



CITY OF  
*Bloomington*  
ILLINOIS

# EMPLOYEE HANDBOOK

Effective July 1, 2020

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# CHAPTER 1 – Employees’ Rights and Responsibilities

## WELCOME

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Welcome!

It is an exciting time to be a City of Bloomington employee. As public workers, we all have the opportunity to make a positive and meaningful impact on our community. Through your work here, you’ll learn more about the principles of Servant Leadership, which focus on providing the best service to our residents and others. Servant Leadership is transforming the mindset of our organization and shaping a better tomorrow for Bloomington. You are an ambassador for the City of Bloomington and a critical part of, putting it plainly, “getting stuff done.”

The City of Bloomington strives to set high standards, and our residents and employees expect that from us. Whether it’s public safety, streets, parks and recreation, or something else, we’re here to do our best. Because, at the end of the day, we’re only responsible for taking care of about 85,000 people, right? No biggie. (I’m kidding, it is a big deal, and a responsibility we should all take seriously. Again, Servant Leadership!)

I wish you great success in your position and know that your employment with the City of Bloomington will be rewarding. If you have questions, concerns, or ideas to make Bloomington even better, my door is always open.

Sincerely,



Tim Gleason  
City Manager

## **ABOUT YOUR EMPLOYEE HANDBOOK**

This Handbook is intended as a general outline of the City's policies and employees' responsibilities to the City. Every employee is expected to read, understand and follow the provisions of the Handbook and will be held responsible for knowing its contents. The City may, at its sole discretion, modify, eliminate, revise, or deviate from the guidelines and information in this Handbook as circumstances or situations warrant, as provided by law, except as restricted by any active, executed collective bargaining agreement. Such changes will supersede, modify or eliminate the policies and benefits in this Handbook. Each employee's continued employment constitutes acceptance of these changes. Violations of the policies contained here may result in discipline up to and including termination of employment.

Unless an employee is otherwise covered by a collective bargaining agreement, employment with the City is "at will". Nothing in this Handbook or any material distributed to employees, is intended or should be construed as an agreement or contract, expressed or implied. The City reserves the right, at all times, to take any action deemed to be in its best interests.

There are other related publications for employees' use as well. The Benefits Manual and Disciplinary Guidelines are available in Human Resources. The Benefits Manual contains detailed information about benefits offered to classified employees. Details related to benefits offered to bargaining unit employees are available in an employee's respective collective bargaining agreement. The Disciplinary Guidelines are a tool used by management to evaluate the severity of various infractions. Employees are encouraged to familiarize themselves with the contents of these publications. Questions about the material contained in them may be directed to the Human Resources Department.

In addition, to the Human Resources related documents the City and Departments have various policies and procedures. Employees are expected to adhere to these policies. Examples of City policies include but are not limited to the Anti-Idling Policy, Procurement Policy and Travel Policy.

Every effort has been made to ensure that the information in this Handbook is accurate and up to date and in compliance with state and federal laws and regulations. However, some of the information may have changed since publication. The most recent version of this Handbook is made available electronically.

This Handbook and the policies contained here apply to all City of Bloomington employees as a condition of their employment. Policies in this Handbook do not supersede rights established under City collective bargaining agreements. However, this Handbook supersedes all previous Employee Handbooks and policies. Any questions regarding the scope of the Handbook should be addressed to Human Resources.

The Employee Handbook is available electronically on the City's HR Intranet. If another format is needed, a request may be submitted to the Human Resources Department.

## **CITY PROFILE**

The City of Bloomington is located in the heart of Central Illinois, approximately 125 miles southwest of Chicago, 155 miles northeast of St. Louis, and 64 miles northeast of the state capital of Springfield. Bloomington is the county seat of McLean County, the largest county in Illinois at approximately 762,240 acres. Bloomington (pop. 77,962) is twin cities with Normal (pop. 54,742), which lies directly to Bloomington's north. Interstates 39, 55, and 74 converge in Bloomington-Normal, as well as US Route 51 and State Route 9. The community is home to four rail lines, one passenger rail line, and one regional airport.

Bloomington is in one of the most productive agricultural areas in the county and has a diverse and well-balanced economy. In addition to four colleges, two hospitals, and many service and retail centers, several businesses are headquartered in Bloomington-Normal including State Farm, Country Financial, Afni, Beer Nuts, Growmark, Heartland Bank and Trust Company, and more. Bloomington has a historic Downtown and a thriving arts and culture scene. A prosperous community, Bloomington is a great place to live, work, and play for every stage of life.

## **CITY'S MISSION, VISION AND VALUES STATEMENT**

Mission: The City seeks to "Lead, Serve and Uplift the City of Bloomington."

Vision: The City is the "Jewel of Midwest Cities."

Values: The City is "Service-Centered, Results-driven, and Inclusive."

## CITY LOGO



The symbol for the City of Bloomington is multifaceted in its visual and conceptual approach. Visually the symbol and the City's identity represent a modern progressive style which is consistent with the City's government. The symbol is based on three different concepts which combine to represent the City in a contemporary and appropriate way.

First and foremost is the chevron. The City government is a respected agency dedicated to serving the public. In this way, the chevron represents service, rank and authority.

The symbol may also be seen as a three-dimensional building. This represents growth and diversity in our community.

Finally, the flower or plant derived from the original name "Blooming Grove," represents a community that is friendly and safe. Progress and growth are also associated with plant life as well as regeneration and renewal.

The symbol's positive upward movement is representative of the City's commitment to excellence!



## **DIVERSITY AND INCLUSION STATEMENT**

Diversity is a central component of our mission at the City of Bloomington. Our employment and the services we provide are immeasurably enriched by employees, elected officials, volunteers, interns and contracted staff members with diverse experiences. We at the City understand diversity as the experiences, values, practices, and worldviews stemming from varied cultures and circumstances (including, but not limited to, those from historically underrepresented groups). It is the responsibility of every employee, elected official, volunteer, intern and contracted staff member to respect these differences.

This statement is a demonstration of the commitment of the City of Bloomington to maintain and improve employee relations, and the effectiveness of existing communication and collaboration among employees and the communities we serve. We strive to train our employees to value the inclusion of people from groups that experience discrimination and underrepresentation and, ultimately, to respect and embrace differences in order to foster productive working relationships.

This commitment to diversity extends beyond a set of ideas or nondiscrimination policies; we actively strive to promote diversity, expand access, create a safe and supportive environment, and foster an environment that embraces all groups.

The City's diversity initiatives are applicable, but not limited to, our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for diversity.

All employees, elected officials, volunteers, interns and contracted employees have a responsibility to treat others with dignity and respect at all times. Employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, while wearing City-identifiable clothing or gear, and at all other City-sponsored events.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action up to and including termination. Employees who believe they have been subjected to any kind of discrimination that conflicts with the City's diversity policy and initiatives should immediately report such behavior to their supervisor or the Human Resources department.

## **CHAPTER 2 – Business Practices**

### **ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY**

It is the policy of the City to maintain a work environment free from all forms of harassment and discrimination and to insist that all employees be treated with dignity, respect, and courtesy. It is a violation of City policy for any employee to harass or discriminate against another individual in the workplace or while performing City work based upon their actual or perceived race, color, religion, sex, national origin, age, mental or physical disability, ancestry, sexual orientation, gender identity or expression, veteran status, military status, marital status, order of protection status or any other protected category as defined by applicable law.

The City will not tolerate harassment of City employees by anyone, including any supervisor, co-worker, elected official, vendor, citizen, contractor, or other regular visitor of the City. The City recognizes the sensitivity regarding concerns of harassment and discrimination. Therefore, all matters will be treated with the utmost discretion and sensitively. We actively investigate all complaints arising under this policy, and if it is determined that harassment or discrimination occurred, management will take appropriate corrective action and/or disciplinary action against the offending party, up to and including termination

Information on the Sexual Harassment Policy is available in this document. Other definition of harassment covered by this policy includes:

Inappropriate conduct in the workplace, based upon an individual's race, color, religion, sex, national origin, age, mental or physical disability, ancestry, sexual orientation, veteran status, military status, marital status or any other protected category as defined by applicable law that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Other harassment, as defined above, may include, but is not limited to:

- epithets, slurs, negative, stereotyping, or intimidating acts that are based on a person's protected status.
- written or graphic material circulated within or posted within the workplace that shows hostility toward a person or persons because of their protected status.

#### **OTHER RELEVANT DEFINITIONS**

The definitions provided here are not intended to label employees but rather to assist in understanding this policy and the legal obligations of the City. Employees may or may not use these terms to describe themselves.

Gender identity: A person's internal, deeply felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.

Gender expression: An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

Transgender: An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth.

Sexual orientation: A person's physical or emotional attraction to people of the same and/or other gender. Straight, gay, and bisexual are some ways to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people.

With respect to the definitions above, the following additional information is important:

- An employee has the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request. A court-ordered name or gender change is not required. The intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) can constitute harassment and is a violation of this policy.
- As quickly as possible, the City will make every effort to update any photographs at the transitioning employee's workplace, so the transitioning employee's gender identity and expression are represented accurately.
- If a new or transitioning employee has questions about city records or ID documents, the employee should contact Human Resources.
- Employees who transition on the job can expect the support of the City. Human Resources will work with each transitioning employee individually to ensure a successful workplace transition.
- For sex-segregated jobs, transgender employees will be classified and assigned in a manner consistent with their gender identity, not their sex assigned at birth.
- Employees shall have access to the restroom corresponding to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to a single-stall restroom, when available. No employee, however, shall be required to use such a restroom.

## INVESTIGATION PROCEDURE

All City employees are responsible to help assure that we avoid harassment and discrimination. Any individual who believes that he or she has been subjected to harassment or discrimination as prohibited by this policy or who has witnessed harassment or discrimination should submit a complaint to the Human Resources Department, or any other manager or supervisor, in accordance with the following complaint procedures. If a manager or supervisor receives a complaint of harassment or discrimination directly from an employee, or becomes aware of such conduct, the complaint shall be immediately reported to the Human Resources Department.

1. Any employee wishing to submit a complaint (i.e., the “complainant”) should notify the Human Resources Department immediately, either in person or by phone at 309-434-2215.
2. The Human Resources Department shall promptly investigate the complaint. HR shall make all reasonable efforts, including but not limited to convening a conference with the complainant, or the accused harasser/discriminator, to discuss the complaint and the results of the investigation, to resolve the matter informally.
3. If the complainant or the accused is not satisfied with the disposition of the investigation, he/she may submit in writing an appeal to the City Manager or his designee, who will review the investigation report and make a final decision. At the City Manager’s option, he or his designee may conduct further investigation, if necessary.
4. Supervisors are responsible for making reasonable attempts to ensure a work environment is consistent with this policy including reporting any suspected violations directly to the Human Resources Department.
5. Reporting harassment, discrimination or retaliation or participating in an investigation will not reflect adversely upon an individual’s status or affect future employment.
6. Any employee who retaliates against another for exercising their rights under this policy shall be subject to discipline up to and including termination.
7. The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with the City’s legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
8. If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, including the possibility of termination.

9. Consequences and appropriate action for employees who engage in any act of harassment may range from review and/or retraining on policies, up to and including suspension or termination. Immediate removal from the workplace may be warranted in some situations.

## DISSEMINATION

The City shall take reasonable measures to assure that employees are informed of this policy and procedure by posting on the HR Internet site. A copy is also available in the Human Resources Department.

We trust that all employees of the City of Bloomington will continue to act responsibly to establish a respectful working environment free of harassment. The City encourages any employee to raise questions they may have regarding this policy with the Human Resources Department.

The filing of a complaint under the procedures described herein shall not limit, extend, replace or delay the right of any person to file a similar complaint or charge with any appropriate local, State, or federal agency or court.

## CODE OF ETHICS

The City of Bloomington and its employees are committed to the attainment of the highest standards of ethical conduct in its dealings with the public, coworkers and third-party providers. City employees are expected to accept certain responsibilities, adhere to acceptable business principles, and exhibit a high degree of personal integrity at all times. A primary purpose of the City's Code of Ethics is to increase the level of sensitivity of all employees to the existence of any questionable actions and to encourage employees to not only raise questions about such actions but to report any concerns or questionable actions to their superiors or the Human Resources Department.

**STANDARD 1: QUALITY OF SERVICE** - We will treat all members of the public with respect, provide them with the highest level of attention and quality of service and strive to achieve excellence in everything we do for them.

**STANDARD 2: CONFLICT OF INTEREST** - We will refrain from and avoid all conflicts or appearance of conflicts between our own private interests and our official responsibilities and performance of our duties on behalf of the City.

**STANDARD 3: COMPLIANCE WITH LAWS AND REGULATIONS** – We will strictly follow all State of Illinois and Federal laws, standards and regulations respecting the service to the public.

**STANDARD 4: FINANCIAL TRANSACTIONS** - We will maintain the highest standards of honesty and accuracy in our financial practices as well as comply with all federal and state laws and regulations concerning coding, billing and collection activities directed to our residents or third-

party payers.

STANDARD 5: EMPLOYEE RELATIONS - We shall treat all people with respect, dignity and courtesy.

STANDARD 6: SAFEGUARDING THE PROPERTY OF THE CITY AND OUR CITIZENS - We shall protect the property of the City as well as the property of our citizens against loss, theft, destruction, misappropriation and misuse.

STANDARD 7: COMMUNICATIONS - The City and its employees are committed to encouraging honest and open communication among all employees, citizens and other members of the public.

### **CONFLICT OF INTEREST**

The City expects that all employees will conduct themselves with the highest degree of personal and professional integrity. Interactions with City customers, vendors, contractors and the public must be conducted in a manner consistent with the City of Bloomington's obligations to the public. City employees may not offer, solicit or accept bribes, gifts (other than nominal gifts of \$25.00 or less), gratuities, product bonuses, special fringe benefits, discounts, unusual price breaks, or other windfalls in connection with their official duties. The value of all gifts received in one year from all sources must not exceed \$100. Promotional plans that could give rise to the appearance of a conflict of interest require written approval from Human Resources and must be within the guidelines of the State Officials & Employees Ethics Act and City Code, Section 2-109.

Employees are expected to develop and maintain constructive working relationships with co-workers, the public, City vendors and contractors. However, if employees have any personal interest in City transactions, contracts or other business over which they have any influence as a result of their employment with the City, it is imperative that the employee immediately discloses such interests to the Human Resources Director. The City can establish safeguards to protect all parties from the existence of any actual or potential conflicts of interest.

An employee may not use their public office for their own private gain or for that of persons or organization with which they are associate personally. An employee's position or title should not be used to coerce; to endorse any product, service or enterprise; or to give the appearance of governmental or official City sanction.

### **DRUG/ALCOHOL-FREE WORKPLACE**

The City believes that illegal drugs, alcohol and cannabis are not appropriate in the workplace and is committed to maintaining a drug-free workplace as required by the Drug-Free Workplace Act of 1988.

Employees must abide by all the provisions of this policy, except that this policy does not

supersede rights established under any collective bargaining agreement.

Whenever employees are working, they are prohibited from:

- Using, possessing, buying, selling, manufacturing or dispensing an illegal or controlled substance.
- Being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.
- Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage while performing work for the City when alcohol consumption is detectible, regardless of when and/or where the use occurred. The City reserves the right to authorize the use of alcohol at City sponsored employee events.
- Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis while performing work for the City, regardless of when and/or where the use occurred. All DOT Drivers covered by the DOT policy, Police and Fire Sworn and Telecommunicator employees are prohibited from medical or recreation cannabis use on or off duty.

This Policy does not prohibit employees from the lawful use of legally obtained drugs; however, if an employee believes or has been informed that their use of these legally obtained drugs may impair their ability to perform their job and/or presents a safety risk, they have the obligation to report such potential impairment to their supervisor to ensure the safety of themselves and other individuals.

An employee is responsible for consulting with his/her doctor about a medication's effect on the his/her ability to work safely, and promptly disclose any restrictions to his/her supervisor. (Employees should not, however, disclose underlying medical conditions unless specifically directed to so.)

Employees covered by a collective bargaining agreement should consult the terms of their agreement for the terms of drug and alcohol testing. Unit 21, Sergeant and Lieutenants, Telecommunicators and CDL Drivers covered by the DOT policy are prohibited from all recreational or medical cannabis use.

The City maintains an Employee Assistance Program (EAP) which provides counseling and referral to appropriate treatment for employees who seek assistance for substance abuse. Employees who seek such assistance may be allowed to use accrued time off benefits, placed on leaves of absence, where available, for prescribed treatment, appointments, or otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and required to pass follow-up tests, if they hold jobs that require driving, or if the employee has violated this Policy.

## REQUIRED TESTING

- Pre-Employment: All applicants must pass a drug test before beginning employment or receiving an unconditional offer of employment. The City will test for cannabis for pre-employment for all Sworn Police, Fire, CDL Drivers and Telecommunicators.
- Reasonable Suspicion/Good Faith Belief: Employees are subject to testing if a supervisor reasonably suspects them of using or being under the influence of alcohol or drugs or, in the case of cannabis, there is a good faith belief that the employee manifests specific, articulable symptoms that decrease or lessen the employee's performance of duties or tasks while working on City premises or operating City vehicles. The City reserves the right to inspect, for alcohol or drugs, the property and person of all employees while at work, on City property or while on City business. This will be based on reasonable suspicion and can be conducted to the fullest extent permitted by law. Where possible, inspections will be pre-approved by Human Resources, and are to be made by no fewer than two supervisors or managers, one of whom is from Human Resources. Individuals who refuse to permit an inspection may be subject to disciplinary action, up to and including termination.
- Post-Accident: Employees are subject to testing when they are involved in a workplace vehicle accident involving a City vehicle or a vehicle driven for City business, even if the employee does not exhibit observable symptoms of the use of drugs or alcohol. A "workplace vehicle accident" is an accident involving: (a) the loss of human life; or if the driver is issued a citation AND any of the following occur (b) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or (c) disabling damage to one or more motor vehicles as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow or other means.
- Return to Duty and Follow-Up: Employees who have tested positive or violated this Policy and who are reinstated, are subject to testing prior to being returned to duty. Follow-up testing at times and frequencies will be determined by the EAP.

## COLLECTION AND TESTING PROCEDURES

- Employees subjected to alcohol testing shall be driven to a City-designated clinic and directed to provide specimens. Specimens shall be collected by trained technicians, using federally approved testing devices, which are regularly calibrated and capable of producing printed results that identify the employee.
- Applicants subjected to drug testing will be sent, and employees will be driven to a City-designated clinic and directed to provide specimens. For non-rapid drug screening, split specimen testing shall occur. Applicants/employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens shall be sent to a federally certified laboratory and tested for evidence drug use. There shall be a chain of custody from the time specimens are collected through testing and storage.



- The laboratory shall transmit positive drug tests results to a Medical Review Officer ("MRO"), retained by the City, who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by prescribed medicines or lawful means. Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified lab, to be tested at the employee's or applicant's own expense. Such requests must be made within three (3) working days of notice of test results. If the second lab fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test.

## CONSEQUENCES

- Applicants who refuse to cooperate in or fail to pass a drug test will not be hired.
- Employees who refuse to cooperate in required tests will be terminated.
- Employees who are in possession, buy, sell, manufacture or dispense illegal drugs, cannabis or alcohol in violation of this Policy will be disciplined up to and including termination.

Unless aggravating circumstances are present, the first-time employees (other than sworn employees, telecommunicators or CDL Drivers covered under the DOT policy) test positive and/or are under the influence of illegal drugs, alcohol or cannabis, they will be suspended without pay and referred to the EAP. Continued employment and/or reinstatement will be contingent upon cooperation with the EAP, successful completion of any prescribed treatment, passing follow-up tests and other appropriate conditions. Employees who test positive and/or are under the influence of illegal drugs, alcohol or cannabis for a second time while at work will be subject to discipline up to and including termination.

In the event an employee is terminated for testing positive and/or for being under the influence of cannabis, the City had a good faith belief that the employee manifested specific, articulable symptoms while working that decreased or lessened the employee's performance of his/her duties or tasks. Sworn employees and Telecommunicators will be disciplined up to and including termination.

## CONFIDENTIALITY

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the MRO shall be kept confidential and maintained in secure files separate from regular personnel files. Such records and information may be disclosed among managers and supervisors on a need to know basis and may be disclosed where relevant to a grievance, charge, claim or other legal proceeding.

## DEFINITIONS

“Cannabis” is defined by the Illinois Cannabis Regulation and Tax Act and includes but is not limited to cannabis, cannabis concentrate, and cannabis-infused product, as defined in the Act.

“Illegal or Controlled substance” is defined as a substance that is: (1) not legally obtainable; (2) being used in a manner different than prescribed; (3) legally obtainable but has not been legally obtained; or (4) referenced in federal or State controlled substance acts.

"City Premises" includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased or managed by the City.

“Reasonable Suspicion” means an employee’s actions, appearance, speech or bodily odors reasonably cause a supervisor to conclude that an employee is impaired because of alcohol or drug use.

“Refuse to Cooperate” means to obstruct the collection process, to submit an altered, adulterated or substitute sample, or to fail to promptly provide specimen(s) for testing when directed.

“Under the Influence of Alcohol” means an alcohol concentration of .04 or more.

“Under the Influence/Impaired by Cannabis” mean there is a good faith belief that an employee manifests the specific articulable symptoms listed in the Illinois Cannabis Regulation and Tax Act (CRTA).

“Under the Influence of Drugs” means a confirmed positive test result for drug use.

## MISCELLANEOUS

This Policy is not a contract of employment and may be modified by the City at its sole discretion. To the extent contracted employees, who are present on City premises, engage or appear to have engaged in conduct that would violate this Policy if done by an employee, such contracted employees will be barred from City premises.

All employees are required to notify Human Resources if they have been convicted of a criminal drug offense. Such notification must take place within five (5) working days after the conviction.

Employees are always expected to exercise reasonable judgement and recognize they represent the City of Bloomington. The City accepts no responsibility for employees’ use of alcohol, cannabis or other substances.

## IDENTITY PROTECTION POLICY

The City protects social security numbers from unauthorized disclosure. Regarding the use and handling of social security numbers, the City complies with the provisions of the Identity Protection Act (5 ILCS 179/1 et seq.).

All employees who have access to social security numbers in the course of performing their duties must be trained to protect the confidentiality of social security numbers. Training will include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information. Only employees who are required to use or handle information or documents that contain social security numbers will have access to such information or documents. Social security numbers requested from an individual will be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request. When collecting a social security number, or upon request by the individual, a statement of the purpose or purposes for which the social security number is being collected and used must be provided.

No employee may do any of the following:

1. Publicly post or publicly display in any manner an individual's social security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make such information available to the general public.
2. Print an individual's social security number on any card required for the individual to access products or services.
3. Enclose or embed an individual's social security number in or on any cards or documents, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology.
4. Require an individual to transmit his or her social security number over the internet, unless the connection is secure, or the social security number is encrypted.
5. Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers may be included in applications and forms sent by mail.
6. Collect, use or disclose a social security number from an individual, unless:
  - a. Required to do so under State or federal law, rules, or regulations, or the collection, use or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities; and

- b. The need and purpose for the social security number is documented before collection of the social security number; and
  - c. The social security number collected is relevant to the documented need and purpose.
- 7. Require an individual to use his or her social security number to access an internet website.
  - 8. Use the social security number for any purpose other than the purpose for which it was collected.

The prohibitions listed immediately above do not apply in the following circumstances:

- 1. The disclosure of social security numbers pursuant to a court order, warrant or subpoena.
- 2. The collection, use, or disclosure of social security numbers in order to ensure the safety of other employees.
- 3. The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.
- 4. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

## **NON-RETALIATION POLICY**

Positive relations among City employees can best be achieved by encouraging a working environment that promotes open communication between and among all employees.

Supervisors and Department Heads have established an “open door” policy for employees so that they may report problems and concerns directly. Employees who, in good faith, report a possible violation of law, regulation, policy, procedure or the City’s Code of Conduct will not be subjected to retaliation, retribution or harassment against an employee for reporting a compliance related concern.

Any supervisor, Department Head or employee who conducts or condones retaliation, retribution, or harassment of any kind or nature shall be subject to disciplinary action, up to and including termination.

Employees cannot exempt themselves from consequences of their wrongdoing by reporting

their own wrongdoing. However, self-reporting may be considered by management in determining the appropriate course of action to take in connection with the specific employee.

Employees with a concern about possible retaliation should immediately bring it to the attention of Human Resources, who has primary responsibility for resolving employee concerns. Employee questions or problems will always receive immediate attention and be resolved as soon as possible.

## **REASONABLE ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)**

The City supports the Americans with Disabilities Act of 1990 as amended and will attempt to provide reasonable accommodations for people with disabilities in the workplace unless such accommodations would present an undue hardship for the City. Reasonable accommodations apply to all employees and include hiring practices, job placement, training, pay practices, promotion and demotion policies and layoff and termination procedures.

A qualified person with a disability is any individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual has or wants, and does not pose a direct threat to the health or safety of himself/herself or other individuals in the workplace.

Should you require a reasonable accommodation in the workplace, please contact Human Resources as soon as possible.

## **SEXUAL HARASSMENT POLICY**

### **1. Prohibition of Sexual Harassment**

It is the policy of the City of Bloomington to prohibit harassment of its employees, officers, officials and agents by any other City employee, officer, official or agent of the City. It shall be a violation of this Policy for any City official or employee to engage in such sexual harassment as defined herein. The City will not tolerate the conduct that is described in this Policy, and has provided a procedure by which inappropriate conduct, if encountered.

### **2. Definition of Sexual Harassment**

In general, sexual harassment means persistent and unwelcome conduct or actions directed at one or more individuals. Sexual harassment includes unwelcome sexual advances, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. Sexual Harassment is defined as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- (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.

### 3. Recognizing Harassment

Sexual Harassment may be subtle, manipulative and is not always obvious. It does not refer to occasional compliments of a socially acceptable nature. Sexual Harassment refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are included. Men can be sexually harassed; men can harass men, woman can harass other woman. Offenders can be managers, supervisors, co-workers, and non-employees such as clients or vendors.

Examples of conduct which may constitute sexual harassment includes, but is not limited to:

- *Verbal*: sexual innuendos, suggestive or insulting comments, insults, humor, epithets, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, statements about other individuals covered by this Policy, even outside of their presence, of a sexual nature, discussion of one's sexual activities, inquiries into one's sexual experiences, and direct or implied requests by a manager or supervisor, whether male or female, of sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits.
- *Non-verbal*: suggestive or insulting sounds (e.g., whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking" or "kissing" noises.
- *Visual*: displaying sexually suggestive objects, pictures, cartoons, posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- *Physical*: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- *Textual/Electronic*: "sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (i.e., e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites such as Facebook, Instagram, 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 City will assess sexual harassment by a standard of what would offend a "reasonable person."

### 4. Reporting Complaints of Sexual Harassment

Because the City takes allegations of sexual harassment seriously, the City will respond promptly to complaints of sexual harassment, and where it is determined that such inappropriate conduct has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

If an individual covered by this Policy believes an individual has violated this Policy or is otherwise engaging in sexual harassment, the individual should clearly tell the alleged offending individual that the behavior is not welcomed and must cease. Exceptions to this are permitted where the individual is not comfortable directly approaching the alleged offender.

Any individual covered by this Policy who witness a violation of this Policy has a duty to report it to the Human Resources Department in person or by phone at 309-434-2215. Supervisors should make reasonable attempts to ensure an environment is consistent with this Policy including reporting any suspected violations directly to the Human Resources Department.

#### 4.1 Methods for Reporting Sexual Harassment:

Individuals covered by this Policy that believe he or she is being sexually harassed should promptly notify the Human Resources Department in person or by phone at 309-434-2215. If a formal complaint is filed directly with a supervisor or the City's Ethic's Officer, the supervisor and/or Ethic's Officer must promptly report the complaint to HR within 24 hours. For complaints that involve the HR Director or an employee of the HR Department, individuals covered by this Policy may report complaints to the Corporation Counsel. Finally, complaints may be filed outside of the City organization as set forth in Section 8.

An individual covered by this Policy experiencing what he or she believes to be sexual harassment must not assume that the City is aware of the conduct. If the victim fails to notify a supervisor or other Human Resources, the City will not be presumed to have knowledge of the harassment.

#### 4.2. Investigation of Complaints of Sexual Harassment:

All complaints are kept confidential to the extent provided by law and as set forth within this Section 4.2. When a complaint is received, the City will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. However, the complainant's willing cooperation is a vital component of an effective investigation. The City will strive to release information arising out of a complaint or investigation only on a need-to-know basis. Individuals should be aware, however, that, in certain cases, information must be shared for an effective investigation to be conducted.

The investigation may include (but it is not limited to) interviews with the complainant and witnesses. The City will also interview the person alleged to have committed sexual harassment. When the investigation is completed, the City will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, the City will act promptly to eliminate the offending conduct, and where it is appropriate, impose disciplinary action.

Individuals that are not comfortable with their name or identifying situation being used in the investigation process can request such an exclusion from Human Resources and/or the Corporation Counsel as may be applicable. However, it should be noted that this may hamper the outcome of the investigation and any potential findings or remedial actions.

#### 5. Prohibition on Retaliation and Whistleblower Protections

Retaliation against an individual who has filed a sexual harassment complaint, and retaliation against individuals who cooperate with an investigation of sexual harassment, is unlawful, prohibited, and will not be tolerated by the City. A person who has filed a sexual harassment complaint is entitled to the protections set forth in the Whistleblower Act (740 ILCS 174/1, et seq.) and the Illinois Human Rights Act (775 ILCS 5/6-101), as well as any other applicable laws and policies adopted by the City. Retaliation will result in severe discipline, up to and including termination.

No individual making a report (or individuals who cooperates with an investigation) will be retaliated against even if a report made in good faith is not substantiated. For the 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 City employee that is taken in retaliation for an employee's involvement in protected activity pursuant to this Policy.

#### 6. Consequences for Violating this Sexual Harassment Policy

Any employee who violates this Policy or the prohibition on sexual harassment contained in 5 ILCS 430/5-65, shall be subject to actions that range from review and/or retraining on the Policy to discipline up to and including suspension and/or termination. Immediate removal from the workplace may also be ordered if necessary, during the pendency of an investigation and/or to ensure a safe working environment. The City will act to investigate all complaints of sexual harassment and will take appropriate action against any individual who is found to have violated this Policy.

Elected or appointed officials and/or agents of the City who violate this Policy are subject to a fine of up to \$1,000 per violation and/or prosecution as permitted by law. Each occurrence shall constitute a separate violation. Complaints against officials and agents of the City shall be investigated by the appointment of an independent legal counsel, appointed by the City Manager, and investigated in the same manner as set forth in Section 4.2. The independent legal counsel shall prepare and submit a report and recommendations to the City Council who shall make a final determination on whether this Policy was violated and the assessment of any fines.

#### 7. Consequences for Knowingly Making a False Report of Sexual Harassment

A false report is a report of sexual harassment made by an accuser using the sexual harassment report to accomplish some end other than stopping sexual harassment or retaliation for reporting sexual harassment. A false report is not a report made in good faith which 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 discipline up to and including termination.

False, frivolous or bad faith allegations made by elected or appointed official and/or agents of the City can subject the individual to both criminal prosecution and the levying of an administrative fine of up to \$5,000.

#### **8. Resolution Outside of the City**

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 individuals covered by this Policy have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) to file a formal complaint for sexual harassment or retaliation for filing a sexual harassment complaint. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days. In addition, the State Official and Employees Ethics Act also provides that complaints may be filed with the State's Inspector General.

### **STATEMENT OF CONFIDENTIALITY**

It is the responsibility of every employee, volunteer, student, and vendor to maintain the confidentiality of City information. This includes, but is not limited to, City records, documents, notes, files, records, oral information, computer files or similar materials. Confidential items may not be shared without permission. Employees are required to handle information in a confidential manner at all times during and after employment.

Employees must not disclose any confidential information, purposefully through casual conversation, to any unauthorized person inside or outside the City. Employees who are unsure about the confidential nature of specific information or regarding the release of information should ask their supervisor for clarification.

Employees are also required to immediately report any unauthorized use or disclosure of confidential information that they become aware of to their supervisor and/or the Human Resources Department. Employees who knowingly violate this policy will be subject to appropriate disciplinary action and may result in civil and/or criminal liability under Federal or State laws.

### **TEAMWORK POLICY**

We believe that our success depends upon the strength of our teamwork. The City expects that all employees will always make a concerted effort to ensure a harmonious work environment that promotes a teamwork mentality. All employees will avoid disruptive behavior, insubordination, or intentionally sabotaging co-workers or other departments.

The key to teamwork is that all employees look to their manager or supervisor and respect that individual's authority. Employees are expected to follow the directions of their managers. The only acceptable deviation is where a managers' request is believed to be unlawful. If an

employee becomes aware that another employee has intentions to harm or sabotage another employee or supervisor, this information should be reported to a supervisor immediately. In the event an employee has concerns about the employee's supervisor, a report should immediately be made to the employee's Department Head or Human Resources.

## **WHISTLEBLOWER POLICY**

The City requires officers, directors, other volunteers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities on behalf of the City. Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

The objectives of the Whistleblower Policy are to establish policies and procedures for:

- The submission of concerns regarding questionable accounting or auditing matters or compliance with state or federal laws by officers, directors, elected officials, volunteers, employees and other stakeholders of the City, on a confidential and anonymous basis.
- The receipt, retention, and treatment of complaints received by the City regarding accounting, internal controls, or auditing matters or compliance with state and federal laws.
- The protection from retaliatory actions of officers, directors, elected officials, volunteers, employees and other stakeholders reporting concerns.

Each officer, director, elected official, volunteer and employee of the City has an obligation to report in accordance with this Whistleblower Policy:

- questionable or improper accounting or auditing matters, and
- violations and suspected violations of state or federal law (hereinafter collectively referred to as concerns).

This Whistleblower Policy is intended to encourage and enable officers, directors, elected officials, volunteers and employees to raise concerns within the Bloomington Legal Department for investigation and appropriate action. With this goal in mind, no officer, director, volunteer or employee who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, an officer, director, volunteer or employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the officer, director or volunteer position or termination of employment.

Employees who believe they are being harassed, or any employee, who becomes aware of harassment, is required to promptly notify the Human Resources Director or the Assistant Human Resources Director either in person or by phone. It is each supervisor's responsibility to ensure an environment consistent with this policy including reporting any suspected violations directly to the Human Resources Director or the Assistant Human Resources Director.

All reports will be promptly investigated by the Legal Department, and appropriate corrective action will be recommended to the Human Resource Director and City Manager, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow-up with the complainant for complete closure of the concern.

The Legal Department has the authority to retain legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations. The Legal Department also can refer the concern to the Bloomington Police Department for criminal investigation into the allegations.

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting, misuse of funds, or a violation of state or federal law. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the officer, director or volunteer position or termination of employment. Such conduct may also give rise to other actions, including civil lawsuits and/or criminal investigation.

Reports of concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits and/or criminal investigation.

## **WORKPLACE ANTI-BULLYING POLICY**

The City is committed to providing a safe and positive environment for all employees free from harassment, intimidation or bullying. The City desires to promote respect, tolerance and acceptance as well as strive to protect all staff from physical and emotional harm. Therefore, the City will not tolerate bullying, harassment and other forms of aggression and violence of any kind in the workplace and prohibits bullying at every level of the organization. If incidents do occur, they will be dealt with promptly.

The bullied individual typically has trouble defending him or herself and does nothing to “cause” the bullying. The behavior is repeated, or has the potential to be repeated, over time. Examples of bullying can include:

- Relational – being unfriendly, excluding, blackmailing, and manipulating behavior.
- Physical – pushing, kicking, hitting, punching, stealing personal things, or getting into someone’s personal space when asked not to.
- Verbal – name calling, taunting, spreading rumors, hurtful teasing, unwanted nickname.
- Cyber – use of texting, email, Facebook posts, etc. to harass.

The City does not consider supervisors or directors actions of monitoring, directing, coaching or disciplining employees as bullying.

An individual may display signs or behavior that he/she is being bullied. Supervisors and employees should be aware of these possible signs and symptoms and should bring it to their supervisor's attention to investigate if an employee:

- Appears withdrawn, anxious, or suddenly lacking in confidence.
- Is bullying other employees.
- Appears to be afraid to say what is wrong.

This policy applies not only to the staff who directly engage in an act of bullying, but also to staff who, by their indirect behavior, condone or support another individual's act of bullying. No employee, supervisor, guest, customer or any individual with whom we do business shall condone or tolerate bullying. It is important for all employees to model respectful and civil behaviors in order to promote a culture of positive behavior.

This City prohibits every form of bullying, harassment, and cyber bullying/harassment, whether in a City of Bloomington employee program, on the premises where an employee program is held, or at a sponsored employee event, whether or not held on City premises.

Any employee who believes he/she is being bullied, or any employee, who becomes aware of bullying, is required to promptly notify a Human Resources Department Manager either in person or by phone. It is each supervisor's responsibility to ensure an environment consistent with this policy including reporting any suspected violations directly to a Human Resources Department Manager.

Upon notification of a bullying complaint, every step will be taken to conduct a confidential and impartial investigation. Human Resources may direct the investigation to occur at the department level or through a formal internal investigation.

Consequences and appropriate action for employees who engage in any act of bullying, or condone or support such bullying, may range from positive behavioral interventions up to and including suspension or termination. Immediate removal from the workplace is warranted if the employee physically attempts to cause injury to others.

The City prohibits any person from falsely accusing another as a means of bullying or harassment. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including termination and other possible remedies.

Retaliation against any person who has complained about bullying, or who otherwise participated in an investigation of bullying will not be tolerated. Retaliation will result in severe

discipline, up to and including termination.

## **WORKPLACE VIOLENCE POLICY**

All employees have the right to expect a place of employment that is free from behavior that can be considered harassing, abusive, disorderly, or disruptive. Any violent behavior or behavior that creates a climate of violence, the threat of violence, hostility, or intimidation will not be tolerated, regardless of origin. Proactive measures will be taken to minimize the potential for violent acts. Each act or threat of violence will result in an immediate and firm response that could, depending on the severity of the incident and/or other relevant considerations, include termination from employment with the City and/or removal from City property.

The prohibitions in this policy include, but are not limited to, the following behaviors and situations:

- Violent or threatening physical contact (including fights, pushing, and physical intimidation)
- Direct or indirect threats
- Threatening, abusive or harassing phone calls, text messages or other written or verbal threats
- Unauthorized possession of a weapon on City property
- Destructive or sabotaging actions against City or employees' personal property
- Stalking
- Violation of a restraining order
- Threatening acts or abusive language that leads to tension within the work environment

Reporting procedures are in place to encourage early reporting, support and stress reduction for employees as well as the prevention of violence. Any employee who believes he or she is a victim of workplace violence or any employee, who becomes aware of workplace violence, is required to promptly notify a Human Resources Department Manager either in person or by phone. It is each supervisor's responsibility to ensure an environment consistent with this policy including reporting any suspected violations directly to a Human Resources Department Manager.

Upon notification of a workplace violence complaint, every step will be taken to conduct a confidential and impartial investigation which may include direct interviews with involved parties and, where necessary, with employees and others who may be witnesses or have knowledge of matters relating to the complaint.

All employees who obtain a protective restraining order, or are the subject of one, must provide to their immediate supervisor a copy of any temporary or permanent protective or restraining order. The City understands the sensitivity of the information requested and has developed confidentiality procedures, which recognize and respect the privacy of the employee(s), to the extent possible.

Any person who makes a substantiated threat, exhibits threatening behavior, violates one of the prohibitions above, or engages in violent acts on City of Bloomington property or against a City employee, shall be removed from the premises as quickly as safety permits, and shall be prohibited from access to non-public areas of the City's premises pending the outcome of an investigation. No existing City policy, practice or procedure will be interpreted to prohibit decisions designed to prevent a threat, a violent act from occurring or a life-threatening situation from developing.

Consequences and appropriate action for employees who engage in any act or threat of workplace violence may range from positive behavioral interventions up to and including suspension, termination of employment, criminal prosecution of the person(s) involved, and/or other appropriate measures. The City will act to promptly investigate all complaints of workplace violence and will take prompt appropriate action against any employee, staff, volunteer, contractual employee, independent contractor, or anyone with whom the City does business, who is found to have violated this policy.

## **CHAPTER 3 – Payroll and Timekeeping Information**

### **ACCESS TO PERSONNEL FILES**

The Human Resources Department maintains a personnel file on each employee. Personnel files contain documentation regarding all aspects of the employee's employment with the City, such as applications, documentation of performance and performance appraisals, employee commendations, disciplinary action and other relevant employment records. Personnel files are City property.

An employee who wishes to review his/her personnel file should schedule an appointment with the Human Resources Department. Copies of documents will be provided at the employee's request for a nominal fee.

### **ATTENDANCE AND PUNCTUALITY**

To maintain a productive work environment, the City expects employees to be reliable and punctual in reporting to work. Absenteeism and tardiness place a burden on other employees and on the City. In the rare instances when an employee cannot avoid being late to work, or is unable to work as scheduled, the employee must notify his/her supervisor as soon as possible in advance of the start of the employee's shift. An employee who is considered tardy or fails to notify his/her supervisor of an absence is considered in violation of this policy.

When reporting tardiness or an absence, an employee is expected to communicate directly with his/her supervisor, unless the supervisor is unavailable. Employees are expected to follow established Department protocols. Any employee who is absent from work without contacting his/her supervisor will be considered to have abandoned the job (reference Job Abandonment Section).

Employees are expected to contact their supervisor each day of an absence, unless advised otherwise by Human Resources or the employee's supervisor.

Each work area will have specific guidelines for attendance, including starting and ending times for the standard workday.

### **BREAKS AND MEAL PERIODS**

Employees working an eight (8) hour day are generally eligible for two (2) fifteen (15) minute breaks. Breaks will be coordinated with the work area supervisor.

Full-time employees may be provided with a duty-free, unpaid meal period each workday. Meal periods will be scheduled to accommodate Department needs. Employees eligible for overtime are not generally permitted to continue work during meal periods or skip a meal period to shorten their workday.

## **CLASSIFIED EMPLOYEE WAGE ADMINISTRATION**

The City strives to pay salaries competitive with those paid by other employers in our industry and in the applicable labor markets.

Each classified position at the City has been studied and assigned a pay grade. Each grade has been assigned a corresponding wage range. Periodically, the City may revise its job descriptions, evaluate individual jobs to ensure that they are rated and paid appropriately and review job specifications to ensure that they are directly job related. Human Resources can help with questions on pay structure.

Pay for Performance: To ensure that employees perform their job to the best of their abilities, it is important to be recognized for good performance and receive appropriate suggestions for improvement when necessary. Consistent with this goal, performance will be evaluated on an on-going basis.

## **EMPLOYEE PERSONAL INFORMATION**

All employees must notify the City within three (3) business days of any changes in personal street addresses, telephone numbers, etc. Employees must provide emergency contact information to Human Resources for persons to be contacted in the event of a personal emergency. Employees should promptly notify Human Resources of any changes in dependents, beneficiary, or any other information related to benefits administration. It is the employee's responsibility to ensure that personal data is accurate and current at all time. Employees shall use the Employee Self Service module to update this information.

## **EMPLOYMENT STATUS**

It is the policy of the City to maintain an employee classification system for the purposes of benefit administration and payroll record keeping. Every effort will be made to inform all employees of their classification status at the time of employment and/or at the time of a change in status.

**FULL-TIME EMPLOYEE** - A full-time employee is regularly scheduled to work at least 40 hours per week (firefighters will differ). Generally, they are eligible for the City's benefit package, subject to the terms, conditions and limitations of each benefit program, and the terms of any applicable collective bargaining agreement.

**SEASONAL EMPLOYEE** - A seasonal employee generally is an individual who is hired either for a specified program or limited periods of time. Other than benefits required by law, seasonal employees are generally not eligible to receive City benefits.

**NON-EMPLOYEE PERSONNEL** - Individuals excluded from the definition of "employee" under the Fair Labor Standards Act, include elected officials, policy-making appointees, unpaid interns and independent contractors.



EXEMPT VS. NON-EXEMPT - In accordance with the Fair Labor Standards Act (FLSA), an employee may be classified as an exempt or non-exempt employee. Exempt employees' duties and responsibilities meet the eligibility as set forth under the Act. An exempt employee is paid a salary commensurate with his/her responsibilities without consideration of hours worked. As a result, an exempt employee is not paid overtime or paid for compensatory time off

The employment status of an employee shall be the determining factor as to the eligibility for most employee benefits. For example, if an employee changes from full-time regular status to seasonal status, she or he will no longer be eligible for full-time regular employee benefits. Employment status changes are initiated by Human Resources in coordination with the Department Head and in compliance with established procedures.

## **OVERTIME**

In order to best serve our community, overtime work may be required. The City attempts to provide as much advanced notice for overtime work as possible. However, in some instances overtime work may be required without notice.

Employees who are classified as non-exempt, are eligible for overtime pay. Full-time employees shall be paid one and one-half (1 ½) times their regular straight time hourly rate of pay for all hours paid in excess of eight (8) hours in a day or (40) hours per work week. Overtime may be paid in compensatory time off as provided for in the Fair Labor Standards Act. Employees may have a 20-hour maximum amount of compensatory time in their bank at one time. Compensatory time may be used by mutual agreement of the employee and Department Head.

Seasonal employees who work in excess of forty (40) hours per work week will be paid at the rate of one and one-half times the employee's regular rate of pay.

All overtime must be pre-approved by the employee's immediate supervisor before it is performed. No other arrangement regarding regular hours worked may be agreed to between the supervisor and employee. In the event an employee feels he/she was not compensated correctly for time spent after regular work hours the employee should contact the Human Resources Department. Employees should review the Computer, Electronic Communications Systems & Resources Policy regarding work performed outside their normal schedule (i.e. responding to calls, emails, etc.)

Overtime pay is based on actual hours paid. Time off for holidays, sick leave, vacation leave, or any leave of absence will be considered hours worked for purposes of performing overtime calculations.

## **PAYROLL DEDUCTIONS**

It is important to the City to ensure employees are paid correctly and not to take any improper pay deductions that would be in violation of the Fair Labor Standards Act, its regulations (specifically Section 541.602(a)), or relevant state law or local ordinance. It is the employee's

responsibility to notify Human Resources immediately of any improper pay (too much or too little) or deductions. The concern will be promptly investigated, and the results of the investigation will be reported to the employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to Human Resources Director.

Any employee whose pay is improperly deducted shall be reimbursed for such improper deduction on the next available pay period after the investigation is completed.

## **REGULAR PAY PROCEDURES**

Employees are paid on a bi-weekly basis dependent upon their position. Employees may choose to be paid by direct deposit or paycheck card. Otherwise, a paycheck will be placed in US postal service to the home address on file on the actual pay date. Employees are responsible for providing accurate and up-to-date mailing addresses. Employees must cash any City of Bloomington check within 30 days of receipt.

Employees who receive paper checks via the US postal service need to allow at least 5-7 business days to receive the check. Employees who believe their payroll check has been lost in the mail need to contact Payroll to start the process of reissuing a check. Once it has been verified that the check is truly lost, the check can be reissued. The entire process may take up to 2 weeks.

## **TIMEKEEPING**

It is the responsibility of every employee and supervisor to accurately record, report and approve the time he/she worked using City approved methods. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employees' pay and benefits.

Intentionally altering, falsifying, or tampering with time records, or recording time on another employee's time record is strictly prohibited and will result in discipline up to and including termination.

## **WORK SCHEDULES**

The official business hours for the City of Bloomington are 8:00 a.m. to 5:00 p.m., Monday through Friday. Because we provide a wide range of services on a twenty-four (24) hour, seven (7) day a week basis, some employees may be scheduled to work on days and times outside the official business hours. Work schedules may vary by department or position. Most employees work a forty (40) hour work week although this may vary by individual job and department needs. The City reserves the right to change work schedules based upon operational need.

## **CHAPTER 4 – Benefits & Additional Offerings**

### **BENEFITS INFORMATION**

A Benefits Handbook outlining benefits offered to full-time, Classified employees, related to group health, dental, vision, life insurance, and paid time off benefits is available on the Human Resources Intranet site or in Human Resources. Details related to benefits offered to bargaining unit employees are available in the respective collective bargaining agreement for each unit. Please contact Human Resources with any additional questions.

### **EDUCATION, TRAINING AND DEVELOPMENT**

The education and personal career development of City employees is important to the operation and success of the City. Such training affords each employee the opportunity to become more proficient in his/her present job and prepares the employee for possible future advancement.

Occasionally, attendance at a continuing education or certification program may be designated as mandatory by the employee's supervisor and/or Department Head. When this occurs, the time spent at such a meeting will be considered as hours worked in calculating wages and overtime. When an employee voluntarily attends a meeting or training but is not required to attend, the employee may not be compensated.

Mandatory and on-line training are the basis of teaching new concepts, techniques and ensuring the safety of citizens and employees. It is the responsibility of each employee to attend and complete mandatory on-line training that is required by individual departments and/or the City. The City will maintain a record of all employees who have completed mandatory training. Not attending mandatory in-services or completing mandatory on-line training may subject the employee to disciplinary action. On-line training must be completed during the employee's normal work hours.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The City has established an Employee Assistance Program (EAP) to ensure that employees encountering problems in their personal or professional lives receive the constructive, confidential, and professional consultation or counseling they need. The EAP is designed to deal with an employee's personal problems up to and including marriage and family difficulties, financial or legal troubles, alcoholism, drug abuse, and emotional or psychological problems, and is open to all employees and their family members.

The EAP policy is as follows:

1. The EAP is available to all regular full-time employees and their dependents.

2. Employees are encouraged to seek assistance before personal problems deteriorate job performance. Employees participating in the EAP will be expected to meet job performance standards; the EAP is not a substitute for regular disciplinary action.
3. Complete confidentiality will be preserved in all discussions or written records between the EAP and the employee. EAP reports provided to the City by the EAP contractor are statistical in nature and do not contain specific identifying employee information.
4. If an employee's job performance or attendance is not satisfactory, the Department Head or Human Resources may refer the employee to the EAP resources. In the case of supervisory referrals, the employee's employment may be contingent upon his/her attendance and cooperation with the EAP. It remains the employee's responsibility to correct his/her performance problem.
5. Eligible employees and their dependents may receive up to six (6) FREE sessions per problem of professional assessment, consultation, and counseling by the City's EAP provider.
6. The EAP can be contacted by calling 800-272-2727, 24 hours a day, seven days a week, or login to their website at [www.workhealthlife.com](http://www.workhealthlife.com) for more detail.

## **PARKING**

It is very important that our citizens and visitors can park in the most convenient areas possible. In order to help assure that such parking is available, all employees should park in employee-designated parking areas only. Violators may be ticketed and disciplined if warranted.

## **RETIREMENT**

The City has different pension plans for which employees may qualify. Eligible employees are covered under the Illinois Municipal Retirement Fund (IMRF), Police Pension or Fire Pension. We also offer a tax deferred 457 plan and Roth IRA plan that employees may participate in to supplement their retirement. More details are available in the Human Resources Department. The City also contributes to Social Security and Medicare, as required for most employees.

## **TUITION REIMBURSEMENT POLICY**

The City of Bloomington believes that dollars spent on approved programs of study which increase an employee's overall value to our customers and performance of the job, are dollars well spent. Because of this belief, the City encourages employees to further their education in work related areas and may provide employees with the financial support to do so.

The Tuition Reimbursement policy is as follows:

1. Tuition reimbursement is available to regular, full-time employees wishing to pursue an accredited degree program and who have been with the City for at least six (6) months. Approval will be considered on a case by case basis taking into consideration alignment with individual objectives, performance rating and City need. Courses must have the approval of the Department Head and City Manager/Deputy City Manager prior to class enrollment in order to qualify for reimbursement.
2. The maximum reimbursement that will be made to an individual employee is \$5,000 per *calendar* year, within the same year as the course commenced. This benefit is subject to budget constraints. The City will only reimburse employees for the actual cost of the coursework, textbooks, and any applicable fees. The amount of the reimbursement will be based upon the following:

<u>Grade</u>	<u>% Reimbursement</u>
A	100%
B	80%
C	50%
D or below	0%

\*If a course is for Pass or Fail, a 'Pass' grade will be eligible for 100% reimbursement, where a 'Fail' grade will receive 0% reimbursement.

3. Reimbursement will be granted for approved courses or a degree program at the rate stated above upon receipt of a paid tuition bill, official grade report and relevant receipts.
4. Employees eligible for reimbursement from any source (e.g. a government sponsored program or a scholarship) may seek assistance under our tuition reimbursement program but are reimbursed only for the difference between the amount received from the other funding source and the actual course cost. Total aid from the City and other sources may not exceed 100% of the allowable tuition fees.
5. Tax consequences (if any) as a result of the reimbursement under this plan are the sole responsibility of the employee.
6. If an employee separates from employment for any reason during a pre-approved course, the City will not reimburse tuition. Additionally, if an employee separates employment for any reason within twelve (12) months after reimbursement is received, the employee must agree to repay the City of Bloomington in full.

7. Employees will be required to sign individual agreements in order to receive reimbursement under this policy.

## **WORKPLACE WELLNESS POLICY**

This policy reflects the City's commitment to a safe, positive, and healthy workplace. The City encourages, supports, and offers healthy-related programs that will assist employees in achieving ownership for their physical, mental, and emotional well-being, resulting in improving the overall health and well-being for all employees. A healthy workplace leads to improved satisfaction and morale, which contribute to a more effective organization.

A healthy workplace requires city-wide participation. Employee participation can include developing, implementing, and reviewing healthy actions and policies, involvement in planning lifestyle health promotion programs at work, identifying problems, devising solutions and then implementing and evaluating these solutions. Employees are encouraged to participate in any or all programs that are made available to them.

City employees may be surveyed from time to time to determine which wellness initiatives are important to employees. These results will be compiled and analyzed by the Wellness Committee to develop appropriate initiatives for the coming year. Monthly workplace wellness initiatives may take place before work hours, over lunch breaks or after work hours to provide flexibility for all employees.

## **CHAPTER 5 – Leaves and Approved Absences**

### **BEREAVEMENT**

Any eligible employee may be absent from work for a period of up to three (3) working days due to a death in the immediate family. Department Heads, after consultation with Human Resources, may grant additional time for unusual circumstances, as it relates to the death of an immediate family member.

For purposes of this policy, immediate family is defined as mother, father (which includes stepparents or legal guardians), mother-in-law, father-in-law, husband, wife, sister, brother, sister-in-law, brother-in-law, child or stepchild, grandchild or step grandchild, or grandparents (including your spouse's grandparents).

Department Heads may grant bereavement leave in hourly increments (not to exceed one day) for an employee to attend services for individuals who are not immediate family members.

In the event of the death of a child, Illinois law entitles employees to an additional 2 weeks (10 workdays) of unpaid bereavement leave to:

- (1) attend the funeral or alternative to a funeral of a child;
- (2) make arrangements necessitated by the death of the child; or
- (3) grieve the death of the child.

"Child" is defined as an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis. Under the law, the child bereavement leave must be completed within 60 days after the date on which the employee receives notice of the death of the child. An employee shall provide the City with at least 48 hours' advance notice of the employee's intention to take bereavement leave, unless providing such notice is not reasonable and practicable. The City may require reasonable documentation, which may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.

In the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of 6 weeks of bereavement leave during the 12-month period. This Act does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under or is in addition to the unpaid leave time permitted by the federal Family Medical Leave Act of 1993.

## **BLOOD DONATION LEAVE**

Full-time employees who have been employed by the City for at least 6 consecutive months are eligible for 1 hour every 56 days for the purpose of donating blood. Employees must obtain advanced permission from their supervisor by submitting a request for leave and medical documentation of the appointment to donate. The medical documentation may consist of a written statement from the blood bank indicating the employee has an appointment to donate. Any blood-leave disputes should be referred to the Human Resources Department.

## **COURT APPEARANCES**

Employees are sometimes called upon to make court appearances in connection with their job. These appearances may relate to proceedings instituted by the City, such as enforcement actions, or other matters in which the City is a party. Employees may also be required to give testimony in connection with litigation between private parties where information regarding City policies or practices is relevant. Employees who must attend court proceedings as part of their job duties will be considered to be at work during such appearances. Employees are expected to turn over any witness fees or similar payment they receive to the Human Resources Department.

Employees absent for court appearances that are not required as part of their job duties are required to charge any resulting absences to their available vacation or personal time. For example, employees attending workers' compensation court proceedings as a result of their own claim will need to use their personal time to do so. Employees may retain any pay they receive for court appearances not required as part of their job duties. Benefits may be available under the Victims Economic Security and Safety Act (VESSA) referenced under the Extended Leave of Absences section of the handbook.

## **EXTENDED LEAVES OF ABSENCE**

An extended leave of absence is authorized time away from work (paid or unpaid) in the event of an extended personal illness, family illness, death, educational need, personal need, military need, etc. The City classifies extended leaves of absence into four main categories:

- A.** FMLA leave (in accordance with the provisions of the Family Medical Leave Act of 1993);
- B.** "VESSA" leave (in accordance with the provisions of the Victims Economic Security and Safety Act of 2003);
- C.** Military leave (in accordance with the Illinois Service Member Employment Act, better known as "ISERRA") and the Uniformed Services Employment Reemployment Right Act of 2004, better known as "USERRA"); or
- D.** City Manager Leave



### **A. FAMILY MEDICAL LEAVE OF ABSENCE (FMLA)**

This policy contains information consistent with and in addition to the information contained in the “Employee Rights and Responsibilities” (found on the form) and is meant to provide additional information about the City’s specific policies and procedures under the Family and Medical Leave Act. In the event of any conflict between the “Employee Rights and Responsibilities” and this policy, the “Employee Rights and Responsibilities” will prevail.

**Basic Leave Entitlement:** Employees may be eligible to take up to 12 weeks of unpaid family/medical leave within a 12-month period and be restored to the same or an equivalent position upon return provided that the employee has worked for the City for at least 12-months AND worked at least 1250 hours in the last 12-months AND if at least 50 employees are employed by the City within 75 miles. An eligible employee can take up to 12 weeks of FML during a 12-month period. The City uses a “rolling” 12-month period measured backward from the date an employee uses any FML. Each time an employee takes any FML, the remaining leave entitlement will be any balance of the 12 weeks that has not been used during the immediately preceding 12 months.

**Reasons for Leave:** If an employee is eligible, the employee may take family/medical leave for any of the following reasons: (1) the birth of a child and in order to care for such child; (2) the placement of a child with the employee for adoption or foster care; (3) to care for a spouse, son, daughter or parent (“covered family member”) with a serious health condition; or (4) because of the employee’s own serious health condition which renders the employee unable to perform the functions of the employee’s position. Leave because of reasons one and two above must be completed within the 12-month period beginning on the date of birth or placement. In addition, spouses employed by the City who request leave because of reasons one or two or to care for an ill parent may only take a combined aggregate total of 12 weeks leave for such purposes during any 12-month period.

**Military Family Leave Entitlement:** If an employee is eligible, the employee may use the 12-week FML entitlement to take military family leave. This leave may be used to address certain qualifying exigencies related to the covered active duty or call to covered active duty of a spouse, son, daughter or parent. Qualifying exigencies may include (1) attending certain military events; (2) arranging for alternative childcare; (3) addressing certain financial and legal arrangements; (4) attending certain counseling sessions; (5) addressing issues related to short-notice deployment; (6) spending time with a covered family member who is resting and recuperating; and (7) attending post-deployment briefings.

An employee may also be eligible for up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. This single 12-month period begins with the first day the employee takes the leave. A covered servicemember includes: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy or is in outpatient status; or (2) is on the temporary disability retired list; or (3) a 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.

Employees may not be granted an FML leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an FMLA leave, the employee may be subject to immediate termination.

**Notice of Leave:** If the FML is foreseeable, the employee must give the City at least 30 days' notice in accordance with the usual procedure for requesting a leave of absence. Failure to provide such notice may be grounds for delay of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the City as soon practicable and, absent unusual circumstances, in accordance with the City's normal leave procedures. (An employee must provide verbal or written notice to his or her supervisor and must comply with the department's normal call-in procedures.

**Medical Certification—Leave for Employee's Own or a Covered Family Member's Serious Health Condition:** If the employee is requesting leave because of the employee's own or a family member's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be provided within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The City, at its expense, may require an examination by a second health care provider designated by the City, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the City, at its expense, may require a third, mutually agreeable health care provider to conduct an examination and provide a final and binding opinion. The City may also require medical recertification periodically during the leave and employees may be required to present a fitness for duty verification upon their return to work following a leave for the employee's own illness specifying that the employee is fit to perform the essential functions of the job.

**B. VICTIM'S ECONOMIC SECURITY AND SAFETY ACT (VESSA)**

The Victim's Economic Security and Safety Act (known as "VESSA") provides an employee who is a victim of domestic or gender violence, or who has a family or household member who is a victim of domestic or gender violence, with up to twelve (12) weeks of unpaid leave per any twelve (12) month period to address issues arising from domestic or sexual violence. Gender Violence is any action of violence on the basis of a person's actual or perceived gender. VESSA may also be taken for sexual harassment, which need not have arisen in or have any connection with, the City working environment.

An employee may take VESSA leave to:

- a. Seek medical attention for, or recovery from, physical or psychological injuries caused by domestic, gender, sexual violence or sexual harassment to the employee or the employee's family or household member;

- b. Obtain victim services for the employee or the employee's family or household member;
- c. Obtain psychological or other counseling for the employee or the employee's family or household member;
- d. Participate in safety planning, including temporary or permanent relocation or other actions to increase the safety of the victim from future domestic, gender, sexual violence or sexual harassment; or
- e. Seek legal assistance to ensure the health and safety of the victim, including participating in court proceedings related to the violence.
- f. To address a sexual harassment issue.

VESSA leave is unpaid leave. Employees may choose, however, to use accrued paid time off which would otherwise apply to the circumstances of the leave. For the employee's serious health condition or injury, or that of a family member, leave is provided under the terms and conditions of sick leave policies. Employee may also elect to use accrued vacation or personal leave to continue in pay status during the VESSA leave period. The substitution of paid leave for unpaid leave time does not extend the twelve (12)-week leave period. VESSA leave may be taken intermittently or on a reduced work schedule

Employees who are bargaining unit members should refer to their respective collective bargaining agreements for appropriate use of sick, vacation, and personal leave. All other employees can refer to the Benefits Handbook.

VESSA and FMLA leaves will run concurrently if the employee is eligible and the event qualifies for both leaves

**Notice and Certification Requirements for "VESSA":** The employee shall provide the City with at least 48 hours' advance notice of the employee's intention to take leave, except in such cases where it is not practical to provide such notice. In such cases, the employee must provide as much notice as possible.

The City may require certification. An employee may satisfy such certification requirements by providing a sworn statement and:

- Documentation from a victim services organization, attorney, member of the clergy; or
- Documentation from a medical or other professional from whom the employee or the employee's family or household member has sought assistance; or
- A police or court record; or
- Other sufficient corroborating evidence.

The City shall maintain the confidentiality of all information pertaining to the use of VESSA

leave, notice of an employee's intention to take VESSA leave, and certification provided by the employee.

### **C. MILITARY LEAVE**

A military leave of absence is available for anyone who voluntarily or involuntarily leaves employment positions to undertake military service or certain types of service in the National Disaster Medical System for a period of up to five (5) years or less of cumulative military service while with the City. Military services include the U.S. Army, Navy Marine Corps, Air Force, Coast Guard, Public Health Service commissioned corps, and the reserve components of each of these services. Rights are also extended to employees who receive federal training or perform service in the Army National Guard and Air National Guard.

Employees are responsible to notice their direct supervisor and Human Resources of pending military service as soon as reasonably possible. Such notice will entitle a service member to military leave. Employees will be responsible for submitting their orders and military pay stubs to Human Resources upon receipt.

Employee eligibility for reinstatement after the completion of military service and training benefit continuation/eligibility issues are determined in accordance with applicable Federal and State laws.

### **D. CITY MANAGER LEAVE**

When paid leave time is not available or the reason for the absence is not a permissible use of the employee's available leave time, the City Manager may permit an employee to take leave without pay, on a very limited basis. An unpaid leave of absence of under thirty (30) days will be permissible at the discretion of the Department Head in consultation with Human Resources.

An unpaid leave of absence in excess of thirty (30) days will require approval of the City Manager. The City Manager may grant a leave of absence to an employee for such a period as he sees fit, on a non-precedential basis, not to exceed one (1) year. Employees on an extended unpaid leave of absence will not accrue benefit time or retirement credit. Employees not covered by FMLA may opt to continue health insurance coverage, including dependent coverage, by paying the total cost of such coverage for the duration of their leave. Continuation of other benefits will be governed in accordance with the terms of each benefit plan. The employee's anniversary date will be adjusted accordingly if the extended unpaid leave of absence is a non-qualifying FMLA leave. In order to apply, an employee must submit a letter to Human Resources requesting such leave.

## **HOLIDAYS**

Employees are eligible for holiday pay upon hire in accordance with this policy. The City of Bloomington observes the following holidays:

New Year's Day	Martin Luther King Jr Day
Good Friday	Memorial Day
Fourth of July	Labor Day
Veteran's Day	Thanksgiving
The day after Thanksgiving	Christmas Eve
Christmas Day	New Year's Eve (1/2 day)

The City will designate the specific dates holidays will be observed each calendar year. Most employees, who would ordinarily be scheduled to work, but for the holiday, will have the day off and receive pay at their regular rate of pay.

If a recognized holiday falls during an employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit. Employees must be in a paid status the workday before and after the designated holiday in order to be eligible for holiday pay. Employees on unpaid leave will not receive holiday pay.

Some employees may be required to work on holidays. While every effort will be made to notify employees of the need for holiday work in advance, in some instances holiday work may be required without notice.

## **JURY DUTY**

The City recognizes jury duty as a civic responsibility. If an employee is summoned for jury duty, the employee must present a jury summons to the Department Head as soon as received, so that staffing adjustments can be made.

If an employee is called for jury duty, the City will allow him/her the necessary time off for the employee to fulfill the civic responsibility.

When an employee is selected to serve on a jury, the City will pay for the employee's normal scheduled working hours, less the amount paid by the court system for service of jury duty. Employees are expected to turn over any jury duty fees or similar payment they receive to the Human Resources Department.

When the jury duty obligation is completed, the employee is required to produce authorized documentation justifying the absence to the Department Head and reimburse the City for any jury duty stipends received for their service.

Any time that the employee is excused early from jury duty and has hours left on their shift, the employee should contact their supervisor for reporting instructions.

## **PERSONAL CONVENIENCE DAYS**

The City provides eligible employees with sixteen (16) hours of paid personal leave per fiscal year on May 1 of each year. Personal leave not used on/before April 30 is forfeited. Employees will not receive payment for any unused personal leave. Employees should follow their department approval guidelines for requesting time off. Supervisors may deny personal leave requests if the request cannot be accommodated.

## **PAID LEAVE DONATION POLICY**

Employees may have a medical emergency, resulting in a need for time off in excess of available sick/vacation/personal convenience (PC) time. To address this need, co-workers can donate unused PTO hours to employees in need of additional paid leave, in accordance with the policy below.

### **Eligibility Guidelines**

Approval to receive donated time must be provided by the employee's Department Head, Human Resources (HR) and the City Manager. Consideration for approval includes:

- Full-time employment with the City of Bloomington for at least one year.
- An employee with a terminal or other serious non-work-related medical condition that requires an extended absence of the employee from his/her position for at least 30 days, resulting in a substantial loss of income. Medical documentation from a physician is required.
- Exhaustion of paid sick hours available to him/her. Employees may retain a balance of 40 hours of Vacation, PC or Court Exchange to use when they return back to work.
- A pattern of sick leave use over the past 3 years that does not violate the City's Sick Leave Abuse Policy, as defined in the Classified Benefits Handbook or Collective Bargaining Agreement (CBA). If the CBA is silent, the Classified Benefits Handbook Sick Leave Abuse Policy applies.

### **Paid Leave Donation Specifics**

- Donation of hours is strictly voluntary. Donated hours are provided from the employee donating the hours to the individual of his/her choosing, if the individual meets the Eligibility Guidelines listed above.
- Employees need to sign a Paid Leave Donation Form which is available on the HR internet site.
- Donated time is hour for hour between an employee on a similar work week schedule. Hours donated between employees working 24 hour shift to a 40 hour shift or vice versa shall be converted to leave hours based on a 4/5 conversion.
- The employee must indicate where donated time is to be taken from. Available sick/vacation/PC hours can be donated to another employee, but compensatory (comp) and wellness hours are excluded from this policy. The amount of sick time donated cannot exceed the amount of vacation time donated. The employee must maintain at least 200 hours of sick time, after a donation is complete. Local 49 employees will be eligible to donate up to 24 hours of sick time. Hours donated beyond 24 hours will need to

be taken from the donating employees Vacation or PC. Sick Leave maybe used for the remaining 49-72 hours.

- Employees cannot borrow against future Paid Leave time. Hours donated must be available to the employee.
- The total amount of leave time donated by an employee cannot exceed 40 hours (72 hours for a 24-hour shift employees) in a calendar year. Donated time is transferred from the donor to the recipient, effective the date HR receives a signed PTO Donation Form. Time is used by the employee in the order each Paid Leave Donation Form is received.
- In the event all donated time is not used by the recipient employee, unused time will be provided back to employees who donated the paid leave time based on the order in which Paid Leave Donation Forms were received.
- Employees on a leave of absence cannot donate time.

### **Those Requesting Donated Time**

- Employees requesting donated time must complete a Paid Leave Donation Request Form and submit it to HR. The employee requesting leave time is required to sign a release for HR to advertise the need City-wide.
- If the employee has time available, it is used prior to any donated time without restriction of time off slots available. Donated time may only be used for time off related to the approved request.
- Employees may receive no more than 480 hours (720 hours for a 24-hour shift employees) of donated time within a rolling 24-month period. Donated hours are not eligible to be used as credit towards an employee's Rapid Accrual benefit. The City Manager may extend this time for no more than one additional 480-hour (720 hours for a 24-hour shift employees) period.
- Employees will continue to accrue leave benefits and are eligible for other benefits (including health insurance) during the time of paid donated leave.
- Employees returning to full duty can continue to use donated leave time for medical appointments and absences related to the approved request, for up to 45 calendar days. These absences need to be accompanied by a Physician note.
- Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

***This policy is being implemented on a trial basis, for the 2020 & 2021 calendar years. At any point, and solely within the City's discretion, the City may discontinue the policy and provide termination notice of said policy.***

## **SICK LEAVE**

Employees may be allowed to accrue sick leave based upon the work group that they are assigned to. Since this benefit varies between employee groups, the details are available in Classified Benefit Handbook or the Collective Bargaining Agreement. Classified employees may use sick leave for the employee, spouse, child or parent. Employees who are bargaining unit members can find more details in their respective collective bargaining agreement. All other employees can find more details in the Benefits Handbook.

The City retains the right to take corrective steps to deal with the perceived abuse of sick leave or if an employee has prolonged and/or frequent and regular absences which hinder the carrying out of the employee's responsibilities.

## **VACATION**

Employees may be allowed to accrue vacation leave based upon the work group they are assigned to. Since this benefit varies between employee groups, the details are available in Classified Benefit Handbook or the Collective Bargaining Agreement.

The City encourages eligible employees to use all their vacation time each year. Employees should follow their department approval guidelines and request time off as far in advance as possible, not to exceed one (1) year. Supervisors may deny and/or cancel vacation requests, if the request cannot be accommodated.

## **VOTING TIME**

The City of Bloomington grants eligible employees up to two hours of paid time off for the purpose of voting in a general or special election within the State of Illinois if their working hours on the day of the election begin less than two hours after the opening of the polls and end less than two hours before the closing of the polls. To be eligible for paid time to vote on the day of an election, an employee must be:

- Registered to vote at a general or special election or at any election at which propositions are submitted to a popular vote in the State of Illinois.
- Scheduled to work on the day of such election, with working hours beginning less than two hours after the opening of the polls and ending less than two hours before the closing of the polls. For example, if the polls are open from 6:00 a.m. to 7:00 p.m. and the employee's scheduled work hours are from 7:00 a.m. to 7:00 p.m., the employee may be granted two hours of paid time to vote during the day of the election.
- Have informed his/her supervisor in advance that the employee will be voting.

Prior to the day of the election, the employee must provide his or her supervisor with a written request and show his/her voter registration card as proof of eligibility to vote in the designated election.

Eligible employees are encouraged to vote early or during their non-working hours. However, if they are unable to do so based on the working hours criteria described above, they will be accommodated. Supervisors may specify the hours during which employees may be absent to vote.



## **CHAPTER 6 - Technology**

### **COMPUTER, ELECTRONIC COMMUNICATION SYSTEMS & RESOURCES POLICY**

This policy covers the use and monitoring of communications systems, including electronic and telephone communications systems, including, but not limited to mail, email, telephone systems, voice mail, facsimiles, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, computer networks, the internet, and computer directories and files.

It is the policy of the City to provide or contract for the communication services and equipment necessary to promote the efficient conduct of business. All business equipment, electronic and telephone communications systems, and all communications and stored information transmitted, received, or contained in the City's information systems are the City's property and are to be used solely for job-related purposes. To ensure the proper use of communications systems and business equipment, the City may monitor the use of these systems and equipment from time to time.

The City prohibits non-job-related uses of its software and business equipment, including, but not limited to computers, facsimiles and copy machines. Limited personal use is permitted so long as it does not interfere with job performance, consume significant City resources, subject the City's Communication Systems to liability or vulnerability (including but not limited to viruses) or interfere with the work of other employees. Employees who violate this policy are subject to disciplinary action, up to and including termination. As a condition of employment, employees will be required to abide by the terms of this policy at all times.

#### **PROCEDURE**

1. Electronic systems are owned/leased and maintained by the City, and electronic communications are the sole property of the City. Personal use of electronic systems and the distribution of personal messages by employees are discouraged, although incidental minimal use may be permitted. Personal software or messages shall not be installed or stored on City electronic equipment unless expressly approved by Human Resources.
2. The City will, or reserves the right to, monitor the use of electronic systems and to review or inspect all material stored therein. No communications are guaranteed to be private or confidential.
3. The use of personal passwords, assigned to the employee, is not grounds for an employee to claim privacy rights in the electronic or communications systems. The City reserves the right to override personal passwords. Employees may be required to disclose passwords or codes to the City to allow access to the systems.

4. The City's prohibition against sexual, racial, and other forms of harassment are extended to include the use of electronic and telecommunications systems. Offensive, harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually oriented messages or images. Communications that may defame or disparage the City, employees, citizens, or contractors and vendors are also prohibited from general publication on any electronic systems. Employees who receive email or other information on their computers which they believe violate this policy should immediately report this activity to their supervisor.
5. Privileged or confidential material, such as, but not limited to, trade secrets or attorney-client communications, should not be exchanged haphazardly by e-mail, text messages, facsimiles, etc.
6. Employees are prohibited from disseminating, printing, or copying copyrighted materials or in any other way violating copyright laws. The electronic posting of copyrighted information is also prohibited, unless the City or the employee has created the information or owns the rights to it.
7. Outsiders or non-employees are prohibited from using electronic communications to communicate with City employees or the City for any purpose unrelated to City business.
8. Employees must be aware of the possibility that electronic messages that are believed to have been erased or deleted can frequently be retrieved by systems experts and can be used against an employee or the City. Therefore, employees should be cautious and use the systems only in the appropriate manner and consult with systems experts to guarantee that information to be deleted is truly eliminated from the system.
9. Employees should exercise care so that no personal correspondence appears to be an official communication of the City. Personalized City stationery and business cards may only be issued by the City. Employees may not use the City's address or email address for receiving personal mail, email or utilize City stationery or postage for personal letters.

## **ACCESS & USE FOR NON-EXEMPT EMPLOYEES**

This policy applies to all non-exempt City employees with a City-owned or personally owned computer or device including all types of work-related communication (i.e. reading or sending email), and access to all City web-based software solutions, websites and social media accounts.

As with all other types of authorized work, all time spent by non-exempt employees using electronic communications for work purposes will be considered hours worked; the time is compensable and will count toward overtime eligibility as required by law and in accordance with City policy. Therefore, electronic communications and/or access to City web-based software solutions, websites and social media accounts should not be used outside regularly scheduled work hours unless pre-authorized by the employee's supervisor.

If your supervisor has pre-authorized such work utilizing a cell phone, smart phone, laptop or other device the City will compensate you for time worked outside of your normal work hours in accordance with the applicable overtime policy.

It is the non-exempt employee's responsibility if the employee has after-hours work to:

- Receive approval, prior to performing such work, for any planned work outside the employee's normal shift, including lunch hours. Non-exempt employees are responsible for submitting a log of time worked after-hours that includes the date, the time, the exact amount of time spent using the device after-hours and the purpose of the work. Such logs shall be submitted on a weekly basis to the employee's supervisor.
- In the event unplanned use of the communication device and/or access to City web-based software solutions, websites and social media accounts is required after-hours, the non-exempt employee will be required to report the date, the time, the exact amount of time spent after-hours and the purpose on the next scheduled work day to the employee's supervisor.
- Ensure all time is paid on the next regularly schedule payroll check. Any discrepancy in time paid should be reported to Human Resources immediately.
- Failure to report time spent performing City business outside of normal work hours will result in discipline.
- Non-exempt employees are prohibited from use of these devices after-hours for non-work-related activity.

It is the Supervisor's responsibility to:

- Determine if such device should be taken home and/or access to City web-based software solutions, websites and social media accounts is required. Non-exempt employees allowed to take home a cell phone, smart phone, laptop or other device, should be the exception – not the rule.
- Review in advance employee logs and approve any planned or unplanned use of the communication device and/or access to City web-based software solutions, websites and social media accounts for after-work hours.

- Determine if any unplanned use of the communication device and/or access to City web-based software solutions, websites and social media accounts submitted in employee logs should be allowed to continue. If it is determined similar use is not appropriate the supervisor must pay the employee and notice the employee in writing that such use is inappropriate.
- Monitor the employee's use of such communication equipment and/or access to City web-based software solutions, websites and social media accounts by reviewing times, emails, texts, phone calls and/or log-in dates/times made by the employee after-hours were documented.
- Phone records should be requested from IT if concerns arise.

No other arrangement regarding after hours work and communication devices and/or access to City web-based software solutions, websites and social media accounts may be agreed to between the supervisor and employee. In the event, an employee feels he/she was not compensated correctly for time spent after hours, the employee shall contact the Human Resources Department.

If it is found that a non-exempt employee failed to report after-hours use of communication equipment, and/or access to City web-based software solutions, websites and social media accounts, and/or performed unauthorized work, the supervisor should contact Human Resources immediately. The employee will be paid for such time and discipline will be administered, up to and including termination of employment. Supervisors shall consult with Human Resources on any suspected violations of this policy.

## **MOBILE DEVICE ACCEPTABLE USE POLICY**

The City recognizes that access to mobile devices can improve work productivity and facilitate communication. The purpose of this policy is to define standards, procedures, and restrictions for City employees, elected officials, contractors and related constituents (hereinafter referred to as "users") who have legitimate business uses for connecting a mobile device to the City's corporate network and data. Such access to this confidential data is a privilege, not a right. Consequently, employment at the City does not automatically guarantee the granting of mobile device privileges. This policy supplements the City's "Computer, Electronic Communication Systems and Resource" policy, also included in this Handbook.

This policy applies, but is not limited to, all devices and accompanying media that fit the following classifications, whether the device is owned by the user (Bring Your Own Device – BYOD) or by the City:

- Smartphones
- Other mobile/cellular phones
- Tablets
- E-readers
- PDAs
- Laptop/notebook/Ultrabook computers

- Any other mobile device capable of storing organization data and connecting to a network

The goal of this policy is to protect the integrity of the confidential data that resides within the City's technology infrastructure. This policy intends to prevent this data from being deliberately or inadvertently stored insecurely on a mobile device or carried over an insecure network where it could potentially be accessed by unsanctioned resources. A breach of this type could result in loss of information, damage to critical applications, exposure to virus or other malware threats, and damage to the City's public image. Therefore, all users employing a mobile device connected to the City's network, and/or capable of backing up, storing, or otherwise accessing data of any type, must adhere to City-defined processes for doing so.

Connectivity of all City-issued mobile devices is managed by the City's IS Department and utilizes encryption and strong authentication measures. Information Services does not directly manage BYOD devices.

All users are required to adhere to the following guidelines.

**City-Issued Devices:**

1. The City will provide designated mobile devices and accessories to approved City users.
2. Addition of new hardware, software, and/or related components to provide additional mobile device connectivity will be managed at the sole discretion of the Information Services Department (IS). City users are not permitted to download any applications to the mobile device unless the application is authorized by IS and related to City business. This includes ringtones, games, themes, wallpapers and non-business-related pictures.
3. Only mobile devices approved by IS are to be used to back up, store, and otherwise access any City-related data.
4. City users are not permitted to dial 411 for information; users should only use free information toll free numbers for these situations.
5. City issued mobile devices will include an Enterprise Mobile Management (EMM) software to allow management of applications, security, and City-related information whenever appropriate. The EMM software cannot be removed from the device for any reason. If the application is found to be tampered with, mobile access privileges will be suspended immediately.
6. City-issued mobile devices will have all GPS and location services enabled at all times.
7. If a mobile device is lost, misplaced or stolen a user must notify their supervisor and the City's IS Department immediately (434-2264) so the device can be remotely wiped, locked and/or disconnected to protect City information.
8. The user is responsible for the care and upkeep of the mobile device issued to them on a daily basis to ensure that it stays in good working condition for the term of their use. This includes the use of City-issued protective cases.
9. The user understands that the mobile device is to be used primarily for the purpose of City business, and that any contents and information can be subject to disclosure under

the Freedom of Information Act (FOIA).

10. Personal use of City-issued mobile devices should be kept to a minimum.
11. The user is not allowed to loan their mobile device to any non-City employee.
12. No international usage (calling) is allowed unless specifically required.
13. If employment is terminated for any reason by either party, the mobile device and any accessories must be returned to the City on the last day worked in good working condition. Failure to return these items may result in the user being billed and/or face civil or criminal penalties.

### **BYOD Mobile Devices:**

An employee may have a need for connecting a mobile device to the City's corporate network and data, due to the duties of his/her position. In those instances, a City-issued mobile device typically is provided to the employee, so that job duties can be performed. However, The City's BYOD policy allows employees flexibility to use their personal devices for business use, eliminating the need for a City-issued mobile device.

Due to popularity of the BYOD option, employees who routinely use their mobile device for work-related duties are eligible to receive a monthly stipend.

### **Non-Exempt Employee Usage:**

For non-exempt employees, no City work shall be conducted on a mobile device, whether City-issued or personal, without previous approval from their supervisor. If it is determined that a non-exempt employee is required to respond to issues that arise after normal work hours, the City will compensate for the time worked. Non-exempt employees are expected to adhere to the following guidelines:

It is the employee's responsibility to:

- Receive approval prior to performing any planned worked outside of their normal work hours, including lunch break. Employees are responsible for submitting a log of time worked after hours that includes the date, exact amount of time spent and purpose of the work. These logs need to be submitted on a weekly basis to the supervisor.
- In the event unplanned use of the mobile device is required outside of normal working hours, the employee will also be required to report the date, the exact amount of time spent and purpose of the work.
- Verify that all time submitted has been paid on the next regularly scheduled payroll. If not, it is the employee's responsibility to report this to Human Resources.

It is the supervisor's responsibility to:

- Determine if such device should be taken home. Non-exempt employees will not be allowed to take home a City-issued mobile device, unless previously approved by the supervisor.
- Review employee logs and approved any planned or unplanned use of the mobile device

after normal work hours.

- Determine if any unplanned use of the mobile device after work hours shall be allowed to continue. If it is determined that continued use after hours is not appropriate, the City will pay the employee for hours already worked and the supervisor will notice the employee that such use is inappropriate and not approved.
- Monitor the employee's use of such mobile device after hours by requesting records from the Information Services department, if continued inappropriate use is suspected. If it is determined that the employee has continued inappropriate use of mobile device after hours, the supervisor shall contact Human Resources to determine appropriate action.

It is the responsibility of any user who uses a mobile device to conduct business of the City to insure that it is used appropriately, responsibly, ethically and within the guidelines of this policy. Failure to do so may result in immediate suspension of any or all technology use and connectivity privileges and disciplinary action up to and including termination.

### **BYOD Mobile Device Stipend Eligibility**

Mobile Device Stipend eligibility must be approved by the employee's Department Head.

Employee consideration for approval includes:

- Employment with the City of Bloomington in a position eligible to receive a City-issued mobile device.
- Department Head confirmation that the employee has an ongoing need to use a mobile device for duties related to his/her position.
- On a monthly basis, employee is included on a list provided to HR by the employee's Department Head, of employees receiving a Mobile Device Stipend for the previous month.
- Signed Personal Mobile Device Authorization Form by the employee.

### **Monthly Stipend Specifics**

- Employee use of the BYOD program use is strictly voluntary. Eligibility for a Mobile Device Stipend is based on guidelines listed above and in compliance with the Mobile Device Acceptance Policy.
- A \$35 monthly stipend will be provided to approved employees on the second paycheck of a month. Funds are provided as taxable income and are not seen as pensionable earnings.
- Employees becoming eligible for this benefit will receive their first stipend on the second paycheck of the first full month after they are eligible. For example, if John became eligible for the monthly stipend January 15, he will receive his first \$35 stipend on the second paycheck receives in March.
- Employees on an unpaid leave of absence or extended paid leave (depending on the position) may not be eligible for Personal Mobile Device Stipend for the month of leave.

### **BYOD Mobile Device Specifics**

- Employees should use City email, calendar and contact functions when using their personal device for business purposes. No information should be contained on personal accounts.
- Any information related to City-related business on a BYOD mobile device (whether located on the City's internal network or the user's personal network) is subject to disclosure under FOIA. Employees accepting a monthly stipend agree to respond and release this information. This includes but is not limited to pictures, videos and instant messages.
- The City assumes no liability for damaged or destroyed BYOD devices.

***This policy is being implemented on a trial basis, for the 2020 & 2021 calendar years. At any point, and solely within the City's discretion, the City may discontinue the policy and provide termination notice of said policy.***

### **SOCIAL MEDIA USE POLICY**

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

It is the policy of the City to provide guidance to employees who choose to use any form of social media or social networking sites. The City endorses the secure use of social media to enhance communication, collaboration and information exchange; streamline processes; and foster productivity. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist the City, employees in making responsible decisions about use of social media, we have established these guidelines for appropriate use of social media.

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

While you may respectfully disagree with City policies and actions, you may not personally attack the City, fellow employees or others affiliated with the City. Posting of comments or materials (including but not limited to photographs, videos or audio) regarding the City, its employees, its services, and its customers is prohibited if obscene, profane, libelous, threatening, harassing, abusive, derogatory to another person or entity, or in violation of another City policy. Note that such actions are prohibited, whether done during work hours or outside of work and whether using City or personal technology.



Employees are encouraged to carefully read these guidelines and City policies and SOP's and ensure your postings are consistent with these documents. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Employees should make sure they are always honest and accurate when posting information or news. If a mistake is made, it should be corrected quickly. Employees should be open about any previous posts that have been altered. Employees should remember that the Internet archives almost everything; therefore, even deleted postings can be searched and discovered. Employees should never post any information or rumors that are known to be inaccurate or false about the City, fellow co-workers, or those affiliated with the City.

Post only appropriate and respectful content using the following guidelines:

- Maintain the confidentiality of City private or confidential information. Employees shall not make statements about confidential City information, nor post, transmit, or otherwise disseminate confidential information, including but not limited to, photographs or videos, related to any City activities or work-related assignments. Employees must not post City confidential information, confidential information about other employ or business-related confidential communications.
- Employees should express only their own personal opinions. Employees should never represent themselves as a spokesperson for the City, unless specifically authorized to do so pursuant to this policy. Sexually graphic or explicit material of any kind shall not be posted by employees on any form of social media or social networking site. Sexually graphic or explicit material posted by others to an employee's social media or social networking site shall be immediately removed.
- Weaponry shall not be displayed or referenced, in any social media or social networking sites if such displays or depictions promote or glorify violence.
- Any text, photograph, audio, video or other multimedia file included on a social media or social networking site that infers, implies, states or expresses an employee's views on the general public, government, legal, judicial or criminal justice systems shall not be detrimental to the City's mission, nor shall it in any way undermine the public's trust or confidence in the services provided by the City.

Employees should refrain from using social media while on work time or on City provided equipment, unless it is work-related as authorized by City Administration. Do not use the City's email addresses to register on social networks, blogs or other online tools utilized for personal use. Online activity that has the effect of diminishing the community's trust and/or confidence in the City will hinder the efforts of the City to fulfill its mission and is in direct violation of this policy.

**City-authorized use of social media.**

Social media provides a valuable means of assisting the City in communicating with the community. To this end, and as authorized by the City Administration, some employees may be authorized to use social media for City legitimate business purposes. Only those who have been so authorized may publish on behalf of City-authorized social media outlets.

All City social media sites or pages shall be approved by the Communication and External Affairs Manager or the Director of the respective department or his/her designee. Where possible, social media pages shall clearly indicate they are maintained by the City and shall have the employee contact information prominently displayed.

## **CHAPTER 7 – Workplace Information**

### **AGE REQUIREMENTS**

It is the policy of the City not to employ any individual under the age of 15 years old. Employees must be at least 18 years old to use power driven machinery and any other equipment that is deemed to be hazardous by state and federal regulations.

### **BACKGROUND CHECKS**

Seasonal employees transferring into a full-time position and full-time employees selected for transfer into positions that require the employee to enter citizens' homes are required to have a background check. Employees may be required to have a background check when transferring into other positions as deemed necessary by the City. Such background check may include verification of education, criminal background checks, the State of Illinois Registered Sex Offenders Database and Motor Vehicle check.

For positions without specific legal statute requirements regarding criminal history record information, the City reviews each situation where reportable records are identified on a case-by-case basis.

### **BIOMETRIC INFORMATION PROGRAM**

The City will be utilizing biometric information for purposes of employee timekeeping and access to employee information on the time clocks. Currently, some vaults and other secure location require fingerprint access. All employees, including temp agency employees, ("City Employees"), maybe required to use of biometric data. The Definition of "Biometric Identifier" is a fingerprint and the "Biometric Information" means any information, regardless of how it is captured, converted, stored, or shared, based on an individual's biometric identifier used to identify an individual.

This program and the information collected and created as part of the program will be used only for the intended purposes laid out herein. In the event that the City begins collecting and/or utilizing biometric data for any additional purposes, this policy will be updated.

For Time and Attendance purposes identified City employees (with the exception of sworn Fire and Police Department) shall be enrolled in the biometric system. New employees shall be enrolled upon their hire. Employees' fingerprints will be scanned to create encoded biometric information for use in the biometric program. The Kronos time clocks will scan the employee's finger and will convert it into a mathematical representation creating a finger scan template, which will be stored in an encoded format. As a result, it is not possible to reproduce the original image. Employees will be required to use the biometric technology for clocking in and out of their workstations.

The City will protect its employees' biometric information from release to anyone outside the City and its provider. The biometric information is encoded and through other techniques will be

protected. Such biometric information is exempted from disclosure under FOIA as private information as defined under 5 ILCS 140/2(c-5). 5 ILCS 140/7(b).

## **TRAVEL EXPENSE REIMBURSEMENT**

When employees are required by the City to perform special assignments, the essential expenses of travel, meals and lodging will be reimbursed. In order to qualify for reimbursement, all travel must be preapproved by the department head. When employees anticipate reimbursable expenses, they should consult with the department head or Finance Department to determine what will be reimbursed, the extent of reimbursement, the forms necessary to record expenses and the receipts that must be submitted to verify expenses.

The City establishes a maximum allowable reimbursement amount for travel, meal and lodging expenses. Expenses that exceed the maximum allowable for travel/meal/lodging expense reimbursement may be approved in cases of emergency or other extraordinary circumstances at the sole discretion of the City.

Employees will not be reimbursed for expenses not pre-authorized or required by the City. Employees with City-issued work phones are expected to use those phones for City business and will not be reimbursed for personal cell phone use. Reimbursement for personal cell phone use will be limited to the amount of work-related use and must be substantiated by an itemized listing of work-related use.

All requests for reimbursement must be submitted to your Department Head for approval no later than thirty (30) days after the expense was incurred. Reimbursement forms must be accompanied by original receipts. If such original receipts are not available, an employee will be required to sign a statement verifying such expenditures.

Employees who use their personal vehicles when conducting City business will be reimbursed at the then-current IRS approved mileage rate. Mileage calculation begins from the point of embarkation but shall not include mileage to and from work. All parking or traffic violations received by City employees while on City business, while operating either a personal vehicle or a City vehicle are the sole responsibility of the employee.

More detailed information is available in the City Travel Policy.

## **DISCIPLINE**

As an integral member of our team, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and always exhibit a high degree of personal integrity. This not only involves sincere respect for the rights and feelings of others, but also demands that both in your business and in your personal life you refrain from any behavior that might be harmful to you, your co-workers, and/or the City.

Whether you are on duty or off, your conduct reflects on the City. You are, consequently, always encouraged to observe the highest standards of professionalism.

This handbook, in addition to any Department rules and regulations and others which may be established from time to time, are published to provide and promote understanding of what is considered unacceptable conduct. These policies and rules are not all inclusive and unacceptable conduct not specifically covered by these rules may result in disciplinary action depending upon the circumstances. Repeated violations of the same rule, violations of more than one rule in a single act, violations of different rules at different times and aggravating circumstances may be cause for accelerated, compound disciplinary action.

The City has Disciplinary Guidelines that assist supervisors in establishing the appropriate level of discipline. These guidelines apply to all employees, at all locations. Should your performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory in the judgment of the City, based on violations either of the above or of any other the City policies, rules, or regulations, you will be subject to disciplinary action.

Discipline may begin at any step, dependent upon the severity of the incident. The progressive disciplinary steps and the failure to follow the steps in every situation do not in any way create a contractual right to continued employment. In the case of an employee covered by a collective bargaining agreement, the terms of the agreement will control to the extent they conflict with this policy.

The City reserves the right to conduct an investigative and place an employee on paid administrative leave. During the paid administrative leave an employee is relieved of his or her job with pay pending an investigation of the employee's conduct.

Employees who feel that they have been disciplined unfairly are encouraged to first discuss the matter with their supervisor or Department Head. If this does not result in a satisfactory resolution, employees may discuss the matter with Human Resources.

## **EXIT INTERVIEW**

The City may schedule an exit interview at the time of separation. The exit interview will provide an opportunity to discuss such issues as employee benefits, conversion privileges and repayment of outstanding debts to the City or return of City owned property. Feedback about the employee's job and employment at the City (suggestions, complaints, and questions) can also be expressed.

## **FREEDOM OF INFORMATION ACT (FOIA)**

### **What is FOIA?**

Open and honest government is the cornerstone of American democracy. FOIA is intended to ensure that members of the public have access to information about their government and its decision-making process. As a public employee, you have a duty to be aware of FOIA.

The Illinois General Assembly has declared, in the first paragraph of FOIA, that it is:

[T]he public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who

represent them as public officials and **public employees** consistent with the terms of this Act.

- FOIA balances the public's right to know with individual privacy rights and legitimate governmental interests and establishes procedures to facilitate the inspection and copying of records.
- FOIA defines those documents and communications that are "public records" that generally must be disclosed, but also permits certain records to be withheld from inspection and copying.
- FOIA sets out the procedures that public bodies must follow in making records available and the procedures any person may use to gain access to public records for inspection and copying.

A public body's primary duty under FOIA is defined in section 3 (5 ILCS 140/3):

(a) Each public body shall make available to any person for inspection or copying all public records, except as otherwise provided in Sections 7 and 8.5 of this Act.

(b) Subject to the fee provisions of Section 6 of this Act, each public body shall promptly provide, to any person who submits a request, a copy of any public record required to be disclosed by subsection (a) of this Section and shall certify such copy if so requested.

Please note that the right of inspection is a fundamental right guaranteed by FOIA. Although a person may obtain copies of records requested, he or she is not required to purchase copies of records in order to gain access to them.

### **Presumption of Openness**

All records in the custody or possession of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. (Emphasis added.) 5 ILCS 140/1.2.

The City approaches each FOIA request with the assumption that all records are open. A FOIA officer in coordination with legal counsel will determine whether the City wishes to assert any exemptions that apply to the records.

### **What is a Public Record?**

Despite the reference to "information" in its title, FOIA is actually an open records act, providing access to public records maintained by public bodies. Section 2 of FOIA defines the term "public records" as follows:

"Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body. 5 ILCS 140/2(c).

If public employees sent or received communications via personal e-mail accounts and those

communications pertain to the transaction of public business, then those communications are "public records" subject to the requirements of FOIA. Ill. Att'y Gen. Pub. Acc. Op. No. 16-006, issued August 9, 2016; City of Chicago v. Attorney General of Illinois, Docket No. 16-CH- 12085 (Circuit Court, Cook County) (September 20, 2017). In affirming the Attorney General's binding opinion, the court stated "[i]f public employees could evade FOIA simply by conducting their public business on personal devices or accounts, the Act would be gutted." City of Chicago, No. 16-CH-12085, slip. op. at 4-5.

Communications that relate strictly to personal matters and do not pertain to the transaction of public business are not "public records," regardless of how or where those records are maintained.

### **What Does This Mean for You?**

As a government employee, FOIA means nearly everything you do during the course of your normal workday is potentially open to be disclosed to the public at large. This means it is important to think about what you type in an email, put down on paper, or even state in audio or recorded situations.

You are now a face and an ambassador for the City of Bloomington. If you are about to say, do, or write something down that you wouldn't want a member of the public to see or hear; then you should reconsider your action. It is our duty to serve this City and its citizens. Transparency of our government and our communications means you are in a unique situation.

If you ever have any doubts or questions, reach out to your Director, Legal, the City Clerk Department, or the FOIA officer in your department for guidance.

## **INTERIM ASSIGNMENTS**

An employee may be asked to take over the full job responsibilities of a higher-level position for an extended period of time. This may require the employee to assume greater responsibilities and to work in a position with a higher pay classification than their current position. The City believes such employees should be paid commensurate with the position they assume and will temporarily increase the pay of employees working under such conditions. Each situation will be reviewed separately on its own merit and the amount of the increase to be paid will be determined by the City, in its sole discretion, to fairly compensate for the additional duties assumed.

## **NURSING MOTHERS POLICY**

For employees who are nursing mothers, the City will provide reasonable break time for an employee to express milk for her nursing child for one (1) year after the child's birth. Additionally, the City will provide a private place for such purpose, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public. Please contact the Human Resource Department for additional details.

## **ORIENTATION PERIOD**

An orientation period exists to make an employee's transition into a new job and the City's environment easier and more productive. The employee orientation period may include a departmental orientation, as well as a new employee orientation which will explain the City's policies and fulfill mandatory requirements. Generally, the first six calendar months of employment are considered an orientation period. During this time, employees have the opportunity to learn about their job and to be sure they are going to be satisfied with their position. It also gives supervisors the opportunity to determine whether employees have the ability to do the job assigned.

If at any time during this period the employee decides that he/she is unhappy with the position or cannot adjust properly to the work assignment, the employee may resign. Similarly, an employee may be terminated without advance notice during the orientation period. However, the successful completion of the orientation period in no way alters or modifies the employee-at-will status and relationship that exists between the City and the employee.

## **PERFORMANCE EVALUATIONS**

Performance Evaluations are designed to encourage the discussion of performance and goals on an information, day-to-day basis. Performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss tasks, identify areas of improvement, recognize areas of strength and weakness and discuss positive approaches for meeting goals.

Performance evaluations are an ongoing two-way process. It is a joint responsibility of the employee and the employee's supervisor.

## **REFERENCE CHECKS**

All requests from outside third parties for information on current and former employees should be forwarded to the Human Resources Department and should not be responded to directly by any employee outside of Human Resources.

## **RESIDENCY**

Certain "key personnel", at the City Manager's discretion, as well as some employees covered by collective bargaining agreements, may be subject to residency restrictions. Employees subject to a residency restriction will be informed of the residency requirement for their position. It is an employee's responsibility to provide accurate information regarding the employee's current residence and/or any changes to the employee's residence.

## **RESIGNATION / RETIREMENT**

We realize that opportunities may present themselves to employees in which they may elect to resign their position. The City would appreciate a minimum of two weeks' notice from employees resigning their position, although the City reserves the right to waive the notice where deemed appropriate. Employees retiring from the City should contact Human Resources three (3) months prior to their anticipated retirement date to discuss retirement benefits and



payouts. A written resignation statement should be submitted to the supervisor in both cases.

### **RETURN OF CITY PROPERTY**

Employees must return all City issued equipment, cell phones, laptops, tablets, tools, keys and other City property to their Supervisor or Human Resources prior to their departure from City employment. Employees who fail to return City property may be billed for any unreturned items and/or face criminal charges.

### **SEPARATION FROM EMPLOYMENT**

Employment is at-will unless otherwise specified under a collective bargaining agreement. Under at-will employment, the employee and the City have the right to terminate employment with or without cause, at any time, with or without notice. Nothing in this Handbook or other verbal agreement or written document (other than collective bargaining agreements) alters the employment-at-will status of City employment. Those employees represented by a Collective Bargaining Agreement will be eligible for a Loudermill hearing.

All accrued, vested benefits that are due and payable at separation will be paid, as required by law. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### **TAKE HOME VEHICLE POLICY**

The purpose of assigning take-home vehicles is to improve work efficiencies and expedite emergency responses, mitigate public losses and provide increased safety.

It will be the responsibility of the City Manager's designee, the Deputy City Manager, to implement and administer this policy in conjunction with the Public Works Fleet Maintenance Division and Human Resources Department.

The Deputy City Manager may authorize a City employee to take home a City owned vehicle if:

1. Employee regularly and frequently responds directly to unpredictable worksites of an emergency nature in a timely manner that involves public safety or economic loss and requires city equipment.
2. Employee is dispatched directly from home after a regular shift to various locations within 20 miles of his/her personal residence.
3. Employee lives 20 miles or less from the north/south or east/west corporate limits of the City of Bloomington.
4. Employee has an acceptable driving record and valid driver license for the type of vehicle being driven to his/her home.

5. Employee meets the City's residency requirements.

If approved, the vehicles are to be used for normal and customary commute to and from work and emergency callouts as required. Employees will be responsible for accurately reporting the number of days per year a City vehicle is used.

There shall be no personal use of a City vehicle permitted except "de minimis" personal use as defined by the IRS. Use of a City vehicle to pick up and/or drop off family members or to do personal errands shall not be allowed, unless the errand is "de minimis" personal use.

During extended periods of time in which an employee is on leave, the City vehicle must be left at the workplace so that it may be available for use by others during the leave.

Any requests for deviation from this policy shall be submitted to the Deputy City Manager in writing for review and/or approval.

### **WORKPLACE SEARCHES**

The City reserves the right to conduct searches of City property and items on City premises. There is no general or specific expectation of privacy in the workplace either on City premises, in City facilities or in City vehicles. All employees and all areas of the City's facilities, vehicles and premises are subject to search at any time. If an employee uses a locker or other storage area at work, including a locking desk combination locker, locking file drawer or cabinet, the City will be given a master key or combination to the lock. If an employee fails or refuses to provide the requisite key or combination, the City may remove the lock by whatever means necessary to conduct the search. The City shall not be responsible for damage done to said locking devices. The area may be searched at any time, with or without the employee present. All employees of the City are subject to this policy. Inspections may occur at the discretion of the City. Employees are expected to cooperate with the City's workplace searches. At all times, City items remain the property of the City.

## CHAPTER 8 – Professional Conduct

### DRESS CODE/PERSONAL APPEARANCE

During business hours, employees are expected to present a clean, neat and professional appearance, which includes good personal hygiene. Employees must dress according to the requirements of their position. The City dress code requirements vary by department, position classification and job requirements. Employees are expected to adhere to department/division specific rules and regulations.

Generally, for all positions, proper work attire includes garments that completely cover the back, shoulders and midriff. No profanity, offensive slogans or graphics or advertisement for alcohol, tobacco, illegal substances or other inappropriate products and services will be permitted. Additionally, perfumes or other body sprays shall be worn minimally as to not become offensive to other employees. Employees shall cover tattoos on the face, neck and chest and remove all body piercings (with the exception of earrings) on their head at all times while at work. The Police and Fire Departments have existing SOP's that address tattoos and body piercings.

Approved professional attire in an office setting includes the following:

- Blazer/Jacket/sports coat
- Sweater/cardigans
- Blouse/Top/Polo of a professional nature - Long or short sleeves
- Skirt/Dress (at or below the knee in length)
- Dress slacks /Chinos/Capri pants

Below are clothing articles considered not appropriate office attire for employment within the City (this is not an all-inclusive list):

- Sheer or see-through material
- Jogging pants or similar exercise / lounge pants / pajama pants/yoga pants
- Ill-fitting clothing (too loose or too tight)
- Shorts
- Worn or newly purchased items with holes

At the discretion of the Director, employees will be permitted to wear jeans appropriate for an office setting if paired with a City approved logo shirt. With the direction from their Director, employees should dress appropriately for their schedule each day. Casual Friday will continue in some departments, and employees will be permitted to wear jeans and non-logo shirts.

Some departments require job specific safety equipment. Employees have an affirmative obligation to ensure this equipment is in good working order at all times and to wear the safety equipment in compliance with their department's procedures. Employees shall follow their department's specific procedure(s) to repair/replace damaged or worn out equipment.

When an employee arrives to work and is not appropriately dressed, the employee may be subjected to progressive and corrective discipline. Depending on the situation, and work assignment, some employees may not be able, and/or allowed, to work until the dress code violation is corrected.

Exceptions to this policy may be made for validated medical reasons and verified religious reasons provided that no exception will be made in cases where a legitimate safety or security concern exists.

### **FALSIFICATION OF DOCUMENTATION**

The City relies upon the accuracy of information contained in all official City documentation, including but not limited to employment applications and other new hire documentation, leave and time sheet records, as well as the accuracy of other data completed throughout the hiring and employment process. Any misrepresentations, omissions of facts, or falsification of information on any official City documentation may lead to refusal to hire, or if hired, termination.

### **INSUBORDINATION**

Insubordination can be the unwillingness to carry out a directive from a manager or supervisor and disrespectful behavior toward a manager or supervisor. Unwillingness to carry out a directive from a manager or supervisor can manifest itself, for example, as a verbal refusal, a nonverbal refusal or an unreasonable delay in completing work. Disrespectful behavior toward a manager or supervisor can include cursing, verbally or physically intimidating a manager or supervisor, or speaking loudly or argumentatively. The City at its discretion may determine that disrespectful behavior has risen to the level of an insubordinate act. Such behavior may be grounds for discipline, up to and including termination.

### **JOB ABANDONMENT**

Any employee who is absent from work for three (3) consecutive days without contacting their supervisor may be regarded as having resigned their position and such resignation will be automatically accepted.

### **LOCAL GOVERNMENT EMPLOYEES' POLITICAL RIGHTS**

The political rights of City employees are acknowledged as being consistent with the State of Illinois Local Governmental Employees Political Rights Act. Political rights shall include, without limitation, the following political activities: to petition; to make public speeches; to campaign for or against political candidates; to speak out on questions of public policy; to distribute political literature; to make campaign contributions; and to seek public office. No City employee shall use his or her official position of employment to coerce or inhibit others in the free exercise of their political rights. No City employee shall engage in political activity while at work or on duty or while using City resources

## **OFFICIAL MISCONDUCT**

The City determines official misconduct as improper and/or illegal acts by an employee which violate his/her duty to follow the law and act on behalf of the public good. Often such conduct is under the guise or color of official authority.

## **OUTSIDE EMPLOYMENT AND ACTIVITIES**

Employees who become involved in additional employment, business ventures, or participate on boards or in other civic activities that require their expertise must ensure that such activities do not interfere with their City work or give rise to any conflict of interest. Employees who fail to maintain a high standard of work, or who create a conflict of interest as a result of their outside activities may be asked to discontinue their involvement in such activities.

Generally, the City has no interest in its employees' activities off City property and during non-working hours. However, employees should be aware that certain activities outside of work can affect an employee's performance, reflect negatively upon the City, and perhaps even subject the City to financial liability. If outside employment may have a potential or actual conflict of interest this potential or actual conflict must be addressed with an immediate supervisor and Human Resources in a timely fashion. Outside employment that constitutes an actual or potential conflict of interest may be prohibited.

Employees who publicly identify themselves as City employees outside of work (verbally, by wearing a City uniform, by driving a City vehicle, or otherwise identify themselves as a City employee) should act in a lawful, respectful and appropriate manner at all times. Employees may not claim to speak or act on behalf of the City, except as required and authorized in the course of their official job duties.

Where appropriate, employees who commit criminal acts outside of work may be subject to discipline, up to and including termination. The City may take such action if it has reason, other than record of an arrest, to believe that the employee committed an illegal or improper act, even if the employee has not been convicted of a crime.

If problems arise with outside employment or other activities, it may be necessary for the City to take disciplinary or other action, up to and including termination, to protect the City, its employees and the public.

Any questions regarding a possible conflict of interest should be discussed with the employee's supervisor or Human Resources.

## **RELATIONSHIPS AND FRATERNIZATION IN THE WORKPLACE**

The City strives to maintain a professional work environment where employees treat each other with respect and courtesy. The City reminds employees that sometimes situations arise when they are unaware that their behavior in the workplace may be disruptive to others, and that many issues can be addressed by politely talking with co-workers to bring the perceived problem to

their attention. Employees are encouraged to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The City is also committed to hiring, promoting and retaining highly qualified persons. Consistent with that goal, qualified relatives are generally permitted to join the City. The organization will exercise sound business judgment in the placement of those relatives in accordance with the following general guidelines:

The City discourages situations where an individual in a family or personal relationship:

- Is performing work subject to the direct review of the other, or
- Is directly responsible for, has significant influence over or has direct control of related confidential information pertaining to the recruitment, hiring, assignment, management, supervision, evaluation, compensation, training, transfer, promotion, demotion, or termination of the other.
- The City reserves the right to review, evaluate and determine the appropriateness of all situations involving any individual who has a family or personal relationship with another City employee or candidate.

Employees in a familial or dating relationship who report to or direct the work of one another will be evaluated on a case by case basis. If this situation occurs, a change may be instituted at the sole discretion of the City as deemed appropriate. This may include transferring one of the employees in the relationship or if necessary/appropriate, terminating one of the employees in the relationship if another satisfactory arrangement cannot be determined.

### **SMOKE-FREE/TOBACCO-FREE/NICOTINE-FREE ENVIRONMENT**

The City is committed to providing a safe and healthy environment. The City strives to be a smoke-free/tobacco free/nicotine-free workplace. City buildings and vehicles are smoke-free/tobacco-free/nicotine-free. Tobacco products shall be allowed only in designated areas on City property. This policy is established to minimize adverse health effects to citizens, employees, visitors and volunteers; to reduce risk.

This policy applies to all nicotine products including but not limited to cigarettes, electronic cigarettes (e-cigs), cigars, pipes, herbal tobacco products, chewing tobacco, none of which will be permitted to be used or distributed on any City owned, leased or operated property, except in designated areas. Employees are allowed to chew nicotine gum in an effort to reduce or quit smoking.

### **SOLICITATION AND DISTRIBUTION**

While the City of Bloomington does not prohibit solicitation or distribution of literature, merchandise or other materials by employees while at work, employees who engage in such activities are reminded to use common sense and to show respect for co-workers when doing so.

Employees will not be permitted to disrupt City business or their co-workers or to put undue pressure on co-workers to contribute to their cause. Reductions in the quality or quantity of an employee's work related to the employee's solicitation or distribution activities while on duty will not be tolerated.

## **CHAPTER 9 – Safety**

### **CONFIDENTIALITY OF MEDICAL INFORMATION**

Employee medical information received by the City is treated confidentially and on a “need to know” basis. No employee may disclose medical information relating to another employee except as necessary in the course of authorized City business or as required by law.

### **FITNESS FOR DUTY**

If an employee becomes ill or injured, he/she may be sent by Human Resources to a licensed medical provider, occupational health facility, or the emergency room for examination and immediate first aid treatment. A decision will be made by Human Resources as to whether the employee shall return to work or be excused for the rest of the assigned shift on available leave time.

An employee injured while on duty may be covered under the provisions of the Workers’ Compensation Law. Employees are required to immediately report any on the job injury to their immediate supervisor and contact Medcor (1-800-775-5866).

A fitness for duty examination may be requested/required by the immediate supervisor or department head, in consultation with Human Resources, because of observed changes in the employee’s performance, restrictions established by the employee’s physician, excessive absences for illness, personality changes, repeated injury, or any altered work behavior that may have a medical basis. The employee will not be billed for this examination. The physician or authorized medical professional will make a recommendation as to the employee’s ability to carry out the tasks detailed in his/her job description.

Employees returning from an approved medical absence shall be required to provide a physician certification regarding their medical status prior to returning to work.

### **MEDICAL EMERGENCY PROCEDURES POLICY**

The City will make every effort to ensure the workplace is safe and healthy for all employees. In this effort we are establishing a protocol for action and who to contact in the event of a medical emergency at the worksite.

Below are the steps and considerations for individuals who witness or respond to a medical emergency.

1st priority – Call 9-1-1 in the event of a possible life-threatening medical situation, call 9-1-1 immediately for emergency services first. For example, life threatening emergencies might include, but would not be limited to severe chest pains, uncontrolled bleeding, loss of consciousness, or behavior that is violent.

2nd priority – Call Human Resources at (309) 434-2215. Human Resources will then attempt to



contact other City staff to assist with the situation and attempt to contact the employee's designated emergency contact person. Human Resources will assist with gathering statements by others involved and witnesses.

Here are ways you can assist in a medical emergency:

- Direct someone or clearly state you will call 9-1-1 as needed.
- Direct someone or clearly state you will contact/locate first responders.
- Identify and/or remove any dangers to the safety of the victim or others in the vicinity. DO NOT move the victim unless their life is endangered by their current location.
- Attend to the victim as needed/able until someone more qualified can take over (this may just be talking to them reassuringly or holding their hand). If conscious ask for permission before giving care.
- Direct someone or state you will contact/locate someone in HR.
- Take note of specifics (who was involved, what happened, when did it occur, where did it occur). This information may be needed by EMS, first responders, or HR.
- Double check that someone is outside to meet EMS.
- Reduce unnecessary employee traffic around the area.

## **PANDEMIC PREPAREDNESS**

The City is committed to working with the Local and State Public Health Agencies to protect the health of our employees and citizens. During a designated outbreak, the City Manager may suspend some services and requirements for employees to report to work. Work for employees that are responsible for delivering essential services will be coordinated within your department and established work locations, protocols and rules may be temporarily adjusted.

## **RETURN TO WORK /LIGHT DUTY POLICY**

It is the policy of the City to return injured employees, whenever possible, to modified light duty when an injury or illness prevents those employees from returning to and fully performing their regular job responsibilities. Light duty is defined as temporary jobs which allow the injured employee to continue functioning in a meaningful capacity. Light duty assignments may entail modified duties in their existing departments or temporary reassignment to another department.

To ensure the employee will not exceed the physical restrictions assigned by the treating health care provider, nor cause further aggravation or harm to the existing injury, the employee must have certification from the treating health care provider to return to work under the light duty restrictions.

To the extent available, an initial light duty assignment will be made for a maximum of 20 workdays and must be approved by the Department and Human Resources Department. Any such assignment beyond the initial 20 workdays is at the sole discretion of the City and will be considered only upon receipt of updated medical evidence which will substantiate the need for continued light duty. All light duty assignments for an injury or illness will be made on a case by case basis by the Human Resources Department in coordination with the appropriate department head.

### **SAFE DRIVING PRACTICES WHILE ON DUTY**

Any employee who has regular driving responsibilities for the City, be it using their own vehicle or using a motor vehicle owned by the City, shall adhere to the following requirements:

- Must have a current valid driver's license that is appropriate for the type of motor vehicle being driven and valid vehicle insurance.
- Before being hired in a position with driving responsibilities, the City shall review the employee's driving abstract.
- The employee must keep his/her supervisor informed of any changes in the status of his/her driver's license and record, including expiration, suspension or revocations.
- All motor vehicle accidents which occur while an employee is carrying out the duties of his/her position must be reported immediately to the employee's supervisor.
- Any employee who drives a motor vehicle while carrying out the duties of his/her position shall not pick up passengers unless authorized by the employee's supervisor.
- Employees should work with Human Resources when requiring a judicial driving permit.
- Any employee who drives a motor vehicle while carrying out the duties of his/her job shall abide by all the current state's motor vehicle operation rules.
- Any employee who has regular driving responsibilities for the City as indicated in his/her job description and whose license has become invalid will be prohibited from driving a motor vehicle owned by the City or his/her own motor vehicle on behalf of the City.
- Employees should notify their supervisor if placed on a medication that will impair their driving ability or if there are other job restrictions.

If driving a motor vehicle constitutes an essential function of the employee's duties and responsibilities as set forth in his/her job description, the employee may be subject to termination, in the event the employee's ability to drive is restricted and he/she cannot

perform the essential job duties.

## **WORKPLACE SAFETY AND HEALTH**

The City is vitally committed to the safety, health and well-being of all City employees. It is the responsibility of the City to provide safe working conditions, equipment and facilities. Supervisors are required to ensure that employees receive all necessary training, instructions and personal protective equipment to perform their jobs in the safest manner possible. All employees are required to work diligently to maintain safe working conditions as a condition of employment. This includes, but is not limited to:

- Exercising maximum care and good judgment at all times.
- Adhering to all operating procedures.
- Immediately reporting all job injuries, incidents and near misses to the supervisor.
- Immediately reporting all unsafe conditions, equipment and behaviors to the supervisor.
- Using safety equipment and PPE provided by the City at all times.
- Observing all safety rules and regulations at all times.
- Notifying the work area supervisor before the beginning of the shift of any medication being taken that may cause drowsiness or other side effects that could lead to injury.

## **WORKERS' COMPENSATION**

If an employee has a work-related illness or injury the City wants to make sure he/she is treated with the utmost care. If the employee is experiencing a medical emergency, call 9-1-1. It is the goal of the City to prevent an injury from occurring in the first place and to maintain a healthy, safe environment for our employees. It is the employee's responsibility to notify us immediately of any unsafe working condition that exists, or any injury to his/herself or co-workers.

In the event a work-related injury occurs, the following is a list of what to expect:

- The injured employee and his/her supervisor will call Medcor (1-800-775-5866) for evaluation. If the supervisor is not available, the employee will call Medcor and then advise a supervisor when available.
- The employee's supervisor and Human Resources will begin an immediate investigation of the accident/injury, including interviews with any witnesses and an examination of the incident site.
- If the employee needs medical attention, a health care provider will be recommended for treatment. In the event an employee is unable to drive, other arrangements need to be made through the supervisor.
- Upon completion of medical treatment, the employee is expected to return the completed physician's medical report form to Human Resources immediately and receive direction on when to return to the work site.
- The City has a "light duty" policy. There may be transitional duties available. If the doctor

releases the injured employee to light duty, the restrictions will be evaluated, and the injured employee will be expected to be at work if scheduled.

- The injured employee may receive a phone call from the City's worker's compensation provider, who may ask questions regarding the injury. Questions should be answered honestly and to the best of the employee's ability.
- Employees are expected to keep all appointments for medical treatment and promptly respond to any requests for information.
- Employees are expected to provide the City with discharge papers, including work restrictions and follow up appointments, after each physician, nurse practitioners or physician assistants, appointment.

If the medical provider feels it is medically necessary to take the injured employee off work, the first three days off work (scheduled days) are not compensable, unless the employee remains off of work for 14 days or more (in accordance with Illinois Workers' Compensation law.) The injured employee may use sick leave or, if sick leave is not available, those days will be unpaid. If the injured employee misses more than three full workdays, he/she will receive a check from the workers' compensation carrier until he/she is released to return to work on transitional or full duty. An employee off work due to workers' compensation must stay in communication with their supervisor and Human Resources regarding work status.

Workers' compensation fraud is illegal, violates City policy and may be maybe caused for criminal charges to be pursued. The law prohibits giving false statements to obtain workers' compensation benefits and may be punishable by imprisonment and/or fines. The City and the workers' compensation insurance carrier will not tolerate workers' compensation fraud and will aggressively prosecute any known fraud.

Most medical providers will bill the City directly for medical treatment. However, if an injured employee receives any bills at home, these need to be submitted to the Human Resources Department immediately.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

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I have received the City of Bloomington Employee Handbook, which is a general outline of the City's policies and the employee's responsibilities to the City. I understand this Handbook supersedes all previous Employee Handbooks and Policies. I agree to read, and I understand I am responsible for complying with its policies. I also understand I should consult the City's Human Resources Department if I have any questions that are not answered in this Handbook. I understand the Employee Handbook expresses only current policies. I understand the City can, at its sole discretion, modify, eliminate, revise, or deviate from the guidelines and information in this Handbook as circumstances or situations warrant, as provided by law, except as restricted by any active, executed collective bargaining agreement. Such changes will supersede, modify or eliminate the policies and benefits in this Handbook. Each employee's continued employment constitutes acceptance of these and future changes.

I understand that unless otherwise provided by a collective bargaining agreement, my employment is "at will". The Employee Handbook is not a contract of employment and does not create any legal rights, obligations or guarantees, express or implied, on the part of the employee or the City. Either the City or I can terminate my employment at any time, with or without cause, and with or without notice. Termination shall be effective as of the date set forth in a written notice from one party to the other, or as otherwise determined.

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Employee Signature

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Employee ID#

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Employee Name (typed or printed)

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Date

If employee is under 18 years of age:

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Parent or Guardian Signature