

Edgar County Public Health Department Personnel Policy

BOH approved September 20, 2017



**Edgar County
Public Health**
Prevent. Promote. Protect.

**502 Shaw Avenue
Paris, IL 61944
Phone: 217-465-2212
Fax: 217-465-1121
www.ecphd.org**

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INTRODUCTION

September 20, 2017

Welcome to the Edgar County Public Health Department. The Department was formed by resolution by the Edgar County Board in 1994.

Mission: The mission of the Department is to increase the quality of life for all Edgar County residents by reducing the rate of chronic and communicable diseases through the promotion of health and wellness by providing intervention, education, and direct health services.

This employee handbook is designed to introduce the employee to the Health Department by advising the employee of the Health Department's benefits, policies, performance standards, and expectations of the employer.

AT-WILL EMPLOYMENT

This Personnel Policy Handbook and the individual policies contained herein do not create any contractual rights. Unless your employment is governed by a separate collective bargaining agreement or duly executed contract stating otherwise, you are an at-will employee. That means that the employment relationship is for no definite or determinable period of time, and regardless of salary, position or rate of pay may be terminated by either the Edgar County Public Health Department or by the employee at any time with or without cause or notice. Nothing in this handbook is meant to alter that relationship in any manner.

Additionally, this handbook cannot address every circumstance that may occur while you are performing your duties. It cannot list every act you are permitted or not permitted to do while employed or answer every question you may have.

Therefore, consult your Supervisor or Administrator if you have a question that this handbook does not address. If something is not addressed in this handbook the Department will act in its discretion and in accordance with the law.

The Edgar County Public Health Department also reserves the right to modify, supplement, or rescind any provision of this handbook without notice.

Please note that only the Edgar County Board of Health can approve changes to this handbook and that those changes must be in writing and signed by the Board President.

While working at the Edgar County Public Health Department, staff should realize that all employees work as a team. Proper respect should be shown at all times to staff, clients, and those in authority.

AUTHORITY

The Administrator is responsible for policy implementation and management.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Department to provide equal employment opportunities with respect to all terms and conditions of employment, including, but not limited to, hiring, promotion, discipline, compensation, training, transfer, demotion and termination, and to administer the terms and conditions of employment in a manner which does not discriminate against any person because of race, color, religion, creed, sex, gender-identity, age, national origin, ancestry, marital status, military status, arrest record, physical or mental disability, unfavorable discharge from military service, political affiliation, genetic information, citizenship status or sexual orientation.

HIRING PROCEDURE

Application

Any current staff applying for a position within the Department or prospective new hire may submit applications at any time. All applicants will complete and provide an application form provided by the Department. Or, the applicant may submit a letter of interest and resume. All post-offer/pre-employment candidates for safety sensitive positions must sign a request for release of medical information for alcohol and drug testing. (Appendix A – Release of Medical Information). Applicants will submit three (3) personal references and information on the last three (3) employers.

Criminal Background Check

Edgar County Public Health Department shall conduct criminal background checks on applicants attempting to gain employment at the Department. (Appendix B – Employment Background Investigation Release).

The Edgar County Public Health Department strives to provide the safest possible environment for clients, visitors, staff, and physical resources. In an effort to maintain a safe environment the Department shall conduct criminal background checks on applicants attempting to gain employment at the Edgar County Public Health Department.

Scope

This policy applies to all applicants who are finalists for recruited positions. Internal job transfer will not require criminal background check.

A. Definitions

- 1.** Applicant is an individual who seeks employment and applies for an open position with the Edgar County Public Health Department and is currently not employed by the Department.
- 2.** Position is both a full-time and part-time position, whether the position is filled or to be filled by a regular or a temporary worker, but not including a position filled by a temporary worker provided by a temporary employment agency. The employment agency should be expected to conduct and be held responsible for conducting the criminal background check.
- 3.** Criminal background check is information collected about a person by a criminal justice agency.

B. Procedures

- 1.** All applicants for positions shall be required to have a criminal background check conducted prior to the first day of employment. Employment may not begin until the Department has received the results of the background check.
- 2.** The Business Manager shall be responsible for conducting the criminal background check.
- 3.** The Administrator in consultation with the Edgar County Board of Health Personnel Committee shall be responsible for making the decision to offer employment to an applicant whose check does not come back clean.
- 4.** Prior to conducting the criminal background check, the Department will obtain the signed, written consent from the potential employee.
- 5.** Criminal history information will be used only for the purpose of evaluating applicants for employment, and shall in no way be used to discriminate on the basis of race, color, national origin, ancestry, religion, creed, sex, pregnancy, sexual orientation, gender-identity, disability, age, marital status, genetic information, unfavorable discharge from military service, citizenship status, order of protection status, arrest record with conviction, or any other status protected by law. This policy does not automatically exclude from consideration for employment all individuals with criminal convictions. Consideration will be given to the nature of the crime, the time elapsed, the nature of the job and whether the conviction makes the person unfit for the position.
- 6.** Criminal history record information will not be communicated to any unauthorized person.
- 7.** Offers of employment to applicants will be made on a contingent basis pending satisfactory criminal background checks.
- 8.** Applicants may if requested receive a copy of the criminal background check and contest the information contained there within.

PRE-EMPLOYMENT PHYSICAL EXAMINATION

Post-offer/pre-employment regular full-time employees may be required to submit to the Department a pre-employment physical examination by a qualified physician after a conditional offer of employment has been made. This determination of the need for a physical exam will be made by the Administrator. This examination must be completed prior to a person being unconditionally hired on a form provided by the Department. The expense of the physical will be borne by the Edgar County Public Health Department.

Post-offer pre-employment drug testing for all prospective employees will be in keeping with the ECPHD Drug and Alcohol Use/Abuse Policy. (Appendix C – Drug and Alcohol Policy Receipt).

DRUG AND ALCOHOL USE/ABUSE POLICY

Intent:

The Edgar County Public Health Department (ECPHD) is concerned about the ultimate effects of the use of illegal drugs and the use of alcohol upon the health and safety of its employees and the public. We recognize that studies show that alcohol abuse and the illegal use of drugs leads to increased accidents and medical claims. Employees who abuse drugs and alcohol present a danger to themselves, their fellow employees, the Edgar County Public Health Department and the public. In addition, the increased medical costs incurred by employees who use/abuse drugs and/or alcohol and the associated decreased productivity of these individuals, because of accidents, absenteeism and turnover adversely affect achievement of the Edgar County Public Health Department's mission and goals.

The Edgar County Public Health Department will not penalize an employee or applicant solely for his/her status as a registered qualifying patient or registered designated caregiver under the Compassionate Use of Medical Cannabis Pilot Program Act, unless failing to do so would put ECPHD in violation of federal law or unless failing to do so would cause it to lose a monetary or licensing-related benefit under federal law or rules. ECPHD prohibits the use and storage of medical cannabis on its property, at all workplaces and in any employer-owned vehicles.

No part of this policy, nor any of the procedures hereunder, guarantees employment, continued employment, or terms or conditions of employment or limits in any way the Department's rights to manage its workplace or discipline employees.

Definitions:

For purposes of this policy, the following terms shall have the following meanings:

- A. 'Premises' shall include all work sites, work areas, property owned or leased by ECPHD, or vehicles owned, operated, leased, or under the control of ECPHD. Privately-owned vehicles parked or operated on property owned, leased or managed by ECPHD is also included under the definition.
- B. 'ECPHD time' shall include all times during which an employee is on ECPHD premises, meal and break times on or off ECPHD premises, or performing work off the premises for the benefit of ECPHD, as a representative of the Edgar County Public Health Department.
- C. 'Legal drug' means any substance the possession or sale of which is not prohibited by law, including prescription drugs that have been prescribed for the employee and over-the-counter drugs.
- D. 'Illegal drug' means any controlled substance the possession or sale of which is prohibited by law.
- E. 'Under the influence' means the condition wherein any of the body's sensory, cognitive, or motor functions or capabilities is altered, impaired, diminished, or affected due to substances. This also means the detectable presence of substance(s) within the body, regardless of when or where it (they) may have been consumed, having an alcohol concentration within the violation range specified by the laws of the State of Illinois, and/or having a positive test for any other substance(s). With respect to employees subject to the Federal Motor Carrier Safety Administration (FMCSA) regulations, U.S. Department of Transportation regulations, or performing safety-sensitive functions including providing healthcare, under the influence is defined in accordance with FMCSA regulations as having an alcohol concentration of 0.04 or greater.
- F. 'Substance' means any alcohol, drugs, or other substances (whether ingested, inhaled, injected subcutaneously, or otherwise) that have known mind altering or function-altering effects upon the human body or that impair one's ability to safely perform his or her work, specifically including, but not limited to, prescription drugs and over-the-counter medications; alcohol, drugs, and other substances made illegal under federal or state law; "synthetic or designer" drugs; illegal inhalants; "look-alike" drugs; amphetamines; cannabinoids (marijuana and hashish); cocaine; phencyclidine (PCP), and opiates; and any drugs or other substances referenced in Schedule I through V of 21 C.F.R. Part 1308 (whether or not such drugs or other substances are narcotics).
- G. 'Traceable in the employee's system' means that the result of a laboratory's analysis of the employee's urine or blood specimen is positive for the tested substance.
- H. 'Reasonable suspicion' of impairment means that the Edgar County Public Health Department's representatives have observed and can describe specific symptoms of an employee while working that decrease or lessen his or her performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, breath, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment or machinery, disregard for the safety of the employee or others, or involvement in an accident that results in serious damage to equipment or property, disruption of a production or manufacturing process, or carelessness that results

in any injury to the employee or others, or detection of a prohibited substance in the area where an employee has/had been working. A registered qualifying user of medical cannabis under the Compassionate Use of Medical Cannabis Pilot Program Act must first be given a reasonable opportunity to contest the basis of the suspected impairment before being subject to discipline based on a reasonable suspicion of impairment.

- I. 'Safety sensitive function' includes any job function fraught with the risk of injury to others such that even a momentary lapse of attention can have disastrous consequences as well as any function described as safety sensitive by applicable FMCSA or other applicable regulations.
- J. 'Work related cause' means the employee has: incurred a work-related injury requiring medical attention at a medical facility; caused the injury of another person on ECPHD premises or during ECPHD time; caused damage to any ECPHD owned or leased property; or commits repeated and/or flagrant violations of safety standards.

Applicability:

- A. This policy applies to all employees and volunteers of the Edgar County Public Health Department as well as candidates for employment with ECPHD who have been given conditional offers of employment. Such persons are responsible to be familiar with and comply with this policy.
- B. The provisions of this policy are subject to any federal, state, or local laws that may prohibit or restrict their applicability, and testing for substances shall be conducted and in accordance with and limited by such laws, notwithstanding any terms of this policy to the contrary.

Policy:

- A. Alcohol or Illegal Drugs or Substances:
The possession, sale, purchase, use, distribution, delivery or transfer of alcohol or an illegal drug or substance while on Edgar County Public Health Department premises or while on the Department's time is prohibited. In addition, employees may not report to work or be on ECPHD premises or ECPHD time under the influence of alcohol or with any traceable illegal drug or substance in their system. Employees who drive commercial motor vehicles, operate heavy or large mobile equipment or perform other safety-sensitive functions including providing healthcare services, in addition to the prohibitions above must not consume alcohol for four hours prior to duty time and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever comes first. Individuals who are registered users of medical cannabis in accordance with the Compassionate Use of Medical Cannabis Pilot Program Act will not be disqualified from employment based solely on the detected presence of cannabis on a drug test, unless failing to do so would put ECPHD in violation of a federal law of cause it to lose a federal contract or funding. Individuals who are registered users of medical cannabis in accordance with the Compassionate Use of Medical Cannabis Pilot Program Act may not report to work under the influence of cannabis. Any violation of this policy may result in immediate discharge and may subject an employee to legal action.

- B. Legal Drugs:
The Edgar County Public Health Department does not condone the abuse of legal drugs or working under the influence of legal drugs to the extent that job performance and/or safety is adversely affected. Employees using prescription and/or over-the-counter drugs are responsible for being aware of any potential effect such drugs may have on their judgment or ability to perform their duties.
- C. Pre-Employment Substance Testing:
Upon receipt of a contingent offer of employment, candidates for safety-sensitive or security-sensitive positions may be subject to pre-employment drug testing. Individuals to whom a contingent offer is made whose pre-employment drug test returns positive (except with respect to legally prescribed drugs and over-the-counter medications) will be ineligible for employment. Candidates who test positive may have their contingent offer of employment revoked.
- D. Random Selection Testing:
The Edgar County Public Health Department is a drug-free workplace and reserves the right to conduct random testing on employees with safety-sensitive or security-sensitive job duties. The following positions include safety-sensitive or security-sensitive functions, and as such are subject to random testing: healthcare providers and ECPHD employees. Where random testing is prohibited or restricted by applicable federal, state or local statute or regulation, or other legally-binding agreement, ECPHD will conform to all applicable laws, regulations, and/or agreements notwithstanding the provisions of this policy.
- E. Post-Accident Testing:
If the Edgar County Public Health Department has reasonable cause to believe an employee has caused an on-the-job injury that is considered recordable under OSHA guidelines (i.e. requiring medical treatment) as a result of being under the influence, the supervisor may require the injured employee to undergo a post-accident substance test. The employee will also be required to undergo post-accident testing if required by FMCSA, DOT or other applicable regulation.
- F. Fitness for Duty:
Employees suspected of being unfit for duty as a result of the use or reasonably suspected use of substances may be subject to substance testing. Employees who have successfully completed a substance abuse or rehabilitation program will be required to submit to a fitness for duty substance test before being permitted to return to work.
- G. A driver subject to FMCSA or DOT regulations, or any other employee who is required to perform a safety-sensitive function and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.
- H. Disciplinary Action:
a. Any employee who possesses, sells, purchases, uses, distributes, delivers or transfers alcohol or an illegal substance on ECPHD premises will be removed from the work area, and may be subject to immediate discharge.
b. Any employee who reports to work under the influence of alcohol or with an illegal drug or substance traceable in his/her system will be removed from the work area, and may be subject to immediate disciplinary action up to and including discharge.

- c. An employee who refuses to submit to testing when required under this policy will be removed from the work area, and may be subject to immediate disciplinary action up to and including discharge. Refusal to submit to testing shall include, but may not be limited to: (1) failure to appear for any test within a reasonable amount of time, after being directed to do so by ECPHD, consistent with this policy and/or applicable regulations, including but not limited to FMCSA or DOT regulation; (2) failure to remain at the testing site until testing is complete; (3) failure to provide a sufficient breath, saliva, blood or urine specimen for any drug or alcohol test required by this policy or applicable FMCSA or DOT regulation; (4) in the case of directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of the provision of a specimen; (5) failure to provide a sufficient amount of saliva, breath, blood or urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure; (6) failing or declining to take a second test that ECPHD or the collector has directed the employee to take; (7) failure to undergo a medical examination or evaluation, as directed by the Medical Review Officer as part of the verification process or as directed by the Designated Employer Representative; (8) failure to cooperate with any part of the testing process; (9) having a verified adulterated or substituted test result as reported by the Medical Review Officer.
- d. Any employee who refuses to participate in rehabilitation/treatment as recommended as a result of a positive test and evaluation by a substance abuse professional, will not be allowed to perform work for the Edgar County Public Health Department and may be subject to disciplinary action up to and including discharge.

Testing Procedures:

- A. Testing: The Edgar County Public Health Department may require an employee or candidate to provide a urine specimen, submit to a blood test, provide saliva samples, and/or undergo breath/alcohol testing for laboratory analysis at a medical clinic or other location as designated by ECPHD, immediately upon the request of authorized ECPHD representatives or agents in accordance with this policy.
 - 1. Where the Edgar County Public Health Department has reasonable suspicion that an employee is under the influence of a substance, he or she will be removed from the work area and provided with transportation to the place of testing. The Edgar County Public Health Department should call the emergency contact indicated by the employee or, if unavailable, arrange for the employee to be transported home following the test.
 - 2. Prior to submitting to testing, an employee or candidate may confidentially disclose to the independent medical examiner any prescription drugs or over-the-counter medications that he/she has taken or known medical condition that might interfere with an accurate test

result. Such information will only be revealed to the Edgar County Public Health Department as permitted by law.

3. At the discretion of ECPHD, employees suspected of violating this policy may be placed on administrative leave without pay pending test results. If the test results are negative; the employee will be reimbursed for any salary lost during administrative leave.
 4. Specimens reported by the testing laboratory as adulterated or substituted will be considered a refusal to test, and may be grounds for immediate termination of employment or ineligibility for hire.
 5. Should a candidate or employee fail the initial drug test, he or she will be notified of the results and will not be allowed to perform work on behalf of ECPHD. The candidate or employee will have the option of requesting testing of the split specimen within 72 hours at the Edgar County Public Health Department's expense unless the candidate or employee presents documentation that serious injury, illness, lack of actual knowledge of the verified test result or inability to contact the Medical Review Officer prevented a timely request. If the candidate fails to request testing of the split specimen within 72 hours and the candidate or employee has not presented sufficient documentation to excuse the delay, ECPHD will take appropriate action including but not limited to discipline or discharge.
 6. If the test of the split specimen is also positive, the candidate or employee will have the opportunity to explain the results. The Edgar County Public Health Department retains the discretion to determine the appropriate disciplinary action, including discharge, following two positive drug tests.
 7. An employee who has been removed from the work area or barred from working as a result of violating this policy, may be subject to disciplinary action up to and including immediate discharge. If an employee has not been terminated as a result of a violation, he or she may not commence or return to work unless he or she provides sufficient documentation that he or she has tested negative for the presence of a substance and is not under the influence of a substance; has been approved to commence or return to work under the terms of this policy; has received an evaluation from a Substance Abuse Professional, has successfully complied with the recommendations of the Substance Abuse Professional, and testing for the presence of a substance and the handling of test specimens was conducted in accordance with guidelines for laboratory testing procedures and chain-of-custody procedures established by applicable federal or state regulation.
 8. The Edgar County Public Health Department will take steps to ensure the integrity of the testing process and to ensure that all test results are attributed to the correct employee.
- B. Consent: The employee may be required to sign a consent form authorizing the medical clinic or other location as designated by ECPHD to perform the aforementioned tests and release the results of the testing to ECPHD.

- C. Chain of Custody Procedures: At the time specimens are taken, standard 'chain of custody' or 'chain of possession' procedures will be followed and the employee shall be given a copy of these specimen collection procedures.
- D. Confidentiality and Privacy: The employee's right to privacy will be respected, and the results of any testing shall be kept strictly confidential by the Edgar County Public Health Department to the extent required and permitted by law. However, ECPHD may use the results to decide upon an action to be taken towards an employee, or to the extent necessary, to defend its actions in any subsequent grievance, arbitration, or legal or other proceeding.
- E. Treatment: An employee who voluntarily informs the Edgar County Public Health Department that he/she has a drug or alcohol abuse problem and desires rehabilitation assistance may be granted a leave of absence, in accordance with ECPHD's Family Medical Leave Act policy. The sole purpose of such leave is to obtain the necessary rehabilitation assistance. The employee may be required to periodically provide proof that he/she is participating in an appropriate rehabilitation or after-care program. Any employee who returns to work after completion of a rehabilitation program and who subsequently violates the substance abuse policy may be immediately discharged without regard to a request for further rehabilitation.

Additional Policies:

- A. Searches: Upon reasonable suspicion, authorized Edgar County Public Health Department representatives or agents may conduct searches of personal effects, vehicles, lockers, desks and rooms for drugs/alcohol and related paraphernalia, dangerous weapons, ECPHD property or property of other employees. Items discovered through such searches may be turned over to law enforcement authorities.
- B. Employees must notify ECPHD within 5 days of any criminal drug statute conviction.
- C. The Edgar County Public Health Department, with the development and implementation of this policy, is making a good faith effort to maintain a drug/alcohol-free workplace.
- D. The Designated Employer Representatives responsible for receipt of testing results and removal of employees from safety sensitive functions when they violate this policy are the Administrator, Assistant Administrator, and the Director of Nursing.
- E. Employees who have questions about this policy or who would like more information regarding the effects of alcohol misuse and controlled substances on an individual's health, work and personal life, signs and symptoms of an alcohol problem, and available methods of intervening when an alcohol and or controlled substance problem is suspected should contact the Administrator or the Health Educator.

PERSONNEL FILES

Official permanent personnel files are maintained for all ECPHD employees. These files are located in the Business Manager's office to ensure appropriate security and confidentiality. The files will be kept current and properly reflect personnel history and will contain only work-related information. Employees are responsible for keeping personal information current and formally notifying Administration when changes occur such as name, address, telephone number, etc. An employee or authorized representative may gain access to his/her personnel file during working hours in accordance with the Personnel Record Review Act. At no time will a personnel file be permitted to be removed from the premises.

EMPLOYEE DEFINITIONS

Full-time – An employee who works (minimum of 30) hours/week, (52) weeks/year

Part-time – An employee scheduled to work (less than 30) hours/week, (52) weeks/year

Hourly – An employee who does not work a set amount of hours per week and is paid on an hourly basis for actual time worked. Hourly employees are not eligible for any fringe benefits. However, hourly employees will receive regular payroll deductions.

Contractual Staff – A person employed on a part-time basis, paid at a negotiated or hourly rate is responsible for withholding Federal and State taxes. Contractual employees are not eligible for fringe benefits.

Temporary Staff – Employed on a temporary basis to meet a specific short-term staffing requirement and are not eligible for any fringe benefits; however, they will receive regular payroll deductions.

MANDATED REPORTER

All employees of the Edgar County Public Health Department are Mandated Reporters. This means you are required to report or cause a report to be made to the child abuse Hotline number at 1-800-25-ABUSE (1-800-252-2873) whenever you have reasonable cause to believe that a child known to you or in your professional or official capacity may be abused or neglected. (Appendix K – Acknowledgement of Mandated Reporter Status).

ELDER ABUSE

All employees of the Edgar County Public Health Department are responsible for reporting suspect cases of elder abuse. (Appendix L – Acknowledgement of Elder Abuse Reporter Status).

INTRODUCTORY PERIOD

All new employees will serve an introductory period of six (6) months. Employee's work performance will typically be evaluated at three (3) months and again at six (6) months, including a face to face conference and written report. Employment with the Health Department is at-will both during and after completion of the introductory period. Employees serving their introductory period are not eligible for annual increase (COLA/Merit) in December. At the end of the introductory period, new employees may be eligible for a merit increase (not guaranteed).

When promoted or change in job status within the Department, the employee will be placed on an introductory status for three (3) months; the employee does not lose accrued benefits and maintains original hire date. At the end of any introductory period the Administrator/Supervisor may extend introductory period, not to exceed one (1) additional month.

COMPENSATION

Administrator shall determine the salaries and/or wages of his/her employees based on merit and qualifications in conjunction with the Board of Health and subject to appropriations and statutory constraints. Administrator shall meet with the Board to develop reasonably consistent salaries among the employees based on employee classifications for each fiscal year.

POLITICAL ACTIVITY

The Edgar County Public Health Department prohibits employees from engaging in political activity during working time, in any areas where employees are working, or while in a uniform which identifies them as an employee of the Edgar County Public Health Department. The political activity prohibited by this policy shall be defined in accordance with the definition of "prohibited political activity" in the State Officials and Employees Ethics Act (5 ILCS 430/1-5).

The Edgar County Public Health Department also prohibits employees from requiring other employees to perform prohibited political activities as part of their job duties, as a condition of employment or during any compensated time off from work.

The Edgar County Public Health Department prohibits employees from misappropriating any property or resources owned by the Edgar County Public Health Department for the purposes of political activity.

The Edgar County Public Health Department prohibits employees from awarding or promising to award other employees with additional compensation, employment benefits, bonuses, time off, continued employment or any other employment benefit for performing political activity.

The Edgar County Public Health Department supports the right of employees to support candidates and causes of their own choosing, to participate in the political process and to engage in political activities while on their own time, so long as these political activities do not pose a conflict of interest with the employee's duties on behalf of the Edgar County Public Health Department.

Any employees with questions or concerns regarding this policy should contact the Edgar County Public Health Department Administrator.

Employees should report suspected violations of this policy to the Edgar County Public Health Department Administrator. The Edgar County Public Health Department will promptly and thoroughly investigate policy violation complaints, and will take appropriate action against employees who violate this policy.

POLICY AGAINST HARASSMENT

EDGAR COUNTY PUBLIC HEALTH DEPARTMENT'S POLICY AGAINST DISCRIMINATION, HARASSMENT AND SEXUAL MISCONDUCT

I. STATEMENT OF POLICY

It is the Edgar County Public Health Department's policy that it will not tolerate or condone discrimination or harassment on the basis of race, color, religion, creed, sex, gender-identity, gender-expression, sexual orientation, pregnancy, childbirth, medical or common conditions relating to pregnancy and childbirth, genetic information, national origin, age, physical or mental disability, ancestry, marital status, military status, arrest record, unfavorable discharge from military service, order of protection status, citizenship status or any other classification prohibited under federal or state law. Sexual misconduct is also prohibited. The Edgar County Public Health Department will neither tolerate nor condone discrimination, harassment or sexual misconduct by employees, managers, supervisors, elected officials, co-workers, or non-employees with whom the Edgar County Public Health Department has a business, service, or professional relationship. "Employee" for purposes of this policy includes any individual performing services for the Edgar County Public Health Department, an apprentice, an applicant for apprenticeship, or an unpaid intern. Retaliation against an employee who complains about or reports any act of discrimination, harassment or misconduct in violation of this policy is prohibited. Retaliation against any employee who participates in an investigation pursuant to this policy is likewise prohibited. The Edgar County Public Health Department is committed to ensuring and providing a work place free of discrimination, harassment, sexual misconduct and retaliation. The Edgar County Public Health Department will take disciplinary action, up to and including termination, against an employee who violates this policy.

As set forth above, sexual harassment and sexual misconduct are prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. submission to or rejection of this conduct explicitly or implicitly affects a term or condition of individual's employment;
2. submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee or;
3. the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive work environment because of the persistent, severe or pervasive nature of the conduct.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The employee as well as the harasser may be a woman or a man. The employee does not have to be of the opposite sex.
- The harasser can be the employee's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The employee does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the employee.
- The harasser's conduct must be unwelcome.

Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment or harassment based on any status protected by law. The following are illustrations of actions that the Edgar County Public Health Department deems inappropriate and in violation of our policy:

1. Unwanted sexual advances.
2. Offering employment benefits in exchange for sexual favors.
3. Retaliating or threatening retaliation after a negative response to a sexual advance or after an employee has made or threatened to make a harassment complaint.
4. Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars or posters.
5. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, derogatory or suggestive comments about a person's body or dress.
6. Written or electronic communications of a sexual nature or containing statements or images which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or stereotypes regarding disabled individuals.
7. Physical conduct such as unwanted touching, assaulting, impeding or blocking movements.

Sexual misconduct is strictly prohibited by the Edgar County Public Health Department and can include any inappropriate and/or illegal conduct of a sexual nature including, but not limited to, sexual abuse, sexual exploitation, sexual intimidation, rape, sexual assault, or ANY sexual contact or sexual communications with a minor (including, but not limited to, conduct or communications which are written, electronic, verbal, visual, virtual or physical).

II. RESPONSIBILITIES

A. Supervisors

Each supervisor shall be responsible for ensuring compliance with this policy, including the following:

1. Monitoring the workplace environment for signs of discrimination, harassment or sexual misconduct;
2. Immediately notifying law enforcement where there is reasonable belief that the observed or complained of conduct violates the criminal laws of the State of Illinois.
3. Immediately notifying the Department of Children and Family Services (DCFS) Hotline (1-800-25-ABUSE or 1-800-252-2873) if the observed or complained of conduct involves the abuse of a minor.
4. Immediately stopping any observed acts of discrimination, harassment or sexual misconduct and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision;
5. Immediately reporting any complaint of harassment, discrimination or sexual misconduct to the Administrator; and
6. Taking immediate action to limit the work contact between the individuals when there has been a complaint of discrimination, harassment or sexual misconduct, pending investigation.

B. Employees

Each employee is responsible for assisting in the prevention of discrimination, harassment and sexual misconduct through the following acts:

1. Refrain from participation in, or encouragement of, actions that could be perceived as discrimination, harassment or sexual misconduct;
2. Immediately reporting any violations of this policy to a supervisor and law enforcement (if appropriate under the circumstances) and/or DCFS (if appropriate under the circumstances); Employees are obligated to report violations of this policy as soon as they occur. An employee should not wait until the conduct becomes unbearable before reporting the prohibited conduct. All employees are obligated to report instances of prohibited conduct even if the conduct is merely observed and directed toward another individual and even if the other person does not appear to be bothered or offended by the conduct. All employees are obligated to report instances of prohibited conduct regardless of the identity of the alleged offender (e.g. man, woman, supervisor, elected official, co-worker, volunteer, vendor, member of public).

3. Encouraging any employee who confides that he/she is the victim of conduct in violation of this policy to report these acts to a supervisor.

Failure to take action to stop known discrimination, harassment or sexual misconduct may be grounds for discipline.

There is a clear line in most cases between a mutual attraction and a consensual exchange and unwelcome behavior or pressure for an intimate relationship. A friendly interaction between two persons who are receptive to one another is not considered unwelcome or harassment. Employees are free to form social relationships of their own choosing. However, when one employee is pursuing or forcing a relationship upon another who does not like or want it, regardless of friendly intentions, the behavior is unwelcome sexual behavior. An employee confronted with these actions is encouraged to inform the harasser that such behavior is offensive and must stop. You should assume that sexual comments are unwelcome unless you have clear unequivocal indications to the contrary. In other words, another person does not have to tell you to stop for your conduct to be harassment and unwelcome. Sexual communications and sexual contact with a minor are ALWAYS prohibited.

If you are advised by another person that your behavior is offensive, you must immediately stop the behavior, regardless of whether you agree with the person's perceptions of your intentions.

The Edgar County Public Health Department does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any employee, including supervisory and management employees.

III. APPLICABLE PROCEDURES

The Edgar County Public Health Department takes allegations of discrimination, harassment and sexual misconduct very seriously. It will actively investigate all complaints.

It is helpful for the employee to directly inform the offending individual that the conduct is unwelcome and must stop. The employee should use the Edgar County Public Health Department's complaint procedure to advise the Edgar County Public Health Department of any perceived violation of this policy as soon as it occurs.

A. Bringing a Complaint

Any employee of the Edgar County Public Health Department who believes that there has been a violation of this policy may bring the matter to the attention of the Edgar County Public Health Department in one of the following ways:

1. Advising his or her supervisor; or
2. Advising the Administrator; or

3. Advising the offending employee's supervisor, the Edgar County State's Attorney or the County Clerk in the event that the alleged harasser is the State's Attorney.

If the complaint involves someone in the employee's direct line of command, then the employee should go directly to the State's Attorney.

The complaint should be presented as promptly as possible after the alleged violation of this policy occurs.

B. Resolution of a Complaint

Promptly after a complaint is submitted, the Edgar County Public Health Department will designate a person to investigate and undertake such investigation, corrective and preventive actions as are appropriate. In general, the procedure in resolving any complaints can (but will not necessarily) include any of the following items:

1. A meeting between the employee making the complaint and an individual designated by the Edgar County Public Health Department to investigate such complaints. Important data to be provided by the complaining employee includes the following:
 - a. A description of the specific offensive conduct;
 - b. Identification of all person(s) who engaged in the conduct;
 - c. The location where the conduct occurred;
 - d. The time when the conduct occurred;
 - e. Whether there were any witnesses to the conduct;
 - f. Whether conduct of a similar nature has occurred on prior occasions;
 - g. Whether there are any documents which would support the complaining employee's allegations;
 - h. What impact the conduct had on the complaining employee.
2. While not required, the Edgar County Public Health Department encourages anyone who makes a complaint under this policy to provide a written statement setting forth the above details and attaching any pertinent records.

3. After a complaint is submitted by the employee, the alleged offending individual should be contacted by the designated representative of the Edgar County Public Health Department. The alleged offending individual should be advised of the charges brought against him or her, and may be provided with a copy of the written statement of complaint made by the complaining employee (if applicable). The alleged offending individual should have an opportunity to fully explain his or her side of the circumstances, and may also submit a written statement, if desired.
4. After the alleged offending individual is interviewed, any witnesses identified by either the complaining employee or the alleged offending individual may be interviewed separately.
5. Once this investigation is completed, the Edgar County Public Health Department will take such action as is appropriate based upon the information obtained in the investigation. In the event that the Edgar County Public Health Department finds merit in the charges made by the complaining employee, disciplinary action will be taken against the offending employee. This disciplinary action may, but need not necessarily, include:
 - a. Verbal or written reprimand;
 - b. Placing the offending employee on a corrective action plan for a period of time to be identified;
 - c. Delay in pay increases or promotions;
 - d. Suspending the offending employee from work without pay;
 - e. Demotion;
 - f. Immediate termination.
6. Upon completion of the investigation, the Edgar County Public Health Department will advise the complaining employee of the results of the investigation, including action taken, if any, against the offending individual.

When investigating alleged violations of this policy, the Edgar County Public Health Department looks at the whole record including, but not limited to, the nature of the allegations, the context in which the alleged incidents occurred, and the statements of the parties and witnesses. A determination on the allegations is made from the facts on a case-by-case basis.

Non-Retaliation

Under no circumstances will there be any retaliation against any employee making a complaint of discrimination, harassment or sexual misconduct. Any act of retaliation by any party directed against a complaining employee, an accused employee, witnesses, or participants in the process will be treated as a separate and distinct complaint and will be similarly investigated. Complaints of retaliation should be addressed to the Administrator, or the Edgar County Board of Health.

If you have any questions concerning the Edgar County Public Health Department's policies on this matter, please see your Supervisor, the Administrator, or the Edgar County Board of Health. Further information may also be obtained from the Illinois Department of Human Rights, 312-814-6200, or the Equal Employment Opportunity Commission (EEOC), 800-669-4000 or for matters involving the abuse of minors the Illinois Department of Children and Family Services (DCFS), 800-25-ABUSE.

Please acknowledge receipt and review of this policy by completing the acknowledgment form at the end of this Handbook and returning it to the Administrator of the Edgar County Public Health Department. (Appendix M – Policy Against Discrimination Receipt).

POLICY AGAINST WORKPLACE VIOLENCE

The Edgar County Public Health Department prohibits violence in the workplace. Violent behavior is strictly prohibited on Department property, or while working at any location on behalf of the Edgar County Public Health Department, in Department vehicles or during events sponsored by the Edgar County Public Health Department. This prohibition includes not only actual acts of violence, but also direct or implied threats of violence. Employees who exhibit or threaten violent behavior will be subject to criminal prosecution and disciplinary action up to and including termination. The Edgar County Public Health Department takes all reports of violent behavior seriously, and will take appropriate action to investigate complaints and/or report complaints of violent behavior to law enforcement as appropriate.

Any employee who becomes aware of violent behavior or the threat of violent behavior (whether by another employee or by any other person) is directed to inform his or her Supervisor immediately. Supervisors are directed to report all reports of violent behavior or threats of violent behavior immediately to the Administrator, who will conduct a prompt and thorough investigation. In the case of an imminent threat and/or emergency situation, employees and Supervisors are directed to immediately contact law enforcement.

The following is a non-exhaustive list of violent behavior that is prohibited by this policy:

- Fighting
- Physical restraint or confinement
- Assault
- Horseplay
- Stalking
- Intentionally endangering the safety of another person
- Any other act that a reasonable person would perceive as a violent act

WHISTLEBLOWER POLICY

Code of Conduct:

Edgar County Public Health Department requires employees to observe the highest standards of business and personal ethics in conducting their duties on behalf of the Department. Compliance with all applicable federal, state and local laws, rules and regulations is required. All employees are expected to fulfill their duties honestly and with integrity.

Reporting Responsibility:

Employees are encouraged and expected to report suspected violations of federal, state or local law, rules or regulations or suspected ethical violations.

Retaliation Prohibited:

ECPHD prohibits retaliation against any employee who, in good faith, reports a suspected ethics violation or suspected unlawful conduct. Anyone who violates this policy against retaliation is subject to disciplinary action, including but not limited to, termination of employment.

Reporting Procedure:

ECPHD has an open door policy and expects and encourages employees to address questions, concerns and complaints with their Supervisor. Supervisors are required to report complaints regarding suspected unethical or illegal conduct in writing to the Administrator. If an employee is not comfortable speaking with his/her Supervisor or is not satisfied with the Supervisor's response, he/she may discuss the matter with the Administrator. If a complaint involves suspected conduct of the Administrator, a complaint may be brought directly to the Edgar County Board of Health. The Board of Health is responsible for informing the County Board of all complaints of unethical or unlawful conduct pursuant to this policy.

Investigation:

All complaints pursuant to this policy will be investigated and resolved in a timely manner. The Edgar County Board of Health will designate the Administrator to investigate any complaint received. To the extent that the complaint involves suspected conduct on the part of the Department Administrator, the Edgar County Board of Health will appoint an appropriate investigator.

Accounting and Auditing Matters:

All reported questions, concerns or complaints involving accounting or auditing practices shall be made to the Department Administrator who will immediately inform the Board of Health Finance Committee. The Finance Committee shall investigate all complaints involving accounting and auditing matters.

Acting in Good Faith:

Anyone reporting a complaint of suspected unethical or unlawful conduct must be acting in good faith and have reasonable grounds for believing that a violation has occurred. Any allegations which are not substantiated and which have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality:

Violations or suspected violations may be reported on a confidential basis by the complainant to the extent permitted by law. The Edgar County Public Health Department will attempt to keep reports of violations or suspected violations confidential to the extent permitted by law, and consistent with the need to perform an appropriate and adequate investigation.

Handling of Reported Violations:

The Edgar County Public Health Department will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Compliance Officer:

Administrator – Edgar County Public Health Department

CONFLICT OF INTEREST

- A. Conflict of Interest/Additional Employment outside the County.
1. It is the responsibility of all Edgar County Public Health Department employees and members of their immediate families to avoid situations involving conflict of interest and the appearance of conflict of interest.
- B. Policy Guidelines. It is essential that Edgar County Public Health Department employees maintain the highest standards of honesty, integrity, impartiality and conduct to ensure the proper performance of Edgar County Public Health Department business and to maintain the citizens' confidence in their County Government. The avoidance of misconduct and conflicts of interest on the part of Edgar County Public Health Department employees through the use of good judgement is indispensable to the maintenance of these standards. In accordance with these concepts, the following guidelines are established as Edgar County Public Health Department policy.
1. Edgar County Public Health Department Employees shall not:
 - a) Acquire outside interests which could cause a reasonable person to presume that the employee's judgement on Edgar County Public Health Department matters might be affected.
 - b) Accept outside employment which will conflict with regular work hours or work, impair efficiency or be considered a conflict of interest in the performance of assigned duties.
 - c) Use Edgar County Public Health Department personnel, equipment or supplies for matters unrelated to Edgar County Public Health Department business.
 - d) Advertise or solicit for outside work of any type where the advertisement or solicitation makes any reference to employment with the Edgar County Public Health Department.
 - e) Advertise or endorse (whether or not any compensation is received) any product or service where the advertisement or endorsement includes reference to employment with the Edgar County Public Health Department.
 - f) Use information obtained by reason of their Edgar County Public Health Department employment for personal gain or advantage.

CONFLICT OF INTEREST - continued

- g) Accept any economic opportunity under circumstances where the employee knows or should know that there is a substantial possibility that the opportunity is being afforded them to influence their conduct in the performance of their official duties.
 - h) Make official decisions that are not in accordance with established statutes and Edgar County Public Health Department policies and procedures.
2. Violation of these standards may be cause for disciplinary action up to and including discharge.
 3. This policy shall not be construed to prohibit participation in charitable, educational and similar organizations; however, such activity or activities should be carefully analyzed to ensure compliance with the foregoing guidelines.
 4. If there is any question of a conflict of interest or work relationship in regard to outside work or activity, the employee shall obtain the approval of the employee's Supervisor and Administrator before proceeding.

OUTSIDE EMPLOYMENT

No employee shall engage in any outside employment which may interfere with the function of the Department or be detrimental to the employee's ability to perform his or her duties for the Edgar County Public Health Department. Absolutely no outside employment work will be conducted on Department premises or during Department business hours. Any employee who has or plans to engage in outside employment must obtain approval for such employment from the Administrator.

COMPUTER, INTERNET AND NETWORK USAGE

The Edgar County Public Health Department (ECPHD) has e-mail and internet access systems in place for Department business. The Department also has software and systems in place that can monitor and record all internet usage. The e-mail and internet access systems in place are the sole property of ECPHD. The technology is in place for business related to ECPHD. Employees may use the technology for limited personal purposes as long as that use does not interfere with the employee's work, or jeopardize the integrity of the ECPHD computer system, e-mail system or internet access. The technology may also not be used for any purpose which would violate ECPHD policies or state or federal law. If an employee is found to be abusing the technology, his or her access may be limited or eliminated altogether. An employee is also subject to discipline, up to and including termination. Nothing on the internet system or any property of ECPHD, including phones or voice mail, is or can become the private property of any employee.

THERE CAN BE NO EXPECTATION OF PRIVACY OR ASSURANCE OF CONFIDENTIALITY FOR ANY MESSAGES OR FOR ANY USE OR PATTERN OF USAGE OF THE HEALTH DEPARTMENT INTERNET, PHONES OR ANY OTHER PROPERTY.

Management and Administration of the Internet and Phone System

Department security systems are capable of recording for each and every user, each World Wide Web site visit, each chat, and each newsgroup or e-mail message accessed on each computer station within ECPHD. The system is also capable of recording each file transfer into and out of our internal networks. The Department reserves at all times the right to monitor such activity. No employee should have any expectation of privacy as to any internet usage or telephone system. The management of ECPHD may review internet activity, voice mail messages, and analyze usage patterns in an effort to maintain the highest levels of productivity. The Department reserves the right to inspect any and all files stored in private areas of our network in order to assure compliance with this policy.

The system must never be used in violation of our policy against discrimination and harassment. The display or access of any kind of sexually explicit image or document on the ECPHD system is a violation of both this internet policy and ECPHD's nondiscrimination and harassment policy. In addition, sexually explicit

COMPUTER, INTERNET AND NETWORK USAGE - continued

material may not be archived, stored, distributed, edited or recorded using our network or computing resources. ECPHD may use independently-supplied software and data to identify inappropriate or sexually-explicit internet sites. The Department may block access from within our networks to all such sites. If the employee finds himself or herself inadvertently connected to a site that contains sexually explicit or offensive material, the employee must immediately disconnect from that site, regardless of whether that site has been previously deemed acceptable by any monitoring, screening or rating program.

The Edgar County Public Health Department internet facilities and computing resources must not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, ECPHD, province or other local jurisdiction in any material way. Use of any ECPHD resources for illegal activity is grounds for immediate dismissal, and the Department will cooperate with any legitimate law enforcement agency in the investigation of such activity.

Any software or files downloaded via the internet into the ECPHD network become the property of ECPHD. Any such files or software may be used only in ways that are consistent with their licenses or copyrights.

No employee may use ECPHD facilities knowingly to download or distribute pirated software or data. No employee may use ECPHD's internet facilities to deliberately propagate any virus, worm, "Trojan horse," or trap-door program code. No employee may use ECPHD's internet facilities knowingly to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

Each employee using the internet facilities of ECPHD shall identify himself or herself honestly, accurately and completely, including the ECPHD affiliation and function, when participating in ECPHD related chat groups, newsgroups, message boards, or discussion lists, or when setting up accounts on outside computer systems on behalf of ECPHD. Employees may not represent their statements as official ECPHD policy or practice without proper authorization. Participating in non-ECPHD-related chat groups, newsgroups, message boards or discussion lists by use of ECPHD hardware is prohibited.

Any material posted to any forum, newsgroup, chat group, or internet site in the course of an employee's duties, remains the property of ECPHD. Employees are reminded that chat groups and newsgroups are public forums where it is inappropriate to reveal confidential ECPHD information as defined in this manual. Employees releasing confidential information via any internet facility, whether intentional or inadvertent, may be subject to disciplinary actions, including termination.

COMPUTER, INTERNET AND NETWORK USAGE - continued

Use of the ECPHD internet facilities to commit infractions such as misuse of ECPHD assets or resources, sexual harassment, unauthorized public speaking and misappropriation or theft of intellectual property are also prohibited by general ECPHD policy, and will be subject to discipline, including termination.

It is a violation of ECPHD policy to store, view, print or redistribute any document or graphic file that is not directly related to the user's job or ECPHD's business activities and which would constitute a violation of ECPHD's policy against discrimination and harassment.

Employees may from time to time use the ECPHD internet facilities for non-business research outside of work hours provided they request permission from their supervisor before engaging in such use, and provided all other usage policies are observed.

ECPHD will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries and archives on any individual employee's internet activities.

Employees must take care to understand federal and state copyright, trademark, libel, slander and public speech control laws so that our use of the internet does not violate any laws which might be enforced against us.

Employees with internet access may download only software with direct business use, and must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of its license.

Employees may not use the ECPHD internet facilities to download entertainment software or games, or to play games over the internet, including, but not limited to, games against opponents.

Employees with internet access may not use ECPHD internet facilities to download images or videos unless there is an explicit business-related use for the material.

Employees with internet access may not download any software licensed to ECPHD or data owned or licensed by ECPHD without explicit authorization from the supervisor responsible for the software or data.

Technical

No employee may create or implement any password other than the password issued by the Edgar County Public Health Department for voice mail, network or internet access, without permission of the employee's Supervisor.

Security

ECPHD has installed a variety of firewalls, proxies, address screening programs and other security systems to assure the safety and security of ECPHD's networks. Any employee who attempts to disable, defeat or circumvent any ECPHD security facility will be subject to discipline, including immediate termination.

Computers that use their own modems to create independent data connections sidestep our network security mechanisms. An individual computer's private connection to any outside computer can be used by an attacker to compromise any ECPHD network to which that computer is attached. That is why any computer used for independent dial-up or leased-line connections to any outside computer or network must be physically isolated from ECPHD's internal networks. Only those internet services and functions with documented business purposes for ECPHD will be enabled at the internet firewall.

EMPLOYEES WHO MISUSE THE EDGAR COUNTY PUBLIC HEALTH DEPARTMENT INTERNET/EMAIL SYSTEM MAY BE SUBJECT TO DISCIPLINE UP TO AND INCLUDING TERMINATION. REMEMBER THAT EMPLOYEES HAVE NO EXPECTATION OF PRIVACY IN ANY ECPHD EQUIPMENT OR PROPERTY, INCLUDING BUT NOT LIMITED TO DESKS, COMPUTERS, INTERNET ACCESS, VOICE MAIL, OR E-MAIL. (Appendix D – Acknowledgement of Receipt of Computer, Internet, and Network Usage Policy)

Security of Portable Data Storage Devices

The Edgar County Public Health Department requires that employees who have been issued ECPHD laptop or tablet computers, cell phones and other information storage devices take certain precautions to prevent theft or data breach.

With all portable data storage devices such as laptop or tablet computers, cell phones or other information storage devices, ECPHD requires that:

Strong passwords are used to secure information on the device;

No unauthorized persons are allowed to access to the information storage device;

Username or passwords are not shared with any person, with the exception of authorized employees;

Only authorized hardware, software or information security programs are installed on the device with authorization and approval from management;

Care is taken to ensure the device is properly locked and secured when it is not in the immediate possession of the employee.

In the event that a device is lost or stolen, or in the event that information security has been breached, employees are to advise the ECPHD Administrator immediately.

SOCIAL MEDIA POLICY AND GUIDELINES

This is the official policy for social media use at the Edgar County Public Health Department, also known as ECPHD, and provides guidance for employees and elected officials on their professional and personal use of social media. All employees are responsible for knowing and understanding the policy.

Professional Use of Social Media

Before engaging in social media as a representative of the Edgar County Public Health Department, you must be authorized to comment by the Administrator or Department Head. You may not comment as a representative of the Edgar County Public Health Department unless you are authorized to do so.

Once authorized to comment, you must:

- Disclose you are an employee of the Edgar County Public Health Department, and use only your own identity.
- Disclose and comment only on non-confidential information.
- Ensure that all content published is accurate and not misleading and complies with all Edgar County Public Health Department policies.
- Comment only on your area of expertise and authority.
- Ensure comments are respectful and refrain from posting or responding to material that is offensive, obscene, defamatory, threatening, harassing, bullying, and discriminatory, infringes copyright, breaches a Court order, or is otherwise unlawful.
- Refrain from making comments or posting material that might otherwise cause damage to the Edgar County Public Health Department's reputation or bring it into disrepute.

Personal Use of Social Media

The Edgar County Public Health Department recognizes that you may wish to use social media in your own personal life. This policy does not intend to discourage or unduly limit your personal expression or online activities.

However, you should recognize the potential for damage caused (either directly or indirectly) to the Edgar County Public Health Department in certain circumstances via your personal use of social media when you can be identified as an Edgar County Public Health Department employee. Accordingly, you should comply with this policy to ensure that risk of such damage is minimized.

You are personally responsible for the content you publish in a personal capacity on any form of social media platform. Remember that all posts are public and often permanent. When in doubt, you should seek guidance from your Department Head on how to comply with this policy. Edgar County Public Health Department reserves the right to read what you write or say publicly and make a determination if it meets this policy.

- Represent yourself accurately. Unless ECPHD has designated you to speak officially for the Edgar County Public Health Department, you should not state that you write or speak on behalf of ECPHD or that your viewpoints are the same as ECPHD, and you should make this clear to those reading or listening to your points of view.
- Do not disclose private or confidential information about ECPHD, employees, or about citizens that you obtained through your employment with ECPHD. Confidential information is information that is exempt from disclosure under Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7.
- Even when using social media on a personal basis, employees may be disciplined for posting material that is, or might be construed as, vulgar, obscene, threatening, intimidating, harassing, or a violation of the Edgar County Public Health Department workplace policies against discrimination, harassment on account of age, race, religion, sex, sexual orientation, ethnicity, nationality, disability, or other protected class, status, or characteristic.
- If you chose to identify your work affiliation on a social network, you should regard all communication on that network as you would in a professional network. Ensure your profile, photographs and related content is consistent with how you wish to present yourself with colleagues and clients.
- Employees who access social media during work hours or on ECPHD owned equipment should still comply with ECPHD computer usage policy. There is no right to privacy on ECPHD owned equipment.
- ECPHD may discipline employees for making a comment or posting any material that might otherwise cause damage to ECPHD's reputation or bring it into disrepute. When the employee's comment is made as a citizen and not as an employee and is made on a matter of public concern, ECPHD may discipline the employee in situations where the interests of the Edgar County Public Health Department in promoting efficient operations outweighs the interests of the employee in commenting on such matters of public concern.

Nothing in this policy shall be interpreted in a manner that unlawfully prohibits the right of employees to engage in protected concerted activity under the Illinois Public Labor Relations Act. The Edgar County Public Health Department has and always will comply fully with the obligations under the Illinois Public Labor Relations Act. Likewise, nothing in this policy should be construed to violate an employee's rights under the federal or state constitutions. The employer has and always will comply with its obligations under federal and state law. A violation of this policy may subject an employee to discipline, up to and including termination.

Please acknowledge receipt and review of this policy by completing the acknowledgment form at the end of this Handbook and returning it to the Administrator of the Edgar County Public Health Department. (Appendix N – Acknowledgement of Receipt of Social Media Policy).

RECORD RETENTION POLICY

The Illinois Local Records Act prohibits a public entity from destroying public records without first receiving approval from the Local Records Commission. The Local Records Act defines a public record as “any book, paper, map, photograph, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.” 50 ILCS 205/2. A public record may take the form of an electronic record, including but not limited to, emails (and *not* attachments thereto), text messages or other electronic data. In order to ensure compliance with the Local Records Act, employees are prohibited from altering, destroying or deleting public records unless and until appropriate approval has been received from the Local Records Commission. The Administrator is responsible for record disposal approval requests. Any questions with respect to this policy should be directed to the Administrator.

PRIVATE VEHICLE USAGE

Safe driving of your own vehicle while conducting Department business is required at all times.

Employees who use their personal car for Department business must:

- ◆ Have a valid Driver’s license.
- ◆ Be covered by liability insurance at the expense of the owner. (A copy of the certificate of insurance shall be kept current in the employee’s personnel file.)

Edgar County Public Health Department prohibits the following acts while driving a vehicle while performing your job duties:

- ◆ Driving under the influence of alcohol or drugs;
- ◆ Operating any vehicle without a license;
- ◆ Disobeying any traffic laws;
- ◆ Operating a vehicle carelessly or negligently;
- ◆ Driving a vehicle without the use of a seatbelt or safety restraint;
- ◆ Operating a vehicle while holding or manually operating a cellular phone or other electronic device;
- ◆ Using a cell phone (even in hands-free mode) in a school zone or construction zone;
- ◆ Disabling vehicle safety devices, like airbags;
- ◆ Driving while distracted;
- ◆ Transporting unauthorized riders.

Violation of this policy may result in disciplinary action up to and including termination.

Staff must track mileage in order to be reimbursed (current Illinois state rate) on Mileage Reimbursement Forms, which must be submitted to the Administrator for approval at the beginning of the month for the previous month before payment can be processed.

Authorized Drivers and Motor Vehicle Record (MVR) Check Policy and Procedure

Introduction

The purpose of this policy is to ensure the safety of those individuals who drive personal vehicles on Edgar County Public Health Department business and to ensure the safety of their passengers and the public.

Policy Statements

- All drivers must be authorized to drive for work purposes.
- The Edgar County Public Health Department reserves the right to review both the driver's license and Motor Vehicle Record (MVR) of all authorized drivers at any time.
- Motor Vehicle Record reviews will typically be run for authorized drivers a minimum of every 6 months.
- For positions which require driving as an essential function, applicants will receive a conditional offer of employment, contingent upon the results of the Motor Vehicle Record review.

Requirements to Become an Authorized Driver

- Must be a current employee or contracted individual.
- Must complete the Employee Authorization for MVR Review (Appendix O – Authorization for Motor Vehicle Record Review).
- Must present and maintain a favorable MVR (see guidelines below).
- Must provide a current copy of a valid driver's license for the type of vehicle to be driven.

Driver Responsibilities

- It is the driver's responsibility to operate the vehicle in a safe manner to prevent injuries and property damage.
- Drivers must have a valid driver's license for the type of vehicle to be operated, and must keep the license(s) with them at all times while driving.
- All drivers and passengers must wear seat belts.

- Authorized drivers are prohibited from reading or typing text messages, emails or posts of any type while driving. Phone use is also prohibited, unless a hands free device is used. All phone use is prohibited in school zones and construction zones regardless of whether a hands-free device is used. Authorized drivers are prohibited from surfing the internet or reviewing websites or posting on social media or other websites while driving. Authorized drivers are prohibited from taking or posting photos while driving.
- Distracted driving of any type is prohibited.
- It is the responsibility of all authorized drivers to report the loss, bond issuance, suspension and/or revocation of his/her driver's license immediately to ECPHD.
- All traffic violations (including parking tickets), citations and fines incurred when driving for work purposes are the sole responsibility of the authorized driver.
- Driving for work purposes while under the influence of intoxicants or other illicit drugs is forbidden and is sufficient cause for discipline, including termination.
- Authorized drivers who perform safety sensitive functions must inform ECPHD if taking any medications that may affect their ability to safely operate an automobile.
- Drivers are responsible for the security of vehicles being used by them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.

The following is a non-exhaustive list of conduct resulting in traffic convictions that may result in rescinding an offer of employment, terminating driving privileges, or other disciplinary action, up to and including termination.

- Reckless or negligent driving
- Driving while impaired by or under the influence of alcohol or drugs
- Homicide, negligent homicide, or involuntary manslaughter by vehicle
- Fleeing or attempting to elude police officers
- Driving without a license or while license is suspended or revoked
- Hit and run or failure to stop after an accident
- Using a motor vehicle for the commission of a felony
- Operating a motor vehicle without the owner's authority (theft)
- Speeding
- "At fault" accident
- Any moving violation

ACCIDENTS/INJURIES INVOLVING A VEHICLE

All accidents involving personal injury or damage to any vehicle being used for Department business will be properly reported to the Administrator and Supervisor immediately. Any required police reports are the employee's responsibility. Administrator will follow up with employee and maintain copies of all records.

Any accident causing damage to public or privately owned property during official Department business shall be reported in writing to the Administrator immediately and the report must include date, time, location, identity of all witnesses (including name, address and phone number), nature of the accident and damage.

INCIDENT REPORTS (Appendix E)

Staff receiving any type of injury or involved in an incident which raises safety, security or other concerns while on duty shall report it in writing to the Administrator and Supervisor as soon as possible, but no later than the same day as it occurred. Any injury or incident which raises safety, security or other concerns involving any client while being served by the Department or present at the Department shall be reported to the Administrator and Supervisor as soon as possible, but no later than the same day as it occurred.

The incident report shall include the date, time, and place where the incident occurred, type of injury or incident, the identity (name, address and phone number) of any witnesses, whether medical assistance was obtained, and whether law enforcement was involved. If staff or client refuses medical treatment, they must be asked to sign a waiver stating their refusal and the reason for refusal. The staff/client, Administrator, and Supervisor will sign the incident report and (if applicable) a waiver indicating refusal of acceptance of medical treatment.

Staff reports will be kept in the personnel file. The Administrator will maintain a client's report. This report is extremely important for record-keeping and insurance purposes.

PROPERTY AND FACILITIES

Edgar County Public Health Department equipment, supplies, and tools shall not be used for unauthorized purposes. Equipment shall be kept at the Department when not in use unless approved by the Administrator.

Employees shall be responsible for the care of the Department's property and shall report breakdowns and malfunctions immediately so those necessary repairs may be made.

Employees are required to return all Department property in their possession upon termination, including all photo ID's and keys, to their Supervisor.

CONFIDENTIALITY POLICY (Appendix F-Confidentiality Agreement)

Personnel records, medical records and citizen complaints to the Edgar County Public Health Department are considered confidential and may not be revealed except within the structure of the law.

Employees, in the course of their work, have access to information about clients. This may be medical or legal information contained in the client's record or it may merely be overheard as a patient or client converses with a staff member. Such information is not to be repeated or discussed outside of the Department, or casually with other Department personnel, unless such information is a necessary part of the employee's assigned duty. Professional and medical ethics require the Department to protect this confidential information, and each employee shall abide by the above policy without exception.

Certain records of the Edgar County Public Health Department may be revealed with the express permission of the Administrator. Files and records of the Department may not be removed from the office except as needed for Department work. When contents of any Public Health Department file(s) or records are to be used for evidentiary purposes in a court case, it will be necessary that the files be obtained in accordance with the law. Certain records of the Health Department may be subject to disclosure pursuant to a Freedom of Information Act (FOIA) request. Staff members are directed to immediately forward any request for Health Department records or information to FOIA officer and Administrator.

All employees are required to attend Health Insurance Portability and Accountability Act (HIPAA) training; employees shall read and sign the Health Department Confidentiality Agreement. (Appendix F). A copy will be placed in their personnel file.

CONSULTANT FEES

Consultant fees and honoraria may be retained if earned during off-hours and is earned on the reputation of the individual and not as an employee of the Department. However, no employee will involve himself/herself in any activity that is or has the potential to be a conflict of interest with Departmental activities. Preparation time is not to be done on Department time. (See page 25-Conflict of Interest).

RECOMMENDATION OF PROFESSIONAL SERVICE/PRODUCTS

No employee may endorse a product or professional service.

Personnel of the Department are often requested to recommend acceptable material or equipment or to recommend a person for professional services. When such requests are received, the employee will inform the client of the options available, making it clear that the decision is up to the client. Absolutely no recommendations are to be made.

Staff shall not attempt to persuade a client to adopt the staff-member's religious practice.

MEDICAL REQUIREMENTS

Required: (All staff, including contractual)

- ◆ Two- Step TB Mantoux skin test upon employment (unless proof of test within one year).
- ◆ If employee is a known positive reactor the employee will sign a form stating they are a positive reactor and will not be given a TB test. In lieu of testing they will complete the Annual Symptom Review.
- ◆ TB Screening annually
- ◆ Influenza vaccine annually or Influenza Vaccine Declination Form must be signed. (Appendix G)

Recommended:

- ◆ Hepatitis B series
- ◆ Tdap (Tetanus, diphtheria and pertussis)
- ◆ Tetanus (every 10 years)

An employee exposed to any communicable disease that may be hazardous to patients or clients shall be excluded from work if they cannot provide proof of immunity or treatment according to the guidelines established by the Illinois Department of Public Health. Employees will be allowed to return to work when they have complied with the Rules and Regulations of the IDPH guidelines for communicable and infectious diseases. Earned benefit time may be used if available. If no benefit time is left for that fiscal year, the employee will be excluded without pay.

BENEFITS

Social Security

Unemployment Insurance

The Department covers all employees with unemployment insurance. Ability to draw upon unemployment is determined by the prevailing rules and regulations.

Worker's Comp

The Department maintains Worker's Compensation Insurance in accordance with Worker's Compensation Act which covers eligible employees. Any work related injury (or illness) must be reported immediately in writing to the Administrator. It is the responsibility of the employee to obtain, complete, and return claim forms.

Illinois Municipal Retirement Fund (IMRF)

Participation in the Illinois Municipal Retirement Fund (IMRF) is mandatory for employees who are scheduled to work more than one thousand (1,000) hours per year. The Department will follow county participation in this retirement program. If the Department participates, the Department makes a contribution by IMRF rules. Contributions are deducted at the prevailing rate from employees' gross salary. Benefits include retirement, disability insurance, life insurance, and surviving spouse's annuities as explained in the brochure provided to each new employee. Employees are encouraged to contact IMRF for further information on eligibility.

Holidays

A list of paid holidays for the following calendar year will be established and distributed to all county offices in December of each year by the County Board and Presiding Judge. Part-time employees will be compensated for holidays providing the holiday falls upon a normally scheduled workday. An employee who calls in sick the day before or after a holiday may or may not be compensated for that holiday and/or the sick day.

Health Insurance

Health insurance for the employee is currently provided through the county insurance plan at a minimum cost to employee, (spouse and/or family currently may be added at employee's expense). An employee must be employed sixty (60) days and work a minimum of thirty (30) hours/week to be eligible for health insurance benefits. If an employee chooses not to participate in the county health plan, at the end of the year they will be reimbursed with a one-time payment (amount to be determined by county), to help defray the cost of health insurance. Employees must provide proof of coverage to qualify.

The Department only pays the premium while the employee is receiving pay; i.e., for work, paid sick leave, vacation, or personal days, or on a qualified medical leave under FMLA. ECPHD will cease payment of premium upon termination of employment. Employee will be eligible for extending benefits (Cobra) at their own cost. ECPHD reserves the right to modify the benefits provided at any time.

Professional Liability Insurance

The Department provides general and professional liability insurance for all staff members who are required to render services to the public, with the exception of Doctors and Nurse Practitioners. Coverage is only effective while engaged in duties assigned by the Department. Professionals are also encouraged to obtain private coverage. Professional liability insurance for doctors and nurse practitioners is typically explained in individual contracts.

Life insurance

The County provides \$15,000 in life and accidental death and dismemberment insurance to eligible employees. Dependant or additional coverage is available at employee's expense. Check eligibility requirements at County Clerk's office.

EMPLOYEE TIME OFF MUST ALWAYS BE SCHEDULED TO MAKE CERTAIN AT LEAST ONE (1) PERSON FROM EACH DEPARTMENT IS AT ECPHD. IT IS THE RESPONSIBILITY OF EACH DEPARTMENT SUPERVISOR TO RESOLVE ANY SCHEDULING ISSUES.

Vacation

All permanent employees shall earn vacation time unless they are in a non-pay status. Use of vacation time earned is requested for approval by completing and submitting a Time Off Request form, (Appendix H), prior to the planned absence. (Supervisor approval is required prior to the date of the requested absence). Vacation starts to accrue on January 1 of each year, except for the initial year of employment, when vacation begins to accrue at the date of hire. The maximum amount of accrued vacation that can be carried over to a subsequent year is four (4) weeks. New employees may use their accrued vacation leave during their original introductory period (first six months) only at the discretion of the Administrator. Approval of vacation is subject to the operating needs of the Department. Vacation time may not be used in less than fifteen (15) minute increments. Vacation time must be accrued before it can be used.

Eligible full-time employees earn vacation time in accordance with the following step-by-step schedule:

Step (1): Beginning on the date of hire: employees accrue equivalent number of hours worked in a one (1) week time period at (.416) per month, through December 31 of that year.

Step (2): Beginning on January 1 of each year subsequent to the completion of the introductory period: employees accrue number of hours equivalent to hours worked in a two (2) week time period.

Step (3): Beginning January 1 of each year following the completion of five (5) years of continuous service: employees accrue number of hours equivalent to hours worked in a three (3) week time period.

Step (4): Beginning January 1 of each year following the completion of eight (8) years of continuous service: employees accrue number of hours equivalent to hours worked in a four (4) week time period.

Part-time employees earn vacation hours in accordance with aforementioned schedule, prorated according to the number of days worked based on their percentage of full-time employee status. Upon termination of employment, an employee is entitled to receive a compensation payment for the equivalent value of vacation time earned but not taken. Any vacation time accrued beginning on January 1 but not used in a year that an employee terminates will be prorated for that year. Upon the death of an ECPHD employee, the compensation will be paid to the employee's estate or other person entitled to the payment under the Probate Act.

Sick Leave

All employees working full-time will be eligible to take earned sick leave upon completing their introductory period. Sick Leave will accumulate from the date of hire at the rate of (1) sick day/month (hours earned depending on number of hours worked per week), to be credited to employee's balance on the first day of each month. New employees may use their sick leave during their original introductory period (first six months) only at the discretion of the Administrator. Sick leave may not be used in less than fifteen (15) minute increments. If an employee returns from a leave of absence after the first day of the month, the employee must be in pay status for at least 51% of that month to earn a sick day. Sick leave may be carried over from year to year to a maximum accrual of ninety (90) days. Part-time employees earn sick leave in accordance with the aforementioned schedule, prorated according to the number of days worked based on their percentage of full-time employee status.

Sick leave may be used for FMLA qualifying events, illness, disability or injury of the employee and for appointments with a doctor, dentist, or other professional medical practitioner. An employee may also use personal sick leave benefits for absences due to an illness, injury, or medical appointment of the employee's child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. Sick leave is not to be used for regular time off.

An employee is to request approval for sick leave on a Time Off Request form, (Appendix H), prior to the beginning of the absence and employee requests should be made so as to create minimal disruption of work schedules, except when the use of an unscheduled sick leave is due to a sudden illness or medical emergency. An employee must notify the Department by 7:30 a.m. by calling in and leaving a message on the main Department voice mail system. An employee who calls in sick the day before or after a holiday may or may not be compensated for that holiday and/or that sick day.

ECPHD may require evidence to substantiate that such sick leave was used for the purposes herein set forth for periods of absence of three (3) consecutive work days or more, or in cases of unusual patterns or unusual frequency of use of sick leave. For periods of absence of more than three (3) consecutive workdays, the employee shall provide verification of such absence and may be required to fill out FMLA paperwork for qualifying absences.

Employees who retire, terminate their employment, or are discharged, may collect pay for 50% of their sick leave which they have accumulated up to a maximum of 45 days' pay. For employees who retire, the remaining sick leave may be used as pension service credit for IMRF purposes. Except when permitted under IMRF rules, terminated employees will not be allowed to apply unused sick leave towards service credits.

Employees whose actions fall outside of the parameters described above will be subject to progressive disciplinary action (see page 66-Discipline and Corrective Action).

Sick Leave - continued

An employee is required to notify his/her Supervisor each day that he/she is out of work unless the illness or other absence requires extended leave. The employee must provide on the 4th day of absence, documentation from a physician that validates the need to miss work due to illness or injury. If this documentation is not provided, the employee may not be allowed to return to work.

In cases of an extended absence of greater than eight (8) workdays, the employee is to follow the leave of absence policy and procedure.

Documentation from a Physician may be requested when an occasion of an unscheduled absence falls immediately prior to or immediately after a Holiday, Vacation, or other scheduled day off. If documentation is requested and not provided, the employee will not be able to return to work.

Supervisory personnel should counsel staff whenever abuse of sick leave is reasonably suspected. Excessive absenteeism where abuse of the sick leave policy is reasonably suspected may result in disciplinary action, up to and including discharge.

It is the policy of the Edgar County Public Health Department to provide its employees with a reasonable amount of time off to respond to personal illness and emergencies. This policy exists due to the important role adequate staffing plays in the delivery of quality health care services.

The Department understands that there may be circumstances requiring an employee to be away from work, which are beyond the control of the employee, and the Department will comply with all federal, state and local laws providing leave to eligible employees.

The Department strictly prohibits retaliation against an employee for exercising his or her right to use personal sick leave benefits in accordance with this policy.

Personal Leave

All permanent full-time and part-time employees shall earn personal time unless they are in a non-pay status. Approval of use of personal leave must be received in advance. Employees must complete a Time Off Request Form (Appendix H), prior to the planned absence (except for emergency situations). Requests must be approved by Supervisor. Personal leave is accrued on January 1 of each year. Personal leave credits will not carry over into the next year. New employees may use their personal leave during their original introductory period (first six months) only at the discretion of the Administrator. Approval of personal leave is subject to the operating needs of the Department. Personal leave may not be used in less than fifteen (15) minute increments.

Eligible full-time employees earn personal leave in accordance with the following schedule:

Step (1):

Date of hire through December 31: prorated up to equivalent number of hours in one work week [prorated at (.416) per month left in calendar year].

Step (2):

January 1: employee accrues equivalent number of hours in one work week.

Part-time employees earn personal hours in accordance with the aforementioned schedule, prorated according to the number of days worked based on their percentage of full-time employee status.

Upon termination of employment any unused personal leave will be forfeited.

Employees may not use personal leave that has not yet been accrued.

Military Leave

ECPHD will comply with all applicable federal, state and local laws providing military leave and benefit protections to employees. Please direct any questions or requests for leave to Administrator.

Procedure for tracking sick/personal leave

Employees must notify their immediate Supervisor as soon as possible when they are going to be absent from work. An employee must notify their Supervisor by 7:30 a.m. on the day the employee is absent from work. Employees may notify Supervisors by calling in and leaving a message on the main Department voice mail system.

If a condition is predictable, such as scheduled surgery, then the employee shall inform the Supervisor of anticipated length of time the employee will be off.

- A.) A medical certificate of illness signed by the attending physician will be required by the Administration if employee is ill three (3) consecutive days or more.
- B.) Sick leave is a privilege and is not considered earned leave. Abuse of this privilege will be noted and may lead to disciplinary action up to and including termination.
- C.) When an employee is absent on an authorized leave with pay, sick leave will continue to accrue, except that it will not accumulate while the employee is receiving disability pay.
- D.) An employee exposed to any communicable disease that may be a hazard to patients or clients will be excluded from work, and sick days deducted if they cannot provide proof of immunity or treatment according to the guidelines established by the Illinois Department of Public Health.

Bereavement Leave

Full-time employees may take three (3) days of paid bereavement leave for the death of an immediate family member. For purposes of this policy, *immediate family member* is defined as a spouse, parent, child, brother, sister, grandparent, son-in-law, daughter-in-law, mother-in-law, father-in-law, step-parent, step-parent-in-law or legal guardian.

Part-time employees may take three (3) days of paid bereavement leave for the death of any immediate family member.

When an employee has a death of a family member other than those listed above, sick, vacation, or personal time may be used to accommodate time off.

Eligible employees (as that term is defined in Section 101(2) of the federal Family and Medical Leave Act, 29 U.S.C. 2601 et seq.) are also entitled to take a maximum of two (2) weeks of unpaid bereavement leave to: (a) attend the funeral or alternative to a funeral of a child; (b) make arrangements necessitated by the death of a child; or (c) grieve the death of a child. In the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of 6 weeks of bereavement leave during the 12-month period.

Bereavement leave under this policy must be completed within 60 days after the date on which the employee receives notice of the death of the child. An employee is required to provide the Department with at least 48 hours' advance notice of the employee's intention to take bereavement leave unless providing such notice is not reasonable and

Bereavement Leave - continued

practicable. The Department may require reasonable documentation, including a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution or government agency.

An employee who is entitled to take paid or unpaid leave may elect to substitute any period of paid leave for an equivalent period of unpaid bereavement leave.

The Department prohibits retaliation against any employee who exercises his or her rights under this policy, opposes any practice that the employee believes to be in violation of this policy, or supports the exercise of rights of another under this policy.

Upon the death of an employee, the Administrator may allow those who wish to attend the funeral time off with pay. The Administrator will take into account all relevant factors when making this determination, including staffing needs in the Department.

COMPENSATORY TIME (OVERTIME)

Hours worked includes all time an employee must be on duty. Compensatory time may be earned on the employer's premises or at any location where employee is engaged or acting on behalf of the Department. Compensatory time is defined as time earned for work performed in excess of Department's normal scheduled hours in the work week. For the Edgar County Dental Clinic, normal work week is 40 hours. For the Edgar County Health Department, normal work week is 37.5 hours. If an employee is eligible for holiday pay, holiday hours worked are paid at the time and one-half rate. Part time and hourly employees are eligible for time and one-half rate overtime for all hours worked in excess of employee's normal scheduled hours in the work week. Compensation for overtime work may be in the form of cash or compensatory time off at the Department's discretion at the rate of one and one-half hours for each hour of overtime worked. The employee may request cash payment or compensatory time, and budgetary restraints and/or operational need will be considered in the decision. If compensatory time off is taken, it shall be scheduled at the convenience of the Department with due consideration of the employee's preference. Compensatory time may in certain circumstances be earned for travel time, but must be approved by the Administrator prior to travel. Travel time is time worked and will be compensated at the regular rate for up to employee's normal scheduled hours in the work week, and at one and one-half hour rate for hours in excess of employee's normal scheduled hours in the work week. Employees earning or using compensatory time must have prior approval of the Supervisor. Supervisors should try to adjust the employees work schedule to fit the needs of the Department. Compensatory time may not be earned or used in less than fifteen (15) minute increments. Compensatory time must be used within two (2) weeks of being earned. Employees who are unable to take their compensatory time in accordance with these rules will be paid the overtime equivalent. Employees who have accrued unused comp time, upon termination will receive the overtime equivalent in their final paycheck.

FAMILY AND MEDICAL LEAVE ACT AND MILITARY LEAVE (FMLA) POLICY

This policy document supersedes any other existing policy or policy document governing the handling of leave taken pursuant to the Family and Medical Leave Act of 1993 ("FMLA"). It is intended to conform with the Edgar County Public Health Department's (ECPHD) obligations under 29 C.F.R. §825.300.

I. ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- (1) have worked for ECPHD for a total of 12 months; and
- (2) have worked at least 1,250 hours over the previous 12 months;
- (3) work at a site with 50 or more employees within a 75 mile radius.

II. LEAVE ENTITLEMENT

A covered employee is entitled to up to a total of 12 workweeks of unpaid leave in a 12 month period for one or more of the following reasons:

- For the birth of a son or daughter, and to care for the newborn child;
- for the placement with the employee of a son or daughter for adoption or foster care;
- to care for the employee's spouse, son or daughter or parent (but not parent-in-law) who has a serious health condition,
- when the employee is unable to perform the functions of the employee's job because of a serious health condition, or because of incapacity due to pregnancy, prenatal medical care or child birth.

Leave to care for a newborn child or for a newly placed child must conclude within 12 months after the birth or placement.

Spouses employed by the same employer may be limited to a ***combined*** total of 12 workweeks of family leave for the following reasons:

- birth and care of a child;
- for the placement of a child for adoption or foster care, and to care for the newly placed child; and,
- to care for an employee's parent who has a serious health condition.

Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status as defined by applicable federal regulations may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include the following as defined and limited by federal regulation: short notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation,

post-deployment activities, parental care, and additional activities arising out of the military member's covered active duty or call to covered active duty status as agreed by employer and employee.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member (as defined by federal regulation) who is recovering from a serious illness or injury sustained in the line of duty on active duty, is entitled to up to 26 weeks of unpaid leave in a single 12-month period to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness. Covered service member also includes a covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA -qualifying reason during the single 12-month period, but is entitled to no more than 12 weeks of leave for:

- the birth of a son or daughter of the employee and in order to care for such son or daughter;
- because of the placement of a son or daughter with the employee for adoption or foster care;
- in order to care for the spouse, son, daughter or parent with a serious health condition;
- because of the employee's own serious health condition,
- or because of a qualifying exigency.

A husband and wife who are eligible for FMLA leave and are both employed by ECPHD are limited to a combined total of 26 workweeks of leave during the single 12-month period if the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee's parent with a serious health condition, or to care for a covered service member with a serious injury or illness.

Under some circumstances, employees may take FMLA leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- If FMLA leave is for birth and care or placement for adoption or foster care of a son or daughter, use of intermittent leave is subject to the employer's approval.
- FMLA leave may be taken intermittently whenever **medically necessary** to care for a seriously ill family member or seriously ill or injured service member, or because the employee is seriously ill and unable to work.

The terms "son or daughter" are defined as 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 18 years of age or older and incapable of self-care because of a mental

or physical disability. An employee stands in loco parentis to a child when the employee intends to assume the responsibilities of a parent with regard to the child through either day-to-day care or financial support.

III. 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 the functions of the employee's job, 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 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

IV. LEAVE AVAILABILITY CALCULATION

The Edgar County Public Health Department has adopted the "rolling 12 month period" method of calculating available FMLA leave for all types of leave with the exception of leave to care for a seriously ill or injured service member. Under the rolling 12-month period, in order to determine the amount of available FMLA leave, the calculation is made each time an employee commences an FMLA leave. From that date, the preceding 12 month period is examined. Any FMLA leave used during that preceding 12 months is deducted from the 12 weeks annual leave granted by the FMLA. The employee is entitled to take no more than the remaining balance of FMLA leave.

For FMLA leave requests made to care for a covered service member with a serious injury or illness, the single 12-month period begins on the first day the eligible employee takes FMLA leave.

V. SUBSTITUTION OF PAID LEAVE

Any employee taking FMLA leave is required to substitute and use any remaining paid "leave" benefits which are available or become available during the FMLA leave. This includes vacation, personal, and sick days. Such paid leave is substituted for the unpaid FMLA leave, and is not in addition to such FMLA leave.

All other FMLA leave is unpaid.

VI. MEDICAL INSURANCE BENEFITS WHILE ON FMLA LEAVE

During FMLA leave, ECPHD will maintain the employee's health coverage under any group health plan, under the same terms as if the employee had continued to work. If the employee was required to pay a portion of the premiums for coverage, that obligation continues while on leave. Payment is expected to be made in the same

amounts, and at the same time (i.e. each payroll date) as was made while working. If any payment is more than 30 days late, medical coverage may be canceled pursuant to the FMLA Rules and Regulations.

An employee can elect not to continue medical coverage while on leave. If this election is made, ECPHD will immediately place the coverage into COBRA.

If the coverage is continued while on FMLA leave, and the employee does not return to work at the end of the FMLA leave period, ECPHD will bill the employee for the amount of premiums paid by ECPHD during the leave period unless the employee does not return to work due to a reason exempted from this provision by FMLA Rules and Regulations.

No other employment benefits provided by ECPHD to employees are continued during FMLA leave. All such benefits are instead held in abeyance until the employee returns to work. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

VII. PROCEDURE FOR REQUESTING FMLA LEAVE

An employee must provide ECPHD with at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable. If 30 days' notice is not possible, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

Employees must provide sufficient information for ECPHD 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 must also inform ECPHD if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees will also be required to provide certification as specified below, and may be required to provide periodic recertification supporting the need for leave.

Any employee taking leave to care for the employee's covered family member with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position must be supported by a certification issued by the health care provider of the employee or the employee's family member on the form attached to this policy. An employee taking leave because of a qualifying exigency or to care for a covered service member with a serious injury or illness must also be supported by a certification in the form attached to this policy except that an employee taking leave to care for a covered service member may provide an invitational travel order (ITO) or an invitational travel authorization (ITA) in lieu of certification for the leave taken through the expiration of the ITO or ITA. Additional copies of the certification forms can be obtained from your supervisor. Employees are required to furnish the completed

certification within 15 calendar days of ECPHD request for certification. In the case of unforeseen leave, certification must be provided as soon as practicable. FMLA leave may be denied in accordance with the FMLA Rules and Regulations if appropriate certification is not provided.

VIII. CONSEQUENCES OF TAKING FMLA LEAVE

Any FMLA leave taken will be counted against the available leave allowed by statute. Any employee seeking to return to work after leave taken because of the employee's own "serious health condition" must submit a medical certification of fitness to return to duty, signed by the attending health care provider, before the employee will be allowed to return to work. Failure to comply with this requirement does not extend the leave.

On return from FMLA leave, the employee will be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. ECPHD reserves the right to deny restoration to "key employees" as defined by the FMLA regulations where restoration will cause "substantial and grievous economic injury" to the operations of the Edgar County Public Health Department.

If the employee is unable to perform an essential function of the position because of a physical or mental condition, including the continuation of a serious health condition or an injury or illness also covered by workers' compensation, the employee has no right to restoration to another position under the FMLA. The employee may, however, fall under the Americans with Disabilities Act (ADA).

IX. EMPLOYER RESPONSIBILITIES

Edgar County Public Health Department 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 employees' rights and responsibilities. If they are not eligible, ECPHD will provide a reason for the ineligibility.

Edgar County Public Health Department must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If ECPHD determines that the leave is not FMLA-protected, the employer must notify the employee.

X. UNLAWFUL ACTS BY EMPLOYERS

The 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.

XI. ENFORCEMENT

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.

XII. REFERENCE TO FMLA NOTICE POSTER

The Edgar County Public Health Department has posted in the Department, a notice setting forth the relevant provisions of the FMLA. The terms of the notice 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 the notice concerning all applicable employee rights and obligations under the FMLA.

INCLEMENT WEATHER OR EMERGENCY CLOSING

When ECPHD is open but weather prevents employees from reporting to work, or if they choose to leave work due to severe weather, employees must account for such absences by use of accrued time; such as vacation days, sick days, personal days, or accrued compensatory time. When all time is used, then pay may be reduced. If severe weather strikes after the start of a work shift, all staff will work together to get the clients that must be seen taken care of.

When ECPHD is closed after the start of a work shift by order of the Governor or Director of Central Management Services because of inclement weather, all employees will be released with pay for the balance of that shift. If the Department is officially closed due to a disruption of work at the Department caused by a condition beyond the control of the Department such as equipment failure, fire, flood, snow, tornado, or other natural disasters, or interruption of essential services such as water or electricity, the employees who are at work may be dismissed with pay for the remainder of that day. The employees will also be paid for any subsequent days that the facility is closed for the same reason (up to 5 days).

JURY DUTY

Any full or part-time employee called for jury duty shall be allowed time away from work with pay for such purposes.

Employees must report for work during any periods they are excused from jury duty.

Pay received by an employee for jury duty shall be turned over to the Administrator to turn in to the Treasurer's office. The employee may not waive a fee set by law and is responsible for remitting the full amount of the fee to the Edgar County Public Health Department. Employees will be allowed time away from work with pay if they are called as a witness in conjunction with their job duties. The employee may keep any pay received for jury duty if performed while on vacation, personal leave, compensatory time off for accumulated overtime, or during other regularly scheduled time off. The employee may retain any portion of such pay that covers mileage and parking reimbursement.

TUITION REIMBURSEMENT

Edgar County Public Health Department will reimburse employees out of pocket expenses up to \$3,000/year (FTE) to aid with higher education costs.

In order to be eligible for reimbursement, employees must:

- Maintain at least a minimum of 80% FTE status (receive \$1,600/year maximum if less than 100% FTE status)
- Administrator must approve application prior to registration
- Field of study must be job related
- Course load must not interfere with current job duties
- Satisfactory grades of "C" or above must be maintained (ECPHD will not reimburse for failed courses)
- Courses must be taken at an accredited college or university
- Employee must be enrolled in a degree seeking program
- Employee must apply for tuition waiver or scholarship if available
- Employee must apply for Federal Student Aid (Pell-Grants) and the Department will reimburse tuition only after grants have been applied.

Employees may not complete course work during work shift hours.

If work performance suffers, employee tuition reimbursement approval will be revoked.

Work schedules will not be altered to accommodate school schedules.

Participating employees must sign an agreement with ECPHD, indicating that the employee will not resign their employment for a period of 2-years starting from the date of the last reimbursement. If an employee fails to satisfy the terms of the agreement, the total tuition reimbursement becomes a loan, with deferred interest, which must be repaid within the terms of the agreement. Reimbursement is contingent upon continued employment.

ECPHD tuition reimbursement program can be discontinued in full or in part at any time for any reason regardless of an employee's enrollment status.

Eligible reimbursements are: tuition, books, and lab/special project supplies.

LEAVE OF ABSENCE

Leaves of absence without pay may be granted for just cause and must be approved by the Administrator and/or Board of Health. Leaves permitted for military service, medical disability, education, family responsibility, childcare, or any urgent personal reasons will be addressed on a case by case basis. Qualifying circumstances will be addressed under the Family Medical Leave Act (FMLA) and/or other applicable laws. Under normal conditions, time off without pay will only be granted after the employee has expended all vacation, sick, and personal days. Vacation, sick, and personal days will not accrue, nor will the employee be paid for holidays while on an unpaid leave of absence.

Failure to return to work from a leave of absence may be grounds for discharge. If an employee needs further information about a specific leave of absence, contact the Administrator.

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

TIME KEEPING

All employees must record their time worked using current Department time keeping procedures. All work time must be accounted for. Most of the Department's funding comes from grants and other types of government funding. Accurate time keeping records are a critical part of grant reporting requirements.

It is a violation of this policy for any employee to falsify a time-keeping record, to record another employee's work time or alter another employee's time-keeping record. It is a violation of Edgar County Public Health Department policy for any employee or Supervisor to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time-keeping record to over- or under-report hours worked. If you are instructed to violate this policy, report it immediately to the Health Department Administrator, or the President of the Board of Health.

Time keeping reports are permanent records containing confidential information, but are available for public information per a Freedom of Information Act (FOIA) request. Any personal confidential information will be redacted before being released.

TRAVEL EXPENSE REIMBURSEMENT POLICY

For purposes of this policy, these terms are defined as follows:

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

“Travel” means expenditures directly incident to official travel by employees and officers of the Edgar County Public Health Department (ECPHD) or by wards or charges of ECPHD involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

ECPHD has by resolution limited and regulated the reimbursement of all travel, meal, and lodging expenses of officers and employees to those expenses required for official business of ECPHD (i.e., educational conferences approved in advance by ECPHD, training approved in advance by ECPHD, Department outreach events, etc.).

The maximum allowable reimbursement for expenses shall be those set by the aforementioned resolution. Only in case of emergency or other extraordinary circumstances will expenses in excess of the maximum allowable reimbursement be permitted, and only upon approval by the governing board of ECPHD, after a roll call vote at an open meeting.

Before any reimbursement for travel, meals or lodging may be approved by ECPHD, the employee must submit on the Department’s standardized Expense Reimbursement Form (Appendix P), the following documentation: (a) an estimate of the cost of travel, meals or lodging if expenses have not been incurred or a receipt for the cost of travel, meals or lodging if the expenses have already been incurred; (b) the name of the individual who received or is requesting the travel, meal, or lodging expense; (c) the job title or office of the individual who received or is requesting the travel, meal or lodging expense; and (d) the date or dates and nature of the official business for which the travel, meal, or lodging expense was or will be expended.

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

No employee or officer will be reimbursed for any entertainment expenses.

Reimbursable Expenses

It is the intent of the Board of Health that the Department should pay for all necessary expenses incurred by the employee for the purpose of carrying out his/her duties while attending an out of town conference.

Each employee is responsible for submitting receipts for all allowable expenses. These must be turned in to the Administrator monthly. If employee fails to turn in receipts, or copies of receipts, employee will receive no reimbursement. If mileage sheets and expense sheets are not turned in on schedule, no money will be paid to the employee. It is not the responsibility of the Administrator to ask for expense sheets.

The Administrator must approve all expenses.

Hotel/Motel Accommodations

Reimbursement of expenses, fees for conferences, workshops, and seminars will be reimbursed in full if approved by the Administrator.

The Department will pay fees directly whenever possible. Receipts are required when paid by the employee. Expenses such as parking fees, etc. are reimbursed in full.

1. Staff Supervisors are to assign staff to attend conferences or training with the approval of the Administrator.
2. The information, including request for hotel reservations, shall be put on a request form and submitted to the Supervisor for approval. The Supervisor will then submit it to the Administrator for approval. Staff shall then be responsible for making own room reservations for the conference, requesting the government rate at the hotel.
3. If there is a registration form and fee, it is the employee's responsibility to submit all required information to the appropriate destinations. The Business Manager is ONLY responsible for making sure the check is issued. It is the responsibility of the employee attending the conference to assure that it has been done.

Meals

Meal stipends are a benefit to employees who must travel out of Edgar County and/or remain overnight. The maximum allowable stipend for all three meals, for overnight trips, is \$35.00 per day.

There will be no stipend allowed for meals when they are already served or included in either day or overnight conferences or meetings. There will be no stipend allowed for breakfast if a "continental" breakfast is served at the hotel the employee is staying at. If an employee attends a one-day meeting or conference, lunch will be the only meal reimbursed, and only in the case where lunch is not provided at the meeting or conference. Stipend amount for breakfast or lunch shall not exceed \$10.00. Stipend amount for dinner shall not exceed \$15.00. Employee is responsible for tipping.

Educational Meetings/C.E.U.

The Department encourages the professional growth and development of all professionals through continuing education, training and membership in appropriate organizations.

In order for staff to attend meetings/conferences with expenses to be reimbursed, they must have prior approval by the Administrator via the "Request to Attend" form, (Appendix I), which must be submitted to Administrator at least one (1) week prior to meeting/conference. A request must be filled out by the employee and approved by the Supervisor and the Administrator or the employee will not be reimbursed.

TRAVEL

Use of personal vehicles for Health Department business shall be reimbursed for fuel at the current State of Illinois rate per mile.

Mileage tracking will always begin at the Health Department.

Mileage reimbursement forms are to be turned in prior to last business day of each month. If total miles for one month do not exceed ten (10) miles, those miles may be added to the mileage claim for the following month.

The Administrator or Business Manager must sign off on mileage reimbursement claims before any payment can be made to the employee.

If an employee is ticketed while on Health Department business, the Department shall not be responsible for fees and/or fines associated with the ticket. Employee must notify Administrator of occurrence.

SAFETY

It is expected that every employee will carry out his/her duties in the safest possible manner.

Safety related responsibilities of Supervisors include but are not limited to:

1. Monitoring the working conditions and practices of all employees under their direction.
2. Ensuring that each employee is fully trained for the assigned job and is familiar with all guidelines and instructions.

Safety related responsibilities of staff include but are not limited to:

1. Obeying all safety rules and following all verbal and written safety instructions.
2. Reporting all accidents or injuries immediately.
3. Following the guidelines as set forth in the All Hazards Emergency Plan.
4. Use of universal precautions.
5. Use of common sense.
6. Reporting any unsafe conditions to management immediately.

The Department provides personal protective gear and equipment. It is required that employees use them as needed.

PERSONAL APPEARANCE

Employees should be aware that they are representing the Department and should be professional in actions, dress, and in personal hygiene.

TELEPHONE USAGE

The telephone must be answered promptly and courteously at all times. Identify yourself by name and department, be friendly and helpful, write the time and date of any message, transfer calls tactfully, and give accurate information. If you do not know the answer to a question, tell the caller you will find the answer and return their call.

All media calls will be directed to the Administrator. If the Administrator is unavailable, a message must be taken from the caller. Employees are not authorized to talk to the media on behalf of the Department unless approved by the Administrator.

Personal calls and telephone usage must be kept at a minimum. Any calls made for personal business should be conducted during non-working hours. Absolutely no long distance personal calls are permitted.

CELL PHONES

Employees are discouraged from conducting personal business on portable electronic devices during work hours. Personal cell phone use during work hours should be limited to emergency situations. Employees are expected to mute or lower the ring tone volume on their personal cell phones during work hours so as not to disturb others. If cell phone use during work hours becomes necessary, employees are expected to exercise courtesy towards others in the workplace and to avoid being loud or disruptive.

SMOKING

The Edgar County Public Health Department is a designated non-smoking facility. There is to be no smoking in the building or on the grounds. No employee may smoke in a client's home. The Department recommends not wearing clothing to work where the smell of smoke is apparent, due to health risks to others.

GIFTS

The Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees.

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

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

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.

GIFTS – continued

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

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

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means. 7

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

GIFTS - continued

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Section 25-1. Penalties.

(a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is 11 subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the [name of entity] by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt. A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the [name of entity], or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge. SECTION 2: This Ordinance shall be in effect upon its passage, approval and publication [if required] as provided by law.

BREAKS

An employee is entitled to a 15-minute break in the morning and a 15-minute break in the afternoon. If an employee is out of the office all day making home visits, inspections, etc. and returns to the office late afternoon, then the employee is not entitled to leave the office for a 15 minute break. An employee is not allowed to use unused lunch or break time to leave early. Lunch breaks must be taken between the hours of 11:00 a.m. and 1:00 p.m. and shall be as consistent as possible. Breaks are considered a privilege and are not to be abused.

SPECIAL EVENTS

Occasionally the Administrator may allow time off with pay to attend special Department events. The amount of time for these events will be at the discretion of the Administrator. Employees who choose not to attend the office event(s) will not be allowed to go home with pay; they will be required to remain in the office.

ATTENDANCE

Business hours for the Health Department vary depending on the Department worked in.

Employees are expected to be at their desk working at their scheduled times. Regular and consistent attendance by all employees is critical to the operation of the Department. Employees are expected to be present and ready to begin work at their work station at the scheduled start of their shift and are expected to diligently perform their work duties through the end of their shift, except during scheduled breaks or lunch periods. An employee who exhibits unsatisfactory attendance or repeated tardiness may be subject to discipline up to and including termination. Employees are expected to call the office at least one (1) hour prior to the start of their shift (or as soon as possible in case of emergency) if they will be absent or late for work, explaining the reason for the absence or late arrival, and (in the case of a late arrival) advising when the employee expects to arrive at work. Failure to properly report an absence or late arrival in accordance with this policy may result in disciplinary action up to and including termination.

At least one person must be in the office at all times during business hours, including lunch hours, unless approved by the Administrator.

The Administrator or employee's Supervisor may alter normal office hours to meet operational needs, as long as the employee's work week does not exceed the normal number of hours for that particular employee.

ABSENT WITHOUT PERMISSION

No employee may be absent without the permission of his or her Supervisor.

Any employee who is absent from work and fails to notify his/her Supervisor by 7:30 a.m. on that day will be subject to disciplinary action up to and including termination, and will not receive a day off with pay.

ABSENCE OF ADMINISTRATOR

During the absence of the Administrator, the Assistant Administrator will be responsible for daily activities of the office. If Administrator and Assistant Administrator are not available, the Business Manager will be responsible for the Department. If for any reason all administrative staff are out of the office at one time, then staff left in charge will be assigned on a daily basis.

ASSIGNMENTS

The immediate Supervisor shall make work assignments daily, weekly or as necessary. All staff will report to their direct Supervisor. Supervisors or the Administrator may assign staff various responsibilities outside the realm of normal duties in order to support all areas of the Department.

The Administrator shall be informed of all activities, programs and problems from all Supervisors.

WORK PERFORMANCE EVALUATIONS

Employees will typically be evaluated after ninety (90) days of employment, and annually thereafter. Evaluations are an opportunity for both ECPHD and the employee to reflect upon all areas of the employee's performance, to consider whether improvement is needed in any areas, and to recognize areas where an employee has met or exceeded performance expectations. Evaluations are also a time to update performance expectations and to set future goals. Performance evaluations are conducted by an employee's direct Supervisor, or the Administrator, with documentation turned in to the Administrator who then places it in the employee's personnel file.

DISCIPLINE AND CORRECTIVE ACTION POLICY

The Edgar County Public Health Department subscribes to the concept of progressive and fair discipline, which is a system of implementing more formal and severe discipline if behavior fails to improve or offenses become more serious. This policy is applicable to all employees.

The Department reserves the right to bypass any or all steps in this progressive discipline policy. Employment with the Department is at-will and may be terminated with or without cause and with or without notice. Employees who are in violation of the established policies, procedures, or practices of the Department may be subject to corrective action up to and including termination.

Verbal Warning

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

Written Reprimand

After counseling by the Supervisor has met with little or no success, or in the case of more serious performance issues, a written reprimand from Supervisor and/or Administrator may be issued. The reason(s) for the reprimand will be discussed with employee. The employee will be requested to sign verification of receipt of the written warning. A copy of written reprimand will normally be placed in the employee's personnel file. This is the first formal step in the Corrective Action Process. The written warning will typically identify three (3) areas:

1. Specific violation of policy, procedure, or practice.
2. Corrective action required to resolve the identified breach of policy, procedure, or practice.
3. The time frame in which the noted violation must be satisfactorily resolved.

Should the employee disagree with the basis for the warning, notation may be made by the employee directly on the written warning. If satisfactory resolution is not noted in the identified time frame, the next step in the corrective action process may be initiated.

DISCIPLINE AND CORRECTIVE ACTION POLICY- continued

Suspension or Dismissal

Supervisors may recommend, and the Administrator may take action to suspend without pay or allowance, any employee for disciplinary actions or work performance. An employee or employer can terminate employment at any time, without cause or notice. There may be circumstances where an employee may be suspended even if the employee has not received a prior warning. The length of the suspension will be determined by the severity of the violation.

Insubordination will not be tolerated; employees are expected to respect their Supervisors at all times. If for any reason a Supervisor feels it is necessary to issue a letter of warning, the employee, Supervisor and Administrator will typically discuss and sign the written warning.

The Administrator may, at his/her discretion, elect to dismiss an employee immediately without further compensation.

If an employee is suspended without pay, it may not exceed twenty (20) working days for any one offense.

Prohibited Conduct:

1. Arriving at work in an intoxicated state or becoming intoxicated while on the job. This includes being under the influence of drugs/alcohol.
2. Battery, threatening, or assaulting another employee or client.
3. Falsifying Department records or revealing unauthorized information from confidential records
4. Theft of: Department property, time, travel or other reimbursable expenses; theft of other employees or client's property
5. Insubordination
6. Being absent from work without permission
7. Unacceptable level of absences or tardiness
8. Disregarding safety rules or failure to wear required safety equipment
9. Failure to report a job related injury or accident
10. Failure to perform assigned duties efficiently and properly
11. Conviction of a felony
12. Disorderly conduct or fighting
13. Unauthorized disclosure of confidential information
14. Willful destruction of property
15. Sleeping during scheduled work hours
16. Violation of the policy against discrimination or harassment
17. Other situations as determined by Administrator

GRIEVANCE

When an employee has a grievance, the established procedure must be followed exactly, with strict adherence to time.

A grievance is any question of conflict, specifically between an employee and the Department relating to conditions of employment. Any employee having a problem regarding his/her employment will first discuss the problem with his/her immediate Supervisor. If the problem is not settled to the employee's satisfaction, the employee shall present his/her grievance in accordance with the following guidelines. It is the policy of the Board of Health to adhere strictly to steps outlined below with no other means of addressing grievances permitted. Complaints of discrimination, harassment and sexual misconduct should follow the procedure outlined in that separate policy. There are no exceptions to the grievance procedure. Termination decisions may not be grieved.

Guidelines: An employee's failure to submit a grievance to the next step/level within specified time limits will mean that the employee has accepted the last answer given in this process.

STEP 1: The employee shall present the grievance in writing to the immediate Supervisor, explaining its nature and circumstances within seven (7) Department working days after learning of the circumstances or conditions that gave rise to it. The immediate Supervisor shall schedule a conference with the employee to discuss the written grievance filed by the employee within seven (7) Department working days of its presentation.

STEP 2: If the grievance is not satisfactorily resolved, or no conference is held within the time limit set forth in step one, the employee may submit a copy of the written statement of grievance submitted in step one within seven days (7) to the Administrator for review and determination. The Administrator shall schedule a conference with all parties mentioned within seven (7) working days of receipt of the grievance by the Administrator. Grievances against the Administrator should go to the Board of Health.

STEP 3: In the event a conference does not settle the grievance, the employee filing the grievance may attend the next regularly scheduled Board of Health meeting. Employee must give notice to the Administrator for including in the agenda that he/she wishes the grievance to be addressed. The agenda is posted at least 48 hours before the meeting, so the employee must give notice before the deadline. The meeting handling the grievance shall be held in executive session and include the Administrator, immediate Supervisor, employee/employees involved in the grievance and Board of Health.

STEP 4: The decision of the majority of Board of Health members present at the meeting shall be final. The results of the Board of Health will be recorded in the minutes of the meeting and a copy of those results provided to the employee within seven (7) working days after finalization.

GRIEVANCE - continued

Representation

In discussions of a grievance, the employee shall be present.

The parties involved may present any relevant testimony during a grievance process. The parties may bring supporting documents to any grievance discussion.

Accurate facts will be recorded from all involved and concerned, time guidelines strictly adhered to and procedure followed exactly.

JOB TRANSFER WITHIN AGENCY

The Administrator may transfer employees as needed to meet the needs of the Department. Employees transferring to another job classification will not necessarily receive the same rate of pay they were currently receiving. Pay may be lower or higher based upon the job description and/or responsibilities. Employees must apply for the job and meet qualifications for the position. Testing may be required to determine the employees' qualifications.

An employee promoted or transferred is subject to a ninety (90) day review.

RESIGNATION

Employees are requested, but not required, to provide two (2) weeks' notice to their Supervisor of their intent to resign their position. All items that are the property of the Edgar County Public Health Department such as keys, clothing, identification cards etc., must be returned before a final check will be processed.

At the time of resignation, accrual of sick leave and personal leave will cease. After resignation has been submitted, during final (2) two weeks of employment, if employee calls in sick, employee will not receive pay for those sick days. The employee will be paid for unused vacation days (if applicable), and may collect pay for 50% of their sick leave which they have accumulated up to a maximum of 45 days' pay. Retirement benefits cease on date of termination. Employees will only be paid for the days they work.

Monies in IMRF are governed by IMRF prevailing rules.

Administrator and Supervisors are requested to give four (4) weeks' notice of resignation.

Former employees who are re-employed will assume new start date (regardless of elapsed time).

LAYOFF

The Administrator may lay off any employee because of budgetary or work curtailment within the Department. The employee will be informed as early as possible about the anticipated lay off.

Employees' hours may be adjusted based upon the need of the Department.

Vacation time, sick leave, personal leave and retirement fund benefits cease at midnight on the date of layoff. Employee will be compensated for any accrued vacation time and 50% of accrued sick leave.