

INTRODUCTION

Welcome to Cortland. This Policies and Procedures Handbook was developed to provide you with information about your responsibilities and benefits as an employee of the Town of Cortland.

It is the policy of the Town of Cortland to provide equal employment opportunity to all persons and to prohibit discrimination in employment because of race, color, national origin, religion, sex, age, or disability.

All employees of the Town of Cortland are “at-will” employees. Nothing in this Handbook is intended to create any term or condition of employment inconsistent with “at-will” employment status.

Consistent with the “at-will” employment status of Town employees, the policies and procedures stated in this Handbook are not intended to create a contract or agreement between the Town and any of its employees, and they are subject to change at any time at the sole discretion of the Town Board of the Town of Cortland, with or without notice to employees. Individual Departments may have more specific rules, regulations, or guidelines that implement many of the policies and procedures contained in this Handbook. Please direct any questions to your supervisor or Department Head.

TOWN MISSION, FUNCTIONS, AND PROCEDURES

MISSION STATEMENT OF THE TOWN OF CORTLAND. The mission of the Town of Cortland is to provide for its citizens those essential services and amenities which will benefit all residents and property owners. These shall be services and amenities of high quality which the citizens cannot easily or economically provide for themselves and shall include: potable water, sewerage collection, storm water collection and control, passable streets, usable parks, reasonably safe environment, and regulation of land use and building activity within the municipal boundary.

VISION STATEMENT OF THE TOWN OF CORTLAND. The Vision of the Town of Cortland is to attract developments with high standards of quality, provide unparalleled infrastructure amenities, and foster an atmosphere perpetuating our small-town quality of life.

TOWN INTEGRITY. All employees whether elected, appointed, or hired shall at all times uphold the dignity and integrity of the Town and its ordinances.

FORM OF GOVERNMENT. The Town operates under a trustee form of government. The Town Board is comprised of the mayor and six trustees who are elected at-large for four-year terms. The Town Clerk also is elected at-large for a four-year term. The Chief of Police are appointed annually with the advice and consent of the Town Board.

TOWN OFFICIALS: MEETING ATTENDANCE. Elected and appointed officials and commission members shall attend scheduled meetings in which they are involved unless the Mayor or Chairman is notified at least 24 hours in advance, except in an emergency. If an emergency arises, the Mayor or Chairman shall be contacted as soon as possible.

TOWN BOARD MEETING TIMES. Regular meetings of the Town Board are held on the 2nd and 4th Mondays of every month, beginning at 7 p.m. Meetings usually last until approximately 10 p.m. unless something extraordinary is on the floor. Work sessions for Town Board committees may be held on the 3rd Monday of every month.

DEPARTMENTS (added 4/14/14). As used in this Policies & Procedures Handbook, “Departments” include all offices/buildings/employee groupings that include a supervisor and employees, including the Clerk’s Office, Public Works, Water/Wastewater, and Police Department.

ADMINISTRATION OFFICE (revised 4/14/14). The Administration is located at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois 60112. The Administration Office is responsible for facilitating several of the day-to-day activities of the Town government, including providing information as to a number of the other functions and services offered by the Town and issuing applications and permits related to building and zoning. Normal office hours will be as posted.

OFFICE OF THE CLERK (added 4/14/14). The Office of the Clerk is located at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois 60112. The Office of the Clerk maintains files of Town Board minutes and other official records, and it is also responsible for issuing certain permits and completing information requests.

PUBLIC WORKS DEPARTMENT (revised 4/14/14). The Public Works Department, located at 250 S. Halwood Street, maintains the Town’s streets, parks, storm sewers, and public buildings and services Department vehicles and equipment.

WATER/WASTEWATER DEPARTMENT. The Water/Wastewater Department, located at 100 S. Llanos Street, is responsible for the Town’s potable water supply and for maintaining the operations and procedures necessary to supply the Town with potable water and sewerage services.

POLICE DEPARTMENT (revised 4/14/14). The Town of Cortland Police Department, headquartered at 250 S. Halwood Street, is a law enforcement agency that routinely applies community-oriented policing strategies to address local concerns, enhance public safety, and prevent crime.

STATEMENTS OF ECONOMIC INTEREST. Elected and appointed employees and appointed commission members who are required to do so shall file an annual "Statement of Economic Interests" between January 1 and April 30. Fines imposed as a result of failure to file shall be borne by the individual responsible for the failure.

MAJOR PURCHASES & CONTRACTS. Any contract in an amount in excess of \$10,000 and any purchase in excess of \$10,000 will be considered by the Board of Trustees to determine whether it should go to bid, with approval of the Board of Trustees required prior to any award, barring emergencies. Contracts and purchases in amount up to \$10,000 may be approved by the Mayor.

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PERSONNEL POLICIES

CLASSIFICATIONS OF EMPLOYEES, BY HOURS WORKED (revised 7/23/07, 4/14/14, 7/14/14, 12/11/23). All employees will be classified in one of the following categories, by hours worked per week or per year:

A. Full-Time: A full-time employee is one who is scheduled to work an average of 36 to 40 hours per week and is thereby eligible for full benefits.

B. Part-Time (With Benefits): A part-time employee in this category is one who is scheduled to work less than full time but at least 1,000 hours per year and less than 36 hours per week and is thereby eligible for limited benefits (including IMRF contributions.)

C. Part-Time (No Benefits): A part-time employee in this category is one who works less than 1,000 hours per year and less than 36 hours per week and is therefore not eligible for benefits other than an hourly wage, federal and state required leaves, workers' compensation coverage as required by law, as well as uniforms for part-time maintenance employees (in both the Public Works and Water/Wastewater Departments) in accordance with the "Wage & Salary Scale with Related Benefits" (Appendix A).

D. Full-Time Temporary (Without Benefits excluding IMRF contributions) (added 06/11/18): A full-time temporary employee is one who is scheduled to work an average of 36-40 hours per week and is employed for no more than one full year.

CLASSIFICATIONS OF EMPLOYEES, BY FLSA CATEGORY. All employees will be classified in one of the following FLSA classifications:

A. Exempt: An exempt employee is one who is exempt from the hours and overtime requirements of the federal Fair Labor Standards Act (FLSA) and the Illinois Minimum Wage Law (IMWL) by reason of being properly categorized as an executive, administrative, or professional employee and being paid on a salary basis.

B. Non-Exempt:

1. **Sworn Police Officers:** A non-exempt employee is one who is covered by the wage and hour provisions of the FLSA and/or IMWL. Sworn police officers occupying non-exempt positions are also covered by the extended work period election provisions contained in Section 207(k) of the FLSA. Non-exempt police officers are entitled to compensation in the form of pay or compensatory time off at the rate of one and one-half times their regular rate for hours worked in excess of 80 in two consecutive work weeks.

2. **Personnel Other than Sworn Police Officers:** A non-exempt employee is one who is covered by the wage and hour provisions of the FLSA and/or IMWL. Non-exempt employees are entitled to compensation in the form of pay or compensatory time off at the rate of one and one-half times their regular rate for hours worked in excess of 40 in a work week.

C. SENIORITY (revised 4/14/14).

1. A full-time employee's seniority date shall be his date of hire. If an employee is hired for a part-time position, as defined above, and later becomes full-time, his seniority date will be the date on which he became a full-time employee. If an employee quits or is terminated, and subsequently is rehired, the employee's seniority date will be his date of rehire.

2. An employee's seniority date will be used to determine his entitlement to paid time off and changes in entitlement to paid time off (e.g., changes in annual vacation time off allowed for full-time employees) that are based on seniority.

3. Except as otherwise provided in these Personnel Policies, seniority will not continue to accrue when an employee is absent from work on an **unpaid** leave of absence. The employee is not entitled to seniority or benefit accrual during periods of unpaid leave; the seniority date will be re-established following a break in service. Absence due to a work-related illness or injury, during which the employee is receiving temporary total incapacity payments under the Workers' Compensation Act, is considered to be an "unpaid leave of absence" for purposes of this policy.

D. JOB DESCRIPTIONS. A job description is available for each position. Current job descriptions are included in this Handbook as Appendix C. Each employee is expected to obtain, read, and be familiar with the job description applicable to his or her position.

EQUAL EMPLOYMENT OPPORTUNITY, NON-DISCRIMINATION, AND SEXUAL HARASSMENT (revised 12/10/18).

A. Policy: Discrimination in employment based on race, color, religion, ancestry, national origin, sex, disability, marital status, or any other basis protected by applicable federal or state law is prohibited in the administration of the personnel policies of the Town of Cortland. It is the duty of all elected officials, officers, and employees of the Town to give this policy full support.

B. Definition: This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act which defines sexual harassment as unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited acts of sexual harassment can take a variety of forms, ranging from subtle pressure for sexual activity or contact to physical contact. At times the offender may be unaware that his or her conduct is offensive to others. Examples of conduct that could be considered sexual harassment include, but are not limited to:

1. Persistent or repeated unwelcome flirting, pressure for dates, sexual comments, or touching;
2. Sexually suggestive jokes, gestures, or sounds directed toward another, or sexually oriented or sexually degrading comments about another;
3. Touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault;
4. Preferential treatment of an employee, or a promise of preferential treatment of an employee, in exchange for dates or sexual conduct, or the threat or denial of employment, benefits, or advancement for refusal to consent to sexual advances;
5. The open display or distribution of sexually oriented pictures, poster, calendars, printed jokes, or other material offensive to others;
6. Retaliation against an individual for reporting or complaining about sexually harassing conduct; or
7. The use of sexually explicit language, harassment, cyber stalking, and threats via all forms of electronic communication.

C. Confidentiality: Disclosure of allegations of discrimination or sexual harassment shall be limited to those individuals who have a “need to know.” Complaints of discrimination or sexual harassment should not be discussed with those who are outside the investigation process. It is important to protect the rights of the alleged harasser as well as the rights of the complaining employee.

D. Complaint Procedure: The Mayor of Cortland will serve as the Town’s EEO Officer. Any employee who believes that he or she has been subjected to discrimination in employment or has been the victim of sexual harassment should report the incident immediately to his or her Department Head and should thereafter submit a written report of the incident to the Department Head. A form for reporting any complaint of discrimination is included in this Handbook as Appendix B. The Department Head should inform the EEO Officer of the incident as soon as it has been reported to him or her. If the employee’s complaint of discrimination or sexual harassment involves the Department Head, the employee should report the incident directly and immediately to the EEO Officer. If the employee’s complaint of discrimination or harassment involves the EEO Officer, the employee should report the incident directly and immediately to any member of the Town Board.

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the municipality. However, all municipal employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within three hundred (300) days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within three hundred (300) days.

E. Consequences of Discrimination: All complaints of discrimination or sexual harassment will be investigated properly by an investigator appointed by the Mayor, and appropriate corrective action will be taken. Any employee found by investigation to have violated the Town’s Equal Employment Policy will be subjected to appropriate disciplinary action, up to

and including discharge. Similarly, any employee found after investigation to have falsely accused an official or employee of the Town of having violated the Town's Equal Employment Opportunity Policy shall be subjected to appropriate disciplinary action, up to and including discharge.

F. Prohibition on Retaliation for Reporting Discrimination or Sexual Harassment Allegations: No individual shall take any retaliatory action against any Town employee due to a Town employee's (1) disclosure or threatened disclosure of any violation of this policy; (2) the provision of information related to or testimony before any public body conducting an investigation, hearing, or inquiry into any violation of this policy; or (3) assistance or participation in a proceeding to enforce the provisions of this policy.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceedings, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation (740 ILCS 174/15(b)).

According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

An employee who is suddenly transferred to a lower paying job, or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge – due within three hundred (300) days of the alleged retaliation.

G. Legal Procedures and Remedies Available Through the Illinois Department of Human Rights and the Illinois Human Rights Commission (revised 12/11/23): The filing of a sexual harassment complaint with the appropriate Town official under this Policy does not limit, extend, replace, or delay the right of any person to file a similar charge or complaint with any federal or state agency having authority to hear complaints of sexual harassment. Investigative and remedial procedures are available through the Illinois Department of Human Rights and the U.S. Equal Employment Opportunity Commission. The Illinois Department of Human Rights is located at 555 W. Monroe Street, Suite 700, Chicago, Illinois, telephone number (312) 814-6200. The U.S. Equal Employment Opportunity Commission is located at 230 S. Dearborn Street, Suite 1866, Chicago, Illinois 60604, telephone number (312) 872-9744.

PERSONNEL EVALUATIONS (revised 4/14/14). Written personnel evaluations shall be completed by each employee's Department Head or supervisor annually during November, with all evaluations to be reviewed by the supervisor with the Mayor by November 30.

PERSONNEL FILES. The official personnel files of the Town shall be kept in the Administration Office. Department Heads keeping personnel files on their own personnel shall keep copies only and deliver all original documentation to the Administration Office to be available for review by employees. Employees shall have access to their own personnel files in accordance with the provisions and procedures set forth in the Illinois Personnel Record Review Act.

WAGES AND SALARIES (revised 4/14/14). The applicable salary or hourly wage range for each position is set forth in the current year's "Wage & Salary Scale with Related Benefits," which is included in this Handbook as Appendix A. Adjustments in wages and salaries, if any, will be awarded by the Mayor within the applicable salary or hourly range for each position approved by the Town Board and will be effective after the first six months of employment and at the beginning of each fiscal year thereafter. In addition, longevity increases will be given on full-time employees' seniority dates at regular intervals in accordance with Appendix A.

THE REGULAR WORK PERIOD (revised 7/23/07, 12/12/11, 4/14/14).

A. Sworn Police Officers: The regular work period is defined as two consecutive weeks from Saturday 12:01 a.m. until midnight the Friday of the following week. The establishment of a regular work period, however, shall not be construed as a guarantee of any number of hours of work per day or per week or per work period, nor shall it be construed as preventing or in any way restricting the Town from requiring employees to work outside the regular work period, subject to applicable overtime policies.

B. Personnel Other than Sworn Police Officers: The regular work period is defined as one week, Saturday 12:01 a.m. through Friday midnight. The establishment of a regular work period, however, shall not be construed as a guarantee of any number of hours of work per day or per period, nor shall it be construed as preventing or in any way restricting the Town from requiring employees to work outside the regular work period, subject to applicable overtime policies.

HOURS WORKED (added 12/12/11).

Hours worked are defined as only hours actually worked by an employee during a defined work week or work period. Hours worked does not include: Hours for which an employee is paid on account of holidays in accordance with the official Holiday Schedule; Hours for which an employee is paid in accordance with policies for Personal Days, Sick, Vacation, and Bereavement Leave.

OVERTIME (revised 7/23/07, 2/23/09, 12/12/11, 4/14/14).

Personnel Other than Sworn Police Officers: Overtime is defined for purposes of this Handbook as time worked in excess of 40 hours in a defined work period. Employees whose positions are eligible for overtime (i.e., non-exempt employees) are expected to adjust their workday hours within the regular work period such that they work a maximum of 40 hours per week, unless overtime is unavoidable. Except in an emergency, overtime must be approved in advance by the Department Head or supervisor. Overtime is to be paid at one and one-half times the employee's regular straight-time rate of pay. Hours worked on observed holidays shall be paid at the employee's regular straight-time rate in addition to the paid holiday or at the overtime rate for any hours worked in excess of 40 hours in the work period.

EMERGENCY CALL-OUTS. (Addendum #0507-01 approved 6/26/06, revised 12/12/11). If an employee responds to an emergency call-out outside of the employee's normal working hours on weekdays or anytime on weekends or holidays, that employee's hours on the call-out will be paid based on total number of hours actually worked for the work period. Appropriate straight-time or overtime pay rates will apply.

INSURANCE. Health and life insurance coverage for employees is set forth in Appendix A and in applicable summary descriptions, brochures, and pamphlets.

EMPLOYEES: SCHEDULED HOURS. Each Department is responsible for scheduling the working hours of the employees in that Department. Scheduled hours for regular duty or office time shall not be changed without notifying the Department Head, except in an emergency. If an emergency arises, the Department Head must be notified as soon as possible.

EMPLOYEE ATTENDANCE POLICY (revised 4/14/14). Regular attendance is essential to the accomplishment of the Town's Mission and is a necessary condition of employment. When employees are absent, schedules and service obligations to the public fall behind, and other employees must assume added workloads.

Employees are expected to report to work as scheduled and on time. If an employee knows in advance that he will be absent from work, he must report the planned absence to his or her immediate supervisor or Department Head as early as possible, but in no event less than 24 hours in advance of the absence; the Department Head is expected to keep the Mayor informed of all changes in staffing levels. If it is impossible for an employee to report for work as scheduled because of an unplanned absence due to illness or injury, the employee must call the immediate supervisor or Department Head before his or her regular starting time. If the immediate supervisor or Department Head is unavailable to take the call, a voice message must be left. If the absence continues beyond the first day, the employee must notify his or her immediate supervisor on a daily basis unless otherwise arranged. Calling in is the responsibility of every employee who is absent. Absence for three consecutive days without either calling in or reporting to work is grounds for discharge. Department Heads who will be away from work for a day or more must notify the other Department Heads and the Mayor by e-mail of their absence and include notification regarding the responsible employee to contact during the absence.

SEMINAR/CLASS ATTENDANCE (revised 7/23/07, 8/25/08, 4/14/14).

A. Police Personnel: Class hours for police personnel are part of duty hours and will be scheduled by the Chief of Police.

B. Personnel Other than Police:

1. Registration fees and time for classes/training taken to meet the minimum requirements of an employee's job will not be reimbursed or paid in any way by the Town.

2. Attendance at seminars, conferences and classes/training attended outside normal working hours will not be considered part of the employee's regular work hours. Exceptions may be approved by the Mayor on a case-by-case basis.

3. Attendance at seminars, conferences, and classes/training attended during normal working hours will be considered part of the employee's regular work day hours if approved in advance by the Department Head, up to the maximum number of normal work hours for that day. (For example, the maximum for a two-day conference would be two 8-hour work days if the normal work day is 8 hours.) Registration for these seminars, conferences, and classes/training may be paid for in advance by the Town, except where a completion certificate is expected as indicated in item (4) below.

4. Registration fees for classes/training that are recommended by the Department Head and approved by the Mayor, and that are taken to improve employment-related knowledge beyond the minimum requirements of the job or to meet new standards of the job added during employment, will be paid in advance by the Town. However, if the course or training includes criteria used to determine successful completion of the course or training (e.g. grades or licensing/certification) and the completion certificate for the class or training does not show successful completion (i.e. a passing grade or approval of the license/certificate), repeat classes taken to obtain successful completion will be paid by the employee without reimbursement.

TRAVEL EXPENSES (revised 12/19/2016, 12/11/23)

Reimbursement for travel, meal, and lodging expenses of Town officials, officers and employees shall be as prescribed in Resolution 2016-05.

UNIFORMS (revised 4/14/14, 12/11/23). Employees of the public works departments (both Public Works and Water/Wastewater) and employees of the police department not covered by the Collective Bargaining Agreement shall receive a uniform allowance in accordance with the current year's "Wage & Salary Scale with Related Benefits," Appendix A. Work shirts must show a label identifying the person as an employee of the Town. All employees must be able to present a Town-provided photo-ID name tag at all times on the job. For tax reasons, uniforms must not be worn except on the job.

LEAVES OF ABSENCE (revised 7/23/07, 4/14/14, 12/11/23).

A. Preamble

The Town of Cortland shall abide by all federal and state laws regarding employee leave, including leave not specifically listed herein.

B. Personal Leave:

1. A full-time employee of the Town is eligible to apply for an unpaid personal leave of absence if he or she has been a full-time employee of the Town for one (1) year or more. An employee wishing to take a personal leave of absence must give at least 24 hours advance notice to and receive approval of the leave from the Department Head. A personal leave of absence may not exceed 30 days, subject to renewal under extraordinary circumstances upon application to and approval by the Department Head.

2. Seniority and earned benefits will not accrue during an unpaid leave of absence. As a result of such non-accrual, seniority and earned benefits will be frozen at the level attained at the

end of the accrual period; accrual will resume again, beginning at the level at which seniority and benefit accrual was frozen, only upon the employee's resumption of full-time active employment.

3. The grant or denial of personal leave, or any extension thereof, is wholly discretionary on the part of the Town based upon the particular circumstances presented; the exercise of that discretion is not affected by any prior or subsequent granting or denial of personal leave or any extension thereof to any other employee.

C. Sick Leave:

1. Full-time employees earn sick leave in accordance with the "Wage & Salary Scale with Related Benefits" (Appendix A). Sick leave time is added to the employee's sick leave account on the first day of each month following six (6) months of employment and may be accrued in accordance with Appendix A. Sick leave days may be used by: (i) an employee who contracts or incurs a non-service sickness or disability which renders the employee unable to perform the duties of his or her position; or (ii) an employee a member of whose immediate or extended family is sick or injured, if the employee's presence is required to care for the sick or injured family member.

2. Sick leave may be used for preventive medical or physical treatment and physical examination by a physician or surgeon or dentist, provided that: (i) all sick leave utilization under the provisions of this paragraph (2)(b) shall have been approved by the Department Head at least 24 hours prior to the commencement of the workday for which the sick leave is requested; and (ii) the purpose of the sick leave utilization is stated at the time of the request for use, e.g., self-sickness, family sickness, or preventive.

3. An employee who knows or should know that he or she will be absent from work as a result of sickness or injury must inform his or her Department Head as soon as practicable in accordance with the procedure set by his/her Department. Sick leave is available only for the purposes set out in this subsection (2), and the employee may be required to supply medical or other evidence of actual illness or injury, regardless of the time of absence due to sick leave, in order to qualify for sick leave in any given case. Use of sick leave for any purpose other than as allowed by the provisions of this subsection (2) constitutes abuse of sick leave and may subject the employee to discipline, up to and including discharge.

4. Benefits and seniority shall continue to accrue during a paid absence due to authorized sick leave. Upon returning to work, the employee will return to the same position or one of comparable status and pay.

5. In the event that an employee suffers a work-related illness or injury, he shall be entitled, upon reporting the illness or injury as required by these Policies, to use sick leave for the first three (3) days of absence due to the illness or injury. In the event that the illness or injury lasts more than three days, and the employee is then entitled to receive workers' compensation benefits retroactive to the first day of work-related illness or injury, the employee's sick leave bank shall be re-credited with the sick leave taken during the first three days of absence due to work-related illness or injury.

6. Upon separation from employment, an employee who is eligible to receive a pension

from IMRF (i.e. having reached the minimum age and vesting requirements for pension eligibility under IMRF) shall have the option to receive pay from the Town for his or her accrued sick leave as indicated in the current year's "Wage & Salary Scale with Related Benefits" (Appendix A). This provision shall not apply to an employee who has been discharged by the Town.

C. Bereavement Leave:

1. Upon the death of a member of his or her immediate or extended family (spouse, child, or parent as defined in the Family Medical Leave Act or a sibling, parent-in-law, or grandparent or a person of significant standing to the immediate family), a full-time employee will be entitled, upon approval by the Department Head, to take bereavement leave without loss of pay or benefit accrual up to the number of days indicated in the current year's "Wage & Salary Scale with Related Benefits" (Appendix A).

2. In the event of the death of any current official or employee of the Town or a member of the official or employee's immediate or extended family or a person of significant standing to the immediate family, employees will receive reasonable time off without loss of pay to attend local funeral services that occur during the employee's working hours.

D. Jury Duty or Witness Leave:

An employee whose position meets the IMRF hourly standard who is summoned to jury duty or who must appear as a witness in any Court action or administrative case relating to Town business or the employee's Town responsibilities as a result of being served a subpoena shall be entitled to receive full pay for time served on the jury or as a witness for a maximum of thirty (30) days per fiscal year. In order for the employee to be eligible to receive such compensation, the employee must deliver over to the Town all monies or other compensation received for jury duty, except for mileage reimbursement for use of the employee's personal vehicle for traveling to and from the Court or hearing. Jury or witness duty leave is intended to cover only the actual time spent while attending to jury duty or serving as a witness, and employees are not permitted to be absent from work for a greater portion of the employee's regular hours than is necessary to attend to the jury or witness duty.

FAMILY AND MEDICAL LEAVE (revised 12/11/23).

Basic Provisions: An employee who has been employed by the Town for at least 12 months, and who worked at least 1,250 hours or was employed in an exempt FLSA classification during the 12 months immediately preceding the leave request, is eligible for family and/or medical leave under the federal Family and Medical Leave Act of 1993 (FMLA) for a period of up to twelve (12) weeks during a calendar year under the following circumstances:

1. Because of a serious health condition that causes the employee to be unable to perform the essential functions of his or her job.

2. To care for the employee's immediate family member, if the immediate family member has a serious health condition. "Immediate family member" is defined as spouse, child,

or parent.

3. Because of the birth of the employee's child, to care for such a child, or because of the placement of a child with the employee's family for adoption or foster care. Leave for this reason must be taken within the 12-month period following the placement of the child with the employee's family.

MILITARY LEAVE. Military leave and re-employment rights following such leave will be determined in accordance with applicable federal and state laws.

VACATIONS (revised 4/14/14). Full-time employees are eligible for annual vacation leave in accordance with the Vacation provisions of Appendix A. Vacation time is accrued monthly and added to the employee's vacation benefit account annually on the employee's seniority date. Unused vacation time expires 18 months after it is added to the employee's vacation account. Earned and unexpired but unused vacation time will be paid upon termination of employment. An employee whose employment status is changed from part-time to full-time during any year will begin to accrue vacation on his seniority date (date of becoming full-time); vacation may be granted by the Mayor at the time of change in status based on previous service to the Town in accordance with the current year's "Wage & Salary Scale with Related Benefits" (Appendix A).

HOLIDAYS (revised 4/14/14). Holidays recognized by the Town are set forth in the current year's "Wage & Salary Scale with Related Benefits" (Appendix A).

PERSONAL DAYS (revised 4/14/14). Personal days shall be granted as provided in the current year's "Wage & Salary Scale with Related Benefits" (Appendix A).

WORKERS' COMPENSATION. Workers' Compensation consists of temporary compensation and compensation for permanent disability or death as a consequence of an injury or illness sustained on the job and in the course and scope of one's employment. The Accident policy set forth below must be followed in the case of any accident, whether or not the employee suffering the accident believes that he or she has suffered a work-related injury. The determination as to whether an injury is or is not work-related will be determined in accordance with applicable state laws and procedures.

PRE-HIRE PHYSICALS. Candidates for employment shall be required to submit to a pre-hire physical in accordance with Town Policy.

ACCIDENTS. Employees shall immediately report unusual circumstances including but not limited to accidents, injuries, or breakdowns to the department supervisor. In case of accidents or injuries, an accident report shall be completed immediately but not more than 24 hours later by the department supervisor and in accordance with the Town's Drug/Alcohol Policy, if applicable. The employee must furnish a letter from a licensed physician attesting to his fitness to return to duty after any accidents or injuries affecting the employee. Forms for this purpose are available from the Administration office.

ENFORCEMENT OF ORDINANCES (revised 4/14/14). If an accepted practice appears to be in opposition to an established ordinance, employees should seek guidance from the Mayor for the proper interpretation and course of action. The Mayor should then begin the process needed to amend the ordinance. However, compliance with new ordinances is expected and should be required by the Mayor.

OUTSIDE EMPLOYMENT (revised 4/14/14). Any full-time employee who wishes to hold outside employment shall disclose same to his or her supervisor. Any full-time employee who wishes to hold outside employment that may affect his ability to do his job for the Town (e.g. a scheduling conflict) must have the written approval of his or her supervisor. Failure to abide by this provision may result in disciplinary action, up to and including termination

SAFETY & DRUG/ALCOHOL TESTING (revised 4/14/14). All Town employees will be subject to CDL rules for drug and alcohol testing for any reportable injury under OSHA, as well as any accident involving damage to property or equipment (Appendix D). All accidents involving personal injury as well as any accident involving damage to property or equipment must be reported immediately to the Mayor.

DRIVERS' LICENSES. Any employee who is required to have a valid driver's license as a condition of employment is required to report any suspension or revocation of his or her driver's license to his or her Department Head. Failure to report any such suspension or revocation will result in discipline, up to and including discharge. An employee who does not have a valid driver's license may be suspended from work until his or her driving privileges have been restored.

MUNICIPAL VEHICLES. Personal use of a municipal vehicle, other than a qualified non-personal use vehicle, is a taxable fringe benefit. The tax consequences to the employee of the take-home or other personal use of municipal vehicles will be determined in accordance with applicable IRS regulations.

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DISCIPLINE (added 12/11/23)

NOTIFICATION TO EMPLOYEE. Should an employee's performance, attitude, work habits, or personal conduct fall below an acceptable level or violate the established work rules of the Town, the employee's Supervisor shall promptly notify the employee of such lapse and counsel with and assist the employee to improve himself/herself as soon as practical. The Supervisor shall further allow a reasonable period of time for such improvement and inform the Mayor of any action taken.

WRITTEN REPRIMAND. Where notice of unacceptable performance from an employee's Supervisor has not resulted in expected improvements or, in cases where more severe initial action is required, a written reprimand may be delivered to the employee with a copy filed in his or her personnel records at Town Hall and a copy to the Mayor.

SUSPENSION. Suspensions are a temporary removal from employment, accompanied by a concurrent temporary loss of the privileges of employment, including, but not limited to wages or salary. The employee's group health and life insurance coverage shall remain in effect during the unpaid suspension. Suspensions may be used to discipline employees for serious misconduct or performance problems or for repeated misconduct or performance problems of a less severe nature.

Suspensions may be imposed for not less than one (1) but not more than five (5) days. Written notice of the suspension shall be placed in the employee's personnel file.

Employees may be suspended without pay by their Supervisor. The Supervisor shall give written notification of the suspension to the employee, specifying the reason, duration, and effective date. This notice may be given to the employee after the fact as in the case of an immediate suspension.

Suspended employees shall not be allowed to use any paid leave during a suspension. In the event any order of suspension is reversed or reduced, the employee shall be paid any lost wages, salary, or benefits and such reversal or reduction shall be documented in the employee's personnel file.

DISMISSAL. Any employee may be dismissed by their Supervisor, with approval of the Mayor, for any reason not prohibited by law, or no reason, with or without notice. Employees may be discharged for any improper or inappropriate conduct including, but not limited to, violation of work rules and general rules and regulations, unacceptable behavior, insubordination, intentional damage to or theft of Town property, gross negligence in performing assigned duties, intoxication in the workplace, misconduct, poor performance, or unacceptable attendance, without ever having received an oral reprimand, a written disciplinary notice or letter, a suspension, a reduction in pay, or a demotion.

Written documentation of the discharge shall be placed in the employee's personnel file.

APPEALS. In the event an employee wishes to appeal any disciplinary action or dismissal, he/she shall file a written appeal with the Mayor within forty-eight (48) hours of receipt of notice of discipline or dismissal. If an appeal is filed, the employee shall come before the Town Board of Trustees at the next regularly scheduled Town meeting or any special meeting called pursuant to law for such purpose, and may present to the Town Board of Trustees in Executive Session any

information he/she wishes the Town Board of Trustees to consider concerning his/her disciplinary action or dismissal. The Town Board of Trustees, after review with the Supervisor and consideration of any relevant matters presented by the employee, shall determine whether the action shall stand. The Town Board of Trustees' decision is final.

LAYOFF. Layoffs may occur because of a decrease in services, change in work methods, or other conditions. To assure continued quality services, merit and length of service may be given consideration in determining the order in which employees are laid off. An employee may also be laid off if he/she loses a license or other requirement necessary to perform the duties of his/her position.

RESIGNATION. A written notice of fourteen (14) days is expected upon resignation from employment. Any written notice shall be dated and signed by the employee. An exit interview with the Supervisor or Mayor may be scheduled at their discretion to process your file for termination, authorize the release of your final paycheck, or review any final benefit payout.

RETIREMENT. Retirement will normally occur when an employee separates from employment and is eligible to receive a pension as a result of employment with the Town. Employees are eligible to retire with certain benefits upon attaining specified ages and years of service as stipulated in the regulations of the Illinois Municipal Retirement Fund and Police Pension Fund. Any employee wishing to retire shall give written notice at least ninety (90) days prior to the effective retirement date.

TERMINATION DATE. The official date of termination will be the last full day the employee reports to work. Although resigning employees are generally discouraged from using accrued time during their period of notice, the Supervisor, after consultation with the Mayor, may grant an employee's request for time off, if such absence does not compromise the needs of the Department.

Participation in group insurance plans will cease on the last day of employment. Separating employees are eligible for an extension of medical, dental, and vision insurance benefits under the "Consolidated Omnibus Budget Reconciliation Act" (COBRA).

FINAL PAYCHECK. The final paycheck for separating employees is normally issued on the next payroll date following the last day of employment. The final paycheck will only be issued after the separating employee returns Town property to his or her Supervisor.

ACCRUED TIME PAYOUT. Unless otherwise specified by a Collective Bargaining Agreement, vacation time is prorated through the employee's last workday. Employees will be compensated for all unused, prorated vacation leave at termination.

Employees will be compensated for all unused comp time and sick time at termination, up to the maximums specified in their Collective Bargaining Agreement or by the Town Code and this Handbook.

RETURN OF TOWN PROPERTY. Employees shall return all property owned by the Town of Cortland on or before his/her termination date. Failure to return Town property will be treated as theft of Town property.

REINSTATEMENT. Any employee terminated for performance reasons or misconduct or any employee who resigns without giving ten (10) working days' notice shall not be eligible for re-employment.

Unless otherwise specified by a Collective Bargaining Agreement, any employee who is re-employed by the Town shall not be entitled to any previously earned benefits or seniority.

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DEPARTMENT POLICIES

Policies specific to a department and/or operational procedures for that department may be created for and maintained by a Department Head with the advice and consent of the Mayor and review by the Town Attorney as needed. A copy of department policies that are separate from this Handbook will be given to each employee by the Department Head at the time of hire and as amended. The following additional policies are applicable to the Town's Departments:

CORRESPONDENCE (revised 7/23/07, 4/14/14).

A. Police Personnel: this policy shall not apply.

B. Personnel Other than Police: All external correspondence (including corrective action notices, Zoning and Building correspondence, and other Town communications) shall use Town letterhead and envelopes and shall have a Town letter number issued by the office staff, entered in a log, and shown on the correspondence. File copies of all logged correspondence shall be provided to the office staff. The log shall be reviewed monthly to verify that copies have been submitted for the correspondence file. This policy shall not apply to internal Town correspondence. The Town Attorney may use their own letterhead and envelopes; copies of correspondence sent on the Town's behalf should be provided to the Town and entered in the log as above.

ELECTRONIC MAIL AND THE INTERNET. Employees of all departments are forbidden to use Town equipment or facilities, or working time, to generate abusive, threatening, or inappropriate electronic mail (e-mail) messages. Inappropriate e-mail messages include, but are not limited to, messages that are defamatory, violent, or contain communications or references to conduct prohibited by the Town's Sexual Harassment Policy. Employees also are forbidden to use Town equipment or facilities, or working time, to access and/or download unapproved information, including pictures and sounds, from the internet. Department Heads may authorize employees generally or in specific positions to access and/or download certain categories of information without specific approval; in all other circumstances, approval of the Department Head to access or download information using Town equipment or facilities or on working time is required. Violation of this Policy may result in discipline, up to and including discharge.

CELL PHONES. Cellular phones may be provided to Town employees for use on Town business. Personal use of Town-issued cell phones on other than a *de minimis* basis may constitute a taxable fringe benefit.

DEPARTMENT SPENDING. Department Heads may approve expenditures within documented limits set by the Mayor.

FORMS. Forms provided by the Town for each Department shall be used and shall be executed carefully and completely. Each employee shall be responsible for maintaining a proper supply of forms required for proper job performance. Forms shall not be altered without the Department Head's approval.

ZONING & BUILDING PERMITS. Zoning and building permits shall be issued in proper sequence, without exception.

APPENDIX A
TOWN OF CORTLAND
WAGE & SALARY SCALE with RELATED BENEFITS

OFFICERS & EMPLOYEES			
DEPARTMENT	LEVEL	RATE FOR FULL-TIME*	RATE FOR PART-TIME*
Administration	Supervisory	\$66,000-\$95,120/yr.	N/A
	Non-Supervisory	\$34,000-\$63,800/yr.	Min. Wage-\$30.67/hr.
	Professional Non-Supervisory	\$34,000-\$75,000/yr.	Min. Wage-\$36.40/hr.
Police	Supervisory: Chief	\$81,000-\$124,300/yr.	N/A
	Supervisory: Commander	\$62,000- \$84,200/yr.	N/A
	Supervisory: Sergeant	\$55,000-\$75,000/yr.	N/A
	Non-Supervisory: Officers	\$43,680-\$72,600/yr.	\$21.00-\$34.90/hr.
	Non-Supervisory: Clerical	N/A	Min. Wage-\$23.25/hr.
Public Works and Water/Wastewater	Supervisory	\$68,000-\$124,300/yr	N/A
	Non-Supervisory	\$34,000-\$63,800/yr.	Min. Wage-\$30.67/hr.
Building	Non-Supervisory	N/A	Min. Wage-\$42.31/hr.
Engineering & Zoning	Supervisory	\$89,665-\$124,300/yr	N/A
	Non-Supervisory	\$34,000-\$88,000/yr	Min. Wage-\$42.31/hr
<p>* The upper end of the range for all categories under Rate for Full-Time and Rate for Part-Time will be adjusted by the increase in the Consumer Price Index-Urban which was used in the calculation of the levy approved the previous December, not to exceed 3%, annually on May 1. The upper end of the ranges shown above are effective as of January 1, 2022.</p> <p>A 3% increase will be added to the wage rate or salary of any full-time employee who reaches the anniversary of his or her seniority date that is a multiple of 5 years (5, 10, 15, etc.), effective on the seniority date; this increase will be in effect <u>only</u> for seniority dates reached on or after May 1, 2014. Elected officials and part-time personnel will not be eligible for longevity increases in their pay.</p> <p>(Upper end of wage scale adjusted to reflect CPI used in the calculation of prior year levy)</p> <p>(Multiple Revisions with the last on 1/23/2023, includes 2021 and 2022 CPI applicable to the 2022 & 2023 Levy)</p>			

APPENDIX A
WAGE & SALARY SCALE with RELATED BENEFITS -
continued

ELECTED OFFICIALS			
OFFICIAL	TERM BEGINNING	RATE (revised 9/22/08, 7/14/14, 9/12/16)	
Mayor	in 2009 or after	\$25,000/yr. with employee health, dental & vision insurance.	+ the increase in the Consumer Price Index-Urban which was used in the calculation of the levy approved the previous December, not to exceed 3%, annually beginning May 1 of the year following election or re-election and continuing every May 1 while the Elected Official continues without interruption in office.
Liquor Commissioner	In 2009 or after	\$1,100/yr.	
Town Clerk	in 2017 or after	\$38,000/yr. with full-time benefits Plus these additional amounts if the following certifications are obtained: - \$4,000 additional for RMC certification - \$7,000 additional for CMC certification - \$9,000 additional for MMC certification	
Trustee		\$2,400/yr.	
Appointed to an unexpired term		The compensation earned by the trustee whom the appointee replaces. Upon election in his or her own right, the trustee shall be compensated at the initial rate shown above.	
Personal Vehicle Reimbursement		@ Federal Rate	

BENEFITS:

Health Insurance (revised 4/14/14, 7/14/14): Single-employee coverage (health, dental, and vision) is fully paid for eligible employees until the employee reaches the age of Medicare eligibility, at which time the employee will be reimbursed for the cost of their Medicare and Supplements up to the cost of the single employee health coverage for non-Medicare employees (effective only for employees not yet eligible for Medicare), with continued employee dental and vision coverage under the Town's policy if desired. Coverage under the Town's health/dental/vision insurance begins on the first day of employment and ends on the final day of employment at the time of termination. Optional dependent health, dental, and/or vision coverage may be purchased by covered employees. No compensated insurance waivers will be allowed. Retiring employees may be eligible for continued coverage (until they reach the age of Medicare eligibility) through the purchase of retiree insurance at their own expense under the IMRF regulations.

Life Insurance: Employees whose positions require 1000 hours of work per year have the option of enrolling at time of hire, at their own expense, in the life insurance coverage plan provided by the National Conference on Public Employee Retirement Systems.

IMRF: Employees whose positions require 1000 hours of work per year will participate in the Illinois Municipal Retirement Fund.

Uniforms (revised 10-10-11, 4/14/14, 12/11/23): Employees of the Public Works Department and Water/Wastewater Department will receive a clothing allowance annually (calendar year) amounting to \$400 per year for full-time employees and \$200 per year for part-time employees after 150-hours of service in the respective department. Employees of the Police Department not covered by the Collective Bargaining Agreement shall be provided clothing and equipment at the discretion of the Chief and/or Commander. Clothing allowances for these employees will be treated by the Town as taxable fringe benefits; employees are responsible for claiming, on their own personal tax returns, any exemption or deduction that may be applicable to their purchase of clothing not suitable for street wear.

Vacation (revised 09/28/09, 06/11/18, 12/11/23): Vacation is earned and credited to an employee's vacation account in accordance with the following rules. For full-time employees, vacation time off with pay is provided as follows, by seniority level: one week (40 hours) in the first year of employment which new hires are eligible to take immediately. After the first full year of employment, from and after the employee's seniority date; two weeks (80 hours) for each full year worked for the second through fourth years of employment; three weeks (120 hours) for each full year worked for the fifth through the ninth year of employment; and four weeks (160 hours) for each full year worked for the tenth year and after. An employee whose employment status is changed from part-time to full-time during any year will receive vacation time based on his seniority date (date of becoming full-time).

		Weekly Accrual
0-1 Year	40 hours	0.769 hours
2-4 Years	80 hours	1.538 hours
5-9 Years	120 hours	2.308 hours
10 years or more	160 hours	3.077 hours

Holidays (revised 7/23/07, 10/10/11, 3/24/14):

(A) Police Personnel: The Town recognizes the following holidays: New Year's Day, Martin Luther King Day, President's Day, Easter, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and the day after Thanksgiving, Christmas Eve, and Christmas Day. Employees may also take time up to 3 hours off on Good Friday if desired to attend religious services. In lieu of holiday time off, a full-time police officer will be paid eight (8) hours holiday pay at his/her regular straight-time rate of pay in addition to pay for time worked during the pay period in which the holiday falls.

(B) Personnel Other than Police: The Town recognizes the following holidays: New Year's Day, Martin Luther King Day, President's Day, Spring Holiday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and the day after Thanksgiving, Christmas Eve, and Christmas Day. In each case, the recognized holiday is the day that the Town's offices are closed in observance of the holiday or the day otherwise designated by the Town as the holiday. Holidays are days on which employees (except police officers) are not expected to work except in case of an emergency. For IMRF-covered personnel, hours worked on a holiday because of an emergency will be paid for at time and one-half the employee's regular straight-time hourly rate of pay (in cash and not by way of compensatory time off). Paid holidays will be prorated for part-time employees whose positions meet the IMRF requirements.

Paid Leave (revised 3/24/14, 4/14/14, 7/14/14, 06/11/18, 12/11/23):

1. **Personal Days:** Full-time employees with at least six months of employment as of the first day of the fiscal year will be credited as of that day with three (3) personal days off for use during that fiscal year. New employees will be credited with one (1) personal day off for use during the remainder of the fiscal year on the first day of the month following the attainment of six months of employment. Personal days expire on the last day of the fiscal year. There is no compensation for unused personal days at termination of employment.
2. **Sick Leave:**
 - A. Full-time employees earn 9 hours of sick leave per month beginning on the first day of the month following six months of employment. For full-time

employees, unused sick days will accrue to a maximum of 75 days (600 hours). Upon termination of employment, eligible full-time employees (i.e. having reached the minimum age and vesting requirements for pension eligibility under IMRF) will have the option to be paid for accrued sick days (maximum of 60) at the rate of \$2.50 per hour. For those full-time employees not eligible, there is no compensation for unused sick leave upon termination of employment.

- B. Part-time employees earn .667 hours of sick leave per month beginning on the first day of the month following six months of employment. For part-time employees, unused sick time will accrue to a maximum of eight (8) hours. Upon termination of employment, part-time employees will receive no compensation for unused sick leave.
- C. Sick days are available for use by employees in accordance with applicable Town Policies

- 3. Bereavement Leave: Full-time employees shall be entitled to up to three days of bereavement leave during the fiscal year, in accordance with applicable Town Policies. In addition, an employee will be provided with paid time off to attend local funeral services occurring during the employee's working hours for a current official or employee of the Town or a member of the official or employee's immediate or extended family or a person of significant standing to the immediate family.

APPENDIX B

COMPLAINT OF EMPLOYMENT DISCRIMINATION FORM

Name: _____

Job: _____

Complaint based on:

Race ____ Sex (including sexual harassment) ____ Religion ____ Age ____

National Origin ____ Retaliation ____ Disability ____ Other (specify) ____

If you are complaining of discrimination on the part of or because of the conduct of any specific individual, name that individual:

Describe the particulars of what happened to you that you consider to be discriminatory, including dates, times, names of persons involved, and the specific events that occurred:

[Note: if additional space is needed to describe the events in question, attach additional sheets.]

Signed: _____

Dated: _____

Appendix C

Job Descriptions

Appendix D –
Drug & Alcohol Policy

PDF Document

Drug and Alcohol Policy P2020-01

Drug-Free Workplace

In order to ensure a safe work environment and compliance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101 *et seq.*), the Town of Cortland maintains a drug-free workplace. Accordingly, Cortland prohibits employees from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the (Public Law 100–690, 102 Stat. 4181), use of drugs, and use of alcohol in the workplace. The foregoing prohibition shall apply to Cortland property, including in Cortland vehicles and any private vehicles parked on Town premises or worksites.

For purposes of this policy, the term “drugs” includes, but shall not be limited to: (i) any non-prescribed controlled substance that the employee is not authorized to possess or consume by law; (ii) any substance listed in the Controlled Substances Act (720 ILCS 570 *et seq.*); (iii) any substance listed in the Cannabis Control Act (720 ILCS 550 *et seq.*); and (iv) drugs or substances which may not be listed in the Controlled Substances Act or the Cannabis Control Act but which have adverse effects on perception, judgment, memory, or coordination. A non-exhaustive list of applicable drugs includes, but is not limited to, the following:

Opium	Psilocybin-psilocin
Morphine	MDA
Codeine	PCP
Heroin	Chloral Hydrate
Meperidine	Methylphenidate
Cannabis	Hash
Barbiturates	Hash Oil
Glutethimide	Steroids
Methaqualone	Tranquilizers
Cocaine	Amphetamines
Phenmetrazine	LSD
Mescaline	

I. Prohibited Conduct

The following conduct is prohibited:

1. The unauthorized use, possession, manufacture, distribution, or sale of drugs, drug paraphernalia, or alcohol while on or in Town property, while conducting work-related business, or during working hours.
2. Being under the influence of drugs or alcohol while on or in Town property, while conducting work-related business, or during working hours.

3. Being under the influence of legal or prescribed drugs or chemicals used in excess of, or in non-conformity with, prescribed limits while on or in Town property, while conducting work-related business, or during working hours.
4. The illegal use, possession, manufacture, distribution, or sale of drugs or drug paraphernalia (while on or off duty).
5. Town prohibits its law enforcement officers, corrections officers, probation officers, firefighters and paramedics from the use, possession, manufacture, distribution or sale of cannabis while on or off duty.
6. Storing any illegal drug, drug paraphernalia, cannabis or alcohol in or on Town property.
7. Failing to notify an employee's supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind, including cannabis, that the employee is taking (or has taken) which might affect the performance of the employee's duties.
8. Refusing to immediately submit to an alcohol and/or drug test when requested by a supervisor.
9. Failing to provide, within one workday following a request, documentation confirming a valid prescription for any drug or medication identified by a positive drug test.
10. Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled as a condition of continued employment.
11. Failing to notify the employee's supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and *nolo contendere*) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two calendar days following the arrest, conviction, or plea.
12. Tampering with, adulterating, altering, substituting, or otherwise obstructing any testing process required pursuant to this policy.
13. Performing any safety-sensitive duties while having a blood alcohol concentration of .02 or greater.
14. Possessing or using drugs or alcohol while on duty or while operating a commercial vehicle.

15. Operating a commercial vehicle within four hours after using alcohol (an on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty).
16. Consuming alcohol or cannabis during the eight-hour period following an accident requiring a drug and alcohol test before a post-accident alcohol or drug test is given.
17. Reporting for duty or remaining on duty requiring the operation of a commercial vehicle when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial vehicle.

II. Required Conduct

The following conduct is required of all Town of Cortland employees:

1. Employees must notify their supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind, including cannabis, that they are taking (or have taken) which might affect the performance of their duties or threaten the safety of the employee or any other person.
2. Employees must notify their supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and *nolo contendere*) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two calendar days following the arrest, conviction, or plea. In accordance with federal law, Cortland will notify any applicable federal contracting officer(s) of any relevant conviction(s) or plea(s) within 10 days of receiving notice of the conviction or plea.
3. Employees must submit to drug testing in accordance with this policy and applicable law.

III. Reasonable Suspicion

All employees are required to submit to alcohol and/or drug testing if a supervisor determines that there is reasonable suspicion to believe that an employee has been using illegal drugs, abusing prescribed drugs, is under the influence of alcohol or cannabis, or is consuming alcohol or cannabis while working.

For the purposes of this policy, reasonable suspicion means a belief based on objective facts sufficient to lead a reasonable prudent person to find that an employee is using, or has used, drugs or alcohol in violation of this policy. Such a suspicion shall be drawn from specific, objective facts and reasonable inferences drawn from those facts in light of experience.

Some factors that may be considered in determining whether a finding of reasonable suspicion is appropriate may include, but are not limited to, any of the following, alone or in combination:

1. Observable phenomena, such as direct observation of drug or alcohol use, the presence of the odor of drugs or alcohol on or about the employee and/or the physical symptoms or manifestations of being under the influence of drugs or alcohol;
2. Abnormal conduct or erratic behavior;
3. Excessive unexcused absenteeism, tardiness, or deterioration in work performance;
4. Slurred speech or unsteady walking or movement;
5. Illegal possession of drugs or controlled substances or an arrest for violation of a drug statute;
6. Information obtained from a reliable and credible source with personal knowledge that has been independently corroborated;
7. Testing for cannabis based on reasonable suspicion shall be supported by the good faith belief that there is some impairment of the employee while at the workplace, while engaged in work for the employer or while on call subject to the definition of those terms in the Cannabis Regulation and Tax Act, 410 ILCS 705/10-50.

Once reasonable suspicion has been determined, the employee shall be required to take the applicable drug and/or alcohol test. An order to submit to testing shall be in writing and signed by a supervisor. If an employee declines the test, it will be treated as a positive test and the employee will be subject to discipline up to and including termination. When an employee is ordered to submit to a drug and/or alcohol test as a result of a supervisor's reasonable suspicion, the employee will not be allowed to return to work pending the results of the drug and/or alcohol test.

IV. Post-Accident Testing

All accidents, including those involving a vehicle, must immediately be reported to an employee's supervisor. The supervisor shall investigate the circumstances of the accident and determine if there is reasonable suspicion to require a drug and/or alcohol test. If it is determined that the employee caused or contributed to occurrence of the accident or the employee was otherwise at fault, the employee may be required to submit to a drug and alcohol test regardless of the existence of reasonable suspicion.

Post-accident testing for cannabis shall be supported by the good faith belief that there is some impairment of the employee while at the workplace, while engaged in work for the employer or while on call subject to the definition of those terms in the Cannabis Regulation and Tax Act, 410 ILCS 705/10-50.

If post-accident drug and/or alcohol testing is ordered, the employee involved must submit to a drug and/or alcohol test within two hours of the accident. An employee who fails to remain readily available for post-accident testing or leaves the scene of an accident without a valid reason or permission by his or her supervisor will be deemed to have refused to submit to testing. The employee to be tested shall not be permitted to drive himself or herself to the collection site.

V. Required Records from Prior Employment as Driver of a Commercial Vehicle

In accordance with applicable law, any individual who is given an offer of employment for a safety-sensitive position requiring a commercial driver's license (CDL) and who has worked as a driver of a commercial vehicle during the two-year period immediately preceding the offer of employment, must authorize his or her prior employer(s) during the two-year period immediately preceding the offer of employment to release information to Cortland regarding any positive alcohol or drug tests and/or any refusal to submit to an alcohol or drug test.

This information must be obtained before the individual can be hired by Cortland. However, if the information has not arrived by the individual's anticipated start date and the individual has passed a pre-employment drug test, the individual may be hired, and the requested information can be obtained from the individual's prior employer(s) within 14 calendar days of the individual's date of hire. If the information has not been received within 14 calendar days of the individual's date of hire, the individual will not be permitted to drive a commercial vehicle until the information has arrived. If the information obtained from any prior employer indicates that the individual tested positive for drugs or alcohol or refused to be tested during the past two years, that individual will not be permitted to drive a commercial vehicle unless subsequent information indicates that the individual was evaluated by a substance abuse professional and successfully completed return to duty testing.

VI. Cutoff Levels for Drugs and Drug Metabolites; Blood Alcohol Exceedances

Cutoff levels for all drug and drug metabolite testing shall be consistent with the guidelines established by the U.S. Department of Health and Human Services (HHS). An employee shall be deemed to be under the influence of alcohol if the applicable blood alcohol test demonstrates a level of .02 or greater.

VII. Drug and Alcohol Testing for Safety-Sensitive Positions

Employees in safety-sensitive positions are subject to drug and alcohol testing under different and additional circumstances than employees who are not in safety sensitive positions.

1. Reasonable Suspicion – Any employee in a safety-sensitive position shall submit to a drug and/or alcohol test when any supervisor has reasonable suspicion to believe that an employee has been using illegal drugs, abusing prescribed drugs, is under the influence of alcohol or cannabis, or is consuming alcohol or cannabis while working or while on call.

Testing for cannabis based on reasonable suspicion shall be supported by the good

faith belief that there is some impairment of the employee while at the workplace, while engaged in work for the employer or while on call subject to the definition of those terms in the Cannabis Regulation and Tax Act, 410 ILCS 705/10-50. If an employee is removed from duty based on reasonable suspicion of alcohol use and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform safety-sensitive functions until: (i) an alcohol test determines that the employee's breath alcohol concentration measures less than .02; and (ii) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has been using alcohol.

2. **Post-Accident Testing Involving a Commercial Vehicle** – An employee is required by law and this policy to submit to an alcohol test whenever he or she is involved in an accident while driving a commercial vehicle on a public road which results in: (i) a fatality; (ii) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; and/or (iii) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Post-accident testing for cannabis shall be supported by the good faith belief that there is some impairment of the employee while at the workplace, while engaged in work for the employer or while on call subject to the definition of those terms in the Cannabis Regulation and Tax Act, 410 ILCS 705/10-50.

3. **Return to Duty Testing** – Any employee who has violated this policy and/or has tested positive on a drug or alcohol test and is subsequently permitted to return to work, must pass a drug and/or alcohol test in accordance with this policy prior to returning to duty.
4. **Follow-Up Testing** – An employee in a safety-sensitive position who is referred for assistance related to alcohol and/or drug abuse is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a substance abuse professional and Cortland. The number and frequency of follow-up tests will be determined by the substance abuse professional and Cortland, but will not be less than six tests in the first 12 months following the employee's return to duty.

For purposes of this policy, a substance abuse professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders.

VIII. Drug and Alcohol Testing of Public Safety Employees

Cortland prohibits law enforcement officers, corrections officers, probation officers, paramedics, and firefighters from the consumption, possession, sale, purchase, or delivery of cannabis or cannabis-infused substances while on or off duty.

IX. Collective Bargaining Agreements

Any drug and alcohol testing procedures in the collective bargaining agreement shall remain in full force and effect.

X. Discipline

Employee supervisors and their superiors, as applicable, are responsible for administering disciplinary measures, when in the sole discretion of the appropriate supervisor, based on the facts and circumstances of the situation, discipline is warranted. Prior to the administration of any disciplinary action, the applicable supervisor may give the employee the opportunity to respond to the allegations made against the employee. Employees subject to discipline for being under the influence of, in possession of or consuming cannabis shall be provided a reasonable opportunity to contest the basis for the imposition of discipline. The disciplinary procedures set forth in this section apply to all employees, unless otherwise subject to a collective bargaining agreement. These policies and procedures should not be construed as preventing, limiting, or delaying the Town from taking appropriate disciplinary action, including immediate dismissal without prior warning or notice, as the facts and circumstances warrant.

All discipline issued will be based on the applicable facts and circumstances, and at the level applicable in the sole and exclusive judgment of the applicable supervisor.

ACKNOWLEDGEMENT

By signing below, I acknowledge that I have received a copy of the Town of Cortland Drug and Alcohol Policy (“Policy”) and understand that it is my responsibility to read and become familiar with its contents. I further understand that it is my responsibility to ask questions of my immediate supervisor and/or another appropriate member of management if I do not understand any of the information contained in the Policy and that I am required to abide by and observe all of the information and rules, policies, and procedures explained therein.

I acknowledge that nothing in the Policy constitutes a contract or promise of employment and that unless otherwise provided in a collective bargaining agreement or individual employment contract, my employment is “at-will,” which means that the employment relationship may be terminated at any time for any lawful reason with or without cause or notice.

I agree to abide by and observe all of the information and rules, policies, and procedures set forth in the Policy and understand that Cortland’s rules, policies, and procedures may be changed from time to time, with or without notice, and that this Policy supersedes and replaces any and all prior manuals or policies.

Print Name

Signature

Date Signed

Board Approved: January 11, 2020
Drug and Alcohol Policy P2020-01 (8 pages)