

**DRAFT OF 2/26/25**



**VILLAGE OF THORNTON**

**EMPLOYEE PERSONNEL HANDBOOK**

**REVISED MARCH 2025**

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## MESSAGE FROM THE VILLAGE PRESIDENT

Dear Valued Employee,

It is my pleasure to welcome you to the Village of Thornton. You are joining a team of individuals who are committed to providing excellent public service to the residents of Thornton. The Village of Thornton's progress and growth depends on employees who take responsibility for the community and its success. Continuing the Village's tradition as a progressive community that takes pride in its accomplishments depends on your contribution as an employee.

You are now part of an active and progressive municipal government. You must set the example for your fellow citizens and co-workers. We are continually working to make Thornton a more enjoyable and attractive place to live and work. Your personal contribution is required to make our Village government responsive and efficient for the residents of Thornton and your co-workers. You are expected to carry out your responsibilities and to follow all Village provisions, ordinances, Village policies and Departmental rules and procedures as they relate to you and to your job, including revisions that are adopted from time to time by the Village Board.

This Personnel Policy Manual does not articulate every nuance of every issue that an employee and employer may face. Its intent is to provide a general knowledge and understanding of the Village's expectations of you as an employee as well as inform you of what support you can expect from the Village. It should be used as a reference that should assist you in adhering to the rules, policies, and procedures of this organization. *As noted later in this Manual, you should not rely on the terms of this Manual as a contract or promise of employment for any specific term.*

After reading this Personnel Policy Manual, you may still have questions about a particular provision. If so, please communicate these questions, or suggestions for improvement, to your supervisor or to me. Many of our current policies have been suggested by valued employees and are welcome!

I am proud to work with each of you and to serve you. Thank you for your dedicated service, I wish you luck in a successful career with the Village of Thornton.

Sincerely, Village President

## **YOUR OBLIGATIONS TO THE PUBLIC**

You are a public employee serving the residents of the Village of Thornton. You may be the only contact a resident has with his/her Village Government. The impression you make may be the residents' only impression of the local government. This applies whether speaking over the telephone or in direct personal contact. When answering the telephone, give your name and department. If you are asked a question or presented with a problem you cannot solve, transfer the call to someone who can handle the request or take the telephone number and name so that, when you find a solution to the residents' request, you can return the call. In your contact with a resident, display a pleasant, sincere, and helpful manner. Always remember:

**THE RESIDENTS OF THIS COMMUNITY ARE NEVER AN  
INTERRUPTION OF YOUR WORK, THEY ARE THE REASON FOR IT**

## **DISCLAIMER**

THIS MANUAL IS NOT A CONTRACT AND DOES NOT CREATE ANY RIGHTS TO EMPLOYMENT WITH THE VILLAGE OF THORNTON. ADDITIONALLY, ALL EMPLOYEES OF THE VILLAGE ARE CONSIDERED “AT WILL” EMPLOYEES WHICH MEANS THAT THEY ARE EMPLOYED FOR AN INDEFINITE DURATION AND MAY BE TERMINATED FOR ANY OR NO REASON AND WITHOUT PRIOR NOTICE. THE ONLY EXCEPTION IS IF THE EMPLOYEE’S TERMS AND CONDITIONS OF EMPLOYMENT ARE SET FORTH IN A COLLECTIVE BARGAINING AGREEMENT (“CBA”) OR OTHER BINDING WRITTEN DOCUMENT THAT WAS SIGNED AND APPROVED BY AUTHORIZED REPRESENTATIVES OF THE VILLAGE.

THE VILLAGE RESERVES THE RIGHT TO ALTER, AMEND, AND/OR MODIFY ALL OR ANY PART OF THIS MANUAL AT ANY TIME, WITH OR WITHOUT NOTICE. IN THE EVENT OF A CONFLICT BETWEEN THIS MANUAL AND ANY APPLICABLE COLLECTIVE BARGAINING AGREEMENT (“CBA”), THE APPLICABLE CBA SHALL GOVERN. LIKEWISE, THE PLAN TERMS OF ANY BENEFIT PROGRAM WILL GOVERN TO THE EXTENT IT CONFLICTS WITH AN EXPRESS PROVISION OF THIS MANUAL.

THIS MANUAL IS INTENDED TO PROVIDE ONLY A GENERAL OVERVIEW OF SOME OF THE PRIMARY ASPECTS OF EMPLOYMENT WITH THE VILLAGE OF THORNTON. IT IS NOT INTENDED TO BE AN EXHAUSTIVE DESCRIPTION OF APPLICABLE EMPLOYMENT POLICIES, AND THE VILLAGE RESERVES THE RIGHT TO ADDRESS SPECIFIC SITUATIONS ON AN INDIVIDUAL BASIS.

ANY QUESTIONS OR CONCERNS ABOUT THIS MANUAL OR ABOUT ANY ASPECT OF EMPLOYMENT SHOULD BE BROUGHT TO THE ATTENTION OF THE VILLAGE ADMINISTRATOR WHO WILL HELP GET YOU AN ANSWER PROMPTLY.

## PERSONNEL MISSION AND VALUES STATEMENT

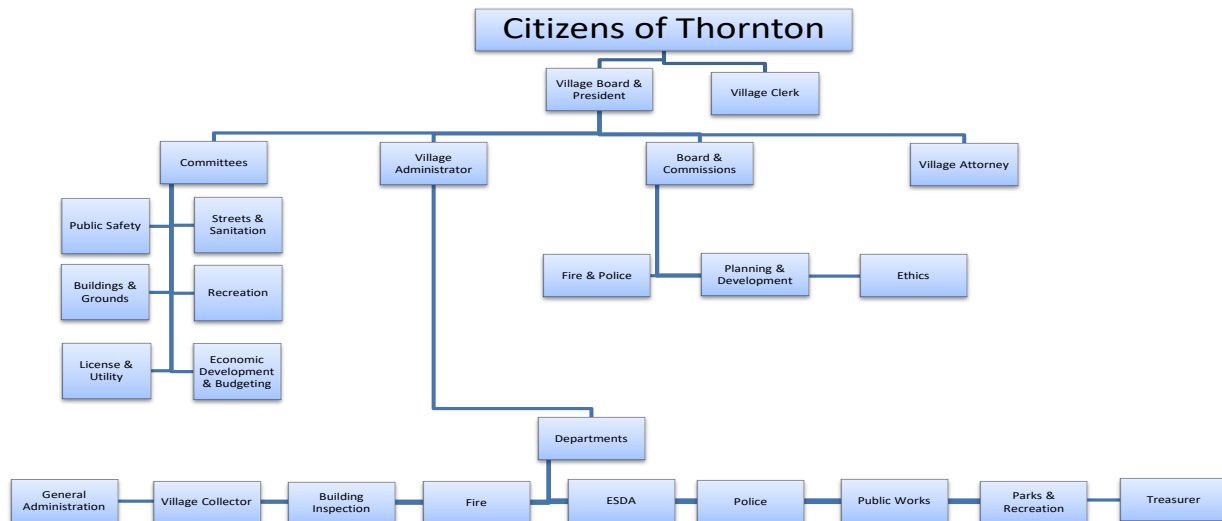
The Village of Thornton exists to serve the needs of its residents and business community by providing responsive and efficient municipal services. Through focused efforts by its elected officials, the Village strives to provide a fair system of governance for its residents and visitors in a fiscally responsible manner.

Our professional, dedicated employees and volunteers contribute to our safe environment in order to promote a stronger sense of community, thereby shaping the future.

## FORM OF GOVERNMENT

The Village operates under the Village President-Trustee form of government. The Village President and Trustees are all elected "at large". Collectively, Village Trustees serve as the policy-making body of the Village. They perform functions that include passing resolutions and ordinances, approving the appropriation of money, levying taxes, approving zoning and other land use regulations, and generally deciding on important issues that affect the Village of Thornton. The President, with the advice and consent of the Village Board, appoints the Village Administrator as well as Department Heads, who direct the activities of their respective operating departments. Department Heads report directly to the Village Administrator, who in turn reports directly to the President and Village Board. The Village Administrator is responsible for overseeing all day-to-day operations of the Village government, as well as the implementation of Village Board Policy.

## ORGANIZATIONAL CHART (2025)





## **ARTICLE I. GENERAL INFORMATION**

### **Section 1.1 Purpose of Personnel Policy Manual**

The Village of Thornton ("Village") Personnel Policy Manual ("Manual") contains the general operating practices and procedures pertaining to employment with the Village. While this Manual is not all inclusive, its purpose is to provide guidelines for supervisory personnel and staff relating to employment matters. All provisions within the Manual are subject to change at any time, with approval of the Village Board, without prior notice.

This Manual applies to all full-time, part-time, Paid-on-Call employees, temporary or seasonal employees, interns and other employees of the Village, except as stated otherwise in a particular section of the Manual. In some cases, there are policies that are also extended non-employee consultants and contractors who perform services for the Village; those policies are expressly referenced when applicable.

Nothing in the Village's Personnel Policy Manual is intended to, or shall, create any contractual obligations of any kind. No policy, benefit, procedure, or information set forth in the Manual implies or may be construed to imply that it or any portion thereof is an employment contract. Employment with the Village is "at-will" and may be terminated by the Village with or without cause and with or without notice at any time, at the sole and absolute discretion of the Village. The Village of Thornton is an equal employment opportunity employer.

To the extent that a collective bargaining agreement with any group of employees of the Village is more or less restrictive than the provisions of this personnel policy Manual, the provisions of such collective bargaining agreement shall control, even though such collective bargaining may provide lesser privileges than this personnel Manual. In the event that no language is present in the collective bargaining agreement pertaining to a specific issue, language in this personnel policy Manual shall prevail.

No representative, employee or agent has the authority to make any agreement contrary to the provisions of this document, except the Village Board, and then, only in writing. Final approval of this Manual and any subsequent amendments will be determined by the Village President and the Village Board. The Village Administrator or his/her designee is responsible for administering and interpreting the personnel practices of the Village.

Notwithstanding anything to the contrary in this Personnel Policy Manual, the Village retains all traditional rights to manage and direct the affairs of the Village in all of its various aspects and to manage and direct its employees, including but not limited to the following: to plan, direct, control and determine all the operations and services of the Village; to supervise and direct the working forces; to establish the qualifications for employment and to employ individuals; to schedule and assign work; to determine the workweek of employees and to establish the starting and ending times of the workday; to assign or to transfer employees within the Village; to establish work and productivity standards and from time to time, to change those standards; to assign overtime, to lay-off or relieve employees due to lack of work or funds or for any other reason; to determine the methods, means, organization and number of personnel by which such operations

and services shall be made or purchased; to contract out for goods and services; to discipline, suspend and discharge employees; to change or eliminate existing methods, equipment or facilities; and to take any and all actions as may be necessary to carry out the functions and purposes of the Village.

### **Section 1.2 Effective Date of This Personnel Policy Manual**

The language in this Personnel Policy Manual becomes effective upon the date of publication/issuance and remains as such until the entire Personnel Policy Manual or portions thereof become obsolete due to revisions. This does not limit or restrict the rights of management to amend these policies due to business, legal or operational reasons. If changes are necessary, the Village will attempt to provide the affected employees advance notice when practicable. If you have questions about our current policies as to topics covered by the Manual, consult with your Department Head or the Village Administrator.

### **Section 1.3 Open Door**

The Village of Thornton promotes an atmosphere whereby employees can speak freely with members of management staff without fear of retaliation. An employee is encouraged to discuss any issues, ideas for improvement and/or workplace problems openly with a supervisor to ensure that necessary action may be taken when appropriate to do so. All issues will be promptly investigated and remedied, as appropriate. Retaliation in any form will not be tolerated against any person who voices concerns or complaints to an immediate supervisor and/or any employee who participates in an investigation of such a complaint pursuant to this Open Door Policy – even if the recommendation of the employee(s) involved are not adopted.

### **Section 1.4 Equal Employment Opportunity**

It is the policy and practice of the Village of Thornton to recruit, hire, train and promote employees without discrimination on the basis of any legally protected category including an individual's actual or perceived "Legally Protected Categories" which means: race, religion, color, physical or mental disability, ancestry, national origin, work authorization status sex, marital status, age, sexual orientation, civil union status, pregnancy (or medical condition related to pregnancy or childbirth), order of protection status, sexual preference, gender or gender identity, family responsibilities, reproductive health decisions, military leave or military discharge status, etc. We also are committed to providing reasonable accommodations to our employees who are disabled employees (and to those employees who are pregnant or have a medical condition related to pregnancy or childbirth) in order to assist them in the performance of their essential job functions.

If you are aware of any violation of this policy, you are encouraged to report the situation promptly to management pursuant to the complaint procedure set forth in Section 5.15 of this Manual.

## **ARTICLE II. EMPLOYMENT CATEGORIES\***

### **Section 2.1 Full-Time Employees**

Full-time employees are defined as employees who are hired with the expectation to be regularly scheduled to work a minimum 35-hour week and are budgeted for 52 weeks per calendar year. These employees must successfully complete a minimum one-year probationary period which may be extended for reasons deemed appropriate by management. All full-time employees must participate in the Illinois Municipal Retirement Fund.

For employees moving from part-time to full-time status, benefit time begins on the date when the employee becomes a full-time employee, subject to any remaining terms, conditions and eligibility requirements referenced in the applicable benefit program or plan terms.

### **Section 2.2 Part-Time Employees**

Part-time employees are defined as those employees that are not considered full-time employees and are not hired with the expectation to be regularly scheduled to work a minimum 35 hours per week. All part-time employees must complete a minimum one-year probationary period which may be extended for reasons deemed appropriate by management. Part-time employees are ineligible to receive any benefits such as holiday pay, health insurance benefits, and tuition reimbursement. However, part time employees are eligible for paid and/or unpaid time off pursuant to the applicable laws and ordinances in effect at the time. Part-time employees will be hired as either IMRF eligible or non-IMRF eligible based on the expectation of the number of hours to be actually worked in a year as determined upon hire and pursuant to the applicable laws.

### **Section 2.3 Temporary Employees**

Temporary employees are assigned either full or part-time positions. Temporary positions are defined as positions that are budgeted to work for a limited and defined period of time. Temporary employees are ineligible to receive any of the benefits outlined above, unless otherwise specifically stated or required by law. Temporary employees who are anticipated to work more than 1,000 hours per year are required to participate in the Illinois Municipal Retirement Fund. Temporary employees who work over ninety (90) days will be entitled to paid time off as required by the Cook County Paid Leave Ordinance.

### **Section 2.4 Seasonal Employees**

Seasonal Employees are those employees that staff areas only during specific seasons. Seasonal employees are ineligible to receive any of the benefits outlined in this Manual. Although rare, seasonal employees who work more than 1,000 hours per year are required to participate in the Illinois Municipal Retirement Fund. Seasonal employees who work over ninety (90) days will be entitled to paid time off as required by the Cook County Paid Leave Ordinance.

## **Section 2.5 Exempt Employees**

An exempt employee is one who is compensated on a salaried basis for all hours of worked performed in a given week with limited deductions from their base salary as allowed by law. Exempt employees also must perform services that meet the “responsibilities” tests as established by the applicable Federal and State Wage & Hour laws. If you have a question about your exempt status or if you feel that you have had an improper deduction taken from your guaranteed weekly payroll, you are encouraged to contact the Village Administrator (or designee) without fear of reprisal.

## **Section 2.6 Non-Exempt Employees**

A non-exempt employee is an employee for whom the Village is required to pay overtime at the rate of time and one-half the employee’s regular rate of pay for all hours actually worked in a workweek in excess of 40 hours in accordance with applicable Federal and State Wage Hour Laws.

\* Please note that employees can fall into more than one of the above categories, e.g., “a full-time, non-exempt employee”. Please also note that nothing in this Manual creates a guarantee of any specific number of hours of work per week or year.

# **ARTICLE III. GENERAL EMPLOYMENT CONDITIONS**

## **Section 3.1 Hiring**

It is the policy of the Village of Thornton to provide equal employment opportunities to all applicants and employees. As an equal opportunity employer, the Village will interview and hire candidates for employment according to all applicable state, federal and local laws. Discrimination against any person in recruitment, hiring, training, promotion, discipline, pay or any other aspect of employment because of an employee’s actual or perceived race, color, sex, religion, national origin, sexual orientation, age, disability, or any other Legally protected classification (as defined in Section 1.4) is prohibited by law and constitutes a violation of this Policy.

**All newly hired employees will be required to satisfy a job-related background check consisting of a job-related criminal background check via fingerprinting by the police department, reference checks and a post-offer drug screen when applicable. Each individual Department may have more stringent hiring requirements depending on the nature of work perform in the position and/or the applicable laws.**

## **Section 3.2 Driver’s License Obligation**

Any employee whose job includes operating a Village vehicle (or a personal vehicle for business purposes) must maintain an appropriate Driver’s License and proof of adequate insurance coverage. Those employees also must inform his/her supervisor in the event of loss or change of status of their license, receipt of a moving violation or any restriction of their license or eligibility for insurance status. The Village reserves the right to take appropriate action in the event the

employee becomes, in the opinion of the Village, no longer qualified or suitable to operate a Village vehicle (either with or without a reasonable accommodation in the case of an employee with a disability). The Village does not make any employment decisions based on a record of arrest alone.

### **Section 3.3 Probationary Period**

The probationary period is utilized to observe an employee's work, to evaluate the employee's skills, to train the employee and/or terminate an employee whose work performance fails to meet required work standards. Generally, an employee's probationary period lasts for a period of twelve (12) full months (18 full months for police department), unless otherwise specified by the Village Administrator or set forth in a binding CBA. The Village reserves the right to extend the probationary period in appropriate cases.

<b>Classification of Employee</b>	<b>Probationary Period</b>
Full time	12 Months
Part time	12 Months
Police Officers	18 Months

### **Section 3.4 Internal Investigations and Searches**

The Village of Thornton reserves the right to search any employee's office, bags/purses/backpacks, desk, work areas, files, lockers, Village issued wireless communication devices and/or other devices/accessories used for business purposes, computers, laptop or portable computers, flash drives, tablets, electronic organizers and/or any other area or article on Village premises, including personal or Village vehicles, whether or not such property is locked or unlocked and whether or not the lock is Village or employee owned. It should be noted that all offices, computers, phones, desks, files, and lockers, whether locked or unlocked, are the property of the Village and are issued for use by employees for business related purposes.

### **Section 3.5 Employment of Relatives**

As a general rule, the Village discourages hiring or promotion of any employee that creates a situation whereby an employee would be supervised by, or under the immediate supervision of, a relative or individual with whom they have a romantic/personal relationship. We also discourage employment of such individuals under circumstances when it could present an actual or potential conflict of interest for other reasons.

For purposes of this section 3.5 of the manual only, members of the "immediate family" mean: : spouse/civil union partner, mother, father, sister (step, half), brother (step, half), children (birth, step, adopted), aunt, uncle, nephew, niece, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparents, spouse's grandparents, grandchildren and any relative or other person currently living with the employee. However, members of the same immediate family are not precluded from applying for positions within the Village even though it is discouraged in some cases.

These situations will be addressed on a case-by-case basis to determine if a policy violation exists or if some accommodation or transfer may be appropriate to avoid or minimize any conflict of interest or perceived favoritism.

### **Section 3.6 Outside Employment**

“Outside employment” is defined as employment with another entity or organization (or self-employment) with or without pay that is in addition to an employee’s regular employment activities with the Village. No full-time employee shall engage in outside employment without prior written approval by the Department Head and Village Administrator. Newly hired full-time employees are required to address this issue at the time of hire. Written approval must be obtained and renewed on an annual basis (or more frequently in the event of a change of job status with another employer).

The Village reserves the right to prohibit or deny approval for any outside employment when such employment creates an actual or potential conflict of interest to the employee’s primary duties to the Village such as (not all-inclusive list, these are examples):

- Interferes with work hours or over-time requirements of the employee’s full-time position with the Village;
- Is conducted on Village time;
- Involves the use of Village uniforms, facilities, equipment, vehicles, or supplies;
- Involves the use of official information not available to the public;
- May be reasonably construed by the public to be an official act of the Village;
- Reflects adversely upon the Village; or
- Is in conflict with the employee’s position with the Village, including work that an employee would be expected to do as part of his/her normal duties with the Village, work requiring approval or review of the Village, or work that would tend to influence the exercise of judgment on any matter coming before the employee in the course of his/her Village employment.

### **Section 3.7 Dual Capacity Employment**

It is the policy of the Village of Thornton to prohibit full-time Village employees from being employed by the Village in two positions, without prior written approval of the Village Board. All employees who hold part-time positions must resign prior to accepting full-time positions within the Village in most every case. With exceptions for those who were hired prior to the approval of this document, this policy may only be waived by the recommendation of the Village Administrator with consent and approval of the Village Board.

### **Section 3.8 Temporary Transfers**

In certain circumstances, some employees may be temporarily transferred to an alternate position to meet the needs of the Village and to properly service the residents/public. Under certain conditions it may become necessary for the Village to request a transfer of an employee to another position, and we appreciate your cooperation when this occurs. If an employee is transferred to a higher-level position and performs all of the normal functions of a higher position for a period of thirty (30) days or more, the employee will receive the higher-level position. A transfer does not include assisting personnel of another department, temporarily, with a specific assignment that may involve work outside your normal essential job functions.

### **Section 3.9 Civil Litigation**

Any employee of the Village who receives a summons, notice or complaint alleging a claim or cause of action arising as a result of the performance of his/her official duties as an employee of the Village shall immediately notify and furnish to his/her Department Head a copy of said summons, notice or complaint. The Department Head shall in turn forward the information to the Village Administrator for proper administration and to ensure approved time off is granted when legally required.

### **Section 3.10 Employment Separation**

An employee who experiences a “termination of employment” as a result of resignation, retirement, expiration of employment contract, reduction in workforce or discharge may be asked to participate in an “exit interview” process in appropriate cases as determined by management. This process provides them with important information regarding health insurance and reimbursement of retirement contributions, or other relevant information.

An employee’s employment may be “terminated”, and a separation of employment may occur for either voluntary and involuntary reasons that may include the following (not all-inclusive list):

- **ABANDONMENT:** If an employee is absent from work three (3) consecutive scheduled work days without communicating the cause of the absence to his/her supervisor, the lack of notice will be construed as job abandonment, and the employee shall be deemed to have resigned. Abandonment also includes leaving the worksite without permission or prior notice for even one incident in some cases.
- **DEATH:** Employment Termination/Separation will be effective as of the date of the death of an employee.
- **RESIGNATION:** An employee may resign his/her employment at any time and for any or no reason. However, the Village prefers that an employee who intends to resign provide a writing which sets forth the reasons for and the effective date of the resignation to his/her Department Head or Supervisor. A minimum two-week notice is desired in appropriate cases. Uniforms or patches, I.D. cards, keys, etc. must be

returned prior to the employee's last day of employment. The Department Head may consent to an employee leaving sooner if necessary for our business or other reasons.

- **RETIREMENT:** An employee who retires from the Village will be separated as of the effective date of their retirement.
- **TERMINATION:** An employee who is terminated will be separated as of the date of his termination.
- **LACK OF QUALIFICATIONS:** In some cases, termination may be deemed appropriate when an employee is unable to perform the essential job functions of their position either with or without a reasonable accommodation due to a medical condition that rises to the level of a mental or physical disability.

The Village encourages employees to participate in the exit interview process conducted by his/her immediate supervisor. The interview provides employees with an opportunity to discuss their work experience and to comment on the strengths and weaknesses within both their department and the Village. It is also used to facilitate the return of Village property. Information obtained during the exit interview will not become part of the employee's personnel file.

### **Section 3.11 Employee Performance Evaluation**

All employees are periodically evaluated generally on an annual basis and generally at or near the end of each fiscal year or other approved review date by his/her immediate supervisor. The primary purpose of the employee performance evaluation is to foster communication between the employee and his/her supervisor to review overall contributions and results of the employee during the review period. Evaluations may also be used in determining demotions, discipline, discharges and/or potential eligibility for promotions and/or merit pay. It should be noted that a positive performance evaluation does not guarantee an increase in pay.

Employee input during the performance evaluation process is strongly encouraged.

### **Section 3.12 Personnel Files**

The Village complies with the provisions set forth in the Personnel Record Review Act 820 ILCS 40-1. The Village Administrator is responsible for establishing and maintaining the official personnel files for Village employees. Employees may inspect and copy their own personnel files but may not remove original documents. Personnel file inspections must be requested in advance and will be scheduled at a mutually convenient time as deemed appropriate by the Village Administrator. The Village reserves the right to have the Village Administrator or his/her designee present at the time an employee reviews his/her personnel file.

Only supervisory employees who have a legitimate employment-related reason may review another employee's personnel file. Employees reviewing any personnel file should consider the material to be confidential. All inspections of personnel files must be approved by the Village Administrator in advance. The Village also maintains a separate confidential medical file for each employee that includes records that is maintained separate from the employee's general personnel



file. Any employee who would like to inspect their personnel file (or obtain copies of same) should direct their request in writing to the Village Administrator using the form created for this purpose.

### **Section 3.13 Personal Information**

It is the employee's responsibility to notify their immediate supervisor, in a timely manner (generally within 48 hours of the change) of any changes in personal information such as: name, mailing address, emergency contact person/contact number, change of marital status (that may be relevant for insurance purposes), and personal cellular telephone number. In addition, for the purpose of health insurance administration, an employee's dependents and other related information must be kept current with the Village Collector. We need this information up to date to communicate with the employee in the event of safety or security reasons.

## **ARTICLE IV. HOURS OF WORK AND WORK SCHEDULES**

The Village renders service 24 hours a day, seven days a week. As a consequence, the daily hours of work and the regular workweek of Village employees varies according to the services rendered by the particular department or division. Regular work schedules shall be established by the Department Head with approval of the Village Administrator. Any deviation from the established regular hours of work must be approved by the Department Head and the Village Administrator in advance, except as otherwise provided in an applicable leave policy or as a form of reasonable accommodation for an individual who is disabled (including medical conditions related to pregnancy or childbirth).

### **Section 4.1 Regular Work Week**

In general, a regular work week is defined as a consecutive seven (7) day period commencing at 12:00 a.m. on Sunday, and ending at 11:59 p.m. on Saturday, the seventh day. It is the policy of the Village to establish the time and duration of work hours as required by business factors such as the workload and production flow, customer service needs, the efficient management of employees and any applicable law. Each Department Head will determine the schedule of work hours for employees in his/her department. The Department Head has the discretion to schedule employees to work weekends, extra shifts, or holidays when necessary. Once an employee reports for duty, work is to commence promptly. Failure to perform work activities during working time may be deemed to be falsification of time keeping records due to the seriousness of the offense.

We reserve the right to adjust the regularly scheduled hours of work or regularly scheduled work week of an employee as necessary to meet the needs of our residents. When this occurs, we will attempt to provide prior notice to the affected employee(s). We appreciate the cooperation of all employees in this process when it becomes necessary.

### **Section 4.2 Lunch and Break Periods**

Each supervisor will schedule a one-half hour unpaid lunch period and two paid fifteen-minute breaks for each employee on each shift/workday that lasts 7 hours or longer. Lunch and break periods will be scheduled to ensure adequate coverage for the department to assist the

general public. Employees may not shorten the work day with the use of break time or lunch time at the start or end of the workday. Non-exempt employees, absent extraordinary circumstances, are required to take their scheduled lunch period and those employees are not permitted to work through a designed lunch period. Non-exempt employees are completely relieved of their obligation to perform work during their authorized lunch periods. The only rare exception is necessary for authorized business purposes to serve the public and with the prior approval of the Department Head. On occasion, an employee may be asked to work during their paid break period(s) when needed for business reasons.

### **Section 4.3 Attendance and Absenteeism**

Regular and predictable attendance is an essential function of every position of employment in the Village of Thornton. Village employees are required to report to a designated place of work punctually and to work all regularly scheduled hours established by the Department (with or without a reasonable accommodation if the employee is disabled or has a medical condition related to pregnancy or child birth). When employees give notification of their inability to report for work, tardiness or need to leave early, they must speak directly to their Supervisor.

Voice mail notification may be used to report inability to work and tardiness to the employee's supervisor. Notice must be received at least one hour prior to the employee's scheduled start time. Notification should include a reason for absence and an indication of when the employee can be reasonably expected to return to work. Employees must obtain permission from their Supervisor(s) to leave their designated place of work during scheduled work hours. In addition, employees who are frequently away from their designated place of work for business reasons should keep their supervisors informed of their whereabouts. Except as required by law and/or for approved time off, employees who are absent due to illness may be required to present medical certification justifying their absence and/or indicating their ability to return to work. Leaving work without justification prior to the employee's designated ending time also may be construed as voluntary job abandonment in some cases.

Employees who are absent from work due to serious weather conditions must use compensatory time or personal and vacation days to receive pay for their absence. (**See also Section 7.11 – Sick Days and Disability**).

The Village reserves the right to request medical certification to confirm the need for the employee to be away from work for extended periods of time and/or to ensure that the employee may safely perform his/her essential job functions (with or without a reasonable accommodation) when returning to work following an approved leave of absence.

### **Section 4.4 Temporary Modified Work Duty**

The Village may, at its discretion, assign an employee to an available temporary modified work duty position while the employee is recovering from a work-related illness or injury. However, the Village is not required to create or provide modified duty to any employee where there is no need to have the work performed. As a general rule, no modified work duty assignment may exceed 60 days without the approval of the Village Administrator. Modified work duty decisions will be made on a case-by-case basis by the Village Administrator. Exceptions to this

policy will also be made when legally required for individuals with disabilities (including employees who have medical conditions related to pregnancy or childbirth); these issues will be addressed on a case-by-case basis.

The Village does not have any permanent modified work duty assignments. Therefore, if an employee is not reasonably expected to be released to return to work to perform their normal essential job functions within a reasonable period of time (with or without reasonable accommodations), a request for temporary modified work duty may be denied or cancelled (if previously approved).

#### **Section 4.5 Flex Time**

Employees may work flexible schedules, dependent on the needs of their department and the requirements of their position, but only after receiving prior written approval from their Department Head and the Village Administrator. Generally, full-time hourly employees who work a flex schedule will be required to work the equivalent number of regular hours per work week as expected of other similarly situated employees as their workload will remain the same even on flex time schedule when approved.

### **ARTICLE V. EMPLOYEE CONDUCT**

#### **Section 5.1 Rules of Conduct/ Code of Ethics**

Employees of the Village must adhere to the following standards (THIS LIST IS NOT ALL INCLUSIVE):

- Uphold the Constitution and laws of the United States and the State of Illinois, and the laws, ordinances, and policies of the Village of Thornton;
- Be honest and trustworthy in all they say and write;
- Be dedicated to providing quality services;
- Be cooperative, constructive, and efficiently use all available resources;
- Be fair and considerate in the treatment of fellow employees and residents, addressing concerns and needs with equity, granting no special favors;
- Be committed to accomplishing all tasks in a superior way, and abstaining from all behavior (on or off duty) that may tarnish the image of the Village of Thornton;
- Recognize that public and political decisions are ultimately the responsibility of the Village Board; and
- Be dedicated to service that improves the quality of life in the Village of Thornton.'

Note: This policy is not intended to limit or restrict an employee's right to engage in protected concerted activities when allowed by law.

## **Section 5.2 Personal Appearance**

The Village is committed to maintaining a favorable public image with Village residents and promoting on-the-job safety practices.

Any department receiving budgeted funds for uniforms must establish a departmental policy regulating the wearing of those uniforms (and consequences of any policy violations). Employees who are issued Village uniforms and identification badges must wear them in accordance with departmental standards. Employees who separate from the Village within 30 days of hire who were issued uniforms may be required to return the uniform or reimburse the Village for a portion of the cost of the uniform depending on the circumstances involved. Where uniforms aren't purchased, Department Heads must establish department guidelines for suitable professional attire to ensure that the work environment is conducive to effective and efficient operations.

In general, clothing should be professional, tasteful, clean, neat, and appropriate for your duties. Employees are also expected to report to work in a clean and professional manner and without wearing any perfume or sprays that could be offensive to others. The Village does not discriminate against or tolerate discrimination against an individual based on their natural hair style and texture, such as locs, cornrows, twists, braids, etc. related to race or ancestry.

Any employee who reports to work in violation of this Policy may be asked to leave work for the day (without pay for time not worked) and/or the employee may be directed to take appropriate steps to get in compliance. Violations of this Policy will be grounds for disciplinary action, including dismissal for repeated or serious violations (even if not repeated). This policy will be applied on a non-discriminatory basis without regard to any legally protected category of the affected employees.

## **Section 5.3 Gifts and Gratuities**

All Village employees are prohibited from accepting personal gifts, gratuities or donations from the general public, vendors, businesses, or other persons that employees may come in contact with in the course of performing their job-related duties.

Complimentary promotional gifts, of a nominal value (i.e., less than \$20), such as: pens, pencils, paperweights, memo pads, and meals where Village business is discussed or food for general consumption in the work place are not subject to this policy. When in doubt about the value of any gift, consult your Department Head for guidance before retaining the gift.

## **Section 5.4 Solicitation and Distribution**

Village employees are expected to devote their full attention to assigned work tasks during scheduled working hours. For purposes of this policy, "scheduled working hours" do not include scheduled lunch or break periods where the employee is properly relieved from working. In general, solicitation by employees or non-employees is not permitted during scheduled working hours on Village property. Solicitation, while in an official capacity, is prohibited at all times.

Furthermore, distribution of materials by employees or by non-employees may be limited to control litter and minimize safety risks in public areas.

### **Section 5.5 Political Activities**

The support or promotion of political activities or interests by Village employees during work hours or with Village resources is prohibited. Any activity of a political nature conducted on an employee's authorized non-working/personal time is permitted; however, such activity pertaining to local municipal elections is discouraged. Village employment, job evaluation, retention, compensation, appointment, or termination will not be based on lawful political activities. Any employee who wishes to run for an elected Village Trustee or President position must first resign his/her position or seek a leave of absence. This policy will be construed and enforced to the fullest extent of the law.

### **Section 5.6 Work Area Housekeeping**

Good housekeeping is essential to safety in the work place. All employees should keep their work area clean, orderly, and free from loose and unnecessary items. The Village is not responsible for any personal property lost, damaged or stolen while being used by an employee in the performance of his/her duties.

In general, we prefer that employees turn off their personal cellular phone or devices during working time. When there is a unique personal reason for an employee to keep his/her personal cell phone on during working hours, it must be switched to silent mode or vibrate during regular office hours so as to prevent disruption of the normal course of business. An employee who is involved in excessive or lengthy personal phone conversations may be deemed to be in violation of this Policy and disciplinary action may be imposed.

All staff must maintain a clean and clear work area, which promotes organization and efficiency. Personal cell phones (or other personal electronic devices), food items or magazines are not allowed in plain sight.

### **Section 5.7 Fraternization/Romantic Relationships**

Unless previously approved by the Village Board, personal/romantic relationships among employees are discouraged as it may negatively impact the work place by creating an actual or potential conflict of interest. Employees in a supervisory capacity must maintain a professional relationship with subordinates and peers. An employee holding a supervisory role is not permitted to pursue or continue a romantic relationship with any employee who may report, either directly or indirectly, to them. If you have questions about whether the policy applies to your situation, you are encouraged to speak with the Village Administrator for additional guidance. Important Note: These issues will be addressed on a case-by-case basis.

### **Section 5.8 Use of Village Equipment, Vehicles, and Supplies**

Any employee who damages or destroys any municipal equipment, either through willfulness or neglect, may be required to repair or replace the lost or damaged equipment. In

addition, the employee may suffer disciplinary penalties imposed by the Department Head and/or the Village Administrator for intentional misuse or damage to Village property or equipment.

**a. Voice Mail Systems**

The voice mail system is the property of the Village of Thornton. It has been provided by the Village for use in conducting Village business. All communication and information transmitted by, received from, or stored in this system is considered Village record and property of the Village of Thornton. The voice mail system is to be used for Village purposes only. Use of the voice mail system for personal purposes is prohibited. Employees have no right to personal privacy within the Village of Thornton's voice mail system.

The Village of Thornton, at its discretion, reserves and may exercise the right to monitor, access, retrieve and delete any matter stored in, created, received, or transmitted in the voice mail system without permission of, or notice to, the employee.

**b. Computers**

The Village owns and operates various computer systems that are provided for business use by employees and contractors in support of business activities. All users are responsible for ensuring the equipment is used in an effective, ethical, and lawful manner. Any unauthorized use of Village computers (or related resources) is prohibited, and is grounds for loss of privileges, as well as discipline, termination of employment and/or legal sanctions under federal, state, or local laws when appropriate.

The Village complies with all applicable hardware and software copyright, licensing and other laws, agreements, and regulations. In order to ensure compliance with the law, and to protect our system from damage from computer viruses and other causes, we have established certain policies which all employees must follow:

- Employees are not permitted to take or transmit any original or copy of any software from the Village, without express advance written permission from the Department Head or Village Administrator.
- No software can be brought into or transmitted to the Village for use on our system without express advance written permission from the Department Head or Village Administrator.
- The Village's hardware and software cannot be used for any personal purposes without express advance permission from your direct Supervisor.
- Employees' personal hardware (such as a notebook computer) cannot be used with our software and/or on our system without permission from your direct Supervisor, or without complying with any conditions placed on such use.
- All passwords, password procedures (including confidentiality), and e-mail policies and procedures must be strictly honored. If you think someone may have gained access

to your password, it is your obligation to report the matter promptly to the IT Director (prior to the end of the workday) and ensure that your password is changed.

- During working time, computers and internet access are to be used only for business-related reasons. Personal use should be confined to non-working hours, and only with the permission of a Supervisor. When using the Village's computers and/or the internet for any purpose, do not use derogatory, inappropriate and/or non-professional language or communications, including but not limited to profanity, intentional defamation, obscenity, sexual harassment, etc. Use of Village computers or the internet for an inappropriate purpose or to harass or personally attack other individuals is expressly prohibited.
- Nothing in this policy is intended to limit or restrict an employee from properly engaging in legally protected speech or other legally protected activities. These issues will be addressed on a case-by-case basis to ensure that the rights of the employee are preserved while also protecting the rights of the Village and its residents

**c. Use of Village Vehicles for Business Purposes**

Unless otherwise expressly approved by an authorized Department Head in advance, Village vehicles should not be used for an employee's personal use. Additionally, passengers are not permitted to accompany a Village employee in a Village vehicle except for express business purposes that is approved in advance by the Department Head.

Employees are held responsible for the proper care and use of all Village vehicles. When relevant to Village business, Village vehicles may be taken home by employees when approved by the Department Head and Village Administrator in writing. When not in use, Village vehicles must be properly locked to avoid any theft or destruction. In addition, employees should inspect their vehicles on a daily basis and report any damage and/or needed maintenance to an immediate supervisor. Any employee that fails to abide by the above requirements will be subject to disciplinary action including reimbursement, replacement and or termination. Tobacco usage or smoking/vaping of any kind is strictly prohibited in all Village owned or leased vehicles.

Any employee who drives a Village-owned vehicle must have a valid driver's license and proper proof of insurance (if required). If an employee must have a valid driver's license to perform the essential functions of his/her job, the loss of the driver's license normally will result in the employee being placed on a leave of absence. The employee may utilize benefit time (but not sick time) during the leave of absence. In some cases, it may be necessary to remove an employee from the position and leave may not be appropriate depending on the circumstances involved.

State law must be followed at all times, including the wearing of seat belts whenever vehicle is moving. In the event an employee is involved in an accident while operating a Village vehicle, a prompt drug and alcohol screening test may be conducted, as further outlined in Section 5.16. The employee is responsible for paying any moving violation or parking citations received or incurred while operating a Village vehicle.

**d. Use of Personal Vehicle for Business Purposes**

Vehicle Allowance: If an employee is asked to use his/her personal vehicle for Village business, they may request mileage reimbursement at the applicable Internal Revenue Service mileage rate. Request for reimbursement must be submitted timely, in no greater intervals than quarterly (every 3 months). Reimbursement requests must be approved by Department Head and Village Board and indicate date, miles driven, destination and purpose of trip.

**e. Cellular Telephones**

The Village owns and operates various cellular telephones that are provided for use by employees in certain positions to support their business activities. All users are expected to carry their cellular phones at all times during work hours and are responsible for ensuring the equipment is used in an effective, ethical, and lawful manner. Given that the cellular telephone is made available at no cost to employees, there is no reason for the employee to incur any expense through the business use of their own cellular telephone.

Unacceptable use or misuse is prohibited, and is grounds for loss of privileges, as well as discipline, termination of employment and legal sanctions under federal, state, or local laws. Use of cellular phones is further governed by all applicable rules outlined in subsection (a) of this Section 5.8 of the Handbook and the applicable laws.

The Village will provide cellular telephones for specific positions; therefore, there is no business reason for any employee to use their personal phone for business purposes.

Of course, all communications on a Village issued phone (or personal phone used for business purposes) are subject to inspection and potential disclosure per FOIA and other applicable laws.

**f. Supplies**

Unless otherwise approved, the Village's supplies, equipment and other tangible resources should not be used for an employee's personal use or for any purpose other than the proper performance of your work assignments to the Village. Employees are held responsible for the care and appropriate use of Village supplies, resources, equipment and property.

**Section 5.9 Visitors**

Due to the nature of our business, employees are discouraged from receiving personal visitors during working hours. In the event an employee deems it important to receive a visitor during working hours, they should first receive permission from his/her direct Supervisor. Any authorized visitor must be escorted at all times while in working areas.

**Section 5.10 Confidentiality**

Employees who have access to confidential information concerning employees, residents or Village businesses are entrusted to maintain the privacy of such information. Unauthorized attempts to access, misuse, disclose or otherwise misappropriate confidential information is



considered a breach of trust and employees who do so may be subject to disciplinary action, including termination of employment.

The use of any type of recording device to record private conversations is prohibited unless all parties to the conversation have given their prior consent and approval and provided there is a business-related reason for the conversation to be taped. 5.11 Media Contact. This policy will be construed in accordance with the applicable laws, and it is not intended to limit or restrict employees from engaging in legally protected or concerted activities

### **Section 5.11 Media Contact**

Occasionally, employees may be contacted by members of the media. In order to protect the confidentiality of information and ensure a consistent and accurate message is delivered on behalf of the Village, official contact between employees and members of the media is prohibited without prior approval from the Village Administrator. Any inquiries from members of the media about Village related business activities should be promptly directed to the Village Administrator (or his/her designee if not immediately available). This policy is not intended to limit or restrict employees from engaging in legally protected or concerted activities.

### **Section 5.12 Unlawful Discrimination and/or Unlawful Harassment**

The Village of Thornton will not condone or tolerate discrimination or harassment of any kind by employees based on any legally protected categories (as defined in Policy 1.4). Similarly, the Village does not condone such discrimination or harassment of its employees on the part of residents, vendors, contractors, or other visitors. Village employees are expected to treat their fellow employees, residents of Thornton and Village clients with courtesy and respect regardless of any legally protected categories. Any Village employee found to have discriminated against or to have harassed another employee, contractor, resident of Thornton, or other individual who performs services for the Village will be disciplined up to and including termination if deemed appropriate by the circumstances involved.

Any employee experiencing similar acts of discrimination or harassment should immediately report such incidents to their Supervisor or the Village Administrator. Formal complaint procedures for instances of alleged harassment are further addressed in Section 5.15 and without retaliation.

### **Section 5.13 Sexual Harassment**

All employees will comply with the Village's policy prohibiting sexual harassment which is attached as Appendix A. of this Manual.

Formal complaint procedures for instances of alleged sexual harassment are further addressed in Section 5.15 without retaliation.

### **Section 5.14 Workplace Violence**

The Village of Thornton seeks to provide a workplace for all of our employees that is free from recognized hazards or threats (even if joking or horseplay is involved) that are causing, or

likely to cause, physical harm or threats of physical harm. We also do not tolerate workplace “bullying” which could interfere with the performance of work activities or could cause an employee to be uncomfortable at work. Therefore, we have adopted the following policy regarding violence in the workplace:

1. The Village does not tolerate violence in the workplace. This applies to all employees, residents, vendors, and visitors.
2. All employees are expected to conduct themselves in a manner that will maintain a workplace that is free of violence or threat of violence.
3. This policy is intended to cover any behavior that constitutes violence or threat of violence (even joking) including, but not limited to, the following:
  - Physical fighting, including pushing, shoving, hitting or in any way deliberately hurting a co-worker, resident, vendor, or visitor; or
  - Destruction or sabotage of personal or Village property; or
  - A verbal or written statement that indicates intent to hurt or otherwise harm a co-worker, resident, vendor, or visitor; or
  - Belligerent or inappropriate conduct, including swearing and persistent loud, angry statements made to or in the presence of a co-worker, resident, vendor, or visitor.

Formal complaint procedures for instances of alleged workplace violence are further addressed in Section 5.15 without retaliation. In some cases, the “bullying” or alleged harassment may be a violation of this Policy even if it does not constitute a violation of the law. All such violations should be reported for investigation (and remedy if appropriate) to help ensure that we have a professional and comfortable working environment for all employees.

### **Section 5.15 Complaint Procedures**

Complaints alleging a violation of discrimination, harassment, workplace violence, retaliation or sexual harassment policies are encouraged to be brought to the attention of the relevant Department Head or Village Administrator as soon as possible after the alleged incident. In the event that the Village Administrator is the alleged offending party, complaints should be taken directly to the Village Attorney who can determine if an outside independent investigation is necessary and appropriate due to the nature of the allegations.

Employees shall not be subjected to harassment or retaliation as a result of having filed a complaint or appealed a decision or for participating as a witness in an investigation of this sort.

Due to their sensitive nature, all complaints of discrimination, harassment, violence, or sexual harassment will be investigated with care, and the privacy of the complainant and the person being accused will be respected to the extent appropriate and consistent with a thorough investigation. The Village will actively investigate all discrimination, harassment, and/or

workplace violence complaints, and if it is determined that misconduct has occurred, management will take appropriate disciplinary action against the offending party, up to and including discharge, criminal penalties, or both.

### **Section 5.16 Drug and Alcohol Policy**

The Village of Thornton subscribes to the principle of a drug free work force and work place. It is the policy of the Village to strictly prohibit manufacturing, distributing, dispensing, possessing, using, and/or selling controlled substances by any individual or employee while on Village premises. Village premises includes all job sites, land, property, building, structures, installations, parking lots, mean of transportation owned or managed by or leased to the Village or otherwise being utilized for Village business, and private vehicles while parked or operated on Village premises.

At Village-approved or business-related functions or meetings during which alcohol is served, moderate consumption is allowed so long as the individual does not drive afterwards and provided the employee conducts him/herself in accordance with our normal standards of conduct and applicable rules of professionalism.

- Employees are prohibited from being at work with any detectable amount of alcohol in their system. Employees are also prohibited from reporting to work under the influence of or impaired by alcohol or cannabis products (even if lawfully used while off duty). Any employee violating this prohibition will be subject to disciplinary action up to and including immediate discharge. Consequently, employees are not allowed to consume alcohol or cannabis products during lunch or break periods.
- Employees must not perform safety-sensitive duties if they are aware of any medical condition or have used alcohol or a drug, including prescribed medication (taken according to prescription), that may adversely affect their ability to perform such duties or that may affect safety, employees, or the public. (When in doubt, report the situation to the Department Head so we can determine if an accommodation is necessary to help you with the performance of your essential job functions in a safe manner).
- The Village reserves the right to inspect packages, bags, briefcases, desks, lockers, automobiles, etc., where there is a reasonable belief that illegal drugs or alcohol may be present on Village property. An employee's failure to promptly and fully cooperate with an investigation may result in disciplinary action, including but not limited to immediate discharge.
- An employee suspected of being under the influence of a controlled substance, or an employee who is involved in an on-the-job accident (especially when the accident involves property damage or which requires medical treatment of any person), may be required to take a medically approved test(s), to be given by authorized medical personnel, to determine whether the Village's drug and alcohol policy has been violated.

- Employees subject to Department of Transportation (DOT) regulations must comply with DOT'S Drug and Alcohol Testing Policy.
- An employee's refusal to promptly and fully submit to a drug and/or alcohol test may result in disciplinary action, up to and including immediate discharge. Refusal includes refusing to report immediately to the testing location upon request, refusal to sign a medical test authorization form as required by the Village, tampering with a test, refusal to provide specimens unless medically incapable of doing so, and/or attempts to falsify or interfere with the testing process, including failure to comply with instructions or attempting to substitute, dilute, or otherwise change specimens to be tested.
- Employee consent to testing under this policy will not act as a waiver of disciplinary action, up to and including termination.
- While the Village awaits the results of drug and/or alcohol test, the employee may be suspended with or without pay (as determined by the Department Head). In this situation, if the results of the test are negative, the employee will be reimbursed for regular working time lost due to taking the test(s). Further, the fact that the employee took such test, and the results thereof, shall not be used against the employee if the test results are negative.
- If an initial test is positive, a second test will be conducted from the sample, or a second sample may be required. A confirmed positive drug and/or alcohol test may result in disciplinary action up to and including immediate discharge. The employee may also submit a written request for a confirmatory retest of the original sample at his or her own expense at an appropriately certified laboratory. Such written request must be received by the Village within five (5) working days of the date of the original test result notice. Any such retest would be in addition to the Village's confirmation test described above.
- An employee may be disciplined (up to and including discharge) for violation of the Village's drug and alcohol policy, in the absence of a test, based on other evidence, including but not limited to observed conduct and symptoms.
- Employees who are convicted for off-the-job drug-related activity may be considered to be in violation of this policy. In deciding what action to take, the Village will consider the nature of the charges, the employee's present job assignment, the employee's record with the Village, the impact of the employee's conviction on the Village and any other factor the Village may deem relevant.
- Additionally, employees shall notify the Village of any criminal drug statute conviction no later than five (5) days after such conviction. Any employee who is so convicted will be considered to be in violation of this policy and subject to appropriate sanctions, including discharge. Alternatively, and in keeping with the Village's desire to encourage treatment and rehabilitation where possible, the Village may require a convicted employee to successfully complete an approved drug rehabilitation program in lieu of other disciplinary action.

- An employee will not be disciplined based on a positive test alone for cannabis where there is no evidence or reason to believe that the employee was impaired or under the influence of cannabis while on duty. If an employee is directed to submit to a drug test based on a reasonable suspicion that they are under the influence of or impaired by cannabis on working time, the employee has a right to request review/appeal of the circumstances involved through the Village Administrator to review the circumstances that created the basis of the reasonable suspicion. The determination by the Village Administrator about whether a policy violation occurred will be final based on a review of the totality of the circumstances involved.
- Employees with substance abuse problems are encouraged to contact their supervisor for counseling and possible referral for treatment. The Village will not discipline an employee who voluntarily seeks treatment for a substance abuse problem if the employee is not in violation of the Village's drug and alcohol policy or other rules of conduct. The cost of such treatment is at the employee's expense, subject to possible coverage, if any, by group health insurance. Seeking such assistance will not be a defense for violating the Village's drug and alcohol policy, nor will it excuse or limit the employee's obligation to meet the Village's policies, rules of conduct, and standards including but not limited to those regarding attendance, job performance, and safe and sober behavior on the job. Additional information regarding specific Village assistance programs can be found in **Section 7.12**. **Note:** An after the fact request for assistance will not excuse a policy or rule violation.

### **Section 5.17 Tobacco Usage**

In accordance with the Illinois Smoke-free Workplace Act, the Village prohibits smoking of any product (including vaping even if tobacco is not involved) in any form in all buildings owned or leased by the Village, and in all Village-owned or leased vehicles. Employees who choose to smoke must remain at least 15 feet away from any entrance, exit or ventilation intake. Smoking is only permitted during authorized break or lunch periods in authorized areas that are at least 15 feet from an entrance. Cigarette butts and other tobacco waste must be disposed of properly and should not be left on the ground. Violations of this policy will result in disciplinary action.

### **Section 5.18 Whistleblowing**

When an individual discovers information that he/she believes may tend to show malpractice or wrongdoing within the organization, this information should be disclosed internally without fear of reprisal. In order to ensure that no member of staff feels at a disadvantage in raising legitimate concerns, this policy hereby prohibits any retaliation against any employee who in good faith reports such allegedly improper action (regardless of the outcome of the investigation). Employees who feel they have been retaliated against should report those concerns directly to the Village Administrator or Village Attorney. This policy will be administered and enforced pursuant to all applicable laws.

## **ARTICLE VI. COMPENSATION**

### **Section 6.1 Payroll**

Employees of the Village are paid bi-weekly, generally on every other Friday by the end of the workday, for the two-week period ending the previous Saturday. When a holiday falls on a Friday, pay checks or direct deposit statements normally will be distributed the preceding day by the end of the work day. Paychecks/pay stubs should be given personally to the employee, unless alternative prior arrangements are made with the Village Collector.

All employees must maintain and submit accurate records of all hours worked. These records will be forwarded to the Village Collector (or designee) for payroll purposes. It is a violation of this policy and grounds for disciplinary action (including termination) for any employee to falsify or otherwise misrepresent any information submitted on their time sheet (no matter when discovered).

Your paycheck/pay stub itemizes the amounts and descriptions of all deductions from your gross earnings, including all Federal and State Income taxes, Social Security and Medicare taxes, all additional legally required deductions, as well as those which you have previously authorized the Village to make. Any inquiries regarding an employee's paycheck/pay stub should be directed to an employees' immediate Supervisor and/or the Village Collector. We will promptly investigate and remedy all inquiries as appropriate and without retaliation against the employee who raised the inquiry.

### **Section 6.2 Overtime**

It is the Village's expectation that all work should be accomplished within the regularly scheduled workday. Occasionally, however, employees may be expected to work a reasonable amount of overtime to meet our business needs. Appropriate efforts will be made to provide employees with advance notice of any overtime work that is required when it is practical to do so. Employees are not permitted to work overtime without prior authorization due to the potential safety risks involved.

Non-exempt hourly employees will receive overtime pay of one and one-half their regularly hourly rate, for all time worked in excess of 40 hours in a given work week. Hours not worked but paid for, such as vacation, holidays, personal/sick days, funeral leave, bereavement leave, etc. are not counted as hours worked for purposes of calculating overtime.

For exempt employees, your regular salary covers all of your hours worked during the preceding payroll week, regardless of the number of hours worked. Exempt employees will not experience any reduction in their weekly salary based on the number of hours worked, with limited exceptions allowed based on the state and federal wage/hour laws for time away from work on intermittent leaves, for full day increments after an employee exhausted their paid benefit time, etc.

### **Section 6.3 Compensatory Time**

Compensatory time is administered on a departmental basis through the guidelines set forth by the Department Head or, if applicable, a CBA. Compensatory time usage shall be taken only with pre-approval of the employee's immediate Supervisor or Department Head, and the Department Head may require that compensatory time only be used during time periods in which the department reasonably and in good faith believes the use of requested compensatory time off would impose an unreasonable burden on the department. Unused earned compensatory time will be paid out at the time of termination, regardless of the reason for termination. As a general rule, no employee may accrue more than 40 hours of compensatory time without prior approval of the Village Board except as provided otherwise in a CBA.

## **ARTICLE VII. EMPLOYEE BENEFITS AND SERVICES**

### **Section 7.1 Health, Dental and Vision Insurance**

The Village provides eligible employees and their eligible dependents an opportunity to enroll in the Village's group health insurance program subject to the terms, eligibility requirements of the benefit programs. For details about the conditions, coverage, co-payments, eligibility requirements enc, consult the Village Collector to obtain additional information about the current benefit program. The employee share of the premium costs may be paid through deductions that will be withheld directly from the employee's payroll check. This employee contribution amount (premium costs) is also subject to change from time to time in the discretion of the Village. If an employee has any questions regarding the Village's insurance benefit program, the current premium amounts or other eligibility or coverage requirements, they should contact the Village Collector. In all cases, the terms of the plan documents will prevail in the event of a conflict between a plan document and this Manual.

**Important Note:** The Village reserves the right to modify, amend, or terminate employee benefits and services as they apply to all current, former, and retired employees (when applicable).  
Life Insurance

Eligible full-time employees in certain positions may elect to participate in the Village's life insurance benefit program. Under this program, employees will receive a flat, \$50,000 coverage policy. For more details about the insurance coverage and eligibility requirements, consult the plan documents available from the Village Collector.

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### **Section 7.3 Retirement Health and Hospitalization Insurance**

The Village currently provides Health and Hospitalization Insurance coverage for eligible retired employees under the following conditions:

1. The employee must be a full-time employee and completed a minimum of 20 years continuous full-time service immediately prior to retirement with the Village.
2. Must be between the ages of 55 and 65 years of age.

As of the time of issuance of this Handbook, retired employees qualifying for this coverage, the cost of the monthly insurance premiums for the retiree only coverage is to be split on an even 50/50 basis between the Village and the retired employee. Retirement insurance coverage will cease upon the 65th birthday of the eligible retiree.

Eligible retired employees also may elect to include his/her spouse and/or children(s) on the Village's group health insurance plan; however, the retiree is required to pay for 100% of the premium attributable to the coverage cost for the spouse or other eligible dependents. This benefit program will be construed according to the applicable plan documents and the law. For more details, consult the Village Administrator or applicable plan documents. Like all benefit programs, this program is subject to review and revision at the discretion of the Village Board for various reasons and this should not be construed as a binding promise or contract.

### **Section 7.4 Social Security**

Employees participate in the Federal Social Security Program (FICA) which provides retirement, disability, and death benefits. The rate of deduction is set by law and withheld from each paycheck. In addition, all employees participate in the Medicare program

### **Section 7.5 COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides workers and their families who become ineligible for health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in hours worked, transition between jobs, debt, divorce, and other life events. Qualified individuals shall be required to pay the entire premium cost of the plan. Consult the Village Collector if you have questions about this law.

### **Section 7.6 Illinois Municipal Retirement Fund (IMRF)**

Eligible employees, those who work a minimum of 1,000 hours within a 12-month period, are mandated to participate in the Illinois Municipal Retirement Fund. State Statutes require that a percentage be deducted from each employee's paycheck for his/her contribution to the plan. The Village also contributes a percentage for each eligible employee, subject to legal requirements and other applicable conditions.

Participation and benefit levels are set by IMRF. This information can be found at [www.imrf.org](http://www.imrf.org). Consult the Village Collector if you have questions.



### **Section 7.7 Vacation (Full-Time Employees)**

All active full-time employees are eligible to receive paid time off, as outlined in this policy, for the purpose of rest and relaxation. This Policy will be construed pursuant to the Cook County Paid Leave Ordinances and paid time off (for any reason) will be accrued at the rate of one hour for each 40 hours of time actually worked. Employees begin accruing vacation time upon their date of hire but are not eligible to use any vacation time until they have successfully completed 90 days of employment.

Full-time employees will accrue a maximum amount of paid vacation leave (for sick, personal or any reason) as follows, unless otherwise approved by the Village Board:

<b>COMPLETED YEARS OF CONSECUTIVE SERVICE</b>	<b>VACATION HOURS</b>
1-4	80
5-14	120
15-19	160
20+	200

Vacation time is available for use by the employee after it has been truly earned (provided the employee worked at least 90 days for the Village). Vacation hours may not be taken in less than one (1) hour increments. Vacation pay is based upon an employee's normal straight-time weekly salary. Upon termination of employment, the employee will receive pay for any unused but earned vacation time. Vacation hours are granted and available to be taken (once earned) on the basis of the calendar year; up to 40 hours of unused vacation time within any calendar year will be carried over to the following calendar year. Employees may 'cash out' up to 40 hours of unused vacation time at the end of the year. Employees must notify their supervisor by November 15th of their intention to do so. This compensation will be added to the employee's check in December.

Employees may not take more than 40 Hours of vacation time without prior approval from their Supervisor. The number of employees who are granted vacation at the same time may be limited. Vacation time will be scheduled so that the mission of the respective department is not adversely affected. As such, vacation requests may be denied based on staffing needs. All vacation requests require approval from the employee's Supervisor. Vacation time off may be used in increments of one hour each.

Employees are asked to provide a minimum of seven (7) days' prior notice when using this paid time off for foreseeable reasons. If using the paid time off for unforeseen reasons, as much notice as is practicable is required. We reserve the right to deny approval of the use of time off when there are multiple requests for time off on the same day in the same department. Generally, these unscheduled requests will be granted in favor of the seniority when multiple requests are received.

### **Section 7.8 Paid Time Off (Part-Time; Seasonal and Temporary Employees)**

The Village employs individuals whose normal workweek is less than 40 hours per week. These employees are entitled to paid time off under this Section 7.9 pursuant to the Cook County

Paid Leave Ordinance. Part-time employees are entitled to use these hours for any reason in increments of no less than 1 hour. The employee should notify their supervisor as soon as practically possible of their intent to take this benefit time.

Part-time employees can earn one (1) hour of paid time off for every forty (40) hours worked, up to a maximum of 40 hours. These hours will be “frontloaded” on a pro-rata basis at time of hire and every January 1 thereafter. At time of hire, the employee will be given benefit hours to be used immediately at a rate of 1 hour for every 40 hours anticipated to be worked from the date of hire through December 31 of the year of hire, up to the maximum 40 hours. At each January 1 thereafter, the employee will be allocated a number of hours based on the anticipated number of hours to be worked in that calendar year at a rate of 1 hour for every 40 hours, up to a maximum of 40 hours of paid time off.

If an employee worked more than the anticipated hours in any given year, the additional hours earned over their frontloaded hours will be added to the estimated hours up to the maximum 40 hours per year. If an employee works fewer than the anticipated hours, there will be no adjustment to the frontloaded hours.

Hours worked will include all hours worked in 15-minute increments, rounded up. Hours will not include paid or unpaid leave or other non-compensable time off.

Paid leave for this section is not eligible for carryover and will expire on December 31 of any given year.

Employees who perform services at various rates of pay will be paid for time off at a rate based on the weighted average of the estimated hours to be performed for each job assignment.

### **Section 7.9 Personal Time for Compelling**

Full-time employees also will receive 24 Hours of paid “Personal Time” for compelling and unanticipated personal reasons during each calendar year that cannot be scheduled outside the employee’s regular working hours. Personal Time must be taken in minimum increments of one hour unless otherwise approved by the Department Head. r. Unused personal Time may not be carried over to the following year. Please understand that this Personal Time off is available for specific compelling personal reasons and should not be construed as additional Vacation time off.

### **Section 7.10 Holidays**

Holidays in which the Village Hall is closed are set annually by the Village Board. For informational purposes, however, the following holidays have traditionally been approved on days designated by the Village Board when they fall on scheduling workdays:

1. NEW YEAR'S DAY
2. DR. MARTIN LUTHER KING JR.'s BIRTHDAY
3. PRESIDENT'S DAY

4. GOOD FRIDAY
5. MEMORIAL DAY
6. INDEPENDENCE DAY
7. LABOR DAY
8. VETERAN'S DAY
9. THANKSGIVING DAY
10. FRIDAY AFTER THANKSGIVING DAY
11. CHRISTMAS EVE
12. CHRISTMAS DAY
13. NEW YEAR'S EVE DAY

In the event that any of the above holidays fall on a Saturday, the preceding Friday normally will be observed as the holiday. In the event that any of the above holidays fall on a Sunday, the following Monday shall be observed as the holiday.

In order to be paid for a holiday, employees must not have an unapproved absence on the day preceding a holiday and/or the day after a holiday

Any other holidays or specific days that an employee may wish to celebrate for religious or other reasons must be taken by utilizing personal or vacation time. If the employee has no paid benefit time remaining, an employee may apply for unpaid time off for a genuinely held religious belief by making arrangements with their supervisor.

#### **Section 7.11 Sick Time**

Upon completing one's probationary period, active full-time employees will receive fifty-six (56) sick hours per calendar year. Unlike vacation or personal time, unused sick time shall carry over from year-to-year. Upon employment separation, employees shall be paid 25% of all accumulated sick time.

When an employee finds it necessary to be absent for personal (physical or mental) illness, an immediate family member's illness, bodily injury, exposure to contagious disease, or appointments with a doctor or dentist, the employee shall report the absence to his/her immediate Supervisor at least one hour prior to the regular time for reporting to work. Sick leave pay may be denied in cases when a timely report is not made.

For purposes of this provision "immediate family member" is defined in the Family Medical Leave Act.

For more than three (3) days of absence due to employee's own illness, a Supervisor will require proof of illness, such as a statement signed by an attending physician or other proof satisfactory to the Supervisor, for any absence chargeable to sick leave of any duration. A Supervisor may also request for the employee to be examined by the Village's Occupational Health physician (or in some cases the employee's own health care provider) before returning to work to be sure the employee is released to perform their essential job functions and to determine if reasonable accommodation(s) may be medically necessary.

Compensation for sick leave of twenty-four (24) or more consecutive working hours for reason of personal (physical or mental) illness or physical incapacity shall be granted only after presentation of a written statement by a licensed medical doctor or other satisfactory evidence certifying that the employee's condition prevented him/her from performing the duties of his/her position. Any time off that qualifies under this policy and the FMLA or other Village leave policy will run concurrently.

### **Section 7.12 Employee Assistance Program**

The Village offers an Employee Assistance Program (EAP) to afford employees counseling and referral services. The EAP provider, Employee Resource Systems, provides confidential services to employees and their families to aid in coping with difficulties that may arise both at work and at home. Examples of such difficulties include alcohol and drug abuse, stress, anxiety, depression, marital or family discord, child or adolescent behavioral problems, domestic violence, elderly care, and financial or legal problems. Employees and their immediate family members, regardless of place of residence, are eligible to take advantage of EAP services. Services can be accessed by calling 800-292-2780.

## **ARTICLE VIII. APPROVED LEAVES OF ABSENCE**

### **PAID LEAVE:**

#### **Section 8.1 Bereavement Leave**

A Department Head or the Village Administrator may, upon request, grant an eligible employee an emergency leave of absence of up to twenty-four (24) consecutive hours without loss of pay due to the death of a member of the employee's immediate family. The purpose of this leave shall be to attend the funeral and/or assist with pre/post funeral arrangements on days that the employee would normally be working.

For purposes of this section, members of the immediate family include: spouse, mother, father, sister (step, half), brother (step, half), children (birth, step, adopted), mother-in-law, father-in-law, grandfather, grandmother, and/or grandchildren.

Vacation and compensatory time may be used to extend bereavement leave with the approval of the Department Head or Administrator so long as it does not cause undue hardship to the Department. The Village reserves the right to request documentation of a death and/or attendance at a funeral or related service.

The Village also complies with its obligations under the Illinois Family Bereavement Leave Act in providing job protected unpaid time off for eligible employees in certain circumstances.

### **Section 8.2 Jury Duty**

All eligible full-time employees qualify for paid jury duty leave. Upon notification of jury duty by the court, the employee should inform his/her Supervisor by presenting a copy of the notification. When at all possible, employees should give the Village reasonable notice of the need for jury duty leave by delivering a copy of the notification to the Village within 10 days of issuance. Upon completion of jury duty, the employee is obliged, as evidence of his/her attendance, to submit to the Village a copy of the compensation check awarded by the courts.

An employee will be granted leave with pay for jury duty only when he/she is required to serve on a regularly scheduled work day, up to 10 working days (remaining time off will be approved but is unpaid). Additionally, an employee may not be denied time off for jury duty because he/she works nights (The Village may not require a night shift worker to work the night shift while on jury duty during the day.) Jury duty is treated as an authorized absence from work; therefore, an employee will continue to receive his/her regular base pay while performing jury duty services, up to 10 working days.

Compensation for jury duty will be calculated on the employee's base rate times the number of hours the employee would otherwise have worked on the day of absence. The time spent on jury duty leave does not constitute hours worked and will not be used in the calculation of overtime. An employee called to jury duty may retain whatever compensation is awarded by the court for such service.

### **Section 8.3 Court Appearance**

Any employee who is summoned to serve as a witness pursuant to his/her job duties with the Village will receive full pay for the period of time required in fulfilling this duty. Employees will not be granted paid time off to appear in court on personal matters or as a witness for a party other than the Village (when requested by the Village), except if required by law.

### **Section 8.4 Military Leave**

Full-time employees who are members of a reserve component of the Armed Forces or National Guard and who are fulfilling a compulsory or voluntary military obligation shall be allowed a paid leave of absence to participate in annual field training or emergency duty for a period not exceeding 15 working days during any calendar year. The Village will comply with the Local Government Employees Benefits Continuation Act, 50 ILCS 14011 which applies to the mobilization of any employee reservist to active military duty by order of the President of the United States and all other applicable state and federal laws.

### **Section 8.5 Catastrophic or Compassionate Leave Donation**

It is the policy of the Village to permit employees to donate vacation and compensatory time to be used by qualifying employees. The leave is to assist employees and their families when a catastrophic event forces the employee to exhaust all leave time, lose compensation from the

Village, and when the situation presents a hardship to the employee and the employee's family or to assist when the employee is absent due to a situation that places primarily responsibility for care on those employees. A qualifying employee may benefit from a maximum of 80 hours (10 days) of time transferred from other employees. The Village Administrator will make the final determination as to what qualifies as a catastrophic event.

### **Section 8.6 Workers' Compensation**

An employee who incurs an illness or injury as the result of job-related duties shall be entitled to worker's compensation benefits in accord with the Illinois Workers' Compensation Act and pursuant to other applicable state and federal laws.

If an employee sustains an injury while at work, no matter how slight, they are expected to report it immediately to their Supervisor as soon as possible and prior to the end of the employee's work day so that a determination can be made about whether an adjustment to conditions is necessary and/or to review the available reasonable accommodations if medically necessary. If your Supervisor is not available, injuries shall be reported to the Village Administrator. In addition, an accident report form must be completed and received by the Supervisor within 24 hours of the injury or accident.

### **Section 8.7 Temporary Modified/Restricted Duty Work Assignments**

Nothing in this section shall preclude the Village from requiring that the employee return to work on a modified work or light duty basis if a physician certifies that the employee is released to perform the available modified work assignments (with or without reasonable accommodations if medically necessary), and the employee is capable of performing such light duty. Once an employee has been released by a physician for light duty, all workers' compensation benefits may end if provided by law.

As referenced in **Section 4.4**, the Village reserves the sole right to determine the availability of any light or modified work duty.

### **Section 8.8 Education Reimbursement**

It's the Village's policy to cover costs for all or part of approved job-related seminars, training programs, and academic courses, assuming funding is available within budget limitations. Education reimbursement must be preapproved by the Department Head or Village Administrator. If approved, employees also may be compensated at their regular rate of pay while attending seminars, training programs, etc., assuming such attendance occurs on a regularly scheduled work day.

## **ARTICLE IX. UNPAID LEAVES OF ABSENCE**

### **Section 9.1 Personal Leave of Absence**

For extraordinary reasons, and upon employee request, a Department Head may recommend to the Village Administrator the granting of a leave of absence without pay for up to

twelve (12) consecutive workweeks. Extensions may be considered on a case-by-case basis for compelling personal reasons or as a form of reasonable accommodation for an employee who is disabled (or has a medical condition related to pregnancy or childbirth).

In granting a personal, non-FMLA leave of absence, employees shall understand that it is not possible for the Village to guarantee job availability upon return. The Village will, however, make a serious effort to reinstate an employee to the same position or to another position for which the employee is qualified. Failure to return to work following completion of a personal leave of absence, or refusal to accept an offered position will constitute a voluntary resignation.

Exceptions to this policy and leave extensions will be granted where appropriate for individuals with a disability under circumstances where this is deemed to be a reasonable accommodation which does not provide an undue hardship to the Village.

## **Section 9.2 Family and Medical Leave Act (FMLA)**

1. If you have been employed by the Village for at least 12 months (with no break in service of seven (7) or more years except if related to USERRA covered military obligations [and/or as otherwise provided in a collective bargaining agreement or written agreement, if applicable]) and have worked at least 1,250 hours during the 12-month period preceding the start of the leave (which includes all periods of absence from work due to or necessitated by USERRA-covered service, you are eligible for up to a total of 12 workweeks of unpaid leave during any rolling 12 month period for one or more of the following reasons:
  - (a) Because of the birth of your child and in order to care for such child (within 12 months after the birth of the child);
  - (b) Because of the placement of a child with you for adoption or foster care (within 12 months of the placement of the child);
  - (c) In order to care for your spouse, child, or parents if they have a “serious health condition;”
  - (d) Because of a “serious health condition” that makes you unable to perform the functions of your job; or
  - (e) Because of any “qualifying exigency” (as defined by the Secretary of Labor) arising out of the fact that your spouse, child, or parent is deployed on covered active duty in a foreign country (or has been notified of an impending call or order to covered active duty in a foreign country) in the Armed Forces, including the National Guard and Reserves.

2. Serious Health Condition. For purposes of this policy, “serious health condition” means an illness, injury, impairment or physical or mental condition that involves one of the following:
- (a) Hospital Care. Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity relating to the same condition;
  - (b) Absence Plus Treatment. A period of incapacity of more than three (3) full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either:
    - Treatment two (2) or more times (within 30 days and provided the first visit takes place within seven (7) days of the first day of incapacity) by a health care provider, by a nurse or physician’s assistant under 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;
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (first visit to health care provider must take place within seven (7) days of the first day of incapacity).
  - (c) Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care;
  - (d) Chronic Conditions Requiring Treatment. A chronic condition which: requires at least two (2) periodic visits for treatment per year by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider; which condition continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
  - (e) Permanent/Long-term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
  - (f) Multiple Treatments (non-chronic conditions). Any period of incapacity to receive multiple treatment (including any period of recovery therefrom) 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 would likely result in a period of



incapacity of more than three (3) full consecutive calendar days in the absence of medical intervention or treatment.

3. **Qualifying Exigency Leave.** If you are an eligible employee (as defined above), you are entitled to take up to 12 weeks of unpaid FMLA leave for any qualifying exigency arising out of the fact that a covered military member is on covered active duty or called to covered active-duty status in a foreign country. The leave described in this paragraph is available during a 12-month rolling period and may be taken on an intermittent or reduced leave schedule basis. You will be required to provide a copy of the covered military member's active-duty orders or other documentation issued by the military that indicates that the military member is on covered active duty or is called to covered active-duty status in a foreign country and the dates of the covered military member's covered active-duty service. Eligible employees may take all 12 weeks of his/her FMLA leave entitlement as qualifying exigency leave or the employee may take a combination of 12 weeks of leave for both qualifying exigencies leave, or any other qualifying reason listed above.

With respect to a Qualifying Exigency Leave:

- (a) A "covered military member" means your spouse, son, daughter, or parent who is on covered active duty or called to covered active-duty status in any foreign country in any of the Armed Forces, including a member of the National Guard or Reserves.
- (b) A "qualifying exigency" includes the following broad categories: (a) short notice deployment; (b) military events and related activities; (c) childcare and school activities; (d) parental care; (e) financial and legal arrangements; (f) counseling; (g) rest and recuperation; (h) post deployment activities, including reintegration activities, for a period of 90 days following the termination of active duty status; and, (i) additional categories that are agreed to by the employer and employee within this phrase.
- (c) The phrase "son or daughter" is defined as your biological, adopted, or foster child, stepchild, legal ward, or child for whom you stood in loco parentis, of any age for qualifying exigency leave, who is on active duty or called to active-duty status who is of any age. (Note: This definition is different from other sections of this FMLA policy). If the exigency leave is to arrange for childcare or school activities of a military member's child, the military member must be the spouse, son, daughter, or parent of the employee requesting the leave.
- (d) A "parent" means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to you

when you were a son or daughter, but it does not include “parents in law.”

- (e) Parental care – eligible employees may take leave to care for a military member’s parent who is incapable of self-care when the care is necessitated by the military member’s covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting, or transferring the parent to a care facility, or attending meetings with staff at a care facility.
  - (f) Rest and Recuperation – eligible employees may take up to fifteen days to spend time with a military member on Rest and Recuperation leave, limited to the actual leave time granted to the military member and supported by the Rest and Recuperation leave orders or other appropriate documentation issued by the military setting forth the dates of the leave.
4. Military Caregiver Leave. If you have been employed by the Village for at least 12 months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, and you work at or report to a work site which has 50 or more Village employees within a 75-mile radius of that work site, and you are a spouse, child (of any age for military caregiver leave), parent or next of kin of a Covered Service member, as defined below, you are entitled to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the Covered Service member (including 12 workweeks for any other FMLA qualifying reason). The leave described in this paragraph shall only be available during a single 12-month period beginning as of the date the leave commences and ending 12 months after that date (and any unused amounts are forfeited).

Military Caregiver Leave may be permitted more than once if necessary to care for a different Covered Service member (or the same Service member with multiple or subsequent injuries or illnesses) up to a combined total of 26 workweeks in a 12-month period. However, your total available leave time in any single 12-month period generally may not exceed a combined total of 26 workweeks (including FMLA time off taken for any other reason); except as provided under the FMLA regulations. You will be required to submit a timely medical certification available from the Village Administrator or an invitational travel order or authorization from the Department of Defense as a condition of receiving approved Military Caregiver Leave. NOTE: the 12-month computation period for this type of leave differs from the other types of FMLA leave.

With respect to Military Caregiver FMLA Leave:

- (a) A “Covered Service member” means (1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary

disability retired list, for a serious injury or illness, or (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy, and who was discharged or released under conditions other than dishonorable.

- (b) “Outpatient status” means the status of a Covered Service Member assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- (c) “Next of kin” means the nearest blood relative of that individual (regardless of age) other than an employee’s spouse, son, or daughter. You are required to provide confirmation of the relationship upon request. The Service member may designate the blood relative who is considered his/her next of kin; otherwise, the following order generally will apply: blood relatives granted custody by law, brother/sister, grandparents, aunts/uncles, and then first cousins.
- (d) “Serious injury or illness” for a Current Service member means an injury or illness incurred by the Service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the Service member’s active duty and was aggravated by service in the line of duty) that (i) may render the Service member medically unfit to perform the duties of the member’s office, grade, rank or rating, or (ii) in the case of a veteran Service member, that manifests itself before or after the member became a veteran.
- (e) “Serious injury or illness” for a Covered Veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is: (1) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the Service member unable to perform the duties of the Service member’s office, grade, rank, or rating; OR (2) A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR (3) A physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a

disability or disabilities related to military service or would do so absent treatment; OR (4) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

5. Spouses Employed by the Village. If your spouse also works for the Village and you both become eligible for a leave under paragraphs 1a. or 1b. above, or for the care of a sick parent under paragraph 1c. above, the two of you together will be limited to a combined total of 12 workweeks of leave in any rolling 12-month period. In addition, if you and your spouse both become eligible for a leave under the Military Caregiver Family Leave provision above or under a combination of the Military Caregiver Family Leave provision, paragraphs 1a. and 1b. above, or to care for your parent with a serious health condition under paragraph 1c above, the two of you together generally will be limited to a combined total of 26 workweeks of leave in any single 12-month period.
6. Medical Certification. Any request for a leave under paragraphs 1c., 1d. or under the Servicemember Family Leave provision above must be supported by certification issued by the applicable health care provider or the Department of Defense. You are required to submit this information on the forms provided to you and available from the Human Resources Manager or on the Invitational Travel Orders or Authorizations provided to you by the Department of Defense.

You will be required to submit a new medical certification form for each leave year for a medical condition(s) that last longer than one year. Additionally, you are required to submit a recertification of an ongoing condition every six (6) months in connection with an absence where the duration of the condition is described as “lifetime” or “unknown”.

At its discretion, the Village may require a second medical opinion and periodic recertification to support the continuation of a leave or under paragraphs 1c. and 1d. (except as otherwise provided by the Department of Labor). If the first and second opinions differ, a third opinion can be obtained from a health care provider jointly approved by both you and the Village (unless you accept the second opinion as determinative). A second medical opinion generally will not be requested for Military Caregiver Leave but may be requested if the Certification is completed by a health care provider who is not affiliated with the DOD, VA, or TRICARE.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Village asks that employees not provide any genetic information when responding to a request for medical certification regarding their own serious health conditions under this FMLA Policy. “Genetic information” as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an

individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

There is an exemption to GINA's limitation on the disclosure of family medical history when an employee requests a leave of absence under the FMLA due to a family member's serious health condition. In such situations, all information necessary to make the medical certification form complete and sufficient under the FMLA should be provided.

7. **Intermittent Leave.** If certified as medically necessary for the serious health condition of either you or your spouse, child or parent (Paragraphs 1c. and 1d., above), or to care for a Covered Servicemember if you are a spouse, child, parent or next of kin to the Covered Servicemember (Paragraph 3, above), leave may be taken on an intermittent or reduced leave schedule. Intermittent leave also may be taken if you qualify for leave because of a qualifying exigency as described in Paragraph 1e, above, subject to the submission of a certification prescribed by the Secretary of Labor. If leave is requested on an intermittent basis, however, the Village may require that you transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.
8. **Light Duty Work Assignments.** While voluntarily performing in a light duty capacity while on FMLA leave, that time does not count against your 12-week FMLA allotment. In effect, your right to restoration is held in abeyance during the period of time that you are performing in a light duty capacity (or until the end of the applicable 12-month FMLA leave year if longer).
9. **Notification and Reporting Requirements.** All requests for leaves of absence must be submitted to your supervisor or the Human Resources Manager at least 30 days in advance of the start of the leave, except when the leave is due to an emergency or is otherwise not foreseeable. If the leave is not foreseeable, you must provide notice as soon as "practicable," which generally means either the same day or the next business day that you learn of the need for leave, in the absence of any unusual circumstances. A delay in submitting an FMLA leave request may result in a loss of FMLA protections and/or a delay of the start of your leave. Your supervisor will forward the request to the Village Administrator for approval.

You must respond to our questions relative to your leave request so that we can determine if the leave qualifies for FMLA protection; failure to do so may result in loss or delay of FMLA protections. If you are seeking leave due to an FMLA-qualifying reason for which the Village has previously granted you FMLA-protected leave, you must specifically reference the qualifying reason or need for FMLA leave at the time of your request to be away from work. It is not sufficient to simply "call in sick" without providing additional information which would provide the Village with reasonable cause to believe your absence/time away from

work may qualify as an FMLA qualifying event. In all cases in which you are seeking leave under this policy, you shall provide such notice to the Village consistent with the Village's established call-in procedures so long as no unusual circumstances prevent you from doing so. Failure to comply with the call-in procedures may result in a delay or denial of FMLA protected leave.

You must make an effort to schedule a leave so as not to disrupt business operations. During the leave, you may be required to report periodically on your status and your intention to return to work. Any extension of time for your leave of absence must be requested in writing prior to your scheduled date of return to work, together with written documentation to support the extension. Your failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered to be a resignation of employment effective as of the last date of the approved leave. Employees on leaves for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work. Your maximum time on a leave of absence, all types combined, and including all extensions, cannot exceed a total of 12 weeks in a rolling twelve-month period, unless you are a spouse, child, parent, or next of kin on leave to care for a Covered Servicemember, in which case your leave can last for up to 26 workweeks in a single 12-month period (unless legally required otherwise).

An Employee shall not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including discharge.

A leave of absence will not affect the continuity of your employment. Your original date of employment remains the same for seniority purposes. However, you will not accrue any benefits during the period you are on a leave.

10. Employee Benefits During Family and Medical Leave of Absence. You will be permitted to maintain health and dental insurance coverage for the duration of the leave under the same conditions coverage that would have been provided if you had remained actively at work. However, you must make arrangements for the continuation of and payment of insurance premiums before you go on leave status. If you do not return to work after the leave, or if you fail to pay your portion of the premiums, you will be required, under certain circumstances, to reimburse the Village for the costs and expenses associated with insuring you during the leave.
11. Return From a Family and Medical Leave. If you return from your leave on or before being absent for 12 workweeks in a rolling 12-month period or 26 workweeks during a single 12-month period if you took a leave under the Servicemember Family Leave provision, you will be restored to the same or to an equivalent position to the one you held when the leave started. Of course, you have no greater right to reinstatement or to other benefits and conditions of employment than if you had been continuously employed during the FMLA leave period. In

determining whether a position is “equivalent” we would look at whether the position had substantially similar terms and conditions of employment and whether the position entails similar duties, skills, efforts, responsibilities, authority, privileges, and status.

If the leave was due to your own serious health condition, you will be required to submit a fitness-for-duty certification from your health care provider in accordance with our normal policies and practices applicable to other leaves of absence, certifying that you are able to resume work and perform the essential functions of the job (either with or without a reasonable accommodation). A list of the essential job functions will be made available to you for compliance with this requirement prior to the Village designating your leave as FMLA leave. If a reasonable job safety concern exists, you also may be required to provide a fitness for duty certification up to once every 30 days before returning from an intermittent or reduced schedule FMLA leave related to your own serious health condition. Generally, a returning employee will be permitted to return to work within two (2) business days of the Village’s receipt of a valid fitness for duty release.

If you fail to return to work at the expiration of your approved Family and Medical Leave, it will be considered to be a resignation of your employment with us. Likewise, an employee on FMLA leave who provides notice of their intent not to return to work upon expiration of a leave will lose their entitlement to FMLA leave and related benefits.

12. **Coordination with Other Policies.** You must substitute any accrued paid vacation days, personal time, and sick days (if you otherwise qualify) for unpaid leave under this policy, and any such paid time off must be taken concurrently with your Family and Medical Leave. If you otherwise qualify for disability pay, you will collect it at the same time you are on unpaid Family and Medical Leave.

Further, if you otherwise qualify for any other type of leave of absence, you must take that leave at the same time as you are taking your Family and Medical Leave. All time missed from work that qualifies for both Family and Medical Leave, and for workers’ compensation (or any other type of lawfully allowed leave), will be counted toward your Family and Medical Leave. To receive any type of paid time off benefit while on FMLA leave, you are required to meet the Village’s conditions for taking the paid leave (although the Village may in its discretion waive any procedural requirement for the paid leave in appropriate circumstances).

13. **Anti-Retaliation Provisions.** Be assured that no retaliation will be taken or tolerated against any employee who exercises his/her rights under our FMLA policy. If you feel that you have been the victim of any discrimination or retaliation under this Policy, you are encouraged to contact the Village Administrator so that the matter can be promptly investigated and remedied as appropriate.
14. **Compliance With Other Laws.** In administering this FMLA Policy, the Village complies with the Americans with Disabilities Act (“ADA”) and any other relevant

law. The Village may approve a reasonable request for an extension of a leave of absence beyond the amount of leave provided by the FMLA, approve a leave of absence for an employee who does not qualify for FMLA leave, or otherwise modify this Policy, as a reasonable accommodation for a disability under the ADA.

### **Section 9.3 Maternity/Paternity Leave**

The Village offers maternity/paternity leave to employees who have been employed for at least one year and who have worked at least 1250 hours during the 12-month period preceding the leave in accordance with the FMLA policy set forth in Section 9.2 of this Manual. The eligible employee may take maternity/paternity leave within 12 months of a birth, adoption, or placement of a foster child. This leave will allow a qualified employee up to 12 weeks of leave and will fulfill the Village's obligations under the FMLA.

An employee utilizing maternity/paternity leave may utilize available sick time during the 12-week leave. An employee may also utilize other benefit time within the guidelines of those benefits (e.g., vacation, personal days, and compensatory time). An employee may take all or part of the maternity/paternity leave without pay if benefit time is exhausted. An employee may take less than 12 weeks of leave but may not return to work until a fit-for-duty release from their physician is received by the Village, as in the case of a mother returning from maternity leave. The employer reserves the right to have an employee see the Village's physician to verify ability to return to work.

The Illinois Municipal Retirement Fund (IMRF) offers disability payments for pregnancies. Employees who anticipate maternity leave should contact the Village Collector for the appropriate forms to submit to IMRF. Failure to notify IMRF may prohibit an employee from receiving disability benefits.

During maternity/paternity leave, the Village will continue to share the employee's medical insurance coverage consistent with the Village's Health Plan. To the extent that an employee is able to take paid leave, all benefits will remain the same (e.g., vacation time will be earned; insurance premium payments will be made.)

During this leave an employee, both exempt and non-exempt, may, at the discretion of his/her Supervisor, work on a part-time basis.

### **Section 9.4 Victim's Economic Safety and Security Act (VESSA)**

Village employees may take unpaid leave under the Victim's Economic Security and Safety Act (VESSA) in order to seek assistance in response to an act or threat of domestic violence, sexual assault, or stalking. An employee may take this leave to seek services for someone who is a victim of domestic or sexual violence or other crimes of violence if the victim is (1) the employee, (2) a covered family member (spouse, child, or parent) and/or (3) a household member (person currently residing with the employee).

In accordance with applicable State laws, employees are eligible to take up to 12 weeks of VESSA leave in any rolling 12-month period.



## **Section 9.5 School Visitation**

The Village complies with the Illinois School Visitation Rights Act (1992) 820 ILCS 147/1-49 by permitting employees to take up to eight (8) hours of unpaid leave per school year, with no more than four hours taken in one day for the purpose of attending conferences or classroom activities. An employee requesting leave under this Act must provide a written request to their Supervisor at least seven days in advance, except in the case of emergencies. This leave is intended to be used as a last resort by employees who have no other paid (vacation or personal) leave available and who have made every attempt to schedule the visit during non-working hours.

## **Section 9.6 Voting Leave**

The Village encourages each employee to fulfill his/her civic responsibilities by participating in elections. Generally, employees should vote either before or after work. If an employee is unable to vote in an election during non-working hours, the Village will grant him/her up to two (2) hours of unpaid time off in accordance with state law (10 ILCS 5/17-15).

Employees should request time off to vote from their supervisor at least two working days prior to Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

# **ARTICLE X. SAFETY AND SECURITY**

## **Section 10.1 Employee Safety**

The Village of Thornton provides and maintains safe and healthy working conditions for all employees. Each employee is required, as a condition of employment, to develop and exercise safe work habits in the course of employment, to prevent injuries to themselves and fellow employees and to conserve Village property and equipment. It is the responsibility of each employee to observe safety regulations and to use all safety equipment provided. All employees are expected to help maintain a clean and uncluttered work area in order to minimize fire and safety hazards. All unsafe acts or conditions should be reported immediately to a Supervisor immediately. Contact your Supervisor regarding your Department specific Safety Rules that govern your conduct.

The Village provides a First Aid Kit on all Village premises for employee use in the treatment of minor scratches, burns, headaches, nausea, etc. The Village provides automated external defibrillators (AED) in several locations in all municipal buildings. AEDs are used to treat victims who experience sudden cardiac arrest. In the event of an emergency requiring AED application, any trained volunteer responder/employee may activate the internal emergency response system and provide prompt basic life support including AED and first aid according to training and experience. When in doubt in case of emergency, call 911 for assistance.

Employees who are injured on the job are entitled to Workers' Compensation benefits as required by law. See Section 8.6 for additional Workers' Compensation information. Employees are required to report any injury to their Supervisor, regardless of severity, while on duty so that

the supervisor can determine if adjustments are made for safety reasons. Accident report forms should be immediately forwarded by Department Heads to the Village Collector, who shall in turn file all reports with the Village's insurance provider, the Intergovernmental Risk Management Agency (IRMA). These issues must be immediately reported also to ensure the employee is properly treated and/or reasonable accommodated when medically necessary. Be assured that no retaliation will be taken against any employee based on the reporting of an accident or injury at work.

### **Section 10.2 Personal Protective Equipment (PPE)**

Department Heads will be responsible for identifying personal protective equipment that should be provided to employees. The Village shall provide personal protective equipment to all applicable positions as necessary and appropriate. Any employee who believes his/her personal protective equipment is deteriorated or outdated should immediately report it to a Supervisor. Personal protective equipment must be worn when specified by the employee's Supervisor and only when engaged in Village business.

## **ARTICLE XI. COMPUTER SYSTEM, INTERNET, AND E-MAIL ETHICS POLICY**

### **Section 11.1 General**

With the fast development of information technology, the effective use of the computer systems has become an important part of the services delivered to the community. The intent of this policy is not to impose burdensome limits on the users; rather, it is to provide an information technology infrastructure that promotes the basic missions of the village and effective use of information technology. This policy codifies what is considered appropriate usage of computers and networks with respect to the rights of others. With the privileges to use the information resources of the village come specific responsibilities outlined in this policy.

This policy is applicable to all employees including full-time, part-time, as well as seasonal employees (or authorized vendors) whose duties require the use of information system resources.

Access and use of information systems resources are not the right of the user, but a privilege. When usage behavior is in conflict with this policy, the usage privilege will be terminated, and the user may be subject to disciplinary action set forth in the village of Thornton Personnel Manual.

### **Section 11.2 Copyright**

There is a huge volume of information available on the Internet. In most cases, users can read and use the information for free. In some cases, however, copyright laws, such as company logos or news photos published by various news organizations protect items accessible via the Internet. Internet use by Village users should be consistent with the law.

### **Section 11.3 Computer Policy**

The computer system of the village of Thornton is provided for the purpose conducting the official business of the village. These resources are the property of the village and data stored on them cannot be considered private to the user.

**Access:**

Unauthorized access to resources or data is not permitted. The ability to access a resource or item of data does not explicitly imply authorization. Department administrators will oversee access authority.

**Tampering, Willful Destruction or Theft:**

Tampering, willful destruction or theft of any computer data, equipment or software, which is the property of the village, is expressly prohibited. Tampering includes any deliberate effort to degrade or halt the system, to “tie up” the system, or to compromise the system / network performance, and also includes any efforts to bypass security measures in place within the system and unauthorized modification of programs. Willful destruction includes a deliberate disabling or damaging of computers, systems terminals or other facilities / equipment, including the network, and any deliberate destruction or impairment of software and / or data. Theft includes the unauthorized removal of village data, equipment or software or the unauthorized copying of village owned software or data. **Copying of data can be a federal offense.**

**Passwords and Logins / Logoffs:**

Each employee is provided with a login identification unique to that employee. The village reserves the right to access any employee account. An employee may not use another employee's login to gain access to the village computer system, nor may an employee offer another employee use of their privileges for access. Temporary logins can be established.

Passwords are provided to access individual user accounts. These passwords are unique to the individual account holder and the village and may not be shared or revealed to others. If an employee feels that their password or computer terminal has been compromised, they should change that password immediately and report the incident to their supervisor.

No passwords may be applied to individual computers, files, programs or directories without the consent of the Department Administrator and IT Director.

Employees should not leave their computers logged on and unattended. Every user will be required to log off the computer every day at the close of their workday and as required for periods away from the computer to prevent unauthorized access.

**Software:**

Software shall not be installed on village computers / systems in violation of copyright rules. Unless required for use of the application, the license and media of any software will be kept in the custody of the IT Director or Department Administrator for each department. All software installed on the village computers shall be properly licensed. village owned software will not be removed from village property without permission from the Department Administrator or IT Director. Village owned software will not be installed on non-village owned computers without permission from the IT Director and Department Administrator.

### **Unauthorized Altering of Village Computer Equipment:**

Personal software applications, hardware peripherals, and / or data may not be installed on village computer equipment without the express written permission of the Department Administrator. The IT Director will be notified when the software is installed on any village computer. The IT Director, or his / her authorized agent or Department Administrator may perform the installation. Any removal of software applications, data sets and peripherals must be reported to the IT Director and Department Administrator.

### **Authorized Use:**

Village computers are to be used for the conduct of Village business. Personal use may be restricted by the Department Administrator. Authorized users of the Village computer systems include employees or authorized agents of the Village of Thornton. All unauthorized users are strictly prohibited without the consent of and access privileges granted by the Village of Thornton. Some Village computer users have the need to access outside computers, bulletin boards and the Internet with permission from the IT Director and Department Administrator. Under no circumstances are users to download any files or programs without checking that file or program through an approved anti-virus checking program.

### **Repairs:**

Employees should not attempt to repair problems with Village computers. They should notify the IT director or designated assistants about the problem. The IT director will notify the Department Administrator as needed.

### **Extraordinary Uses of Village Computers:**

Sworn officers of the Village of Thornton Police Department may, during the conduction of an investigation may be authorized to deviate from the terms of this Policy for legitimate police purposes. These actions may only be allowed with the express prior permission of the Chief of Police. Care should be taken to store only investigation-related material in a secure location separate from the standard home directories and drives.

### **E-Mail:**

The Village of Thornton e-mail system is maintained for the convenience of the Village and its employees. Delivery, confidentiality and privacy of e-mail sent over the Village network cannot be guaranteed.

### **Privacy:**

The Village will respect the privacy of an individual's e-mail except when such mail is involved in the commission of a crime, a security issue, policy violation, or systems maintenance problem. Village employees should be aware that any messages sent via e-mail is available for review by the village administrator and the IT Director. The Village reserves the right to monitor all internal / external (incoming and outgoing) e-mail by their employees who send or use e-mail, either

local or Internet. Department Administrators may restrict employees from using e-mail if it is determined that they are using it inappropriately, as described below (section IV). Of course, all email communications are subject to inspection and potential disclosure per FOIA and other applicable laws.

#### **Email Use/Access:**

Access to e-mail will be limited to those individuals able to demonstrate a documented need to use e-mail resources. Employees wishing to use e-mail must receive approval from their Department Administrator. The IT Director will maintain a list of those with e-mail access.

#### **Internet Access:**

The Internet, by its nature, is an unsecured and unregulated media. While it is able to provide a wide access to information, materials, and people, care must be taken to ensure that ethics and judgment are not compromised.

##### **a. Access:**

Access to the Internet will be limited to those individuals able to demonstrate a documented need to use Internet resources. Employees wishing to use the Internet must receive approval from their Department Administrator. The IT Director will maintain a list of those with Internet access.

##### **b. Accounts:**

Internet access will be controlled through the user's network login account. Employees should not leave their computers logged on and unattended. Every user will be required to log off the computer every day at the close of their workday and as required for periods away from the computer to prevent unauthorized access to Internet resources.

##### **c. Resources:**

Access to the Internet for personal use may only be done on the employee's personal time with the consent of the Department Administrator.

Downloading of excessive or non-approved material to the Village drives is prohibited. The IT Director may clear excessive download material from the Village computers by notification to the respective Department Administrator.

#### **Section 11.4 Unauthorized Use:**

It is a violation of this policy to use the Village's computer system for any of the following purposes (not all-inclusive list):

- a. Any purpose which violates U.S., state, local laws or ordinances.
- b. Sending, receiving, uploading or downloading Village software or data in violation of applicable copyright laws and licensing agreements.
- c. Sending, receiving, uploading or downloading or printing files or other resources in violation of applicable copyright laws and licensing agreements.
- d. Sending, receiving, uploading or downloading material, possession of which, violates U.S., state, local laws or ordinances.
- e. Sending, receiving or downloading material which could reasonably be construed as offensive.
- f. Copying files from another employee without employee's consent. Village programs may not be copied from one computer to another.
- g. Unauthorized faxing of Village data or information via the computer system.
- h. Destruction or damage to equipment, software or data belonging to the Village.
- i. Disruption of or interference with network services. This includes but not limited to: intentional propagation of computer viruses; attempting to add, modify or remove system software or other system elements; attempting to evade system security measures or network access rights; disruption of unsolicited advertising; harassment; libeling or slandering of others.
- j. Disruption of or interference with other Village computer users. This includes but not limited to harassment of others; threatening others and displaying text or graphics that may reasonably be construed as offensive.
- k. Use of Village system resources to falsely represent you or the Village, or for personal, financial or commercial gains, including sending a message under another user's name.
- l. Creation, installation of intentional propagation of any computer virus on the Village network or on a Village computer is expressly prohibited. Employees should report any virus detected to their immediate supervisor.
- m. Conducting commercial activity.
- n. Sending or forwarding chain letters.
- o. Sending mass mailings.

Violation of any of the provisions referenced in this Article XI may be grounds for disciplinary actions, up to and including termination. Violations also may result in loss of privileges in some cases.

IMPORTANT NOTE: The provisions set forth in this Article XI of this Manual will be applied and construed in a manner that does not limit or restrict an employee from engaging in legally protected concerted activities.



## **APPENDIX A**

### **POLICY PROHIBITING SEXUAL HARASSMENT**

#### **1. Prohibition On Sexual Harassment**

It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations. It is a policy of Village of Thornton to prohibit harassment of any person by any municipal official, municipal agent, municipal employee, municipal agency or municipal office on the basis of sex or gender. All municipal officials, municipal agents, municipal employees and municipal agencies or municipal offices are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof.

This policy applies to all employees of the Village in addition to all non-employees/individuals who perform services for the Village.

#### **2. Definition Of Sexual Harassment**

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as:

- a. Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:
  - i. Submission to such conduct is made a term or condition of an individual's employment, either explicitly or implicitly; or
  - ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
  - iii. 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.
- b. Conduct which may constitute sexual harassment includes, but is not limited to:
  - iv. Verbal Harassment: sexual innuendos, suggestive comments, insults, humor, jokes about: sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates; or, statements of a sexual nature about other employees, even outside of their presence.
  - v. Non-verbal Harassment: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking" or "kissing" noises.
  - vi. Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
  - vii. Physical Harassment: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
  - viii. Textual/Electronic Harassment: "sexting" (electronically sending messages

with sexual content, including pictures or video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (email/text/picture/video messages, intranet/online postings, blogs, instant messages and posts on social network websites, like Facebook and Twitter).

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a “reasonable person.”

### 3. Procedure For Reporting An Allegation Of Sexual Harassment

An employee who either observes sexual harassment or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending employee, and her/his immediate supervisor. It is not necessary for sexual harassment to be directed at the person making the report.

Any employee may report conduct which is believed to be sexual harassment, including the following:

- a. *Electronic/Direct Communication.* If there is sexual harassment behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- b. *Contact with Supervisory Personnel.* At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a department head, a director of human resources, an ethics officer, the city manager or administrator or the chief elected official of the municipality.
- c. The employee experiencing what she/he believes to be sexual harassment must not assume that the employer is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the municipality will not be presumed to have knowledge of the harassment.
- d. *Resolution Outside Municipality.* 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 300 days of the alleged incident(s) unless it is a

continuing offense. A complaint with the EEOC must also be filed within two years (beginning on January 1, 2025).

- e. *Allegations of Sexual Harassment made against an elected official of the governmental unit by another elected official of a governmental unit.* In addition to the methods of reporting included above, an elected official may request an independent review of a complaint of sexual harassment by another elected official. The request shall be made to the human resources director, the city manager or administrator or the chief elected official of the municipality. The official receiving the request shall take immediate action in keeping with the procurement process of the municipality to retain a qualified individual or entity for the independent review of the allegations of sexual harassment in violation of this policy. The outcome of the independent review shall be reported to the corporate authorities.

Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the location), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the municipality. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation may be a relevant component of an effective inquiry and an appropriate outcome.

#### 4. Prohibition On Retaliation For Reporting Sexual Harassment Allegations

No municipal official, municipal agency, municipal employee or municipal office shall take any retaliatory action against any municipal employee or official due to a municipal employee's or official's:

- a. Disclosure or threatened disclosure of any violation of this policy; or
- b. Providing information related to an investigation or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy; or
- c. Assistance with or participation in a proceeding to enforce the provisions of this policy.

For purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer or change in the terms or conditions of employment of any municipal employee that is taken in retaliation for a municipal employee's or official's involvement in protected activity pursuant to this policy.

No individual making a report will be retaliated against, even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action, and this policy prohibits retaliatory action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:

- a. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of any officer, member, agency or other employee that the employee reasonably believes is in violation of a law, rule or regulation; or
- b. Provides information to or testifies before any public body conducting an investigation, hearing or inquiry into any violation of a law, rule or regulation by any officer, member, agency or other employee; or
- c. Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act or 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, before a legislative commission or committee or in any other proceeding, 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 she/he has opposed that which she/he reasonably and in good faith believes to be sexual harassment in employment, because she/he 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 within two (2) years of the alleged retaliation.

#### 5. Consequences Of A Violation Of The Prohibition On Sexual Harassment

In addition to any and all other discipline that may be applicable pursuant to municipal policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable disciplinary actions or discharge by the municipality and any applicable fines and penalties established pursuant to local ordinance, state law or federal law. Each violation may constitute a separate offense. Any discipline imposed by the municipality shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

## 6. Consequences For Knowingly Making A False Report

A false report is a report of sexual harassment made by an accuser to accomplish an outcome other than stopping sexual harassment or stopping retaliation for reporting sexual harassment. A false report is not a report made in good faith which simply cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to disciplinary action or discharge pursuant to applicable municipal policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.

In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the Illinois State Police, a State's Attorney, the Attorney General or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.

**APPENDIX B**  
**ACKNOWLEDGEMENT OF POLICY TRAINING**

By signing below, I acknowledge that I have received a copy of the Village of Thornton Policy Prohibiting Sexual Harassment (“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 supervisor and/or other responsible official 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, rules, policies and procedures explained therein.

I acknowledge that nothing in the Policy constitutes a contract or promise of employment.

I agree to abide by and observe all of the information, rules, policies, and procedures set forth in the Policy and understand that Village of Thornton’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.

I further certify that I have carefully read and reviewed the content of the Policy and completed Sexual Harassment Prevention Training pursuant to the Illinois Human Rights Act, 775 ILCS 5/2-109.

Training Participant Information:

\_\_\_\_\_  
Printed Name - First, Middle Initial, Last

\_\_\_\_\_  
Municipality/Work Location

\_\_\_\_\_  
Training Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

This form will be kept by the municipality as an internal record of training compliance to be made available for the Illinois Department of Human Rights upon request.

## 2025 PERSONNEL MANUAL ACKNOWLEDGEMENT

[ ] I understand it is my responsibility to read the Personnel Manual and the Appendices and, if I have any questions, I should first contact my supervisor or Department Head, then the Village Administrator.

[ ] I understand that the Personnel Manual is not an employment contract and does not create any enforceable rights to any particular forms and conditions of employment but does provide the organizational employment policies and procedures by which I am governed.

[ ] I further understand that the Personnel Manual is subject to change without notice and changes in procedure will supersede or eliminate those found in this book.

[ ] I also understand that I will be notified of such changes through normal channels of communication. I further understand that in the event of a conflict between a provision of this Manual and an applicable law (or ordinance), the law or ordinance will govern in all cases.

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Employee Name (please print)

Date

---

Employee Name (please print)

Date

Department: \_\_\_\_\_

Please sign and return this page to your Supervisor immediately after executing this document.  
Thank you.