



PERSONNEL POLICY MANUAL

FOR THE

VILLAGE OF WHEELING

Effective December 16, 1985

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ARTICLE I

ADMINISTRATION

1.01 Responsibilities of Personnel Director:

The Village Manager shall be the Personnel Director for the Village. He is responsible for establishing personnel policies and administering them fairly and consistently. He is responsible for all personnel programs, actions and employment. The Village Manager may appoint a Personnel Officer to carry out the administrative tasks necessary to accomplish a broad range of personnel functions. The Personnel Officer may concurrently have another title.

1.02 Responsibilities of Personnel Officer:

1.021 The Personnel Officer provides responsible administration of the personnel policies, programs and services for the Village as directed by the Village Manager.

1.022 The Personnel Officer shall be responsible for maintaining a centralized personnel system to include the official personnel files on all sworn and non-sworn employees. These files shall be confidential to the extent allowed by law and shall contain the complete history of each employee during his or her employment by the Village. The files shall consist of, but not be limited to, employment application and resume, educational transcripts, records relating to hiring, promotion, demotion, transfer, layoff, and rates of pay, commendations, reprimands, performance evaluations, merit reviews, education and special training, and termination records. Access to an employee's personnel file shall be limited to the employee, Village Manager, Personnel Officer, employee's department head, such agents of the village as the Village Manager may designate, and authorized federal and state agencies. Written permission shall be obtained from the employee or anyone else desiring to review the employee's personnel file. These files will be reviewed within the confines of the Human Resources Department with a member of the Human Resources Department present. {Revised April 6, 2009}

1.03 Responsibilities of Management:

1.031 It is the responsibility of management to inform employees of their responsibilities, duties, and rights in matters of personnel and operational policies. This information is a necessary prerequisite of a well-informed employee. Learning and understanding the contents of the various policies is an educational process. All staff members are expected to read the manual and to refer to it whenever they have a problem or question.

1.032 Personnel information from an internal investigation of non-sworn employees will be placed in a sealed envelope, marked "Confidential," and put

into the employee's personnel file in the centralized personnel file. The Village Manager will have discretion to determine, on a case by case basis, who may be provided with this information. Personnel information on internal investigations of sworn personnel will be placed in a sealed envelope, marked "Confidential," and put into the employee's personnel file in the respective department. Such file will be accessible only to the department head, Village Manager, and Personnel Officer and such agents of the Village as the Village Manager shall designate. An employee or representative of the employee shall have the right to review those contents of the employee's personnel file as are required to be disclosed under applicable state law.

1.033 The Personnel Policy Manual will be administered in accordance with all applicable federal and state law.

ARTICLE II
EMPLOYEES'
CODE OF ETHICS

2.01 Performance of Services

2.011 Employees have an obligation to maintain a consistently high standard of conduct in serving the public and in their relationships with fellow employees. Courtesy, honesty and integrity are mandatory.

2.012 All services shall be performed in an impartial manner. Employees shall assume the responsibility to preserve and protect Village property.

2.013 Loyalty to fellow workers and a spirit of courteous cooperation, whether between individuals or departments, are essential in order to effectively deliver Village services.

2.014 Personal information obtained through contact with citizens of the Village, or through any other source, must remain confidential, (i.e., water bill payments, insurance information) except to the extent required to be disclosed pursuant to the Illinois Freedom of Information Act.

2.015 Employees shall not accept gifts from those doing business with the Village; except under the limited circumstances set forth in the State Officials and Employees Ethics Act 5 ILCS 430/10-10-40 as adopted by the Village of Wheeling in Section 2.06.130 of the Wheeling Village Code. The following gifts are permitted:

- A. Opportunities, benefits and services that are available on the same conditions as for the general public. 5 ILCS 430/10-15(1).
- B. Anything for which the officer or employee pays the market value. 5 ILCS 430/10-15(2).
- C. A political contribution, or attendance at a fund-raising event sponsored by a political organization or candidate. 5 ILCS 430/10-15(3).
- D. Educational materials and missions. 5 ILCS 430/10-15(4).
- E. Travel expenses for a meeting to discuss the municipality's business. 5 ILCS 430/10-15(5).
- F. A gift from a relative, (the officer or employee's 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, the father, mother, grandfather, or grandmother of the officer's or employee's spouse or the officer's or employee's fiancé or fiancée). 5 ILCS 430/10-15(6).

- G. A gift as a result of a personal friendship unless the officer or employee has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the officer or employee, and not because of the personal friendship. 5 ILCS 430/10-15(7). In determining whether a gift is provided on the basis of personal friendship, the recipient must consider the circumstances under which the gift was offered, such as:
1. 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;
 2. whether to the actual knowledge of the officer or employee, the individual who gave the gift personally paid for the gift or sought in a tax deduction or business reimbursement for the gift; and
 3. whether to the actual knowledge of the officer or employee, the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees.
- H. Food or refreshments not exceeding seventy-five dollars (\$75.00) per person in value on a single calendar day; provided that the food or refreshments are
1. consumed on the premises from which they were purchased or prepared, or
 2. catered. For the purposes of this exception, "catered" means food or refreshments that are purchased ready to eat and delivered by any means. 5 ILCS 430/10-15(8).
- I. Food, refreshments, lodging, transportation, and other benefits resulting from the outside business or employment activities (or outside activities that are not connected to the duties of the officer or employee) of the officer or employee or the spouse of the 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. 5 ILCS 430/10-15(9).

- J. Intra-governmental and inter-governmental gifts. 5 ILCS 430/10-15(10). For the purposes of the Act, such gifts relative to municipal officers or employees include:
1. any gift given to an officer or employee of the municipality from another officer or employee of that municipality; or
 2. any gift given to an officer or employee of the municipality from an officer or employee of another municipality, or an officer or employee of a federal agency, a state agency, or any other governmental entity.
- K. Bequests, inheritances, and other transfers at death. 5 ILCS 430/10-15(11).
- L. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than one hundred dollars (\$100.00). 5 ILCS 430/10-15(12).

2.016 Employees are bound by the Village of Wheeling's Ethics Ordinance (Title 2, Chapter 2.06 of the Wheeling Municipal Code) attached as Appendix Item #1.

2.02. Political Activity

Employees shall not be hired by the Village of Wheeling on the basis of their political activity or affiliation.

2.021 No employee shall use the prestige of his position in behalf of any political party.

2.022 No employee shall orally, by letter, or otherwise, by use of official authority or influence, solicit or be concerned in soliciting any assessment, subscription or contribution to any political party; nor shall he be a party to such solicitation by others.

2.023 No employee shall promise an appointment to any Village position as a reward for any political activity.

2.024 No employee shall display, cause to be displayed or permit the display of campaign materials, pamphlets, or buttons on Village vehicles or on Village property.

2.025 No employee shall conduct any campaign or political activity while on duty or while wearing a uniform normally identified with the Village

2.026 No employee shall conduct any campaigning or political activity on Village property.

ARTICLE III

RECRUITMENT AND SELECTION OF EMPLOYEES

3.01 Responsibility for Recruitment and Selection

3.011 The Village Manager is appointed by the Village President and Board of Trustees and, with the exception of those positions specifically provided for in the Municipal code and those positions under the jurisdiction of the Board of Fire and Police Commission, is responsible for the appointment of all Village employees. The Village Manager, or his designee, coordinates the selection process for all applicants and assists Department Heads in the recommendation of a final candidate.

3.012 The Village Manager is authorized to negotiate salary and benefit levels which are beyond the scope of the provisions of the Personnel Policy Manual, subject to approval by the Village President and Board of Trustees, as may be necessary to meet the needs of the Village of Wheeling to continue to attract and employ highly qualified personnel. This authority shall not supersede any provisions of the collective bargaining agreements to which the Village of Wheeling is a party.

3.02 Equal Employment Opportunity

3.021 The Village of Wheeling is an equal opportunity employer. The Village does not discriminate or make any employment decision on the basis of race, color, religion, national origin, ancestry, age, sex, gender, sexual orientation, marital status, handicap or disability status, genetic background, military status, unfavorable discharge from military service, or any other characteristic that is currently protected by applicable law. {Revised May 20, 2013}

3.022 The Village does not discriminate against qualified handicapped or disabled persons where reasonable accommodation can be made for employment, transfer or promotion, unless to do so would cause an undue hardship for the Village. {Revised May 20, 2013}

3.023 Any applicant or employee who feels adversely affected in the opportunity for employment or advancement because of such discrimination shall have the right to appeal in writing to the Personnel Director within thirty (30) days of the alleged act. The Personnel Director shall conduct an investigation and render a decision with respect to such appeal.

3.03 Determination of Need for New or Additional Personnel

3.031 Each Department Head is responsible for notifying the Personnel Director as far in advance as possible of any requirements for new or additional personnel, setting forth the number of employees required and all relevant criteria (such as desired education, training, experience, etc.) subject to the Personnel Director's approval. Normally; requests for additional personnel are made as part of the departmental budget requests; replacement personnel should be requested as soon as the Department Head becomes aware that a vacancy will occur. The Personnel Director shall approve all requests for personnel.

3.032 The Village of Wheeling adopts a policy of filling vacancies from among existing employees, where deemed by the Personnel Director to be in the best interests of the Village to do so. In no event shall the Personnel Director be bound to fill a vacancy by transfer or promotion of an existing employee.

3.033 A vacancy shall be announced by the distribution of an in-house position opening memorandum to each department. The Personnel Director, in his discretion, may simultaneously initiate the recruitment process for new employees, with a view toward filling the vacancy. The methods which may, in the discretion of the Personnel Director, be used in the process of recruiting new employees, include:

- A. advertisement of the available position in the employee newsletter;
- B. advertisement of the position in newspapers, professional journals and on appropriate websites;
- C. contacts with professional organizations;
- D. contacts with educational institutions;
- E. contacts with employment offices;
- F. walk-in inquiries.

{Revised April 6, 2009}

3.04 Selection Process

3.041 It is the express policy of the Village of Wheeling to consider a resume as a bona fide job application only under the following conditions:

- A. An opening exists for the position being applied for; and
- B. The application or resume specifically indicates the position being applied for.

- C. No application will be accepted except at the time a vacancy exists. The Village reserves the right to limit the number of applications and period of time during which applications will be accepted for any given vacancy.

3.042 Applications for employment shall be submitted to the Personnel Officer on a prescribed employment application form or resume, if otherwise requested. The application form shall be completed in its entirety, and any evidence of falsification or fraud in the form or resume may be grounds for discharge or disqualification from consideration for employment.

3.043 The screening of all non-sworn personnel is the responsibility of the members of staff appointed for this purpose by the Personnel Director. This will usually consist of the prospective employee's immediate Supervisor, Department Head, Personnel Officer, and other staff members as may be appropriate. This group will make an advisory recommendation to the Personnel Director who will make the final decision. The Personnel Officer may reject any application which indicates that the candidate does not possess the minimum qualifications required for the position. The selection process may include the following steps: {Revised April 6, 2009}

- A. Screening of applications on the basis of previous experience, training, and special abilities;
- B. Screening interview;
- C. Job-related pre-employment tests;
- D. Investigation of previous employment history and personal references;
- E. Polygraph examination;
- F. Job-related individual assessment.

3.043 Upon completion of the selection process, the successful candidate may be offered the position. Such offer of employment shall be contingent upon successfully completing the post-offer pre-employment physical, subject to the requirements of the Americans with Disabilities Act or other applicable law. The entire cost of the examination will be at the expense of the Village. The results of the pre-employment physical must be received and the employee must be cleared for the position prior to the first date of employment. Temporary/seasonal employees may be exempted from this provision.

3.044 The screening of all sworn personnel, except the Fire and Police Chiefs and any other exempt personnel, is the responsibility of the Board of Fire and Police Commissioners. Examinations will be conducted pursuant to State statutes and Board of Fire and Police Commission regulations.

3.045 Department heads and supervisors do not have the authority to employ or make commitments to any candidate. All such offers of employment will be made through the Personnel Director.

3.05 Types of Employment

3.051 All employees of the Village, except for non-probationary sworn employees and employees covered by a collective bargaining agreement, are employees at will who may be disciplined or discharged at any time, with or without cause or notice. There are four types of employment to positions in the Village organization, including:

- A. Temporary/Seasonal Employment – refers to employees appointed to work for a limited and defined period of time. Successive temporary appointments of the same position shall be reviewed by the Personnel Director. Temporary/Seasonal employees shall not be entitled to any indirect compensation (fringe benefits), except those required by law.
 - 1. In the event of an absence from work of a regular employee, a Department Head may, with the approval of the Village Manager, hire a temporary employee to perform the work of the absent regular employee for a limited and defined period of time, as may be appropriate and necessary.
- B. Regular, Part-time Employment of No More than Twenty (20) Hours per Week – refers to employees in a regular position who work an average of no more than twenty (20) hours per week within the fiscal year. Regular Part-time employees of no more than twenty (20) hours per week shall not be entitled to any indirect compensation (fringe benefits), except those required by law.
- C. Regular, Part-time Employment Over Twenty (20) Hours per Week – refers to employees in a regular position who work an average of over twenty (20) hours per week within the fiscal year.
- D. Regular Full-time Employment – refers to employees in a regular position who work the normal tour of duty for their classification.

{Revised April 6, 2009}

ARTICLE IV

RIGHTS OF EMPLOYMENT

4.01 Employment Relationship

4.011 The term non-sworn employees shall mean all employees of the Village of Wheeling hired by the Personnel Director and all exempt employees within the Fire and Police Departments.

4.012 The term sworn employees shall mean all employees appointed by the Board of Fire and Police Commissioners and holding the rank of Patrol Officer or Sergeant within the Police Department or Firefighter, Firefighter/Paramedic, Lieutenant or Lieutenant/Paramedic within the Fire Department. The term sworn employee shall not refer to exempt personnel within these departments unless the employee has in addition to his exempt position a permanent Board of Fire and Police Commission rank.

4.013 Non-sworn employees of the Village of Wheeling shall have no right to continued employment by the Village, the relationship being an employment at will. Sworn personnel shall be governed by the Rules and Regulations of the Board of Fire and Police Commission.

4.02 Promotions

4.021 Promotion to a position in a higher pay range shall be based upon merit, qualifications, experience, and the ability to fulfill the essential functions of the position. An employee who is promoted shall be placed at a step in the new salary range that provides him with a minimum of a 5% salary increase, unless the salary range does not provide such an increase. All promotions are made by the Department Head upon recommendation to and approval by the Personnel Director (except for positions under the jurisdiction of the Board of Fire and Police Commission).

4.022 When a position vacancy occurs, it shall be announced by the distribution of an in-house position opening memorandum to each department. Employees who are being considered for promotion will, unless otherwise authorized by the Personnel Director, be competing for the position with qualified individuals from outside the organization. The Personnel Director shall give such consideration as he deems appropriate to filling such vacancy from among existing employees of the Village. In no event shall the Personnel Director be obligated to do so, or to make any promotion from current personnel.

4.03 Transfers

4.031 A transfer is the assignment of a non-sworn employee to a vacant position. The Village reserves the right to transfer employees as it sees fit based on the needs of the Village and the qualifications of the employee.

4.032 The Personnel Director will advise the transferred employee prior to the employee's beginning work in the new position of the conditions of the transfer, at which pay grade and step the employee will be paid. An employee who is transferred laterally from one department to another will assume his duties as directed.

4.04 Nepotism

4.041 It is the policy of the Village that employment and personnel decisions shall not be made on the basis of nepotism, or under circumstances which reasonably create the appearance of nepotism to the public.

4.042 Under this policy:

- A. The Village will discourage the hiring of more than one member of a family, or having more than one relative in its employ at any time. However, despite an apparent conflict with this policy, the best candidate for a position will be employed as long as such employment does not conflict with paragraph (E) of this section.
- B. A "relative" or "family member" includes immediate family, i.e., mother, father, sister, brother, spouse, son, daughter, step mother, step father, step sister, step brother, step son or step daughter.
- C. "Employment" does not include uncompensated service on Village commissions or boards, but does include elected Village officials, and does include service on the Board of Police and Fire Commissioners with respect to sworn personnel.
- D. This Village policy does not apply to employees whose hiring precedes the election and candidacy of a member to a Village office.
- E. Subject to paragraph (D), the following employment shall be prohibited:
{Revised January 3, 2022}
 - 1. hiring relatives of elected officials or the Manager;
 - 2. hiring relatives of Directors in any department;

3. hiring a second family member in the same department in which a relative currently works, whether or not the current employee-relative is in a supervisory position.
4. The provisions of this policy do not apply to employment conducted in accordance with the rules and regulations of the Board of Fire and Police Commission.

4.043 This nepotism policy shall be subject to all anti-discrimination requirements and affirmative action obligations as may be applicable to the Village under Federal or State laws or regulations, or with respect to particular projects, grants or contracts funded by other governmental agencies.

4.05 Reference Checks

4.051 All requests for information on a present or previous employee shall be referred to the Personnel Officer. Verbal requests for personnel information should be directed to the Personnel Officer who may verbally release only the employee's position title, employment date and termination date. {Revised April 6, 2009}

4.052 Requests for additional information shall be in writing to the Personnel Officer for appropriate response. {Revised April 6, 2009}

4.06 Employee Suggestions

Employees are encouraged to bring any suggestion(s) regarding methods of work, work routines, or any aspect of the work situation to their respective Supervisors, Department Heads, or to the Personnel Director or Personnel Officer. All employee suggestions regarding the improvement of Village service will be given careful consideration and a response will be made.

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ARTICLE V

THE POSITION CLASSIFICATION PLAN

5.01 Description of the Plan

5.011 Each position in the Village organization is classified according to the significant duties and responsibilities which it involves. A class is a group of positions which involve similar duties and responsibilities. The Classification Plan is a collection and organization of descriptions of the duties and responsibilities involved in the positions of each class in the Village service. The Plan is organized according to the titles of the various classes, and each position description includes specifications of the nature of the work involved, desirable knowledge, ability, skills, experience, training, and necessary special requirements.

5.012 The Classification Plan serves as a vehicle for the systematic and equitable treatment of personnel matters in the Village organization. The standardization of class titles and maintenance of position descriptions according to class provides a complete inventory of all current positions in the organization, and makes possible the application of the principle of equal pay for equal work throughout the Village service.

5.02 Change in Duties

It is the responsibility of each Department Head to report to the Personnel Director any significant changes in the duties and responsibilities of any position within that department involving either the addition of new assignments or the modification of existing assignments.

5.03 Reclassification

5.031 Reclassification or upgrade of a position resulting from a change in duties shall be based on the preparation of a draft job description by the Personnel Officer, a thorough job analysis, and salary survey. Employees may be asked to provide information on job duties during the course of a reclassification. {Revised April 6, 2009}

5.032 The Personnel Director may appoint a management team consisting of the Personnel Officer and a representative from each department to review such changes and make a recommendation on a reclassification of the position. {Revised April 6, 2009}

5.033 An employee whose position is reduced in rank or grade by reallocation because of a loss of duties or responsibilities after appointment to such position will not be lowered in pay. However, the salary of such an

employee may be "red circled," which means that he will receive no increases or any general adjustments to the pay plan until such time as his salary falls into synchronization with the pay grade of that job classification.

5.034 When requirements for a classification are revised, but the duties and responsibilities remain essentially unchanged, incumbents in these positions who qualified under the previous requirements for that classification will be considered qualified under the new classification.

5.035 There will be no change in review date for incumbents in reclassified or upgraded positions.

5.04 Maintenance of the Plan

5.041 The Personnel Director is responsible for the maintenance of the Position Classification Plan so that an equitable schedule of pay may be applied to all positions in the same class under the same or substantially the same employment conditions.

5.042 The Village may, in its discretion, change or alter the pay plan, with or without notice.

5.043 When a new position is created in the Village organization, the Personnel Director will analyze the duties and responsibilities involved and will place the position into the appropriate class as a result of this analysis.

5.044 Should an employee be transferred permanently to another position, he will normally be placed in the classification corresponding to the position to which he has been transferred. Where there is a question regarding the proper classification of a transferred employee, the Personnel Director will make the final determination on classification.

5.045 The Position Classification Plan is reviewed periodically by the Personnel Director to determine the need for addition, deletion or revision of any of the position descriptions or classification schedules contained in the Plan. In preparation of the beginning of a new salary year, a Department Head may request that a position (or positions) within his department be reviewed to determine whether the current position description is accurate and whether the position is properly classified. {Revised April 6, 2009}

5.046 Any Village employee who believes that the duties and responsibilities of his position are not adequately reflected in the review of the job description and the current classification of the position by his Department Head may discuss the matter with his Supervisor. Upon recommendation by the Department Head to the Personnel Director, he will review the employee's

classification and determine which action, if any, is appropriate as a result of that analysis.

5.047 Position classifications specially covered under a collective bargaining agreement are exempt from this Article V.

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ARTICLE VI

PERFORMANCE EVALUATION

6.01 Objective

6.011 A formalized program for evaluating the work performance of all employees in the Village's service shall be maintained. The Personnel Director, in cooperation with Department Heads, will administer a system of rating employee performance. The standards of performance recommended as a basis of such rating will have reference to the quality and quantity of work done, the manner in which the work is done, the conduct of employees and faithfulness to their duties, and other characteristics which measure the value of the employee.

6.012 The purpose of these evaluations is to enable employees and supervisory personnel to work together to improve job performance and, therefore, the service provided to the citizens of the Village. The job performance evaluation will be discussed with the employee involved. The employee will have the space provided and the right to comment on the rating. The employee as well as all individuals involved in the rating process will be required to sign and date the form. A copy will be forwarded to the employee.

6.013 Performance evaluations may also be used in determining dismissal; as a basis for salary increases or decreases; as a factor in determining order of layoff; as a basis for training, promotions, demotions and transfers; and for such other purposes as may be set forth in this manual. Satisfactory performance evaluations, however, shall not be deemed to create any right to continued employment with the Village of Wheeling.

6.02 Procedure

6.021 Each department shall prepare on forms prescribed by the Personnel Officer, records of the performance of each employee. Job performance evaluations for all personnel, including sworn and non-sworn personnel, will be due at the end of three (3) and six (6) months of employment for new employees, and annually thereafter for all personnel based on their anniversary date.

6.022 The Personnel Officer will be responsible for notifying the Department Head of the employee's performance evaluation date, at which time the performance interview and job performance evaluation are due.

6.023 The Personnel Director may make exceptions to the performance evaluation procedure where appropriate.

6.024 Performance evaluations will be treated as confidential. No public disclosure of an employee's performance evaluation shall be made without the

permission of the employee, or the employee and the Village Manager, except as required by law. {Revised April 6, 2009}

ARTICLE VII

EMPLOYEE COMPENSATION

7.01 Definition

Compensation represents a series of potential rewards of vital importance to employees. Direct compensation includes wages and salaries for a job. Indirect compensation includes fringe benefits such as vacation and holidays, pensions, health and life insurance, savings plans, paid leaves of absence, and legally required benefits such as Social Security.

7.02 Compensation for Union Employees/Non-Union Employees

Compensation, both direct and indirect, for employees who are members of a collective bargaining unit shall be determined by the applicable collective bargaining agreement.

All employees not covered by a collective bargaining agreement shall be compensated both directly and indirectly in accordance with the provisions of Articles VIII through XI herein.

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ARTICLE VIII

DIRECT COMPENSATION

8.01 Pay Plan

Pay plans consist of a salary range for each class of positions in the Village organization. All regular positions are included in a pay plan, with the exception of the Village Manager (Personnel Director), Assistant Village Manager and Department Heads. Salaries for these latter positions are individually established and reviewed by the Personnel Director. Temporary/seasonal employees are paid on an hourly basis; hourly rates of pay are established at competitive levels. The Village may change or alter the classification plan in its discretion, with or without notice. {Revised July 17, 2023}

8.02 Salary Range

The salary range for each class is determined by a number of factors, including, the duties and responsibilities involved, prevailing rates for comparable work in the public sector, the maintenance of salaries for the various classifications in correct relation to one another, and the financial situation of the Village government.

8.03 Responsibility for the Administration and Maintenance of the Compensation Plan

The Personnel Director shall administer salary plans for all employees subject to the salary plans of the Village of Wheeling, as are approved by the Village Board. The salary plans shall provide for uniform and equitable starting rates of pay and for subsequent rates that are fair and reasonable compensation for the types of employment and services rendered. The pay plans may also include other provisions to assist in the administration of good personnel practices for the Village of Wheeling.

8.04 Salary at Appointment:

Normally, initial appointments are made at the minimum step of the appropriate salary range. If a new employee more than meets the minimum qualifications, he or she may be appointed at a higher step within the appropriate salary range.

8.05 Salary Adjustments: {Revised July 17, 2023}

8.051 The Village of Wheeling has a policy of merit/step salary increases. Salary step increases are generally made annually provided

the employee is meeting the expectations of the position, as recommended by the employee's Supervisor and Department Head and approved by the Personnel Director.

8.052 Each Department Head is responsible for recommending to the Personnel Director merit/step salary increases. Justification for the salary increase must accompany the request. The Personnel Director shall have the authority to approve salary.

8.053 The purpose of the merit/step salary system is to evaluate the performance of the employees of the Village in the accomplishments of their assigned duties and responsibilities. In evaluating an employee's performance, it is necessary to take factors into consideration that have a direct relationship to the accomplishment of work assignments. These factors include, but are not limited to, job industry, job knowledge, job dependability, job attitude, public relations, and supervisory skills.

8.054 As new employees become more knowledgeable and proficient in the duties and responsibilities of their position, they are eligible to progress through the salary range.

8.06 Anniversary Dates

The employee's anniversary date will be the first day of regular part-time employment over twenty (20) hours per week, or the first day of regular full-time employment, whichever is earlier. Eligibility for participation in pension plans shall be in accordance with the requirements of the respective pension plan and may be based on the employee's anniversary date. Eligibility for participation in insurance plans is based on the employee's anniversary date. Employees who terminate their employment with the Village and are subsequently rehired as full-time employees shall have an anniversary date as of their latest full-time employment date. Seniority shall not accumulate and is interrupted for employees while on layoff, unpaid leave of absence, or a non-service related disability pension. When an employee returns from a layoff, unpaid leave of absence, or a non-service related disability pension, his seniority shall be for his length of service up to the date of layoff, the beginning of an unpaid leave of absence, or the beginning of a non-service related disability pension. {Revised April 6, 2009}

8.07 Tour of Duty

8.071 Employee tour of duty shall be as set forth by administrative direction of the Personnel Director and may be amended from time to time as necessary. The tour of duty in certain departments may be altered at the discretion of the Personnel Director depending upon operating needs.

8.072 Recorded time for hours worked must be rounded to the nearest increment of fifteen (15) minutes.

EXAMPLE: 0 - 7 = 0 minutes
8 - 22 = 15 minutes
23 - 37 = 30 minutes

8.073 An employee who, for any reason, will be arriving at work after the normal starting time must inform his or her Supervisor as soon as possible. Excessive tardiness may result in disciplinary action.

8.08 Pay Periods

8.081 All employees are paid bi-weekly for a total of twenty-six (26) pay periods per year.

8.082 Employees separating from employment in the middle of a pay period will be paid for the actual time worked during that pay period, subject to all appropriate deductions

8.09 Pay Day {Revised July 17, 2023}

8.091 The Village pays employees through electronic direct deposit, and employees receive notification of such deposit during each pay period. Such notification includes information on payroll deductions, leave use and balances, etc.

8.092 Electronic direct deposit will only be made directly to employees and not to members of the employee's family or anyone else unless directed by the employee in writing.

8.10 Payroll Deductions

Automatic payroll deductions will be made for Federal and State income tax purposes, Social Security and pension fund contributions. Optional deductions must be approved by the Personnel Director and may include medical insurance, life insurance, association membership dues, credit union, and Village-approved deferred compensation and post-retirement health care plans.

8.11 Overtime

8.111 The Village classifies employees as exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and State law, or eligible for overtime under Federal and State law. Applicable labor agreements address such requirements as applied to bargaining unit employees. These rules provide for overtime for unrepresented

employees, including temporary employees, who are eligible for overtime under Federal or State law:

- A. If an employee believes he is improperly classified under these laws, he shall ask for a review of said classification by the Personnel Director. The question of classification shall be reviewed on a timely basis, and the Village will act to correct any errors as soon as possible.
- B. If an employee believes he or she has been improperly paid under the overtime provisions of Federal or State law, it is the responsibility of the employee to seek immediate correction of any error within twenty (20) working days of the close of the payroll period in which the error is believed to have occurred, and the Finance Department will act to investigate and correct any such error within a reasonable time period.
- C. The Village shall make no improper deductions from pay for any employee, regardless of exempt or non-exempt status, and shall act to reimburse an employee for any improper pay deductions, once reported to the Finance Department. The Village prohibits retaliation, in any form, against any employee who makes a complaint under this Policy or participates in the Village's investigation of such a complaint.
- D. The Village shall continue to make a good faith commitment to comply with all applicable provisions of the FLSA and State law, and the Village intends that this policy of correction shall satisfy the "safe harbor provisions" of the FLSA regulations, as may be amended from time to time. {Revised July 17, 2023}

8.112 Village policy governing the use of overtime by the various departments in the Village requires that all scheduled overtime must be approved in advance by the employee's Supervisor.

8.113 In the case of employees such as administrative, professional and supervisory personnel, it is implicit in the nature of their position that time beyond the normal work schedule may often be required. These employees are not normally eligible for overtime compensation. In extraordinary circumstances and at the discretion of the Personnel Director, additional compensation for such employees for work beyond the normal work schedule may be granted. {Revised July 17, 2023}

8.114 Overtime compensation for Village employees (except sworn Police and Fire personnel) shall be paid for all work performed in excess

of forty (40) hours during a seven (7) day work cycle at time and one-half (1.5) the regular base rate.

8.115 Overtime provisions contained within collective bargaining agreements shall take precedence over Personnel Policy provisions.

8.116 The FLSA non-exempt clerical employee called back to work overtime shall receive a minimum of overtime of two (2) hours.

8.117 FLSA non-exempt employees acting as police matrons who are required to work overtime shall be compensated as follows:

- A. From the end of the normal workday to midnight, a minimum of two (2) hours.
- B. Between midnight and 6 a.m., a minimum of three (3) hours at time and one-half (1.5).
- C. Between 6 a.m. and beginning the normal workday, compensation for hours actually worked at time and one-half (1.5).

8.118 At the discretion of the Department Head or Personnel Director, compensatory time in lieu of overtime may be authorized in accordance with all applicable laws. Employees may accumulate up to a maximum of forty (40) hours of compensatory time at any one time during a given year measured May 1 through the following April 30. Employees shall be permitted to use accrued compensatory time, within such year and within a reasonable period after it is requested so long as to do so would not, in the discretion of the Department Head, unduly disrupt the operations of the Department. All accrued compensatory time not used within such year shall be bought back by the Village on or before April 30th of each year. {Revised July 27, 2015}

8.12 Extra Duty

In accordance with the applicable rules and regulations of the Fire Department or Police Department, employees may perform extra duty under the direction of their respective Chief. During such extra duty, all personnel assigned to this type of duty will function legally and operationally as employees of the Village of Wheeling's respective departments, without interruption of Workers' Compensation or their pension rights.

8.13 Outside Employment

8.131 Village employees shall not participate in outside employment that in any way interferes with the employee's regular duties,

responsibilities or work performance with the Village as determined by the Personnel Director.

8.132 Sworn employees shall be subject to the rules and regulations of their respective departments regarding outside employment.

8.14 Operational Area

The Police Department personnel and Fire Department personnel may function under this policy only within the Village of Wheeling, and within other appropriate legal jurisdictions, provided the services rendered are performed with the knowledge, consent, and authority of the governmental agency having legal jurisdiction.

ARTICLE IX

INDIRECT COMPENSATION AND BENEFITS

9.01 Definition

The Village offers a fine program of indirect compensation to all of its full-time employees. Indirect compensation includes health and life insurance, pensions, uniform allowance, longevity, tuition reimbursement, and leaves of absence. Regular part-time employees over twenty (20) hours per week are entitled to certain indirect compensation based on a percentage of hours worked compared to a normal work week. Temporary, seasonal and regular part-time employees of no more than twenty (20) hours per week are not entitled to indirect compensation, except that required by law. {Revised April 6, 2009}

9.02 Holidays

9.021 The Village recognizes the following holidays for employees:

| | |
|------------------|-------------------------|
| New Year's Day | Columbus Day |
| President's Day | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Independence Day | Christmas Day |
| Labor Day | Three (3) Personal Days |

9.022 If the official holiday falls on a Saturday, the preceding Friday shall be recognized as the official holiday. If the official holiday falls on a Sunday, the following Monday shall be recognized as the official holiday.

9.023 An employee who is hired on or after May 1 and prior to November 1 shall be entitled to three (3) personal days to be used no later than the following April 30. Employees hired on or after November 1 and prior to the following January 31 will be entitled to one and one half (1-1/2) personal days to be used no later than the following April 30. Employees hired on or after February 1 will not be entitled to any paid personal time for the period ending on the immediately following April 30. An employee must have at least three (3) months' employment with the Village of Wheeling to qualify for and use up to a maximum of one and one half (1-1/2) paid personal days and an additional three (3) months' employment to qualify for the additional one and one half (1-1/2) paid personal days.

9.024 Personal days may be used on an hourly basis, with a minimum of two (2) hours. Employees must take personal days during the period commencing May 1 and ending the following April 30 in which they are granted. Should an employee terminate employment with the Village, the Village will pay the employee for that portion of the personal days unused for the current May 1 through April 30 period.

Regular part-time employees over twenty (20) hours will receive holiday pay for all hours that the employee would normally be scheduled to work on an actual holiday. If said regular part-time employee would not normally be scheduled to work the day on which a holiday falls, the employee will not receive holiday pay for that day. Regular part-time employees scheduled to work over twenty (20) hours per week receive personal days based on the percentage of their work week as compared to a regular full-time employee in their department. {Revised June 15, 2020}

9.025 Unless financially compensated as Holiday Pay, to receive payment for a holiday, an employee must work on the last scheduled day prior to the day the holiday is observed, unless the employee's absence on this day is a verified excused absence approved by his Supervisor, and report to work on the first scheduled work day after the holiday is observed unless the employee's absence on this day is a verified excused absence approved by his Supervisor.

9.026 Employees shall be entitled to a substitute holiday or substitute hours for hours worked when required to work on a recognized Village holiday. Substitute holiday or substitute hours shall be used within one hundred twenty (120) days after the holiday occurs. In no event, however, shall employees substitute holiday hours more than thirty (30) days in advance of the holiday. Any exception to this rule must be approved by the Personnel Director.

9.027 All employees must utilize holiday time during the period beginning May 1 through the following April 30 in which it is accrued.

9.028 If an employee is on a leave of absence without pay on the days immediately before and/or after an official holiday, he will not receive pay for or time off in lieu of the holiday.

9.03 Vacation {Revised August 5, 2019}

9.031 All regular full-time employees will accrue vacation leave with pay. Regular part-time employees over twenty (20) hours will accrue vacation pay based on the percentage of their regular workweek as compared to a full-time employee in their department.

9.032 Temporary/seasonal, and regular part-time not more than twenty (20) hours will not be eligible for vacation leave. Regular part-time employees of the Village who do not work over 20 hours per week shall be provided with an amount of paid leave equivalent to one (1) day of paid leave (based on their regular work schedule) on May 1st of each year, or on their 90th day of employment whichever occurs later, for use during the period of May 1st to April 30th. Seasonal and temporary employees of the Village shall be provided with an amount of leave equivalent to one (1) day of paid leave (based on their regular work schedule) on May 1st of each year or on their 90th day of employment, whichever occurs later, for use the period of May 1st to April 30th. Unused paid leave provided to part-time seasonal and temporary employees shall expire at

the end of the applicable calendar year and shall not carry over or be paid to the employee upon separation. {Revised December 4, 2023}

9.033 The Vacation Leave Year runs from May 1 through April 30. Employees shall generally not be eligible to use vacation until they have been employed for six (6) months. For employees who are hired on or after May 1 but on or before October 31, the vacation leave bank will be credited with a full five (5) days to be used after the employee has been employed for six (6) months, but by the following April 30 (unless due to the hire date, the calendar does not allow, in which case the Personnel Director shall have the discretion to either allow vacation earlier than indicated and/or roll vacation into the next leave year), and will have a full ten (10) days in their vacation leave banks for use on the following May 1 through the following April 30. Employees hired on or after November 1 but on or before the following April 30 will have a full ten (10) days in their vacation leave banks for use on May 1 through the following April 30, but cannot use that vacation until having been employed for six (6) months.

9.034 Following the period identified in Section 9.033, the following is the schedule for vacation accrual for all regular full-time employees, other than the Assistant Village Manager and Department Heads: {Revised June 15, 2020}

| | |
|---|---------|
| Less than 6 years | 10 days |
| At or over 6 years, but less than 12 years | 15 days |
| At or over 12 years, but less than 18 years | 20 days |
| At or over 18 years | 25 days |

For Sworn Fire Shift Personnel: {Revised January 3, 2022}

| | |
|---|--------------|
| Less than 3 years | 5 duty days |
| At or over 3 years, but less than 6 years | 6 duty days |
| At or over 6 years, but less than 12 years | 8 duty days |
| At or over 12 years, but less than 18 years | 11 duty days |
| At or over 18 years | 13 duty days |
| At or over 24 years | 14 duty days |

For Department Head and the Assistant Village Manager positions, such employees who are hired on or after May 1 but on or before October 31, the vacation leave bank will be credited seven and one-half (7.5) days to be used after the employee has been employed for six (6) months, but by the following April 30 (unless due to the hire date, the calendar does not allow, in which case the Village Manager shall have the discretion to either allow vacation earlier than indicated and/or roll vacation into the next leave year), and will have a full fifteen (15) days in their vacation leave banks for use on the following May 1 through the following April 30. Such Department Head or Assistant Village Manager employees hired on or after November 1 but on or before the following April 30 will have a full fifteen (15) days in their vacation leave banks for use on May 1 through the following April 30, but cannot use that vacation until having been employed for six (6) months (unless otherwise approved by the Village Manager).

Thereafter, the schedule for vacation accrual for the Assistant Village Manager and Department Heads is, as shown below:

| <u>Years of Service</u> | <u>Days of Annual Vacation</u> |
|---------------------------------------|--------------------------------|
| After 1 year, but less than 6 years | 15 days |
| After 6 years, but less than 18 years | 20 days |
| After 18 years | 25 days |

The Village Manager may deviate from the vacation schedule at any time in the event that it is necessary to attract or retain qualified and experienced candidates.

9.035 An employee who is in pay status for at least fifteen (15) calendar days will accrue full vacation credit for the month. An employee who is not in pay status for at least fifteen (15) calendar days will accrue no vacation credit for the month.

9.036 Vacation leave for employees will be determined by the date of their employment.

9.037 For computational and usage purposes, the vacation year will begin on May 1 and end on the following April 30.

9.038 An employee who moves from one position to another in the Village's service, and whose service is continuous or who is transferred or promoted, will be credited in his position with his unused vacation leave.

9.039 Time worked under regular part-time employment, not including temporary/seasonal appointments, when followed immediately by regular full-time employment will be included in computing length of continuous service for vacation leave. The employee will be granted vacation leave credit on a percentage basis of hours worked while a regular part-time employee.

9.0310 A holiday which falls on a weekday within an employee's vacation period will not be considered as part of his vacation.

9.0311 Vacation leave will continue to be accrued during time lost from work as a result of an on-the-job injury.

9.0312 Vacation leave will not be accrued by an employee who is not on regular pay status, i.e. disability leave (other than Worker's Compensation), Paid Administrative Sick Leave, suspension or leave of absence.

9.0313 The Village may, in its discretion, allow an employee to use up to five (5) days of vacation leave that has already been accrued. Such leave must have the prior approval of the Department Head and the Personnel Director. In

no case shall an employee be allowed to use vacation leave that has not yet been accrued.

9.0314 Sickness of four (4) days or more which occurs during an employee's scheduled vacation leave will be considered "sick leave" and not vacation. In order to be eligible for this provision, an employee must submit a doctor's certificate and receive approval from the Personnel Director.

9.0315 If a death in the immediate family occurs during an employee's scheduled vacation leave, it will be considered "bereavement leave" and not vacation leave. In order to be eligible for this provision, the employee must submit proof of death and receive approval from the Personnel Director.

9.0316 It is Village policy to discourage transfer of vacation from one vacation year to another. Variations in this policy will be allowed only with the approval of the Personnel Director for good cause shown. In no circumstances will more than ten (10) working days be allowed to be carried over.

9.0317 The Department Head will determine vacation schedules for departmental employees selectively over as wide a period as possible to avoid the necessity of extra help or overtime. Scheduling will be done in such a manner as to protect the effective operation of the department. Seniority may be used as a basis for vacation scheduling. However, the needs of the Village and the department will be considered first.

9.0318 Sworn personnel in the Fire and Police Departments shall be subject to the vacation policies established in their respective department's rules and regulations, subject to the approval of the Personnel Director.

9.04 Paid Time Off (PTO) Purchase Option {Added January 3, 2022}

9.041 Regular full-time unrepresented employees who have been employed for at least one year and who accrue vacation at less than a four-week per leave year rate may elect to purchase up to five (5) days of PTO at their applicable daily base rate of pay calculated as of, and added to their vacation bank on, the following May 1 (i.e., the beginning of the next leave year). Such elections must be in full-day increments.

9.042 Employees wishing to purchase PTO subject to this Section 9.04 must elect to do so by the 15th of February preceding the leave year, on a form developed by the Human Resources Department.

9.043 Beginning on the May 1 following the employee's election, the value of the purchased PTO will be deducted from the employee's bi-weekly pay spread over the following 26 pay periods. If the employee voluntarily leaves employment before having paid for the days purchased, then the remaining amount owed will be taken out of the employee's final paycheck.

9.044 Once an election is made to purchase PTO, the election is irrevocable for that leave year. Each year, the employee will have the opportunity to make a new election for the upcoming leave year.

9.045 Employees must use all of their purchased PTO and their accrued and available vacation leave on or before the last day of the leave year (i.e., April 30) for which it is intended. There will be no ability to carry over purchased PTO or vacation leave.

9.046 Once an employee begins to accrue vacation at a four-week per leave year rate, they are no longer eligible to purchase additional PTO under this Section 9.04.

9.047 When making an annual election to purchase PTO, employees who are nearing retirement are advised to consider IMRF and pension fund rules on final earnings, since any reduction in actual salary may have an effect on individual pension calculations.

9.05 Sick Leave

9.051 All regular full-time employees accrue the benefit of sick leave with pay. Regular part-time employees over twenty (20) hours will accrue sick leave based on the percentage of their workweek as compared to a full-time employee in their department.

9.052 Sick leave will be accrued at one (1) day per month for full-time employees. The hours per day of sick leave will be determined by the number of regular work hours per day for each department's personnel. Shift firefighters shall accrue twelve (12) hours sick leave per month. Sick leave may be accumulated up to an unlimited amount. Sick leave may not be anticipated. If an employee is separated from employment for any reason except retirement, accrued sick leave shall be forfeited.

9.053 An employee who is in pay status for at least fifteen (15) calendar days during the month will accrue a sick day credit for the month. An employee who is not in pay status for at least fifteen (15) calendar days will accrue no sick day credit for the month. New employees shall accrue their first sick day after working thirty (30) calendar days.

9.054 Authorized use of sick leave for non-union employees includes an employee's absence because of his illness or non-service connected injury or that of a member of his immediate family. For purposes of this policy, immediate family is defined as an employee's mother, father, brother, sister, spouse, child, mother-in-law, father-in-law, grandparent, grandparent-in-law, grandchild,

stepparent, stepchild, son-in-law, daughter-in-law, brother-in-law and sister-in-law. Sick leave for non-union employees may be used for dental, optical or medical appointments only if the employee is unable to schedule such appointments during off-duty hours. The use of sick leave by an employee whose spouse has delivered a newborn baby is limited to up to three (3) consecutive sick days of the employee's available sick leave to be used against regularly scheduled time within the 144 hour period counting from the day following the date after the child is born, unless the mother or child require extraordinary care due to documented complications or an otherwise serious health condition not present or common as a result of normal childbirth, in which case additional sick leave usage may be approved pursuant to the submission of appropriate additional FMLA paperwork. Abuse of sick leave based on false claims of illness or injury or falsification of proof to justify such sick leave will be cause for loss of pay and dismissal. {Revised June 15, 2020}

Union employees' authorized use of sick leave is subject to the terms of their respective collective bargaining agreements.

9.055 In the event an employee is unable to report to work due to illness or emergency, he must inform his Department Head or Supervisor by the time designated by the department rules. Failure to do so for each day of absence, or at agreed upon intervals in the case of extended illness, may result in loss of pay or termination.

9.056 The Village may, in its discretion, conduct an investigation relating to the use of sick leave and may require an employee to provide proof of illness or may require a medical examination whenever it determines that it is necessary to do so.

9.057 An employee who moves from one position to another in the Village's service and whose service is continuous or who is transferred, promoted, or demoted, will be credited in his new position with the unused sick leave accrued in this prior position

9.058 Time worked under regular part-time employment over twenty (20) hours per week, when followed immediately by full time employment, will be included in computing length of continuous service for sick leave. Employees will be granted credit on a percentage basis of hours worked while a regular part-time employee.

9.059 Sick leave will continue to accrue during time lost from work as a result of a service-connected injury until such time as the employee is no longer on the Village payroll. An employee shall continue to accrue sick leave while using approved, accrued sick leave.

9.0510 The Village may, at the option of the non-union employee, buy back a portion of accrued, unused sick leave on an annual basis subject to the following limitations: employees with at least five hundred (500) hours of accrued

sick leave may sell back one (1) sick day (except that non-Union shift employees of the Fire Department may sell back 16.62 hours, the equivalent of one sick day adjusted for a 7.5 day employee); employees with at least seven hundred fifty (750) hours of accrued sick leave may sell back two (2) sick days (except that non-Union shift employees of the Fire Department may sell back 33.24 hours); and employees with at least one thousand (1,000) hours of accrued sick leave may sell back three (3) sick days (except that non-Union shift employees of the Fire Department may sell back 49.86 hours). The level of accrued sick leave will be determined as of May 1 for buy back each year. Employees who sell back a portion of their accrued sick leave as listed above will receive 100% of the pay the employee would have received for the sick day during the year it is contributed. The Village will deposit these monies in the employee's 457 deferred compensation plan. {Revised April 6, 2009}

9.06 Health Insurance

9.061 The Village provides choice of hospitalization and major medical benefit programs to all employees who are regular full-time and regular part-time who work a minimum of thirty (30) hours per week, as well as to any employee who worked an average of 30 hours per week during the Village's designated Standard Measurement Period (SMP) as defined in section 9.063. New non-union employees will be asked to select a program when they begin their employment with the Village and may change their program during the annual Open Enrollment period. Union employees are subject to the terms and conditions of their collective bargaining contract with respect to selection of benefit programs. Detailed information may be obtained regarding the provisions of the programs from the Personnel Officer. {Revised May 2, 2016}

9.062 Employees are eligible for health insurance coverage beginning thirty (30) days after their employment date.

9.063 A Standard Measurement Period (SMP) of November 1 through October 31 of each year is established by the Village as the look back period used to determine whether an employee has worked an average of 30 hours per week. If an employee averaged 30 hours of work per week during the preceding (SMP), that employee is considered full-time (for purposes of this health insurance provision) for the duration of the Village's Stability Period defined as January 1 through December 31. If an employee averaged less than 30 hours of work per week during the preceding SMP, the employee is considered part-time for the duration of that same Stability Period.

If an employee's hours change such that his or her status changes from full-time to part-time or from part-time to full-time during the Village Stability Period, no changes will occur in insurance designation in either case. For example, an employee is determined to be full-time during the SMP and elects to enroll in the Village's insurance. If his or her hours drop substantially and he or she essentially becomes part-time again, he or she will remain classified as a full-time employee for the purpose of healthcare reform and may remain enrolled in

insurance until the stability period has ended. After such time, he or she may be eligible for COBRA.

The Village has established an Administrative Period from November 1 through December 31 of each year during which time an employee who is deemed to have worked an average of 30 hours per week during the preceding SMP may decide whether or not to enroll in the Village's insurance. This will provide time for the Village to administer the enrollment of such employees. {Revised April 23, 2013}

9.07 Life Insurance

A group term life insurance policy in an amount equal to the employee's salary on June 1 is provided to all non-union employees who are full-time and regular part-time over twenty (20) hours per week. A non-union employee eligible for this benefit has the option to purchase additional insurance in \$10,000 increments, up to a maximum of \$250,000.00 Union employees are subject to the terms and conditions of their collective bargaining contract with respect to life insurance benefits. Additional information can be obtained from the Personnel Officer. {Revised July 27, 2015}

9.08 Pensions

The Village provides membership in a retirement plan to all regular full-time and regular part-time employees as required by state statute. Sworn police personnel are covered by the Police Pension Fund. Sworn fire personnel are covered by the Fire Pension Fund. All other eligible municipal employees are covered by the Illinois Municipal Retirement Fund (IMRF) and Social Security (FICA). The employee contributes a percentage of his earnings to the Fund through payroll deductions and the Village pays the remaining percentage. The employee's contribution to his specified pension fund may be adjusted from time to time by the State legislature. In addition, non-sworn employees of the Village are required to contribute to Social Security (FICA).

9.081 Police Pension Fund

Sworn employees of the Police Department may be eligible to participate in the Police Pension Fund. Participating sworn personnel contribute a percentage of their annual salary to the Fund. The percentage contributed by the employee may be adjusted from time to time by the State legislature to reflect increased benefits. Benefits for sworn employees of the police are determined by state law.

9.082 The Fire Pension Fund

Sworn employees of the Fire Department may be eligible to participate in the Fire Pension Fund. Participating sworn fire personnel contribute a percentage of their annual salary to the Fund; the percentage may be adjusted from time to time by the State legislature to reflect increased benefits.

9.083 The Illinois Municipal Retirement Fund

All regular full-time and certain part-time, seasonal and temporary municipal employees (except sworn personnel in the Police and Fire Departments) participate in the Illinois Municipal Retirement Fund as required by state statute. Additional details may be obtained from the Personnel Officer. {Revised April 6, 2009}

9.09 Longevity {Revised July 17, 2023}

A key resource of the Village is the experience and expertise of its longer service employees. To help recognize and reward this dedicated service, an employee who is employed with the Village of Wheeling for twelve (12) through seventeen (17) continuous years or more from their anniversary date shall receive the sum of seven hundred and fifty dollars (\$750) annually; employees with eighteen (18) through twenty-four (24) continuous years of service shall receive the sum of one thousand two hundred and fifty dollars (\$1,250) annually; and employees with twenty-five (25) or more years of continuous service shall receive the sum of one thousand five hundred dollars annually (\$1,500). An employee who terminates employment during the year will be paid a pro-rated longevity payment for the time they were employed with the Village.

9.10 Tuition Reimbursement

Employees may be eligible for reimbursement of tuition expenses for advanced job-related education course work taken at an accredited college or university in accordance with the following conditions:

- A. Each course shall be clearly job related or serve as a prerequisite for an approved job-related degree. The determination as to whether a degree is an equivalent shall rest with the Personnel Director.
- B. The employee must obtain approval, prior to enrollment in each course, by the Personnel Director.
- C. All course work must be directed towards the completion of the approved job-related degree program.
- D. The employee must pay for all tuition at the time of enrollment. Upon successful completion of each course, the Village will reimburse the employee for fifty percent (50%) of the approved tuition costs associated with the course up to a maximum total tuition reimbursement per fiscal year of two thousand dollars (\$2,000.00). A course is deemed to have been successfully completed if the following criteria are met:
 - 1. A grade of "C" or above is received; or

2. A score equivalent to a "C" in a numerical grading system is received; or
 3. A "pass" is received in a "pass/fail" grading system.
- E. If other sources of tuition reimbursement are provided (i.e., grants, scholarships, etc.), reimbursement by the Village will only be provided for the remaining balance and is subject to the previous conditions of this Section.
- F. The Village shall require employees approved to participate in the program to agree to an obligation of continued employment for one (1) year after the completion of each course beginning on or after July 1, 2007. Voluntary termination of employment prior to six (6) months after completion of a course will require repayment of 100% of the full amount paid to the employee. Voluntary termination of employment between six (6) months and one (1) year after completion of a course will require repayment of 50% of the full amount paid to the employee. {Revised July 17, 2023}

9.11 Seminars and Workshop Attendance and Training While on Duty

Seminars, workshops and other short-term training occurring while on duty and directly related to current needs of the Village and individual departments are not covered by tuition reimbursement. Costs for seminars, workshops and other short-term training will be paid by the Village out of the employee's department's budget, when the Village requires attendance.

9.12 Kelly Days

Rules and regulations of the Fire Department will prevail in the administration of Kelly days off.

9.13 Uniform Allowance

Members of the Police Department, Fire Department and Public Works Department may be granted a uniform allowance, uniform account system or may be provided with suitable uniforms to be used in the performance of their duties.

9.14 Leaves of Absence

9.141 Family and Medical Leave Act (FMLA) and Military Family Leave

The Family and Medical Leave Act (FMLA) provides eligible employees with the right to take leave for a period of up to twelve (12) workweeks during a twelve (12) month period for one (1) or more of the following reasons:

- A. The birth and/or care of a child (within twelve [12] months of the child's birth);
- B. The placement of a child with the employee for adoption or foster care (within twelve [12] months of the placement);
- C. To care for a spouse, child, or parent with a serious health condition; or
- D. A serious health condition that makes the employee unable to perform the functions of his/her job.
- E. To help families of members of the National Guard and Reserves manage their affairs while the member is on active duty in support of a contingency operation.

In addition, eligible employees who are family members of covered servicemembers are able to take up to 26 workweeks of leave in a *single* 12-month period to care for a covered servicemember with a serious illness or injury incurred in the line of duty on active duty. This 26 workweek entitlement is a special provision that extends FMLA job-protected leave beyond the normal 12 weeks of FMLA, and also extends FMLA protection to additional family members (i.e. next of kin) beyond those who may take FMLA leave for other qualifying reasons.

Effective July 1, 2007, employees in one of the above situations must notify their immediate Supervisor as soon as possible when requesting time off. Departments receiving requests for leave for any of the above reasons must immediately notify the Personnel Officer upon receipt of the request from the employee.

To qualify for FMLA or Military Family leave, regular employees must have been employed by the Village for at least twelve (12) months and have worked at least one thousand two hundred and fifty (1,250) hours during the twelve (12) month period immediately preceding commencement of the leave.

During FMLA or Military Family leave, the following conditions apply:

- A. The employee must give thirty (30) days prior notice to the Village before use of any leave unless the leave is not foreseeable.
- B. The employee must first use all accrued paid leave (as applicable) before utilizing unpaid FMLA or Military Family leave (including accrued vacation for use in the next vacation year) with the exception that they may keep one (1) week of vacation. This paid leave will count towards the remaining FMLA or Military Family leave.
- C. While on FMLA or Military Family leave, an employee's health insurance benefits will be maintained by the Village under the same conditions as if

that employee continued to work. The employee will be responsible for payment of the employee's portion of the monthly medical premium. However, if an employee wishes to maintain life, dental, and pension credit during an unpaid portion of FMLA or Military Family leave, the employee is responsible for maintaining all payments towards these benefits. If an employee does not return to work following FMLA or Military Family leave, the employee may be required to reimburse the Village for all health care insurance premiums paid by the Village, if permitted by law.

- D. An employee who is eligible for leave under this policy may receive such leave including all paid and unpaid time off; up to a maximum of twelve (12) weeks within a twelve (12) month period (or twenty-six (26) weeks in a single twelve (12) month period in the case of Military Caregiver Leave), measured backward from the date an employee commences any FMLA leave.

This policy is intended to be an overview of the FMLA and its key features. To the extent that this policy could be read inconsistently with the FMLA, the Act and its Rules shall supersede. The U.S. Wage and Hour Division publication titled "Employee Rights and Responsibilities Under the Family and Medical Leave Act" is attached as Appendix 4. Further details about the Family and Medical Leave Act (FMLA) may be obtained from the Personnel Officer.

{Revised April 6, 2009}

9.142 Military Reserve Leave

The Village will comply with all applicable Federal and State laws regarding the rights afforded to employees on military leave. A military leave of absence will not result in any loss to the employee of seniority status or benefits that would normally have accrued if the employee had not been on military leave. Employees are required to notify their immediate Supervisor at the earliest possible date upon learning of scheduled military training or duty. Within seven (7) days of receiving them, employees are required to provide their department director with copies of all military orders which will result in a military leave of absence for active military training or duty.

A. Short-term Military Leave

The Village will grant leave to any employee who is a member of any reserve component of the United States Armed Forces or any reserve component of the Illinois State Militia for any period actively spent in military service, including (1) annual training; (2) basic training; and (3) special or advanced training. During these leaves, the employee's seniority and other benefits shall continue to accrue. During leaves for annual training, the employee shall continue to receive his or her regular

compensation from the Village. During leaves for basic training and up to sixty (60) days of special or advanced training, if the employee's compensation for military activities is less than his or her compensation as a Village employee, the employee will receive his or her regular Village compensation minus the amount of his or her base pay for military activities. {Revised April 6, 2009}

B. Extended Military Leave

If active military service is initiated due to a declaration of war or national emergency, the Village may issue specific policies and procedures concerning affected employees' benefits and related subjects not covered by Federal or State law.

9.143 Jury Duty

An employee may be granted a leave of absence with pay when called to jury duty for a maximum of three (3) calendar weeks per year.

Employees may keep pay received for jury duty; however, they must provide a copy of the check to the Finance Department to justify the time off from work.

9.144 Court Appearances

A. Job related - Employees required to appear in court for job-related purposes shall be considered on-duty with the Village and shall receive compensation in salary and benefits equal to that associated with the employees' regular duty. Mileage and meal expenses will be reimbursable based on the travel policy established by the Village (Appendix 2). Any monies received for court appearances or subpoena fees will be forwarded to the Director of Finance for payment into the general fund of the Village of Wheeling. Under no circumstances may an employee keep subpoena or court appearance fees and receive compensation from the Village.

B. Non-job related - Employees subpoenaed to appear in court as a witness during scheduled duty hours for non-job related purposes, as determined by the Personnel Director, shall be considered on-duty with the Village and shall receive compensation in salary and benefits equal to that associated with the employees' regular duty. Mileage and meal expenses will not be reimbursable for non-job related court appearances.

Monies received for court appearances or subpoena fees will be forwarded to the Director of Finance for payment into the general fund of

the Village of Wheeling. Under no circumstances may an employee keep subpoena or court appearance fees and receive compensation from the Village.

Examples of non-job related court appearances are:

1. Witness to an accident in which the employee was not involved.
2. Witness to a criminal offense in which the employee was not a victim or defendant.

C. Personal - Employees who are required to appear in court for their own personal affairs and whose appearance is not required by the Village (i.e. divorce proceedings, custody suits, inheritance suits, bankruptcy, traffic violations, criminal suits, etc.) will not be compensated in any manner for the time spent in court.

9.145 Bereavement Leave

a) General:

Absence with pay not to exceed three (3) work days will be granted to a regular employee for the death of his or her husband, wife, child, child's spouse, mother, father, sister or brother. Absence with pay not to exceed two (2) work days will be granted to a regular employee for the death of his or her, sister-in-law or brother-in-law, mother-in-law or father-in-law, and grandparents or grandchildren of either employee or spouse. Employees who wish to attend a funeral for other than the persons mentioned above may take vacation leave, if available, for this purpose. {Revised June 15, 2020}

b) Family Bereavement Leave: {Revised January 16, 2023}

Notwithstanding the preceding paragraph, an employee who is otherwise eligible to take leave under the federal Family and Medical Leave Act (FMLA) as described in Section 9.141, may utilize up to two weeks (ten working days) of unpaid family bereavement leave to:

1. attend the funeral or an alternative to the funeral of a family member covered by the Illinois Family Bereavement Leave Act (*i.e.*, employee's child, stepchild, spouse, domestic partner (as defined in Illinois P.A. 102-1050), sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent);
2. make arrangements necessitated by the death of the covered family member as defined in this section;
3. grieve the death of the covered family member as defined in this section; or

4. be absent from work due to a miscarriage, an unsuccessful round of intrauterine insemination or assisted reproductive technology procedure, a failed adoption match or an adoption that is not finalized because it is contested by another party, a failed surrogacy agreement, a diagnosis that negatively impacts pregnancy or fertility, or a stillbirth.

The employee must complete the bereavement leave within sixty (60) days of receiving notice of the death of the covered family member as defined in this section, or the date on which an event listed under 9.145 b (4) occurs. Where reasonable and practicable, the employee must provide at least forty-eight (48) hours' notice of intention to take bereavement leave. In addition to the paid bereavement leave identified in Section 9.135a, the employee may substitute accrued vacation or personal paid leave for this bereavement period.

In the event of the death of more than one covered family member as defined in this section in a twelve (12) month period, an employee is entitled to up to a total of 6 weeks of unpaid bereavement leave during the twelve (12) month period.

Family Bereavement Leave shall count against the employee's leave available under the FMLA.

The Personnel Director may require reasonable documentation verifying the eligibility for leave under this section, including the employee's relationship to the deceased. However, for leave resulting from an event listed under 9.145 b (4), the employee is not required to identify the category of event to which the leave pertains.

c) Child Extended Bereavement Act: {Added March 18, 2024}

Notwithstanding the preceding section, an employee may utilize up to twelve (12) weeks of unpaid bereavement leave if the employee experiences the loss of a child by suicide or homicide. The leave may be taken in a single continuous period or intermittently in increments of no less than four (4) hours, but leave must be completed within one (1) year after the employee notifies the Village of the loss. The employee intending to take such leave must provide forty-eight (48) hours advance notice to the Village, unless providing such notice is not reasonable and practicable. The Village may require reasonable documentation (e.g., death certificate, published obituary, etc.) including cause of death.

Employees may elect either unpaid leave or eligible and accrued paid leave during the period of absence.

Employees will be restored to the same or equivalent position upon return. This leave is not intended to confer a right to leave beyond the twelve (12) weeks of leave available under the Family Medical Leave Act (FMLA)

9.146 Paid Administrative Sick Leave

A regular, full-time employee who has been employed by the Village for four (4) or more continuous years, who is unable to perform the duties of his position due to a non-service connected injury or illness, and who is deemed to be rehabilitative within one (1) year from the first date of absence due to the injury or illness, is eligible for Paid Administrative Sick Leave in accordance with the following procedures: {Revised January 7, 2013}

- A. Prior to being placed on administrative sick leave, an employee shall utilize all sick, holiday, and vacation time, and all vacation accrued for use during the next vacation year.
- B. An employee who is unable to assume the duties of his position at the expiration of all such leave as set forth above, shall provide a doctor's certificate of such inability to the Personnel Director.
- C. Upon the tendering of such certificate, the employee will be placed in an unpaid leave of absence status for a period of thirty (30) days.
- D. If after the 30-day period, the Personnel Director determines the employee is still unable to perform the duties of his position the employee will be placed on Paid Administrative Sick Leave. The Village may, at its option, require a certificate verifying the inability of the employee to perform his duties from the employee's physician, the Village physician, or both.
- E. An employee placed on Paid Administrative Sick Leave shall receive his full salary, including payment for the thirty (30) day unpaid leave of absence for a period of time of up to two (2) calendar months.
- F. The Personnel Director may waive the thirty (30) day unpaid leave of absence, if, in his opinion, the employee's inability to perform the duties of his position will continue in excess of thirty (30) days following the use of all sick time, holiday time, and vacation time.
- G. If the injury or illness extends into a new vacation year, the Paid Administrative Sick Leave shall be interrupted and any vacation which has been accrued because of a six (6), twelve (12), or eighteen (18) year anniversary, shall be utilized, after which the balance of Paid Administrative Sick Leave shall continue, if necessary.

- H. No sick leave, holiday or vacation time will be accrued while an employee is in the status of Paid Administrative Sick Leave due to an off-the-job injury or illness.
- J. Paid Administrative Sick Leave shall be cumulative and all employees shall be entitled to a maximum total of two (2) months Paid Administrative Sick Leave under these provisions during his employment with the Village of Wheeling.

9.147 Victim's Economic Security and Safety Act (VESSA) {Revised March 18, 2024}

Illinois Statute provides that employees who are victims of gender, sexual or domestic violence must be offered job protected leave. Leave may also be granted to an employee who has a family member who is a victim of such acts. Eligible employees may be granted up to a maximum of twelve (12) weeks leave in a single twelve (12) month period. Employees may elect either unpaid leave or use paid time off in the form of their accrued vacation, personal or compensatory time during the leave. Employees may elect to use sick time if the leave time is necessary for the employee to recover from injuries or seek personal medical treatment. Other eligible reasons for leave include obtaining legal representation, participation in counseling, safety training, or to obtain victim services for the employee or family member.

Employees shall provide at least forty-eight (48) hours advance notice of their intention to take leave, except in cases where it is not practical to provide such notice. The Village reserves the right to require documentation to substantiate the eligibility and need for the leave, such as documentation provided by a victim service, attorney, police report, court record, etc.

Employees who utilize VESSA leave will be restored to the same or equivalent position upon return. This leave is not intended to confer a right beyond the twelve (12) weeks of leave available under the Family Medical Leave Act (FMLA).

9.148 Employee Blood and Organ Donation Leave {Added March 18, 2024}

Full time employees who have been employed by the Village for a period of six (6) months or more may request up to one (1) hour of paid time to donate blood if sufficient accrued leave time is not available to the employee during which to make the donation. Leave requests may be made every fifty-six (56) days or in accordance with appropriate and accepted medical standards.

Full time employees who have been employed by the Village for a period of six (6) months or more may request up to ten (10) days of available accrued leave in any twelve (12) month period to serve as an organ donor. Leave taken under this policy will not run concurrently with FMLA leave provided by the village.

Employees must use any of their available accrued but unused sick leave when taking leave for organ donation. Once an employee's sick leave is exhausted, the employee must utilize all other forms of paid leave, including leave accrued for use in the next leave year, before entering unpaid status. Employees must request leave as far in advance as possible, but no less than seven (7) calendar days before the leave is scheduled to begin. Requests must include a written verification stating that the employee is an organ donor and there is a medical necessity for the donation of the organ, and appropriate documentation will be required. Upon expiration of a leave of absence authorized by this policy, the Village will restore the employee to the position held when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. The Village may decline to restore an employee because of reasons unrelated to the exercise of rights under this policy by the employee.

9.149 Voting Leave {Revised March 18, 2024}

The Village encourages its employees to exercise the right to vote. If an employee's work hours begin less than two (2) hours after the opening of the polls and end less than two (2) hours before the closing of the polls, the employee may request up to two (2) hours of available paid time off from their supervisor. Employees must utilize any accrued vacation, compensatory, or personal time during their absence prior to unpaid time being approved. Requests must be made at least twenty-four (24) hours prior to the day of the election, and the Village may specify the hours during which the employee may be absent for the purposes of voting.

9.15 Unpaid Leave

General Conditions:

9.151 All sworn personnel shall be governed by the rules and regulations of the Fire or Police Departments.

9.152 Non-sworn personnel may request leaves of absence without pay for up to thirty (30) days. Requests for leaves of absence without pay up to thirty (30) days must be approved by the Personnel Director. Such requests shall be in writing, and contain the reason for the leave. Written requests for extensions of up to an additional thirty (30 days) may be approved by the Department Head and Personnel Director.

9.153 An employee may retain membership in the Village's plans for health insurance and life insurance for the duration of an approved leave of absence without pay, with the approval of the Personnel Director and in accordance with all applicable Federal and State laws. The employee is responsible for paying the full cost of those benefits, including the portion normally paid by the Village. It is the employee's responsibility to arrange with

the Finance Department to pay for any benefits which the employee wishes to continue while on leave of absence.

9.154 Vacation and sick leave will not be accrued during unpaid leaves of absence. Seniority calculations will not include any unpaid leaves of absence. The period of any unpaid leaves of absence will be deducted from an employee's seniority for the purpose of computing vacation, longevity and pensions. Employees will not be paid for holidays during that period.

9.155 Disability Leave

All employees who are determined to be temporarily disabled by their respective pension or retirement fund shall be considered to be on an unpaid leave during the period of time of the disability.

Non-union employees who have been determined to be temporarily disabled by their respective pension or retirement fund but who have not returned to active employment at the end of a twelve (12) month period shall be terminated from employment with the Village of Wheeling.

An employee who is placed on permanent disability by his respective pension or retirement fund shall be considered separated from his position in the Village and shall receive all unused vacation and holiday payout, if applicable. Such employees shall be eligible for conversion or continuation privileges under the Village's health insurance, as applicable.

9.16 Telework {Added January 3, 2022}

The Village Manager may implement telework policies and guidelines in order to attract or retain qualified and experienced personnel. Such policies shall generally only be available to full-time exempt employees who are not in a position that requires them to meet and work with the community and coworkers on a regular basis, and it is determined to be in the best interest of the Village.

ARTICLE X

INJURY OR ILLNESS

10.01 On the Job Injury/Workers' Compensation

Any Village employee who is injured in the performance of his duties is entitled to benefits under the Workers' Compensation Act. It is imperative that the following procedural guidelines are followed.

10.011 Whenever an employee is injured in the performance of his duties, he must report the injury to the Supervisor immediately with a full statement of how the injury occurred. If the injury is severe, the Fire Department should be called for ambulance service. If the injury is minor but requires treatment, the employee shall go to the Village-authorized care facility. If possible, the employee should call or have someone call the care facility to inform them of the employee's arrival.

10.012 After medical attention, if the employee is released for regular duty and no time has been lost from the job, the attending physician must certify that the employee can return to work. If the employee is off from work for a day or more after an injury, he must get a release from the Village doctor and bring it to the Finance and Administrative Services Department.

10.013 If the employee is unable to report to work the next day after an injury, the Department Head will notify the Finance and Administrative Services Department in writing.

10.014 In order to be eligible for temporary total disability payments under Workers' Compensation, an employee must be absent from work for at least three (3) days due to an on-the-job injury.

10.015 Once an employee is released by a physician to return to work for regular duty, in order to receive temporary total disability payments for additional time off due to the recurrence of the original injury, the employee must provide a physician's certificate certifying that the additional time off is related to the original on-the-job injury.

10.016 Any employee who receives care for a job-related injury from a physician or hospital other than those specified by the Finance and Administrative Services Department will be required to release all medical information relative to the injury to the Village or its authorized agent. In addition, the employee is responsible for producing the necessary documentation from the outside doctor or facility to justify Workers' Compensation, payment of bills or return to work.

10.017 An employee receiving Workers' Compensation payments for a temporary disability may elect to receive an amount equal to his current full salary by utilizing accrued sick time. For each day the employee received the amount equal to a full day's compensation, one (1) sick day shall be deducted. If the injury persists and the employee has been employed by the Village for more than four (4) continuous years, he may utilize the provisions of Paid Administrative Sick Leave to compensate the employee up to his full salary. For each day the employee receives an amount equal to a full day's compensation, one (1) Paid Administrative Sick day shall be deducted.

10.018 An employee will continue to accrue sick leave, health and life insurance benefits, vacation, personal and seniority rights while on Workers' Compensation.

10.019 In the case of an injured worker who has been released by the Village doctor for light duty, the following shall apply:

- A. Based on a favorable prognosis by the Village doctor, an employee will be placed on light duty, if available, in a temporary reclassification in relation to that light duty until such time that the doctor releases the employee for full duty, or for a period of three (3) months or until a job opening may occur that the worker is qualified to perform in another classification. During this time of light duty, the worker shall be exempt from any of his duties that may impair physical recovery. Fire and Police rules will apply to sworn personnel.
- B. The Village, at any time during the period of light duty, may require the worker, at Village expense, to submit to a physical examination to determine whether or not the employee is to be continued in light duty status or returned to his original position and classification. At the end of the three (3) months' light duty period, the condition of the employee will be re-evaluated by the Village doctor to determine if the time will be extended further to the maximum of an additional three (3) months.

10.02 Off-the-Job Injury or Illness

An employee who is unable to perform the duties of his position due to a non-service connected injury or a major illness shall use all accrued leave as designated by the Family Medical Leave Act policy in Section 9.131 except that all vacation must be used and any extra vacation which will be accrued during that vacation year because of a six (6) twelve (12), or eighteen (18) year anniversary, shall be utilized. An employee who continues to be unable to assume the duties of his position after utilizing all paid leave as provided above, shall provide a doctor's certificate of such inability to the Personnel Director and shall be considered for either disability benefits or, if the employee qualifies under Section 9.136 above, Paid Administrative Sick Leave.

- A. Employees with less than four (4) years of employment shall be considered for temporary disability benefits according to their respective pension plan.
- B. Employees who have been employed by the Village for four (4) or more continuous years are eligible for a Paid Administrative Sick Leave in accordance with Section 9.136 above.

10.03 Disability Benefits

Employees are entitled to disability benefits in accordance with the rules and regulations of their respective pension funds and all applicable federal and state laws. Employees are encouraged to contact the Personnel Officer for further information on disability benefits.

10.031 American with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the Village of Wheeling to comply with all Federal and State laws concerning the employment of persons with disabilities. The Village of Wheeling will reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of a job. An individual who can be reasonably accommodated for a job, without undue hardship, will be given the same consideration for that position as any other applicant.

- A. "Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment, has a record of such impairment, or is regarded as having such impairment is a "disabled individual."
- B. A "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- C. "Reasonable accommodation" means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.
- D. "Undue hardship" means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include, but are not limited to, the nature and cost of the accommodation; the overall financial resources necessary in order to

make the reasonable accommodation, and the overall financial resources of the Village.

- E. "Essential job functions" refers to those activities of a job that are the core to performing said job for which the job exists that cannot be modified.

10.032 Public Employee Disability Act

The Public Employee Disability Act of the State of Illinois (PEDA) provides for the continuation of compensation for law enforcement officers, correctional officers, firefighters and state employees who suffer disabling injury in the line of duty.

- A. "Eligible" employees include any full-time law enforcement officer or firefighter who is employed by any unit of local government (including any home rule unit).
- B. Whenever an "eligible" Village employee suffers any injury in the line of duty which causes him to be unable to perform his duties, he shall continue to be paid by the Village on the same basis as he was paid before the injury, with no deduction from his sick leave credits, compensatory time for overtime accumulations or vacation, or service credits in his public employee pension fund during the time he is unable to perform his duties due to the result of the injury, but not longer than one (1) year in cumulative lost work time in relation to the same injury.
- C. At any time during the period for which continuing compensation is required by this Act, the Village may order at the expense of that entity physical or medical examinations of the injured person to determine the degree of disability.
- D. During this period of disability, the injured person shall not be employed in any other manner, with or without monetary compensation. Any Village employee who is employed in violation of this paragraph forfeits the continuing compensation provided by this Act from the time such employment begins. Any salary compensation due the injured person from Workers' Compensation or any salary due him from any type of insurance which may be carried by the Village of Wheeling shall revert to the Village during the time which continuing compensation is paid to him under this Act.

ARTICLE XI

SEPARATION, REINSTATEMENT, RETIREMENT

An employee's termination date for all purposes will be the last day actually worked. Any accrued leave due to be paid to the employee will be paid in the employee's final paycheck or in a supplemental paycheck at a later date. An employee may be separated from the service of the Village of Wheeling by any one of six (6) different methods as described below: {Revised January 16, 2023}

11.01 Voluntary Resignation

Employees who voluntarily leave the Village service shall give advance written notice of not less than fourteen (14) calendar days, except professional and supervisory personnel shall give thirty (30) calendar days advance written notice. Accrued vacation time, holiday time or paid leave shall not be used during this advance notice period. In order to receive pay for available sick leave requested during this advance notice period, the employee must provide acceptable proof of illness from a health care provider. Failure to comply with these provisions shall be entered on the service record of the employee and shall result in a denial of re-employment rights. The Department Head, with the approval of the Personnel Director, may waive these requirements if, in his judgment, exceptional circumstances warrant such exemption. No demand or request of an employee by any person in authority to sign an undated resignation shall be allowed. {Revised January 16, 2023}

11.02 Involuntary Resignation

An employee who, without valid reason, fails to report to work for three (3) consecutive work days without notifying his superior shall be separated from the payroll and reported as an involuntary resignation.

11.03 Layoff (Furlough – Reduction in Force)

11.031 A layoff may occur as a result of the elimination of services, change of work methods, or the reduction in number of personnel. Principles of merit and seniority may be given consideration in determining the order in which employees shall be laid off.

11.032 If a regular employee is scheduled to be laid off, he may be offered a demotion to a lower classification if a vacancy exists and he is qualified to fill the position in the lower classification.

11.033 Prior to a reduction in force, the names and class titles of any and all regular employees scheduled for layoff shall be submitted to the Personnel Director for review.

11.04 Disability

An appointing authority may direct any employee under his jurisdiction to be examined by a physician employed by the Village for job-related reasons consistent with business necessity. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his continuance on the job a danger to himself or others, the following action shall be taken.

- A. If the disability is correctable, the employee shall be allowed a specified time as determined by the Personnel Director to have it corrected. If the employee fails to take steps to have the disability corrected within this specified time, he shall be subject to disciplinary action or layoff.
- B. If, in the opinion of the examining physician, the disability cannot be corrected, the Village shall attempt to place the employee in another position which he can perform satisfactorily or assist the employee in applying for disability benefits as provided in Section 10.03 and terminate his employment with the Village.
- C. All actions taken shall be in compliance with Section 10.03 above.

11.05 Loss of Acceptable Position Requirements

11.051 Any employee who is unable to adequately perform the duties and responsibilities of his position because of loss of a necessary license or other requirement for such position shall be separated through the layoff procedure described in Section 11.032. Upon recertification or relicensing, the employee shall have the right to be rehired to fill the next available vacancy in that classification.

11.06 Discharge

11.061 Non-sworn employees possess no right to continued employment with the Village of Wheeling and may be discharged at the discretion of the Personnel Director with or without cause or notice.

11.062 The Personnel Director shall not be required to furnish a non-sworn employee with any written statement for discharge. The Personnel Director's determination to discharge a non-sworn employee shall be final and conclusive.

11.063 Sworn employees shall be subject to discharge in accordance with applicable provisions of State statute and the rules and regulations of the Board of Fire and Police Commissioners, with the exception of the Chief of Police and the Chief of Fire.

11.064 The Chief of Police and the Chief of Fire appointed by the Village Manager are subject to discharge by the Village Manager in accordance with applicable provisions of State statute.

11.07 Retirement

11.071 Municipal employees are normally included in one (1) of three (3) separate pension funds: Illinois Municipal Retirement Fund for general employees, Police Pension Fund for police officers, Firemen's Pension Fund for firefighters. Detailed information concerning these pension funds can be obtained from the Personnel Officer.

11.072 An employee shall be deemed to be retired when that individual has attained the minimum retirement age to receive pension payments from the applicable pension fund and is receiving a pension annuity from that fund.

11.073 Municipal employees shall be eligible for retirement when they meet both the age requirement and length of service requirement of their respective pension plan.

11.074 All employees who accept participation in the police and firemen pension funds shall not be covered by social security.

11.075 Non-supervisory personnel who retire from Village service shall give advance written notice of not less than fourteen (14) calendar days. Professional and supervisory personnel who retire from Village service shall give thirty (30) calendar days advance written notice. Accrued vacation time, holiday time or paid leave shall not be used during the advance notice period. In order to receive pay for available sick leave requested during the advance notice period, the employee must provide acceptable proof of illness from a health care provider. The Personnel Director may waive this requirement if in his judgment exceptional circumstances warrant an exception. {Revised January 16, 2023}

11.076 Health Insurance Coverage for Retirees:

A. All employees of the Village of Wheeling who have retired prior to August 15, 1981 shall receive continued health insurance benefits as provided to current employees, subject to policy provisions.

Dependent health insurance coverage may be continued at the option of the employee and at his own expense.

B. All individuals employed by the Village of Wheeling prior to August 15, 1981 and who are eligible to receive benefits will be eligible to receive the same health insurance coverage upon retirement for themselves and legitimate dependents as for current employees, subject to policy provisions and provided that the employee pays the health insurance premium for dependent coverage and the portion of premium that active employees pay for single coverage. This benefit is available only upon compliance with the following provisions: {Revised April 6, 2009}

1. An employee shall be deemed to be retired when the employee has attained the current minimum retirement age to receive retirement payments from his applicable pension fund and is in fact receiving a pension annuity.

2. The employee must be insured under the Village's health insurance plan on the day immediately before the day the employee retires.

C. Employees of the Village employed after August 15, 1981 shall be eligible for health insurance benefits providing the retiree pays all necessary insurance premium to the Village. This benefit is available upon compliance with the following provisions:

1. An employee shall be deemed to be retired when the employee has attained the current minimum retirement age to receive retirement payments from his applicable pension fund and is in fact receiving a pension annuity.

2. The employee must be insured under the Village's health insurance plan on the day immediately before the day the employee retires.

11.077 Life Insurance Coverage for Retirees:

A. All individuals employed by the Village of Wheeling prior to August 15, 1981 shall continue to receive ten thousand dollars (\$10,000) of life insurance coverage, subject to policy provisions, at the expense of the Village of Wheeling. At age 70, life insurance coverage will be reduced to five thousand dollars (\$5,000).

- B. All individuals employed by the Village of Wheeling after August 15, 1981 shall have the option of applying for a life insurance policy under the conversion privilege of the Village's life insurance plan.

11.078 Sick Leave Deferred Payment Account (SLDPA) {Revised July 17, 2023}

- A. Individuals who are current employees as of February 7, 2000, and individuals employed on or after February 7, 2000 but before January 7, 2013, may be allowed to utilize the Sick Leave Deferred Payment Account benefit at retirement if eligible in accordance with the provisions set forth herein. No employee who has retired prior to the February 7, 2000 date is eligible for the SLDPA benefit.
- B. A Sick Leave Deferred Payment Account (SLDPA) is a method of allowing eligible employees to utilize a portion of accrued but unused sick time hours towards the payment of eligible medical costs.
- C. In order to be eligible to establish a SLDPA, the employee must:
 - 1. have retired in good standing; and
 - 2. have at least twenty (20) years of continuous service with the Village immediately prior to retirement or have at least ten (10) years of continuous service with the Village immediately prior to retirement and have attained the age of sixty (60) by the date of retirement; and
 - 3. have at least six hundred seventy-five (675) hours of accrued but unused sick time.
- D. For purposes of this provision, an employee shall be deemed to be retired when an employee has attained the current minimum age to receive retirement benefits from his pension fund and is, in fact, receiving a retirement pension from that fund.
- E. The SLDPA shall be calculated by using the employee's final hourly wage multiplied by the number of accrued but unused sick time hours in excess of six hundred seventy-five (675) sick time hours accrued but unused. The maximum number of hours of accrued but unused sick time hours which may be used within the SLDPA is five hundred thirty-six (536) hours.

- F. If a retiring employee chooses to establish a SLDPA, the hours allocated to the SLDPA are not eligible for use or calculation in any other retirement benefit. Any other accrued sick leave remaining shall be forfeited.
- G. If an employee qualifies for a SLDPA and retires after June 11, 2007, the Village will establish a Post Employment Health Plan (PEHP) account in the employee's name contributing the employee's qualified SLDPA earnings to that account.
- H. Employees who are eligible for an Illinois Municipal Retirement Fund (IMRF) pension shall contribute their SLDPA qualifying hours (i.e., hours in excess of 675 to a maximum of 1,212) to their PEHP account. Hours not contributed to an employee's PEHP account (i.e., the first 675 hours and any hours in excess of 1,212) may be used to extend IMRF service credit, if desired. Hours contributed to the employee's PEHP account cannot also be used for the additional IMRF service credit.

11.08 Death of an Employee

In the event of death of a regular full-time or regular part-time employee over twenty (20) hours, the surviving dependent(s) may convert the insured's health policy within ninety (90) days of the insured's death. The dependent(s) are covered by the group policy for the ninety (90)-day period at no cost to the dependent(s).

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ARTICLE XII

COLLECTIVE BARGAINING

12.01 Rights

The Village recognizes and provides the right of collective bargaining to employees in accordance with the provisions of State statute. Managerial, supervisory, professional and confidential employees are exempt from the right to collective bargaining.

12.02 Bargaining Process

The Personnel Director is responsible for all employee relations including the collective bargaining process with employee groups. The Personnel Director may designate such persons as he deems appropriate to advise and assist in this task.

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ARTICLE XIII

NO SOLICITATION/DISTRIBUTION POLICY

Each year we receive many requests from organizations and individuals seeking permission to solicit Village of Wheeling employees for various causes or asking that we carry on solicitations for them. Many of these requests are made in support of worthwhile endeavors. However, should we permit all such solicitations, it would seriously impair our ability to provide services to the public efficiently. Therefore, we have found it necessary to limit such solicitation and distribution as follows:

13.01 No Solicitation Provisions

13.011 Employee Solicitation

Solicitations by employees seeking payments, contributions, memberships, signatures, funds and other similar solicitations or the distribution of non-work related literature by employees will not be permitted during the working time of any employee involved in the solicitation and/or distribution. Solicitation or distribution by employees on nonworking time in a manner that disturbs other employees performing work or is otherwise disruptive of the performance of the Village's work will not be permitted. Distribution of non-work related literature by employees will not be permitted in working areas at any time.

13.012 Non-Employee Solicitation

Solicitation or distribution by non-employees will not be permitted:

- A. During the working time of an employee receiving the solicitation or distribution;
- B. At any time in areas not open to the public or in public areas where such activity is inconsistent with the intended and normal use of the area; or
- C. In a manner which disturbs employees who are working.

13.02 Use of Bulletin Boards

The posting of non-work related materials or literature on Village of Wheeling departmental bulletin boards used for Village of Wheeling business is subject to the discretion of the Department Head. The posting of non-work related materials or literature on the official Village of Wheeling bulletin board intended for general employee viewing is subject to the discretion of the Personnel Director.

13.03 Working Time—Definition

"Working time" does not include break time, lunch periods, or other periods where employees are not required to be performing their job functions. "Working time" does include the times when employees are required to be engaged in work tasks and covers both the employee engaged in solicitation or distribution of literature and the employee to whom the solicitation or distribution is directed.

ARTICLE XIV

USE OF PUBLIC PROPERTY

14.01 Vehicles, Equipment, Materials, or Property

No employee shall request or permit the use of Village owned vehicles, equipment, materials, or property for personal convenience or profit or political purposes, except when such services are available to the public generally or are provided as Village property for the use of such employee in the conduct of Village business.

14.02 Telephones

14.022 The use of Village-owned telephones and cellular phones for personal calls will be permitted to the extent that this privilege is not abused. Occasional calls to family members or others may be necessary during the course of a workday and should be limited to breaks or lunch hours if at all possible. Employees who spend excessive amounts of time on personal calls during working hours may be subject to disciplinary action as determined by their Supervisor or Department Head.

14.023 Personal cell phone usage during working hours should be kept to a minimum, during breaks and lunch hours only. When there is a potential for heavier use of a personal cell phone, such as a family emergency, employees must inform their managers prior to or as soon as possible of the circumstances. When the employee is at his workstation or in a public area where there are customers the cell phone must be in silent or vibrating mode only so as not to be disruptive to others.

14.024 The use of any cellular phone to place or receive calls while driving a Village vehicle or while driving while at work shall only be permitted consistent with state and federal law. Employees are prohibited from using cellular phones while driving, unless such use is hands-free. If an employee is unable to receive or place a call through a hands-free option while driving consistent with state and federal law, the employee must refrain from receiving or placing the call until he or she is able to safely park the vehicle. The only exception to this prohibition applies to an employee who is using a cellular phone to report an emergency situation and continued communication with emergency personnel during the emergency is required. All other purposes for which a cellular phone may be used (e.g. texting; emailing, internet surfing, routing, etc.) are prohibited while driving a Village vehicle or while driving while at work. {Revised January 20, 2014}

14.03 Information Systems Usage

14.031 Webpage Policy

The Village has developed and maintains a Web Page for the purpose of expanding communications, increasing education and disseminating information about Village programs and services. The goal of the Village's Web Page is to encourage increased participation in Village government and to help create a more vibrant community for residents, businesses and visitors alike.

A. Definitions

| | |
|--------------------|--|
| ISS: | Information Systems Staff. |
| Information: | Information is the summarization of data. |
| Hacking: | To gain access to (a computer file or network) illegally or without authorization. |
| User: | Any individual who interacts with a computer. |
| Mass Distribution: | The practice of sending copies of a message to many different people, with no regard to whether the subject matter is appropriate; or sending the same message by email to large numbers of people indiscriminately. |

B. Responsibility

All departments.

C. Forms

Web Page Information Request Form.

D. Rules and Procedures

1. All information requests for the Village Web Page (www.vi.wheeling.il.us) shall be submitted to ISS. Information shall be submitted on the Web Page Information Request Form by an employee designated by each department. This form can be obtained from the Information Systems Manager.
2. Information and/or photographs or graphics shall be submitted in computer format on disk or on the "server" whenever possible.
3. Links connected to other Web Sites must be pre-approved by ISS and shall be verified by each department and shall be kept to a minimum. Village web page links are subject to ISS pre-approval and must be related to the Village operations.

4. All major design updates and modifications requested for the website must be pre-approved by the Department Head with the concurrence from the Public Relations Coordinator. Routine content updates can be submitted directly to ISS.
5. Each department shall accept responsibility for the creation and ongoing maintenance of the information contained in their departmental pages, whether development is accomplished through the efforts of one or more individuals. All technical aspects of the Village Web Site will be maintained by ISS.
6. Departments shall be responsible for ensuring that the information in their page(s) is current and consistent with the goals and policies of the Village.
7. Each department shall understand that the information put on the Web Page will be read by many different constituencies and groups. Information that may be appropriate and useful for a particular group of users may sometimes result in questions or unintentional controversy when viewed by users of different perspectives.
8. The Web Page should be updated on a monthly basis or more frequently as needed.
9. Each department shall designate no less than one employee to be responsible for reading and responding to departmental e-mail messages obtained through the Web Page.
10. No employee shall create alternate web sites for the Village without prior ISS approval. "Hacking" is strictly prohibited, including, but not limited to, gaining access to files, computers, or network equipment.

14.032 Computer Use Policy

The purpose of this policy is to ensure that use of computer equipment and software among Village employees is consistent with Village policies, all applicable laws and the individual User's job responsibilities, and to establish basic guidelines for appropriate use of computer software and hardware.

A. Definitions

ISS: Information Systems Staff.
Information: Information is the summarization of data.

Hacking: To gain access to (a computer file or network) illegally or without authorization.

User: Any individual who interacts with a computer.

BIOS: Basic Input/Output System. A program stored on your motherboard that controls all of the interaction between your components and your chipset. Simple access to video, keyboard, hard drive, floppy, CD-ROM, and other devices--that are enough to get an operating system loaded up--are included in the BIOS. Your BIOS is there to get things started for the operating system.

Mass Distribution: The practice of sending copies of a message to many different people, with no regard to whether the subject matter is appropriate; or sending the same message by email to large numbers of people indiscriminately.

B. Responsibility

All employees share in the responsibility to protect Village computer resources from physical and environmental damage and are responsible for the correct operation of those computers. The research and selection of software shall be the responsibility of ISS. The installation of all software, hardware and upgrades shall be the responsibility of ISS.

C. Forms

Software Evaluation Guideline Form.

D. Rules and Procedures

1. At all times utmost care shall be used in protecting Information from unauthorized access, misuse, theft, damage, destruction, modification or disclosure.
- 2.. Any person discovering any use not specifically known by the User as being authorized to access or use Information must be promptly reported to the appropriate Supervisor.
3. Information shall be used solely for the purpose of conducting official Village business, and all other use or access is strictly forbidden including, but not limited to, personal or other private use.
4. At no time shall any User access or attempt to access any Information to which the user doesn't have privileges, without having prior express authority from ISS.

5. At no time shall any User access or attempt to access any Information in a manner consistent with the approved method of system entry. "Hacking" is strictly prohibited, including but not limited to, gaining access to files, computers, or network equipment.
6. All Information (developed while on the job or while utilizing Village facilities or resources) is the exclusive property of the Village, which includes, but is not limited to, all copyrights and/or patents.
7. All copyrighted licensed software, developed or being evaluated by the Village cannot be copied, shared, distributed, sub-licensed, modified, reverse engineered, rented or sold, and that at all times the User must use utmost care to protect and keep such software strictly confidential in accordance with the license or any other agreement executed by the Village.
8. Only equipment or software owned, licensed or being evaluated by the Village can be used by the User. Use of personal or a third party's equipment or software at Village facilities is strictly forbidden unless prior written approval has been obtained from ISS, and in the case of microcomputer software, a virus scan has been performed by ISS.
9. All purchases for software and hardware must be coordinated and pre-approved by ISS, requiring an approval signature from the Information Systems Manager. A Software Evaluation Guideline Form can be obtained from the Information Systems Manager.
10. At no time shall the User's confidential computer password(s) be shared with or used by any other person.
11. There shall be no passwords applied to any files or the BIOS without the consent of ISS.
12. At no time shall a User leave a workstation without first ensuring that the workstation is properly secured from unauthorized access (i.e. CTRL-ALT-DEL and Lock Console, log off, or shut down).
13. A User must report any and all violations of this agreement to the appropriate Supervisor promptly upon learning of such violation.
14. If movement of computer equipment requires a disconnection (i.e., computer, keyboard), it shall not be moved unless coordinated with ISS to ensure that proper network connections, power requirements and corrections to the inventory are made.

15. For the protection of the Village's computer users, data, documents and electronic mail messages generally shall be stored on the Village's computer networks. If the User desires to store documents on diskette, tape, local hard disks or any other media attached to a personal computer, it shall be the User's sole responsibility to make back-up copies of the data, documents or electronic mail messages.
16. No one shall purchase, copy, install or use any software or data files in violation of applicable copyright or license agreements. If an employee is unsure about the copyright or license agreements that apply to the software in question, contact ISS.
17. If any User is found to be in violation of any of the above Village rules, the User may face disciplinary sanctions, including, but not limited to, a reprimand, suspension, termination from employment or criminal or civil prosecution if the act constitutes a violation of law.
18. From time to time circumstances may require that this agreement be modified by the Village to reflect any changes in procedure or policy. The User will be notified in writing of any changes and will be required to adhere to such changes.
19. Requests for ISS services shall be submitted via electronic mail. In the case of an emergency that needs immediate attention, contact ISS directly via telephone or in person.
20. The Village reserves the right to inspect, copy, access and disclose the contents of any employee's computer files. Such access may occur, but is not limited to, the Village's need to investigate a possible violation of policy or a breach of the computer or e-mail system security. Any computer files obtained under these guidelines may be disclosed within the Village to those employees who have some reasonable need for access to the information and/or to the proper legal authorities, without the consent of the employee. If the contents constitute public records, they may be subject to release to the public under the provisions of the Freedom of Information Act. Employees shall have no expectation of privacy in the contents of their computer files. Any access or disclosure of information will be governed by applicable laws of the State of Illinois and the United States of America.
21. Downloading/Uploading games onto computers, over the Village network, or on servers is strictly prohibited.

22. Employees working from home or an off-site location or accessing the employer-based network remotely must get pre-approval from ISS and their Department Head.

14.033 Electronic (E-Mail) Policy

The purpose of this policy is to provide guidelines for the secure, effective and efficient use of the electronic mail (e-mail) system. It sets forth the Village's policy regarding access to and disclosure of electronic mail messages sent or received by Village employees using the e-mail system. This system provides inter- and intra-departmental communications for authorized users.

A. Definitions

| | |
|--------------------|--|
| ISS: | Information Systems Staff. |
| Information: | Information is the summarization of data. |
| Hacking: | To gain access to (a computer file or network) illegally or without authorization. |
| User: | Any individual who interacts with a computer. |
| Mass Distribution: | The practice of sending copies of a message to many different people, with no regard to whether the subject matter is appropriate; or sending the same message by email to large numbers of people indiscriminately. |

B. Responsibility

All departments.

C. Forms

None.

D. Rules and Procedures

1. The e-mail system is a user-friendly, privileged communications system that electronically creates, stores and forwards communications and data, from one user to one or more users throughout the Village.
2. Access for new users shall be reviewed and authorized by the Department Head, with appropriate notification to ISS for implementation.
3. Authorized users shall be provided a login name that allows access to one of the Village's local area networks. The User will then

provide a personalized network password. Any communications via e-mail will be attributed to the login name of the originating user. Users may wish to utilize any additional security features built into e-mail (i.e., passwords, encryption, etc.) to further protect their individual messages.

4. Employees are to maintain the confidentiality of their assigned login name and personalized network password. Sharing of this information with other employees is prohibited. Employees are to contact ISS in order to access another employee's computer data. The creation or use of a login name or password without written consent from ISS is expressly prohibited.
5. The Village reserves the right to access, copy, inspect, monitor and disclose the contents of employees' e-mail messages, including any employee's private or personal e-mail sent from or to the Village's computer or using the Village's network. Such access may occur, but is not limited to, the Village's need to investigate a possible violation of policy or a breach of the computer or e-mail system security. Any contents obtained under this policy may be disclosed within the Village, to those employees who have some reasonable need for access to the information and/or to the proper legal authorities, without the consent of the employee.
6. External e-mail, such as personal webmail accounts used for Village business, is considered to be the property of the Village and is subject to disclosure, inspection, copying and access by the Village. In addition, under certain circumstances, e-mail messages, including any private or personal e-mail messages, may constitute a public record disclosable to the public under the provisions of the Freedom of Information Act. E-mail is considered to be the property of the Village and is subject to disclosure. Employees should have no expectation of privacy in the e-mail they send and receive using Village facilities or equipment.

Employees have the same responsibilities for e-mail messages as they do for any other public record and must distinguish between records and non-record information. (Personal messages are not records and should be deleted as soon as possible.) Employees may make the determination by asking if the message were paper, would it be filed? Questions about record retention may be directed to the Department Head or his/her designee.

Messages and attachments determined to be records should be retained in paper format. Electronic records whether saved in electronic format or in paper format should be documented with the

time, date, sender and receiver. Messages which have been determined to be records should be retained in the receiver's department.

7. E-mail shall be used only in compliance with all local, state and federal laws and regulations and shall not be used to forward defamatory or obscene material, to infringe upon another's intellectual property rights (copyrights), or to forward sexually harassing or discriminatory material.
8. Employees shall check their e-mail messages at least once a day while on duty (meaning not on leave for sick time, vacation, etc.).
9. Users should move important information from e-mail message files to shared folders and drives to ensure proper backup. Messages no longer needed must be periodically purged from personal storage areas. ISS will monitor storage usage and advise when limits are reached and purging is required.
10. Impersonating over e-mail or altering messages is strictly prohibited unless written pre-approval by ISS. "Hacking" is strictly prohibited, including but not limited to, gaining access to files, computers, or network equipment.
11. In the event that unsolicited e-mail (spam) is received by the User, they should notify their immediate Supervisor and ISS. This includes but is not limited to, content that is in violation of the e-mail policy.
12. Employees are forbidden from signing themselves or other employees up for any unnecessary newsletters and should not enter their e-mail address into a form on a web site unless absolutely necessary. Questions regarding their e-mail address and forms should be directed to ISS and their Department Head.
13. Employees shall not use e-mail for "mass distribution" of personal or non-Village information. These messages include, but are not limited to, information containing personal advertisements, personal opinions or personal requests. Use of the Village's Internet System for personal e-mail is permitted, but only if such use is infrequent and occasional. No personal e-mail should be permitted which is for "mass distribution".
14. If a user will be out of the office on leave, he or she is required to enable the "out-of-office" email auto-reply to inform people who

email the user that he or she is not available to respond until a future date, when the user returns to the office.

14.034 Internet Use Policy

The purpose of this policy is to ensure that use of the Internet among Village employees is consistent with Village policies, all applicable laws and the individual user's job responsibilities and to establish basic guidelines for appropriate use of the Internet.

The use of the Internet is becoming a necessity for municipal employees in order to provide superior customer service. The efficient utilization of the Internet for communications and research can improve the quality and productivity of the services the Village provides.

The Village's Internet access is granted to employees, based upon need, to enhance their abilities and knowledge, increase their productivity and provide opportunities for professional growth. All communication on the Internet by Village employees shall be done in a professional manner and in compliance with all applicable federal, state and local laws and Village policies.

A wide variety of information is available on the Internet. Some individuals may find some information on the Internet offensive or otherwise objectionable. Individual Users shall be aware that the Village has no control over and can therefore not be responsible for the content of information available on the Internet.

A. Definitions

| | |
|--------------------|--|
| ISS: | Information Systems Staff. |
| Information: | Information is the summarization of data. |
| Hacking: | To gain access to (a computer file or network) illegally or without authorization. |
| User: | Any individual who interacts with a computer. |
| Mass Distribution: | The practice of sending copies of a message to many different people, with no regard to whether the subject matter is appropriate; or sending the same message by email to large numbers of people indiscriminately. |

B. Responsibility

All departments.

C. Forms

None.

D. Rules and Procedures

1. Internet access shall be granted to employees who have Department Head approval.
2. The safety and security of the Village's network and resources must be considered paramount when using the Internet. User passwords are confidential. It is the User's responsibility to maintain confidentiality of their password(s).
3. All information gathered from the Internet is considered to be the property of the Village and is subject to disclosure, inspection, copying and access by the Village.
4. Many of the sites available on the Internet such as Bulletin Boards can be breeding grounds for computer viruses. If these viruses are downloaded to the Village Network and are not detected, they may contaminate Village information systems and databases.
5. No one shall purchase, copy, install or use any software or data files in violation of applicable copyright or license agreements. If an employee is unsure about the copyright or license agreements that apply to the software in question, contact ISS.
6. No one shall purchase or install any software from an Internet Service Provider without prior written consent of ISS. Pre-approval by ISS is mandatory for the copying, installation or use of any software not provided by the Village.
7. ISS shall provide e-mail domain naming conventions consistent with the current Internet Service Provider. Dial-up Internet accounts and personal accounts illustrative of, but not limited to, AOL and Earthlink, shall not be allowed.
8. The Internet shall not be intentionally misused. Intentional misuse means that the employee intended to conduct the Internet use which has been subsequently determined to be illegal, improper, unprofessional, unethical, or illicit, whether or not the employee intended to cause detriment to the interests of the Village. The employee shall be deemed to have intended the natural and probable consequences of his or her Internet use to the extent that the employee knew or had reason to know that such Internet use was illegal, improper, unprofessional unethical or illicit. Intentional misuse may subject the User to termination of access rights and/or disciplinary action up to and including termination of employment.

Unlawful use may result in referral for criminal prosecution. Examples of intentional misuse include but are not limited to the following:

- a. Knowingly accessing or transmitting objectionable or improper material, such as obscene, harassing or defamatory messages; advocating or supporting a personal, political message or position; indecent or obscene material and/or child pornography; inappropriate text or graphic files and/or files dangerous to the integrity of the network; solicitation of funds not authorized by the Department Head; and messages that are sexually explicit or derogatory based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs.
 - b. Creating, installing, downloading or knowingly distributing a computer virus.
9. Resources of the Village for which there is a fee shall not be accessed without prior approval of the employee's Department Head or designee.
 10. Direct communication links which include, but are not limited to, Yahoo Messenger, Instant Messenger and Microsoft Messenger, between Users must be pre-approved by ISS. All chat rooms are strictly forbidden unless prior authorization is obtained from ISS.
 11. Access to the Internet for personal use shall be kept to a minimum and only during breaks, lunch or after work hours.
 12. The Village retains the right to block personal web sites which include, but are not limited to, travel sites or sport sites. The Village retains the right to block Users from Internet access.
 13. No employee should access the Internet outside of the approved firewalls, gateways and proxies. Only after prior approval from ISS may an employee access the Internet or network via an alternate gateway. "Hacking" is strictly prohibited, including but not limited to, gaining access to files, computers, or network equipment.
 14. Involuntary access to inappropriate sites should be reported to ISS and a Supervisor immediately.

ARTICLE XV

VEHICLE ASSIGNMENT AND TRAVEL POLICIES

15.01 Vehicle Assignment

Employees in the Village's service will not be permanently assigned a Village-owned automobile unless it is determined by the Personnel Director that one of the following applies:

- A. The nature of the employee's work requires that the majority of his time is spent in field activities requiring extensive travel throughout the Village; or,
- B. The nature of the employee's work requires that he be on call twenty-four (24) hours a day and is expected to respond on short notice; or
- C. The nature of the employee's work requires that he operate specialized vehicles or vehicles with specialized equipment such as certain police or fire vehicles.

15.02 Use of Village Vehicles, Equipment and Supplies

Employees shall be responsible for proper operation, care and conservation of Village vehicles, equipment, tools and supplies.

- A. Village vehicles, equipment and supplies shall not be used for unauthorized purposes.
- B. Employees shall report promptly accidents, breakdowns or malfunctioning of any unit in order that necessary repairs may be made. In reporting an accident, the employee must follow the notification procedures as established by the Safety Committee. An explanation of these procedures may be obtained from your Supervisor.
- C. In using Village vehicles, employees must keep in mind the fact that they are representatives of the Village government and that their conduct in complying with the highest standards of safety and courtesy on the road is a reflection, good or bad, on the Village. When safety devices are installed on vehicles and equipment, such devices should be maintained in good working order and used by all operators of vehicles and equipment.
- D. Village vehicles, although assigned to particular individuals, are to be kept available for use by other Village officials when not in use by the individuals to whom they are assigned.

15.03 Travel Regulations

Village employees will be required to abide by the Village of Wheeling Travel Regulations. (Appendix #2 Attached)

15.04 Village Driving Rules

All drivers of Village-owned vehicles and those using their personal vehicles in pursuit of Village business will comply with all applicable laws of the State of Illinois as well as the rules and regulations listed in the Employee Safety Handbook, located in Appendix 1, ("Safety Handbook Rules – General, L. Driving) of the Loss Prevention Policy, which is Appendix 3 of the Personnel Policy Manual:

1. Use of seat belts shall be mandatory. Failure to comply with the Illinois Seat Belt Law shall be subject to discipline and possible termination of employment.
2. Always drive defensively.
3. Report all motor vehicle accidents to appropriate police officials.
4. Do not take chances while driving.
5. Check the horn, lights, and tires of the vehicle at least once a day.
6. Report all potential vehicle abnormalities to the maintenance department via work order.
7. Keep inside of vehicles clean and free of debris that could interfere with the safe operation of the vehicle.
8. When backing fire apparatus, large trucks and heavy equipment into garage parking stalls, or tight work areas, the driver should secure the assistance of another employee to observe blind areas and guide the procedure. Universal Rules and Signage should be learned.
9. Do not try to make any major vehicle repairs (unless it is your job).
10. Do not smoke while fueling vehicles.

All employees will be furnished with a copy of the Employee Safety Handbook.

15.05 Post Accident Drug and Alcohol Testing Policy

The following policy applies to all employees of the Village of Wheeling with positions which consist of duties that involve the requirement of a commercial driver's license or perform safety-sensitive functions.

15.051 Use or possession of controlled substances while holding a position requiring the performance of safety-sensitive functions is prohibited, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial vehicle.

15.052 Employees may be required to submit to testing to determine the presence of illegal drugs or alcohol under the following circumstances:

- A. When involved in an on-the-job driving accident that results in:
 - 1. Injury or death; or
 - 2. A citation to the employee under State or local law for a moving traffic violation arising from the accident and when any vehicle requires towing from the accident scene or any involved person requires treatment away from the accident scene. An employee in such an accident is required to report it as soon as possible to the Supervisor.
- B. When observed using alcohol or illegal drugs while on duty requiring the performance of safety-sensitive functions.
- C. When a Supervisor, who has previously participated in a program that provides training in the recognition of the physical appearance and behavior of persons under the influence of alcohol or illegal drugs, observes an employee exhibiting such appearance and behavior during the period of the work day that the employee is performing in the safety-sensitive function.
- D. If allowed to return to duty in a safety-sensitive position and has been identified by a substance abuse professional as needing assistance in resolving problems with drug or alcohol abuse. Such employees will be subject to a minimum of six (6) unannounced follow-up drug or alcohol tests over the first twelve (12) months following his return to duty.

15.053 An employee who refuses to consent and submit to a test when requested will be subject to disciplinary action, up to and including termination. Refusal to submit includes failure to provide adequate breath

for testing without a valid medical explanation after receiving notice of the requirement for breath testing, failure to provide adequate urine for controlled substances testing without a valid medical explanation receiving notice of the requirement for urine testing, engaging in conduct that clearly obstructs the testing process, and leaving the scene of an on-the-job accident.

15.054 All information from an employee's drug and alcohol tests will be confidential to the extent required by law.

ARTICLE XVI

SAFETY

16.01 On-the-Job Safety

Employees shall exercise caution and observe all safety rules and regulations applicable to their respective positions and in the operation of vehicles, equipment and use of tools to assure themselves and fellow employees a safe working environment.

16.02 Accident Review Board {Revised July 17, 2023}

The Accident Review Board is a committee composed of members of each Village department and chaired by a member appointed by the Village Manager. The purpose of the Accident Review Board is to review accidents and injuries of Village employees which occur on the job to determine whether these accidents and injuries are preventable or not preventable. Policy recommendations may also be made by this Board regarding physical fitness activities, driver training, safety inspections and other miscellaneous safety policy matters, as noted in Appendix 3, Loss Prevention Policy.

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ARTICLE XVII

GUIDELINES OF CONDUCT

17.01 Guidelines

The following list is set forth to provide notice to all employees of conduct deemed by the Village of Wheeling to be improper and unsatisfactory. This set of guidelines should not be considered to be all-inclusive as no set of guidelines can ever address all possible behavior. Nothing set forth herein shall imply that an employee who conducts himself in an acceptable manner shall have any right to continued employment with the Village of Wheeling, since all employees of the Village, except for sworn members and those covered by a collective bargaining agreement, are employees at will who may be disciplined or discharged at any time with or without cause or notice.

- A. Incompetence or inefficiency.
- B. Offensive conduct, including breach of security.
- C. Insubordination or violation of any official order or regulation. Insubordination is defined as failure or deliberate refusal to obey an order by a superior.
- D. Accepting tips or gifts in the course of work.
- E. Dishonesty in the performance of duties.
- F. Failure to pay just debts, thereby causing repeated undue annoyance to Village officials or so that the reputation of the Village or the department is jeopardized.
- G. Conviction of a criminal offense which inhibits the employee from performing his duties or damages the credibility of the employee in the performance of his responsibilities.
- H. Negligent or willful damage or waste of public property.
- I. Inexcusable absence without being granted leave.
- J. Intoxication or the consumption of alcoholic beverages or controlled substances while on duty.
- K. Violation of the Village's Code of Ethics.
- L. Discrimination or harassment of any employee because of sex, age race, color, religion, national origin, ancestry, handicap or disability status, genetic background, gender, sexual orientation, marital status, unfavorable discharge from military service or any other legally-protected status.
- M. Engaging in outside employment while on leave.
- N. Engaging in fraudulent use of leave.
- O. Claiming sick leave under false pretenses.
- P. Excessive or chronic absenteeism that is not otherwise protected.
- Q. Failure to comply with employees' specific department rules or safety rules.
- R. Failure to conform to assigned work hours.
- S. Falsification or misuse of time sheets or records.
- T. Theft of Village property or another employee's property.
- U. Fighting on the job or other conduct that violates the Village's Workplace Violence policy.

- V. Sleeping on the job.
- W. Sex in or on Village property.
- X. Violation of the Personnel Policy Manual.
- Y. Working unauthorized overtime.
- Z. Any other activity which is not compatible with good public service.

{Revised May 20, 2013}

17.011 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Village of Wheeling presents to customers and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. All attire must be clean and free of wrinkles, blemishes or tears. Clothing with conspicuous logos is not permitted. Employees who appear for work inappropriately dressed will be sent home, at the discretion of their Department Head, and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

- A. The dress code policy for all office staff, Monday through Friday, is “business casual” attire. The following list provides a guideline for acceptable “business casual” attire.

Slacks: Dress slacks, classic trousers, cotton or khaki-type slacks, cropped or capri but must be mid-calf. (Jeans, pants with rivets, shorts, lycra/spandex or knit leggings, and sweatpants are not permitted.)

Tops/Shirts/Blouses: Suit coats, blazers, sweaters, collared shirts/blouses, banded collar shirts, sport shirts, golf or polo-type shirts, and turtlenecks. (T-shirts, tank tops or tops with spaghetti straps, halter/tube tops, and tops which expose the mid-section are not permitted.)

Dresses/Skirts: Full-length dresses, business skirts, split skirts, dress culottes, jumpers (no shorter than 3” above the knee).

Footwear: Business type shoes and oxfords; dress loafers; dress boots, dress flats; dress sandals. (Athletic shoes, gym shoes, and sneakers are not permitted, unless required for medical reasons. Flip-flops/sport sandals are not permitted.)

- B. Acceptable dress for all non-uniformed field personnel who spend greater than 50% of their day in the field includes jeans, which should be clean, not excessively worn or faded and without holes or frayed areas, and a

collared golf or polo-type shirt with the Village logo. Village or plain hats are acceptable field attire.

- C. Departmental “casual dress days” may be held occasionally at the discretion of the Department Head, provided that employees exercise good judgment. Athletic shoes and clean denim jeans may be worn on “casual” days. Jeans with holes, tears, or bleach marks are not permitted at any time.

17.02 Discrimination

17.021 It is the policy of the Village to provide equal employment opportunity in all our personnel practices to all qualified employees and applicants for employment without regard to a person’s sex, age, race, color, religion, national origin, ancestry, handicap or disability status, genetic background, gender, sexual orientation, marital status, military status, unfavorable discharge from military service or any other legally-protected status. This equal employment opportunity policy applies to all employment activities, including but not limited to hiring, promotion, demotion, discipline, leaves of absence, transfer, recruitment, layoff, discharge, pay policies, and selection for training.

The Village will provide reasonable accommodations for qualified employees or applicants with disabilities, unless to do so would cause an undue hardship for the Village. Any applicant or employee who believes he or she needs a workplace accommodation should contact the Assistant Village Manager.

Discriminatory actions or activities of a harassing nature will not be tolerated within the Village of Wheeling organization. All personnel are expected to be especially alert for any instance of racial, sexual, disability or any other prohibited form of discrimination or harassment in the workplace. Every employee shares the responsibility to enforce this policy of absolute non-discrimination. {Revised May 20, 2013}

17.022 Any employee who feels he or she has experienced or witnessed prohibited discrimination should immediately notify the Assistant Village Manager, if said person is not involved in the discrimination charge. If said person is involved in the discrimination charge, notification should be given directly to the Village Manager or Village Attorney, providing said person is not involved in the discrimination charge. The employee may also notify his or her immediate Supervisor or Department Director, providing said person is not involved in the discrimination charge. {Revised May 20, 2013}

17.023 Deleted. {Revised May 20, 2013}

17.024 Deleted. {Revised May 20, 2013}

17.025 Harassment Policy {Revised January 8, 2018}

It is and shall be the policy of the Village of Wheeling to prohibit harassment on the basis of an employee's protected status under state and federal law. This includes conduct, whether verbal, physical or visual, that denigrates or shows hostility or aversion toward an individual based upon that person's sex, age, race, color, religion, national origin, ancestry, handicap or disability status, genetic background, gender, sexual orientation, marital status, military status, unfavorable discharge from military service or any other legally-protected status. The Village will not tolerate harassing conduct that has the purpose or effect of interfering unreasonably with an employee's work performance, affecting an employee's tangible job benefits, or creating an intimidating, hostile or offensive work environment.

A. Statement of Prohibited Conduct

The conduct forbidden by this policy specifically includes, but is not limited to:

- Epithets, slurs, negative stereotyping or intimidating acts that are based on a person's protected status: and
- Written or graphic material circulated, available on the Village's computer system or posted or distributed within the workplace, that shows hostility toward a person or persons because of their protected status.

Depending on the nature and extent of the conduct, harassment may be illegal and such behavior by an employee to another employee or to a person receiving Village services may violate Title VII, Section 703, of the Civil Rights Act of 1964 and the Illinois Human Rights Act. This policy prohibits harassment based on an individual's protected status, even if it does not rise to the level of a legal violation.

B. Sexual Harassment

1. Sexual harassment of and by employees is prohibited and deserves special mention. Sexual harassment consists of any unwelcome sexual advances or requests for sexual favors or any other verbal, physical or visual conduct based on sex or gender when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. This policy forbids harassment

based on sex and gender regardless of whether it rises to the level of a legal violation.

2. Sexual harassment may include unwanted sexual advances and propositions, sexual innuendo, suggestive comments, sexually-oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays or electronic transmissions of sexual, foul or obscene printed or visual material, and intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against, or poking another employee's body. The above list is not to be construed as an all inclusive list of prohibited acts under this policy, but rather represents those most commonly found to violate it.

C. Reporting Requirements

1. Any employee who feels he or she has experienced or witnessed harassment should immediately notify the Personnel Officer or the Assistant Village Manager, if said person is not involved in the harassment charge. If said person is involved in the harassment charge, notification should be given directly to the Village Manager or Village Attorney, providing said person is not involved in the harassment charge. The employee may also notify his or her immediate Supervisor or Department Director, providing said person is not involved in the harassment charge. Supervisors, managers and Department Heads must report any reported or suspected violations of this policy to the Assistant Village Manager or, in the event the Assistant Village Manager is the target of the complaint, to the Village Manager or Village Attorney. Failure of a supervisor, manager or Department Head to report alleged or suspected violations of this policy may result in discipline, up to and including termination of employment.
2. All Village of Wheeling employees are responsible for helping to assure that harassment, including sexual harassment, is avoided. Employees are encouraged to report any suspected incidents of sexual harassment. The Village of Wheeling forbids retaliation against anyone who has reported harassment, assisted in making a harassment complaint, participates in an investigation of a complaint, whether internally or with an external agency; files a charge of discrimination or harassment; or otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws. Any employee who feels he or she has been retaliated against should immediately notify their supervisor, their

Department Head or the Assistant Village Manager. Any employee who is the victim of retaliation for reporting harassment, assisting in making a complaint, and/or cooperating in an investigation of harassment has available to him/her whistleblower protections under the Illinois Whistleblower Act 740 ILCS 174/1 *et seq.*, and the Illinois Human Rights Act 775 ILCS 5/1-101 *et seq.*

D. Investigation of Complaints

1. All complaints of harassment will be investigated promptly and thoroughly. To the fullest extent practicable, the Village will keep complaints and the terms of their resolution confidential. If the investigation confirms that harassment has occurred, the Village will take appropriate corrective action, up to and including termination of employment.
2. Although the Village hopes that any incident of discrimination or harassment can be resolved through the internal process outlined above, any employee who believes they have been the subject of harassment or retaliation for complaining about harassment also has the right to file a charge of civil rights violations with the Illinois Department of Human Rights within 300 days of the alleged harassment. An appeal process is available through the Human Rights Commission after IDHR has completed its investigation of the complaint. Additional information is available at <http://www.state.il.us/dhr>. {Revised November 5, 2018}

To file a charge with the IDHR, contact:

Illinois Department of Human Rights
James R. Thompson Center
100 West Randolph Street, Suite 10-100
Chicago, Illinois 60601
312/814-6200 312/263-1579 (TDD)

3. It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. At the same time, the purposes of this policy are not furthered where a complaint is found to be false and frivolous and made to accomplish some end other than stopping harassment. A complaint that is determined to be false and frivolous can result in a severe level of discipline or discharge. A false or frivolous complaint does not refer to complaints made in good faith that cannot be proven.

E. Elected and Appointed Officials

Because the Village promotes civility and respectful interactions at all levels of the organization, it is critical that elected and appointed officials understand their responsibilities to comply with this policy. Elected and appointed officials are also expected to treat each other in a manner consistent with this policy. Any elected or appointed official who believes they have experienced prohibited conduct by another elected or appointed official that is inconsistent with the Village's Harassment Policy may notify the Assistant Village Manager/Director of Human Resources or the Village Manager. After receiving the complaint, the Village may initiate an investigation using an independent investigator experienced in investigating workplace harassment complaints. {Revised, June 15, 2020}

17.03 Drug and Alcohol-Free Workplace {Revised January 20, 2014}

In accordance with the requirements of the Drug-Free Workplace Act of 1988, the policy of the Village of Wheeling regarding the work-related effects of drug and alcohol use and the unlawful possession of controlled substances on Village premises is, as follows:

17.031 Employees are expected and required to report to work on time and in an appropriate mental and physical condition for work. It is the intent and obligation of the Village of Wheeling to provide a drug-free, healthful, safe and secure work environment. Where reasonable suspicion exists based on observable behavior or characteristics, that an employee may be impaired due to the effects of drug or alcohol use during work hours, the Village reserves the right to order the employee to undergo a drug and alcohol test. Such suspicion shall be documented by the employee's supervisor or other supervisor observing the behaviors and characteristics giving rise to the suspicion. Employees will be given a reasonable opportunity to contest a positive test result and/or a determination that the employee was impaired at work. This policy will be enforced in a manner that is consistent with applicable federal, state and local laws.

17.032 The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on Village premises or while conducting Village business off Village premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

17.033 The Village recognizes drug and alcohol abuse poses potential health, safety, and security problems. Employees needing help in dealing with drug and alcohol-related problems are encouraged to use the Employee Assistance Program (EAP).

17.034 Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on Village premises or off Village premises while conducting Village business. A report of a conviction must be made to the Personnel Director within five (5) days after the conviction.

17.04 Workplace Violence

It is the objective of the Village of Wheeling to ensure the safety and well being of our workforce. Therefore, the Village has established a zero tolerance for any violent acts or threats towards any Village employee.

17.041 Violence, or the threat of violence, whether direct or implied, by or against any employee of the Village of Wheeling is unacceptable and will subject the perpetrator to serious disciplinary action and possible criminal charges.

17.042 Employees have a "duty to warn" the Village of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve other employees, former employees, or visitors that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, or threatening or offensive comments or remarks, or carrying a weapon such as a gun, knife or other instrument that is not used as part of the employee's job duties. An employee who becomes aware of any threat of violence shall contact his immediate Supervisor, Department Head, or the Assistant Village Manager. In critical incidents in which serious threats are made or injury occurs, emergency responders such as police or fire personnel should be notified immediately. {Revised May 20, 2013}

17.0421 Pursuant to Public Act 98-0063 concerning concealed carry of firearms, all municipal buildings and municipal vehicles are designated as "Prohibited Areas" for concealed carry licensees to carry firearms. Employees are prohibited from carrying a firearm or other weapon not used as part of the employee's job duties while in any municipal building, vehicle or parking lot, except that an employee who has secured the required license may store a covered firearm within his or her private vehicle provided the firearm is contained in a locked case, within a locked private vehicle and out of plain sight, and consistent with applicable law. Further, unless used as part of the employee's job duties, employees are prohibited from carrying a firearm or other weapon at any time during the employee's work hours.

Any employee found to have carried a firearm onto Village property knowingly, or found to be carrying a firearm under circumstances in which the employee should have known that he or she was in possession of a firearm, may be subject to discipline up to and including termination of employment, as well as possible arrest and prosecution.

Employees who have reason to believe that an individual visiting or conducting business on Village property is in possession of a firearm must immediately report that to the Police Department.

The provisions of this Policy do not apply to the possession of firearms in any Prohibited Area if the firearm is carried by a sworn law enforcement officer required to carry a firearm as a condition of his or her employment. {Revised January 20, 2014}

17.043 All incidents will be investigated promptly by the Village and will result in immediate action being taken. Employee reports made pursuant to this policy will be held in confidence to the extent possible in view of the Village's obligation to investigate the report. The Village will not condone any form of retaliation against any employee for making a good faith report under this policy. No person shall be required to make a complaint to the person against whom the complaint is lodged. {Revised May 20, 2013}

17.05 Discipline

17.051 Disciplinary action shall be imposed by Department Heads or by the Personnel Director, as appropriate, under the particular circumstances presented, in the sole judgment and determination of the disciplining authority. Neither a Department Head nor the Personnel Director shall be required to furnish non-sworn employees with any written statement of reasons for any disciplinary action.

17.052 The following forms of disciplinary action, without limitation, may be imposed on or against non-sworn personnel:

A. By a Department Head:

1. Reprimand, verbal or written;
2. Reassignment to other duties within a department, subject to the approval of the Personnel Director;
3. Suspension for three (3) days or less, without pay, subject to the approval of the Personnel Director.

B. By the Personnel Director:

1. Reprimand, verbal or written;
2. Reassignment to other duties within a department, or reassignment to another department;
3. Demotion;
4. Suspension without pay, with no limitation as to length;
5. Discharge, in accordance with the provisions of this manual;

6. Involuntary resignation, for failure to report to work for three (3) consecutive days without authorized leave.

17.053 Sworn employees shall be subject to discipline only in accordance with the applicable provisions of the State statute, the Rules and Regulations of the Board of Fire and Police Commissioners, and applicable department rules.

17.054 Department Heads shall be subject to disciplinary action by the Personnel Director in the same forms available with respect to other non-sworn personnel.

ARTICLE XVIII

GRIEVANCES

18.01 Policy

18.011 Effective employee-employer relationships are necessary to carry out the responsibilities of the Village to its citizens in an efficient and economical manner. Maintaining these relationships requires prompt consideration and equitable adjustment of employee grievances. It is the desire of the Village, when practicable, to adjust grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there may be grievances that will be resolved only after formal appeal and review.

18.012 Initiation of a grievance in good faith by an employee will not be considered as casting any reflection on his standing or loyalty, or on the employee's Supervisor or fellow workers.

18.013 This section on grievances does not apply to any employee who has a grievance procedure available to him or her under a collective bargaining agreement.

18.02 Procedure

If an employee has any complaints or grievances concerning classification, working conditions, salary or other matters relating to his job, the following are the steps to be taken in the grievance procedure:

- A. Employee should request a grievance interview with his immediate Supervisor within ten (10) calendar days of the incident at which time the situation will be discussed and a resolution attempted.
- B. In the event the grievance remains unresolved, or if the employee is dissatisfied with the oral decision rendered, within fourteen (14) calendar days the employee shall put the grievance in writing and submit it to his Department Head. The Department Head shall attempt to resolve the grievance by means of an interview with the Supervisor and employee within seven (7) calendar days of receipt of the written grievance.
- C. If, after seven (7) calendar days of the interview, a satisfactory solution cannot be obtained through steps A. and B, the employee may appeal the matter in writing to the Personnel Director. The Personnel Director, or his designee, will promptly schedule a meeting with the employee and/or his representative and give an answer within fourteen (14) calendar days following the meeting.

- D. The Personnel Director's decision in the matter is final and the employee will be notified of this final decision.

18.03 Personnel Officer

18.031 The Personnel Officer is available to assist the employee in processing his complaint. If an employee requests, the Personnel Officer will provide full information to the employee concerning assistance in the preparation of the written complaint and will advise the employee of the proper administrative channels provided for considering complaints.

18.032 The grievance procedure is for the use of non-supervisory personnel only, and is not available for management staff. Management staff is free to confer with the Personnel Director anytime after notifying their immediate Supervisor. The Personnel Director will provide opportunities for any member of the management staff to meet with the Personnel Director.

ARTICLE XIX

GENERAL MANAGEMENT TECHNICAL & SUPERVISORY STAFF GUIDELINES

19.01 The Management staff of the Village consists of all supervisory and professional personnel. This shall include, but is not limited to, the following job classifications:

Village Manager (Personnel Director)
Assistant Village Manager/Director of Human Resources
(Personnel Officer)
Director of Economic Development
Director of Information Technology
Information Systems Administrator
Human Resources Coordinator
Business Development Coordinator

Director of Finance
Deputy Finance Director
Accounting Manager

Director of Community Development
Assistant Director of Community Development
Village Planner
Health Officer
Customer Service Supervisor – Permits & Development

Director of Public Works
Assistant Director of Public Works
Village Engineer
Civil Engineer I
Civil Engineer II
Engineering Coordinator
Utility Superintendent
Streets and Forestry Superintendent

Fleet and Facilities Superintendent
Foreman

Police Chief
Deputy Chief
Police Commander
Communications Center Manager
Police Records Supervisor
Social Services Manager

Fire Chief
Deputy Chief
Battalion Chief
Executive Officer
Fire Prevention Bureau Manager

{Revised July 17, 2023}

19.02 In addition to the duties set forth in their job descriptions, members of the management staff are responsible for administrating this document, assisting in the management of the Village as a whole and through reports and recommendations, assisting the elected officials in the formulation of Village policies.

19.03 To coordinate their efforts and to better assist in overall management of the Village, the management staff will occasionally be asked to work together in teams that cross department lines. Management staff is expected to do this while still maintaining and respecting formal lines of authority.

19.04 Management staff is expected to work in a responsible manner, and will not normally be paid overtime. Management employees are typically exempt from overtime under the Fair Labor Standards Act, and those that are exempt will not be paid overtime. Flexibility exists in time off with the approval of the Personnel Director. The Personnel Director may approve additional time off for management staff required to work outside of their normal work schedules.
{Revised April 6, 2009}

19.05 Management staff is not permitted to join any union or association that promotes bargaining rights of Village employees. The Personnel Director will meet and confer with members of the management staff on matters of salary and emoluments. Salaries of management staff will be based on merit.

ARTICLE XX

SEVERABILITY

If any provision of this Personnel Policy manual or the application thereof shall be held invalid, such provision shall be deemed separate and distinct and such decision shall not affect the validity of the remaining portions thereof.

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ARTICLE XXI

CONFLICTS OF LAW

Nothing in this manual shall be construed to require either the Village or any of its employees to violate any Federal or State laws. In the event any provision herein contained should conflict with any such laws, such provision shall be modified to the extent necessary to conform to such laws.

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ARTICLE XXII

WHISTLEBLOWER PROTECTION POLICY

22.01 Purpose

The Village of Wheeling (the "Village") provides whistleblower protections in two important areas: confidentiality and against retaliation. The confidentiality of a whistleblower will be maintained to the extent allowable by law, however, an identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. A whistleblower may also waive confidentiality in writing. The Village will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblowers who believe they are being retaliated against must submit a written report to the Auditing Official within 60 days of gaining knowledge of the retaliatory action. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

22.02 Definitions

- a) **Whistleblower** means an employee of the Village, as defined in Section II of this policy, who:
1. Reports an improper governmental action as defined under 50 ILCS 105/4.1 (hereinafter Section 4.1);
 2. Cooperates with an investigation by an Auditing Official related to a report of improper governmental action; or,
 3. Testifies in a proceeding or prosecution arising out of an improper governmental action.
- b) **Auditing Official** means any elected, appointed or employed individual, by whatever name, in the Village whose duties may include: receiving, registering and investigating complaints and information concerning misconduct, inefficiency and waste within the Village; investigating the performance of officers, employees, functions and programs; and, promoting economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the Village.
1. The Auditing Official shall be the Village Attorney.
- c) **Employee** means anyone employed by the Village, whether in a permanent or temporary position, including full-time, part-time and intermittent workers. Employee also includes members of appointed boards or commissions, whether

paid or unpaid. Employee also includes persons who have been terminated because of any report or complaint submitted under Section 4.1.

- d) **Improper governmental action** means any action by an employee of the Village; an appointed member of a board, commission or committee; or, an elected official of the Village that is undertaken in violation of a federal or state law or local ordinance; is an abuse of authority; violates the public's trust or expectation of their conduct; is of substantial and specific danger to the public's health or safety; or, is a gross waste of public funds. The action need not be within the scope of the employee's, elected officials, board member's, commission member's or committee member's official duties to be subject to a claim of "improper governmental action."

1. Improper governmental action does not include the Village's personnel actions, including, but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, reprimands or violations of collective bargaining agreements, except to the extent that the action amounts to retaliation.

- e) **Retaliate, retaliation or retaliatory action** means any adverse change in an employee's employment status or the terms and conditions of employment that directly results from an employee's protected activity under Section 4.1. Retaliatory action includes, but is not limited to, denial of adequate staff to perform duties; frequent staff changes; frequent and undesirable office changes; refusal to assign meaningful work; unsubstantiated letters of reprimand or unsatisfactory performance evaluations; demotion; reduction in pay; denial of promotion; transfer or reassignment; suspension or dismissal; or, other disciplinary action made because of an employee's protected activity under Section 4.1.

22.03 Duties of an Auditing Official

The Auditing Official shall investigate and dispose of reports of improper governmental action in accordance with these processes and procedures, and all other provisions of Section 4.1.

The Auditing Official must provide each employee a written summary or a complete copy of Section 4.1 upon commencement of employment and at least once each year of employment. At the same time, the employee shall also receive a copy of the written processes and procedures for reporting improper governmental actions from the applicable Auditing Official.

The Auditing Official may reinstate, reimburse for lost wages or expenses incurred, promote or provide some other form of restitution, upon completion of his investigation.

22.04 Duties of an Employee

All reports of illegal and dishonest activities will be promptly submitted to the Auditing Official who is responsible for investigating and coordinating corrective action.

If an employee has knowledge of, or a concern of, improper governmental action, the employee shall make a written report of the activity to the Auditing Official. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; the Auditing Official is charged with these responsibilities.

22.05 Employee Acknowledgment

Employees are required to sign a written acknowledgement that they have received, read and understand this Policy, and to submit that acknowledgement to the Auditing Official or other designated official of the Village. The form that follows on page four of this policy will satisfy this requirement upon receipt.

Employee Acknowledgement of Whistleblower Protection Policy

I confirm that I have received, read and understand the "Whistleblower Protection Policy" for employees of the Village of Wheeling.

I understand that as an employee, it is my responsibility to abide by this Policy. If I have questions about the Policy, I understand it is my responsibility to seek clarification from the Auditing Official .

Print Name: _____

Employee Signature: _____

Date: _____

APPENDIX 1 – CODE OF ETHICS

(Chapter 2.06 of the Wheeling Municipal Code)

*Note to Chapter 2.06

* Prior ordinance history: Ords. 1354, 1472, 1698 and 3441.

2.06.010 Declaration of ethics policy.

It is the policy of the village that its employees and elected and appointed officers shall, in all cases, exercise their judgment and perform their duties for the sole benefit of its citizens. Therefore, all such persons shall avoid accepting or retaining any economic benefits or opportunities which could impair or present an actual threat to the exercise of independent judgment. It is the responsibility of all such persons to maintain the highest standards of ethical behavior by acting with steadfast integrity, unconditional impartiality and a total devotion to the best interests of the village's citizens. Furthermore, all such persons shall endeavor to avoid even the appearance of impropriety. (Ord. 3722 § A, 2003)

2.06.020 Definitions.

Unless the contrary is stated, or clearly appears from the context, when used in this Chapter, the following words and phrases shall have the meanings indicated:

- (1) "Business entity" means any organization or enterprise operated for profit, including, but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.
- (2) "Gift" means anything of economic value, tangible or intangible, regardless of the form, without adequate and lawful consideration. The term Gift shall include any gratuity, discount, entertainment, hospitality, loan, or forbearance having monetary value.
- (3) "Immediate family" means an individual's spouse, dependent children, others if the interest herein required to be disclosed is constructively controlled by the person required to file a statement of economic interest pursuant to state statutes.
- (4) "Income" means salary, wage, advance, payment, fee, honorarium or any other consideration for personal, professional, or commercial services, rent, dividends, interest, capital gains received from the sale of real or personal property, stocks or bonds, return of capital, forgiveness or payment of indebtedness, discount in the price of anything of value unless the discount is available to members of the public without regard to official status, rebate, reimbursement for expenses, contribution to an insurance or pension program paid by any person other than an employer. Income also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns directly, indirectly or beneficially, a five percent or greater interest.
- (5) "Interest in real property" means and includes, but is not limited to the following: legal or equitable Title, a beneficial interest in any trust (including a land trust), any

assignment of any interest from a beneficiary or any other party of an interest, a power to direct conveyance, a right to receive rents or proceeds from the property, a lien, a tax sale certificate, an option, or any other financial interest, real or personal, direct, or indirect, in such property, including status as a nominee or an undisclosed principal.

(6) "Payment" means consideration, distribution, transfer, loan, advance deposit, gift or other rendering of money, property, services or anything else of value, whether tangible or intangible.

(7) "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business, trust company, corporation, association, committee, and any other organization or group of persons acting in concert.

(8) "Public official" means any person holding an office of the village by election or appointment, whether paid or unpaid, including members of any board, committee, or commission thereof. (Ord. 3722 § A, 2003)

2.06.030 Persons affected.

All of the provisions of this code, except as otherwise indicated, shall apply to elected and appointed officials of the village and to all employees of the village. (Ord. 3722 § A, 2003)

2.06.040 Fair and equal treatment.

(a) Use of Public Property. No public official shall request or permit the use of village-owned vehicles, equipment, materials, personnel, or property including intellectual property for personal convenience or profit or political purposes, except when such services are available to the public generally or are provided as village policy for the use of such official in the conduct of official business.

(b) Obligations to Citizens. No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is afforded to the public in general. (Ord. 3722 § A, 2003)

2.06.050 Conflict of interest in contracts.

No elected or appointed officer or employee of the village, whether paid or unpaid, shall have any interest directly or indirectly in any contract, work or business of the village, except as may be permitted under the de minimus exceptions set forth in the following state statutes: 50 ILCS 105/3, 105/3.1 and 105/3.2 and 65 ILCS 5/3.1-55-10. Section 3.1-55-10 of the Illinois Municipal Code (65 ILCS 5/3.1-55-10, entitled "Interest in contracts") and Paragraph 105/3 of the Public Officer Prohibited Activities Act (50 ILCS 105/3) are hereby specifically incorporated into this code as and for the village's conflict of interest in contracts provisions. (Ord. 3722 § A, 2003)

2.06.060 Preacquisition of interest.

No public official or employee shall acquire any interest in, or any interest affected by, any contract, transaction, zoning decision, or other matter at a time when such public official or employee believes or has reason to believe the interest will be directly or indirectly affected by an official act or action of the public official or employee. This provision shall not apply to any interest received through inheritance or under the laws of intestacy. (Ord. 3722 § A, 2003)

2.06.070 Appearances for private interests.

No public official or employee shall appear on behalf of any private person other than himself or herself, his or her spouse, or minor children, before the village board, or any commission, or committee of the village. However, a member of the president and board of trustees may appear before village commissions or committees on behalf of his constituents, in general, in the course of his or her duties as a representative of the electorate or in the performance of public or civic obligations. No public official or employee shall receive compensation for such appearances. (Ord. 3722 § A, 2003)

2.06.080 Nondisclosure of confidential information.

No public official or employee, with respect to any contract, transaction, zoning decision or other matter which is or may be the subject of an official act or action of the village, shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the village or use such information to advance the financial or other private interest of the public official or employee or others. (Ord. 3722 § A, 2003)

2.06.090 Incompatible service.

No public official or employee shall solicit, engage in or accept private employment or render service for private interests when such employment or service is incompatible with the proper discharge of his official acts or actions or would tend to impair his independence of judgment in the performance of his official acts or actions. (Ord. 3722 § A, 2003)

2.06.100 Solicitation of employment.

No public official or employee shall solicit or accept income or employment from any person with which he or his board, commission, committee or department is involved for or on behalf of the village and which he is or may be called upon to take or render an official act or action in his official capacity. (Ord. 3722 § A, 2003)

2.06.110 Later case interest.

No public official or employee shall, after the termination of service or employment with the village, appear before any board, commission, committee or agency of the village in relation to any case, proceeding, application, transaction or contract in which he personally participated during the period of his service or employment or which was under his active consideration. (Ord. 3722 § A, 2003)

2.06.120 Common law conflict of interest--Action required.

A potential common law conflict of interest can arise whenever official action could result in a personal advantage or disadvantage to the interested official, even in circumstances which are not violative of the state conflict of interest statutes. Whenever an official has a common law conflict of interest, such official shall disqualify himself or herself from voting on the matter, shall not take any part, whatsoever, in the discussion of the matter and shall disclose publicly his or her interest which causes the common law conflict of interest. (Ord. 3722 § A, 2003)

2.06.130 State Officials and Employees Ethics Act.

A. The regulations of Sections 5-15 (5 ILCS 430/5-15) and Article 10 (5 ILCS 430/10-10 through 10-40) of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., (hereinafter referred to as the "Act" in this section) are hereby adopted by reference and made applicable to the officers and employees of the village to the extent required by 5 ILCS 430/70-5.

B. The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the village, is hereby prohibited.

C. The offering or making of gifts prohibited to be offered or made to an officer or employee of the village under the Act, is hereby prohibited.

D. The participation in political activities prohibited under the Act, by any officer or employee of the village, is hereby prohibited.

E. For purposes of this section, the terms "officer" and "employee" shall be defined as set forth in 5 ILCS 430/70-5(c).

F. The penalties for violations of this section shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the Act.

G. This section does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this section, however, the provisions of this section shall prevail in accordance with the provisions of 5 ILCS 430/70-5(a).

H. Any amendment to the Act that becomes effective after the effective date of this section shall be incorporated into this section by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption

by municipalities shall not be incorporated into this section by reference without formal action by the corporate authorities of the village.

I. If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this section shall be repealed as of the date that the Illinois Supreme Court's decision becomes final and not subject to any further appeals or rehearings. This section shall be deemed repealed without further action by the corporate authorities of the village if the Act is found unconstitutional by the Illinois Supreme Court.

J. If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this section shall remain in full force and effect; however, that part of this section relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the village. (Ord. 3868 § 1, 2004; Ord. 3722 § A, 2003)

2.06.140 Political activity.

(a) No public official or employee shall offer or promise to take any official act or action on behalf of any candidate or political party.

(b) No appointive public official or employee shall orally, by letter, or otherwise, by use of official authority or influence, solicit or be concerned in soliciting any assessment, subscription or contribution to any political party; nor shall he be a party to such solicitation by others.

(c) No public official or employee shall promise an appointment to any village position as a reward for any political activity.

(d) No public official or employee shall display, cause to be displayed or permit the display of campaign materials, pamphlets, or buttons on village vehicles or on village property.

(e) No public employee shall conduct any campaign or political activity while on duty or while wearing a uniform normally identified with the village.

(f) No public official or employee shall conduct any campaigning or political activity on village property. (Ord. 3722 § A, 2003)

2.06.150 Filing of complaints--Investigation thereof.

The village clerk is authorized to receive and maintain a log of all complaints made against individuals subject to this Chapter. Complaints alleging a violation of the State Gift Ban Act provisions of Section 2.06.130 of this Chapter shall be filed with the state legislative ethics commission pursuant to Section 2.06.130(3) hereof. All complaints against elected or appointed village officials and the village manager alleging a violation of the conflict of interest provisions of this Chapter shall be submitted to the village attorney for investigation. All complaints against village employees, including department heads, alleging a violation of the conflict interest provisions of this Chapter shall be submitted to the village manager. (Ord. 3722 § A, 2003)

2.06.155 Action by village attorney.

Upon review of the evidence, the village attorney shall prepare a written report and recommendation for the board of trustees. If the village attorney determines that the complaint is not sustained, he or she shall so state in the recommendation portion of his or her written report. On the other hand, if he or she determines that the complaint is sustained, the report shall include recommendations for such administrative or legal action as deemed appropriate. The board shall then review the report and recommendations of the village attorney, and, by majority vote including the president, determine what action, if any, is to be taken in accordance with the provisions of this Chapter. If it is a member of the board of trustees who is accused, that member shall not participate in the vote. In the event no violation is found, the village attorney's log and complaint files shall not be open for public inspection, unless requested by the individual who was the subject of the complaint. To the extent that it is practical to do so, an elected official should use his or her best efforts to notify, in writing, other elected village officials prior to filing a complaint or charges against any village official. (Ord. 3722 § A, 2003)

2.06.160 Action by village manager.

Upon review of the evidence, the village manager shall prepare a written report containing his or her findings and conclusions. If the village manager determines that the complaint is not sustained, he or she shall so state in the conclusions portion of his or her written report. On the other hand, if the village manager determines that the complaint is sustained, the report shall include his or her conclusions as to the appropriate disciplinary action to be taken against the employee. The village manager shall have the power to discharge, suspend without pay or demote any employee against whom the village manager sustains the complaint. Any such disciplinary action taken by the village manager pursuant hereto shall be in full compliance with the applicable provisions of the personnel policy manual of the village. In the event no violation is found, the village manager's log and complaint files shall not be open for public inspection, unless requested by the individual who was the subject of the complaint. However, the person making the complaint shall be notified in writing by the village manager of his or her decision. (Ord. 3722 § A, 2003)

2.06.170 Complaints.

Any person who believes that a violation of any portion of this Chapter has occurred may file a complaint with the village clerk pursuant to Section 2.06.150. Each complaint shall be signed by the person filing the complaint and such signature shall constitute a certification that to the best of his or her knowledge, information and belief, the facts contained within the complaint are true. The provisions of this Chapter shall not alter the employment relationship of any employee nor provide any employee with additional rights. (Ord. 3722 § A, 2003)

2.06.180 Penalties.

Any person subject to the provisions of this Chapter who violates any of its provisions shall be subject to the following sanctions and/or penalties:

(1) The village board, after review of the village attorney's recommendation and conclusions, may take the appropriate corrective or disciplinary action against any person who is subject to the terms of this Chapter and who is found to have violated the provisions thereof.

(2) In appropriate circumstances, the village board may direct that appropriate legal proceedings be commenced for the purpose of removal from office.

(3) The village board may recommend a judicial proceeding to be brought, and if the person is found by a court of competent jurisdiction to be guilty of knowingly violating any of the provisions of this Chapter or furnishing false, misleading or incomplete information during the investigation with the intent to mislead, upon conviction thereof shall be punished by a fine of not more than one thousand dollars for any one offense.

(4) If a court determines that a complaint filed pursuant to Section 2.06.170 was malicious or frivolous in nature, the court may assess against the complainant reasonable attorney's fees and other litigation costs reasonably incurred by the prevailing party. (Ord. 3722 § A, 2003)

2.06.190 Applicability of other laws.

Nothing in this Chapter shall be deemed to in any way restrict the application of any state, local or common law provision with respect to conflict of interest, malfeasance, misfeasance or nonfeasance in office or employment which would otherwise be applicable to any individual subject to the provisions of this Chapter. The provisions of this Chapter shall be deemed to be additional requirements and shall in no way be construed as a derogation of present statutory penalties and other local remedies for acts prohibited in this Chapter. (Ord. 3722 § A, 2003)

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APPENDIX NO. 2



TRAVEL POLICY

Revised 1/1/2010

Travel can play an important role in the Village's efforts to provide superior and responsive governmental services to the residents of Wheeling. When conducting business on behalf of the Village, employees are expected to use good quality services and accommodations appropriate for the business to be conducted. Good judgment and ethical practices on the part of each traveler remain the most important factors in controlling travel expenses.

Control of travel authorization is the responsibility of each department head. Travel authorization is a two-part process including: 1) approval of all travel in advance; and 2) expense reporting following completion of the trip. Approval of travel expense forms is more than a formality. It indicates that expenses submitted have been reviewed and have been found to comply with Village regulations regarding travel and authorized business expenses.

All Village personnel traveling or incurring business expenses on behalf of the Village, and those responsible for the approval of these expenses, are expected to use these measures to assist in maintaining control over travel expenditures. The policies detailed here apply to all funds under Village control and are superseded only in those instances where funding agencies apply specific and more restrictive rules and rates.

1. Travel Authorization

It is Village policy that all travel requiring an overnight stay must be approved in advance by the employee's Department Head, the Director of Finance & Administrative Services and Village Manager. This applies to all travel of this nature even in instances where the travel has been budgeted or a travel advance is not requested. Requests for travel authorization shall be submitted using the Village's travel authorization form (see Exhibit 1.)

2. Travel Arrangements

To reduce travel costs, Village employees are encouraged to seek the assistance of a travel agent or an Internet website when purchasing air travel and reserving cars and hotel rooms. Whenever possible, travel should be arranged using the least expensive

means possible. Employees should use good judgment when determining logical routes for arriving at the intended destination.

3. Air Travel

Employees are required to request flights according to approximate arrival and departure time, rather than by specific carrier or flight number, in order to obtain the lowest available fare with logical routing for all trips. In general, lowest available fare is defined as the least costly fare available at the time of ticketing, and may include one stopover or connecting flight. (This is not intended to limit travelers who may wish to arrange airfare using more than one stopover or connecting flight as savings and time permits.) In order to take advantage of available discounted fares, travelers are requested to make reasonable adjustments in their travel plans.

Employees should make air travel arrangements as far in advance as possible to take advantage of special fare savings. Travelers should be aware that some discounts have travel restrictions and cancellation penalties, and therefore good business judgment should be exercised.

All air travel at Village expense must be by coach.

4. Ground Transportation

It is expected that employees use the most effective ground transportation available, considering cost, time, availability and scheduling.

The cost of public transportation, including tips, is reimbursable with a receipt unless one cannot be obtained.

a. Village Owned Vehicles

Village owned vehicles shall be used to travel to destinations of up to 200 miles from Wheeling, unless another form of travel is less expensive or more practical. Special approval for longer trips may be granted by the Director of Finance & Administrative Services if there will be more than one employee making the trip or for some other practical reason.

b. Taxi and Airport Transportation

Whenever practical, airport or hotel ground transportation should be the preferred method of transportation to hotels or meeting sites. Taxis may be used as necessary taking into consideration the cost of other means of transportation. A receipt is required for reimbursement of these expenses.

c. Rental Passenger Automobiles

Rental automobiles may be used as necessary but must be approved in advance by the Department Head, Director of Finance & Administrative Services and

Village Manager. Receipts are required for reimbursement of all expenses related to rental automobile use. Arrangements for rental automobiles should be made through a travel agent or Internet website whenever possible.

d. Personal Vehicles

Expenses of travel by automobile are reimbursable at the IRS authorized rate in effect at the time the travel takes place. The mileage reimbursement allowance covers all automobile related costs; gasoline, insurance, maintenance, etc. Toll charges and parking are reimbursable in addition to mileage allowance. The total personal automobile expenses shall not exceed the lowest available airfare.

Employees using personal vehicles on Village business must have adequate automobile insurance in compliance with State law.

5. Meals

Travel Requiring An Overnight Stay:

Employees engaged in travel necessitating an overnight stay will receive a per diem meal allowance. The per diem amount shall be equal to the Internal Revenue Service's Standard Meal Allowance rate (updated every October) for Chicago, Illinois (regardless of the city to which the employee travels). The applicable rate shall be the rate in effect at the time of travel (e.g. \$68 per day as of October 2009). The per diem amount shall include tax and tip. Receipts for meals are *not* required. Any costs exceeding the per diem amount are the responsibility of the employee. Employees are not required to reimburse the village for per diem funds not spent unless the trip is shorter than originally anticipated or canceled altogether.

Note: Employees will receive a pro-rated per diem stipend for partial days traveled. For example, an employee returning from a trip in the morning following breakfast would receive 1/3 of the per diem amount for the day rounded to the nearest dollar.

Attendance at Seminars or Conferences Not Requiring an Overnight Stay:

The per diem meal allowance shall not apply to employees attending seminars and conferences not requiring an overnight stay.

6. Hotels

Employees are expected to use reasonably priced lodging. When making reservations or registering, the employee shall ask for and use the government or corporate rate. Whenever practical, hotels reservations should be made using a travel agent or Internet website. Otherwise, good judgment should be used in selecting hotels which provide comfortable lodging at reasonable prices.

Reimbursement for lodging shall be limited to the minimum number of nights required to conduct the assigned Village business. If a conference, for example, begins on Sunday

morning and ends Thursday at noon, reimbursement for Saturday night through Wednesday night would be allowed. If an employee chooses to arrive earlier or stay later, the additional lodging and other expenses are his or her personal expense. However, if staying an extra night (e.g. Saturday) will result in an airfare discount in excess of the additional total expenses to be incurred, these expenses will be reimbursable.

7. Telephone Calls (personal and work related)

The Village recognizes that it may be necessary for employees traveling on Village business to check in with the office from time to time. Placing long distance calls using hotel phones is often prohibitively expensive. To avoid these high costs, the Village encourages employees to use their Village assigned cellular phone to place work related calls while on the trip. The cost of personal calls placed from the employee's hotel room shall be the employee's responsibility.

8. Accompaniment by an Immediate Family Member

The Village will not reimburse employees for travel costs of immediate family members traveling with employees on official Village business. If a family member accompanies the employee for personal reasons, only those costs related to the employee's travel will be reimbursed.

9. Combined Business/Personal Travel

Whenever an employee, for his/her convenience, travels by an indirect route or interrupts Village travel for personal travel, the additional expenses related to the personal travel are the responsibility of the employee.

10. Non-Allowable Expenses

The Village's policy is to reimburse its employees for all reasonable and necessary expenses incurred while transacting the affairs of the Village. However, there are specific types of expenses that are considered personal, and are therefore not reimbursable. These include but are not limited to:

- 1) Cleaning, pressing, and laundry;
- 2) Personal entertainment including movies, videos or pay per view services in a hotel room;
- 3) Airline and other trip insurance;
- 4) Beautician, barber, manicurist and shoe shine;
- 5) Repairs on personal automobiles damaged while on company business;
- 6) Traffic violations and court costs;

- 7) Membership fees in airline clubs.
- 8) Alcohol or drugs of any kind.

Unless otherwise addressed by this policy, the Director of Finance & Administrative Services shall have the authority to decide questions regarding whether or not a particular expense is reimbursable.

11. Approved Forms of Payment

The Village prefers that reservations booked through travel agencies be paid by issuing a purchase order to the travel agent. Payment will be made, in accordance with the Village's accounts payable schedule, after a copy of the confirmation statement has been submitted to the Finance Department and payment has been authorized. Payment will not be made unless the Director of Finance & Administrative Services and Village Manager have approved a travel authorization form.

Employees that have Village issued credit cards, or who wish to use a personal credit card, may use one to pay for travel related expenses. However, employees shall still be responsible for obtaining receipts and submitting a completed travel expense report to the Finance Department when the travel has been completed.

12. Advances

Travel advances may be issued to employees to cover travel expenses that cannot be arranged through a travel agent. The advance will be established at an amount that is reasonable. All travel advances are issued and maintained subject to timely reporting of all travel expenses. A travel advance will be issued upon receipt of a completed travel authorization form containing the following information:

- 1) Name, title and department of employee receiving the travel advance;
- 2) Account number to which the expenses will be charged;
- 3) Purpose of the trip;
- 4) Destination;
- 5) Beginning and ending dates of the trip;
- 6) Estimate of all expenses including transportation, lodging, meals, registration and miscellaneous expenses including items paid directly;

Advance requests require the signature of the applicable Department Head, Director of Finance & Administrative Services and Village Manager. Travel advance forms must be completed and submitted to the Accounts Payable Clerk at least two (2) weeks before the date needed. The travel advance form must be filled out regardless of whether or

not a travel advance is necessary. Employees are responsible for ensuring that the completed travel advance form is received by the Finance Department prior to the accounts payable deadline for the date the funds will be needed.

Travel advances must be settled within five (5) days after completion of the travel. A travel advance will not be issued if any prior advance is outstanding. Completed travel advance forms are to be forwarded to the Department of Finance & Administrative Services with all receipts attached. Any unused travel advance money must accompany this form.

13. Expense Reporting

The travel expense form (see Exhibit 2) should be filled out in accordance with the instructions noted on the form. Travelers should provide as much detailed information of all expenses on the statement as possible including the cost of registration, books, meal allowances, hotel, airfare, etc. regardless of whether it was paid directly to a vendor (e.g. registration fees) or by credit card (e.g. hotel bill). Original receipts must be included except when it is impractical to do so or when specifically exempted by this policy (e.g. meals, cost of public transportation, tips, parking meters, etc.). A completed expense report, with a copy of the travel authorization form, shall be submitted to the Finance Department within (5) five days following completion of the trip.

Employees may direct any questions regarding this policy to the Director of Finance & Administrative Services.



**VILLAGE OF WHEELING
FINANCE DEPARTMENT
AUTHORIZATION TO TRAVEL FORM**

INSTRUCTIONS FOR AUTHORIZATION TO TRAVEL FORM

Complete this section for all travel overnight and forward the original to the Finance Department thirty (30) days prior to travel. Approval is needed for travel regardless of whether a travel advance is requested. Include a descriptive brochure or program if available.

| | | | | |
|----------------------------------|-----------------------|--------------------|--|--|
| 1. EMPLOYEE NAME: | | TITLE: | DEPARTMENT | ACCOUNT NO. |
| PURPOSE OF TRAVEL: | | | ESTIMATED EXPENSE: | |
| DESTINATION | NUMBER OF DAYS | | | <u>Prepaid</u> <u>by Village</u> |
| | | | | <u>Village</u> <u>Credit</u> <u>Card</u> |
| MODE OF TRAVEL | DEPARTURE DATE | RETURN DATE | Transportation | |
| | | | Lodging | |
| AUTHORIZATION RECOMMENDED | | | Meals | |
| _____ | | / / | Registration | |
| DEPARTMENT HEAD | | DATE | Miscellaneous | |
| CERTIFICATION OF FUNDS: | | | Total Estimate | |
| _____ | | / / | Total Prepaid by Village or Using Village Credit Card | |
| FINANCE DIRECTOR | | DATE | Advance Requested | |
| TRAVEL AUTHORIZED | | | | |
| _____ | | / / | | |
| VILLAGE MANAGER | | DATE | | |



VILLAGE OF WHEELING
FINANCE DEPARTMENT
TRAVEL EXPENSE REPORT

INSTRUCTIONS FOR TRAVEL EXPENSE REPORT:

Complete within five days after return and forward original to the Finance Department. Attach a copy of the signed Travel Authorization Form for the trip and original receipts for each item where required. Under pay code denote one of the following: Prepaid by Village - P, Village Credit Card Payment -C, Village Advance of Cash - A, or Employee Paid -E.

Employee Name:

Department/Division:

Travel Destination/Purpose of Trip::

| II. Expense Report | DAY | DAY | DAY | DAY | DAY | DAY | DAY | Total | Pay Code |
|--|-----|-----|---|-----|-----|---|-----|-------|----------|
| Dates | | | | | | | | | |
| Transportation | | | | | | | | | |
| Air | | | | | | | | | |
| Rental Vehicle | | | | | | | | | |
| Employee Vehicle Mileage | | | | | | | | | |
| Bus/Train/Taxi/Subway | | | | | | | | | |
| Tolls/Parking | | | | | | | | | |
| Lodging | | | | | | | | | |
| Meals Breakfast | | | | | | | | | |
| Lunch | | | | | | | | | |
| Dinner | | | | | | | | | |
| <i>Per Diem Total</i> | | | | | | | | | |
| Registration Fees | | | | | | | | | |
| Telephone Calls (or cost of phone card) | | | | | | | | | |
| Miscellaneous (detail below) | | | | | | | | | |
| Total Cost of Trip | | | | | | | | | |
| Less Total Paid Directly by Village - | | | | | | | | | |
| Less Total Paid via Village Credit Card - | | | | | | | | | |
| Less Total Paid via Cash Advance to Employee - | | | | | | | | | |
| <i>Reimb. Due to Employee Or Reimbursement due to Village if amount is negative =</i> | | | | | | | | | |
| Account Number to Charge Expenses: | | | | | | | | | |
| I certify that the foregoing expenses were incurred in the conduct of Village business | | | APPROVED: | | | APPROVED: | | | |
| _____/_____/_____ EMPLOYEE DATE | | | _____/_____/_____ DEPT. HEAD DATE | | | _____/_____/_____ FINANCE DIR. DATE | | | |

APPENDIX NO. 3

CHAPTER 1

LOSS PREVENTION POLICY

{Revised July 17, 2023}

I. PURPOSE

1.1 It is the intention of the Village of Wheeling to develop, implement and administer an all-encompassing loss prevention program. The Village's residents and employees are its most important assets, and protecting their safety is our greatest responsibility. Department heads and supervisory personnel at all levels of the municipal workforce are expected to make safety a matter of continuing concern, equal in importance with all other operational considerations. Effective loss prevention is an integral part of management procedures designed to fully utilize municipal capital and personnel, and to ensure maximum use of each tax dollar available.

II. CONCEPT

2.1 Within the Village's regular operational activities, there exists exposure to personal injury or property damage. Effective review of operations and procedures must include consideration of errors that might occur and cause accidents and injury. While accidents are unplanned events, proper planning can minimize their occurrence. Most accidents are preventable, and the goal of loss prevention is to initiate the necessary pre-planning to minimize unsafe acts, contain environmental hazards and control unsafe conditions. Continual emphasis on loss prevention techniques, the refinement of work procedures, and safe working conditions serves to reduce significant injuries, property damage and work interruption. Every employee is responsible for supporting and cooperating with the loss prevention program outlined herein, and the safety policies and procedures contained in the Personnel Policy Manual and other department-specific rules and regulations. All employees are expected, as a condition of employment, to adopt the concept that the safe way to perform a task is the most efficient and only acceptable way to perform it. Safety adherence and performance is considered an important measure of supervisory and employee performance evaluation.

CHAPTER 2

MANAGEMENT PARTICIPATION

I. IMPLEMENTATION OF PROGRAM

1.1 Management's commitment to safety is reflected through active management involvement in the safety program. Individual responsibilities for implementation of this loss prevention program are outlined in Chapter 3. Departments should set forth specific goals and objectives aimed at reducing losses due to preventable accidents. While some accidents may not be deemed preventable, the frequency or severity of personal injury or property damage may suggest trends that can be mitigated by loss prevention measures. The most effective accident prevention measures are those that have been formulated at each level of the organization; thoroughly discussed and coordinated by all concerned; and supported by top management. The organization of safety committees within the Village facilitates the maximum exchange of ideas between personnel and enhances the positive effect of policies covering hazards, problem areas, and the promotion of loss prevention measures.

II. SAFETY COMMITTEE/ACCIDENT REVIEW BOARD

2.1 The safety committee, hereafter called the Accident Review Board, functions as an advisory body to review accidents and injuries, and to develop and recommend to the Village Manager matters of policy and procedure affecting the administration of the municipal loss prevention program.

III. APPOINTMENTS TO COMMITTEE

3.1 The Village Manager determines the members of the committee.

IV. COMMITTEE MEMBERSHIP

4.1 The Accident Review Board shall be composed as follows:

1. A chairman/facilitator shall be appointed by the Village Manager.
2. Fire Chief, or designee.
3. Police Chief, or designee.
4. Director of Public Works, or designee.
5. Director of Community Development, or designee.
6. Assistant Village Manager/Director of Human Resources.
7. Director of Finance, or designee.

8. Member of the Finance Department with responsibility for handling the Village's liability and worker's compensation insurance.

V. COMMITTEE FUNCTIONS

5.1 The Accident Review Board shall meet at least quarterly. The functions of the committee shall include, but not be limited to, the following:

1. Review and discuss accident and injury occurrences and reports; determine avoidability; and recommend and implement means to mitigate risks and avoid future recurrence.
2. Plan and recommend policies and procedures affecting the development and administration of an aggressive accident prevention program for all employees.
3. Coordinate and establish goals, objectives, and regulations to ensure directives are current and coincidental with current needs.
4. Review statistical data, records, and reports of safety matters.
5. When necessary, direct or perform follow-up investigation of accidents and safety inspections. Make recommendations to the Village Manager when deemed necessary.
7. Discuss problems and ideas concerning general and specific loss prevention efforts.

VI. DEPARTMENTAL SAFETY COMMITTEES

6.1 Departmental safety committees are encouraged. The committee size and make-up will be determined by the respective departmental heads. A senior management departmental employee should be appointed chairman of the Departmental Safety Committee. The primary function of this Committee will be to focus on internal solutions to safety problems and to actively support the loss prevention goals of the Village. Meetings may be held in conjunction with regular staff meetings or departmental assemblies. Departmental safety committees should:

1. Maintain a record of meeting minutes.
2. Review safety suggestions presented by employees.

3. Review the progress of Village loss prevention efforts as it pertains to each department.
4. Formulate recommendations for safety meeting materials, new policies and procedure changes, equipment needs, and personal needs that can enhance the loss prevention program.
5. Encourage and maintain the interest of employees and put safety recommendations arising from the Accident Review Board into practice.

Chapter 3

LOSS PREVENTION RESPONSIBILITIES

Each municipal employee is fully responsible for implementing the provisions of this program as it pertains to the operations under his or her responsibilities. The responsibilities listed below are minimum, and they shall in no way be construed to limit individual initiative to implement more comprehensive procedures to reduce losses.

I. VILLAGE MANAGER

1.1 The Village Manager has overall responsibility for implementing and administering the loss prevention program of the municipality. Specific responsibilities include:

1. Establish and administer the loss prevention program in the municipality.
2. Appoint a Loss Prevention Director to coordinate the loss prevention program for the municipality.
3. Develop in each municipal department head a strong safety attitude and a clear understanding of his or her duties and responsibilities.
4. Participate actively in the Accident Review Board.
5. Review serious and disabling accidents personally to satisfy himself or herself that accident causes are being investigated and proper corrective action is being taken to prevent a recurrence.
6. Make necessary loss prevention program audits with the Accident Review Board to appraise the program's effectiveness.

II. LOSS PREVENTION DIRECTOR

2.1 The Loss Prevention Director will be fully responsible for the direction and administration of the program. His or her duties shall include:

1. Act as chairperson of the Accident Review Board and present recommendations where necessary to the Village Manager for approval and implementation.
2. Develop and maintain the Loss Prevention Program to incorporate the current practices and philosophies adopted as the most effective in preventing injuries, occupational diseases, vehicular collisions, liabilities, and damage to equipment and materials.
3. Consult directly with all management personnel and employees on loss prevention matters and provide guidance necessary to assure effective administration.

4. Prepare at-least quarterly summaries of accidents to be submitted to the Village Manager and the Accident Review Board.
5. Make follow up investigations when required to ensure that unsafe conditions or practices identified by the Accident Review Board or the department heads have been properly corrected.
6. Inform the Village Manager and department heads about the status of matters affecting the Loss Prevention Program.
7. Ensure that department heads periodically evaluate compliance with the program by making inspection of facilities for hazardous conditions and practices.
8. Ensure that effective driver training and selection program for drivers of municipal vehicles is in place.
9. Coordinate compliance with federal, state, and local safety laws.

III. DEPARTMENT HEADS

- 3.1 Each department head has responsibility and authority for maintaining a safe and healthful working condition within his or her department. Each department is responsible for providing the type of work environment, work procedures, and service to the public that will promote, to the highest extent possible, the safety of the municipal employees and the general public. Therefore, each department head shall:
 1. Develop and actively support a safety program that will effectively reduce and control accidents.
 2. Develop practical safety rules and regulations pertinent to the activities conducted by the department.
 3. Establish and maintain a system of job safety analysis and safety inspections.
 4. Provide for adequate job training and continuing safety instruction to all employees in the department.
 5. Hold each supervisor fully accountable for an explanation of the preventable injuries, collisions, and liability incurred by a department employee.
 6. Take corrective action for any unsafe condition that is observed which could adversely affect the safety of an employee or the general public.

IV. SUPERVISORY PERSONNEL

4.1 Supervisors have responsibility for the safe actions of their employees and the safe performance of machines and equipment within their operating areas. The full potential of an effective Loss Prevention Program can only be realized when supervisors cooperate in all phases of the program. The following is a list of the loss prevention responsibilities of supervisors:

1. Aggressively enforce the safety procedures that apply to the work they supervise.
2. Provide adequate basic job training and safety instruction to all employees under their jurisdiction.
3. Be fully accountable for preventable injuries, collisions, and liabilities caused by their employees.
4. Ensure that all management policies herein are fully implemented for maximum efficiency of each job.
5. Provide continuing safety instruction while issuing daily work assignments to focus attention upon potential hazards, changes in work conditions or procedures.
6. Ensure that all employees are instructed and understand the use and need for protective equipment for specific hazardous jobs.
7. Continually observe and evaluate work conditions and work procedures to detect and correct unsafe conditions and practices.
8. Promptly investigate accidents and make certain that the recommended corrective actions are completed.
9. Make sure the necessary safety equipment and protective devices for each job are available, used, and maintained properly.

V. EMPLOYEES

5.1 Each employee is required, as a condition of employment, to develop and exercise safe work habits in the course of their work to prevent injuries to themselves, their fellow workers, and conserve material resources. Each employee shall:

1. Promptly report to their supervisor all accidents and injuries occurring within the course of their employment.
2. Cooperate with and assist in investigation of accidents to identify correctable causes and to prevent their reoccurrence.

3. Promptly report to their supervisor all unsafe actions, practices, or conditions they observe.
4. Become familiar with and observe approved safe work procedures during the course of their work activities.
5. Keep work areas clean and orderly at all times.
6. Avoid engaging in any horseplay and refrain from distracting others.
- 6a. Fighting between employees will not be tolerated.
7. Obey all safety rules and follow published work instructions.
8. Wear required protective equipment when working in hazardous operation areas.
9. Arrive at work suitably attired for the job(s) they are expected to perform.

Chapter 4

LOSS PREVENTION METHODS

Each of the following loss prevention methods is an important component in the overall Loss Prevention Program. Omission of any component may mean that the optimum results of accident prevention will not be achieved.

I. SAFETY SELF-INSPECTIONS

1.1 Safety inspections shall be conducted on an informal basis, at least monthly, by the supervisor to assure that hazards are kept at a minimum and safe work practices are enforced. Emphasis should be placed upon condition of facilities, equipment, and machines as well as implementation of the overall program such as:

1. Good Housekeeping.
2. Use of prescribed protective equipment.
3. Compliance with published department work rules.
4. Qualification of drivers and condition of vehicles.
5. Proper storage of flammable liquids and maintenance of fire fighting equipment.
6. Proper guarding of open pits, ditches, tanks, etc.
7. Proper maintenance of electrical equipment, power tools, and hand tools.
8. Administrative compliance with this manual and other pertinent directives.

II. SEMI-ANNUAL INSPECTIONS

2.1 Safety inspections shall be made on a formal basis semi-annually involving the department head, or designee. Emphasis shall be the same as the self-inspections. All village owned or operated property should be inspected and the proper reports made.

III. JOB SAFETY ANALYSIS FOR HAZARDOUS WORK

3.1 To eliminate accidents in high hazard areas, it is necessary that each supervisor thoroughly observe work performed in real time, identify potential hazards that exist and ensure that workers understand the methods of doing each job safely when hazards cannot be eliminated. The supervisor cannot rely on memory when instructing employees, so it is essential that he/she use published work rules that define each hazardous task for which employees are responsible and define correct procedures for

safe performance. Procedures for developing published work rules through job safety analysis (JSA) are as follows:

1. The job is broken down into basic steps, each step describing what is to be done in sequence.
 2. After the steps are listed, each step is analyzed for hazards that could cause an accident. The purpose is to identify as many hazards as possible so that each step of the entire job can be done safely and effectively.
 3. When the hazards and potential accidents associated with each step are identified and their causes understood, ways of eliminating them should be developed. There are four ways in which this can be handled:
 - a. Eliminate the process or operation, or provide a substitute action which can be done without the hazard.
 - b. Isolate the process or operation so as to eliminate or minimize the hazard.
 - c. Provide guards or automatic devices to eliminate or minimize the hazard.
 - d. Provide personal protective equipment and enforce its use to eliminate the possibility of injury.
- 3.2 Using the information gathered from the first three steps, division work rules shall be written, provided to all employees, and maintained on file for periodic review. This document will then be used to assist the supervisor in instructing employees in the safe method of performing their jobs.

IV. JOB SAFETY TRAINING

- 4.1 No supervisor shall assume that a newly hired, newly assigned, or reassigned employee clearly knows all the job safety procedures, and therefore, employees must be trained. An effective four-point method of job instruction includes the following:
1. Preparation
 - a. Put the employee at ease.
 - b. Define the job and find out what the employee already knows about it.
 - c. Get the employee interested in learning the job.
 - d. Place the employee in the correct position for success.
 2. Presentation

- a. Tell, show and illustrate one important step at a time.
- b. Stress each key point.
- c. Instruct clearly, completely and patiently but cover no more than the employee can master each time.

3. Performance

- a. Have the employee do the job; coach the employee while performing the job.
- b. Have the employee explain each key point to you while performing the job.
- c. Make sure the employee understands.
- d. Continue until you are satisfied that the employee is proficient.

4. Follow-Up

- a. Put the employee on their own.
- b. Designate to whom the employee goes for help.
- c. Check frequently and encourage questions.
- d. Taper off extra coaching and close follow-up.

V. ACCIDENT INVESTIGATION

5.1 Investigation of accidents is a critical and necessary step in controlling losses. Each accident must be investigated to determine its true cause and to objectively determine all contributing deficiencies. Following investigation, these causes and deficiencies must be address for proper future prevention. Thorough investigation, recording, and corrective follow-up for each accident can be time consuming but the steps are important in order to learn from the experience.

5.2 Every accident shall be investigated by the supervisor of the employee involved as soon as possible after the incident has occurred. The following types of incidents must be reported:

1. Accidents which result in injury.

2. Accidents which result in vehicle damage. (These must also be reported to the appropriate law enforcement agency as required by law.)
 3. Accidents which result in equipment or property damage which are not reportable under “a” or “b” (e.g., to fire apparatus, tractors, snowplows, buildings and other structures, etc.).
- 5.3 Investigations shall be in written form by the supervisor. The reports shall be forwarded to the Department Head and the insurance coordinator (or applicable officer). The following procedures shall be adhered to as closely as possible:
1. Check the scene. Begin where the accident occurred and reconstruct as much as possible without producing an accident.
 2. Collect the evidence. If an injury or near miss occurs when machine parts or structures fail, it is essential to determine what failed and why.
 3. Interview witnesses at the scene immediately or as soon thereafter as possible.
 4. Interview the victim. If the injury is minor, the interview should be completed as soon as possible. If the injury is serious, use best judgment when selecting the right time to interview the victim.
 5. Weigh the evidence and decide upon remedies to eliminate recurrences.

VI. ACCIDENT & INJURY REVIEW

- 6.1 All accidents are reviewed by the Accident Review Board. The Board may review all reports submitted by supervisors and make specific recommendations if needed. The following determinations may be made by the Accident Review Board:
1. Hazardous job, no further action needed.
 2. Hazardous job, specific recommendation to follow.
 3. Unavoidable, no further action.
 4. Avoidable, specific recommendation to follow.
- 6.2 All recommendations from the Accident Review Board will be given to the department head for his/her consideration and the department head will report back to the Accident Review Board any actions taken on the Board’s recommendations.

VII. SAFETY DISCIPLINE

- 7.1 When violations of policies directly associated with saving lives, preventing injuries, or eliminating liability occur, corrective action shall be immediate and positive. Disciplinary action shall be taken when any person causes injury to himself or others or destroys or damages equipment either by willfully violating safe work rules or by disregarding traffic regulations or by demonstration of an attitude of indifference or defiance.
- 7.2 Department heads shall have latitude determining the extent of disciplinary action to be taken within their departments and consistent with discipline sections of the Personnel Policy Manual and collective bargaining agreements. The correction of improper performance that leads to an unsafe act requires special attention.
- 7.3 The correction of improper or unsafe actions requires possible instruction, a demonstration of how to do the job, and follow-up to ensure that instructions are followed.
- 7.4 Disciplinary action resulting from safety violations shall be monitored closely by the department head, and in cases where little or no action is taken, those supervisors responsible shall be required to justify their lack of action.

VIII. EMPLOYEE SAFETY MEETINGS

- 8.1 Supervisors should hold regular safety meetings or “tailgate talks” with employees under their direction. The objective of these contacts is to create greater safety awareness and encourage the safe working behavior of every employee. The content of each meeting may utilize loss prevention information from outside agencies or strictly be a discussion of pertinent topics determined by the supervisor. Documentation of these meetings should be maintained for future reference and should include the date, attendees’ names and subjects covered.
- 8.2 Guidelines for delivering an effective safety talk include: prepare your presentation - think about the subject, read related materials, and jot down ideas; listen to others’ ideas, organize and outline your speech, and practice; don’t try to cover too much ground - pinpoint the message and zero-in on one main idea that you can state in a single sentence; bring the message close to home - personalize it by establishing a common ground with your listeners, and make it meaningful and important in their minds; help your listeners see what you mean by picturizing the ideas you are conveying - use visual aids and descriptive language to create clear mental pictures for them; when closing your talk, make clear exactly what is expected of them.

Chapter 5

OCCUPATIONAL ILLNESS AND INJURY CONTROL

In addition to the methods cited in Chapter 4, there are several steps which may be taken to reduce the possibility of occupational illness and injuries.

I. PRE-PLACEMENT PHYSICAL EXAMATIONS

1.1 The purpose of physical examinations is to determine whether or not the applicant's or employee's physical fitness is consistent with the job's physical requirements. It is the policy of the Village that certain new hire or rehired employees whose job duties are of a physical nature will be required to take a pre-placement examination prior to being placed on the payroll. Subsequent physical examination shall be required in the following instances:

1. An employee who has recently received medical attention due to an injury at work must have medical approval before he returns to work.
2. An employee who has been absent from work for 15 or more days (5 for firefighters) must have medical authorization from the employee's physician, and when deemed necessary, the Village's physician before returning to work.
3. When there is doubt as to an employee's fitness for duty because of illness or any other time, the employee may be sent to the Village's authorized medical facility for examination.
4. Members in critical occupations should be re-examined on a periodic schedule. Examples of such would be policemen and firemen.

1.2 Consult the Village of Wheeling Personnel Manual for a complete explanation of the policies regarding physical examination requirements.

The results and findings of the physical examination either for pre-placement, annual or re-evaluation, shall be treated as confidential. Information shall not be provided to anyone outside the normal processing agencies involved in hiring an individual without the individual's expressed consent in writing.

II. PHYSICAL FITNESS

2.1 The physical fitness of employees can be key to preventing personal injuries. All employees should seek regular exercise activity.

III. FIRST-AID TREATMENT FOR SICK OR INJURED EMPLOYEES

- 3.1 All injuries or illness, regardless of severity, shall be reported to the employee's supervisor, who shall send the injured employee to seek first aid or medical treatment in conformance with the Personnel Policy Manual.
- 3.2 If the medical professional who the employee has been sent to for treatment deems that the employee is unable to return to his/her regular job but can perform available light duty without aggravating the injury, such assignment may be made upon request from the supervisor and upon approval of the department head and the Village Manager.
- 3.3 The Village will make every attempt to notify the family of an employee who becomes severely ill or injured while on-the-job.
- 3.4 The department head, Village Manager and employee responsible for the administration of the workers compensation program shall be notified immediately of all disabling and potentially disabling injuries.

IV. EMERGENCY MEDICAL TREATMENT

- 4.1 In the event of a serious injury requiring immediate medical treatment, administer first-aid as necessary and call for an ambulance consistent with Article X "INJURY OR ILLNESS" of the Personnel Policy Manual.

V. INTERACTION OF MEDICATION

- 5.1 An employee taking medications that cause dizziness, blackouts, drowsiness, double vision, impaired judgment or other abnormal reactions shall not attempt to work nor shall a supervisor allow him/her to work until the employee is deemed fit-for-duty by a medical professional. Multiple medications sometimes affects the individual's ability to act and perform normally. When this is evident, the individual shall be required to consult with their physician, and, when deemed necessary, the Village's physician, to determine fitness for duty.
- 5.2. An employee reporting to work who is obviously under the influence of alcohol or controlled substances shall not be permitted to attend to their duties but rather must be sent home or given treatment as an ill employee.

Actions taken by management beyond the above is at the discretion of the Village, guided by relevant sections of Article XVII "GUIDELINES OF CONDUCT" of the Personnel Policy Manual (e.g., "Guidelines of Conduct", "Drug and Alcohol-Free Workplace" and "Discipline").

VI. EMPLOYMENT DURING ABSENCE FROM DUTIES

- 6.1 An employee who is absent due to illness or injury is not permitted to perform work with another employer.

VII. PERSONAL PROTECTIVE EQUIPMENT

- 7.1 The designation and use of protective equipment for jobs that have an inherent potential for injury shall be specified by the supervisor. The purchase and use of all personal protective equipment shall be coordinated among authorized department personnel, supervisors, and users. Employees are fully accountable for the use of specialized protective equipment deemed required for the job.
- 7.2 Equipment listed should be worn when hazards as described exist.
1. Hard hats to protect against falling objects, head bumping or electrical conductors.
 2. Goggles, face shields or safety glasses to guard against flying debris and welding sparks.
 3. Ear plugs or earmuffs to guard against prolonged exposure to noise exceeding sound tolerance levels as defined by law or excessive noise exposures.
 4. Respirators, gas masks and self-contained breathing apparatus to protect employees against toxic or abnormal atmospheric conditions.
 5. Safety shoes to protect against crushing accidents.
 6. Reflective vests or other bright visual indicators to maximize worker or officer visibility while working in or around traffic.
 7. Protective clothing such as gloves, sleeves, aprons, leggings and full suits to protect against lacerations, abrasions, bumps, burns from heat or melted metals, etc.
- 7.3 When the use of personal protective equipment has been specified for hazardous work, its use shall be mandatory. Supervisors shall be held accountable for permitting employees to work outside of compliance. Supervisors are expected to educate employees on the reasons for using or wearing personal protective equipment and clothing, as well as the possible injuries and other consequences that can result when the requirement is ignored.

VIII. PROPER DRESS FOR WORK

- 8.1 Each employee shall wear clothing suitable for the job at all times. Suitable clothing means clothing that will minimize the possibility of damage from moving machinery, hot

or injurious substances, sunburn, or other harmful agents. Individuals with long hair shall wear a cap or net while working around machines. Individuals required to wear breathing devices in toxic atmospheres shall be clean shaven where the mask contacts the face. Employees working in hazardous areas shall not wear tennis shoes, loafers, or sandals. Employees shall not wear high platform sandals or shoes when working if the thickness of the sole and heel is extreme and causes the wearer to walk precariously. All shoes should be in good condition.

IX. ENVIRONMENTAL HAZARDS

- 9.1 It is important that municipal departments be able to recognize, understand, and work effectively and safely with hazardous materials. Occupational health hazards are preventable, but if they are not controlled, they may lead to conditions that cause legally compensable illnesses or impair the health of employees enough to make them lose time from work or to work at less than full efficiency. Besides ergonomic hazards (e.g., ineffective work areas or improperly designed tools) there are other environmental stresses falling generally under the categories of biological, physical and chemical hazards, that may cause sickness, impaired health, or significant discomfort or inefficiency in workers.
- 9.2 Biological agents such as viruses, bacteria, and parasites, may cause injury through inhalation, skin absorption or ingestion. Although these environmental hazards may be less prevalent than other hazards, their ability to produce disease should be recognized. Management must encourage the practice of good personal hygiene by all employees, and strive to maintain healthful facilities and systems.
- 9.3 Physical hazards may include excessive levels of electromagnetic ionizing radiation, vibration, extremes of temperature and pressure and noise. Excessive and loud noise can impact employees psychologically and physiologically, and can adversely affect the ability to safely communicate. Noise can interfere with job performance and safety by disrupting normal verbal communication; startling or annoying employees; and disrupting concentration, sleep or the ability to relax. More importantly, noise may cause permanent loss of hearing or inflict physical pain when the exposure is severe. As with any environmental hazard, the degree of damage depends upon several factors including the variation in an individual's susceptibility; the total energy of the sound; the frequency distribution of the sound; whether the noise is continuous, intermittent, or made up of a series of impacts; and the total duration of exposure to the sound level. OSHA has established permissible levels of harmful noise to which an employee may be subjected, and management is expected to be familiar with OSHA standards as may be changed from time to time.
- 9.4 Chemical hazards constitute the majority of environmental health hazards that can injure employees. Illnesses arise from inhaling chemical agents in the form of vapors, gases, dusts, fumes and mists; or by skin contact with these materials. The extent of injury depends on the inherent magnitude of risk of the given substance and the duration of exposure. In order that these chemical agents are used safely and efficiently, the Village

must have a working knowledge of the materials and agents that it uses. Whenever hazardous materials are obtained and used, the responsible supervisory employee should ask the manufacturer to supply the chemical name, the hazardous ingredients, physical data, fire and explosion hazard data, health hazard data, reactivity data, spill or leak procedures, precautions for their use and the manufacturer's opinion of whether any special personal protection equipment is needed.

9.5 The general methods for controlling environmental factors and hazards include the use of engineering controls, administrative controls and personal protective equipment. Within each of these control methods there are alternatives that can be applied individually, or in conjunction with another, to achieve the desired level of protection. The general methods are listed below in the order of desirability:

1. Substitution of a less harmful material for one deemed.
2. The change or altering of a process to minimize worker contact.
3. Isolation or enclosure of a process or work operation to reduce the number of persons exposed.
4. Local exhaust at the point of generation and dispersion of contaminants.
5. General or dilution ventilation with clean air.
6. Wet methods to reduce the generation of dust.
7. Personal protective devices, such as special clothing, eyeglasses and respiratory protection.
8. Training and education to supplement engineering, administrative and protective equipment controls.
9. Good housekeeping, including cleanliness of the workplace, waste disposal, adequate washing and eating facilities, and the control of insects and rodents.
10. Special control methods for specific hazards (e.g., reduction of exposure time).
11. Medical programs to detect the intake of toxic materials.

9.6 Elimination, substitution and isolation are more desirable than using personal protective equipment because the problem is corrected at the source. It is important that all who are responsible for safety and health be alerted to these hazards because of the possible immediate or cumulative effects on the health of the employees.

Chapter 6

RECORDKEEPING

I. EMPLOYEE FILES

- 1.1 A file should be kept for each municipal employee. In this file, their application, pre-placement physical form, accident history, medical treatment during employment, and notices of disciplinary actions should be kept. Motor Vehicle Record Checks, Road Test Certification, previous employer reference checks, and their Safety Training Record may also be maintained in this file. Medical information relating to employees shall be confidential and maintained in a separate file to be maintained centrally within the Human Resources division of the Village Manager's Office. Medical information shall not be held in the department.

II. ACCIDENT REVIEW BOARD

- 2.1 Copies of any committee meeting minutes should be kept with the liability insurance representative/member of the committee. Departmental safety committee meeting minutes should be kept with the department head and should be made available to the Accident Review Board when requested or necessary.

III. INSPECTIONS

- 3.1 All department heads are responsible for keeping inspection reports of their facilities and equipment on file, consistent with state records retention requirements.

IV. ACCIDENTS

- 4.1 There are several types of forms that must be completed and filed with outside agencies. The Illinois Worker's Compensation Commission requires that a Form 45 be completed for accidents involving more than three (3) lost work days. The Village requires that supervisors complete and submit a Form 45 to the Finance Department for all recordable accidents and injuries within 24 hours from the date of occurrence. In the event of an occupational death, Illinois OSHA must be notified at (800) 782-7860 within eight (8) hours of the death. In the event that a worker is admitted to a hospital or there was an occupational amputation or loss of eye, Illinois OSHA must be notified within 24 hours of the event. In addition, the Finance Department must be notified immediately.
- 4.2 OSHA 200 Log Maintenance – The Village maintains this listing of all occupational injuries and illnesses for each calendar year, and the OSHA 200 Log must be posted in each department.

Chapter 7

FLEET SAFETY

I. DRIVER EDUCATION

- 1.1 The selection of employees required to drive full or part-time should be done with care. Drivers of municipal vehicles can be considered qualified when they meet the following criteria:
1. Possess a valid state driver's license of the proper class.
 2. Have an acceptable traffic record pursuant to a pre-employment check (e.g., no excessive tickets or accidents).
 3. Capable of passing a physical examination with eye tests to determine depth perception, visual acuity, vertical and lateral balance, field of vision and color recognition.
 4. Successfully pass a road test administered by his supervisor, if deemed necessary as a part of the new-hire orientation process.

II. DRIVER TRAINING

- 2.1 All municipal drivers shall be trained in safe driving habits through use of the National Safety Council's Defensive Driving Course. The course covers:
1. Defensive driving skills.
 2. Split-second decision making.
 3. Backing-up rules.
 4. Safe distances.
 5. Intersection driving.
 6. Poor condition driving on snow, rain, ice, etc.

III. PREVENTIVE MAINTENANCE

- 3.1 Establishment of a preventive maintenance program for all municipal vehicles is essential. Records should be kept on all vehicles so that a log can be maintained on all planned maintenance as well as repairs made from noted defects.

APPENDIX I
TO
LOSS PREVENTION POLICY
EMPLOYEE SAFETY HANDBOOK
SAFETY RULES

PREFACE

This set of rules is designed to supplement safety policies as included in the Personnel Policy Manual and other department specific safety policies and procedures. These rules are general, apply to all employees and are not the total set of rules any one employee is responsible for knowing and following. Each department has established safety rules and procedures which are specific to the situations in which employees in that department become involved.

The purpose of general and departmental rules is to prevent injury and property damage due to accidents. All employees are encouraged to suggest improvements in rules and procedures, and are required to report all hazardous conditions and practices in an effort to avoid future injuries, accidents and losses.

SAFETY HANDBOOK RULES – GENERAL

A. General:

1. Keep physically fit.
2. Do not engage in horse play or distract other employees while working.
3. Review Standard Operating Procedures (SOP) or Job Safety Analyses (JSA) for infrequently performed or new tasks before beginning. Periodically review the SOP or JSA for routine tasks.
4. Use common sense on the work site at all times, especially when confronting new or infrequently used tasks.
5. Know and follow the safety rules and Standard Operating Procedures for your department.
6. Always follow established work procedures for each task performed.
7. Keep hazard warning placards and signs in good condition and visible. Obey all such warnings.
8. Approach and open blind doors slowly and with caution to avoid injuring others and yourself.
9. Do not enter sewer manholes without a second person at ground level nor without proper protective equipment.
10. Be aware of the duties and responsibilities of your job and of the legal and correct way to do the job to avoid liability.
11. Desks, cabinets and files must be kept closed when not attended. File drawers should be opened one at a time.
12. Keep work area clean and tidy.

B. When Using Chemicals:

1. Use adequate and proper ventilation when chemicals, abrasives etc., are being used.
2. Follow label directions when using any chemical, including those not normally considered dangerous.

C. Avoid Trips and Falls:

1. Keep floors clean, dry and clutter free.
2. Keep extension and telephone cords off of the floor and secured to avoid tripping and falling.
3. Utilize handrails when using stairs.
4. Use only ladders or step stools for access to high shelves – do not stand on boxes or chairs.
5. Avoid wearing high, platform or spiked heeled shoes and boots in general, and particularly when there is the possibility of walking on snow or ice.
6. When using extension ladders, tie off the ladder or use another employee to hold the ladder.
7. Never use the top two steps of a step ladder.
8. Have a second employee hold very tall step ladders.

D. Avoid Back Injuries – Lift Properly:

1. Utilize proper lifting techniques – lift with the knees, not the back. Lifting is a regular part of everyday jobs to which most of us pay inadequate attention, but it is too often performed incorrectly and with bad results, including pulled muscles, disk lesions or painful hernia. Steps to safe lifting include:
 1. Keep feet parted – one alongside, one behind the object.
 2. Keep back straight, nearly vertical.
 3. Tuck your chin in.
 4. Grip the object with the whole hand.
 5. Tuck elbows and arms in.
 6. Keep body weight directly over feet.
2. Get assistance to help lift when the object is too heavy or awkward to lift.

E. When using Handtools, Powertools, Heavy Equipment and Office Equipment:

1. Use tools only for their intended purpose.
2. Report defective tools for replacement or repair.
3. Inspect all equipment before and after use to ensure safe working condition.
4. Properly store equipment to avoid damage to equipment and injury to personnel.
5. Check all electrical equipment, tools, appliances and office machines for frayed cords and damaged plugs. Report any deteriorated conditions for repair or replacement to guard against fire or electric shock.
6. Do not leave tools at levels above the head because they could fall on those below.
7. Keep all machine guards in place.
8. Lock rotating or moving equipment to prevent inadvertent movement/operation.
9. Do not wear jewelry while operating moving machinery or within the immediate proximity of electrically oversized circuits.

F. Use Protective Equipment:

1. Use protective equipment as required.
2. Keep safety equipment clean and in good working order.
3. Wear reflective clothing when working in a roadway both day and night, (applies to police, fire, street maintenance, sewer maintenance, crossing guards, etc.).
4. Wear hard hats on construction sites and when overhead work is ongoing, or as otherwise directed.

G. Avoid Electrical Hazards:

1. Do not attempt to repair or otherwise alter electrical equipment, tools, or appliances (unless required by job).
2. Do not attempt to repair or otherwise alter distribution systems or supply lines (unless required by job.)
3. Do not work on or repair electrical equipment without first locking the power source to the off position.

4. Ensure that power cords are of adequate size to fit the electrical demand of the equipment it is meant to supply.
5. Do not wear jewelry while working on electrical supply or oversized circuits.

H. Avoid Fires:

1. Obey No-Smoking policies of the Village.
2. Use ash trays not wastebaskets for disposal of matches and cigar/cigarette butts and ashes, and pipe ashes.
3. Do not smoke when fueling vehicle at the gas pump, or around other flammable atmospheres.
4. Do not leave lighted cigarettes/cigars unattended in ashtrays especially around papers and other combustibles.

I. In Case of Fire or Other Emergency:

1. Know the location of the nearest fire extinguisher.
2. Know how and on what to properly use a fire extinguisher.
3. Know and remain aware of the alternative escape routes from work area(s) in case of fires and other emergencies (tornados, etc.).
4. In a fire situation crawl along the floor taking short breaths, as the air is better along the floor and short breaths will cause less lung damage.

J. In Case of Injury:

1. Seek first aid for even minor injuries.
2. Know the location of the nearest first aid kit.
3. Seek medical attention immediately.
4. Know the location, telephone number, and route to the nearest medical facility, paramedic or emergency squad.

K. Reporting Required, and Beneficial:

1. Report all hazardous or potentially hazardous conditions to supervisors or safety committee.

2. Report hazardous practices to supervisors or safety committee.
3. Report all incidents of injury, property damage or near misses to supervisors for review of the incident so as to correct those practices or conditions leading to the incident and to avoid future injuries and damages from the same or similar conditions.

L. Driving:

1. Adhere to all safe driving policies and rules as contained in Article XV “VEHICLE ASSIGNMENT AND TRAVEL POLICIES” of the Personnel Policy Manual and in department-specific safety rules and regulations.
2. Use of seat belts shall be mandatory. Failure to comply with the Illinois Seat Belt Law shall be subject to discipline and possible termination of employment.
3. Always drive carefully.
4. Report all motor vehicle accidents to appropriate police officials.
5. Do not take chances while driving.
6. Check the horn, lights, and tires of the vehicle at least once a day.
7. Report all potential vehicle abnormalities to the maintenance department via work order.
8. Keep the inside of vehicles clean and free of debris that could interfere with the safe operation of the vehicle.
9. When backing fire apparatus, large trucks and heavy equipment into garage parking stalls, or tight work areas, the driver should secure the assistance of another employee to observe blind areas and guide the procedure. Universal Rules and Signage should be learned.
10. Do not try to make any major vehicle repairs, (unless it is your job).
11. Do not smoke while fueling vehicles.
12. Avoid distracted driving. Do not text and drive or use telephones unless in hands-free mode and only when safe to do so.

M. Eye Protection:

1. Consider avoiding the use of contact lenses when working around dusty environments, caustic or acid fumes, or other toxic chemicals, as contacts offer no protection to the eye.
2. If an employee must wear contacts, then the employee must also wear appropriate eye protection, in addition to the contact lenses.

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EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) 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*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

Benefits and Protections

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

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

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

*Special hours of service eligibility requirements apply to airline flight crew employees.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing 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.

Use of Leave

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

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

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

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

Employer Responsibilities

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

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- 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.

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.

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



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV



U.S. Department of Labor | Wage and Hour Division

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