



**CITY OF EAST MOLINE  
EMPLOYEE HANDBOOK  
EXEMPT/NON-UNION HANDBOOK**

Revised  
July 13, 2015



## **Table of Contents**

### **Section 1**

#### **EMPLOYER OBLIGATIONS**

- 1.01 EMPLOYMENT POLICIES ADMINISTRATION
- 1.02 EQUAL EMPLOYMENT OPPORTUNITY
- 1.03 AFFIRMATIVE ACTION
- 1.04 COMPLIANCE
- 1.05 REASONABLE ACCOMMODATIONS
- 1.06 EMPLOYEE HEALTH AND SAFETY
- 1.07 ORIENTATION
- 1.08 UNION ENVIRONMENT
- 1.09 IMMIGRATION REFORM CONTROL ACT

### **Section 2**

#### **PERSONNEL POLICIES**

- 2.01 HIRING AND JOB POSTINGS
- 2.02 CORRECTIVE ACTION PLAN - DISCHARGE AND DISCIPLINE
- 2.03 EMPLOYEE ASSISTANCE PROGRAM
- 2.04 NON-UNION GRIEVANCE PROCEDURE
- 2.05 PERSONNEL RECORDS
- 2.06 NOTICE OF RESIGNATION OR RETIREMENT
- 2.07 LAYOFF
- 2.08 EXIT INTERVIEW
- 2.09 FINAL PAYCHECK
- 2.10 COMPENSATION & PERFORMANCE
- 2.11 CLASSIFICATION OF EMPLOYEES
- 2.12 PAY PERIODS
- 2.13 DIRECT DEPOSIT
- 2.14 ATTENDANCE
- 2.15 HOLIDAYS
- 2.16 UNSCHEDULED CLOSINGS

### **Section 3**

#### **EMPLOYEE LEAVE**

- 3.01 VACATION LEAVE
- 3.02 SICK LEAVE
- 3.03 BEREAVEMENT LEAVE
- 3.04 FAMILY AND MEDICAL LEAVE ACT
- 3.05 REQUESTS FOR LEAVES OF ABSENCE
- 3.06 CATEGORIES OF FMLA LEAVE
- 3.07 CERTIFICATION
- 3.08 INTERMITTENT OR REDUCED SCHEDULE LEAVE
- 3.09 BENEFITS DURING LEAVE
- 3.10 RESTORATION TO POSITION
- 3.11 RETURN TO WORK
- 3.12 FAILURE TO RETURN FROM LEAVE
- 3.13 MISCELLANEOUS
- 3.14 CIVIL LEAVE

- 3.15 MILITARY ACTIVE DUTY LEAVE POLICY
- 3.16 EDUCATIONAL LEAVE
- 3.17 APPROVAL / DENIAL OF LEAVE PROCESS

## **Section 4**

### **EMPLOYEE BEHAVIOR**

- 4.01 DRUG-FREE WORKPLACE
- 4.02 SEXUAL HARASSMENT
- 4.03 POLICY ON OTHER HARASSING BEHAVIORS
- 4.04 SMOKE-FREE WORKPLACE POLICY
- 4.05 CONFLICTS OF INTEREST
- 4.06 USE OF EQUIPMENT
- 4.07 VEHICLE OPERATION
- 4.08 USE OF COMPUTERS, E-Mail, SMART PHONES, AND THE INTERNET
- 4.09 CELL PHONE POLICY
- 4.10 SOCIAL MEDIA POLICY
- 4.11 CONFIDENTIAL INFORMATION
- 4.12 GENERAL CONDUCT

## **Section 5**

### **INSURANCE & RETIREMENT BENEFITS**

- 5.01 WORKER'S COMPENSATION
- 5.02 HEALTH INSURANCE
- 5.03 FLEXIBLE BENEFIT PLAN
- 5.04 DEFERRED COMPENSATION PLAN
- 5.05 RETIREMENT PLAN
- 5.05.5 RETIREMENT BENEFITS FOR EXEMPT EMPLOYEES
- 5.06 CHANGE OF PERSONAL STATUS

## **SEC. 1           EMPLOYER OBLIGATIONS AND SERVICES**

### **1.01   EMPLOYMENT POLICIES ADMINISTRATION**

It is the policy of City of East Moline that this document be used as an outline of the basic personnel policies, practices, and procedures for the organization. This handbook replaces any previously issued policies, written or oral, governing employment. It is not an offer, statement or confirmation of any guaranteed terms or conditions of employment. It is also the policy of City of East Moline that all employees are employed at the will of the City for an indefinite period of time. Accordingly, employees may terminate their employment at any time for any or no reason, just as City of East Moline may do so when it determines that termination is appropriate. These personnel policies are not intended to alter the employment-at-will relationship in any way and should not be interpreted as contractual guarantees. All applicable policies, practices, and procedures contained in this document pertain to volunteers, interns, etc. as well as employees. Any violation of City of East Moline's policies may result in discipline, up to and including termination, regardless of the date of discovery.

The City of East Moline City Council shall employ a professionally qualified City Administrator who will be authorized with the approval of the Council to employ such staff as may be necessary to carry out the business of the City of East Moline.

### **1.02   EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of The City of East Moline that equal employment opportunities be available to all without regard to race, color, gender, national origin, age, disability, ancestry, order of protection status, marital status, physical or mental disability, military status, gender orientation, unfavorable discharge from military service and association with a protected individual or any other basis of discrimination precluded by applicable federal and state statutes except where specific age, gender or physical requirements are a bona fide occupational qualification. This policy applies in all phases of individual's career, beginning with the initial process of recruitment and selection and extending through hiring, placement, transfer, promotions, compensation, leaves of absences, and separation.

### **1.03   AFFIRMATIVE ACTION**

The City continues its efforts and commitment to fully utilize and treat equally minority groups, women, veterans and disabled employees at all levels and in all segments of the workforce through an affirmative action policy and plan. The goals of this affirmative action policy and plan are to eliminate institutional barriers in employment that tend to perpetuate the status quo and to eliminate the effects of any past discrimination. Affirmative Action ensures neutrality in employment, advancement, discipline, and related areas without regard to race, color, gender, national origin, age, disability, ancestry, order of protection status, marital status, physical or mental disability, military status, gender orientation, unfavorable discharge from military service and association with a protected individual or any other basis of discrimination precluded by applicable federal and state statutes except where specific age, gender or physical requirements are a bona fide occupational qualification.

### **1.04   COMPLIANCE**

City of East Moline complies with all Federal Wage and Hour Regulations, the Civil Rights Act of 1964 and all other regulations and rules pertaining to civil rights, the Fair Labor Standards Act, the Age Discrimination in Employment Act, the U.S. Department of Health and Human Services Regulations (45 CFR PART 84), The Rehabilitation Act of 1973 as amended (29 U.S.C. 794), the Americans with Disabilities Act and Nursing Mother in the Workplace Act.

Section 504 of the Rehabilitation Act prohibits discrimination based on disability. Any program participant, participant representative, prospective participant or staff member who has reason to believe that she/he has been mistreated, denied services or discriminated against in any aspect of services or employment because of disability may file a grievance following City of East Moline's Grievance Procedure outlined in the Personnel Policies. Section 504 states, in part that no otherwise qualified disabled individual shall, solely by reason of her/his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The law and regulations may be examined in the office of the Manager of Human Resources, who has been designated to coordinate the efforts of City of East Moline to comply with these regulations.

### **1.05 REASONABLE ACCOMMODATIONS**

In compliance with the Americans with Disabilities Act, and applicable state and local laws prohibiting discrimination in employment against qualified individuals with disabilities, reasonable accommodations in working space, adaptive equipment or other reasonable arrangements will be made in accordance with these laws for employees with disabilities who are otherwise capable of fulfilling the essential requirements of the position.

### **1.06 EMPLOYEE HEALTH AND SAFETY**

The City of East Moline provides a safe and healthful work environment for its employees in accordance with federal, state, and local regulations. Safety is the on- going responsibility of everyone in the workplace therefore; all employees are expected to comply with the regulations including those implemented by the City of East Moline.

Each location will have a Quality Assurance Safety Training Representative (QASTR) to coordinate safety - related activities. The QASTC will be responsible for the implementation of the Health and Safety Manual for the Practice and for the updating of its content to meet changes in federal, state and local regulations. The Safety QASTC will also be responsible for employee orientation and training, and documentation and assisting the Risk Manager in evaluating and maintaining the effectiveness of the overall safety program for the department or location.

Each Location is equipped with a Health & Safety Policy & Procedure Manual that contains an exposure control plan that identifies employees that have occupational exposure to potentially hazardous materials. Those employees must assume that these materials are potentially infectious and practice universal precautions including the use of personal protective equipment (PPE) and hand washing following contact. Use of PPE as prescribed by the exposure control plan is mandatory. Employees who fail to adhere to any company policies and procedures designed to protect those covered under this policy and to comply with federal, state and local regulations are subject to the disciplinary action contained in the City of East Moline Discipline Policy. This policy contains actions designed to correct non-compliant behaviors but may lead to progressive disciplinary action and/or termination.

### **1.07 ORIENTATION**

Each employee will receive an orientation that includes, but is not limited to:

- General overview of the City of East Moline organizational structure and department locations
- Tours of pertinent locations and introductions to key employees
- Information regarding employee benefits
- Information regarding policies and procedures of the City of East Moline
- Discussion of job responsibilities that are specific to the new employee
- Other information as required by the City or any authority having jurisdiction over the City of East Moline

### **1.08 UNION ENVIRONMENT**

- The city of East Moline recognizes three (3) union entities for its employees:
- Local 1234, council 31 of the American Federation of State and County and Municipal Employees

AFL-CIO (AFSCME)

- East Moline F.O.P. No. 96 of the Illinois Fraternal Order of Police Labor Council
- International Association of Fire Fighters, Local 929, AFL-CIO-CLC

### **1.09 IMMIGRATION REFORM CONTROL ACT:**

The Immigration Reform and Control Act of 1986 require the City ensure that employees are authorized for employment in the United States. Therefore, only individuals lawfully authorized for employment in the United States will be employed by the City.

In connection with the Immigration Reform and Control Act of 1986, the City must collect certain information and review certain documentation concerning the employment authorization of individuals hired after November 6, 1986. This information and documentation will be used only for compliance with the Immigration Reform and Control Act of 1986 and not for any unlawful purpose. If your employment authorization changes or terminates after the start date of your employment, please inform the City immediately.

## **Sec. 2 PERSONNEL POLICIES**

### **2.01 HIRING AND JOB POSTINGS**

Job vacancies will be posted for a period of five days at all main facilities. All prospective employees are required to complete an application. Any falsification or misrepresentation of information on the application will result in not hiring.

Even though interview processes may be done in a team-oriented manner, the final decision for hiring is that of the Department Head in coordination with the Manager of Human Resources.

All Department Directors are appointed by the Mayor and subject to approval by the City Council.

All positions at City of East Moline will have an approved written job description that states the responsibilities, essential functions, skills, qualifications and FLSA classification. These job descriptions are reviewed annually and updated appropriately. The qualifications on the job descriptions are listed on the job postings and are used in determining the eligibility of the applicant.

All current qualified staff seeking the vacant position will be given an interview for vacant positions and will go through the same process as other qualified applicants. Any employee interested in a posted position shall submit an application form. Employees who are applying for a different position within the City of East Moline assume the responsibility of notifying their current supervisor about their application for the new position. This is to be done in a reasonable amount of time to provide continuity in programming in case the employee is hired into the position.

After a decision to hire has been made, appropriate City of East Moline Staff will check at least two work-related references of the applicants. If the applicant has not had enough work related references, personal or academic references may be substituted.

Each new employee must complete general Orientation and all appropriate forms completed and drug test results received before the new employee begins work. No employee may be permitted to work unless the I-9 form is completed. All new employees will be required to complete initial departmental training and on-going in-service training related to their position.

## 2.02 CORRECTIVE ACTION PLAN - DISCHARGE AND DISCIPLINE-

**Section I.** 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):

- A. Misrepresentation of time worked
- B. Abandonment of the job (walking off the job or not showing up for work when it leaves citizens unsupervised)
- C. Exploitation of citizens or sexual, physical or verbal abuse of citizens.
- D. Possession of weapons while on duty, unless required for the position.
- E. Possession, consumption or being under the influence of alcohol 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
- F. Illegal misconduct while on duty
- G. Unsafe work conduct endangering self or others, including, but not limited to citizens and co-workers
- H. Falsification of application, records or documentation
- I. Failure to report citizen or co-worker abuse or neglect
- J. Proven act of sexual or other harassing behavior or indecent behavior as outlined in the Sexual Harassment Policy
- K. Unauthorized release of confidential information
- L. Insubordination - defined as refusal or failure to perform any assigned duty
- M. Intentional damage to City of East Moline property
- N. 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:

- A. Violation of health and safety rules and practices
- B. Breach of duty in connection with work reasonably owed an employer; dereliction of duty
- C. Unsatisfactory attendance
- D. Refusal to follow instructions
- E. Inappropriate treatment of citizens
- F. Excessive tardiness
- G. 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.**

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

5. 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.**

1. 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.
2. A Performance Improvement Plan will be initiated outlining the performance expectations that must be achieved.
3. A list of required steps or tasks will be presented to employee to meet for improved performance.
4. The supervisor may determine a sufficient amount of time for employee to demonstrate consistent acceptable performance.
5. 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.
6. 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.
7. 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.**

1. 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.
2. A scheduled date for formal follow-up will be established to review employee's progress and determine if the minimum expectations were met.
3. 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.

**EMPLOYEE LICENSING STATUS**

Employees whose licensing status or eligibility for vehicle insurance coverage changes from those agreed upon as a condition of employment, must immediately notify the Manager of Human Resources. At that time, continued employment will be determined according to the ability of the employee to fulfill related job requirements and responsibilities.

**WORKPLACE VIOLENCE**

City of East Moline maintains a zero tolerance policy toward workplace violence. This includes fighting with, assaulting, threatening or intimidating co-workers, supervisors, citizens or customers. Any such act will result in immediate discharge.

### **2.03 EMPLOYEE ASSISTANCE PROGRAM**

It is the policy of the City of East Moline to provide full-time employees and their families an effective and confidential means to assess, treat and/or refer personal issues through the use of counseling professionals. Employee Assistance Program services will be available for a variety of issues including, but not limited to, alcohol and other substance abuse, family problems, emotional disorders, and financial difficulties. An employee may voluntarily seek assistance or may be referred by a supervisor. Once referred by a supervisor, an employee will be required to attend counseling and refusing to accept assistance may result in disciplinary action. The City of East Moline assures the confidentiality of any EAP counseling.

### **2.04 NON-UNION GRIEVANCE PROCEDURE**

Every employee shall have the right and privilege to present a grievance using the following steps, free from interference, coercion, restraint, discrimination, penalty or reprisal. The following steps are to be used for any cause of dissatisfaction or anything related to employment that is wrong in the employee's opinion.

Employees must present the grievance orally and in writing on a Grievance Form to the immediate supervisor or the Manager of Human Resources within ten working days of the incident. The supervisor or Manager of Human Resources shall carefully review the grievance and schedule a mutually convenient time, generally within five working days to discuss the complaint with the employee. The supervisor or Manager of Human Resources shall write a report of the review findings (which may include a plan of action) and submit it to the City Administrator and to the employee, generally within ten working days.

If the employee is dissatisfied with the review findings, she/he may request in writing that the City Administrator further review the grievance. This request shall be made within ten working days after receipt of the supervisor's written review. The City Administrator shall:

- a. Review prior written material
- b. Schedule a hearing at a mutually convenient time, generally within five working days to discuss the grievance with the employee.
- c. Write a review of his/her findings, generally within ten working days of the hearing. The written findings shall set forth the issue, state the principle and relevant facts brought out at the hearing, state applicable provisions in policy and/or law and state the reasoning that led to the final decision.

If the employee is not satisfied with the City Administrators findings, she/he may petition the Mayor or designated committee thereof for a hearing. This petition shall be made within ten working days of the City Administrator's review. The employee shall be notified when the Mayor schedules her/his grievance for review. This review shall take place generally no later than fifteen working days from the date of the petition. A written report of the review finding (which may include a plan of action) shall be submitted to the employee, generally within ten working days of the hearing.

### **2.05 PERSONNEL RECORDS**

It is our policy to keep your personnel records confidential. Employment information, other than dates of employment and job title, will not be released to anyone without your written permission. Your personnel records will only be available to your supervisor, the Department Head, the Human Resources Manager, and the City Administrator. If you are being considered for a transfer to another department, the pertinent portions of your personnel records will be made available to the manager who has the employment vacancy.

No other companies or businesses will have access to or receive information from your records unless these are required by subpoenas or other legal requests.

Individual personnel records will be kept for each employee. Your personnel records are available to you. You may schedule an appointment with the Human Resources Manager to examine your personnel file. The personnel file is a part of your permanent record and may not be removed from the office of the Human Resources Manager. These files are considered confidential and information is only given to authorized staff at the City of East Moline. These records are Company property but you may request copies of information contained in your record. Only

upon written request by the employee will information other than position and dates of employment be given to outside parties, except when legally mandated.

#### **2.06 NOTICE OF RESIGNATION OR RETIREMENT**

Any employee who resigns or retires shall give a minimum of two (2) weeks notice. Earned Vacation Benefits will not be honored in lieu of a two-week notice. The employee must maintain working hours for the two (2) weeks after notice and earned vacation benefit will be paid on final paycheck.

#### **2.07 LAYOFF**

Employment may be terminated with City Council approval due to a lack of funds causing a reduction in staff or by elimination of the position.

#### **2.08 EXIT INTERVIEW**

Regardless of the separation reason, an employee must schedule an exit interview with the Human Resources Manager. The interview will be conducted to discuss the circumstances regarding separation of employment and continuation of insurance policies (COBRA).

Employees are expected to return all City of East Moline property at the time of the exit interview. The cost of replacing any City of East Moline property in the employee's possession that has been lost or damaged will be deducted from the employee's final paycheck.

#### **2.09 FINAL PAYCHECK**

Final paychecks will be issued on the regular payday of the period in which employment is terminated. Arrangements will be made during the exit interview for mailing of final paychecks.

Payout of accrued vacation time will be issued on the next regularly scheduled payday following termination of employment.

#### **2.10 COMPENSATION & PERFORMANCE**

Wages will be determined when the decision is made to employ and will be based on the current Compensation Plan. Performance appraisals will be completed annually on each employee and shall include a conference between the supervisor and employee. Annual pay increases will be determined based on a plan adopted with the budget each year.

Individual personnel records will be kept for each employee. These files are considered confidential and information is only given to authorized staff at the City of East Moline. Only upon written request by the employee will information other than position and dates of employment be given to outside parties, except when legally mandated.

#### **2.11 CLASSIFICATION OF EMPLOYEES**

All City of East Moline employee positions are classified according to the following categories:

**EXEMPT** - Exempt positions are those that are exempt from overtime as defined under the Fair Labor Standards Act (FLSA). The definitions as outlined in the FLSA are used to determine the classification of exempt and non-exempt positions at City of East Moline. Positions classified as salaried are exempt from being paid overtime. Employees in exempt positions will receive the full amount of their regular pay for any days worked regardless of the number of hours worked in that day. Employees in exempt positions may work flexible schedules as arranged with their supervisors. If a salaried, exempt employee is absent for a full day due to illness, personal business or vacation, she/he must use the appropriate earned benefits to cover her/his absence.

**NON-EXEMPT** - Non-exempt positions are hourly and not exempt from the Walsh-Healey Amendment of the Fair Labor Standards Act. All time worked is paid. Hours worked in excess of forty per week are paid at an overtime rate of 150% of the hourly rate. Overtime hours must be scheduled and approved by the supervisor in advance.

**FULL-TIME** Full-time positions are those positions that meet the requirement of 30+ hours of work per week.

**PART-TIME** Part-time employees work 29 or less scheduled hours per week. These employees are not eligible for vacation, sick, personal, holiday, or bereavement benefits without special permission by the City Council.

## **2.12 PAY PERIODS**

Employees are paid on a bi-weekly basis (twenty-six periods per year). Checks are issued on Friday of a pay week.

All employees paid on an hourly basis are required to document time in and out for their hours worked. All times must be recorded on the appropriate time card. The employee and their supervisor must sign all time cards. Prior permission of the immediate supervisor must be obtained for any change in schedule or overtime hours. Employees are required to check out when not on duty. The supervisor must authorize make up time.

## **2.13 DIRECT DEPOSIT**

Direct deposit of the employee's paycheck to the bank of her/his choice is mandatory. Arrangements for direct deposit can be made with the Payroll Coordinator.

## **2.14 ATTENDANCE**

Punctuality is required of all personnel. Absences must be reported to an immediate supervisor one-half-hour before their designated start time or as early as possible in case of absence or lateness. Poor attendance and excessive tardiness are disruptive and may lead to disciplinary action, including termination of employment.

## **2.15 HOLIDAYS**

Exempt employees are granted 10 paid holidays per year. Holidays are: New Year's Eve, New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, The Friday Following Thanksgiving, Christmas Eve, Christmas Day and the Employee Birthday Holiday (to be taken two weeks before or two weeks after the employee's birthday).

## **2.16 UNSCHEDULED CLOSINGS**

City of East Moline operations continue even when a facility is closed for citizens. On days when a facility is closed for citizens due to inclement weather or for another unscheduled reason, all employees may be expected to work, either in their own job or in another capacity. Eligible full-time staff may use Vacation benefits. Part-time employees may reschedule those hours if agreed to by their supervisor. In bad weather when a facility is open for citizens, eligible employees may choose to use Vacation if it is too hazardous to drive to work. All full-time and part-time employees must obtain permission from their immediate supervisor for any changes in their schedule. Part-time professional staff who miss scheduled sessions because of unscheduled closings may re-schedule those hours by mutual agreement with the supervisor.

## SEC. 3 EMPLOYEE LEAVE

### 3.01 VACATION LEAVE

It is the philosophy of City of East Moline that employees have time away from work for their own health and the health of the City Administration. Employees are eligible for vacation benefits after one year of employment. Eligible employees must submit a written request for vacation time to their Supervisor. Vacation time is granted based on the needs of the department to which the employee is assigned. In that regard, all full-time employees with at least one year of service shall receive paid Vacation Leave according to the, following schedule:

#### YEARS OF SERVICE

Employee Class	1- 6 Years	7-12 Years	13-17 Years	18 Years or More
Full Time (40 hrs)	80 hrs	120 hrs	160 hrs	200 hrs
Hourly:	80 hrs	120 hrs	160 hrs	200 hrs
Salaried:				

Vacation may not be carried over without special permission. Special permission is only granted in extraordinary circumstances.

Qualified terminating employees shall receive payment for all earned and unused vacation pay.

There will be no advancement of vacation hours.

Any employee changing from full-time to part-time status will be paid for all earned vacation pay. The unused, earned vacation benefits may not be carried past her/his full-time employment. Substitute, temporary and part-time employees do not earn vacation benefits.

The Supervisor must approve all Vacation Leave. It is the responsibility of the Supervisor to assure that vacation schedules do not leave any department unable to meet their regular obligations. In the case that vacation is unable to be given Supervisors will work with employees to help find alternative dates.

In order for the employee to have ample time to make her/his vacation plans all requests will be processed by a Supervisor, as soon as possible.

Changes in an approved vacation require that a written request be submitted to the Supervisor. It will be processed as a new request.

When all leave benefits have been exhausted or employees are ineligible for benefits, time off without pay for short periods such as vacation or personal business must be requested on the Benefit Leave Request Form and be granted only when all paid Vacation benefits have been exhausted.

### 3.02 SICK LEAVE

Employees are eligible for fifty-two weeks of sick leave in a one-year period. However excessive or undocumented use of sick leave may result in disciplinary action due to poor job performance.

### 3.03 BEREAVEMENT LEAVE

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

### **3.04 FAMILY AND MEDICAL LEAVE ACT**

#### ***Purpose***

This Policy complies with the Family and Medical Leave Act of 1993 ("FMLA").

#### ***Scope***

Pursuant to the terms of this Policy, eligible employees are entitled to take up to 12 weeks of unpaid, job-protected leave per rolling 12-month period for certain family and medical reasons.

***Eligibility*** Employees who have been employed by the City of East Moline for at least one year and who have worked at least 1,250 hours, excluding vacations, during the previous 12 months are eligible for FMLA leave. Eligibility will be determined as of the date the leave commences. The total amount of FMLA leave an eligible employee is entitled to take for any of the purposes set forth in this Policy, or any combination of purposes, is 12 weeks during any rolling 12 month period, measured backward from the date the employee uses FMLA leave. Employees who are granted a leave under this Policy are not permitted to engage in outside employment during their normal working hours. Failure to comply with this requirement may result in termination of employment with the City of East Moline.

### **3.05 REQUESTS FOR LEAVES OF ABSENCE**

An employee desiring a FMLA leave shall make written application to the Human Resource Manager on the prescribed form available from the latter's office, unless this is impossible due to an emergency. Employees generally are expected to give at least 30 days advance notice of intent to take a foreseeable FMLA leave, such as in the case of a planned medical treatment. Where 30 days advance notice is not possible, the employee must give as much notice as is practical. If the need for a leave is not foreseeable, the employee generally is expected to give notice to City of East Moline within 1 or 2 days of learning of the need. An employee who fails to give 30 days advance notice of foreseeable FMLA leave may be denied leave until 30 days after the date the employee provides the required notice. Subject to the health care provider's approval, employees who request leave for planned medical treatments must make a reasonable effort to schedule treatment so as not to disrupt City of East Moline's operations. All notices must be provided to the Human Resource Manager.

### **3.06 CATEGORIES OF FMLA LEAVE**

#### **A. Family Leave: Birth of Child/Adoption/Foster Care**

An eligible employee will be granted unpaid FMLA leave for the birth of a child of the employee or the placement of a child with the employee for adoption or foster care and then to care for the child. Employees must substitute accrued paid vacation and accrued benefits for any otherwise unpaid FMLA leave. All substituted leave will be counted against an eligible employee's FMLA entitlement. Family leave must be concluded no later than 12 months after the birth or placement of the child with the employee.

#### **B. Medical Leave: Serious Health Condition of An Employee or Family Member**

An eligible employee will be granted unpaid FMLA leave for: (1) the employee's own serious health condition that makes the employee unable to perform the functions of his or her job, or (2) the serious health condition of the employee's spouse, civil union partner as defined in the Illinois Religious Freedom and Civil Union Act, child, or parent (this does not include parents-in-law). The term "spouse" means a husband or wife and does not include unmarried domestic partners.

Employees must substitute any accrued paid vacation and accrued benefits for all or any part of an otherwise unpaid FMLA medical leave for the employee's own serious health condition. In the case of a leave that is taken due to the serious health condition of a family member, the employee must substitute any accrued vacation leave for all or any part of an otherwise unpaid leave. If the employee has accrued Vacation benefits, he/she may, at his/her option, also use such accrued benefits and substitute them for all or any part of an

otherwise unpaid portion of such a leave. All substituted vacation benefits will be counted against an eligible employee's FMLA entitlement. Furthermore, if the FMLA leave is being taken for the employee's own serious health condition and that serious health condition also entitles the employee to leave under sick leave benefit, these leaves will run concurrently for purposes of both the leave benefit and the FMLA leave entitlement.

The phrase "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- (a) any in-patient care (i.e., an overnight stay) in a hospital, hospice, or other residential medical care facility (including any period of incapacity or any subsequent treatment in connection with the in-patient care); consecutive days, and any subsequent treatment
- (b) any period of incapacity of more than 3 consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves: (1) treatment 2 or more times by a health care provider, by a nurse or physician's assistant under the direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider, or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
- (c) any period of incapacity due to pregnancy or for prenatal care;
- (d) any period of incapacity due to a chronic serious health condition;
- (e) any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, if the employee (or family member) is under the continuing supervision of (but not necessarily receiving active treatment by) a health care provider; or
- (f) any period of absence to receive multiple treatments by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that likely will result in a period of incapacity of more than 3 consecutive calendar days in the absence of medical intervention or treatment.

For purposes of this Policy, "incapacity" means the inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery from.

"Serious health condition" includes any condition which gives rise to an absence from work that is covered by a City of East Moline provided disability program (for either occupational or non-occupational disabilities or diseases), provided such absence also satisfies (a), (b), (c), (d), (e), or (f) above.

### **3.07 CERTIFICATION**

An employee's request for leave due to a serious health condition (either the employee's own or that of a family member) must be supported by a timely certification issued by a health care provider. Also, in general, a re-certification may be required every 30-calendar days. When the leave is foreseeable and at least 30 days notice has been provided, the employee must provide the original certification (a form for which can be obtained from the Human Resource Manager) to the Human Resource Manager before the leave begins. In other situations, the original certification must be provided to the Human Resource Manager within 15 days following the employer's request for the certification. If the certification or re-certification is not provided as set forth above, leave may be denied or discontinued until it is provided. City of East Moline may elect to obtain a second, and in some circumstances, a third, opinion of the existence of a serious health condition.

In the event of a serious health condition of the employee that is covered under any City of East Moline provided disability programs (for either occupational or no occupational disabilities or diseases), the certification requirement will be considered satisfied if the employee complies with the procedures for coverage under such programs.

### **3.08 INTERMITTENT OR REDUCED SCHEDULE LEAVE**

As part of an eligible employee's leave for a serious health condition (either the employee's own or that of a

family member), intermittent or reduced schedule leave may be taken, if a treating health care provider certifies this as medically necessary. Leave taken following the birth or placement of a child or for the care of a child following birth or placement and not for a serious health condition cannot be taken intermittently or on a reduced leave schedule. However, intermittent or reduced schedule leave may be taken if certified as medically necessary if the mother has a serious health condition in connection with the birth of her child or if the child has a serious health condition. Employees seeking intermittent or reduced schedule leave for a serious health condition must produce medical certification issued by a health care provider. City of East Moline may elect to obtain a second, and in some circumstances, a third, opinion of the medical necessity for this type of leave. An employee requesting an intermittent or reduced schedule leave must attempt to schedule the leave so as not to disrupt City of East Moline's operations, and City of East Moline may require the employee to transfer temporarily to an available alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates the employee's leave. This could be at another location if necessary.

### **3.09 BENEFITS DURING LEAVE**

Existing medical and other coverage offered by City of East Moline ("Health Benefits"), will remain in force during the employee's FMLA leave period as long as required contributions, if applicable, are made by the employee during this period according to the procedure set forth below.

Employees on an unpaid FMLA leave (for which no vacation benefits is substituted or after all vacation or benefits has been exhausted) will maintain the benefits they accrued prior to commencement of the leave. While on an unpaid FMLA leave, an employee's required contribution for Health Benefits coverage must be submitted by the first of each month or as otherwise agreed to in writing between City of East Moline and the employee. During any paid portion of a FMLA leave, an employee's contribution for Health Benefits coverage will continue to be made by payroll deduction or by whatever alternative method is normally utilized for making such contributions when the employee is on paid leave.

The employee's contribution must be paid to the City of East Moline and a check must be delivered to the Human Resource Manager's office no later than the 5th of the month. If an employee's contribution is not made within thirty (30) days of the due date, all Health Benefits coverage for which the employee is required to contribute can be terminated, provided that City of East Moline has given the employee fifteen (15) days advance written notice of the termination of coverage. Upon return from the FMLA leave, even if Health Benefits coverage has lapsed, an employee will be reinstated to benefit coverage on the same terms as prior to taking the leave, without any qualifying period, physical examination, or pre-existing condition limitation. Any changes made by City of East Moline to employee contributions for Health Benefits coverage will apply to employees on FMLA leave.

If an employee fails to return to work after FMLA leave has been exhausted, City of East Moline also may recover its share of the contribution paid by it for maintaining the employee's Health Benefits coverage during any period of unpaid FMLA leave, provided the employee fails to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member, or other circumstances beyond the employee's control. [Note that in the event of a serious health condition, City of East Moline may require medical certification of such condition, which must be provided by the employee within thirty (30) days of the request]. City of East Moline may not recover its share of the contribution paid by it to maintain benefit coverage during any part of a FMLA leave for which vacation or accrued benefits have been substituted. An employee will not be considered to have returned to work unless the employee works for at least 30 calendar days. After twelve (12) weeks of medical leave, an employee may be eligible for continuation of health coverage at the employee's own expense under the federal law known as COBRA. An employee will not receive pay for any holidays that occur during any portion of FMLA leave which is unpaid (either because no-vacation benefits is substituted for the unpaid leave or because all vacation benefits has been exhausted).

During any period of FMLA leave, employees will continue to be covered under any life insurance programs of City of East Moline at the same level and under the same conditions for which coverage would have been provided if they had continued in employment continuously for the duration of such leave.

### **3.10 RESTORATION TO POSITION**

Generally, eligible employees returning from FMLA leave within 12 weeks will be returned to the job position that they held when they went on leave, or they may be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Employees returning from unpaid FMLA leave will retain and accumulate seniority as though employed by the City during authorized leaves of absence. Exceptions to such restoration will include, but not be limited to, changes in the work force such as reductions-in-force or elimination of positions/departments such that there is no position to which the employee would be entitled if the employee had not taken the leave.

### **3.11 RETURN TO WORK**

Employees on FMLA leave must inform the Human Resources Manager periodically of their status and intent to return to work following the expiration of their approved FMLA leave. Employees returning from FMLA leave must be able to assume all of the essential functions of their jobs upon return, subject to compliance with all state and federal laws. As a condition to restoring an employee whose leave was based on the employee's own serious health condition, the employee must provide, at the employee's cost, a fitness-for-duty certification from the employee's health care provider stating that the employee is able to resume work. A fitness-for-duty certification will not be required from employees returning from intermittent leave.

### **3.12 FAILURE TO RETURN FROM LEAVE**

Unless required otherwise by law, an employee granted a leave of absence under these provisions who fails to return to work upon expiration of the leave granted shall be classified as "voluntarily terminated", if an employee is unable to return to work following his or her FMLA leave because of the continuation, recurrence, or onset of the employee's or family member's serious health condition, City benefits will be terminated.

### **3.13 MISCELLANEOUS**

In situations where both a husband and wife are employed by City of East Moline, City of East Moline has the right to limit their total amount of leave to twelve (12) weeks when the leave is due to the birth or adoption of a child or care of a child after birth or adoption or to care for a parent who has a serious health condition.

### **3.14 CIVIL LEAVE**

Civil Leave requests are to be made using the Extended Leave Request Form. Civil Leave for jury duty, Armed Forces Reserves, etc., is available to all employees. When City of East Moline pays an employee for Civil Leave, the combined compensation made to the employee shall not exceed two weeks of the employee's base salary. This means City of East Moline will pay the normal wage to the employee for up to two weeks. The employee will in turn reimburse City of East Moline any other compensation received, up to and including the amount of regular pay received from the military or jury duty pay from the court. There is a continuation of benefits during approved Civil Leave.

### **3.15 MILITARY ACTIVE DUTY LEAVE POLICY**

The city shall abide by all applicable State (5\_ILCS\_325 and 50\_ILCS\_140) and Federal Laws regarding any full-time employee who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia. Any such full time employee shall be granted leave from his or her public employment for any period actively spent in military service, including: 1) basic training; 2) special or advanced training, whether or not within the State, and whether or not voluntary; 3) annual training; and 4) any other training or duty required by the United States Armed Forces.

When any employee is ordered to serve a period on active duty in the Armed Forces, Reserve or National Guard a statement of Military orders shall be submitted by the employee to the employee's Department Head, to qualify for such leave.

This document is to outline an understanding of the continuation of the employee benefits during active military duty.

**Payroll and Benefits:**

1. Employee called to active duty by Presidential order shall be paid the difference between his/her regular pay and his/her military pay.
2. Employee in Reserve or National Guard will be paid their full salary during Annual Training (AT) events up to 60 days.
3. Employee will continue to accrue vacation, seniority and personal days
4. Employee will receive copies of all pertinent memos and departmental documentation at a mailing address specified by the employee prior to his/her departure.
5. Employee will communicate to the Payroll Department which payroll benefits they choose to continue or suspend prior to their departure - including but not limited to:
  - a). Health Insurance/Vision/Dental – If on active leave 31 days or more the employee has the right (but is not required) to elect to continuation of these benefits at the COBRA rate for up to 18 months. Upon discharge of Military Service the employee can re-enroll if they elected to not continue coverage;
  - b). Pension Contributions – the employee can elect to suspend or continue with their bi-weekly pension fund contributions;
  - c). 457 Plan – the employee can elect to suspend or continue their contribution to the voluntary 457 deferred plan;
  - d). AFLAC - the employee can elect to suspend or continue their contribution to their AFLAC coverage.
8. The City shall provide up to 30 days of unpaid family military leave to any employee who is the spouse, civil union partner as defined in the Illinois Religious Freedom and Civil Union Act, child, parent or grandparent of a person called to military service during the time of federal or State deployment orders are in effect, subject to the conditions as set forth in the Family Military Leave Act, 820 ILCS 151 /1 -99.

**Employee Responsibilities:**

1. Employee will forward a copy of leave and earnings statement (LES) to the payroll department on a monthly basis. If this is not possible because of assignment and location then the employee shall submit copies of monthly LES's for each month he or she was away on active duty, within 30 days of discharge of active duty.
2. Employee may choose to designate a family member or friend as a contact in their absence. If the employee is not available this person would be contacted with work-related information. This information should be given to the employee's Department Head prior to leave.
3. Employee will verify with their Department Head what, if any, departmental equipment needs to be turned in and if any personal items need to be removed from City property for the duration of their active duty.

4. After release from active duty the employee must give timely notice to their Department Head about when they will return to work. For active duty less than 31 days – return to work on the first workday upon release. For active duty 31 – 180 days – return to work within 14 days upon release. For active duty 180 + days – return to work within 90 days of release from duty.

This document is to outline an understanding of the continuation of the employee benefits during active military duty. The City will abide by all applicable State and Federal guidelines for Military Leave.

### **3.16 EDUCATIONAL LEAVE**

Requests for Educational Leave must be made to a supervisor. The Supervisors' decision will be based on departmental needs and availability of replacements.

Educational Leave may be granted so that employees may continue their professional development and improve their job related skills. Employees DO NOT earn benefits during extended Educational Leave unless they are being paid by earned Vacation benefits. During the time she/he is being paid those benefits, she/he is responsible for maintaining her/his portion of the health insurance premium or any dependent premium. The employee is responsible for making arrangements for payment of these premiums with the Payroll Manager in advance of her/his leave. At the time Vacation benefits run out, the employee no longer earns benefits and is responsible for payment of the entire cost of the health insurance premium.

### **3.17 APPROVAL / DENIAL OF LEAVE PROCESS**

An approval process is required for all requests for leaves. The following is a list of possible reasons for denial:

- \* Employee's ineligibility for type of leave requested;
- \* Insufficient/untimely certification or documentation of the need for a leave, (excluding emergency and military situations);
- \* Inadequate length of notice given for the leave; and
- \* Critically interferes with Department operations (Personal leaves only).

An employee should notify their Supervisor and Human Resources Manager immediately for forms and approval when a leave is needed.

## **SEC. 4 EMPLOYEE BEHAVIOR**

### **4.01 DRUG-FREE WORKPLACE**

City of East Moline is committed to providing and maintaining a drug free workplace. Millions of Americans are either addicted to drugs or have serious problems directly related to drug abuse. Over 450,000 citizens have sought drug treatment nationwide. Historical data indicates that this represent only 10% to 15% of those who actually need treatment for drug or alcohol abuse. In Indiana, there have been over 70,000 admissions to drug and alcohol abuse leading to significant medical, economic, social, psychological and legal problems. It is associated with self-destructive behavior, physical illness, lowered life expectancy, high rates of unemployment and criminality.

The unlawful manufacture, distribution, dispensing, possession, use or being under the influence of a controlled substance or alcohol by City of East Moline employees while on duty, acting as a City of East Moline representative, or on City of East Moline facility premises is prohibited, as is the possession of drug paraphernalia. Prohibited drugs are defined as illegal substances, including the controlled substances marijuana, cocaine, heroin, amphetamines and depressants (21 U.S.C. 812, 21CFRI308.11-1308.15). It also

includes prescription controlled substances which have not been prescribed by a licensed physician or dentist for specific treatment purposes for the employee. Abuse of prescription or over-the-counter drugs will be treated as a substance abuse problem under this policy. In addition, any employee arrested for or convicted of violating such a criminal drug statute including pleas of guilty and nolo contendere must notify Human Resources within five days of such conviction. If participation in such a program is required of an employee, then the employee must satisfactorily participate in the program as a condition of continued employment.”

Adherence to this policy is a condition of employment. Violations will result in disciplinary action up to and including dismissal. Employees may also be required to participate in an approved drug abuse or rehabilitation program. Employees also may be required to undergo testing for alcohol or controlled substances if she/he is involved in a situation which endangers citizens or other employees and is suspected of being under the influence of a controlled substance or alcohol at the time of the incident.

An employee may be ordered to submit to testing based on the Following Reasonable Suspicion standard:

1. Observable phenomena, such as direct observation of use and/or the physical symptoms of impairment by alcohol or a controlled substance or substances;
2. Information provided by an identifiable third-party that is independently corroborated.

At the time an employee is ordered to submit to testing, the City shall provide the employee with the reasons for the order. The employee shall be permitted to consult with an attorney. However, no test shall be delayed for more than one hour while waiting for or discussing the issue with said attorney. A refusal to submit to such testing may subject the employee to discipline, but the employee’s taking of the test may not be construed as a waiver of any objection or rights that he/she may have. When testing is ordered, the employee will be removed from duty and placed on paid leave pending the results of the test.

#### **4.02 SEXUAL HARASSMENT**

The City of East Moline intends to maintain a workplace free of sexual harassment and intimidation. All employees are responsible for ensuring that the workplace is free from any forms of harassment and discrimination, including but not limited to sexual harassment. Sexual harassment and harassment or discrimination on the basis of race, religion, color, gender (including pregnancy status), age, national origin, disability, or as otherwise provided under federal, state, or local law, will not be tolerated and is strictly prohibited.

It is the intent of this policy to affirmatively raise the subject of sexual harassment, to express strong disapproval against such actions, to identify a disclosure system whereby employees have the right to raise sexual harassment issues, to establish an investigative procedure for such alleged misconduct, and to provide for an effective and appropriate response to this type of conduct, including sanctions against anyone violating the Policy. This Policy applies to all employees, citizens, family members of citizens, vendors, private contractors, and other customers.

Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtones. Sexual harassment for purposes of this policy is defined as unwelcome sexual advances, requests for general favors, and other verbal or physical conduct of a sexual nature when: (1) submission of such conduct is made either explicitly or implicitly a term or condition of the individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. The City of East Moline is also committed

to ensuring that its employees are not subjected to harassment by non-employees (including, but not limited to, citizens, family members of citizens, vendors, private contractors, and other customers). It is not the purpose of this Policy to intrude upon the personal lives of our employees or to interfere with social relationships. However, sexual harassment has no place at the City of East Moline and will not be tolerated.

Sexual harassment would include, but not be limited to, actions such as: (1) gender oriented verbal "kidding" or abuse, (2) verbal harassment, such as sexual innuendoes, suggestive comments, jokes, stories, or gestures of a sexual nature; jokes, stories, or gestures that malign either gender; sexual propositions; and threats; (3) subtle pressure for sexual activity, (4) physical conduct such as patting, pinching, or constant brushing against another's body, and (5) explicit demands for sexual favors, whether or not accompanied by implied or overt promises of preferential treatment or threats concerning an individual's employment status.

Any person employed by City of East Moline who believes that he or she has been a victim of some form of sexual harassment is encouraged to file a complaint with the supervisor or the next supervisor in the chain of command and the Director of Human Resources. Direct communication with the person who is responsible for the objectionable conduct can be the beginning to resolve an issue. Often, issues of harassment are caused by lack of communication and insensitivity. Therefore, a direct approach often resolves the matter and is an educational opportunity for all concerned.

We recognize that there may be cases in which the employee is concerned about using a direct approach with the person who engaged in inappropriate behavior (i.e. general discomfort with confrontation; where such an approach has not worked in the past; or for other legitimate reasons). In such cases, the conduct should be reported immediately to the Manager of Human Resources so that he/she can investigate the matter and resolve it as soon as possible.

All supervisors and other members of management are held accountable for the effective administration of this Policy. Complaints should be filed with the supervisor or the next supervisor in the chain of command. A supervisor or manager who receives a complaint or becomes aware of harassment should coordinate with the human resources coordinator or city manager so that an investigation may be initiated. Should a supervisor or manager be advised of any alleged violation of this Policy, he or she must immediately report the matter to the Manager of Human Resources so that an appropriate inquiry can be initiated. If the Manager of Human Resources is implicated, the report should be made to the City Administrator. In the event that the City Administrator is implicated, the report should be made to the Mayor and to the manager of Human Resources. In the latter event, mayor will investigate the matter and proceed as required by this Policy

Harassment allegations will be investigated, and the investigatory process may vary from case to case. The investigation is conducted as confidentially as possible consistent with the effective handling of the complaint and the goals of this policy. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining one or merely a potential witness. Persons who are interviewed should not discuss the matter with co-workers, friends or management. This does not mean, however, that employees may not complain to civil rights agencies. No adverse action will be taken against any employee because he or she reports an incident of harassment. No adverse action will be taken against any employee because he or she reports an incident of sexual harassment.

If, following a complaint of sexual harassment, an investigation reveals that some act of sexual harassment has occurred, the person who has violated the above described prohibition of sexual harassment will be subject to sanctions or penalties. The sanction or penalty administered under this policy will depend on all circumstances, including the offending employee's prior work record and the specifics regarding the nature of the violation. It

should be understood that suspension and/or termination of employment may very well be the penalty administered to persons who violate this policy. If the offender is not a City of East Moline employee, the city will take reasonable measures to the extent we can to exercise any control over the problem.

Please keep in mind that our goal is to maintain a pleasant work atmosphere by ensuring that all employees are treated with mutual consideration and respect.

#### **4.03 POLICY ON OTHER HARASSING BEHAVIORS**

The above-mentioned guidelines are meant to address sexual harassment in particular. The City of East Moline recognizes that other harassment can focus around issues of lifestyle, sexual orientation, age, gender (not failing within the definition of sexual harassment), national origin and ethnic background, race, religion, ability and job security.

Harassing behaviors and language that unreasonably interfere with an individual's work or create an intimidating, hostile or offensive working environment will be investigated using the same procedure as that outlined in the section entitled Sexual Harassment Policy. This list is not exhaustive and can also include abuses of power such as on-going job related criticisms that carry no positive directive (i.e. complaining about an individual for personal reasons which do not directly involve that person's work performance).

The City also prohibits retaliation against employees who have reported discrimination. Any employee who believes that he or she has been discriminated against in violation of this policy should report the matter to Human Resources.

#### **4.04 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.

#### **4.05 CONFLICTS OF INTEREST**

No employee of the City of East Moline shall be a member of the City Council.

An individual who has a financial or other relationship with the City of East Moline, may not serve on the City Council or be an employee unless under the following circumstances: a. The City Council must have prior knowledge of such a relationship before it takes place. b. The City Council, in a regular meeting, must decide that such a relationship is in the best interest of the organization and approve it. c. The individual member shall abstain from all votes pertaining to said relationship.

City of East Moline does not permit a working arrangement in which a supervisor/subordinate or co-workers with the same supervisor are in a relationship. Employees who marry or become members of the same household may continue employment as long as there is not: a direct or in-direct supervisor/subordinate relationship between the employees, or an actual conflict of interest. Should one of the above situations occur, City of East Moline would attempt to find a suitable position within the organization to which one of the effected employees may transfer. If accommodations of this nature are not feasible the employees will be permitted to determine which of them will resign.

No employee may accept gifts in excess of thirty-five (35) dollars in value from any individual or corporation who is a citizen or vendor of the organization.

#### **4.06 USE OF EQUIPMENT**

When using equipment or property of the City, employees are expected to exercise care, perform required maintenance or notify his or her supervisor of equipment or property that requires maintenance, and follow all operating instructions, safety standards, and guidelines. The improper, careless, negligent, destructive, or unsafe use or operation of property or equipment can result in disciplinary action, up to and including discharge. Unauthorized personal use of City of East Moline property is considered a violation of these policies.

Employees who do not meet the eligibility requirements of City of East Moline's Vehicle Operation Policy are not permitted to drive a City of East Moline vehicle.

City of East Moline business use is required of all drivers and passengers of City of East Moline vehicles.

#### **4.07 VEHICLE OPERATION**

Employees who are required to drive a City of East Moline vehicle as a regular part of their job, must meet the eligibility requirements of the City of East Moline vehicle insurance carrier. These include, but are not limited to, any of the following unacceptable violations within a five-year period:

- DWI/DUI conviction
- Reckless driving
- A suspended or revoked license
- A conviction for leaving the scene of an accident

Employees are required to provide proof of vehicle insurance on the automobile used for work and are responsible for notifying their insurance agency of the business use of their vehicle. In the case of an accident in an employee's vehicle, the employee's insurance policy is first responsible. City of East Moline's business policy coverage will take effect after all resources from the employee's personal vehicle insurance are exhausted. In order to transport citizens in their personal vehicle, they must also meet the above-named eligibility requirements.

All violations of traffic laws and fines levied as a result are the exclusive responsibility of the employee. Vehicles shall not be available for personal use, unless authorized by an employee's supervisor or required for emergency purposes. When using vehicles of the City, employees are expected to exercise care, notify his or her supervisor of vehicles that require maintenance, and follow all operating instructions, safety standards, and guidelines. The improper, careless, negligent, destructive, or unsafe use or operation of City vehicles can result in disciplinary action, up to and including discharge.”

When traveling on behalf of City of East Moline in their own vehicle, staff will be reimbursed at the current rate per mile for any miles traveled to and from her/his primary work site. The primary work site is that site where you are assigned to work. This does not include miles from home to work. Supervisors will inform employees of the current reimbursement rate. In order to use a personal vehicle for City business an employee must be granted permission by a supervisor.

#### **4.08 USE OF COMPUTERS, E-MAIL SYSTEM, SMART PHONES AND THE INTERNET**

As computer and communications technological advances are made, City of East Moline and its employees will have to remain vigilant regarding the integrity and proper use of those systems. Electronic mail, or E-mail and text messages using City-owned smart phones or other City-owned electronic devices, can greatly enhance the quality and efficiency of communication among employees, those we serve, including customers and others involved in our business. However, E-mail and texting can also be misused, with potentially serious consequences for both City of East Moline and the E-mail user and/or the person sending a text through a City owned electronic device.

As more and more of our employees are using computers, tablets and laptops and have access to the Internet it is extremely important that the City of East Moline remain vigilant regarding the proper use of these technologies. Equipment must be used for business related purposes only. Misuse of these technologies can result in serious consequences for the City ranging from lack of productivity to civil liability. Therefore, the City of East Moline insists employees adhere to the following policies regarding use of Computers, E-mail, Texting, Smart phones, and the Internet:

##### **Computers**

The City's computer system is to be used for business-related reasons. In light of this policy, playing games on the computer during business hours is not authorized. Using company computers for personal business is also prohibited. If

there are any questions whether an intended use of the computer is appropriate, you should direct those questions to your supervisor.

The City of East Moline reserves all rights to any material stored on City computers.

### **Internet**

Access to the Internet is a privilege that may be revoked at any time for any reason. All employees must observe the following in accessing the Internet:

The Internet may be used for City of East Moline business only. Examples of inappropriate Internet uses include, but are not limited to:

On-line gambling, playing recreational games, music, sports, personal shopping, viewing pornographic material, unlawful entry to another network node, any traffic that violates state and/or federal laws, any traffic that violates intellectual property rights, or any traffic that is unethical in nature. Employees may not use City resources to obtain, distribute, view, download, or otherwise gain access to, or transmit such materials.

The City of East Moline prohibits downloading software or opening email messages from the Internet that could bring viruses into the City network.

### **E-mail Accounts and Texts (Internet and Intranet)**

Employees should respect the rights and sensitivities of recipients and potential recipients or viewers, and should ensure that all E-mail and text messages reflect the professional image that the City of East Moline wishes to portray. It is expected that staff will use common sense and good judgment when using the Email system or sending text messages using a City-owned Smart Phone or other City-owned telecommunication device. The same professional judgment should be used when sending text messages and email on personal phones with city email accounts. Data, information, messages, or communications that are transmitted or stored on the City of East Moline computer system, including E-mail, or text messages using a City-owned Smart Phone, personal phones or other City-owned telecommunication device are City record and property. The City's E-mail system, City-owned smart phone, or City-owned telecommunication device are to be used for business purposes only. Any E-mail messages or text messages using a City-owned smart phone or City-owned telecommunication device sent by city employees are subject to review by authorized agents of the City at anytime, without notice. Employees are expressly prohibited from sending any messages, text or materials containing obscene, profane, lewd, derogatory, or otherwise potentially offensive language or images. The passing along, printing or storage of material containing racial, sexual, or similar comments or jokes is strictly forbidden.

## **4.08.5 CELL PHONE USAGE POLICY**

### **Illinois State Law**

As of January 1, 2014, a new law in Illinois bans the use of all hand-held devices while driving in Illinois. Only hands-free technology such as speakerphones, bluetooth, and headsets are permitted. In addition: (1) all cell phone use is prohibited while driving in a school zone; (2) all cell phone use is prohibited while driving in a highway construction zone, and (3) all cell phone use is prohibited if you are a novice driver. All Illinois drivers are prohibited from texting.

### **Illinois State Texting Laws**

In addition to the ban on hand held devices, Illinois prohibits texting while driving. Illinois' anti-texting law (625 ILCS 5/12-610.2) states that "A person may not operate a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message." An electronic communication device" refers to a wireless telephone, personal digital assistant, or a portable or mobile computer that's used for the purpose of composing, reading, or sending an electronic message. It doesn't include a GPS or navigation system or a device that is physically or electronically integrated into the motor vehicle. An electronic message refers to electronic mail, a text message, an instant message, or a command or

request to access an Internet site.

There are exceptions for drivers texting (1) for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation; (2) using a device in hands-free or voice-activated mode; (3) if the driver is parked on the shoulder of a roadway; or (4) when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park.

### **City Cell Phone Use Policy**

An employee who uses a personal or city supplied cell phone or device and operates a city vehicle is prohibited from using a cell phone unless a hands off, or similar device is used while driving, whether the business conducted is personal or city-related.

This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment; our citizens; vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the city of East Moline; or any other city or personally related activities not named here while driving. The employee is allowed to answer a personal/city cell phone call if the employee/driver is parked on the shoulder of a roadway; or when the driver has the motor vehicle transmission in neutral or park

Use of city owned devices for personal business is discouraged.

### **Cell Phones in the Workplace**

While at work, employees are expected to exercise the same discretion in using personal cell phones as they use with city phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees should restrict personal calls during work time, and should use personal cell phones only during scheduled breaks or lunch periods in non-working areas. Other personal calls should be made during non-work time whenever possible.

This cellular phone usage policy applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the internet or downloads and allows for the reading of and responding to email whether the device is city-supplied or personally owned.

To ensure the effectiveness of meetings avoid disruptions, employees are asked to set cell phone on vibrate.

## **4.09 SOCIAL MEDIA POLICY**

The city of East Moline, Illinois (City) understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all employees who work for the City. This policy is not meant to create arbitrary rules for social media usage or curtail constitutionally protected free speech.

### **GUIDELINES**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the City, as well as any other form of electronic communication.

The same principles and guidelines found in the city's policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. If any of your conduct adversely affects your job performance, the performance of fellow employees or otherwise adversely affects the community the city serves, the City's vendors, the people who work on behalf of the City or the City's legitimate business interests, said conduct may result in disciplinary action, up to and including termination.

Employees must ensure that social media activity does not interfere with work commitments.

### **Know and follow the rules**

Carefully read these guidelines, and all City policies, including but not limited to, the City's Internet Policy, conflicts of Interest policy, e-mail Policy, software Policy, Sexual Harassment Policy and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action, up to and including termination.

### **Be Respectful**

Always be fair and courteous to fellow employees, members of the public, vendors or people who work on behalf of the City. Refrain from posting complaints or criticism, avoid using statements, photographs, video or audio that reasonable could be viewed as malicious, obscene, threatening or intimidating, that disparage employees, members of the public, vendors, suppliers, and any organizations associated or doing business with the City, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race,

color, religion, sex, national origin, ancestry, age, marital status, disability or any other protected class status in accordance with applicable federal or state law or City policy.

### **Post only appropriate and respectful content**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the city of East Moline, employee, citizens, the public, visitor or contractors working on behalf of the City.

Maintain the confidentiality of the City's private or confidential information. This may include information regarding the development of processes or systems. Do not post internal reports, policies, procedures or other internal city related confidential communications.

Abide by all state and federal laws, including privacy laws, including but not limited to private, personal medical/health information under the health Insurance Portability and Accountability Act (HIPAA). Follow all copyright laws, trade secret or other propriety right, public records laws, retention laws, fair use and financial disclosure laws and any other laws that might apply to the City or your functional area.

Do not create a link from your blog, website or other social networking site to a City website without identifying yourself as a City of East Moline employee.

Express only your personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City, fellow employees, vendors or people working on behalf of the City. If you do publish a blog or post online related to the work you do or subjects associated with the City, make it clear that you are not speaking on behalf of the City. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City of East Moline."

To protect Police Department employees, for safety and security reasons, city employees shall not disclose employment information of Police Department employees. Employees shall not display Police Department logos,

uniforms or similar identifying items on personal social media pages or sites. Employees shall not post personal photographs or provide similar means of personal recognition that may cause employees to be identified as a sworn officer of the department. Sworn officers who are, or who may reasonable be expected to work in undercover operations, shall not post any form of visual or personal identification.

Employees cannot advertise or sell City-owned property, products or services through social media, unless they have received approval from their department director to do so.

Police Department and Fire Department employees shall not post photographs or videos of accident scenes, crime scenes, security details or fire scenes to which they are or have responded in the course of their employment.

#### **Use of social media at work prohibited**

Employees are not allowed to use social media while on work time or on City-owned equipment, unless authorized in writing by their department director. Do not use City of East Moline email addresses to register on social networks, blogs or other online tools utilized for personal use. Additionally, employees may not use their personal social media sites to conduct City business.

The City reserves the right to monitor and review the uses of the City's IT systems and to block content that violates the City's policies, rules and guidelines. The City has the right to monitor all communications on City-issued computers, laptops, tablets, cell phones and any other device. It is impossible to guarantee that any information sent on City-owned equipment can remain private.

All City social media sites are subject to the Illinois Local Records Act, the freedom of Information Act and e-discovery laws, and therefore, content must be able to be managed, stored and retrieved to comply with these laws. Any use of personal social media sites for City business is also subject to the Illinois Local Records Act, the Freedom of Information Act and e-discovery laws.

**Employees should have no expectation of privacy while using any City-owned equipment and facilities for any purpose, including the use of social media.**

#### **Retaliation prohibited**

The City of East Moline prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including discharge.

#### **VIOLATIONS**

The City will investigate and respond to all reports of violations of this Social media policy or any related City policies, rules and guidelines. All reports of alleged violations are to be directed to department supervision or the Human Resources Office.

#### **PENALTIES**

Any employee who violates this policy or any relate City policies is subject to the discipline process, up to and including termination.

#### **4.10 CONFIDENTIAL INFORMATION**

Employees agree that, during their employment by the City of East Moline and thereafter, they will keep strictly confidential all City of East Moline information and materials which, if available to the general public, would be detrimental to City of East Moline, its employees, clients or citizens. If it is determined that a breach of confidentiality has occurred, the appropriate disciplinary action, including termination, will be taken.

Employees that have questions concerning the disclosure of information that may be confidential or proprietary to the City of East Moline should contact the Human Resource Manager.

#### **4.10 GENERAL CONDUCT**

The City of East Moline expects employees to conduct themselves at all times as professional members of the City's staff. Rules and regulations regarding employee behavior are necessary for the efficient operation of the organization and for the benefit and protection of the rights and safety of citizens, employees and the public. All employees are to treat citizen, telephone callers, salespersons, visitors and other staff with courtesy and respect. Every contact between an employee and a citizen, telephone caller, salesperson, visitor or co-worker is an opportunity to make a positive impression for the City of East Moline and the Facility to which you are assigned. Use good judgment and a positive, "can do" approach. Any conflicts, problems, confidential matters or noisy confrontations with citizens, visitors or family members are to be resolved privately, out of public areas.

## **SEC. 5 INSURANCE / DEFERED COMPENSATION & RETIREMENT BENEFITS**

### **5.01 WORKER'S COMPENSATION**

The City shall abide by the Illinois Worker's Compensation Act regarding work related injury. All personnel working at City of East Moline are covered for work related injuries. This insurance provides medical coverage and compensation for accidents occurring on the job. Any job related injuries must be reported IMMEDIATELY to the employee's supervisor or to the person on call, within the work schedule that the injury was received. The City of East Moline will provide a designated physician for treatment of the injury. The treating physician may differ depending on the type of injury sustained.

Failure to report the accident or injury within the work schedule that the injury was received, or treatment by a non-City of East Moline assigned physician, may result in limited or eliminated coverage under the Worker's Compensation Law which could result in the employee becoming responsible for any charges incurred during treatment.

For employees recovering from job related accidents and injuries, the City's primary objective is a timely return to health and to work. Employees will be provided light duty work if this is available.

Personal items damaged during a Worker's Comp injury will be replaced as part of a Worker's Comp claim (eye glasses or clothing damaged during a behavior incident will be replaced by City of East Moline according to the procedure).

### **5.02 HEALTH INSURANCE**

Medical, hospitalization, dental and vision insurance coverage is provided to all employees who work at least thirty hours per week. Individual and Family coverage is available. Employee contributions for coverage are made through payroll deduction. Plan booklets outlining the coverage in detail are provided to all covered employees at the time that coverage takes effect.

Coverage becomes effective the first day of the month after thirty days of employment.

Terminating employees will be offered an opportunity to continue their health insurance through COBRA benefits. Detailed information will be mailed to employees upon determination.

### **5.03 FLEXIBLE BENEFITS PLAN**

The Flexible Benefits Plan provided by The City of East Moline allows you to guard against paying more taxes by paying for your health and dental insurance premiums on a pre-tax basis. This pre-tax provision is made possible by Section 125 of the Internal Revenue Code and is sometimes referred to as a 'Section 125 Plan'. City of East Moline employee's portion of their insurance premiums, unreimbursed medical bills (including certain dental and vision), and dependent childcare will be paid through the Flexible Benefit Plan. Employees will contribute to the plan through regular payroll deductions using pretax dollars. This gives the employees the benefit of lower costs. The plan goes into effect at the same time as insurance coverage and is in effect until the end of the plan year, and changes cannot be made until that time.

### **5.04 DEFERRED COMPENSATION PLAN**

Employees are able to invest up to 25% (or a maximum dollar amount as defined by PEBSCO) of their salary for retirement. This is a tax-deferred plan. Employees are able to choose from a variety of investment strategies. See the PEBSCO handout for further details.

## 5.05 RETIREMENT PLAN

All employees are required to participate in the IMRF retirement Plan. For information about this excellent benefit, see the Human Resources Manager.

### 5.05.5 RETIREMENT BENEFITS FOR EXEMPT EMPLOYEES

#### A. PENSION BENEFITS.

1. **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.
2. **Firefighters.** Pension benefits for all firefighters shall be determined and defined by the Downstate Firemen's Pension Fund as granted by Illinois Revised Statutes.
3. **All Other Exempt Personnel.** All other exempt 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 3 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 a lump sum payment at retirement that will not go through payroll and you will be issued a 1099 at the end of the calendar year. With this option, no taxes will be withheld but you will be responsible for paying taxes with your annual tax return.
2. Receive a lump sum payment 60 days after your retirement date. With this option taxes will be withheld from the payout and it will not affect your final rate of earnings for the pension calculation.
3. 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.

**B. HEALTH INSURANCE BENEFITS.** Health Insurance Benefits are a fringe benefit paid by the City of East Moline, and as such the City Council of the City of East Moline determines the extent of the health insurance benefits, not the Illinois Revised Statutes. The benefits and requirements are as follows:

1. The deductibles, out of pocket expenses, and other health plan costs, excluding premiums, may change annually to reflect changes made to the City's group health insurance plan.
2. If the employee has accumulated a minimum of 20 years of service, the employee will pay the percentage cost for health insurance as outlined in the respective union contract covering employees they supervise and in effect at the time of the employee's retirement.
3. The premium cost to the retiree will be calculated using the annual COBRA rate in effect on the date of the retiree's retirement. This premium cost may change on an annual basis if the COBRA rate changes.
4. If exempt employees are not in a supervisory position and their pension benefits are earned under IMRF, they will be subject to the health insurance conditions contained within the AFSCME contract in effect at the date of their retirement.
5. The retired employee will not be allowed to add new dependents to health insurance coverage, including a spouse after retiree's date of retirement.
6. Upon the death of the retired employee, the surviving spouse will be entitled to continue health insurance at the same premium percentage rate as his or her spouse at the single rate. The surviving spouse will not be allowed to add an additional dependent or a new spouse to health insurance coverage after date of death of his or her spouse.
7. If a single retired employee dies, and is survived by a minor child covered by City health insurance at the date of death, the minor child may continue health insurance coverage at the COBRA rate until the child attains such age when the child is no longer eligible for City health insurance benefits.

**5.06 CHANGE OF PERSONAL STATUS**

Any changes in name, address, tax exemptions or marital status should be reported to the Human Resources Manager. Requests for changes in health coverage must also be made through the Human Resources Manager.

**Adopted at a duly constituted City of East Moline, City Council Meeting on: 1/7/00  
Reviewed and or revised on: 1/27/2000.**

**Adopted at a duly constituted City of East Moline, City Council Meeting on: 1/22/2008  
Reviewed and or revised on: 1/16/2008.**

**Adopted at a duly constituted City of East Moline, City Council Meeting on: 6/18/2012  
Reviewed and or revised on: 5/23/2012.**

**Adopted as a duly constituted City of East Moline, City Council Meeting on: 6/29/2015  
Reviewed and or revised on 7/06/2015**



**ACKNOWLEDGEMENT OF RECEIPT**

I have received a copy of the employee handbook and understand that it contains important information on personnel policies, benefit programs and my right and obligations as an employee.

I understand that this handbook is NOT a contract of employment and should not be read as forming an expressed or implied contract or promise. All employees of the City of East Moline may voluntarily leave the City's employ upon proper notice. The City of East Moline may terminate any employee at any time with cause, or for budgetary reasons, or upon elimination of the position.

I will familiarize myself with the material in this handbook, and I understand that I am governed by its contents.

I understand that the City of East Moline reserves the right to modify, change and delete its policies, benefits and regulations or to add policies or procedures, as it deems appropriate. I will familiarize myself with these changes as they are distributed.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Printed)

**RETURN FORM TO THE HUMAN RESOURCES MANAGER**