that power and status disparities between an alleged harasser and a target may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, or even when such communication between the individuals has occurred, the employee should report any suspected harassment or discrimination by another employee to the Highway Commissioner, unless the Highway Commissioner is the individual accused of harassment. In that case, the complaint should be reported to the Township Attorney. The report may be made initially either orally or in writing, but reports made orally must be documented in writing before an investigation can be initiated.

After a complaint has been put in writing, the Highway Commissioner, or the Township Attorney if the Highway Commissioner was the individual accused of harassment, will promptly and thoroughly investigate, and recommend appropriate action. The investigation will be objective and complete; all those with pertinent information on the subject will be interviewed. Upon completion of the investigation, a determination will be made, and the results will be communicated to the complainant, the alleged harasser, and, as appropriate, to all others directly concerned.

If a determination is made that discrimination or harassment has occurred, the Road District will take prompt and effective steps to end the violation and to prevent future violations. Remedial action may include disciplinary action, up to and including immediate termination of any employee determined to have violated Road District policy.

### **NON-RETALIATION**

No employee will suffer reprisals for reporting any form of discrimination or harassment, including sexual harassment, or any other unlawful conduct, or for initiating or assisting in any action or

proceeding regarding unlawful harassment or discrimination. Any incidents of further harassment or retaliation should be reported immediately to the Highway Commissioner or Township Attorney.

## **AMERICANS WITH DISABILITIES ACT**

It is the policy of the Road District to comply with all provisions of the Americans with Disabilities Act ("ADA"). The Road District will not discriminate against any qualified employee or job applicant with respect to any term or condition of employment based on a physical or mental disability or the perception of a physical or mental disability. If an individual is qualified to perform the essential and fundamental functions associated with a job, the Road District will make reasonable accommodations as necessary for applicants and employees with disabilities, provided that such accommodations do not pose a threat to safety or cause an undue hardship to the Road District.

## **HOURS OF WORK**

### **SCHEDULED HOURS OF WORK**

The Highway Commissioner will set the work hours of each employee. The Highway Commissioner may stagger, rearrange and adjust the hours of employment of his employees in such a manner as to enable him to provide all required services.

### **HOURS OF WORK COMPENSABLE AT STRAIGHT TIME**

Road District employees will be compensated according to the salary schedule at the approved rate of pay for all work up to 40 hours in a work week.

### **HOURS OF WORK COMPENSABLE AT OVERTIME PREMIUM**

Compensation of overtime hours worked will be made in accordance with the Fair Labor Standards Act. In the event employees are required to work hours in excess of 40 hours in a week, overtime will be paid under the following conditions:

- A. Overtime monetary pay will be provided to those employees designated to receive overtime at a rate of 1.5 times their regular hourly rate of pay. This will be provided after 40 hours in a week regardless of the hours worked in any one (1) day.
- B. Overtime work must be authorized in advance by the Highway Commissioner or work supervisor.
- C. Every effort will be made to equally distribute work beyond the normal work period to qualified employees.

- D. Overtime compensation shall be paid at the same time the employee is compensated for standard time. Upon approval by the Highway Commissioner, overtime compensation may instead be taken as compensatory time. Compensatory time may be accumulated within the limits provided by the Fair Labor Standards Act and the Section of this Handbook entitled "Compensation, Overtime Payments".

## WAITING TIME AS HOURS OF WORK

Certain Road District positions require waiting time before performance of work. In computing hours worked, waiting time is to be considered under the following conditions:

- A. ON DUTY: Waiting time under direction of an employee's supervisor during a scheduled work day shall be considered hours of work.
- B. OFF DUTY: Waiting more than one-half (1/2) hour before or after a scheduled work day which the employee may use as his own time off is not to be counted as hours worked.

## HOLIDAYS

### PAID HOLIDAYS

- A. The following paid holidays are authorized holidays granted by the Road District:

New Year's Day	January 1
Martin Luther King's Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Good Friday	Friday before Easter
Memorial Day	4 <sup>th</sup> Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	2 <sup>nd</sup> Monday in October
Veterans' Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

- B. When an authorized holiday falls on Sunday, the following Monday shall be observed as the holiday. When an authorized holiday falls on Saturday, the preceding Friday shall be observed as this holiday.
- C. If an employee is required to work on a paid holiday, the employee shall be compensated for the additional hours with overtime pay.



- D. When a holiday falls within a period of paid leave (i.e. sick leave, general leave, etc.), the holiday shall not be counted as a work day in computing the amount of leave time deducted.

## VACATION TIME

### ACCRUAL RATES

- A. Permanent full-time employees accrue vacation credit at the following rates (according to years of continuous service):

0 – 1 year of service:	1 week prorated
2 years of service:	2 weeks
5 years of service:	3 weeks
10 years of service:	4 weeks

After 15 years, one extra day each January 1; maximum vacation will be 5 weeks, which can be obtained at 20 years.

- B. Employees must submit their request for vacation to the Highway Commissioner at least twenty-four (24) hours in advance of the intended absence and indicate the date and duration of the leave time requested on the appropriate form. Leave time should be so scheduled that temporary help is not required or overtime payments made to present employees.
- C. If a holiday occurs during an employee's vacation period, one (1) additional day of general leave time will be allowed.
- D. Vacation time may not be accumulated.
- E. Employees who are eligible for vacation may take such time and split it into separate increments, but at no time shall leave credit be divided into an increment of less than one hour.
- F. All accumulated leave credit will be voided at the end of each fiscal year.
- G. Employees eligible for vacation time whose employment is terminated because of death or retirement shall receive payment for any unused vacation time accumulated in the current calendar year in a final pay check.
- H. Employees are restricted from utilizing their vacation time between November 15 and April 15.

## **LEAVES OF ABSENCE**

### **PAID TIME OFF**

- A. The Road District provides a "Paid Time Off" program of compensation for its full-time employees in the amount of forty (40) hours.
- B. Paid Time Off benefits will be paid only for approved absences and for times when the employee would normally be scheduled to work.
- C. All accumulated leave time will be voided at the end of the fiscal year.

### **JURY DUTY OR REQUIRED ATTENDANCE IN COURT**

- A. Upon reasonable notice to the Highway Commissioner of required jury service or attendance in Court pursuant to subpoena, all employees shall be given time off from work as set forth in appropriate state law.
- B. The Road District will pay a permanent, full-time employee serving on jury duty or appearing in Court pursuant to subpoena full pay for each eight (8) hour day the employee serves on jury duty or is in Court pursuant to subpoena. As a condition of receiving such full pay, the employee must remit to the Road District, through the Highway Commissioner, all fees received for jury duty or appearing as a witness within five (5) days of receipt of such fees.

### **VOTING TIME**

Employees may have one (1) hour off of work without pay to vote in primary, special or regular elections at which propositions are submitted to popular vote. Application must be made the day before and the Highway Commissioner may specify the hours during which employees may be absent to vote.

### **MILITARY LEAVE WITHOUT PAY**

- A. In accordance with Federal and State law, a leave of absence without pay shall be granted to all permanent full-time employees who leave their positions and enter military service. Such leave of absence is authorized only where the employee has been officially called to active duty in the military service by federal or state deployment orders and shall be authorized only as long as the employee is in service as required by the government. Leave of absence without pay is not provided when an employee voluntarily re-enlists.

The employee must make reapplication for employment within ninety (90) days after he or she is relieved of military service or, if hospitalized when discharged, not later than one (1) year after hospitalization. He or she shall be reinstated at the current rate of pay for the position.



- B. In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), eligible full-time and part-time employees will be granted unpaid leave to attend scheduled Reserve or National Guard training or if called to active military duty. Any employee requiring such leave should contact the Highway Commissioner as soon as the employee becomes aware of the need for such leave.

### **FAMILY MEDICAL LEAVE**

In accordance with Illinois law, the Road District will provide unpaid family medical leave for any employee who has been employed by the Road District for at least twelve (12) months and who has been employed by the Road District for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave. Time off for family medical leave will be unpaid. The employee must exhaust all accrued vacation leave, personal leave, compensatory leave, and any other leave available before taking family medical leave.

### **MATERNITY AND ADOPTION LEAVE**

Permanent full-time employees are eligible for a leave of absence without pay when recommended by the employee's physician due to pregnancy, miscarriage, or childbirth after all accumulated leave has been taken. Adoptive parents are also eligible for a leave of absence without pay after all accumulated leave has been taken. Leave of absence without pay may not exceed twelve (12) weeks and must be approved by the Highway Commissioner.

### **BEREAVEMENT LEAVE**

Requests for Bereavement Leave should be made to the Highway Commissioner as soon as the employee becomes aware of the need for the leave. The Road District allows three (3) days off, with pay, for a death in an employee's immediate family. Immediate family includes parents, spouse, children, brothers, sisters, mother-in-law, father-in-law, grandparents, or grandchildren. Employees may request up to an additional two (2) days leave, which must be approved by the Highway Commissioner. If vacation is available, this benefit will be used for the additional two (2) days; otherwise, the additional two (2) days will be unpaid.

Funeral leave for the death of other than immediate family must be approved by the Highway Commissioner. Absence for such a death is limited to two (2) days and will be unpaid.

### **OTHER LEAVES OF ABSENCE**

All other leaves of absence, for whatever reason, are solely at the discretion of the Highway Commissioner. These absences will be unpaid. The Highway Commissioner will determine if the employee shall, during the term of the leave of absence, be considered an employee, temporarily suspended, or terminated.

## **COMPENSATION**

### **TIME OF PAYMENTS**

- A. Pay periods (26 per year) shall be bi-weekly.
- B. Overtime will be paid in each pay period earned.

### **OVERTIME PAYMENTS**

- A. Overtime payments will be made in accordance with the Fair Labor Standards Act and any other applicable law.
- B. Eligible employees will be compensated for hours they have worked in addition to their regularly scheduled period of work by monetary payments as set forth in the Section of this Handbook, "Hours of Work Compensable at Overtime Premium".
- C. Overtime payments will be based on the employee's rate of pay in effect at the time the overtime was worked.
- D. Employees may elect to use overtime hours to accumulate compensatory time off. Every hour worked in excess of the regularly scheduled work will equal one and one-half (1.5) hours of compensatory time off.
- E. Employees may accrue up to forty (40) hours of compensatory time in a calendar year. Once forty (40) hours of compensatory time has accrued, the employee will be compensated for overtime by cash payment.
- F. Accrued compensatory time must be taken by the end of each calendar year.

## **EMPLOYEE BENEFITS**

### **GROUP HEALTH**

The Road District provides health insurance protection to all eligible full time employees. Dependent insurance may be available for a set fee established by the Highway Commissioner. Continued health insurance coverage is available to employees in certain circumstances after they leave the employment of the Road District. Details regarding this continuation of coverage may be obtained from the Highway Commissioner.

### **ILLINOIS MUNICIPAL RETIREMENT FUND**

In accordance with the Illinois Pension Code, the Road District is required to provide a pension program, a long and short-term disability program, a death benefit and survivor's pension to eligible employees through the Illinois Municipal Retirement Fund ("IMRF"). All eligible Road District

employees are required to participate in this program. Eligible employees are defined as those who work in excess of 1000 hours annually.

### **FEDERAL SOCIAL SECURITY**

Eligible employees are provided coverage under the Federal Social Security System in addition to the Illinois Municipal Retirement Fund ("IMRF"). This coverage is provided by reason of an agreement (State of Illinois/Federal agreement) between the State of Illinois and the Secretary of Health, Education and Welfare under Section 218 of the Federal Social Security Act. The Illinois Municipal Retirement Fund became party to the agreement by an agreement between IMRF and the State of Illinois.

### **WORKER'S COMPENSATION**

In accordance with 820 ILCS 305/1 et seq., eligible employees are provided coverage under the Illinois Worker's Compensation Act.

### **UNEMPLOYMENT INSURANCE**

In accordance with 820 ILCS 405/100 et seq., eligible employees are provided Unemployment Insurance under the Illinois Unemployment Insurance Act.

### **EMPLOYEE BEHAVIOR**

#### **PERSONAL INFORMATION**

Personal mailing addresses, telephone numbers, emergency contact information and dependent information should be accurate and current at all times. Employees shall report all changes in name, address, telephone number, and marital and/or family status to the Road District office. When any such change requires the submission of a new Income Tax Withholding form or a change in beneficiaries, the employee should obtain the necessary paperwork from the Road District office.

#### **OUTSIDE EMPLOYMENT**

No Road District employee shall engage in outside employment which is not compatible with the full and proper discharge of duties and responsibilities of his or her position with the Road District, or which tends to impair the capacity to perform his or her duties and responsibilities in an acceptable manner.

Any injury occurring during outside employment must be reported to the Highway Commissioner and made a matter of record. Copies of the report shall be made part of the employee's record.

#### **RESTRICTION OF POLITICAL ACTIVITIES**

No Road District employee shall engage in any political activities during working hours that would in any way interfere or conflict with the operation of Road District business.



No Road District employee shall use his position or the authority of his office to solicit contributions or any other support for partisan political activities.

Outside of working hours, there shall be no restriction on political activities.

## **USE OF ROAD DISTRICT PROPERTY AND FACILITIES**

### **A. Road District Telephones**

- (i) Toll and extra-unit personal calls may be made with the approval of the Highway Commissioner.
- (ii) Employees should discourage receipt of personal telephone calls at work.
- (iii) When a personal phone call is necessary, the call should be brief.

### **B. Road District Vehicles, Equipment, Supplies, or Tools**

- (i) Road District vehicles, equipment, supplies, or tools shall not be used for unauthorized purposes.
- (ii) Employees shall be responsible for the care and conservation of Road District vehicles, equipment, supplies, and tools and shall report promptly any accident, breakdown or malfunction of any unit so that the necessary repairs can be made.
- (iii) While driving a Road District vehicle, employees must carry a current and valid driver's license with them at all times.
- (iv) While driving a Road District vehicle, employees must observe the rules of the road and comply with all applicable state and federal laws.

### **C. Road District Cellular Phones and Other Electronic Communications Devices**

- (i) Illinois law prohibits an individual from using an electronic communication device, including but not limited to a wireless telephone, personal digital assistant, or a mobile or personal computer, to compose, send or read an electronic message while operating a motor vehicle on a roadway. The Road District expects all employees to comply with Illinois law when operating a Road District vehicle.
- (ii) Employees will be solely responsible for any traffic violations resulting from the use of a cellular phone or other electronic communication device while operating a Road District vehicle.

### **D. Other Property. Employees are required to return all Road District property or equipment in their possession upon separation from Road District employment.**

## **CONFLICT OF INTEREST, BRIBERY**

Except as otherwise authorized or provided by the Illinois Compiled Statutes and the Road District, no employee of the Road District shall engage in, or have any substantial interest, direct or indirect,

in, any business transaction or professional activity, or incur any obligation of any nature which conflicts with the proper discharge of his or her duties.

No employee of the Road District shall use his position to secure special privileges or exemptions, personally or for others. No employee of the Road District shall directly or indirectly receive or agree to receive any compensation, gift, reward, or gratuity from any source except the Road District, for any matter or proceeding connected with or related to the duties of such employee. However, honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time shall not be deemed a violation of this Section provided such activity is approved by the Highway Commissioner.

### **DRESS CODE**

The Road District recognizes the importance of being comfortable as an aid to good work habits and a comfortable environment. For this reason, the Road District chooses not to enforce a strict dress code and allows the wearing of casual attire throughout the garage and office. Common sense is the key to our dress code. Clothes must be clean and provide a presentable image. Torn or dirty "T" shirts or blue jeans are not allowed. An employee's attire should be comfortable, neat, clean and presentable for visitors.

The Road District reserves the right to establish a dress code for all employees that have direct contact with customers or suppliers of the Road District. All employees are expected to follow all prescribed safety codes, such as the wearing of safety shoes, safety goggles when appropriate, etc.

### **RESIGNATION / TERMINATION**

The Road District will comply with all state and federal requirements regarding the issuance of final paychecks.

All employees whose service is terminated for any reason will be paid all earned vacation. Any vacation shall not extend the effective date of termination beyond the last day worked.

### **DISMISSAL**

An employee may be dismissed at any time for any reason at the discretion of the Highway Commissioner.

### **LAY OFFS**

The Highway Commissioner may reduce the work force of the Road District by laying off employees. The order of layoffs is at the sole discretion of the Highway Commissioner.

### **RESIGNATION**

If an employee finds it necessary to resign from a Road District job, the employee should try to give a two-week written notice of intent. The notice should indicate the last day the employee plans to be

at work.

## **RETIREMENT**

All benefits due the employee at the time of retirement will be paid at the employee's current rate of pay and will be paid in the employee's last pay period.

## **GENERAL**

On the last day of employment with the Road District, employees will be required to return all Road District property including, but not limited to, electronic devices, keys, tools, parts, equipment, and the Personnel Policies and Procedures Handbook.

## **DRUG AND ALCOHOL POLICY**

The Road District is a Drug Free Workplace. All employees are prohibited from reporting to work while under the influence of alcohol or any controlled substance that was not prescribed by a doctor and are further prohibited from possessing or distributing such substances on Road District property. To the extent permitted by law, the Road District reserves the right to require appropriate testing for alcohol or illicit substances whenever there is sufficient reason to believe that an employee is under the influence of those substances. Refusal to undergo testing may jeopardize employment. Positive results on drug tests also may result in termination of employment.

Road District employees who are required to have a Commercial Driver's License ("CDL") are required to comply with all regulations imposed by the United States and Illinois Departments of Transportation with regard to drug and alcohol use. The Road District has established a Drug and Alcohol Testing Policy and Procedure and will comply with all regulations imposed by the United States and Illinois Departments of Transportation. See Drug and Alcohol Testing Policy and Procedure attached hereto as **Addendum C**.



**ADDENDUM A**  
**ALGONQUIN TOWNSHIP ROAD DISTRICT**  
**HIGHWAY MAINTENANCE JOB DESCRIPTION**

**Summary of the Position:**

Basic Job Description - Laborer position under the supervision of the Highway Commissioner and the Road Foreman:

- Performs basic roadway maintenance activities and other physical activities relating to the general upkeep of the Township Highway System.

**Minimum skills required:**

- Must be able to perform strenuous physical labor for extended periods of time in adverse weather conditions throughout the year during daylight and nighttime hours.
- Must be able to learn the operations of a variety of roadway heavy equipment such as, but not limited to, tractors, end loaders, backhoes, street sweeper, street striper, motor grader etc.
- Must be able to perform routine maintenance and basic repairs on trucks and other equipment either in the Township garage or on the road.
- Must be able to lift 50-100 lbs; must be able to bend, stoop, climb, and engage in similar strenuous physical activities.
- Must be able to work in extreme heat and cold, during raining or snowing conditions.

**Primary Responsibilities** - Laborers will perform duties as required by the Highway Commissioner and the Road Foreman, including but not limited to the following:

- Responsible for snow plowing during the winter months utilizing single axle and tandem axle dump trucks equipped with material spreaders and snow plows.
- Perform routine maintenance including, but not limited to tree trimming, mowing, roadway patching, ditching, culvert repair, debris removal, sign upkeep, striping, etc.
- Truck driving for the purposes of material hauling and snow removal.
- Perform duties as required relating to the general upkeep of the Highway Department buildings and grounds.
- On call 24 hours a day, particularly from November 1 through April 15.

**Training, Experience and Special Requirements- Applicant must have:**

- a valid Commercial Drivers License (CDL) and associated endorsements;
- a valid Illinois Drivers License, and experience driving tandem axle dump trucks or truck tractors with trailers;
- a basic knowledge of diesel engine repair and maintenance is required;
- experience plowing snow and other highway maintenance experience is strongly desired;
- an ability to work in a crew or “team” environment with or without supervisory personnel;
- applicant must reside within Algonquin Township within one year of employment.

**NOTE:** All Highway Maintenance personnel are restricted from utilizing their vacation between November 15 and April 15.



## **RECEIPT OF THE ALGONQUIN TOWNSHIP ROAD DISTRICT PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

I acknowledge receiving a copy of the edition of the Algonquin Township Road District Personnel Policies and Procedures Handbook ("Handbook"), dated June 20, 2012, on the date written below. I agree to read the Handbook, familiarize myself with its contents, and follow its policies and procedures.

I understand and acknowledge that I am employed at will, meaning that I may resign from employment for any reason at any time, with or without cause or notice, and that the Algonquin Township Road District may terminate my employment for any reason at any time, with or without cause or notice. I understand that this description of my employment relationship with the Algonquin Township Road District (employment at will) supersedes any earlier oral or written representations or statements that may have been made to me.

I understand that the Handbook, dated June 20, 2012, replaces and supersedes any previous employee manuals and other similar documents that I may have received from the Algonquin Township Road District. I also understand that it is distributed as a guide and summary of the Algonquin Township Road District's current policies, procedures, and guidelines, any of which may be changed or revoked by the Algonquin Township Road District at any time with or without notice to employees.

I understand that neither the Handbook nor any of the Algonquin Township Road District's policies or procedures creates an express or implied contract. The purpose of the Handbook is to provide brief, general information on the Algonquin Township Road District's benefits and employment practices. The contents of this Handbook are subject to change without prior notice to employees. As such, I understand that the Road District does not intend to create an express or implied contract of employment by placing these matters in writing.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (printed)

\_\_\_\_\_  
Date

## **ADDENDUM C**

### **DRUG AND ALCOHOL TESTING POLICY AND PROCEDURE**

**The United States and Illinois Department of Transportation (DOT) have passed laws which require the Road District to test its drivers for the use of drugs and alcohol.** The laws are intended to prevent accidents and injuries caused by the misuse of drugs and alcohol by drivers who hold a Commercial Driver's License. All operators of vehicles employed by local governments required to hold a Commercial Driver's License (CDL) (sometimes referred to as employees performing safety sensitive functions or duties) are, therefore, subject to random drug and alcohol testing by approved Substance Abuse Professionals ("SAPs").

In recognition of the fact that drug and alcohol use by workers in the transportation industry adversely affects the safety and productivity of drivers and other employees, and jeopardizes the safety and well-being of the general public, the Road District has adopted this policy to comply with the U.S. and Illinois Department of Transportation regulations and to enhance the safety of its employees and the general public.

With regard to drug and alcohol testing, the Road District intends to fully comply with all DOT rules and regulations as well as with any other state or federal rules and regulations on drug and alcohol testing. The Road District further intends that if any of the regulations are amended, this Policy shall be deemed to have been amended automatically at that time, without the need for redrafting.

This Policy applies to Road District employees who are required to possess a valid CDL and who are or may be required to perform safety sensitive functions (referred to interchangeably herein as "driver", "CDL driver", "safety sensitive employees" and "employees performing safety sensitive functions"). The Road District will not knowingly permit any employee who is under the influence of drugs or alcohol to continue to perform job duties. Any questions about this Drug and Alcohol Testing Policy and Procedure should be directed to the Highway Commissioner at the Road District offices.

#### **OVERVIEW**

#### **GENERAL INFORMATION ABOUT DRUG AND ALCOHOL ABUSE**

Drug and alcohol abuse can have a devastating impact on an individual's work, health and personal life. A person who is abusing drugs and/or alcohol may neglect his responsibilities at work or at home or engage in risky behavior. A person under the use of drugs or alcohol may experience significant personality changes, including become depressed, more aggressive or more irritable. The abuse of drugs and alcohol can cause a person to suffer from blackouts or an inability to focus. Drug and alcohol abuse has long term health consequences, including such health risks as loss of liver function, anemia and other blood disorders and heart failure. An employee who is operating a motor vehicle or performing a safety sensitive function while under the influence of drugs or alcohol poses a danger to himself or others.

The signs and symptoms of drug and alcohol abuse are varied.

## **GENERAL INFORMATION ABOUT THE ROAD DISTRICT'S DRUG AND ALCOHOL TESTING**

The Road District currently uses the Mercy Woodstock Medical Center, Occupational Medicine Center, 200 Lake Avenue, Woodstock, Illinois 60098 for National Institute on Drug Abuse ("NIDA") or DOT Drug Screen and Alcohol Evaluations. The provider is selected at the Highway Commissioner's discretion and is subject to change.

### **I. DRUG TESTING**

Drug tests are conducted using urine specimens, which will be analyzed for the following drugs or drug metabolites as well as any other drugs or drug metabolites for which the DOT may require testing:

- Marijuana metabolites/THC;
- Cocaine metabolites;
- Phencyclidine (PCP);
- Amphetamines, Methamphetamine, and Methylenedioxymethamphetamine (MDMA); and
- Opiate metabolites (Codeine, Morphine, and Heroin).

All drug tests will be conducted in compliance with NIDA and DOT rules and regulations using testing procedures established by the Department of Health and Human Services.

The urine specimen will be divided into two split samples. The first sample will be tested for drugs; if the sample tests positive, the employee will be notified and will have 72 hours to request that the second sample be tested by a different laboratory.

The DOT requires drug testing in the following instances:

#### **A. Pre-employment**

All driver applicants who the Road District intends to hire for a safety sensitive position must submit to and pass a drug test as required by U.S. or Illinois Department of Transportation regulations as a condition of employment. This includes Road District employees who will be performing a safety sensitive position for the first time. The drug testing will be performed as a post-offer condition of employment.

Consistent with DOT Regulations, before the Road District hires someone for a safety sensitive position or uses an employee to perform a safety sensitive position for the first time, the Road District will also obtain and review the individual's DOT drug testing history for the last three years. The Road District will obtain written consent from the applicant before obtaining the drug testing history.



## **B. Random**

All Road District drivers required to hold a Commercial Drivers License ("CDL") will be subject to random, unannounced drug testing. Random drug testing can be performed any time an employee is notified. Once an employee is notified that he has been selected for random drug testing, he must immediately report to the collection site to provide a urine sample. Random drug testing will be performed in compliance with all federal, state and local regulations.

## **C. Reasonable Cause or Reasonable Suspicion**

If the Road District has reasonable cause or reasonable suspicion to believe that a driver is under the influence of drugs, the Road District may require the driver to submit to a drug test. The Road District will immediately transport the driver to a collection site for submission of a urine sample.

"Reasonable cause" or "reasonable suspicion" means that the Road District believes or suspects that the driver's current appearance, behavior, speech, and smell are indicative of the use of drugs. The conduct of the driver must be witnessed by only one employee or officer of the Road District. The witness or witnesses must have received training in the identification of actions, appearance, or conduct which are indicators of probable drug use. The witness or witnesses must make a written statement of their observations within twenty-four (24) hours of the observed behavior, or before the results of the drug test are released, whichever is earlier.

## **D. Post-Accident**

All CDL drivers who are involved in an accident where there is a fatality or where the driver is cited for a moving violation and either the vehicle is towed or someone is medically evacuated from the accident scene are subject to post-accident drug testing.

The drug test shall be performed as soon as possible after the accident but not later than thirty-two (32) hours after the accident. The employee must be available for the test. Any delay in completing the test will be considered a refusal to submit and will be considered a positive test result. An employee who does not make himself available for the test within the appropriate time frame will be removed from performing safety sensitive functions and will be subject to termination.

A driver who is seriously injured and cannot provide a urine specimen at the time of the accident shall provide the Road District with the necessary authorizations for obtaining hospital reports and other documents that would indicate whether there were any drugs in his or her system. Any driver who refuses or fails to submit such authorization will be immediately terminated.

If the testing cannot be completed within the required time frame, the Road District will document the reasons that the testing could not be completed. The written record will be kept in the file.

## **E. Upon Return to Duty**

The Road District is not obligated to rehire or reinstate to a safety sensitive position any employee who violates Road District policy on drug use. If the Road District chooses to rehire

or reinstate an employee, the employee will be required to pass a drug test before being permitted to return to work.

In addition, the employee must complete any return to duty requirements established by a Substance Abuse Professional ("SAP").

An employee who refuses to take or does not pass a return to duty drug test will be found unqualified to perform a safety sensitive function and will be subject to termination.

#### **F. Follow Up**

The Road District is not obligated to rehire or reinstate to a safety sensitive position any employee who violates Road District policy on drug use. If the Road District chooses to rehire or reinstate an employee, the employee will be required to submit to unannounced follow up testing in compliance with DOT regulations. DOT requires at least six (6) directly observed follow up tests in the first twelve (12) months after an employee is rehired or reinstated to a safety sensitive position. Follow up testing may be conducted for as long as 60 months after the employee returns to duty.

An employee who tests positive on a follow up test will be removed from performing safety sensitive functions and will be subject to termination.

#### **G. Refusals to Test**

A refusal to test includes, but is not limited to, the following:

- Failure to appear at a urine collection site when scheduled to report
- Failure to remain at the urine collection site until the testing process is complete
- Failure to provide a urine sample
- Failure to permit a monitored or observed urine collection
- Failure to provide a sufficient amount of urine without a valid medical explanation
- Failure to take an additional drug test as directed
- Failure to undergo a medical examination as directed
- Failure to cooperate with the urine collection process
- Any other conduct that interferes with the testing process

If a Road District employee refuses a drug test, he will be immediately removed from his safety sensitive position and will be given a list of qualified SAPs. No employee who has refused a test will be allowed to perform a safety sensitive function until he has successfully completed the SAP return to duty requirements.

Employees who refuse a test are also subject to other disciplinary action, up to and including termination.

## **II. WHEN ALCOHOL TESTING IS REQUIRED**

Performance of safety-sensitive functions is prohibited under the following circumstances:

- While using alcohol;
- While having a breath alcohol concentration of 0.04 percent or greater as indicated by an alcohol breath test; and
- Within four hours after using alcohol.

All alcohol tests will be conducted in compliance with DOT rules and regulations using testing procedures established by the Department of Health and Human Services. All DOT alcohol screening tests are conducted using either breath or saliva. DOT alcohol confirmation tests will be conducted using Evidential Breath Testing Devices (EBTs) that only analyze breath.

### **A. Pre-Employment**

The Road District does not conduct pre-employment alcohol tests.

Consistent with DOT Regulations, before the Road District hires someone for a safety sensitive position or uses an employee to perform a safety sensitive position for the first time, the Road District will obtain and review the individual's DOT alcohol testing history for the last three years.

The Road District will obtain written consent from the applicant before obtaining the alcohol testing history.

### **B. Random**

All drivers required to hold a Commercial Drivers License (CDL) will be subject to random alcohol testing. Random testing will be performed just before, during, or just after performance of safety-sensitive functions.

### **C. Reasonable Suspicion**

If the Road District has reasonable suspicion to believe that a driver is under the influence of alcohol, the Road District may require the driver to submit to a breath or saliva test. The Road District will immediately transport the driver to a collection site for submission of a breath or saliva sample.

"Reasonable cause" or "reasonable suspicion" means that the Road District believes or suspects that the driver's current appearance, behavior, speech, and smell are indicative of the use of alcohol. The conduct of the driver must be witnessed by only one employee or officer of the Road District. The witness or witnesses must have received training in the identification of actions, appearance, or conduct which are indicators of probable alcohol use. The witness or witnesses must make a written statement of their observations within twenty-four (24) hours of the observed behavior, or before the results of the alcohol test are released, whichever is earlier.



#### **D. Post-Accident**

All CDL drivers who are involved in an accident where there is a fatality or where the driver is cited for a moving violation and either the vehicle is towed or someone is medically evacuated from the accident scene are subject to post-accident alcohol testing.

The alcohol test must be performed within two hours of the accident and cannot exceed 8 hours from the time of the accident. The employee must be available for the test. Any delay in completing the test will be considered a refusal to submit and will be considered a positive test result. An employee who does not make himself available for the test within the appropriate time frame will be removed from performing safety sensitive functions and will be subject to termination.

A driver who is seriously injured and cannot provide a specimen at the time of the accident shall provide the Road District with the necessary authorizations for obtaining hospital reports and other documents that would indicate whether there was any alcohol in his or her system. Any driver who refuses or fails to submit such authorization will be immediately terminated.

If the testing cannot be completed within the required time frame, the Road District will document the reasons that the testing could not be completed. The written record will be kept in the file.

#### **E. Upon Return to Duty**

The Road District is not obligated to rehire or reinstate to a safety sensitive position any employee who violates Road District policy on alcohol use. If the Road District chooses to rehire or reinstate an employee, the employee will be required to pass an alcohol test before being permitted to return to work.

In addition, the employee must complete any SAP return to duty requirements.

An employee who refuses to take or does not pass a return to duty alcohol test will be found unqualified to perform a safety sensitive function and will be subject to termination.

#### **F. Follow Up**

The Road District is not obligated to rehire or reinstate to a safety sensitive position any employee who violates Road District policy on alcohol use. If the Road District chooses to rehire or reinstate an employee, the employee will be required to submit to unannounced follow up testing in compliance with DOT regulations. DOT requires at least six (6) directly observed follow up tests in the first twelve (12) months after an employee is rehired or reinstated to a safety sensitive position. Follow up testing may be conducted for as long as 60 months after the employee returns to duty.

An employee who tests positive on a follow up test will be removed from performing safety sensitive functions and will be subject to termination.

### **G. Refusals to Test**

If a Road District employee refuses an alcohol test, he will be immediately removed from his safety sensitive position and will be given a list of qualified SAPs. No employee who has refused a test will be allowed to perform a safety sensitive function until he has successfully completed the SAP return to duty requirements.

Employees who refuse a test are also subject to other disciplinary action, up to and including termination.

A refusal to test includes, but is not limited to, the following:

- Failure to appear at an alcohol test site when scheduled to report
- Failure to remain at the alcohol test site until the testing process is complete
- Failure to provide an adequate amount of saliva or breath without a valid medical explanation
- Failure to take an additional test as directed
- Failure to undergo a medical examination as directed
- Failure to cooperate with the process
- Any other conduct that interferes with the testing process.

### **III. RECORDS**

All records shall be retained as required by federal and state regulations.

### **IV. COMMERCIAL DRIVER'S LICENSE**

All employees who are required to hold a CDL are required to comply with all regulations imposed by the United States and Illinois Departments of Transportation with regard to drug and alcohol use. Employees must notify the Highway Commissioner of any suspension, disqualification, revocation, or cancellation of their CDL within one working day of the notification of the change in CDL status. An employee who fails to promptly notify the Highway Commissioner is subject to disciplinary action, up to and including termination.



**RECEIPT OF THE ALGONQUIN TOWNSHIP ROAD DISTRICT  
DRUG AND ALCOHOL TESTING POLICY AND PROCEDURE**

I acknowledge receiving a copy of the Algonquin Township Road District Drug and Alcohol Testing Policy and Procedure ("Policy and Procedure"), as Addendum C to the Algonquin Township Road District Personnel Policies and Procedures Handbook, dated June 20, 2012, on the date written below. I agree to read the Policy and Procedure, familiarize myself with its contents, and follow the guidelines contained therein.

I understand that the Policy and Procedure, dated June 20, 2012, replaces and supersedes any previous policies and other similar documents that I may have received from the Algonquin Township Road District. I also understand that it is distributed as a guide and summary of the Algonquin Township Road District's current policies, procedures, and guidelines relative to drug and alcohol testing, any of which may be changed or revoked by the Algonquin Township Road District at any time with or without notice to employees.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (printed)

\_\_\_\_\_  
Date