

## Section 2 – EMPLOYMENT PRACTICES

### 2-1. Residency

Village employees shall not be required to be a resident of the Village. However, sworn officers and employees deemed vital to the operation of the Village shall reside within a thirty (30) mile radius of Village Hall while employed by the Village. New hires shall be given six months from date of hire to obtain residency unless waived by the Corporate Authorities. Employees employed prior to the adoption of this policy shall be excluded from enforcement of residency requirements.

### 2-2. Hiring Process

- A. The ~~Deputy Clerk~~Village Administrator will administer and coordinate the hiring process for all vacancies for positions as approved by the Village President and Board of Trustees. (Law Enforcement Personnel see Lexipol Policy 1000).
- B. The ~~Deputy Clerk~~Village Administrator, with the assistance of the Department Head of the department where the vacancy exists, shall recruit for approved positions. All openings are to be posted on approved Village bulletin boards, on electronic job boards, the Village's web site, and professional journals as deemed appropriate.
- C. If there is a vacancy in a full or part-time position which the Village decides to fill, then a notice of such vacancy will be posted on a bulletin board at the Village Hall for at least five (5) calendar days. During the posting period, the Village may temporarily fill the position. Any employee interested in applying for the vacancy must file a statement of interest in the vacant position with the ~~Deputy Clerk~~Village Administrator. Even though a job opening has been posted, the Village retains the final right to determine whether or not the opening should be filled, and by whom.
- D. All applicants for Village employment shall complete and sign an application for employment. The applicant will be asked to supply complete information relating to past employment, education, experience, training, references, and other qualifications where applicable. An applicant or employee shall be considered only on the basis of their qualifications as required by the position they seek or hold relative to experience, training, physical fitness, abilities, skills, knowledge, and their personal character and integrity.
- E. Reference, criminal background, and credit checks shall be conducted regarding any position which the Village Board deems necessary and shall be conducted according to appropriate State and Village regulations. A written record summarizing such reviews shall be retained in the employee's personnel file.
- F. The Village of Winnebago reserves the right to require a medical examination and/or drug screening as a condition of employment. Such examination will be conducted after a conditional offer of employment is made, but before the employee starts work.

G. Applicants must provide evidence of identity and employment eligibility. New employees will be advised as to the proper documents which must be provided to the Village.

### **2-3. Employee Orientation**

A new employee shall receive an orientation by appropriate Administration staff and their respective department. Orientations shall consist of an overview of the Village organization, rules, regulations, benefits, job description, and general procedures. Department Heads or their designees are responsible for orienting new employees to departmental guidelines and procedures specific or unique to their department.

### **2-4. Probationary Period**

An employee is considered a probationary employee for the initial six-month period, (twelve-month period for Police Officers), of employment, or when promoted to a higher classification. During this period, both the Village and the employee have an opportunity to see if the common goals of the employment are mutually acceptable.

During the probationary period, the employee also has an opportunity to demonstrate proper attitude and abilities for the position for which employed. Also, during this time, the new employee will be provided with training and guidance from the Department Head. The new employee may be discharged at any time during this period if the Department Head concludes that the new employee is not progressing or performing satisfactorily. Additionally, as is true at all times during an employee's employment with the Village, employment is not for any specific time and may be terminated at will, with or without cause and without prior notice. Further, the Village Board may impose up to an additional 90 days to re-evaluate the employee if the initial probationary period did not provide sufficient time for an objective evaluation.

At the end of the probationary period, the Department Head will conduct an employee evaluation. Provided the employee's job performance is satisfactory at the end of the probationary period, the employee will continue in the Village's employment as an at-will employee and may be eligible for a salary adjustment.

The date on which an employee is appointed by the Village Board shall govern in determining personal leave and/or vacation benefits, unless otherwise expressly provided in the appointment.

### **2-5. Oath of Office**

A. The Village Administrator, Deputy Clerk, and Treasurer are required to sign an Oath of Office, which will be administered by the Village Clerk or his or her designee.

- B. All Police Officers will be sworn in by the Village Clerk and are required to take Oaths of Office.

## **2-6. Employee Classifications**

The Village establishes the following guidelines and definitions for types of employment and for entitlement to benefits.

- A. Full-Time, Regular: An employee, who has successfully completed their probationary period, is assigned to a position and works a schedule which equates to a regular 40 hour work week.
- B. Part-Time, Regular: An employee, who has successfully completed the probationary period, is assigned to a position and works a shift schedule less than 40 hours per week.
- C. Seasonal Employee: An employee whose work assignment is limited in duration to less than two consecutive quarters during a calendar year. Seasonal employees are employed for a specific function, part-time or full-time and for a temporary or limited period of time. All seasonal employees are provided with an acknowledgement form (Appendix E) and an offer letter regarding his/her seasonal employment with the Village.
- D. Interns: The Village supports the concept of employing students in positions relating to course work. An internship program should be mutually beneficial to both student and the Village. All intern positions that receive a stipend or wage must have been approved in the annual pay plan. Interns applying with the Village must follow the same employment procedures as employees except for the job posting requirements. Interns will be instructed as to expected length of internship, projects to be worked on, and be given a general new employee orientation by their respective department. Interns are expected to comply with the applicable rules and regulations contained in this Manual. In most cases, an internship will continue for one (1) semester.
- E. Temporary: An employee who, by agreement, works for the Village for a period of not more than a hundred and eighty (180) days without Village Board approval in any one fiscal year. In the event a temporary employee is needed for a period of more than ninety days, the Village Board has authority to extend the ninety-day period up to one additional ninety-day period. Any length of time longer than outlined above requires Village Board approval.
- F. Exempt Employee: An employee who works in a position that has been determined as "exempt" under the Fair Labor Standards Act (FLSA) and is not eligible for overtime pay for hours worked over 40 in a week.

- G. Non-Exempt Employee: An employee who works in a position that has been determined as “non-exempt” under the FLSA and is eligible for overtime pay for hours worked over 40 in a week.

## **2-7. Employee Identification Cards**

Employees shall adhere to the following guidelines regarding identification cards:

- A. It is the policy of the Village to issue employee identification cards to all full-time and part-time employees. Cards may also be issued to other employees who may require Village identification while performing work for the Village. The card will display the employee name, department and a photo.
- B. The card should be carried at all times when an employee is acting in an official capacity. The card shall be used as identification if requested by a member of the public.
- C. Unauthorized or inappropriate use of the employee identification card is prohibited and may result in disciplinary action, up to and including termination of employment.
- D. The Police Department may issue their own department identification card in lieu of the Village identification card.
- E. The Deputy Clerk is responsible for the preparation of the identification card. Each employee is responsible for possession of their identification card and should take care to protect it from loss, theft or misuse.
- F. Should a card be lost, damaged or destroyed, it should be immediately reported to your Department Head. All requests for re-issuance of employee identification cards shall be made by the employee to the Village Office.
- G. All identification cards remain the property of the Village and shall be returned to the Deputy Clerk upon termination of employment or by special request by the employee’s Department Head or the Village President.

## **2-8. Hours of Work**

~~This policy~~ The Department head with approval from the Village Administrator will establishes routine hours of work based on whether employees work in the office, field or in other departments except as otherwise provided by a labor agreement or a written contract of employment:

Generally, the work hours provide a one ~~un~~paid 30 minute lunch period and one 15 minute a.m. paid break and one 15 minute p.m. paid break. The lunch period should be taken as close to the standard lunch hour as possible but recommended between the hours of 11am and 1pm. Lunch periods are scheduled and may be staggered to allow for

continuous staffing of Village Hall with at least two people. Rest and lunch periods are determined by the operational requirements of each department. Such periods shall be scheduled by each department in order to be consistent with department operations and in accordance with applicable state and federal wage and hour laws. (Law Enforcement Personnel refer to Lexipol Policy 1033).

Police personnel working on a shift basis will follow the working hour guidelines set forth in their respective departmental regulations.

Attendance records will be managed by each department and maintained by the Village Clerk or his or her designee. Attendance shall be a consideration in determining promotions, transfers, satisfactory completion of probationary periods, and continued employment with the Village. Frequent tardiness or other attendance irregularities including unexcused absences from work shall be cause for disciplinary action, up to and including termination of employment.

## **2-9. Call Back Policy – Not Applicable to Police Department Employees or Public Works Department Employees**

The provisions of this policy apply to all non-exempt full-time employees, excluding seasonal and Public Works employees, and Police Department employees, of the Village in order to define and delineate circumstances when an employee is called back to the workplace to respond to an alarm or other emergency. Village employees may be called back to the workplace to respond to an alarm or other emergency at the request of their immediate Department Head or the Deputy Clerk Village Administrator. Any non-exempt full-time, non-seasonal employee of the Village, who is called back to the workplace, after having left work, shall receive a minimum of one hour of pay. Call back hours worked in excess of an employee's regularly scheduled hours for that week shall be compensated at the applicable rate subject to the Village's overtime policy as outlined in Section 8-4.

If the call back exceeds one hour, the employee will be paid for the actual hours worked. Travel time to and from the workplace will not be included in determining hours of work. Compensation will not be paid more than once for the same hours. The one hour minimum shall not apply to pre-scheduled call back/overtime.

## **2-10. Call Back/On-Call Policy – Public Works Department**

### **A. Callback and Weekend Rounds**

A "callback" is defined as an official assignment of work which does not continuously follow an employee's regularly scheduled working hours. Callbacks shall be compensated for at the appropriate overtime rate of pay, as stated above, for all hours worked on callback, with a guaranteed minimum of two (2) hours at such overtime rate of pay for each callback.

"Weekend rounds" is defined as pre-scheduled hours on Saturday and Sunday. Weekend rounds will be paid at one and one-half (1 ½) times the employee's regular straight time hourly rate of pay, if the employee does not use more than eight (8) hours of sick leave during the applicable payroll week (unless those days and hours become part of the regular 40-hour work week).

#### B. On Call

The Employer shall make on-call assignments as follows:

1. One employee shall be scheduled to be on-call from 8:00 am on Monday until 7:59 am the following Monday (one week). Each employee shall be inserted into the on-call schedule by seniority and the schedule will rotate after that.
2. On-call employees shall be compensated \$100.00 for each week they are in on-call status and employees may switch their on-call status with another qualified employee, on a daily basis, with Supervisor approval.
3. If an on-call assignment falls on a recognized holiday, that employee shall receive an additional \$30.00 for each holiday he is on-call.
4. On-call employees must remain sober (as defined by CDL requirements), be readily available to work and provide a primary telephone number at which they may be contacted. Under normal conditions, an employee must be able to reach his reporting location within a reasonable period of time after being notified of the need to respond to the call-out.

### **2-11.Call Back and Court Time Policy – Police Department**

#### A. Call Back

A "callback" is defined as an official assignment of work which does not continuously follow an employee's regularly scheduled working hours. Callbacks shall be compensated for at the appropriate overtime rate of pay, as stated above, for all hours worked on callback, with a guaranteed minimum of two (2) hours at such overtime rate of pay for each callback.

#### B. Court Time

If an employee is required by the Village to appear in court outside his regular hours of work and in the performance of his official duties (on a matter in which the officer has no personal interest), he shall be paid for all hours actually worked or a minimum of two (2) hours of pay, whichever is greater, at time and one-half his regular hourly rate of pay. The two (2) hour minimum shall not apply to court time which is continuous with the employee's regular hours of work or where the payment overlaps with regular or overtime pay.

## **2-12 . Officer In Charge – Police Department**

The Chief or his designee will assign an employee to be the Officer in Charge (O.I.C.) in the absence from duty of an assigned supervisor. The O.I.C. shall receive an additional \$1.00 per hour to be paid on an hour for hour basis for each hour worked as O.I.C. Nothing in this Section shall be interpreted as requiring the Chief of Police to designate an O.I.C. or to have one actively present on shift regardless of the absence from duty of an assigned duty supervisor.

## **2-13. Nepotism**

### **Policy:**

The employment of relatives of present employees is not encouraged. However, the Village of Winnebago reserves the right to take any and all actions deemed to be in the best interest of the organization in any given case. To ensure that no favoritism is shown, it is the policy of the Village that relatives will not be allowed to directly report to each other. In addition, favoritism will not be applied to relatives in filling of vacancies, granting promotions, or recommendations for performance increases or other pay increases.

### **Procedures:**

Persons who are relatives of current employees will not be employed when they would be subject to the supervision of a member of their family or the member of the family would play a significant role in making decisions concerning their direct benefit. In addition, favoritism will not be applied to relatives in filling of vacancies, granting promotions, recommendations for performance increases, or other pay increases.

## **2-14. Re-Hire Policy**

An employee who resigns in good standing may be eligible for re-hire at a future time provided an opening is available and their qualifications for that position are satisfactory. Persons interested in being re-hired should file an employment application with the Village Office. The individual's application will proceed through the regular hiring process with other applicants.

Any employee who is re-hired by the Village shall start as a new employee in all aspects related to compensation and benefits unless otherwise agreed in writing and approved by the Village Board.

All individuals re-hired by the Village must complete a new probationary period.

## **2-15. Outside Employment**

No employee shall be employed by an employer other than the Village, ~~nor shall he or she~~, contract for or accept anything of value in return for services, nor ~~shall he or she otherwise~~ be self-employed for remuneration, that constitute a conflict of interest, may be infringing upon an employee's ability to perform their assigned duties for the Village, or is being performed during hours that employee is working for, and being paid by, the village.

If a Police Officer is to seek outside employment in a similar law enforcement or security capacity, they must ~~without the~~ receive prior written approval of the Department Head, if the employee is the Department Head, written approval must be authorized by the ~~Committee Chairperson~~ Village Administrator (See Appendix F) (Law Enforcement Personnel see Lexipol Policy 1039). The officer must complete, and seek authorization from the outside employer, to complete the "Indemnity And Hold Harmless Agreement From Outside Employer for Village Of Winnebago Police Officer. (Law Enforcement Personnel see Lexipol Policy 1039)

An ~~employee's~~ officer's request for such approval shall not be arbitrarily denied. ~~If an employee desires to hold an outside job, including self-employment, the employee shall apply in writing to the Department Head for approval. Such application will normally be approved or denied within ten (10) working days after submission.~~

Prior to working an assigned shift employees must have a continuous eight (8) hour rest period from outside employment.

Police Officers engaged in outside employment who are placed on disability leave or modified/light-duty, shall inform the Supervisor, in writing within five (5) days whether or not they intend to continue to engage in such outside employment while on such leave, or light-duty status. The Chief of Police shall review the duties of the outside employment, along with any related doctor's orders, and make a recommendation to the Police Committee Chairperson whether such outside employment should continue. In the event the Chief of Police, in coordination with the Police Committee Chairperson, determines that the outside employment should be discontinued, or if the officer fails to promptly notify his/her Supervisor of his/her intentions regarding his/her work permit, a notice of revocation of the officer's permit will be forwarded to the involved officer, and a copy attached to the original work permit. Criteria for revoking the outside employment permit include, but are not limited to, the following:

- A. The outside employment is medically detrimental to the total recovery of the disabled officer, as indicated by the Village's professional medical advisors.
- B. The outside employment performed requires the same, or similar, physical ability, as would be required of an on-duty officer.
- C. The officer's failure to make timely notice of their intentions to the Supervisor.

When the disabled officer returns to full duty with the Winnebago Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

If outside employment, including self-employment, has previously been approved or permitted by the Village, and if it later appears that such outside employment may constitute a conflict of interest, ~~or~~ may be infringing upon an employee's ability to perform their assigned duties for the Village, or is being performed during hours that employee is working for, and being paid by, the village, then the Village reserves the right to require an employee to discontinue such outside employment, including self-employment, as a condition of continued employment by the Village.

## **2-16. Closing of Village Facilities**

The Village President and/or Village Administrator has the ability to temporarily close or modify the hours of operation of any village facility. Should the Village President or Village Administrator determine that, due to inclement weather or other safety related reason, it is in the best interest of the village, its employees, or the general public to temporarily close or modify the hours of operation of certain village facilities and departments, employees will be provided as much notice as practical. Employees will be required to use accrued benefit time to cover the hours not worked, make arrangements with their supervisor to make up the time missed, or to take the time as unpaid. In no case will sick time be allowed unless otherwise appropriate under the Sick Leave section of this manual. Essential employees (those necessary to respond in the event of an emergency - Police and Public Works or any personnel who may be required to assist in an emergency) are not subject to this policy and will need to report to work even in the event Village Hall is closed.

## **2-17. Employee Performance Evaluations**

### **A. In General**

In an effort to document employee performance on an annual basis, ~~In accordance with the Village's policy for employee pay raise consideration to be based on merit,~~ an evaluation will be made of all regular Village employees, full-time and part-time. ~~A cost of living adjustment pay raise may also be considered at the sole discretion of the Village Board.~~ The Village Administrator in conjunction with the Committee Chairmen overseeing the respective Department Heads shall evaluate and prepare reports on the performance of the respective Department Heads, and ~~the Department Heads~~ all supervisors shall evaluate and prepare reports on all full and part-time employees in their department direct reports. The ~~Village Clerk~~ Village President shall evaluate and prepare a report on the performance of the Deputy Clerk Village Administrator. All evaluations shall be completed on the standard forms provided by the Village.

Periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as promotion and termination. The completed evaluation becomes part of an employee's permanent record.

Each year employees are asked to establish goals and objectives. The evaluation is a tool to measure the progress made by the individual during the past review period and to encourage his/her self-improvement. The evaluation will also record additional duties performed, educational courses completed, extraordinary skills or abilities as well as a plan to correct any weak points. Department Heads should review future training needs and career planning. The reviewer should also encourage the employee to make suggestions about how the department can improve. The reviewer should ask employees for feedback regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates. Open communication is the key to improvement.

#### B. Schedule for Reviews

In addition to day-to-day feedback to the employee, a performance evaluation is conducted for all regular employees annually.

After completing the evaluation, the supervisor or Department Head will review the results with the employee. Each employee shall sign the evaluation report that is prepared by the supervisor or Department Head indicating that it has been reviewed with the employee. Signature does not necessarily imply agreement.

Before submitting the completed evaluation to the Deputy Clerk for filing in the employee's official personnel file, the Village Administrator will review all evaluations for consistency in evaluation process for all employees.

The form(s) with the signed acknowledgement are to be placed in the employee's official personnel file, and a copy will be given to the employee.

An employee may request a conference with the Village ~~President~~ Administrator regarding the evaluation of his/her performance.

#### C. Evaluations During Initial Employment Period

During the initial employment period the supervisor will prepare written evaluations of the employee. For a six-month probationary period, at least one written evaluation of the employee will be performed. For a one-year probationary period at least two written evaluations of the employee will be performed.

#### ~~D. Pay Increases~~

~~Pay increases provide a means of recognizing increased competency of the employee to perform his/her assigned duties. Employees who receive a satisfactory evaluation following their six-month initial period of employment with the Village may be considered for a merit increase. Thereafter, additional increases may be granted to employees based on the recommendation of the respective committee overseeing the department in which the employee works, with final approval by the Village Board for the appropriate budget year.~~

~~Increments will not be awarded on an automatic basis, but will be contingent upon evaluations or other pertinent data submitted to the Village President, and approved by the Village Board. Salary adjustments shall become effective as designated by the Village Board.~~