



# City of East Moline Employee Manual

07/10/2024

## ABOUT THIS MANUAL/DISCLAIMER

We prepared this manual to help employees find the answers to many questions that they may have regarding their employment with City of East Moline. Please take the necessary time to read it.

We do not expect this manual to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this manual nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. City of East Moline adheres to the policy of employment at will, which permits the City of East Moline or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No City of East Moline representative other than the Director of Human Resources or the City Administrator may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this manual, such as benefit plan descriptions, are also described in separate City of East Moline documents. These City of East Moline documents are always controlling over any statement made in this manual or by any member of management.

This manual states only general City of East Moline guidelines. The City of East Moline may, at any time, in its sole discretion, modify or vary from anything stated in this manual, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the Director of Human Resources or the City Administrator.

**This manual is subject to the terms of any applicable collective bargaining agreement.**

This manual supersedes all prior manuals or departmental policies or practices.



## Contents

<b>Section 1 - Introduction</b> .....	6
<b>1-1 Introduction</b> .....	6
<b>Section 2 - Governing Principles of Employment</b> .....	7
<b>2-1 Equal Employment Opportunity</b> .....	7
<b>2-2 Pregnancy Accommodations</b> .....	8
<b>2-3 Non-Harassment</b> .....	9
<b>2-4 Drug-Free and Alcohol-Free Workplace</b> .....	10
<b>2-6 Reasonable Accommodations &amp; Interactive Dialogue</b> .....	12
<b>2-7 Discrimination and Non-Harassment (Including Sexual Harassment)</b> .....	14
<b>2-8 General Safety Policy</b> .....	18
<b>Section 3 - Pre-employment Policies</b> .....	19
<b>3-1 Hiring Policy</b> .....	19
<b>3-3 Pre-Employment Physicals</b> .....	19
<b>3-4 Pre-Employment Drug Screens</b> .....	19
<b>3-5 Background Investigations</b> .....	20
<b>3-6 Hiring Relatives/Employee Relationships</b> .....	22
<b>Section 4 - Operational Policies</b> .....	23
<b>4-1 Remote Work/Telecommuting</b> .....	23
<b>4-2 Employee Classifications</b> .....	23
<b>4-3 Your Employment Records</b> .....	24
<b>4-4 Working Hours and Schedule</b> .....	24
<b>4-5 Timekeeping Procedures</b> .....	25
<b>4-6 Overtime</b> .....	25
<b>4-7 Travel Time for Non-Exempt Employees</b> .....	25
<b>4-8 Safe Harbor Policy for Exempt Employees</b> .....	26
<b>4-9 Your Paycheck</b> .....	27
<b>4-10 Direct Deposit</b> .....	28
<b>4-11 Salary Advances</b> .....	28
<b>4-12 Performance Review</b> .....	28
<b>4-13 Open Door Policy</b> .....	28
<b>Section 5 - Information Technology</b> .....	30
<b>5-1 Information Technology Employee Access and Use</b> .....	30
<b>5-2 Artificial Intelligence</b> .....	51
<b>Section 6 - Benefits</b> .....	53



6-1 Benefits Overview .....	53
6-2 Paid Holidays .....	53
6-3 Paid Vacations .....	54
6-4 Paid Personal Days .....	56
6-5 Sick Days Non-Union Employees.....	57
6-6 Paid Pregnancy Disability Benefits .....	57
6-7 Lactation Accommodations .....	57
6-8 Workers' Compensation.....	58
6-9 Jury Duty Leave .....	58
6-10 Witness Leave.....	58
6-11 Bereavement Leave.....	59
6-12 Voting Leave .....	59
6-13 Voluntary Emergency Workers Leave.....	59
6-14 Insurance Programs.....	60
6-15 Long-Term Disability Benefits .....	60
6-16 Employee Assistance Program .....	60
6-17 Travel Policy & Transportation Reimbursement Program .....	60
6-18 Retirement Benefits .....	64
6-19 Child Extended Bereavement Leave .....	64
6-20 Family Bereavement Leave .....	65
6-21 Retiree Insurance .....	67
Section 7 - Salary and Wages .....	69
7-1 Compensation Time (Comp Time) .....	69
7-2 Compensation Policy.....	69
Section 8 - Leaves of Absence .....	86
8-1 Personal Leave of Absence.....	86
8-2 City Protocol Regarding Sick Leave Benefit, FMLA, Paid Leave for All Act .....	86
8-3 Military Leave .....	95
8-4 Family Military Leave Act.....	95
8-5 Family and Medical Leave .....	96
8-6 School Visitation Leave .....	104
8-7 Leave for Domestic, Sexual and Gender Violence or Other Crimes of Violence ....	105
Section 9 - General Standards of Conduct .....	108
9-1 Corrective Action Plan – Discharge and Discipline .....	108
9-2 Workplace Conduct.....	111
9-3 Punctuality and Attendance .....	112
9-4 Use of Communications and Computer Systems .....	112

9-5 Use of Social Media .....	113
9-6 Personal and Company-Provided Portable Communication Devices .....	114
9-7 Inspections .....	116
9-8 Tobacco Free Work Environment .....	116
9-9 Personal Visits and Telephone Calls .....	118
9-10 Bulletin Boards .....	118
9-11 Confidential City Information .....	118
9-12 Conflict of Interest and Business Ethics .....	119
9-13 Use of Facilities, Equipment and Property, Including Intellectual Property .....	120
9-14 Health and Safety .....	120
9-15 Employee Dress and Personal Appearance .....	121
9-16 Publicity/Statements to the Media .....	121
9-17 Operation of Vehicles.....	121
9-18 Business Expense Reimbursement .....	122
9-19 Fitness for Duty Evaluations .....	124
9-20 Random Drug Testing CDL.....	128
9-21 Random Drug Testing Exempt/Police/Fire .....	128
<b>Section 10 - Budget/Purchasing/Property .....</b>	<b>130</b>
10-1 Purchase Card Policy .....	130
10-2 Cash Management Policy .....	135
10-3 Disposal of Surplus Property.....	138
<b>Section 11 - Separation .....</b>	<b>140</b>
11-1 References .....	140
11-2 If You Must Leave Us.....	140
11-3 Exit Interviews.....	140
11-4 A Few Closing Words.....	140
<b>General Manual Acknowledgment .....</b>	<b>142</b>
<b>Receipt of Non-Harassment Policy .....</b>	<b>143</b>
<b>City of East Moline P-Card Agreement.....</b>	<b>147</b>



## Section 1 - Introduction

### 1-1 Introduction

For employees who are commencing employment with the City of East Moline, on behalf of the City, let us extend a warm and sincere welcome. For the employees who have been with us, thank you for your past and continued service.

We would like to extend our personal best wishes for success and happiness here at the City of East Moline. We understand that it is our employees who the citizens of East Moline rely upon for exceptional services and to generate new opportunities for our community in the years to come.

We encourage you to remember that we serve our citizens through our employment with the city and owe them and our visitors the best we can offer, whether it is responding to an emergency or simply answering the phone in a friendly and professional manner.

Sincerely,

- Reggie Freeman, Mayor
- Mark Rothert, City Administrator



## Section 2 - Governing Principles of Employment

### 2-1 Equal Employment Opportunity

The City of East Moline is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, veteran status, sexual orientation, genetic information, arrest record, or any other characteristic protected by applicable federal, state or local laws. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

#### **EEO accommodation**

The City of East Moline will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the City of East Moline's operations. If you wish to request such an accommodation, please speak to Director of Human Resources.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Director of Human Resources. The City of East Moline will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of Director of Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations.

The City will rely on the following definitions when evaluating claims for reasonable accommodations:

*A reasonable accommodation is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered "reasonable" if they do not create an undue hardship or a direct threat.*

*An individual meets the Americans with Disabilities Act definition with a "disability" that would qualify them for reasonable accommodations if they have a "physical or mental*



*impairment that substantially limits one or more major life activities (sometimes referred to in the regulations as an "actual disability". If a disability is not obvious to an employer, they can ask for medical documentation from a health care provider to confirm the need for an accommodation. Individuals who solely are "regarded as" having a disability but do not have a disability, are not qualified to receive reasonable accommodations.*

*In order to be qualified for a position, an applicant or employee must be able to perform essential job functions. Essential functions are job duties that are fundamental to the position, they are the reason the job exists.*

## **ADA National Network Guidance**

### **2-2 Pregnancy Accommodations**

In compliance with Illinois law, the City of East Moline will not discriminate against employees because of pregnancy; will engage in a timely, good faith, and meaningful exchange with employees affected by pregnancy, childbirth or related conditions; and will endeavor to provide a reasonable accommodation unless doing so will impose an undue hardship on the ordinary operation of City of East Moline business.

Such accommodations include modifications or adjustments to the work environment or circumstances under which the employee's position is customarily performed, including but not limited to more frequent or longer bathroom, water intake, or rest breaks; private non-bathroom space for expressing breast milk and breastfeeding; seating accommodations or acquisition or modification of equipment; assistance with manual labor, light duty, or a temporary transfer to a less strenuous or non-hazardous position; job restructuring or a part-time or modified work schedule; appropriate adjustment or modifications of examinations or training materials; assignment to a vacant position; or providing leave to recover from childbirth or pregnancy.

Employees will not be required to accept an accommodation that they did not request or to which they did not agree, nor will they be forced to take leave if another reasonable accommodation is available.

The employee may be required to provide certification from a health care provider concerning the need for a reasonable accommodation to the same extent such a certification is required for other conditions related to a disability. A certification should include:

- medical justification for the requested accommodation(s);



- a description of the reasonable accommodation(s) medically advisable;
- the date the accommodation(s) became advisable; and
- the probable duration of the reasonable accommodation(s).

The City of East Moline will not deny employment opportunities or take adverse employment action against employees if such decision is based on City of East Moline's need to make a reasonable accommodation, and City of East Moline will not retaliate against employees who request an accommodation or otherwise exercise their rights under the Illinois Human Rights Act.

The Illinois Human Rights Act is enforced by the Illinois Department of Human Rights ("IDHR"). The charge process for violations of the law can be initiated by contacting the IDHR at any of the offices shown below or by completing the form at <https://www2.illinois.gov/DHR/Pages/default.aspx>.

**Chicago Office**

**555 West Monroe Street, Suite 700**

**Chicago, IL 60661**

Tel: (312) 814-6200

TTY: (866) 740-3953

(312) 814-6251  
(FAX - Charge Processing)

**Springfield Office**

**524 S. 2nd Street, Suite 300**

**Springfield, IL 62701**

Tel: (217) 785-5100

TTY: (866) 740-3953

Fax: (217) 785-5106

Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact Director of Human Resources.

**2-3 Non-Harassment**

It is the City of East Moline's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, veteran status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.



If an employee feels that he or she has been subjected to conduct which violates this policy, he or she should immediately report the matter to the Employee's Supervisor. If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Director of Human Resources. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in his or her reporting hierarchy. Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. **All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.** In addition, the City of East Moline will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If an employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

#### 2-4 Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect City of East Moline property, and to ensure efficient operations, City of East Moline has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for City of East Moline.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia or alcohol by an individual anywhere on City of East Moline premises, while on City of East Moline business (whether or not on City of East Moline premises) or while representing City of East Moline, is strictly prohibited. Employees and other individuals who work for City of East Moline also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, or recreational marijuana which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, to the extent permitted by and in accordance with applicable law.



Violation of this policy will result in disciplinary action, up to and including discharge.

City of East Moline maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any City of East Moline employee, including themselves.

## 2-5 Workplace Violence

The City of East Moline is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to City of East Moline and personal property.

We do not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, we specifically discourage employees from engaging in any physical confrontation with a violent or potentially violent individual. However, we do expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in City of East Moline policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

## Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any City of East Moline employee **WILL NOT BE TOLERATED**. For purposes of this



policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto City of East Moline premises.

### Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the City of East Moline determines, after an appropriate good faith investigation, that someone has violated this policy, the City of East Moline will take swift and appropriate corrective action.

If an employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for us to be aware of any potential danger in our offices. Indeed, we want to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

### 2-6 Reasonable Accommodations & Interactive Dialogue

City of East Moline is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA). To that end, we will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom City of East Moline has notice may require such an accommodation, without regard to any protected classifications, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or



- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Any individual who would like to request an accommodation based on any of the reasons set forth above should contact Finance/Benefits Clerk. Accommodation requests can be made in writing using a form which can be obtained from Finance/Benefits Clerk. If an individual who has requested an accommodation has not received an initial response within five (5) business days, the employee should contact Finance/Benefits Clerk.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, City of East Moline will engage in an interactive dialogue with the employee.

Even if employee has not formally requested an accommodation, City of East Moline may initiate an interactive dialogue under certain circumstances, such as when City of East Moline has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event City of East Moline initiates an interactive dialogue with an employee, it should not be construed as City of East Moline's belief an individual requires an accommodation, but will serve as an invitation for the employee to share with City of East Moline any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, City of East Moline will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how City of East Moline may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, City of East Moline will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. City of East Moline is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

As part of the interactive dialogue, City of East Moline reserves the right to request supporting documentation to the maximum extent permitted by applicable law.

City of East Moline will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.



City of East Moline will not allow any form of retaliation against employees who have requested an accommodation, for whom City of East Moline has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact Finance/Benefits Clerk.

## **2-7 Discrimination and Non-Harassment (Including Sexual Harassment)**

In compliance with the Illinois Human Rights Act (Act) and any other related federal or local law/ordinance, all employees have the right to be free from unlawful discrimination or harassment (including sexual harassment). This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation or any other protected class named in the Act or any other related federal or local law/ordinance. This applies to all employer actions, including hiring, promotion, discipline and discharge.

It is City of East Moline's policy to prohibit intentional and unintentional discrimination or harassment (including sexual harassment) of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). City of East Moline also prohibits retaliation. All such conduct will not be tolerated by City of East Moline.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one engages in discrimination or harassment (including sexual harassment) of another individual in the workplace, including while on City of East Moline premises, while on City of East Moline business (whether or not on City of East Moline premises) or while representing City of East Moline. In addition to being a violation of this policy, discrimination, harassment or retaliation based on any protected characteristic as defined by applicable federal, state or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual reported or filed a complaint of discrimination or harassment (including sexual harassment) or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of discrimination or harassment (including sexual harassment) as defined by applicable federal, state or local laws or helped others exercise their right to complain about discrimination or harassment



(including sexual harassment) as defined by applicable federal, state or local laws are unlawful.

### **Reasonable Accommodation**

Employees also have the right to reasonable workplace accommodations based on pregnancy, disability, religious beliefs or any other reason required by applicable federal, state or local laws. This means employees can ask for reasonable changes to their job if needed because they are pregnant or disabled or because of their religious beliefs or any other reason required by applicable federal, state or local laws.

### **Discrimination Defined**

Discrimination under this policy generally means treating an individual differently or denying or granting a benefit to an individual because of any actual or perceived protected characteristic as defined under federal, state or local law/ordinance.

### **Harassment Defined**

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

### **Sexual Harassment Defined**

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:



- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault or blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

### **City of East Moline Reporting Procedures**

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact City Administrator. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.



## **Investigation Procedures**

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. Employees must cooperate with all investigations conducted pursuant to this policy.

## **Retaliation Prohibited**

In addition, City of East Moline will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

## **Additional Reporting Procedures**

Aside from the internal complaint process at City of East Moline described above, employees may choose to file a charge/complaint of discrimination or harassment (including sexual harassment) with the Illinois Department of Human Rights (IDHR).

The charge process for violations of the law can be initiated by completing the form at [www.illinois.gov/dhr](http://www.illinois.gov/dhr) or by contacting the IDHR at [IDHR.Intake@illinois.gov](mailto:IDHR.Intake@illinois.gov), or either of these offices:

Chicago Office  
**160 North LaSalle Street, Suite N-1000**  
**Chicago, Illinois 60601**  
Tel: [312-814-6269 and/or tel:3128146269]  
TDD: [866-832-2298 and/or tel:866-832-2298]  
Fax: 312-814-6517

Springfield Office  
**300 West Jefferson Street, Suite 108**  
**Springfield, Illinois 62702**  
Tel: [217-785-4350 and/or tel:2177854350]  
TDD: [866-832-2298 and/or tel:866-832-2298]  
Fax: 217-524-4877

Employees also can contact the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703.



## 2-8 General Safety Policy

### General Safety Policy

The City of East Moline is vitally interested in its employees' health and safety. Protecting employees from injury or occupational disease is a major continuing objective. The City of East Moline and each City Department will make every effort to provide a safe, healthy work environment. All administrators, Directors, and subordinate supervisors and staff must be dedicated to continuing to reduce the risk of injury.

The City of East Moline, as an employer, is ultimately responsible for worker health and safety. Administrators, Directors, and all subordinate supervisors including acting supervisors will be held accountable for the health and safety of staff under their supervision.

Supervisors are responsible for ensuring that machinery and equipment are safe and that members are completing their assigned duties in compliance with established safe work practices and procedures. All staff must receive adequate training in their specific work tasks to protect their health and safety. Supervisors of each department shall provide personal protective equipment (PPE) and instruct users on their proper use. Supervisors shall also ensure that workers are using proper PPE throughout the workday.

Every staff member must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures established by the city. It is in the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of this organization, from the Mayor to the newest staff member.

Staff members are responsible for reporting unsafe conditions to their supervisors in a timely manner. Staff members may also contact human resources to report unsafe conditions without fear of reprisal.



## Section 3 - Pre-employment Policies

### 3-1 Hiring Policy

The City of East Moline will adhere to all provisions of the respective collective bargaining agreements and provisions outlined by the Board of Fire and Police Commissioners when making hiring decisions related to non-exempt union employees.

The City of East Moline reserves the right to depart from any established protocol or policy when negotiating with exempt employees over terms and conditions of employment provided the Director of Human Resources and the City Administrator agree with the departure. In the event the City is negotiating over terms and conditions of employment related to a new Director of Human Resources or City Administrator, the Mayor will be consulted.

In all cases of a Mayoral appointments, the Mayor will have final determination.

### 3-2 Residency Requirements

New Exempt employees who reside outside a 60-mile radius of City Hall must establish residency in Illinois within a 30-mile radius of City Hall within 1 year. This requirement does not apply to the City Administrator, who is required to reside within the City Corporate limits or in conformity to any employment agreement with the City. Current City employees who have established residences are exempt from this policy to the extent that they remain in their current residence. Should a current employee relocate, they must come into compliance with this policy. Employees who are subject to a Collect Bargaining Agreement (CBA) with a residency requirement are exempt from this policy.

### 3-3 Pre-Employment Physicals

All full or part time employees excluding contract or temporary employees will submit to a post job offer pre-employment occupational specific physical.

The Director of Human Resources, Department Heads, and a licensed occupational medical profession will determine the appropriate level of screening.

### 3-4 Pre-Employment Drug Screens

All employees will submit to a pre-employment drug screen. **Minors must have parental consent.**



### 3-5 Background Investigations

All offers of employment at the City of East Moline are contingent upon clear results of a thorough background check. Background checks will be conducted on all final candidates and on all employees, who are promoted beyond their highest tier background level, as deemed necessary.

The City of East Moline will pre-classify job descriptions based on three tiers and be considered a qualification for employment or promotion.

**1. Tier One-Entry Level-Low Risk**

- a. Reference Checks
- b. Past employer verification
- c. Online Court Records
- d. Commercial Records Check Service

**2. Tier Two-Executive, Administrative, or Operational employees with access to sensitive city data or city finances and assets.**

- a. Personal and Professional References: calls or visits will be placed to individuals listed as references by the applicant.
- b. Educational Verification: confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.
- c. Neighborhood canvas
- d. Prior Employment Verification: confirms applicant's employment with the listed companies, including dates of employment, position held and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on all past employers.
- e. A "job related and consistent with business necessity" Specific Background Questionnaire.
- f. An in-person background interview by trained HR or qualified background investigator.
- g. Credit Report

**3. Tier Three-Executive, Administrative, Police/Fire or Operational employees with access to highly sensitive or statutorily protected data or investigations.**



- a. Personal and Professional References: calls or visits will be placed to individuals listed as references by the applicant.
- b. Educational Verification: confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.
- c. Neighborhood canvas
- d. Prior Employment Verification: confirms applicant's employment with the listed companies, including dates of employment, position held and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on all past employers.
- e. A "job related and consistent with business necessity" Specific Background Questionnaire.
- f. An in-person background interview by trained HR or qualified background investigator.
- g. A polygraph examination (Police, Fire Only)
- h. A post job-offer psychological evaluation. (Police, Fire Only)
- i. Credit Report

Final candidates must complete a background check authorization form and return it to Human Resources. **Minors must have parental consent.**

Human Resources will order the background check upon receipt of the signed release form, and either internal HR staff or a qualified background investigator will complete the investigation. A designated HR representative will review all results.

The HR representative will notify the hiring manager regarding the results of the check. In instances where negative or incomplete information is obtained, the appropriate management and the director of Human Resources will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a background check, there may be certain additional Fair Credit Reporting Act (FCRA) requirements that will be handled by Human Resources in conjunction with the employment screening.

Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.

The City of East Moline reserves the right to modify this policy at any time without notice.



## Disposing of Background Information

### EEOC

Any personnel or employment records you make or keep (including all application forms, regardless of whether the applicant was hired, and other records related to hiring) must be preserved for one year after the records were made, or after a personnel action was taken, whichever comes later. (The EEOC extends this requirement to two years for educational institutions and for state and local governments. The Department of Labor also extends this requirement to two years for federal contractors that have at least 150 employees and a government contract of at least \$150,000.) If the applicant or employee files a charge of discrimination, you must maintain the records until the case is concluded.

### 3-6 Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, City of East Moline may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of City of East Moline. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. City of East Moline generally will attempt to identify other available positions, but if no alternate position is available, City of East Moline retains the right to decide which employee will remain with City of East Moline.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.



## Section 4 - Operational Policies

### 4-1 Remote Work/Telecommuting

The City of East Moline may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by the City of East Moline. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by the City of East Moline at any time and at the discretion of the City of East Moline. Employees also may discontinue the arrangement but may not be guaranteed office space at various locations of the City.

### 4-2 Employee Classifications

For purposes of this manual, all employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

**Full-Time Employees Non Union-** Employees who regularly work at least 30 hours per week who were not hired on a short-term basis and are not subject to the provisions of a collective bargaining agreement.

**Part-Time Employees** - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis. Part-Time Employees generally are not eligible for City of East Moline benefits, but are eligible to receive statutory benefits.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis including paid or unpaid internships. Short-Term Employees generally are not eligible for City of East Moline benefits, but are eligible to receive statutory benefits.



In addition to the above classifications, employees are categorized as either "**exempt**", or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

#### 4-3 Your Employment Records

In order to obtain their position, employees provided us with personal information, such as address and telephone number. This information is contained in the employee's personnel file.

The employee should keep his or her personnel file up to date by informing their Department Head of any changes. The employee also should inform their Department Head of any specialized training or skills he or she may acquire in the future. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach the employee in a crisis could cause a severe health or safety risk or other significant problem.

Department Heads shall see that the official employee file is updated with Human Resources.

#### 4-4 Working Hours and Schedule

The City of East Moline operates 24 hours per day seven days per week and shift schedules and office hours vary by department.

The City of East Moline administrative offices are normally open for business from 8:00 am to 4:30 pm, Monday through Friday. The employee will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of our city, at some point we may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.



#### 4-5 Timekeeping Procedures

Time keeping procedures will be centrally controlled through the Finance Office. All time sheets and leave requests will be submitted through city owned software, approved by the department head and forwarded to the Finance Office for payroll and record keeping.

#### 4-6 Overtime

Like most successful employers, we experience periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) his/her normal hourly wage for all time worked in excess of forty (40) hours each week or (80) hours in a pay period, unless otherwise required by law. Firefighters assigned to fire suppression duties are exempt from this provision.

Employees may work overtime only with prior management authorization.

For purposes of calculating overtime for non-exempt employees, refer to the relevant collective bargaining agreement.

#### 4-7 Travel Time for Non-Exempt Employees

##### **Overnight, Out-of-Town Trips**

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

##### **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: (i) time spent traveling between the employee's home and the local railroad, bus or plane terminal; and (ii) meal periods.



## **Local Travel**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when an employee goes directly home from his/her final job site, unless it is much longer than his/her regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

## **Commuting Time**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near his/her home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

## **4-8 Safe Harbor Policy for Exempt Employees**

It is the City of East Moline's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for the City of East Moline. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such



absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);

- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 457(b) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the City of East Moline has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact the Finance Director or any other supervisor in the City of East Moline with whom the employee feels comfortable.

#### 4-9 Your Paycheck

The employee will be paid bi-weekly for all the time worked during the past pay period.



Payroll stubs itemize deductions made from gross earnings. By law, the City of East Moline is required to make deductions for Social Security, (with the exception of sworn Police Department employees) federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in an employee's pay, the employee should bring the matter to the attention of Payroll Clerk immediately so the City of East Moline can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless he or she requests that they be mailed, or authorize in writing another person to accept the check.

#### **4-10 Direct Deposit**

Paychecks are distributed by direct deposit only. Authorization forms are available from the Finance Office or available through online software.

#### **4-11 Salary Advances**

The City of East Moline does not permit advances on paychecks or against accrued paid time off.

#### **4-12 Performance Review**

Depending on the employee's position and classification, the City of East Moline endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment but does play a factor in exempt employee compensation. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, the City of East Moline encourages supervisors and employees to discuss job performance on a frequent and ongoing basis.

#### **4-13 Open Door Policy**

All employees have the opportunity to express ideas and opinions to management. City of East Moline believes that open communication is essential to a successful work environment,



as well as to City of East Moline's success. All employees may express ideas and opinions directly to City of East Moline management. Employees who would like to bring an idea or suggestion to City of East Moline's attention, or just simply wishes to discuss an issue not covered by a separate reporting procedure, are always welcome to send an email or make a call to Human Resources.



## Section 5 - Information Technology

### 5-1 Information Technology Employee Access and Use

#### Information Technology Policy

##### Employee Access and Use

###### Purpose

The purpose of this document is to define a policy that helps ensure the security, availability and productivity of The City of East Moline's Information Technology systems and networks. It also helps ensure the confidentiality, integrity and availability of electronic information captured, stored, maintained, and used by the City of East Moline. It provides direction for compliance to federal and state regulations, specifies appropriate practices, and defines custodial responsibilities for records associated with City operations. This policy, as a whole or in component parts, should be used as a foundation document for all additional policies, standards, procedures, and guidelines that are developed and implemented by the City related to information systems security. (See City policy for security of protected information).

All Users of City computing services, resources and data are required to support this effort by complying with all established policies, standards, guidelines and procedures. This includes compliance with all related federal and state statutes and regulations as required.

###### Scope

This Policy is applicable to all users (including all employees, elected and appointed officials, contractors, vendors, volunteers and others) and departments of City Information Technology (IT) systems, networks, devices, digital information, and any other electronic processing or communications related resources or services provided through the City. This policy will focus on employee access, use, and data retention providing the most appropriate security best practices. Platinum Information Services or a successor information technology provider will be responsible for the security of network and domain level assets and functions.

###### In Scope

General IT systems are operated and maintained by a professional services provider and are available to all City Users

###### Out of Scope



IT systems operated and maintained by city departments may have their own sets of policies that supersede these policies. These policies shall apply unless other policies specifically meet or exceed them.

Policy

## **ACCEPTABLE USE**

This defines the appropriate use of technology resources and data that are owned by the City of East Moline and provided for employee use. Departments may issue their own policies that augment or adopt this policy through reference, but not to supersede or contradict it.

City Resources are for City Business

City-owned technology resources shall serve the business needs of the City of East Moline

### **No Expectation of Privacy:**

Employees must not expect privacy in the use of City communications and digital equipment. Nothing in this policy confers an individual right, or shall be construed to provide, an expectation of privacy.

### **Confidentiality:**

City-held information on the constituents of the City of East Moline shall not be accessed or disclosed without a clear business need and authorization (including, but not limited Freedom of Information Request (FOIA)).

### **Limited Personal Use:**

City-owned technology resources may be used for personal purposes on a limited basis, providing this use results in:

No marginal cost to the City

No interference with work responsibilities

No disruption to the workplace

No storage of unlicensed, copyrighted materials on any City owned technology resources.



No illegal activities.

No commercial or solicitation activities.

No use of internet or messaging tools for activities that are listed under “Specific Prohibitions and Limitations”.

**Limited use of external e-mail services:**

The limited use of an external email service is allowed, providing that the service applies anti-malware controls in a manner equivalent to that provided by the City, and such use is incidental and does not interfere with City workload, as determined by your supervisor. Attachments and embedded links should not be clicked or downloaded.

**Media Files:**

City computers, devices, and other storage locations must not be used to download or store music/audio/movies/eBooks/games files for personal use.

**Sharing of City Data Files:**

Sharing or retention of City data files and information outside of the City is limited to official use only or generally through the Freedom of Information Act.

Employees of the City of East Moline are not authorized to share or retain information for any other purpose without express authorization from their Department Head.

**FOIA Requests**

The Freedom of Information Act (FOIA) is a state statute that provides the public the right to access government documents and records. The premise behind FOIA is that the public has a right to know what the government is doing. The law provides that a person can request a copy of a public body’s records on a specific subject and the public body must provide those records, unless there is an exemption in the statute that protects those records from disclosure.

Public Records – are defined in FOIA as “all records, reports, forms writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by,



received by, in the possession of, or under the control of any public body.” A few examples of public records available under FOIA are: orders; rules; reports or studies; contracts; and rosters and salaries of public employees. Information can be available in electronic as well as paper format.

#### What Kind of Information is not Public:

The FOIA law has a presumption that all information is public, unless the public body proves otherwise, by clear and convincing evidence. There are a large number of exceptions to public disclosure. These are referred to as FOIA exemptions. Those exemptions are summarized generally below, and include but are not limited to:

- Private information, which is defined as “unique identifiers, including a person’s social security number, driver’s license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal e-mail addresses.” Under FOIA, “private information also includes home addresses and personal license plate numbers, except as otherwise provided by law or when compiled without possibility of attribution to any person.”
- Personal information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the person who is the subject of the information. Under FOIA, the “unwarranted invasion of personal privacy” means the “disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject’s right to privacy outweighs any legitimate public interest in obtaining the information.” Disclosing information that relates to the public duties of public employees is not considered an invasion of personal privacy.
- Law enforcement records that, if disclosed, would interfere with a pending or reasonably contemplated proceeding, obstruct an open investigation, or reveal the identity of a person who filed a complaint with or provided information to a law enforcement agency.
- Information that, if disclosed, might endanger anyone’s life or physical safety.
- Preliminary drafts or notes in which opinions are expressed or policies are formulated, unless the record is publicly cited and identified by the head of the public body.
- Business trade secrets or commercial or financial information that is proprietary, privileged or confidential and that if disclosed would cause a competitive harm to the person or business.
- Proposals and bids for any contract, until a final selection is made.

- Requests that are “unduly burdensome.”

A request is unduly burdensome when:

- (1) the request must be categorical in nature and incapable of being narrowed or reduced
- (2) the burden on the public body to respond to the request outweighs the public interest in the information.

If the public body receives a request it believes is unduly burdensome, the public body should first search for the responsive records (if possible) to estimate the number of records or pages potentially responsive to the request, and to determine the extent to which those records would need to be reviewed for possible redactions. The public body should then estimate the amount of time it believes it will take to collect, review, and redact the records. If, after collecting this information, the public body determines that the request as written is unduly burdensome, it must notify the requester and give the requester an opportunity to reduce the request to manageable proportions. It is helpful if that notification to the requester includes the detailed information it collected about the estimated number of responsive records and time required to complete the collection, review, and redaction of those records. If the requester contacts the public body to discuss options for reducing the request to manageable proportions, the public body must confer with the requester.

FOIA responses must be provided within five (5) business days after receipt of the request. However, that time period may be extended for an additional 5 business days from the date of the original due date if:

- The requested information is stored at a different location
- The request requires the collection of a substantial number of documents
- The request requires an extensive search
- The requested records have not been located and require additional effort to find
- The requested records need to be reviewed by staff who can determine whether they are exempt from FOIA
- The requested records cannot be produced without unduly burdening the public body or interfering with its operations
- The request requires the public body to consult with another public body that has substantial interest in the subject matter of the request.

Downloading to and Storage of City Records on Non-City-owned Technology Resources:



The use of removable media shall be restricted to authorized users, consistent with the Removable Media Standard.

City or public records stored on non-City-owned technology resources must be retained and produced in accordance with legal requirements, including but not limited to the State of Illinois records retention laws and the Public Records Act.

Specific Prohibitions and Limitations:

City policies regarding acceptable behavior and communication will apply to use of the Internet and messaging. Specifically prohibited use includes, but is not limited to:

**Conducting a private business;**

Political campaigning;

Accessing sites which promote exclusivity, hatred, discrimination or exclusionary positions which are contrary to the City's policy of embracing cultural diversity;

Accessing inappropriate sites including adult content, online gambling, online gaming, and dating services;

Accessing sites that promote illegal activity, copyright violation, or activity that violates the City's ethical standards.

Using the internet to obtain or disseminate language or material which would normally be prohibited in the workplace;

Using encryption technology that has not been approved for use by the City;

Making unauthorized general message distributions to all users (everyone);

Installing any software that has not been approved by the City or unless approved through exception process by management in consultation with authorized IT representatives;

Sharing or storing unlicensed software or audio/video files;

Using unauthorized tools to attempt to elevate user privileges, obtain unauthorized resources, disrupt availability or make unauthorized alterations;



Broadcasting e-mail to large numbers of external constituents unless the list members are hidden through the use of the BCC field.

Using a City e-mail address when posting to public forums e.g. blogs, social media sites, wikis and discussion lists for personal use;

Use of online shopping and/or interferes with your workload, as determined by your supervisor;

Excessive use of social media sites for personal use (as described in “Limited Personal Use”) that is more than incidental, and/or interferes with your workload, as determined by your supervisor;

Use of streaming media for other than City of East Moline business purposes during work hours;

Using unauthorized Peer-to-Peer Networking;

Using a City e-mail address as a means of notification for personal use, e.g. shopping, dating or social media sites.

If any of the above prohibited uses is required for a legitimate business reason, it is management’s responsibility to follow the East Moline IT Exception Process.

**Use Standard Resources Only:**

All digital equipment and applications must be authorized. Only software, hardware, cloud services, and communication protocols that meet the City’s defined standards will be installed on, or connected to, City-owned technology resources unless an exception has been granted according to the exception process. Also do not alter to remove approved standard software from City-owned Technology Resources.

**Additional Cost to the City:**

Resources that incur a cost to the City, whether accessed via the internet, mobile device, email, or other applications, must not be accessed or downloaded to any City-owned technology resources without prior approval. It is the supervisor’s responsibility to assure the business need, applicability, and safety of any new resource.



## **Conflicts:**

If any component of this policy conflicts with any applicable collective bargaining agreement, the collective bargaining agreement shall control. The remaining non-conflicting features of this policy shall remain in effect

## **Smartphone and Mobile Device Policy**

The use of smartphones and mobile devices connected to City resources is based on the needs of the business and subject to departmental approval.

Employees will adhere to City data retention policies and schedules for all City business records that reside on City-owned or employee-owned smartphones or other mobile devices

Employees using a City-owned device will comply with all applicable City and departmental policies and workplace expectations while using the smartphone or mobile device.

City information stored on City-owned or personal smartphones or other mobile devices is a public record subject to disclosure pursuant to the provisions of the Public Records Act. It is the responsibility of each City employee to retain public records, including those on City-owned or personal smartphones and mobile devices. Retention of text messages is based on the content of the message and the function it documents, not the method of transmission.

## **City Owned Devices**

There is no expectation of privacy when using City-owned smartphones and mobile devices. The City has the right to review all mobile device records including, but not limited to, phone logs, text messages, photographs, installed apps and internet usage logs.

Employees should avoid using City-owned smartphones and mobile devices to send or receive personal text messages. When the City receives a public disclosure request, a discovery request in connection with litigation, or other form of request to which it is legally required to respond, records on a City-owned device must be retained until the City responds to the request. Personal records on a City-owned mobile device may potentially be disclosed in response to any request to which the City is obligated to provide records.

Employees should download only applications necessary to conduct City business in compliance with departmental policy and/or City policy.

Passwords are required on City-owned smartphones and mobile devices to connect to City resources. The password is to be managed in accordance with IT policy.



## Personal Devices

Employees using a personal device will comply with all applicable City and departmental policies and workplace expectations while using the smartphone or mobile device for City business.

City employees must use private internet connection such as home networks and avoid conducting City business over public Wi-Fi such as those found in a coffee shop or library (unless using a VPN).

City employees should have the most current antivirus software and security updates possible for their personal devices and should be cautious when using personal devices/computers that are shared with family members to reduce their vulnerability to a cyber-attack.

City staff shall not create, capture or store data that is classified as “Confidential” or “Confidential - Special Handling” on a mobile device unless there is a secure app or Mobile Device Management solution on the device that ensures the security of that data in the event that the device is lost or otherwise accessed by unauthorized parties.

City Staff should not store City data on a personal device, storage media or file storage service.

If City data is inadvertently stored in personal devices (including mobile devices), records must observe record retention requirements and be retained for the applicable retention period. Employees should consult the City Records Management Program for retention requirements.

An employee who uses a personal mobile device for City business is required to follow this policy and to cooperate with the City and provide full assistance in fulfilling the City’s duties and obligations under the Public Records Act.

Employees shall provide all records created, received, or retained within the scope of their employment on a personal mobile device to the City’s FOIA Officer in response to a public records request. This includes records required by the Employee’s position/function, records the Employee is directed to have by the City, or records created, received, or retained in furtherance of the City’s interests. Employees may be required to sign an affidavit describing the search process used to identify public records stored on the personal mobile device and stating that all responsive records have been provided to the City.

If an employee-owned smartphone or mobile device that contains City records or data is lost, stolen, or broken the employee must notify their immediate supervisor within one business day.



Employees who use personal smartphones or mobile devices to conduct City business are required to use a personal password to protect the entire device.

Users who use personal systems to access the City Network for work purposes must adhere to and Systems and Network requirements and must maintain up-to-date security software as follows:

Current Operation System (OS) and security patch level

Firewall enabled

Current version of antivirus software with an up-to-date signature

VPN where appropriate

City Data is not to be stored on personal laptops or other personal systems used to access the City Network

Any non-approved (including tablets or any non-approved IoT technology) may not in any way be connected to the City's authenticated network.

## **ACCESS CONTROL & ACCOUNT MANAGEMENT**

In accordance with the principle of least privilege, account types are established with specific privilege levels required to perform prescribed functions. Standard user accounts are the default user account used for all general operations not requiring elevated privileges.

### **Monitoring of User Accounts, Files, and Access**

The City reserves the right to monitor its information systems and user activity. There is no guarantee of privacy of email, Internet access, system logs, and electronic files related to individual City computer and network accounts.

Inappropriate, unauthorized use or abuses of computing and network resources are subject to monitoring and investigation by authorized City staff.

Individuals and associated accounts under investigation are subject to having their activities on City systems monitored and recorded.



In the course of monitoring individuals who are improperly using these systems, or in the course of correcting system problems caused by unauthorized use, the activities and files of authorized users may also be disclosed.

The City may specifically and without notice monitor the activity and accounts of individual users including files, session logs, content of communication and Internet access for adherence to the Acceptable Use Policy.

The City reserves the right to filter Internet access to preclude dangerous or harmful connections.

Evidence of criminal activity will be turned over to appropriate City and law enforcement officials.

#### Administrative Access to City Information Systems

Administrator (and other higher privileged) accounts are used to establish separate elevated privileges required to perform specific systems management functions.

#### Appropriate Use of Standard User Accounts

Standard user accounts must be used for accessing common business applications and performing daily work where elevated rights are not explicitly required.

Standard user accounts should not be used to perform administrator system functions.

#### Appropriate Use of Elevated Privileged Accounts

Appropriate use of administrator accounts includes managing business critical applications, operating administrative tools, or performing other essential business activity in which elevated rights are explicitly required.

Inappropriate use of administrator accounts includes internet browsing, email usage and using common business applications such as Office 365 (i.e., OneDrive, Outlook, SharePoint, PowerPoint, Word, Excel, OneNote, Team). Daily work using common business applications must be performed with standard user accounts.



## **Granting Administrative Access**

Administrative access may be granted by System Owners, Information Technology or other City management based on an established and documented business need. Granting access must follow the procedure outlined in Procedure for Granting Administrative Access to City Information Systems or Departmental specific procedures where required for regulatory compliance.

An administrator is associated to an individual and only that individual is authorized to use the administrator account to access systems.

A user with administrator access must obtain a separate ADM account and use that account for Administrator actions

## **Service Accounts**

Service Accounts will be created in support of an application or system and are used to run a service related to the application or system.

Service Account names should reflect the function of the Service Account.

Service accounts should be configured with the least level of privilege required to run the service for the application or system.

Service Account passwords must be configured so they can't be used interactively.

## **Access Control**

Access control measures required for establishing Users' access to any City computing resources shall be commensurate with the functional nature and degree of criticality of the computer systems, network resources, and data involved. See Access Control Measures for directions on how to assess and define the appropriate security measures for computing systems.

## **Account Management and Authentication**

It is the responsibility of all System Owner/Operators and Data Custodians to ensure that their systems are properly protected, define, and deploy group policies at the domain level and periodically review accounts for compliance with account management requirements.

Systems are required to have a technical access control mechanism(s) that deploy authentication measures appropriate for data and departmental security requirements. Authentication measures must be commensurate with the required account, data and application security.



All systems are required to have the capability to log basic information about User access activity, system events and errors, and access violation reports.

All system access accounts for Users must be based on a unique credential that establishes identity.

Applications requiring authentication, whether hosted on premises or in a City or vendor-operated cloud platform, must integrate with the City's Single Sign On (SSO) standard for applications. All new or upgraded applications must authenticate using the City standard authentication platform.

### **Multi-factor authentication**

Multi-factor authentication must be used to ensure positive identification of individuals with elevated privilege levels or access to sensitive resources. Examples include:

Network or database administrators

Contractors include accessing internal resources from outside the City network

Multi-factor authentication may be required for additional use cases.

### **Provisioning**

All Users' system access will be based on the "principle of least privilege" and the "principle of separation of duties":

**Principle of Least Privilege:** An operations principle that requires access privileges for any user to be limited to only what they need to have (nothing in addition) and when they need to have it, to be able to complete their assigned duties or functions.

Computer applications that are developed for the system must be developed and integrated to maintain individual user accountability and audit capability.

Documented procedures must be in place for issuing access, access change, access termination and revoking access privileges on systems and accounts.

A formal process is required for deprovisioning access to ensure appropriate access is removed whenever:



When accounts are no longer required;

When accounts are inactive for a defined period of time;

When users are terminated or transferred; or

When individual information system usage or need-to-know changes

Any vendor that requires access to City equipment must obtain written permission from departmental IT Management.

Enable vendor accounts used for remote maintenance only when actively being used by the vendor and disable the access upon completion of vendor activity;

Audit vendor accounts used for remote maintenance on a periodic basis to ensure access is being disabled when not actively in use.

Change vendor-supplied defaults (including passwords) and remove or disable unnecessary default accounts before installing a system on the network;

Measures

Unsuccessful logon attempts:

Locking the account after (6) consecutive invalid logon attempts by a user; and

Automatically locking the account for 30 minutes or until released by an administrator

Account Disablement:

Accounts belonging to separated employees/consultants/volunteers will be terminated within 24 hours unless earlier termination is requested by the Department.

Inactive accounts will be disabled after 90 days

Vendor accounts will be disabled at the time of account expiration (default is at end of contract or one year from initiation).

Note: content to be extracted to Standard document



## Physical Security

As with logical security measures at the City, physical security measures required for protecting City computing resources shall be commensurate with the nature and degree of criticality of the computer systems, network resources, and data involved.

### Physical Security

Physical access control measures must be implemented sufficiently to prevent City assets from unnecessary and unauthorized access, use, misuse, vandalism, or theft.

Certified smoke and fire alarm and fire suppression systems must be in place for larger data centers, server rooms and telecommunication closets and vaults.

Environmental control measures (power supply, heating, ventilation, air conditioning, plumbing, physical location) must be in place and monitored, tested, and maintained regularly.

Inventory Control measures must be implemented, such as asset tags or other identification markings for tracking and accounting of City assets.

The City must have secured off-site data/media storage and procedures.

Specific procedures and security education for all Users of City laptops, wireless services, and other mobile computing devices must be instituted.

All specific tools, systems, or procedures implemented to meet physical security requirements will be selected on the basis of its ability to meet City specifications and performance requirements and be purchased in compliance to the City's procurement policies and procedures.

### Personnel Security Measures

When hiring employees for key technical positions, a comprehensive pre-employment screening must take place.

All pre-employment inquiries must be conducted in full compliance with all official City and specific departmental policies and in full compliance with all related state and federal laws.

New employees must be informed about their responsibilities and the policies that apply.



All employees are required to complete yearly training on the basic tenets of this information security policy.

All physical and logical access to computing and network facilities and resources must be assigned with the principles of least privilege and separation of duties.

When terminating employees all City departments must establish processes to quickly close and remove all system and network privileges.

Related procedures regarding employee suspension, transfers within the city, leave of absence, long term illness or disability must also be established and maintained.

### **Remote Access**

Remote web-based access to certain city systems, applications and data is granted to all City users for the purpose of accessing their email, files, productivity tools and business applications while conducting city business at home, working remotely, or traveling (e.g. O365).

Other remote access systems may be restricted only to those employees with an express need and authorization for this type of access. Network support personnel are an example of those that may need remote control capability. Personnel that travel or fill an on-call role are an example of a need for remote access capability.

### **Authorizing and Provisioning**

Those using remote access must be positively identified and authenticated prior to being connected to City of East Moline resources. Multi-Factor Authentication may be required depending on user role, privileges granted, or specific system or network being accessed.

Remote access sessions must be securely logged with enough attribution to assure identity.

Passwords must be encrypted during transmission.

Users are required to use personal firewalls on their computers when accessing the network remotely.

Unauthorized or self-configured remote access is prohibited.

City employees must exist in an authoritative directory group indicating authorization for remote access.



All City of East Moline employees accessing the City network remotely should use the approved methods and technology best suited for the type of work being performed, the network environment and computer resources used. The City provides the following vehicles for remote access, depending on whether the connecting endpoint (remote computer) is City-owned and managed, or personally owned.

A City-managed system may obtain full VPN access to the network, for access to arbitrary systems within the purview of the individual obtaining the access. Virtual Private Network (VPN) should be used whenever accessing from an unknown or public network location (e.g. library or coffeehouse wi-fi).

For personally owned systems, remote access must be through a proxied connection, which limits access to only those resources and services for which the individual has an authorized need (e.g. O365 web apps, SharePoint and accessible city applications, VPN as required).

City documents and data shall be saved to appropriate locations:

OneDrive for Business

SharePoint

Shared File servers via VPN

City documents and data shall be not saved to unauthorized locations

Personal device or personal external hard drive (including smartphones)

Unapproved cloud services (e.g. Drop Box, Box, or Google Docs)

Devices may not extend local administrative rights to the user unless a policy exception has been granted.

Automatic operating system and critical component updates must be enabled for remote devices.

Other than the requirement for separate approval before allowing the initiation of remote-control sessions via the VPN, the same policies regarding Acceptable-Use of City technology will apply to remote access as would apply to access originating from City of East Moline internal networks.



Firewalls must be configured to only allow designated traffic.

### **Contractor Access**

Authorized users or contracted vendors must use only authorized methods for remote access to the Network and City services

Contractors must meet or exceed this policy

Departments granting remote access will ensure that authorized users and contracted vendors sign an Acceptable Use Agreement including a background check when required for accessing data classified as Confidential Requiring Special Handling.

Contractors accessing internal resources from outside the City network must use multi-factor authentication

### **Vendor Access**

Vendors may be allowed remote access to specific servers as needed to provide support to the City of East Moline, subject to the following policies.

Access into the City of East Moline network will be via the standard VPN solution unless by exception.

The vendor must sign the City's Acceptable-Use Policy.

Vendors must have unique user accounts assigned to them for any system that they will be accessing. Vendors are not allowed to operate under the credentials of City of East Moline support staff, or use "shared" vendor accounts.

City of East Moline support staff must monitor vendor activity at all times the vendor is connected to City resources.

Vendor remote sessions must be terminated when not actively in use.

### **Remote Control**

Refers to the capability of controlling or operating a City of East Moline workstation from another workstation, either inside of or outside of the City of East Moline network.



Service Desk personnel may have remote control capabilities to workstations to aid in problem solving. Service Desk personnel must obtain the approval of the workstation operator before controlling the workstation remotely.

The remote-control software must notify and obtain approval of the user that is currently logged in before granting access to a workstation. This ensures the end user is aware that someone else is looking at what is on the screen. This function is not required for servers as there is typically no user logged at the console.

Remote control sessions must be logged to the extent possible. At a minimum, connection attempts should be logged on both success and failure. Remote control logs are to be retained for one (1) year.

Remote Control sessions must automatically disconnect when idle for 15 minutes. The Service Desk has the authority to make exceptions to extend beyond 15 minutes of idle time when there is a business justification, such as when running scripts, to support the customers of East Moline IT Department.

Persons controlling workstations remotely must not be allowed to blank the screen or lockout the keyboard or mouse from use by user.

## **SYSTEM AND NETWORK CONFIGURATION**

### Systems and Network Security

All systems and network security measures must be based on the functional nature and degree of criticality of the computer systems, network resources, and data involved.

No device may be connected to the City's network that does not conform to City standard configuration without expressed approval through an Exception Request.

## **DATA MANAGEMENT**

### Data Management

Access to City data will be made possible consistent with the classification of the data, business need, user role and privilege level.

### Data Classification



Data will be classified according to its sensitivity to unauthorized exposure as defined per the Data Classification Standard. The classification level applied to specific information is based on statutory requirements, the sensitivity of the data, its criticality to the City, and its use. For classification guidelines and best practices (see Classification of Data Guidelines).

All data defined as highly sensitive by industry or governmental regulatory groups will be classified at the highest level (as Confidential Information Requiring Special Handling).

Data classified as Confidential Information Requiring Special Handling will be managed in accordance with their requirements. Separate specific policies or standards may further define specific handling requirements including specifications for handling, inventory, labeling, back-up verification, disposal, specific transmission and storage specifications.

Data in restricted/protected classifications must be encrypted as appropriate to its sensitivity and regulatory requirements.

### Electronic Data and Records Management

All City System Owner/Operators, Data Custodians, and Users (see - Definitions), are obligated to understand the nature and proper classification of the data they generate, use, or store.

All City System Owner/Operators, Data Custodians, and Users, are required to properly manage and protect the confidentiality of private or sensitive electronic data they may be using, transmitting, and storing. For classification guidelines and best practices see Classification of Data Guidelines.

All City System Owner/Operators, Data Custodians, and Users are required to understand and comply with all records retention laws for any electronic data they may be using, transmitting, and storing.

NOTE: Be aware that the City Records Management Program (CRMP) maintains specific records management information and offers consultation to users and management on their retention obligations under State law.

### Data Sharing

The City of East Moline facilitates information sharing with partner entities by enabling authorized Department leadership to determine whether access authorizations assigned to the sharing partner match the access restrictions on the information for particular data classification and regulatory requirements.



Partner may be defined at the individual, group, or organizational level.

Information may be defined by content, type, security category, special access requirements or restrictions.

The organization employs defined mechanisms, processes and documentation to assist users in making information sharing collaboration decisions.

#### Electronic Data Breach Disclosure

The City of East Moline will comply with all applicable laws. See Cyber Security Incident Management Plan for details of the procedure to follow if a breach is suspected.

#### Rules Specific to Electronic Communication Usage

Electronic communication (e-mail, IM, IRC, SMS) is a temporary medium and, therefore, inappropriate for substantive policy messages

Electronic communications that contain substantive policy messages must be archived per email management rules and guidelines in appropriate retention folders.

Individual users may use approved methods for screening their e-mail to screen unwanted e-mail from, or to automate filing of, their individual accounts.

Electronic communications sent to members of the public must be consistent with the City's published Privacy Policy and this Information Technology Security Policy, including ensuring:

The intended recipient specifically requests to receive the communication from the City

Ensuring the proper protection of personally identifiable information (i.e., PII such as a person's e-mail address)

City departments and vendors acting on behalf of the City will not send unsolicited emails to constituents or City employees over the public Internet that ask them to reply with confidential information or that ask them to click on embedded links to City web self-service transactions that require entry of confidential information.

Any City department providing public Internet self-service transactions that collect confidential information is required to put a notice of the policy and warnings of prevalent spoofing and



phishing methods; or a link to such a notice, on web pages that describe or contain the self-service transactions.

Any City department that provides public Internet self-service transactions that collect confidential information shall periodically provide notices of City policies and warnings of prevalent spoofing and phishing methods in regular constituent correspondence.

Any outgoing messages which do not reflect the official position of the City of East Moline or the user's department must include the following disclaimer: "The opinions expressed here are my own and do not necessarily represent those of the City of East Moline."

All general distribution messages must contain the name of the approving authority (departmental e-mail administrator or designee) and the date of approval. All requests for citywide broadcasting must be sent to the email Administrator e-mail account.

Only City standard applications may be used for any type of electronic communications, including e-mail and Zoom calls.

Standard configurations must be conformed to for all electronic communications systems consistent with the Bulk Email and SMS Communication Standard.

Instant Message systems specifically are not allowed to accept inbound attachments or links and must only use the user's East Moline.gov email address as an identifier.

All Users are required to understand and comply with all records retention laws for any electronic communications they transmit, store, or disseminate.

## **Compliance**

### Measurement

Adherence to these provisions will be periodically assessed by leadership as well as through audits conducted in specific focus areas.

## **5-2 Artificial Intelligence**

City of East Moline recognizes that the use of AI tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees



who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

**Evaluation of AI tools.** Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees should also review the reputation of the tool developer and any third-party services used by the tool. But most importantly, employees **must** receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the business.

**Protection of confidential data.** In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from the City Administrator or his designee. This includes data related to customers, employees, or partners. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

**Access control.** Employees must not give access to any AI tools approved for business use to anyone outside the company without prior approval from the City Administrator or his designee and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.



## Section 6 - Benefits

### 6-1 Benefits Overview

In addition to good working conditions and competitive pay, it is the City of East Moline's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs the City of East Moline provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Payroll Clerk. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this manual.

Further, the City of East Moline (including the insurance committee, officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the the City of East Moline intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact the Payroll Clerk.

### 6-2 Paid Holidays

All employees will be paid for the following holidays:



New Year's Day  
Memorial Day  
Independence Day  
Labor Day  
Veterans' Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve  
Christmas Day  
New Year's Eve

Employees Birthday (may be taken off 30 days before to 30 days after)

When holidays fall or are celebrated on a regular work day, Exempt or non union full time employees will receive one (1) day's pay at their regular straight-time rate. Union employees will follow their collective bargaining agreement.

### 6-3 Paid Vacations

We know how hard employees work and recognize the importance of providing time for rest and relaxation. We fully encourage employees to get this rest by taking your vacation time. Full-time employees accrue paid vacation time as follows:

### VACATION PROGRAM

General. The City of East Moline may provide a vacation benefit to regular full-time and regular part-time with benefits employees which allows for an employee's regular, base salary to be paid to the employee while the employee is on vacation leave.

Rate of Vacation Benefit Accrual. The annual vacation benefit that an employee may receive is tied to seniority as shown in the following:

FOP Contract

IAFF Contract

AFSCME Contract

General Exempt Schedule Mirroring AFSCME Contract



## Individually Negotiated Exempt Employment offer or contract

Vacation Benefit Accrual. An employee accrues (earns) vacation time on a monthly basis. For example, a new employee earning two weeks of vacation time per year, accrues approximately 6.67 hours of vacation time per month. Regardless of when the vacation time is posted to an employee's account, vacation time is accrued on a monthly basis.

Vacation accrual should begin on the employee's first day of employment. The employee's anniversary date, rather than the calendar year, will be used to calculate vacation benefits. When an employee transfers from full-time to part-time status (or vice versa), the vacation time rate of accrual for such employee will be pro-rated on the basis of the number of days of service in each category of such regular employment.

Posting of Vacation Accruals. All vacation accruals may be posted on an annual basis. Employees may have their annual vacation time posted to their account on their first year anniversary and on each subsequent January 1<sup>st</sup>. As such, an employee may have vacation time posted to his or her account on January 1<sup>st</sup> which has not been fully earned. While employees may be allowed to take vacation time posted to their account which has not been fully earned, vacation time is fully earned only on the anniversary date of the employee.

When Vacation Time Can Be Used. Employees may not use vacation time until it has been posted to the employee's account unless other provisions are explicitly addressed in this section. Once the vacation time has been posted, the employee may be eligible to use the vacation time subject to the approval of vacation requests as explained elsewhere in this policy.

Vacation Time Benefit Upon Separation. When an employee resigns, is terminated or leaves the employment of the City of East Moline for any reason other than retirement, all earned but unused vacation time will be provided to the employee in the form of a cash payment. However, only vacation pay which has been earned will be forwarded to the employee regardless of what has been posted to the employee's account. For example, if an employee has an anniversary date of August 1<sup>st</sup>, has five weeks of vacation time posted on January 1<sup>st</sup> and resigns effective March 1<sup>st</sup>, the employee would receive payment for only what time was actually accrued despite having 5 weeks posted as of January 1<sup>st</sup>. The calculation of vacation pay would be based on the employee's wage rate at the time of separation. If more vacation time was used than accrued at the time of separation a deduction in wages will be accounted for in the final paycheck.



Vacation Carryover. Exempt employees may carry up to one week of unused vacation time over into the next calendar year. Employees must notify their supervisor by December 15 of each year.

Method of Computing Vacation Pay: Each day of vacation pay shall be based on an eight hour day multiplied by the employee's base earnings per hour, excluding overtime earnings, on the day the vacation is taken with the exception of Firefighters working a 24 hour shift. (See IAFF contract)

Scheduling Vacation Days: Vacations will be scheduled by the supervisor or department head. Vacations will be taken at such times of the year as will not unduly interfere with the efficient operations of the department.

Vacation time must be taken in accordance with the appropriate collective bargaining agreement or in blocks of time of no less than four hour increments for exempt employees.

Scheduled Holidays During Vacation Time: Scheduled holidays occurring during an employee's vacation are not counted as vacation time, provided that the employee would have been eligible to take such holiday had such vacation time not been taken at the same time.

Use of Vacation Time While on Disability: A request to receive cash payment for accrued but unused vacation time while an employee is on an extended disability leave must be made in writing to the employee's immediate supervisor and approved by the City Administrator.

#### **6-4 Paid Personal Days**

The City of East Moline provides paid personal days to their employees. Personal time is primarily intended to be used as a sick leave benefit for the employee to care for themselves or a family member on a short term partial day basis and to attend medical appointments. Personal time however, may be used for any purpose at the discretion of the employee and subject to the conditions of any relevant collective bargaining agreement.

Non-union full-time employees are granted six (6) personal days per year in addition to the non-union sick leave policy.

Union Employees are granted and paid out personal days in accordance with their collective bargaining agreement.

Personal days are "use it or lose it" on a yearly basis subject to any exemptions specified in a collective bargaining agreement.



Personal time usage shall be used in conjunction with any designated FMLA leave.

### 6-5 Sick Days Non-Union Employees

Full-time exempt and full-time nonunion employees are eligible to accrue 96 hours each full calendar year and 126 hours for exempt fire suppression employees. Sick days are accrued at a rate of 8 hours per month and may be advanced. Sick days for exempt fire suppression employees will accrue at a rate of 10.5 hours per month.

If an employee will be out of work due to illness, the employee must call in and notify his or her supervisor as early as possible, but at least by the start of the workday. If an employee calls in sick for three (3) or more consecutive days or fire suppression personnel for two consecutive 24 hour shifts, the employee shall be required to provide his or her supervisor with a doctor's note on the day the employee returns to work.

Accrued but unused sick days may be banked from year to year. ***Accrued, unused sick time will not be paid out at separation. Upon separation any used but not fully earned sick time will be deducted from the final pay check.***

Sick time may be used in less than full day increments.

Sick time will be deducted first for full day illness or injury before personal or vacation time.

### 6-6 Paid Pregnancy Disability Benefits

Maternity leave and pay shall mirror the sick leave and FMLA benefits as outlined in other sections of this manual or individual collective bargaining agreements.

### 6-7 Lactation Accommodations

City of East Moline provides employees who are nursing with reasonable break time to express breast milk after the birth of a child.

City of East Moline will make reasonable efforts to provide a private location in close proximity to the employee's work area. City of East Moline will not retaliate against employees for exercising their rights under this policy.



## 6-8 Workers' Compensation

On-the-job injuries are covered by our Workers' Compensation Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow The City of East Moline procedures may affect the ability of the employee to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this manual for more information.

## 6-9 Jury Duty Leave

The City of East Moline realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of any request to perform jury duty as noted below and provide verification of their service, including fees received for jury duty service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The City of East Moline is not obligated to compensate employees for time taken off for jury duty. However, exempt employees will be paid their full salary less jury duty fees for any week in which they performed work for the City of East Moline and missed work due to jury service.

Employees summoned for jury duty must deliver a copy of the summons to the City of East Moline within 10 days of the date of issuance of the summons to the employee.

## 6-10 Witness Leave

An employee called to serve as a witness in a judicial proceeding must notify his/her supervisor as soon as possible.

Employees will not be compensated for time away from work to participate in a court case, but may use available vacation and personal time to cover the period of absence.



Employees attending judicial proceedings in response to a subpoena will not be disciplined for their absence.

This provision does not apply to proceedings arising out of an employee's official capacity.

### **6-11 Bereavement Leave**

#### **BEREAVEMENT LEAVE-Exempt Employee**

When a death occurs in a full-time employee's immediate family the employee is entitled to paid leave according to the following schedule:

- a. Five (5) days paid leave for the death of a spouse, child, or step-child of a current spouse
- b. Four (4) days paid leave for the death of a parent or legal guardian
- c. Three (3) days paid leave for the death of a sibling, sibling-in-law, parent-in-law, child-in-law, grandparent or grandparent-in-law
- d. One (1) days paid leave for the death of aunt, uncle, great grandparent or great grandparent-in-law

#### **BEREAVEMENT LEAVE-Union Employee**

Refer to your individual collective bargaining agreement

### **6-12 Voting Leave**

Employees who are eligible to vote in an election may request up to two hours with pay to vote while polls are open.

Employees must notify the City of East Moline of their intention to vote at least one week prior to Election Day.

### **6-13 Voluntary Emergency Workers Leave**

The City of East Moline will not discharge employees who serve as volunteer emergency workers and are absent from or late to work due to their participation in an emergency situation. Volunteer emergency workers include volunteer firefighters, emergency medical technicians, ambulance drivers or attendants, first responders, members of county municipal emergency services and disaster agencies, and auxiliary policemen or deputies. Employees must make a reasonable effort to notify the City of East Moline that they may be absent from or late to work.



Employees must use accrued time off or take leave without pay when working in this classification.

#### **6-14 Insurance Programs**

Full-time employees may participate in the City of East Moline's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, you will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to speak to Human Resources if you have any further questions.

#### **6-15 Long-Term Disability Benefits**

Long term disability benefits are defined by an individual employees participation in their relevant State Pension fund. The City of East Moline recognizes the Downstate Police Pension Fund, Downstate Fireman's Pension Fund and the Illinois Municipal Retirement Fund.

Only qualifying pension fund employees are entitled to this benefit.

#### **6-16 Employee Assistance Program**

City of East Moline provides an employee assistance program for employees. This program offers qualified counselors to help you cope with personal problems you may be facing. Further details can be obtained through Human Resources.

#### **6-17 Travel Policy & Transportation Reimbursement Program**

Transportation reimbursement will be made to all employees utilizing a personally owned vehicle for bona fide City business where no city owned vehicle is provided or available. Supervisor approval is required for reimbursement prior to the travel.

Reimbursement will be based on the standard IRS mileage rate published for each calendar year.



## **Travel Policy**

1. To establish a standard procedure for handling payment of funds for city officials/employees who travel on City Business.
2. The City shall provide for travel and related expense incurred by employees/officials in connection with City business in such a manner that the individual will not suffer, nor gain, financially as a result of such travel or expense.
3. P-Cards have been issued to all employees and should be used, when at all possible for allowable travel expenses provided the card holder has read and signed the P-Card user agreement and abides by its content.
4. Each City traveler shall submit expense reports designating all expenses actually incurred and those requiring reimbursement under the established procedure.
5. The individual incurring the expense shall prepare all expense reports.
6. All expense reports and travel requests shall be approved by the Department Head and reviewed by the Finance Department for conformance with policy.

## **Travel Request**

City employees planning to travel more than 60 miles outside of East Moline must submit a travel request to the Department Head.

## **Travel Expense Reports**

City employees shall submit to the department head, a travel expense report on the original Travel Request and Expense form within seven (7) working days upon returning from travel. All appropriate receipts shall be attached including, but not limited to, registration fees, hotel/motel bills, meals and transportation tickets. All expenses must be detailed on the expense report section of the Travel Request Form. After review by the department head, the form will be forwarded to the Finance Department.

## **Authorized Travel Expenses**

1. Inter-City Travel (mode of travel shall be up to the employee and as approved in the travel request.)
2. Air, Train, Bus- The cost of a round trip, coach ticket. A receipt must be provided. All air travel must be booked at the lowest fare to fit the needs of the traveler, with approval of the Department Head.
3. Personal Vehicles- Use of private vehicles will be allowed when a City-owned vehicle is not available, when the traveler is to be accompanied by their children, and upon approval of the Department Head. Reimbursement for mileage allowance will be computed on the basis of the standard allowance accepted by the Department of



Internal Revenue, but in no instance will reimbursement exceed the cost of coach airfare. If more than one employee travels in the same vehicle, mileage will be paid only to the owner of the vehicle.

4. City-Owned Vehicles- When travel is in City-owned vehicles, the cost of gasoline will be allowed. Other expenditures related to automobile operations will be allowed when justified. Travelers using City-owned vehicles are expected to leave the City with a full tank of gasoline. Spouses are allowed to accompany City travelers in City owned vehicles with approval of the Department Head.
5. Expenses incurred while at the destination city shall be placed on P-cards when possible. All other expense will be reimbursed on an actual basis only. This includes taxicabs, bus, limousine, parking fees, bridge and toll fees, and transportation to and from air, train, and bus terminals. Receipts are to be obtain whenever possible. When a rental vehicle is needed, employees are encouraged to rent cars at the lowest fare based on their needs, with the approval of the Department Head and opt for the additional insurance coverage.
6. Intra-City Travel- Expenses incurred while on City business within the City of East Moline and the Quad City Metropolitan Area will be reimbursed on an actual basis when P-Card usage it unavailable. Receipts for all expenses must be detailed and presented to the Department Head promptly.
7. Spouse and Children- The City recognizes that many conferences plan for and encourage spouse and children to accompany the employee/official on the trip. Only spouses may be permitted to ride in a city owned vehicle with approval of the Department Head. The traveler must use their personal vehicle when children are to accompany them and will receive reimbursement as prescribe above for use of a personal vehicle.

### **Destination City- Eligible Expenses**

Lodging. Detailed hotel receipts must be submitted with the expense report. For ease of transportation and safety, lodging should be at the conference hotel or a hotel that is recommended for the conference attendees by the sponsoring entity. Many hotels have government rates, before departure call the hotel to see what documentation you will need to show in order to secure the lower rate. The City will pay the lowest possible rate for lodging that meets the needs of the employee/official only. Any increase in lodging necessary to accommodate accompanying spouses or children shall be paid by the traveler at the time of registration at the hotel/motel. Lodging changes must concur with the scheduled conference or meeting dates with the following exception:



Lodging for one night prior and/or one night after the authorized meeting shall be allowed if the schedule or location is such that it is inconvenient for the traveler to arrive or depart the same day the conference begins or terminates. In such case, supportive documentation will be required. Meal Allowance- Employees and officials on inter-city travel will be allowed \$55.00/day per diem, no one meal shall exceed \$35.00, a meal shall be defined as breakfast, lunch, and/or dinner and shall not be used for snacks, vending machines, etc. No alcoholic beverages will be allowed. Detailed receipts showing meals and drinks purchased shall be obtained whenever possible. Gratuity shall be at the traveler's discretion, may not exceed 20%, and included as part of the total per diem. Travelers will be required to reimburse the City for amounts over the allowed outline above or for un allowed expenses. The per diem covers the City employee or official only. Registration Fees-registration fees for the conference or meeting excluding meals tickets which shall be included as part of the daily meal allowance. Fees for Special Events- Fees for special events directly related to the purpose of the conference or meeting.

Internet Service- Daily fees for internet connection at the traveler's lodging site. Free internet service shall be used whenever possible and feasible.

### **Unallowable Expenses**

1. Travel insurance.
2. Laundry, cleaning, pressing of clothes.
3. Personal grooming (haircut; sauna bath etc.)
4. Expenses for events for personal enjoyment not connected with the conference (golf, theater, sporting events, etc.)
5. Expenses incurred by the traveler's spouse or children.
6. Loss of personal property.
7. Gifts and items for personal use.
8. Alcoholic beverages.
9. Video rentals.

### **Discounts**

Many hotels or motels and automobile rental agencies offer discounts to persons on government business. Employees should inquire about these discounts prior to traveling so they can be prepared to show the proper documentation.



## 6-18 Retirement Benefits

### Retirement Benefits

**Sworn Police Officers.** Pension benefits for all sworn police officers shall be determined and defined by the Downstate Police Pension Fund as granted by Illinois Revised Statutes.

**Firefighters.** Pension benefits for all firefighters shall be determined and defined by the Downstate Firemen's Pension Fund as granted by Illinois Revised Statutes.

**All Other Qualifying Personnel.** All other employees are covered by the Illinois Municipal Retirement Fund ("IMRF"). IMRF is defined by Illinois Revised Statutes but allows certain benefits if authorized by City Council resolution. These authorized benefits are as follows:

Any employee who has a retirement date after May 1, 2012, will have two (2) options to choose from for the payout of their current and accrued vacation. Your choice must be submitted to your supervisor 60 days prior to your separation date.

The options are as follows:

1. Receive your payout in bi-weekly 80-hour paychecks after your final day of work until all vacation time has been paid out. With this option, your IMRF retirement date will be later than your separation date from the City. For example, if you retire June 1 with 160 hours of vacation, your City separation date will be June 1 but your IMRF retirement date will be July 1 when the vacation payout has been completed.
2. On final pay date receive lump sum payment for remaining vacation.

## 6-19 Child Extended Bereavement Leave

A full-time employee who has been employed for at least two (2) weeks is entitled to use a maximum of six (6) weeks of unpaid leave if the employee experiences the loss of a child by suicide or homicide.

"Child" includes the employee's biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*.

Child extended bereavement 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 City of East Moline of the loss.



City of East Moline may require reasonable advance notice of the employee's intention to take leave, unless providing such notice is not reasonable and practicable. City of East Moline also may require reasonable documentation. Documentation may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency. City of East Moline may require that the documentation include the cause of death.

Employees may elect to substitute any available paid time off while taking unpaid leave provided under the Child Extended Bereavement Leave Act, but this substitution does not extend the length of the leave.

The Child Extended Bereavement Leave Act does not extend the maximum period of leave to which employees are entitled under the federal Family and Medical Leave Act or under any other paid or unpaid leave provided under federal, state, or local law, a collective bargaining agreement, or an employment benefits program or plan.

Employees who take child extended bereavement leave will, on return from such leave, be restored to the position of employment held by the employee when the leave commenced or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. The taking of leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

Employees who use leave under the Child Extended Bereavement Leave Act because of the death of a child may not take leave under the Family Bereavement Leave Act because of the death of the same child.

Employees will not be subject to adverse action for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy. If employees have questions about this policy, they should contact the Head of Human Resources.

## **6-20 Family Bereavement Leave**

An employee who is eligible for leave under the federal Family and Medical Leave Act (FMLA) may take up to two (2) weeks (10 workdays) of unpaid bereavement leave for any or all of the following purposes:

1. To attend the funeral or alternative to a funeral of the employee's family member;
2. To make arrangements necessitated by the death of the employee's family member;



3. To grieve the death of the employee's family member; or
4. To be absent from work due to:
  - A miscarriage,
  - An unsuccessful round of intrauterine insemination or of an 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.

For purposes of this policy, "family member" means an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. "Child" includes an employee's biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*.

Leave under this policy is available only to employees who have not exhausted their FMLA leave entitlement at the time bereavement leave is requested. In the event of the death of more than one (1) covered family member in a 12-month period, an employee may take up to a total of six (6) weeks of bereavement leave during the 12-month period.

An employee who uses leave under the Child Extended Bereavement Leave Act because of the death of a child may not take leave under the Family Bereavement Leave Act because of the death of the same child.

Bereavement leave must be completed within 60 days of the date on which the employee received notice of the death of the employee's family member or the occurrence of an event listed in reason number four (4) above.

An employee requesting leave under this policy generally must provide City of East Moline with at least 48 hours' advance notice of the intention to take bereavement leave, unless providing such notice is not reasonable and practicable under the circumstances.

Employees may substitute available paid time off while taking unpaid leave under this policy, but this substitution does not extend the length of the leave.

City of East Moline may require reasonable documentation in connection with leave taken under this policy. Documentation may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home,



burial society, crematorium, religious institution, or government agency. For leave resulting from an event listed under reason four (4) above, reasonable documentation shall include a form, to be provided by the Illinois Department of Labor, to be filled out by a health care practitioner who has treated the employee or the employee's spouse or domestic partner, or surrogate, for an event listed under reason four (4), or documentation from the adoption or surrogacy organization that the employee worked with related to an event listed under reason four (4), certifying that the employee or employee's spouse or domestic partner has experienced an event listed under reason four (4). City of East Moline will not require that the employee identify which category of event the leave pertains to as a condition of exercising rights under this policy.

Employees will not be subject to adverse action for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy.

### **6-21 Retiree Insurance**

Effective January 1, 1994, an employee who retires (starts receiving a City pension) with twenty

(20) or more years of service with the City of East Moline and is age fifty (50) for police and Fire and fifty-five (55) or older for all employees may continue the health insurance coverage provided for in this Article, including dependent coverage, provided that the employee elects to pay for health insurance at the same rate as active employees. Employees who have retired prior to January 1, 2010 shall continue to pay for health insurance at the same rate they paid when they retired. Employees retiring with thirty (30) or more years of service with the City of East Moline at age 55 or older may continue health insurance coverage at a premium rate, which is 3% less than the most recent retiree rate in effect.

Any retiree of the City of East Moline who begins employment with a new employer shall enroll in the health insurance, if available, through their new employer. If they have family coverage through the city and family coverage is available through the new employer, they shall also enroll their dependents in the plan of the new employer. The city will provide secondary insurance for the retiree and enrolled dependents at no cost. Once the retiree is no longer employed, the retiree and any dependents eligible on the date of city retirement shall become primary on the city plan and the retiree will be charged premium percentages in effect for retirees.



For exempt employees hired on or after April 1, 2022, the City shall not pay any portion of the health insurance premiums of the City of East Moline's group health insurance program for retired employees or their dependents. Retired employees shall be permitted to continue health insurance coverage with the full cost of health insurance premiums the responsibility of the retiree. In lieu of paying a portion of the health insurance premiums, the City will contribute one thousand five hundred fifty dollars (\$1,500) per year on the first full pay period beginning on or after June 1st to a Retiree Health Savings Account or similar savings mechanism on behalf of non-probationary employees hired after April 1, 2022, and every year thereafter until separation. (Omitted by error at last update)



## Section 7 - Salary and Wages

### 7-1 Compensation Time (Comp Time)

Compensation Time (Comp Time) is generally prohibited for exempt employees, excluding firefighters assigned to fire suppression duties. Exempt Firefighters assigned to suppression duties may accumulate a bank of comp time not to exceed 200 hours. The Fire Chief has the authority to schedule time off for exempt employees with comp hours during periods when staffing minimums allow.

Non-exempt employees belonging to a union shall follow the comp time provisions set forth in the relevant collective bargaining agreements (CBA).

Non-exempt, non-union, employees are prohibited from accumulating comp time.

### 7-2 Compensation Policy

#### **Compensation Policy**

##### **Compensation Philosophy (previously approved by council)**

The compensation philosophy of the City of East Moline is based on a commitment to be a regional service leader that hires, retains, and motivates highly qualified employees at all levels within the organization. To attract and retain top quality talent, the City has implemented an efficiency wage compensation model in which paying competitive-market rates helps the organization realize increased effectiveness. This means that the City's compensation enters the market by paying employees at a competitive percentile of the City's 13 comparable communities. The following goals are met through this compensation philosophy.

##### **Goals**

Comply with all applicable laws, as periodically amended, and be legally defensible;

Be financially viable as well as palatable to the East Moline tax base given existing economic conditions;

Attract, retain, and reward high quality employees;



Incentivize employees to perform at the highest level, improve their knowledge, skills, and abilities (KSAs), and grow professionally;

Be externally competitive for top quality talent;

Be internally equitable across all positions; and

Be perceived by employees, elected officials, and citizens as understandable, fair, and equitable.

The City's compensation philosophy and structure will be reviewed every three years to ensure the goals are still applicable and being met.

## **Positions**

The City is made up of a variety of positions that have specific requirements and responsibilities. These job elements are evaluated by the Human Resources Department and pay is determined. These evaluations do not evaluate people; they evaluate positions based on compensable factors. A compensable factor is any particular skill, responsibility, effort, or physical demand for which an employer is willing to pay an employee.

In conjunction with the Department Director, Human Resources evaluates all positions at the time of creation and when duties and responsibilities have significantly changed. Several methods are used to evaluate jobs to determine their relative worth and may include point factor analysis, position ranking, review of market data relative to that job, or assessment of the internal equity within the department and citywide. Based on the results of the position evaluation, a pay grade is assigned. In certain cases, because of market demand for a particular position, it may have an expanded pay grade. The City's ratings are tied to its vision, mission, and culture based on what the City determines it values the most; which is service to the citizens.

## **Employment Classification and Status**

Positions with similar duties and responsibilities are assigned to the same salary or pay grade. The Human Resources Department conducts periodic studies of various positions when there is an indication that an employee is working above or below the established responsibilities for that position.

Employees are classified as full-time, part-time, auxiliary part-time, temporary, or contractor. The Fair Labor Standards Act (FLSA) defines the criteria for exempt or non-exempt status as



it relates to state and federal wage and hour laws. The Human Resource Department is responsible for classifying employees. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment relationship at will at any time is retained by both the employee and the City of East Moline.

### **Employee Classification:**

An employee is a person who receives wages or salaries through the City's payroll.

A full-time employee is an individual who is regularly scheduled to work in excess of 30 hours in a workweek. Generally, they are eligible for the full benefit package, subject to the terms, conditions, and limitations of each benefit program.

A regular part-time employee is an individual who is regularly scheduled to work less than the full-time schedule but at least 20 hours each workweek. Regular, part-time employees are eligible for some of the benefits offered by the City subject to the terms, conditions, and limitations of each benefit program.

An auxiliary part-time employee is an individual who is regularly scheduled to work less than 20 hours each workweek. Auxiliary part-time employees are not eligible for most of the benefits offered by the City subject to the terms, conditions, and limitations of each benefit program.

A temporary employee is hired either part-time or full-time to supplement the workforce for a finite amount of time, or to assist in the completion of a specific project. Employment beyond any initially-stated period (normally not to exceed six months) does not imply a change in employment status.

### **Employee Status**

A non-exempt employee is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) and is typically paid either on an hourly or salary basis. They are not exempt from the law's requirements concerning minimum wage and overtime and receive overtime pay for hours worked beyond 40 hours in any workweek at one and a half times their regular hourly rate.

An exempt employee is exempt from the minimum wage and overtime provisions of the FLSA and are typically paid on a salary basis and not entitled to overtime pay for hours worked beyond 40 hours in any workweek.



Exempt employees are generally managers, professional, administrative, or technical staff.

Exempt positions must meet the standards and criteria established under the FLSA by the US Department of Labor.

The City is committed to compliance with the provisions of the FLSA that prohibit impermissible deductions to reduce an exempt employee's salary, potentially jeopardizing their exempt status.

The City is committed to reimbursing employees for any improper deductions.

Full-time, part-time, and temporary employees may be classified as either exempt or non-exempt.

Unpaid interns are full-time students who contribute work hours to the City in exchange for academic credit and/or educational opportunities in compliance with the FLSA. Such individuals are not eligible for any compensation or employment benefits. Unpaid interns are not "employees" under this definition.

### **Temporary Employees and Contractors**

A temporary and/or contract worker may be arranged through an outside employment agency. Payment for services is paid directly to the third-party agency whose primary purpose is to provide temporary and contract employees. Contractual agreements relating to fee schedules, bill rates, payment schedules, selection processes, and replacement policies are negotiated by Human Resources in advance of a temporary employee or contractor's placement. The employment agency is responsible for the individual, paying income taxes, Social Security, and Medicare taxes.

Independent Contractors are not employees of the City and submit an invoice or voucher to Accounts Payable for payment as an outside entity using either their Social Security number or Federal Tax Identification Number (EIN) to report wages.

Independent contractors are responsible for paying their own income taxes, Social Security, and Medicare taxes and no benefits are provided by the City.

Independent contractors are often paid a flat fee for a specific job, although it is common to pay independent contractors hourly. This is typically defined in the contract along with the scope and statement of work.



Independent contractors receive a 1099 income tax form from the City following the calendar year in which the income was earned.

The determination to classify a worker as an independent contractor must be weighted by many factors as defined by the FLSA such as degree of control and independence, degree of instruction, training, and services being available to others. In conjunction with the Department Director, Human Resources will look at the entire relationship of the worker to the City, documenting the facts and circumstances considered in determining if an individual is an independent contractor.

### **Represented Employees**

The City has three bargaining units that are governed by the Illinois Public Labor Relations Act (ILRA). Wages are considered a mandatory subject of bargaining. The City utilizes the same compensation philosophy and comparable communities outlined in this Policy to guide wage proposals during collective bargaining. Wage rates for non-represented employees are based on the compensation structure outlined in Article III.

### **Position Descriptions**

Position descriptions shall be maintained by the Human Resources Department for all positions. The format shall include the following:

- |                         |   |
|-------------------------|---|
| 1. Position Title       | 9. Salary Grade   |
| 2. Department           | 10. Position Description Overview   |
| 3. Division             | 11. Essential Job Functions (Standard, Position-Specific)                           |
| 4. Section              | 12. Additional Job Functions (Standard, Position-Specific)                          |
| 5. Reports to           | 13. Basic Requirements - Knowledge, Skills, Abilities (Standard, Position-Specific) |
| 6. FLSA Status          | 14. Education and Experience  |
| 7. Union                | 15. Physical/Environmental Demands  |
| 8. Positions Supervised | 16. Acknowledgment  |

The position description does not constitute an employment agreement between the City and employee and is subject to change as the needs of the City and as the requirements of the position change.



Examples of duties listed in the position description are intended only as illustrations of the various types of work performed. The omissions of specific statements of duties do not exclude them from the position if the work is similarly related or a logical assignment to the position.

### **Position Evaluation and Updates/Revisions**

The Human Resources Department or the Department Director can initiate any update or revision process of position descriptions. The Department Director or designee can make changes to position descriptions as needed in coordination with the Human Resources Department. Position descriptions are distributed annually or whenever there are significant changes. A copy will be routed to the employee, the supervisor, and Human Resources for signatures. Signatures are obtained to ensure that employees are aware of their responsibilities and understand any changes that were made.

### **Salary Schedule or Pay Grades (Exempt Only)**

The salary schedule shall apply to all employees not covered by a collective bargaining agreement. The City of East Moline compensation system complies with applicable state and federal laws. Any discriminatory decision or action with respect to compensation is in violation of this policy. All compensation is subject to budget approval.

### **Salary or Pay Grade Schedule**

The City is committed to establishing salary or pay grades based upon the complexity of the position, the relationship of that position to all other positions within the City, and the relationship of that position to positions of similar qualifications and responsibilities in its comparable communities. Grades are established by grouping positions through benchmarking and a review of the established criteria for position grades.

### **Comparable Community Criteria**

The first step to assuring a competitive compensation environment is the development of comparable communities. This type of approach brings together best practices coupled with data driven results. The City's comparable community criteria was developed based on best practices while also identifying criteria that East Moline would be able to most closely gauge similarities with other communities. The City applied the standardized methodology using the criteria and weights listed below, and expressed as points, to develop an overall comparability score.



Criteria	Weighting
Municipal Fire Department	10 points
Home Rule Status	5 points
Population	10 points
Distance from East Moline (Central City)	10 points
Number of Full-time Employees	10 points
Number of Part-time Employees	10 points
General Fund Expenditures	10 points
Equalized Assessed Value	10 points
Square Miles	5 points
Sales Tax Revenue	10 points
Median Household Income	10 points
Electric Utility	Information Only
Water Utility	Information Only
Wastewater Utility	Information Only

If the population of a community is within a factor of 25% when divided into the City’s population, then that community receives 10 points for that criterion. If they fall between 26% and 50% of St. Charles’ population, they receive 6.6 points; between 51% and 75%, 3.3 points; and finally, if their population falls outside of 75%, the community receives no points for that criterion.

Ultimately, a list of comparable communities forms when “natural breaks” are identified in the correlation scores. The City has 12 communities with correlation scores of 76.5 or higher on a scale of 0 to 100.

Coupled with the development of an empirical set of comparable organizations is the premise that contiguous communities are and should be included as part of any organization’s list of comparable communities. This is due to the fact that these communities compete for talent in the external market. The only caveat is those communities that are divergent from East Moline in terms of population and staffing. Therefore, included are adjacent communities that have populations either +/-50% of the population of East Moline. Applying this methodology, the following 12 communities have been identified as East Moline’ Comparable Communities.

Crest Hill  
 Freeport  
 Galesburg



Hanover Park  
 Jacksonville  
 Machesney Park  
 Macomb  
 Moline  
 Morton  
 Sterling  
 Sycamore  
 Washington

**Pay Grade Spread**

By Council policy, the City’s pay grades are set at the 60th percentile of the comparable communities’ positions, using the maximum rate of the grade. The minimum rate is 70 percent of that maximum rate. According to the Society for Human Resource Management (SHRM), there is no hard and fast rule to creating pay grades. An organization’s compensation philosophy should drive the creation of grades and decisions to group the positions together. Given that the minimum wage for non-union positions at the City is set as 70 percent of the maximum, the resulting grade spread is 40 percent (percent change).

**Example**

Position	Maximum Rate of Grade	Minimum Rate of Grade
Accountant	\$91,748 x .7 (or 70%)	\$64,223
	=	
	(\$64,223-\$91,748)/\$ 64,223 = .428 or 43% spread	

**Surveying**

The Human Resources Department is responsible for the continuous maintenance and administration of the City’s compensation plan. Human Resources’ review includes an analysis of prevailing rates of pay for similar positions within comparable communities, budgetary considerations, and other related factors. This review also includes the consultation of at least three reputable salary surveys that includes survey data for similar industry, geography, and benchmark positions as well as demonstrated effectiveness in statistical analysis and variety of data.



## **Benchmarking**

Compensation benchmarking is the process of using internal position descriptions to match to established salary survey positions in order to identify the external market rate for each benchmark position. A benchmark position is one that has a standard and consistent set of responsibilities from one organization to another and for which data is available in valid and reliable salary surveys. Non-benchmark positions are those for which valid and reliable salary survey data is not available. They may be jobs that are unique to the City or jobs that simply can't be accurately matched to comparable positions in published surveys. To determine the salary grade for a non-benchmark position, the City will compare non-benchmark positions to benchmark positions based on factors important to that position (i.e., skill requirements, responsibilities, educational requirements, decision-making responsibilities, etc.).

## **Pay Grade Adjustments and Re-evaluation**

In the event that the salary of any position is reevaluated by the Human Resources Department and it results in an increased or decreased salary grade for the position, the employee retains their current salary or assumes the minimum of the new grade, whichever is greater. Any employee whose pay rate exceeds the maximum pay for their position's grade because of a re-evaluation that moved the position to a lower grade will not lose pay. This does not apply to demotions (see IIIC). The employee will not be eligible for future market adjustments until they occupy a position for which the salary maximum for the grade is more than the pay rate they currently receive.

## **Recruitment and Hiring**

The hiring process entails approval to hire, searching for qualified applicants, screening qualified applicants, interviewing qualified applicants, and selecting new hires.

### **Recruitment/Search (New Positions)**

A "Justification for Hiring" form must be completed by the supervisor, articulating the need to fill the position and what alternatives were evaluated. This justification is reviewed by the Department Director, and Director of Human Resources before being submitted to the City Administrator.

Human Resources will meet with the Department Director or supervisor to determine the qualifications needed to fill the position.

The position will be posted internally and externally at the same time, unless prohibited by the collective bargaining agreement.



Human Resources receives all internal and external applications prior to the position's closing date and time.

### Screening and Interviewing Applicants

#### Internal Candidates (Initial Interview):

Human Resources receives all applications.

Human Resources reviews qualified candidates with the Department Director and/or supervisor to determine candidates to be interviewed

#### All Internal and External Candidates

Human Resources discusses the initial interviews with the appropriate Department Director, and/or supervisor to determine candidates for interview.

Human Resources schedules interviews with selected candidates and appropriate Department Director and/or supervisor(s).

Human Resources consults with the Department Director and/or supervisor regarding their decision of the chosen candidate to hire.

Human Resources reserves the right to make final decisions on the selection of candidates to maintain compliance with EEO and ADA regulations.

### **Selecting a New Hire**

Human Resources conducts a background check on the chosen candidate.

Upon successful completion of the background check, Human Resources makes an offer contingent on passing a drug test and physical/functional job screen (if applicable).

If an internal employee is selected for a position, it is that employee's responsibility to notify their current supervisor once the offer has been accepted.

Human Resources notifies the chosen candidate and the new Department Director and supervisor once results of physical and drug test are received.



Human Resources determines start date with input from the Department Director and supervisor.

#### Appointed Staff (Department Directors)

The selection of appointed staff is the responsibility of the City Administrator with recommendation to the Mayor and the consent of City Council. Human Resources assists the City Administration in the recruitment and selection process.

#### **Police Officers and Firefighters**

The recruitment, selection, or advancement of full-time police officers and full-time firefighters shall be the responsibility of the Board of Fire and Police Commissioners (BOFPC) with the assistance of the respective departments and Human Resources and according to limitations or provisions specified by City ordinance and the respective collective bargaining agreement.

#### **New Employees**

New Exempt employees will normally be paid the minimum rate in the appropriate salary grade. Human Resources can negotiate starting salary with candidates commensurate with experience and the job market for the specific position. Union employees will be paid in accordance with their respective Collective Bargaining Agreement (CBA).

#### **Promotions, Acting, Transfer, and Demotions**

##### Promotions

The City attempts to fill all vacant positions with qualified City employees while advertising to the general public, following a policy of upward mobility whenever possible. Collective bargaining agreements and state law may guide the application of promotions. Guidelines for promotions are as follows.

Employees are encouraged to apply for any vacancy for which they may qualify.

Selection of an employee for a promotion is based on past work record, education, knowledge of the position duties, supervisor references, as well as time in service. When considering the promotion of City employees having the same or similar qualifications, the position will be filled after considering these factors. In all instances, the City will seek to retain the most qualified candidate.



In most instances, no offer of promotion may be made to any employee prior to completion of the recruitment and selection process.

Employees offered a promotion must pass any physical and functional job screen associated with the position. The job offer may be withdrawn if the employee fails any testing.

When an employee is promoted or whenever an employee's position is upgraded, the employee will normally enter the new grade at the entry level rate. In the event the entry level rate of the new or upgraded position does not provide a salary increase of 5 percent or more, the employee will enter the pay grade at the closest rate, which provides a salary increase of 5 percent or more. The new pay rate, upon promotion, will not exceed the maximum of the new pay grade; however, if a 5 percent increase would bring the employee's salary above the maximum of the grade, the employee's salary moves down to the maximum of the grade. Exceptions may be permitted with the approval of Human Resources, commensurate with experience.

### **Acting**

Temporary assignments for non-union employees may be made by the Department Director for a specified time or assignment as necessary. Such appointments are made on an "acting" basis and the employee returns to their regular position upon completion of the assignment. The City retains the sole discretion to assign acting supervisors in the absence of a supervisor. Employees who are designated as acting supervisors receive \$1.25 per hour in addition to their normal hourly rate or the minimum of the grade for the position, whichever is greater.

Non-union subordinate employees who are appointed by City Council as Acting Department Director or Acting City Administrator receive a 5% increase in pay or the minimum of the range for the position, whichever is greater, beginning the first pay period in which the appointment becomes effective.

### **Transfers**

Current employees can apply for a transfer via an "Internal Application" form filed with the Human Resources Department. If the employee meets the stated requirements for the position, they will proceed through the regular hiring procedure with all other applicants. Guidelines for transfers are as follows.

Selection of an employee for a lateral transfer is based on past work record, education, knowledge of the position duties, supervisor references, as well as time in service. When considering the lateral transfer of City employees having the same or similar qualifications,



the position will be filled after considering these factors. In all instances, the City will seek to retain the most qualified candidate.

Employees offered a transfer must pass any physical and functional job screen associated with the position. The job offer may be withdrawn if the employee fails any testing.

The salary offered to the employee must be consistent with the salary and requirements of the new position. Thus, an employee who meets only the minimum requirements for the position will start at the minimum of the salary grade regardless of the employee's current salary. Employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee's level of skills, experience, and knowledge as determined by the Human Resources Department.

Transferred employees are eligible for all benefits associated with their new position. The rate of accumulation of vacation hours, sick leave hours, and participation in a pension fund will be based on the employee's initial date of full-time employment and which department they transfer.

### **Demotions**

An employee re-assigned to a position in a lower classification regardless of the reason will receive a reduction in pay commensurate with the maximum of the new salary grade. Guidelines for transfers are as follows.

No employee will be demoted to a position for which they do not possess the minimum qualifications.

An employee being demoted will be notified two weeks prior to demotion except in emergency situations.

Any demotion to prevent layoffs may be revised when the employee's previous position is reopened.

Employees demoted to new positions will be subject to the standard introductory period for the new position, unless specifically waived by the Human Resources Department. Employees who fail the introductory period will be terminated.

### **Pay Increases**

### **Assessments and Performance Improvement Plans**



## Annual Assessments

Non-union employees are evaluated based on competencies. This process is intended to evaluate employees based on performance, recognize top performers through individual merit pay, assist employees in their professional development, encourage collaboration, and increase employee self-awareness.

The employee and supervisor will be required to maintain ongoing performance documentation, complete assessment forms annually, and meet to discuss ratings and feedback. All non-union employees will follow a unified assessment schedule. The exact dates will be determined annually. The Department Director reviews all assessments before they are filed with Human Resources. The results of the assessment will determine individual merit compensation, if the City budget permits.

## Competencies

The assessment form defines the competencies that are evaluated. Both the supervisor and the employee complete a form and rate each of the following competencies.

Analytical Skills/Decision-making

Communication

Conduct

Initiative and Ingenuity

Interpersonal Skills and Teamwork

Knowledge

Leadership, Coaching, and Mentoring

Organizational Skills, Planning, and Commitment

Each competency is scored based on the following:

Consistently Exceeds Expectations – consistently exceeds requirements and characteristics of job responsibility; excels in most of the examples provided on the assessment form under the competency; performs at a level rarely achieved by others; and rarely requires supervision.



Frequently Exceeds Expectations – frequently exceeds requirements and characteristics of job responsibility; excels in many of the examples provided on the assessment form; performance at a level which clearly exceeds others in the job; requires little supervision; and usually displays a noteworthy level of performance.

Meets Expectations – meets requirements and characteristics of job responsibility; does what is necessary, which is neither strength nor a weakness; and requires some supervision.

Progressing in Expectations – almost meets requirements and characteristics of job responsibilities; employee is making significant effort to improve and is making progress toward meeting expectations. This rating may typically be utilized for new employees or newly promoted employees who are learning their jobs.

Needs Improvement – Inconsistently meets requirements and characteristics of job responsibility; meets few, if any, of the definitions under the competency; performance below the level of an experienced and fully trained individual; requires much supervision, and accomplished only a portion of assigned task. If employees are receiving this rating for any competency, the supervisor should already be working with Human Resources on a Performance Improvement Plan (PIP) for the employee.

## Goals

When the employee and supervisor complete the assessment, there is an area to indicate other accomplishments not detailed on the form and to outline goals for the upcoming year. This should be used throughout the year for progress meetings with employees and reviewed prior to completing the next assessment to review the status of those goals.

### Introductory Assessments for New Employees

Supervisors will conduct a performance assessment for new employees, newly promoted employees, or newly transferred employees. The employee's first assessment will occur at six months, then at the next annual assessment cycle, and each year thereafter. Supervisors are strongly encouraged to discuss performance with new and promoted employees on a regular basis and after 90 days.



## **Performance Improvement Plans (PIPs)**

A Performance Improvement Plan is developed to help the staff member be successful in the job by changing the undesired performance and behavior. The intent is to provide sufficient structure to support excellent staff performance. Performance Improvement Plans are not required in all instances. Outcomes may vary, including improvement in overall performance; the recognition of a skills or training gap; or possible employment actions such as a transfer, demotion, or termination. Human Resources will assist with the following.

Determining whether a PIP is the appropriate action for the situation

Administering all PIPs in conjunction with the manager to prevent bias

Providing ongoing guidance to both the manager and employee throughout the PIP

Feedback and Development Meeting

During the assessment process it is important that employees receive regular feedback about their performance. In addition to the formal assessment, employees may have feedback and development meetings with their supervisor. The supervisor is expected to outline the expectations at the beginning of the rating period. The meeting should then cover performance during that rating period.

## **Annual Market Adjustment**

The City Council may authorize a budget for market pay adjustments. Market pay adjustments are typically given when salary grades are within the compensation philosophy of the 60th percentile. Market adjustments are not guaranteed each year because they are based upon comparable community data and the budget. The goal of the market adjustment is to align pay to maintain internal equity and market comparability. Internal equity and external comparability is based upon comparing like types of positions and then paying accordingly.

Human Resources will collect cost of living adjustment (COLA) or annual adjustment market data from the City's comparable communities. The proposed market adjustment will be based on adjustments given by the comparable community located at the 60th percentile. Additional metrics that may be reviewed include the Consumer Price Index] for All Urban Consumers (CPI-U) in the Quad Cities area or Bloomberg BNA first year negotiated wage increases for state and local government employees. Staff may also consult surveys such as the Economic Research Institute, Mercer's US Compensation Planning Survey, or HRSource.

When market adjustments are authorized by City Council through the budget process, they are given to all non-union employees in each grade to maintain their position within the salary



grade. In order to qualify for a market adjustment, the employee must be actively employed by the City on the date the market adjustment is issued. Employees who have separated from service for any reason are not eligible to receive the market adjustment. The market adjustment is typically effective at the start of the first full pay period of the fiscal year.

Annual market adjustments for positions within a bargaining unit are achieved through collective bargaining and typically applied at the start of first full pay period of the fiscal year.

### Steps, Merit Increase, Bonuses, Allowances, and Payouts

Employees advance through the City's exempt pay plan via a modified open merit system, which uses a combination of a defined and an open merit system. This system rewards employees with predictable step increases at a critical time in their careers as they continue to gain additional skills. Once the employee has reached the first quartile and their skill set is developed, the employee is moved into a fully merit-based system that rewards the employee strictly based on level of performance. Those at the top of their grade are given a bonus for good performance. Each Step is equivalent to 1.5%.

### Step Increases

Exempt Employees earn merit-based step increases by performing at acceptable or higher performance levels. These levels are determined by annual performance evaluations performed by your immediate supervisor, and are reviewed annually by the City Administrator and Human Resources Staff.

Once an employee reaches the maximum step in their grade, they may qualify for a bonus not to exceed 1.5%. This bonus is added to the base of the wage at the highest step and does not compound year to year.

Grade spread is also known as pay range width or salary range width.

COLA is a periodic increase in wages or salaries, to compensate for loss in purchasing power of money due to inflation. Rate of COLA is commonly pegged to a general index such as consumer price index (CPI).

CPI is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food, and medical care.



## Section 8 - Leaves of Absence

### 8-1 Personal Leave of Absence

If employees are ineligible for any other City of East Moline leave of absence, City of East Moline, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However, a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days, or sick days. We will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the City of East Moline in a timely manner, subject to the terms of the plan documents.

When the employee anticipates returning to work, he or she should notify management of the expected return date. This notification should be made at least one week before the end of the leave.

Upon completion of the personal leave of absence, the City of East Moline will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the City of East Moline will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any City of East Moline-provided Short-Term Disability Leave of Absence.

### 8-2 City Protocol Regarding Sick Leave Benefit, FMLA, Paid Leave for All Act

#### **City Protocol Regarding Sick Leave Benefit, FMLA, Paid Leave for All Act**



## **Paid Leave for All Workers Act**

Effective January 1, 2024, Illinois employers are required to provide paid time off for all employees regardless of if they are full-time, part-time, temporary, or seasonal employees. In December 2023 the City of East Moline passed an ordinance codifying paid leave policies for city employees. The act and the ordinance do not alter existing protocols, policies, nor existing Collective Bargaining Agreements for full-time employees but does impact part-time, seasonal, and temporary employees.

Part-time, seasonal, and temporary employees will accrue 1 day (8hours) per year to be used for any reason subject to the operational needs of the city.

The Act takes effect January 1, 2024. Accrual begins upon the start of employment or January 1, 2024, whichever is later. Employees are entitled to begin using the accrued paid leave after 90 days. If an employee begins accruing paid leave on January 1, 2024, the first day they could take that paid time off would be March 31, 2024.

Upon separation from employment accrued leave will not be paid out.

## **Paid Sick Leave Benefit**

All East Moline employees are entitled to a paid sick leave benefit outlined in their respective Collective Bargaining Agreement (CBA) or the city policy manual. Sick leave is approved and predicated on a verifiable medical necessity that prohibits the employee from performing their assigned duties or the forgoing within the employee's immediate family. This procedure simply reduces the city's long-term practice to writing for the benefit of new employees onboarding with the city of East Moline and to provide guidance to staff. Sick leave provisions afforded to an employee by a CBA or by policy must be approved by the employee's department head or designee to ensure that the request for leave is appropriate under the circumstances. Likewise, FMLA runs concurrent with sick leave provisions and must be reviewed by Human Resources. The following protocol will outline the similarities and differences between sick leave use and FMLA and the often-misunderstood application of both by employees and staff. Every case may be different thus every case must be individually reviewed for compliance. Employees providing false, intentionally misleading, or intentionally insufficient information may be subject to discipline up to and including termination.



## **Definitions:**

**Verifiable Medical Attention:** means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term or permanent periods of incapacity rendering the employee incapable of performing the essential functions of their job. Any condition rendering the employee off work for more than **three days** will require a doctor's note or medical certification with sufficient information for the city to make an informed decision on policy, contractual and FMLA qualifying medical conditions.

## **What a doctor's note or medical certification must include:**

1. Contact information of the health care provider, including name, address, telephone number, fax number, and type of medical practice/specialty.
2. When did the serious health condition begin and how long it is expected to last.
3. Whether the employee is unable to work (unable to perform one or more essential job functions).
4. If unable to work, for how long; or if for a family member if the employee is required to care for that family member, the frequency and for how long.

\*\*\*A doctor's note simply stating an individual is under my care is insufficient and leave will be denied. Human Resources strongly recommends you provide your healthcare provider with this information at the time of care to avoid being charged a second office visit to obtain the relevant information.

A doctor's note or certification does not have to disclose a specific diagnosis but must provide sufficient information for HR staff to make informed decisions on benefits.

## **FMLA (Unpaid or paid concurrently with other benefits)**

The City of East Moline complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of job protected unpaid leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave). Employees will be required to use other available leave balances concurrent with FMLA.

The purpose of this protocol is to provide employees with a general description of their FMLA rights. In the event of any conflict between this protocol and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns, or disputes with this protocol, please contact Human Resources.



## Eligibility

To be eligible for leave under this protocol, employees must meet **all** of the following requirements:

- Have worked at least twelve (12) months for the City of East Moline.
- Have worked at least 1,250 hours for the City of East Moline over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

## Reasons for Leave

To qualify as FMLA leave under this protocol, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.
- For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member on covered active duty or on call to covered active-duty status.
- To care for a covered service member with a serious injury or illness.

## Amount of Leave

An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this protocol. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this protocol in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.



An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the city will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the city may only take a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

### **Intermittent Leave or a Reduced Work Schedule**

Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

For the birth, adoption or foster care of a child, the city and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the city's operations.

### **Employee Notice Requirement**

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the department manager or HR manager.

When the need for the leave is foreseeable, the employee must provide the city with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the city's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.



Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with a Notice of Eligibility and Rights and request a medical certification or other supporting documentation as necessary.

### **Designation of FMLA Leave**

Within five business days after the employee has submitted the required certification or other documentation, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.

**Regardless of whether the employee requests FMLA leave or not the City is required to notify the employee of their FMLA leave rights and to designate FMLA for a qualifying event.**

### **Employee Status and Benefits During Leave**

The City will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums and other payroll deductions. While on unpaid leave, the employee must continue to make these payments, either in person or by mail. The payments must be received in the Finance Department by the 1<sup>st</sup> day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.

The city will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the city will require the employee to reimburse the city the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the company will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the city may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the city will discontinue coverage during the leave. If the city maintains coverage,



the company may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

### **Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the City's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The city may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

### **Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee's own serious health condition, or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy or CBA.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if a female employee takes six weeks of City pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee will then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave



(as long as the reason for the absence is covered by the City's sick leave policy) prior to being eligible for unpaid leave.

### **Intent to Return to Work from FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave, the city may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

### **Definitions**

**Serious health condition** means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term or permanent periods of incapacity.

**Spouse** means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

**Child** means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

**Parent** means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

**Qualifying exigency** includes short-notice deployment, military events and activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

**Covered active duty** for members of a regular component of the Armed Forces, means duty during deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces, means duty during the deployment of the

member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

**The next of kin of a covered service member** is the nearest blood relative, other than the covered service member's spouse, parent or child in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

**Covered service member** is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status or on the temporary disability retired list for a serious injury or illness.

**Serious injury or illness** is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

### **Frequently Misunderstood Issues**

**Childbirth-** employees whose spouse or partner are pregnant may be eligible for both sick leave benefit and FMLA for any documented prenatal care or complication or hospitalization for the delivery of the child. Sick leave benefit typically ends when mother and child are discharged from the hospital. Exceptions may be made if the mother or child requires additional postpartum care. Ie. recovery from a surgical delivery or complication and the spouse or partner must provide continuous care. In cases such as this, Human Resources must be updated with additional information from a health care provider verifying the need for additional care.

Postpartum, eligible employees are entitled to FMLA leave; however, they must use all available leave balances up before unpaid leave can be used. If on unpaid leave the employee must make the city whole for any payroll deductions for health insurance, union dues, pension deductions or other normal payroll deductions.



Female employees who are pregnant may be entitled to sick leave benefit and FMLA for any documented prenatal care. Female employees postpartum are entitled to maternity leave based on their respective CBA or the city policy manual.

### **Employee Declines FMLA**

Employees cannot decline FMLA. The city has a legal obligation to designate FMLA for all FMLA eligible employees once they are made aware of an FMLA qualifying event and all employees must comply with all provisions of the act.

### **8-3 Military Leave**

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that we can maintain proper coverage while employees are away.

### **8-4 Family Military Leave Act**

The City of East Moline will grant eligible employees up to 30 days of unpaid family military leave if their spouse or child is called to military service with the State or the United States for more than 30 days. Family military leave must be taken during the time federal or State deployment orders are in effect.

To be eligible, an employee must have been employed for at least 12 months and have worked at least 1,250 hours during the 12-month period immediately preceding the request for family military leave. An employee may take family military leave only if he/she has exhausted all accrued vacation, personal, compensatory and other leave, except sick and disability leave.



The request for leave must be made at least 14 days in advance if the leave will consist of five or more consecutive work days. If the leave will consist of less than five days, the request must be made with as much advance notice as is practicable.

Employees that take family military leave may elect to continue benefits at their own expense during the leave.

Employees that take family military leave will be reinstated to the position they held before commencing leave, or to a position with equivalent seniority, status, employee benefits, pay and other terms and conditions of employment.

Employees must provide certification from the proper military authority to verify their eligibility for the family military leave requested.

## 8-5 Family and Medical Leave

### **The Leave Policy**

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact Director of Human Resources.

### **I. Eligibility**

FMLA leave is available to "eligible employees." To be an "eligible employee," an employee must: 1) have been employed by the City of East Moline for at least 12 months (which need not be consecutive); 2) have been employed by the City of East Moline for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

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

### **II. Entitlements**

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.



## A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a 12-month period measured forward from the start date of the employee's first FMLA leave. Leave may be taken for any one, or for a combination, of the following reasons:

- 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 (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that an employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

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 three (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.

**Qualifying exigencies** may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

## B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to



take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the 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. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

### **C. Intermittent Leave and Reduced Leave Schedules**

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

### **D. No Work While on Leave**

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

### **E. Protection of Group Health Insurance Benefits**

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

### **F. Restoration of Employment and Benefits**



At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the City of East Moline substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The City of East Moline will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

### **G. Notice of Eligibility for, and Designation of, FMLA Leave**

Employees requesting FMLA leave are entitled to receive written notice from the City of East Moline telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) City of East Moline's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The City of East Moline may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the City of East Moline's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the City of East Moline and employee can mutually agree that leave be retroactively designated as FMLA leave.

## **III. Employee FMLA Leave Obligations**

### **A. Provide Notice of the Need for Leave**

Employees who take FMLA leave must timely notify the City of East Moline of their need for FMLA leave. The following describes the content and timing of such employee notices.

#### **1. Content of Employee Notice**

To trigger FMLA leave protections, employees must inform their Manager and/or Director of Human Resources of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the City of East Moline to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;



- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the City of East Moline's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the City of East Moline has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

## **2. Timing of Employee Notice**

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, or the approximate timing of the need for leave is not foreseeable, employees must provide the City of East Moline notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

### **B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules**

When planning medical treatment, employees must consult with the City of East Moline and make a reasonable effort to schedule treatment so as not to unduly disrupt the City of East Moline's operations, subject to the approval of an employee's health care provider. Employees must consult with the City of East Moline prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the City of East Moline and the employees, subject to the approval of an employee's health care provider . If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the City of East Moline may require employees to



attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, the City of East Moline may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the City of East Moline of the reason why such leave is medically necessary. In such instances, the City of East Moline and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the City of East Moline's operations, subject to the approval of the employee's health care provider.

### **C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide the City of East Moline with timely, complete and sufficient medical certifications. Whenever the City of East Moline requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the City of East Moline's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. The City of East Moline will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The City of East Moline will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the City of East Moline (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide



the City of East Moline with authorization allowing it to clarify or authenticate certifications with health care providers, the City of East Moline may deny FMLA leave if certifications are unclear.

Whenever the City of East Moline deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

### **1. Initial Medical Certifications**

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the City of East Moline has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the City of East Moline's expense. If the opinions of the initial and second health care providers differ, the City of East Moline may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the City of East Moline and the employee.

### **2. Medical Recertifications**

Depending on the circumstances and duration of FMLA leave, the City of East Moline may require employees to provide recertification of medical conditions giving rise to the need for leave. The City of East Moline will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

### **3. Return to Work/Fitness for Duty Medical Certifications**

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the City of East Moline with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. The City of East Moline may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.



#### **D. Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the City of East Moline may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, the City of East Moline may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the City of East Moline may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

#### **E. Substitute Paid Leave for Unpaid FMLA Leave**

Employees must use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, City of East Moline will allow employees to use accrued paid time to supplement any paid disability benefits.

#### **F. Pay Employee's Share of Health Insurance Premiums**

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless the City of East Moline notifies employees of other arrangements, whenever employees are receiving pay from the City of East Moline during FMLA leave, the City of East Moline will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.



If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the city upon leave.

#### **IV. Questions and/or Complaints about FMLA Leave**

If you have questions regarding this FMLA policy, please contact Director of Human Resources. The City of East Moline is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Director of Human Resources immediately. The City of East Moline will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

#### **V. Coordination of FMLA Leave with Other Leave Policies**

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the City of East Moline's other leave policies in this manual or contact Director of Human Resources.

#### **8-6 School Visitation Leave**

Parents and guardians having custody of schoolchildren from kindergarten through Grade 12 are provided up to eight (8) hours per year of unpaid time off (not to exceed four (4) hours in any single day) to attend school conferences or classroom activities related to the child if the conference or classroom activities cannot be scheduled during nonwork hours. City of East Moline may require proof that the employee attended school conferences or classroom activities related to the child. Employees first must exhaust all accrued paid time off, then they may take unpaid time off for this purpose. However, employees will be given the opportunity to make up any lost work time. Seven (7) days' written notice (except in emergency situations when twenty-four (24) hours' notice is sufficient) must be given to the



supervisor or manager before taking any time off for school children. Employees must consult with the City of East Moline to schedule their leave so as not to unduly disrupt operations.

### 8-7 Leave for Domestic, Sexual and Gender Violence or Other Crimes of Violence

In accordance with the Illinois Victims' Economic Security and Safety Act, employees who are the victims of domestic or sexual violence, or who have family or household members who are the victims of domestic or sexual violence, may be eligible for up to 12 weeks of **unpaid** leave within any 12-month period, and upon return will be restored to the same or an equivalent position.

Prior to receiving such leave, the City of East Moline may require the employee to substitute any and all annual or vacation leave, personal leave, and sick leave. This substitution of paid leave does not extend the total allowed leave period but runs concurrently with it. Leave for Victims of Domestic or Sexual Violence also runs concurrently with Family and Medical Leave when the reason for the leave qualifies for Family and Medical Leave, such as for a serious health condition. In these situations, the leave does not extend any unpaid time available to the employee under Family and Medical Leave.

#### Reasons for Leave

Eligible employees may take Leave for Victims of Domestic or Sexual Violence so that they or a member of their family or household may take part in one or more of the following actions:

- seek **medical attention** for or recover from physical or psychological injuries caused by domestic or sexual violence;
- obtain services from a **victim's services** organization;
- obtain **psychological or other counseling**;
- participate in **safety planning**, including temporary or permanent relocation, or other actions to increase their physical safety or economic security; or
- seek **legal assistance** or remedies to ensure their health and safety.

#### Notice of Need for Leave

Eligible employees must provide the City of East Moline with at least 48 hours advance notice of the need for leave, unless such notice is not practicable.



## **Certification of the Need for Leave**

To request leave, an employee must supply the City of East Moline with a sworn statement from the employee that the employee or a family or household member is a victim of domestic or sexual violence and that leave is necessary for one of the reasons described above.

The employee seeking leave also must provide supporting documentation from one of the following sources:

- a victim's services organization;
- a member of the clergy;
- an attorney;
- a medical professional from which the employee or family or household member has sought assistance;
- a police report or court record; or
- any other corroborating evidence.

## **Employee Benefits**

During an approved leave, the City of East Moline will maintain the employee's health benefits as if the employee continued to be actively employed.

If paid time off is substituted for unpaid leave, the City of East Moline will deduct the employee's portion of the any applicable health plan premium as a regular payroll deduction.

If the employee's leave is unpaid, the employee must make arrangements with Payroll prior to taking leave to pay their portion of any applicable health insurance premiums each month.

If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the City of East Moline for the cost of the health benefit premiums paid by the City of East Moline for maintaining coverage during the unpaid leave period, unless the employee cannot return to work because of continuation, recurrence or onset of domestic or sexual violence or other circumstances beyond the employee's control.

## **Intermittent and Reduced Schedule Leave**

Unpaid leave may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (reducing the usual number of hours you work per work week or work day).



## **Periodic Reports**

During a leave, an employee must provide periodic reports (at least every two weeks) regarding the employee's status and any change in the employee's plans on returning to work.

## Section 9 - General Standards of Conduct

### 9-1 Corrective Action Plan - Discharge And Discipline

An employee may face disciplinary action up to and including termination for good cause: Listed below are examples of reasons for disciplinary action (this list is illustrative only, and is not intended to include all possible reasons for disciplinary action):

1. Misrepresentation of time worked
2. Abandonment of the job (walking off the job or not showing up for work when it leaves citizens unsupervised)
3. Exploitation of citizens or sexual, physical or verbal abuse of citizens.
4. Possession of weapons while on duty, unless required for the position.
5. Possession, consumption or being under the influence of alcohol, cannabis, cannabis derivative or illegally obtained drugs while on duty or on the premises of any City of East Moline Facility in any City of East Moline vehicle; Refer to City of East Moline's Drug Free Workplace Policy
6. Illegal misconduct while on duty
7. Unsafe work conduct endangering self or others, including, but not limited to citizens and co-workers
8. Falsification of application, records or documentation
9. Failure to report citizen or co-worker abuse or neglect
10. Proven act of sexual or other harassing behavior or indecent behavior as outlined in the Sexual Harassment Policy
11. Unauthorized release of confidential information
12. Insubordination - defined as refusal or failure to perform any assigned duty
13. Intentional damage to City of East Moline property
14. Any substantial shortcoming which renders the employee's continuance in his/her position in some way detrimental to the discipline and efficiency of the employer and which the law and sound public policy recognize as good cause for no longer holding the position.

\* Note that suspension with pay may be issued while the offense is under investigation.

Section II. A notification of unsatisfactory performance may be issued for, but not limited to the following reasons:



1. Violation of health and safety rules and practices
2. Breach of duty in connection with work reasonably owed an employer; dereliction of duty
3. Unsatisfactory attendance
4. Refusal to follow instructions
5. Inappropriate treatment of citizens
6. Excessive tardiness
7. Failing to show up for scheduled work

The first notification of unsatisfactory performance may be written or verbal. Verbal warnings will be documented in writing by the supervisor.

In a meeting setting, with the Human Resources Coordinator and Direct Supervisor, the employee shall be given a clear statement describing the employee's deficiency, citing specific instances and documentation wherever possible. The employees will have the opportunity to discuss and respond.

An explanation of the required corrective action will be presented to the employee with goals for the minimum expectations required for the position and notice for immediate improvement recommended.

The employee shall be given a fair opportunity and a specified time period to take corrective action.

The employee is furnished with a statement that says failure to meet the minimum expectations outlined in the performance improvement plan will result in further disciplinary action up to and including the employee's termination.

Included in the above statements to the employee will be the acknowledgment for employee to sign understanding the contents of the document.

The second notification of unsatisfactory performance shall be a written warning.

The employee shall receive a clear statement describing the employee's deficiency, and will be provided a restatement of the minimum expectations required of the position.

A Performance Improvement Plan will be initiated outlining the performance expectations that must be achieved.



A list of required steps or tasks will be presented to employee to meet for improved performance.

The supervisor may determine a sufficient amount of time for employee to demonstrate consistent acceptable performance.

A scheduled date for formal follow-up will be set to review employee's progress and determine if the minimum expectations were met. A decision can be made whether to continue the performance improvement plan or discontinue the performance improvement plan or proceed to the next step of disciplinary action.

The employee will be provided with a statement which explains that failure to meet the minimum expectations outlined in the performance improvement plan will result in further disciplinary action up to and including the employee's termination.

Included in the above statements to the employee will be the acknowledgment for employee to sign understanding the contents of the document.

A third notification will constitute discharge or suspension.

A clear statement shall be written describing the employee's deficiency and the result of the performance improvement plan, and the disciplinary action taken as a result of the deficiency.

A scheduled date for formal follow-up will be established to review employee's progress and determine if the minimum expectations were met.

Included in the above statement to the employee will be the acknowledgment for employee to sign understanding the contents of the document.

Although City of East Moline will generally use this system of progressive discipline and performance improvement plan for the offenses listed above in Section I. of this section, we may skip any step if appropriate in light of the seriousness of the offense.

The above corrective action procedures will allow employee due process while following the outline in the above steps. The Department Supervisor and Human Resource Coordinator will communicate with employee to establish standards of performance, allow employee to voice viewpoint, provide fair and consistent measures in the corrective action, offer assistance for improvement of performance and respond appropriately to the situation by generating the best possible solution to the problem and continue to evaluate performance process and improvement of employee.



## 9-2 Workplace Conduct

City of East Moline endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the City of East Moline's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing City of East Moline property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of City of East Moline's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of City of East Moline's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
10. Gambling on City of East Moline property.
11. Willful or careless destruction or damage to City of East Moline assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of City of East Moline's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of city policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and City of East Moline reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The City of East Moline will deal with each situation



individually and nothing in this manual should be construed as a promise of specific treatment in a given situation. However, City of East Moline will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

### **9-3 Punctuality and Attendance**

Employees are hired to perform important functions at City of East Moline. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive and disruptive and place an unfair burden on fellow employees and supervisors. City of East Moline expects excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

City of East Moline does recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the workday. Asking another employee, friend, or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the absence and its expected duration, every day of absenteeism.

Unreported absences of three (3) consecutive workdays generally will be considered a voluntary resignation of employment with City of East Moline.

### **9-4 Use of Communications and Computer Systems**

City of East Moline's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other City of East Moline policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the City of East Moline systems.

City of East Moline may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the City of East Moline deems it appropriate to do so. The reasons for which the City of East Moline may obtain such



access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that City of East Moline operations continue appropriately during an employee's absence.

Further, City of East Moline may review Internet usage to ensure that such use with City of East Moline property, or communications sent via the Internet with City of East Moline property, are appropriate. The reasons for which the City of East Moline may review employees' use of the Internet with City of East Moline property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that City of East Moline operations continue appropriately during an employee's absence.

The City of East Moline may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The City of East Moline's policies prohibiting harassment, in their entirety, apply to the use of City of East Moline's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the City of East Moline's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

#### **9-5 Use of Social Media**

The City of East Moline respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to



Facebook and LinkedIn. However, to protect City of East Moline interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with the City of East Moline equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether an employee is posting something on his or her own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions the City of East Moline and also expresses either a political opinion or an opinion regarding the City of East Moline's actions that could pose an actual or potential conflict of interest with the City of East Moline, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not the City of East Moline's position. This is necessary to preserve the City of East Moline's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. The City of East Moline policies apply equally to employee social media usage.

The City of East Moline encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

#### **9-6 Personal and Company-Provided Portable Communication Devices**

City of East Moline-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes as permitted the right to monitor personal communications as necessary.



Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through the City of East Moline's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a City of East Moline-provided or personal device, employees must comply with applicable City of East Moline guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a City of East Moline-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If an employee who uses a personal PCD for business resigns or is discharged, the employee will be required to submit the device to the IT department for resetting on or before his or her last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, City of East Moline information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of City of East Moline information. This is the only way currently possible to ensure that all City of East Moline information is removed from the device at the time of termination. The removal of City of East Moline information is crucial to ensure compliance with the City of East Moline's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a City of East Moline-issued device, the City of East Moline's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

### **Portable Communication Device Use While Driving**

Employees who drive on City of East Moline business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving.



Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## **9-7 Inspections**

City of East Moline reserves the right to require employees while on City of East Moline property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on City of East Moline or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the City of East Moline or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

## **9-8 Tobacco Free Work Environment**

### **1. SMOKE-FREE WORKPLACE POLICY**

#### **City of East Moline City Ordinance**

No person shall smoke in the City Hall Building, City Hall Annex, Water Plant, Wastewater Plant, Fire Department Buildings, Maintenance Services Garage Building, or any other building owned by the city, or within fifteen feet (15') from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. In addition, no person shall smoke in any city vehicle. (ORD. 07-22, 11-5-2007, eff. 1-1-2008)

#### **Smoke-free Illinois Act**

As of January 1, 2008, indoor public places and places of employment in Illinois will be smoke-free. Places of employment include offices and work areas, conference rooms, break rooms, cafeterias and other common areas. Public places include restaurants, bars, bowling alleys, private clubs, gaming facilities and public conveyances.



## **The Smoke-free Illinois Act**

The Smoke-free Illinois Act (Public Act 95-0017) protects the public from the harmful effects of exposure to tobacco smoke by prohibiting smoking in public places and places of employment and within 15 feet of any entrance, exit, windows that open, or ventilation intake of a public place or place of employment. Places of employment are defined in the Smoke-free Illinois Act as any area under the control of a public or private employer that employees are required to enter, leave or pass through during the course of employment. These areas include, but are not limited to, offices and work areas, restrooms, conference rooms and classrooms, break rooms and cafeterias and other common areas. Smoking also is prohibited in public conveyances, like taxis, buses, shuttles and any vehicle owned, leased or operated by the state or a political subdivision of the state.

### **Business owner requirements**

Beginning **January 1, 2008**, business owners shall:

- Not permit smoking at their business or within 15 feet of entrances, exits, windows that open and ventilation intakes.
- Post “No Smoking” signs at each entrance to the place of employment or public place where smoking is prohibited. “No Smoking” signs must comply with the specification in the Smoke-free Illinois Act.
- Remove ashtrays from areas where smoking is prohibited.

There is no requirement for an employer to provide an outdoor shelter for smokers. As part of the workplace, private offices also must be smoke-free since smoking is prohibited throughout the workplace. Additionally, employers may designate additional areas in the workplace as smoke-free.

### **Exemptions to the Smoke-free Illinois Act**

The purpose of the Smoke-free Illinois Act is to protect others from the harmful effects of secondhand smoke. An employee or a member of the public can file a complaint against an individual or business that violates the law.



## **Failure to comply**

If the business owner fails to comply with the Smoke-free Illinois Act, an employee or patron may file a complaint. The Illinois Department of Public Health, state-certified local public health departments and local law enforcement agencies are designated enforcement agencies under the Smoke-free Illinois Act.

Businesses found in violation of the Smoke-free Illinois Act are subject to fines. Fines are assessed at \$250 for the first violation, \$500 for the second violation and a \$2,500 minimum fine for all subsequent violations within one year of the first violation.

Fines for individuals who violate the Smoke-free Illinois Act are not less than \$100 and not more than \$250.

## **9-9 Personal Visits and Telephone Calls**

Disruptions during work time can lead to errors and delays. Therefore, we ask that personal telephone calls be kept to a minimum, and only be made or received after working time, or during lunch or break time.

## **9-10 Bulletin Boards**

Important notices and items of general interest are continually posted on our bulletin board. Employees should make it a practice to review it frequently. This will assist employees in keeping up with what is current at City of East Moline. To avoid confusion, employees should not post or remove any material from the bulletin board.

## **9-11 Confidential City Information**

During the course of work, an employee may become aware of confidential information about the City of East Moline's business, including but not limited to information regarding the City of East Moline finances, pricing, services and employee matters, software and computer programs, marketing strategies, suppliers and customers and potential customers. An employee also may become aware of similar confidential information belonging to the City of East Moline's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to our competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of the City of East Moline or to an unauthorized employee or person, may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.



## 9-12 Conflict of Interest and Business Ethics

It is the City of East Moline's policy that all employees avoid any conflict between their personal interests and those of the City of East Moline. The purpose of this policy is to ensure that the City of East Moline's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the City of East Moline.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the City of East Moline, by any employee who is in a position to directly or indirectly influence either the City of East Moline's decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with the City of East Moline;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the City of East Moline or which competes with the City of East Moline; and/or
4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with the City of East Moline.

A conflict of interest would also exist when a member of an employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is your responsibility to report any actual or potential conflict that may exist between you (and your immediate family) and the City of East Moline.



### **9-13 Use of Facilities, Equipment and Property, Including Intellectual Property**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the City of East Moline's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the City of East Moline is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

### **9-14 Health and Safety**

The health and safety of employees and others on the City of East Moline property are of critical concern to the City of East Moline. The City of East Moline intends to comply with all health and safety laws applicable to our business. To this end, City of East Moline must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the City of East Moline's premises, or in a product, facility, piece of equipment, process, or business practice for which the City of East Moline is responsible should be brought to the attention of management immediately.

Periodically, the City of East Moline may issue rules and guidelines governing workplace safety and health. The City of East Moline may also issue rules and guidelines regarding the



handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

### **9-15 Employee Dress and Personal Appearance**

You are expected to report to work well groomed, clean, and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. Please contact your supervisor for specific information regarding acceptable attire for your position. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well groomed and wearing the proper attire.

### **9-16 Publicity/Statements to the Media**

All media inquiries regarding the position of the City of East Moline as to any issues must be referred to the Mayor, City Administrator, Police Chief, Fire Chief or their designated PIOs. Only Designated PIO is authorized to make or approve public statements on behalf of the City of East Moline. No employees, unless specifically designated by Designated PIO, are authorized to make those statements on behalf of City of East Moline. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the City of East Moline must first obtain approval from Designated PIO.

This section does not pertain to routine Public Service Announcements (PSA's). Road closures, traffic patterns etc.

### **9-17 Operation of Vehicles**

All employees authorized to drive City of East Moline-owned or leased vehicles or personal vehicles in conducting City of East Moline business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

An employee must have a valid driver's license in his or her possession while operating a vehicle off or on City of East Moline property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.



City of East Moline-owned or leased vehicles may be used only as authorized by management.

### **Portable Communication Device Use While Driving**

Employees who drive on City of East Moline business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

### **9-18 Business Expense Reimbursement**

This policy establishes the procedures all employees must follow when they are required to incur business-related expenses on behalf of the City of East Moline.

Employees are expected to use good judgment regarding all expenses incurred while conducting business for the City of East Moline. Expenses must be reasonable in the circumstances, necessary and incidental to the performance of the business involved and for the primary benefit of City of East Moline rather than the employee.

### **Expense Reporting**

Employees must properly substantiate all business expenses submitted for reimbursement in accordance with this policy.



Employees are responsible for properly substantiating all charges incurred on behalf of the City of East Moline. All expense reports should be submitted in a timely manner, no later than 30 calendar days from the date the expense was incurred. Expenses submitted more than 30 calendar days after being incurred may be denied for reimbursement, at the City of East Moline's discretion.

Employees are expected to submit original receipts or other supporting documentation for all business expenses incurred on behalf of the City of East Moline in accordance with this policy. However, if a receipt or other supporting documentation is missing, lost or nonexistent, employees should contact the employee's Supervisor to discuss whether reimbursement may still be available.

## **Reimbursement**

There are limits on the types and amounts of expenses that will be reimbursed, as follows:

1. the City of East Moline will not reimburse employees for any of the following types of expenses: alcohol, stretch limousines, traffic tickets incurred while traveling on business, parking tickets incurred while traveling on business and Hotel Incidentals.
2. the City of East Moline will not reimburse employees for any single expense of more than \$100%. The City of East Moline also will not reimburse employees for expenses that attempt to evade this maximum amount, for example, where employees artificially split a single expense into two transactions so that both are under the limit.
3. the City of East Moline will not reimburse employees for any expenses that are not required or that primarily benefit employees, rather than the City of East Moline. This includes, but is not limited to, expenses employees incur by purchasing smartphones or other electronic devices that the employees own, voice or data plans on such devices, Internet service at employees' residence, other home-office equipment or furniture, and like expenses. Even if items or services such as these are used for business purposes at times, employees are generally not required to purchase them in order to perform their job duties, and they are primarily for the employee's benefit rather than for the City of East Moline's. Accordingly, expenses for items or services of this nature will not be reimbursed by the City of East Moline.
4. any other expenses that, in the City of East Moline's discretion, are unreasonable, extravagant, or not business-related, will not be reimbursed by the City of East Moline.

Expenses that violate any of the four guidelines above will not be reimbursed unless the employee received approval from the employee's Supervisor, in writing, prior to incurring the expense.



The City of East Moline assumes no responsibility to reimburse employees for expenses that are not in compliance with this policy.

## 9-19 Fitness for Duty Evaluations

**FITNESS FOR DUTY POLICY - Reason for Policy:** The City of East Moline is committed to promoting a safe and healthy environment for its employees, residents, and visitors. Such an environment is possible only when each employee is able to perform his or her job duties in a safe, secure, and effective manner, and remains able to do so throughout the entire time they are working. Employees who are not fit for duty may present a safety risk to themselves and to others.

**Policy Summary:** This policy outlines the responsible parties and necessary actions when an employee's fitness for duty is in question, the steps necessary to assess the employee's physical or mental capabilities, necessary follow-up, and return to work.

**Policy Statement:** This policy covers only those situations in which an employee is

1. having observable difficulty performing his/her duties in an effective manner that is safe for the employee and/or for his or her co-workers, or
2. posing a serious safety threat to self or others.

The policy prescribes the circumstances under which an employee may be referred to an independent, licensed health care evaluator for a fitness for duty evaluation should either of those situations be present. An employee shall not be allowed to work unless he/she maintains a fitness for duty required for the safe performance of essential job functions, with or without reasonable accommodation. Each employee is required to report to work in an emotional, mental and physical condition (including free of the effects of alcohol and drugs) necessary to perform his or her job in a safe and satisfactory manner.

This policy does not apply to employees with short term, infectious/communicable diseases (e.g., flu, colds). If an employee exhibits symptoms of an infectious/communicable disease, the supervisor may ask the employee to leave the workplace in order to have his/her symptoms evaluated by the employee's own health care provider or by the city's occupational medicine provider.

A fitness for duty evaluation is designed to address behavioral changes in an employee that may pose a potential threat to self or others in the workplace. Application of this policy is not



intended as a substitute for the city's policies or procedures related to chronic performance or behavioral problems or as a substitute for discipline.

Supervisors shall continue to address performance or behavioral problems through the performance appraisal process and to implement appropriate corrective or disciplinary action. The city of East Moline is required to comply with federal disability law (primarily the Americans with Disabilities Act of 1990 [ADA]). In general, the ADA prohibits:

1. employers from requiring an employee to submit to a medical examination; and
2. employer inquiries into whether an individual has a disability.

However, the protections afforded to employees by the ADA are not without limits. Federal law permits the City of east Moline to require a medical examination of an employee if the requirement for the examination is job-related, consistent with business necessity, and if the City of East Moline has a reasonable belief that:

1. the employee's ability to perform essential job functions may be impaired by a medical condition; or
2. an employee may pose a direct threat (i.e., significant risk of substantial harm to the health and safety of self or others) due to a medical condition.

**Fitness for Duty Requirements:** An employee is expected to perform essential job functions in a safe and effective manner, and to discuss with his/her supervisor any circumstances that may impact his/her ability to do so. The City of East Moline may require professional evaluation of an employee's physical, emotional or mental capacities to determine his or her ability to perform essential job functions. Such evaluations are conducted by an independent, licensed health care professional and are undertaken only after review by the employee's department head and the director of Human Resources. To the extent allowed by law, the City of east Moline shall protect the confidentiality of the evaluation and the results.

Employees who have the responsibility for on-call shifts must meet the fitness for duty standard during the entire on-call period. Non-compliance with a request for a fitness for duty evaluation shall be cause for disciplinary action. The employee's satisfactory work performance is the basis for continued employment. Participation in a treatment or rehabilitation program does not guarantee continued employment and may not necessarily prevent disciplinary action for violation of City of East Moline policies. An employee must comply with all treatment recommendations resulting from a fitness for duty evaluation to be allowed to return to work. A salaried employee referred for an evaluation will be prohibited from appearing for work pending the completion of the evaluation and approval for return to



work. During this time, applicable leave policies shall apply. A wage employee (including a temporary employee) referred for an evaluation will be prohibited from working or appearing for work until an evaluation is completed and the employee has been approved to return to work (compensation during this time shall be in accordance with the collective bargaining agreements).

Before initiating an evaluation, the coordinating team (Department Head and Director of Human Resources) shall consult with the employee's immediate supervisor to gain a clear understanding of the behavior/circumstances that have raised questions about the employee's fitness for duty. A member of the coordinating team shall also notify the employee of the opportunity to provide any relevant previous medical or psychological treatment information. The coordinating team shall determine the appropriateness of fitness for duty testing within a reasonable time after notification from the supervisor, usually within three business days. While the employee is prohibited from appearing for work until completion of the FFD evaluation and approval to return to work is provided, the coordinating team shall use its discretion to determine whether to allow the employee to work off-site or to represent the City of East Moline in any work-related capacity.

The results of FFD evaluations performed by qualified, licensed health care professionals shall be presumed to be valid. Results of the evaluation will be received by the City of East Moline's Human Resources director as appropriate. The employee shall be notified of the results of the FFD by the evaluator and/or Director of Human Resources. Only necessary information shall be shared with other members of the City of East Moline Team. A member of the coordinating team will communicate whether the employee may return to work to the employee's supervisor. After an evaluation, information given to the employee's supervisor shall be limited to whether the employee may:

1. return to full duty;
2. not return to full duty, in which case the employee will be referred to Human Resources for a benefits discussion; or
3. return to full duty with reasonable accommodations to meet the evaluator's recommendations.

**Return to Work:** In conjunction with the employee's supervisor, the coordinating team shall discuss whether any reasonable and necessary accommodations need to be made. Continued employment shall be contingent upon compliance with recommendations provided by the evaluator, such as periodic testing, participation in professional counseling and treatment programs. During this time, applicable leave policies and health plan benefits shall apply. In consultation with the coordinating team, the supervisor and employee should engage in an



interactive process to determine if any reasonable accommodations (e.g., re-assignment of duties for a specific period of time, a flexible work schedule) should be implemented. Failure to comply with the recommendations or agreed upon accommodations may result in disciplinary action up to and including possible termination from employment.

**Confidentiality/Privacy of Fitness for Duty Evaluations:** Under the Health Insurance Portability and Accountability Act (HIPAA), any document containing medical information about an employee is considered a medical record and is regarded as confidential. Records of fitness for duty evaluations shall be treated as confidential medical records and maintained by the City of East Moline as appropriate. This information may be shared only on a “need to know” basis. Employees may obtain a copy of the medical report from the City of East Moline upon written request.

**Responsibilities:** An employee is responsible for:

1. Performing his/her job responsibilities in a safe and effective manner, with or without reasonable accommodations during the entire time at work;
2. Notifying the supervisor when not fit for duty;
3. Notifying the supervisor when a coworker is observed acting in a manner that indicates the coworker may not be fit for duty;
4. Informing the upper level manager or calling the City of East Moline Human Resources Director for further guidance, if the supervisor’s behavior is the focus of concern.
5. Providing relevant medical and psychological information when given the opportunity to do so; and
6. Complying with this policy and any authorized request to submit to an evaluation. A supervisor is responsible for:
  - a. Observing the attendance, performance, and behavior of the employees under his/her supervision;
  - b. Notifying the City of East Moline's Human Resources Director when an employee is exhibiting behavior that suggests he/she may not be fit for duty;
  - c. Following this policy’s procedures for completing an initial observation report when presented with circumstances or knowledge that indicate that an employee may not be fit for duty;
  - d. Removing and escorting an employee deemed not fit for duty from the worksite unless he/she poses an immediate safety threat in which case the supervisor should call 911; Arranging transportation for the employee from the work site if necessary;

- e. Maintaining the confidentiality of an employee’s medical information; and
- f. Implementing any reasonable accommodation deemed necessary. The Coordinating Team, or a member of, is responsible for:
  - i. Soliciting information from the supervisor regarding employee behaviors or performance, and from the employee regarding any relevant previous medical or psychological treatment information;
  - ii. Identifying who will conduct the fitness for duty evaluation;
  - iii. Receiving the results of the fitness for duty evaluation;
  - iv. Communicating the results to the employee if not done so by the evaluator;
  - v. Maintaining confidentiality except as detailed in the Confidentiality/ Privacy section above;
  - vi. Coordinating payment by the employee’s department for the fitness for duty evaluation;
  - vii. Implementing any recommendations proposed by the FFD evaluation;
  - viii. Discussing recommendations and subsequent accommodations with the supervisor; and
  - ix. Communicating with the employee as to their rights, responsibilities and employment status.

#### **9-20 Random Drug Testing CDL**

Random drug testing under this provision is outlined in the Collective Bargaining Agreement with the City of East Moline and AFSCME 1234.

#### **9-21 Random Drug Testing Exempt/Police/Fire**

Random Testing – Employees covered by this agreement shall be subject to random testing, so long as all public safety members are subject to the same such testing. Random testing will be conducted in a non-discriminatory fashion, using a method by which all members have a statistically equal chance of being selected for testing at a given time. Any such random testing shall be conducted and administered by an outside, certified medical facility under contract with the City of East Moline.

- i. During each twelve (12) month period, up to 25% of the average number of employees in the testing pool of all employees within all departments part of the testing pool, defined as all FOP, IAFF, and Exempt employees of the City, may be tested at various



times for unannounced alcohol and drug testing. Such testing for alcohol may occur at any time an employee is on duty.

- ii. The testing dates and names shall be determined by an independent third party engaged in the business of drug testing and employing appropriate techniques for the random selection of testing names and dates.
- iii. Upon notification by a supervisor of a required test, the employee will proceed immediately to the testing site. Refusal to test will lead to disciplinary action in accordance with this contract.
- iv. No employee that is off-duty for any reason shall be permitted or required to report for duty for the purpose of submitting to drug testing. Employees will be notified of testing during their regular shift hours only.

## Section 10 - Budget/Purchasing/Property

### 10-1 Purchase Card Policy

#### Purchasing Card Policy

##### **Overview**

The Purchase Card will not replace the normal purchasing procedures established by already existing policy, but it will be used in instances where it is not advantageous or cost effective to use an open house account with various vendors.

##### **Purpose**

The City of East Moline Purchasing Card program is used to purchase goods and services that do not require approval in advance of the purchase by the City Council.

- The Purchase Card enables employees to order and receive products directly.
- The Purchase Card gives employees the power and flexibility to purchase supplies and services when the organization needs them.
- The Purchase Card means employees will get faster delivery on low cost items, because there is less paperwork.
- The Purchase Card enables employees on City travel to charge hotel, gas, food and conference registrations without the need to use their own personal Credit Cards.

It is accepted that no policy and procedure statement can cover all eventualities. Exceptional cases will be resolved as circumstances and prudent business practices warrant with overall determination considered by the Finance Director.

##### **Purchasing Card Responsibilities**

The difference is a PCard is a corporate liability charge card with certain restrictions and limitations imposed on the cardholder. Card privileges may be rescinded at any time at the discretion of the City Finance Director if policies and/or procedures are not followed. Card usage will be audited by the Department Head and the City Finance Director and the cardholders will be personally liable for any unauthorized use which occurs on their PCards.



## **PCard Program Administrator:**

The Finance Office is responsible for:

- Processing all PCard user requests and issuing PCards to new users
- Setting all PCard limits and business rules according to City of East Moline policies, procedures and guidelines
- Monitoring all PCard activity for compliance with City of East Moline policies and procedures
- Changing or correcting PCard limits and parameters as needed
- Providing notification to the City Administrator of violations of PCard policy and procedures and, when necessary canceling cardholder's PCard
- Contacting the PCard provider to resolve PCard use, charge, credit and other problems

## **Management Responsibilities**

Managers and supervisors are responsible for:

- Requesting PCards for designated employees who will make purchases for goods and/or services.
- Monitoring and approving monthly PCard activity to ensure cards are used in accordance with City of East Moline policies and procedures.
- Setting Departmental PCard limits and business rules according to City of East Moline policies, procedures and guidelines along with Finance Staff.
- Changing or correcting Departmental PCard limits and parameters as needed
- Providing notification to PCard users and the Finance Office of violations of PCard policy and procedures.
- Obtaining the PCard card and sending it to the PCard Administrator upon cardholder's termination of employment, transfer to a different department, or request of the PCard Administrator.
- Reporting of monthly PCard activity with documentation for payment processing to the Finance Office within 5 days of receiving statement.

## **Cardholder Responsibilities**

- Use the PCard as the primary method for making purchases of goods and services that do not require City Council approval.
- Obtaining supervisor approval for all purchases made with the PCard.



- Obtaining detailed Purchase card slips, cash register receipts, packing slips or other appropriate documents to validate each transaction.
- Resolving directly with the vendor any disputes concerning returns, credits or adjustments for transactions made with the PCard.
- Attaching PCard transaction documents (credit card slips, cash register receipt, packing slip, etc.) to an AP batch. The cardholder (or other designated employee) will prepare an accounts payable batch and submit to the Department Head on a weekly/daily basis (as determined by the Department Head)
- Adhering to all other Purchasing Policies.

## **Authorized and Unauthorized Use**

### Authorized Uses of the Purchasing Card

- Purchases may be made with the PCard within the established limits and restrictions of each individual PCard.
- All purchases made with the purchasing card must be for the benefit of City of East Moline, within established budgets, and in accordance with the City of East Moline Purchasing Card Policy.

### General Unauthorized Uses of the Purchasing Card

- Items equal to or greater than the established maximum limits of each individual PCard.
- Personal items (item for personnel use), even with the intent of reimbursing the City of East Moline after the purchase
- Cash advances
- Gifts and prizes
- Entertainment
- Telephones calls, and calling cards
- Serial purchasing - the card is not to be used to make a series of small dollar purchases in order to bypass Council requiring approval to make a single purchase.

## **Issuance of PCard**

1. Department Head (Manager) signs the PCard Request Form then forwards it to the Finance department for processing.
2. Cards should be received by the Finance department in about 10 to 15 business days.
3. PCard review and training session setup with cardholder(s).



4. PCard Cardholder Agreement Form signed by cardholder(s).

## **Card Controls and Limits**

### Spending Limits of Cardholder levels

- Level A 2,500 or less (Travel and Purchases)
- Level B 500 or less (General purchase items)
- Level C 500 or less (Gas only)

### Transaction Flow

1. Cardholder makes purchase from merchant via telephone, mail, fax, internet, or in person.
2. Cardholder retains receipts of PCard purchases.
3. Purchase of goods and/or services credited to PCard Company.
4. PCard monthly statements emailed the Department Head and the Finance Office.
5. Department Head reconciles and records PCard monthly detail purchases transaction as an accounts payable batch.
6. The PCard accounts payable batch is sent to Accounts Payable within 5 days of receiving statement.
7. Accounts Payable reviews and approves PCard accounts payable batches. PCard activity is posted to the general ledger through the normal AP process.
8. ACH payment(s) of the outstanding credit card balance is made by the Finance Office.

## **Purchase items via telephone, mail, fax, internet, or in person**

The cardholder must keep all purchasing card records, including receiving reports, receipts, or other documentation supporting charges against his/her purchasing card. The cardholder is required to attach all such receipts to the PCard accounts payable form and submit to their Department Head weekly. The Department Head should then submit to Accounts Payable after reconciled with the statement. A/P Batch should be submitted within 5 days of receiving the statement.

## **Shipping**

Caution: Cardholders should make prudent selection of shipping options. The cost of shipping heavier packages and/or routine packages via Federal Express or UPS overnight or 2-day express can be very expensive. Such priority handling or expediting of shipments should only



be utilized when absolutely necessary. As with all expenditures of public funds, prudence must be demonstrated, and expenses justified.

### **Returned Purchases**

Each cardholder is responsible for any returns of purchases. All returns must be credited to the cardholder's account. Cash refunds are strictly prohibited.

### **Sales Tax**

- The cardholder should remind all vendors of the City of East Moline tax-exempt status. The cardholder must review all receipts for each purchase to ensure sales tax has not been assessed.
- If sales tax has been charged to a purchase, the cardholder should make a note on the PCard accounts payable batch. The cardholder will contact the vendor for a credit.

### **Disputed Transaction**

1. If a cardholder believes that a charge has been posted incorrectly to his/her account, the cardholder must notify the vendor as soon as possible.
2. The cardholder must also notify Accounts Payable of any disputed charges.
3. A PCard Disputed Charge form must be filled out and sent to Account Payable.
4. If the vendor agrees that an error was made, the purchase will be credited from the account on the next monthly purchasing card memo statement.
5. If the disputed charge remains unresolved by the due date the charge will remain on the account until the dispute is resolved.

### **Lost/Stolen/Misplace Purchasing Cards**

1. Cardholder should notify their Department Head during working hours. If the card is lost/stolen/misplaced during non working hours the card holder should contact BMO at 888-267-7838 as soon as possible, then notify the Department Head immediately upon returning to work.
2. A Lost/Stolen/Misplace PCard form needs to be completed and sent over to the Finance Office.
3. The Finance Office will cancel the purchasing card and request a new card from BMO.
4. Any fraudulent charges against the lost or stolen purchasing card will be handled in accordance with the City's purchasing policies.



## **Termination of Employment**

1. Upon termination of employment, the cardholder must surrender the card to his/her supervisor. The supervisor will then forward the terminated employee's PCard to the Finance Office.
2. The Finance Office will immediately cancel the purchasing card.

## **Refunds of Purchase Card Purchases**

A refund must be reimbursed to the PCard account charged for the purchase.

## **Receipts**

Include PCard transaction date, vendor name, amounts, and itemized description of item(s) purchased.

## **Lost receipts**

1. A PCard lost receipts form needs to be completed and sent over to Accounts Payable with PCard batches.
2. Repeated loss of receipts may be grounds for discontinuing a cardholder's PCard use.

## **Internet On-line Statements and transaction information**

- Department Administrative Assistants/Executive Assistants set up access rights for cardholders using the on-line statement website.

## **10-2 Cash Management Policy**

### **1. RECEIPTS (CASH AND CHECKS)**

All receipts must be totaled and turned over to the Finance office weekly or more often at the discretion of the department. The details on the face of the Deposit Envelope must be completed, and the depositor must seal the envelope before it is turned over to the Finance office. The amount of each check and the name of the issuer must be recorded on either the face of the Deposit Envelope or on an attached listing which would be sealed inside envelope.

All Deposit Envelopes must be recorded in a pre-numbered Receipt Log. The Receipt Log must be completed by as follows:



- a. any individual who turns a Deposit Envelope over to the Finance Office must record the amount of the deposit and indicate the account to be credited.
- b. the Finance Office staff member who accepts and verifies a Deposit Envelope must write a receipt to indicate that the City office has received it & note envelope number on receipt.
- c. the Finance Office staff member who deposits the monies from the Deposit Envelopes must note on the Receipt Log the date of deposit to the bank.

After the Deposit Envelope has been received by Finance staff, it must be secured, in a locked vault that has limited access. Department Heads will be responsible for determining who may have access to their departmental vault(s) and ensuring the vault is locked at business day end. The Deposit Envelopes must be individually verified again on the day of deposit to the City's bank account. The depositor must verify and log if any differences. This report will be available for review by the Finance Director at all times.

Receipts will be posted to the City's accounts upon depositing. When posting ensure that the unverified amount of the deposit and the actual date of receipt are used (i.e. the date of deposit noted on the receipt duplicate must be identical to that in the Bank Register). This helps to ensure that the City's accounting records and reports will correspond to any independent records that are maintained by account holders, and will

assist in the resolution of any differences. Under no circumstances should the finance staff change the amount on the deposit envelope without the signature of the person who has collected and prepared the envelope.

These procedures must be used for all receipts with the exception of checks received for credit to more than one COEM account (multi-account checks). In these instances, the procedures must be modified as follows:

- a. Post-Dated Checks

Will not be allowed under any circumstances.

- a. Multi-Account Checks

Some checks will be for credit to more than one COEM account

Create a split transaction in your Deposit Envelope crediting the amounts to the individual accounts.



## **2. CHECK ADVANCES**

The Finance Director, prior to disbursement, must authorize a check advance (a check that is issued in advance of an actual expenditure and, as such, is not yet supported by an invoice).

These advances represent loans from the City. Supporting documents must be presented to the City the day after the event. An example of this might be new vehicle registration with the Secretary of State.

Advances must be followed up by original requesting Department Head to ensure that appropriate supporting documentation (invoices, receipts) is subsequently received to substantiate the amounts disbursed. A log should be kept and monitored to ensure documentation has been received. Any Department Head habitually requesting advance payments or not filing proper documentation in a timely manner will be reported to the Finance Director & City Administrator.

## **3. LOST OR STOLEN FUNDS**

Lost or stolen City Generated Funds shall not be replaced through public (budget) funds.

However, the expense to investigate, prosecute, etc. these activities may be paid through the City's operating budget funds which were collected to assist in normal City operations from the account the monies were lost or stolen.

## **4. CITY GENERATED FUND PETTY CASH**

If a department opts to maintain a petty cash fund, it must be kept separate from any budget petty cash fund. The maximum petty cash maintained by a department must be limited to \$500. The Finance Director has the authority to override this amount if he/she deems necessary.

All Petty Cash Requests must be substantiated by receipts and have Department Head signature. The person who has presented the request for reimbursement must note the city departmental account number (line item) charged and must sign the request upon receiving monies.



A City Generated Fund petty cash account must be set up as a separate fund line item.

Procedures are as follows:

The departmental petty cash fund must be established using a Check Requisition Form. A City check for the amount of the petty cash fund must be made payable to the person that is Department Head. The check can then be cashed at the City's bank branch by this person. When the check is being posted, the 'memo note' should be: "to establish a petty cash fund".

Petty cash must be paid out only upon the presentation of a valid receipt and a completed Petty Cash Request Form signed by the department head and includes the line item that is to be charged. The maximum amount paid out to any individual is limited to \$50.00. In Emergencies only may the amount exceed \$50.00, however, must have the Finance Directors approval and signature.

On a timely basis (to be determined by the Finance Director), accumulated Petty Cash Request Forms must be posted to the appropriate COEM line items through accounts payable. Receipts effectively represent cash (i.e. if the COEM petty cash fund is established at \$200, the total of both cash and receipts held at any time must total \$200). Receipts must be stored with the petty cash in a secure location (e.g. a locking cash box accessible only by staff designated by Department Heads). This drawer must be reconciled daily with records which verify reconciliations. Department Heads must review these records on a regular basis. If there are any discrepancies, the Department Head must notify the Finance Director.

To replenish the petty cash fund, complete a Check Requisition Form in the amount to be replenished. The check must be made payable to "Petty Cash" and the 'memo note' on the check must be "to replenish the petty cash fund". The Department Head can cash the check at the City's bank branch. File the Check Requisition Form (the Petty Cash Request Forms and the original invoices/receipts that substantiate the amount replenished must be attached).

### 10-3 Disposal of Surplus Property

Any city equipment or other property, other than real property, or any abandoned property in the custody of the city that is no longer useful to the city, and with an expected value of \$5,000 or more, may be declared surplus property after the passage of a resolution by the City Council and later disposed of at a public auction or by sealed bids. Notification, via City's



website, of said auction or bid shall not be less than four (4) days, or more than twenty (20) days prior to such sale. If sealed bids are determined to be the most advantageous route, the City's purchasing policy must be followed. Any surplus or disposal with an expected value under \$5,000 shall be properly documented and funds accounted for in the City's software system.



## Section 11 - Separation

### 11-1 References

The City of East Moline will respond to reference requests with the approval of Human Resources. This is to ensure compliance with any negotiated confidential separation agreements. The City of East Moline will provide general information concerning the employee such as date of hire, date of discharge, and positions held.

Under Illinois law, an employer can give out negative information about a former employee in a job reference (as long as the information that the employer gives is **truthful and related to the employee's job performance**). For example, an Illinois employer may say that an employee was fired by the company because this is a truthful statement and related to the employee's job performance.

Any employee who receives a request to provide reference information on a current or former employee shall contact Human Resources for approval prior to providing the information.

### 11-2 If You Must Leave Us

Should an employee decide to leave the City of East Moline, we ask that he or she provide a Supervisor with at least (2) weeks advance notice of departure. Thoughtfulness will be appreciated. All City of East Moline, property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the City of East Moline's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the City of East Moline (through payroll deduction, if lawful) for any lost or damaged City of East Moline property. As noted previously, all employees are employed at-will and nothing in this manual changes that status.

### 11-3 Exit Interviews

Employees who resign are requested to participate in an exit interview with the Human Resources Representative, if possible.

### 11-4 A Few Closing Words

This manual is intended to give employees a broad summary of things they should know about City of East Moline. The information in this manual is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this manual, City of East



Moline, in its sole discretion, may always amend, add to, delete from or modify the provisions of this manual and/or change its interpretation of any provision set forth in this manual. Employees should not hesitate to speak to management if they have any questions about the City of East Moline or its personnel policies and practices.



## General Manual Acknowledgment

This Employee Manual is an important document intended to help you become acquainted with City of East Moline. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the City of East Moline's operations may change, the contents of this Manual may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee Manual.

**I have received and read a copy of City of East Moline's Employee Manual. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the City of East Moline at any time.**

**I further understand that my employment is terminable at will, either by myself or the City of East Moline, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.**

**I understand that no representative of City of East Moline other than the Head of Human Resources and/or Director of Human Resources may alter "at will" status and any such modification must be in a signed writing.**

**I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the City of East Moline's Employee Manual.**

Employee's Printed Name: \_\_\_\_\_

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

Position: \_\_\_\_\_

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



## Receipt of Non-Harassment Policy

In compliance with the Illinois Human Rights Act (Act) and any other related federal or local law/ordinance, all employees have the right to be free from unlawful discrimination or harassment (including sexual harassment). This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation or any other protected class named in the Act or any other related federal or local law/ordinance. This applies to all employer actions, including hiring, promotion, discipline and discharge.

It is City of East Moline's policy to prohibit intentional and unintentional discrimination or harassment (including sexual harassment) of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). City of East Moline also prohibits retaliation. All such conduct will not be tolerated by City of East Moline.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one engages in discrimination or harassment (including sexual harassment) of another individual in the workplace, including while on City of East Moline premises, while on City of East Moline business (whether or not on City of East Moline premises) or while representing City of East Moline. In addition to being a violation of this policy, discrimination, harassment or retaliation based on any protected characteristic as defined by applicable federal, state or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual reported or filed a complaint of discrimination or harassment (including sexual harassment) or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of discrimination or harassment (including sexual harassment) as defined by applicable federal, state or local laws or helped others exercise their right to complain about discrimination or harassment (including sexual harassment) as defined by applicable federal, state or local laws are unlawful.

### **Reasonable Accommodation**

Employees also have the right to reasonable workplace accommodations based on pregnancy, disability, religious beliefs or any other reason required by applicable federal, state or local



laws. This means employees can ask for reasonable changes to their job if needed because they are pregnant or disabled or because of their religious beliefs or any other reason required by applicable federal, state or local laws.

### **Discrimination Defined**

Discrimination under this policy generally means treating an individual differently or denying or granting a benefit to an individual because of any actual or perceived protected characteristic as defined under federal, state or local law/ordinance.

### **Harassment Defined**

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

### **Sexual Harassment Defined**

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or



- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault or blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

### **City of East Moline Reporting Procedures**

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact City Administrator. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

### **Investigation Procedures**

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. Employees must cooperate with all investigations conducted pursuant to this policy.



## Retaliation Prohibited

In addition, City of East Moline will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

## Additional Reporting Procedures

Aside from the internal complaint process at City of East Moline described above, employees may choose to file a charge/complaint of discrimination or harassment (including sexual harassment) with the Illinois Department of Human Rights (IDHR).

The charge process for violations of the law can be initiated by completing the form at [www.illinois.gov/dhr](http://www.illinois.gov/dhr) or by contacting the IDHR at [IDHR.Intake@illinois.gov](mailto:IDHR.Intake@illinois.gov), or either of these offices:

Chicago Office  
**160 North LaSalle Street, Suite N-1000**  
**Chicago, Illinois 60601**  
Tel: [312-814-6269 and/or tel:3128146269]  
TDD: [866-832-2298 and/or tel:866-832-2298]  
Fax: 312-814-6517

Springfield Office  
**300 West Jefferson Street, Suite 108**  
**Springfield, Illinois 62702**  
Tel: [217-785-4350 and/or tel:2177854350]  
TDD: [866-832-2298 and/or tel:866-832-2298]  
Fax: 217-524-4877

Employees also can contact the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703.

I have read and I understand City of East Moline's Non-Harassment Policy.

Employee's Printed Name: \_\_\_\_\_

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

Position: \_\_\_\_\_ Date: \_\_\_\_\_



## City of East Moline P-Card Agreement

Employee's Printed Name: \_\_\_\_\_

### City of East Moline P-Card Agreement Signature Form

#### CARDHOLDER AGREEMENT

I understand that I am authorized to use the Purchasing Card, to purchase goods and services and the purchase is within the parameters established in the Policies and Procedures.

I agree to purchase goods and services, consistent with the City of East Moline responsibilities, to satisfy legitimate business needs of the City of East Moline. I will not use the Purchase Card for personal use or non-permitted business purposes.

All purchases I make will be in accordance with applicable City of East Moline Purchase Card Policies and Procedures (a copy of which was provided to me).

I understand that my authorization to make such purchases shall automatically cease upon my termination from the City of East Moline employment, or if I should change departments.

I have reviewed and understand the provisions of the attached referenced Policies and Procedures.

I understand that any abuse or incorrect use of the Purchase Card could result in disciplinary action against me up to and including termination of my employment at the City of East Moline, and criminal prosecution.

Signature \_\_\_\_\_

Print Name  
\_\_\_\_\_

PC Card Number (last four digits only) \_\_\_\_\_

Department \_\_\_\_\_ Date \_\_\_\_\_



I have approved the named applicant for a Purchase Card. I agree to review the Monthly Memo Statements for compliance and the established policies and procedures

Department Head Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

