~~Exhibit A~~

# Personnel Policy Handbook

~~February 2023~~

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Approved by Resolution of the City Council on March 27, 2023

Amended by Resolution of the City Council on March xx, 2024

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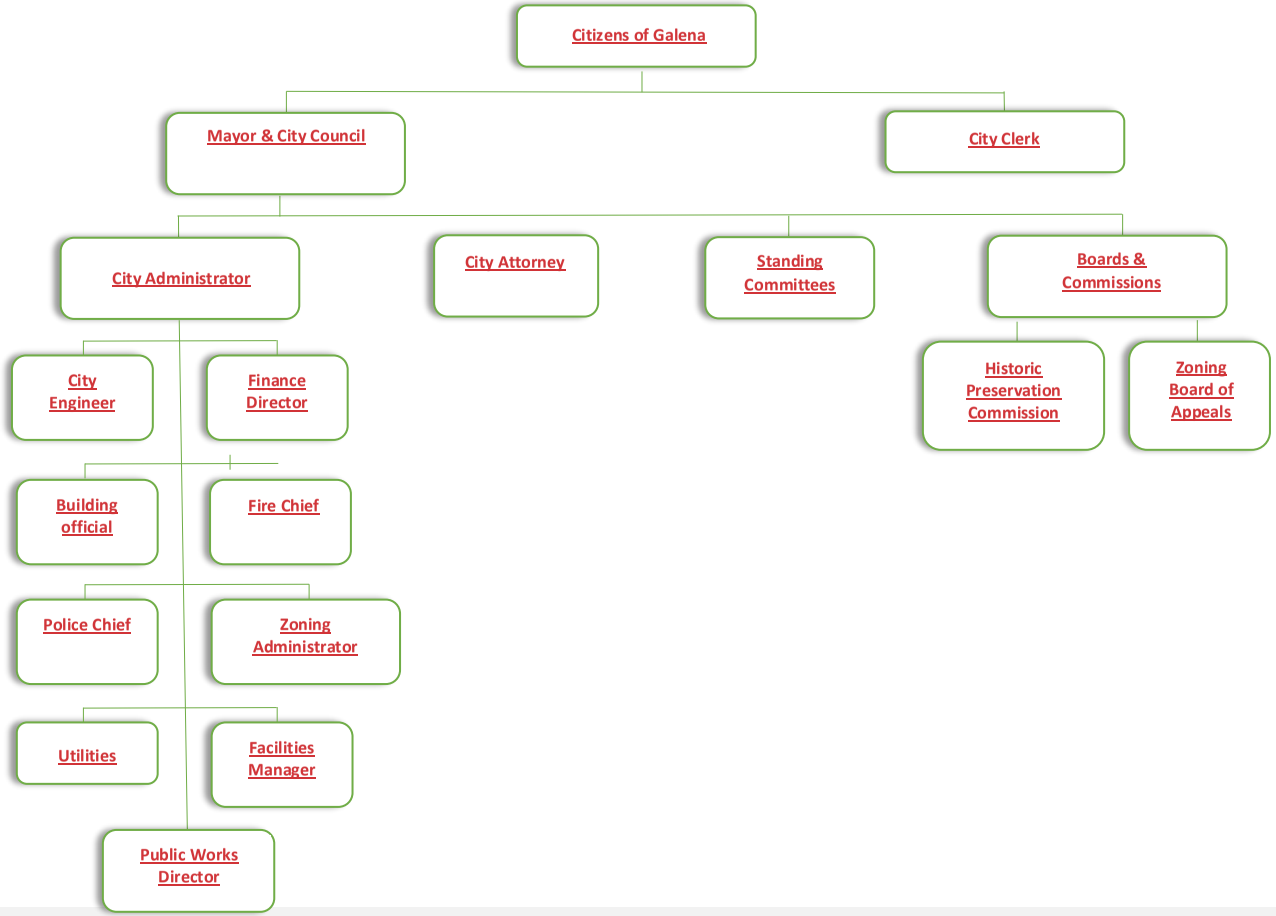
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# Organizational Chart



## Section 1 – Introduction

### 1.1 WELCOME

Welcome and congratulations on your decision to join the City of Galena. We are happy to have you on our team. This City of Galena Personnel Policy Handbook (Handbook) has been developed to provide you with ~~detailed procedures~~a general overview of some of the rules, policies and expectations governing your employment.

You are required to read and familiarize yourself with the contents of this Handbook and follow the ~~procedures~~policies contained herein. We strongly urge you to keep it in a safe and convenient place. Should you have any questions or concerns regarding your employment, whether addressed in this Handbook or not, you should raise them with your supervisor who will consult with the City Administrator to clarify any uncertainties about the application of Handbook provisions.

Except as provided by law, the City of Galena reserves the right to amend, supplement, interpret, or rescind any of the ~~procedures~~policies, rules, or benefits contained in this Handbook at any time at its sole discretion with or without notice. This Handbook supersedes and replaces all other previously issued Handbooks. You are required to sign the attached acknowledgment form to certify that that you have read, understood and agree to the contents of this Handbook.

We look forward to working with you and hope that you find your employment to be both enjoyable and rewarding.

The City also reserves the right to deviate from these ~~procedures~~policies in order to achieve its primary mission of providing orderly and cost-efficient services to its citizens.

### 1.2 PURPOSE AND APPLICABILITY

This Handbook is only intended to provide you with an overview of some of the ~~procedures~~policies, rules and benefits governing your employment. This Handbook is not an exhaustive list of every workplace ~~procedure~~policy, rule, or benefit for every circumstance or context. Individual departments may have their own ~~procedures~~rules, policies and benefits.

If your employment is governed by a collective bargaining agreement or individual employment contract, the ~~procedures~~policies, rules, and benefits contained in the collective bargaining agreement or individual employment contract will apply in the event they conflict with the ~~procedures~~rules, policies, and benefits contained in this Handbook. To the extent anything in this Handbook conflicts with applicable law, the law will prevail.

No employee of the city or any other person except the Mayor and the City Council or the City Administrator or their appointee, as provided for in the Code of Ordinances, has any authority to enter into any agreement for employment for any specified period or make any binding representations or agreements inconsistent with this Handbook. The ~~procedures~~rules, policies, and benefits contained in

this handbook apply to all City employees. Elected officials, appointed board members, volunteers, and independent contractors are not considered city employees; the rules herein do not apply.

**This Handbook will be reviewed annually during the first quarter of the calendar year. Any revisions and/or additions to the Handbook will be presented to the City Council for consideration.**

### 1.3 EMPLOYMENT-AT-WILL

Unless otherwise provided by law, a collective bargaining agreement, or an individual employment contract, your employment is on an at-will basis. That means that either you or the City of Galena may terminate the employment relationship at any time for any lawful reason with or without cause or notice. Nothing in this Handbook creates (or should be construed as creating) anything other than an employment-at-will relationship.

## Section 2 – Employment Practices

### 2.1 EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

The City has an ongoing commitment to the creation of a workplace free of discrimination and harassment. The City of Galena is committed to a fair and equitable workplace where everyone is a respected and valued member of the team.

The City is an Equal Employment Opportunity employer and does not unlawfully discriminate in employment opportunities or practices on the basis of race, color, creed, religion, sex, gender, ancestry, national origin, alienage, citizenship status, marital status, sexual orientation, medical condition, pregnancy, disability status, gender identity or expression, protected veteran status, or any other characteristic protected by federal, state, or local law. This policy applies to all areas of employment, including recruitment, hiring, training, promotion, compensation, benefits, and transfers.

### 2.2 DISCRIMINATION REPORT PROCEDURE

If you believe unlawful discrimination has occurred, you should take the following steps:

An employee who observes discrimination or believes themselves to be the object of discrimination should deal with the incident(s) as directly and firmly as possible by clearly communicating their position to the offending employee, and their immediate supervisor. It is not necessary for discrimination to be directed at the person making the report.

Any employee may report conduct which is believed to be discrimination to the City of Galena through the following processes and procedures:

- Direct Communication – If there is discriminating behavior in the workplace, the employee suffering the discrimination should directly and clearly express their objection, indicate that the conduct is unwelcome, and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- Contact with Supervisory Personnel – At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the employee making the report, the employee's department head, the director of human resources, or other appropriate officer. A report by an employee should be made to the employee's immediate supervisor, except in circumstances when the immediate supervisor is the offending individual or the employee reasonably determines, based on the circumstances, that the report should be made to another supervisor or officer. Reports may be made either orally or in writing, but oral reports should be reduced to writing before an investigation is initiated. The report should include a description of the incident(s), the name of the person accused of the discrimination, the date(s) on which the incident(s) occurred, and the signature of the individual making the report. Reports should be made promptly after a suspected violation has occurred. Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including but not limited to written records such as letters, notes, memos, and telephone messages.

After a report has been reduced to writing, a member of management (or a third party when appropriate) will, within a reasonable amount of time, investigate the allegations by the reporting employee. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Upon completion of the investigation, the reporting employee will be advised of the results of the investigation and the proposed resolution of the report. Appropriate disciplinary action will be taken against an offending employee.

Individuals who submit a written report of discrimination should maintain any relevant notes and documentation. The City of Galena will maintain records of reports and investigation materials for at least two years after the date of resolution of the report unless the circumstances are such that the records should be kept for a longer period of time.

Reasonable efforts will be made to keep reports of discrimination confidential. In the event of a legal claim, records relating to reports of discrimination and other legal violations may not be considered privileged from disclosure.

Employees experiencing perceived discrimination must not assume that the City of Galena is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or officer, the City of Galena will not be presumed to have knowledge of the discrimination.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to our attention. However, because of the serious implications of discrimination charges, the difficulties associated with their investigation, and the questions of credibility involved, a reporting employee's willing cooperation is a vital component to any investigation.

Employees or applicants will not be subjected to unlawful retaliation for complaining of suspected discrimination or other legal violations or participating in a related investigation. If you believe you are being retaliated against, you should register a written complaint in accordance with this policy.

## 2.3 PROTECTIONS AGAINST UNLAWFUL RETALIATION

The Illinois Public Officer Prohibited Activities Act (50 ILCS 105/4.1) (Prohibited Activities Act) prohibits all municipalities and their agents, representatives, and employees from retaliating against an employee or contractor who: (a) reports an improper government action; (b) cooperates with an investigation by an auditing official related to a report on improper governmental action; or, (c) testifies in a proceeding or prosecution arising out of an improper governmental action.

An employee or contractor desiring to exercise their rights under the Prohibited Activities Act upon suffering applicable retaliation must make a written report of the improper governmental action and provide it to the City of Galena City Administrator or City Attorney within 60 days of gaining knowledge of the retaliatory action at issue. If the auditing official is the individual the employee believes is committing the improper governmental action, the employee's report may be submitted to the Jo Daviess County State's Attorney. To the extent allowed by law, the identity of an employee reporting information will be kept confidential unless the reporting employee waives such confidentiality in writing.

If the auditing official concludes that an improper governmental action has taken place or concludes that the municipality or supervisory officials have hindered the auditing official's investigation into the report, the auditing official will notify, in writing, the chief executive of the municipality and any other individual or entity the auditing official deems necessary in the circumstances. Employees subjected to adverse actions for reporting improper governmental actions will be eligible for the remedies provided in Section 4.1(f) of the Prohibited Activities Act.

Every employee will be provided with a written summary or a complete copy of Section 4.1 of the Prohibited Activities Act upon commencement of employment and at least once each year of employment, along with a copy of the written processes and procedures for reporting improper governmental actions from the City of Galena auditing official.

## 2.4 EMPLOYMENT AUTHORIZATION VERIFICATION

Every employee is required to be legally authorized to work in the United States. Accordingly, all employees must complete the federal Employment Eligibility Verification Form (I-9) within three days of being hired. Employees who fail to complete this form during the first three days of their employment will be terminated. If you are a current employee and have not complied with this requirement, or if your legal authorization to work has changed, you must immediately notify your supervisor and/or an appropriate member of management.

## 2.5 HIRING PROCESS

Resumes may supplement, but not replace, the City's official application form. Applicants chosen for consideration as finalists on the basis of their resume or other information will complete a standard application form prior to being considered as a finalist for any position.

It will be the policy, insofar as is practicable, to fill vacancies in the municipal service by promotion of permanent employees. As positions become available within the City, prior to or coinciding with any outside recruitment, the City Administrator will determine the availability of and consider qualified candidates within the City. Notice of certain vacancies will be posted internally for ten (10) days. Length of service will be considered in promotions of employees when all other qualifications are equal.

The Mayor is the chief administrative officer of the City. He/she will appoint and remove subject to applicable civil service provisions, if any, all employees, except elected officials, members of boards and commissions, volunteer personnel, consultants rendering temporary professional service and those officials designated for appointment by the City Council or City Administrator as provided by the Galena Code of Ordinances.

All employee appointments will be made according to merit and fitness. When required by law or at the discretion of the City, employee merit and fitness may be ascertained by written, oral or other examinations. The examinations will test fairly the capacity and fitness of the candidate to discharge efficiently the duties of the position for which such examinations are held.

In case of appointment to positions for which examinations are not required, the Mayor, with the consent of the City Council, may appoint any person who meets the requirements listed in the class specifications and whom the Mayor deems qualified to perform the duties of the position.

## 2.6 NEPOTISM

No person will be appointed to any position when such appointment would result in placing the appointee under the direct supervision of a relative. A relative will be deemed to be a parent, child, sibling, spouse, uncle, aunt, nephew, niece, first cousin, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law or related by marriage through the relationship of cousin. Exceptions to this policy may only be granted for seasonal positions and must be approved by the City Council.

## 2.7 RESIDENCY

Any individual who is employed by the city will be a resident of the city before the expiration date of probationary employment and will remain a resident of the city thereafter during such employment. However, the Mayor may authorize, with the concurrence of the City Council, any employee to reside outside of the city. An employee granted permission to reside outside the city must be within fifteen (15) air miles of the City limits.

## 2.8 PRE-EMPLOYMENT DRUG TESTING AND MEDICAL EXAMS

All candidates who have accepted an offer of employment with the City of Galena must be able to perform the essential functions of the position under consideration with or without reasonable accommodation. Prior to being given an offer of employment, candidates may be required to successfully complete a drug test for the current use of illegal drugs. If a candidate refuses to submit to a requested pre-offer drug test for the current use of illegal drugs, that individual will be disqualified from employment.

Once an offer of employment has been made and accepted, candidates may be required to answer disability-related questions and/or submit to a medical examination, which may include testing for the use of legal drugs. Post job-offer pre-employment medical examinations are given to evaluate the ability of an individual to perform the essential functions of a position with or without reasonable accommodation. If a candidate does not demonstrate an ability to perform the essential functions of the position under consideration with or without a reasonable accommodation, the offer of employment may be rescinded.

**See Drug Testing Policy – Exhibit A**

## 2.9 EMPLOYMENT CLASSIFICATIONS

Employees will be categorized into one or more of the classifications listed below for purposes of determining their eligibly for overtime pay and certain benefits. Any questions or concerns regarding your classification should be directed to your supervisor and/or an appropriate member of management.

- **Full-Time Employees** – Full-time employees are those who are regularly scheduled to work at least 30 hours per week, including vacation time and sick leave, and are not expected to be seasonal.
- **Part-Time Employees** – Part-time employees are those who are regularly scheduled to work fewer than 30 hours per week and are not expected to be seasonal. Part-time employees are not eligible for benefit programs.
- **Department Head** – Department heads are responsible for directing one or more departments.
- **Seasonal Employees** – A position established for peak periods, usually from April to August, where employees work less than one thousand (1,000) hours per year. Seasonal employees are not eligible for benefit programs.
- **Temporary Employees** – Temporary employees are hired for a specific period or for the duration of a special project. Temporary employees are not eligible for benefit programs.
- **Exempt Employees** – Exempt employees are exempt from the overtime provisions of the Fair Labor Standards Act and applicable state law because their job duties and salary meet the exemption requirements of the law. Exempt employees are paid a salary and are not required to be paid overtime for work performed beyond 40 hours in a work week.
- **Non-Exempt Employees** – Non-exempt employees do not meet the exemption tests under the Fair Labor Standards Act and applicable state law and are paid overtime for hours worked over

40 in a work week. Non-exempt employees can be paid a salary or an hourly rate and are required to record the hours they work.

## 2.10 PROBATIONARY PERIOD

All original appointments, except for the Police Department, will be subject to a probationary period of six (6) months during which time an employee may be transferred or dismissed without recourse if his or her performance does not meet necessary minimum standards. Upon recommendation of the City Administrator, this trial period may be extended six (6) additional months. Upon completion of the probationary period, unless a written statement requesting the employee's dismissal is received from a department head, the employee will be certified as a permanent employee, subject to the limitations described herein.

During the initial probationary period an employee will be entitled to sick leave and vacation leave.

The city may conduct an annual performance review commencing after the employee's first anniversary date of employment. Under special circumstances, personnel may receive a mid-year review. A review will not necessarily result in a pay increase. Reviews are set to allow a department head and the employee to discuss past job performance, offer suggestions on how to improve, etc. If a pay rate change is in order, it will be effective on the date specified by the union contract, the City Administrator or the City Council.

## 2.11 CHANGES TO PERSONAL INFORMATION

Employees with changes to personal information – new employees, address changes, and beneficiary/dependent change – are required to submit paperwork to the Finance Director within one week of its occurrence.

- **New Employee Checklist – Exhibit B**
- **Employee Checklist – Moving – Exhibit C**
- **Employee Checklist – Beneficiary Change / Dependent Change – Exhibit D**

## 2.12 PERSONNEL RECORDS REQUEST

The City of Galena maintains certain personnel records for each employee. These records may include, among other things, information regarding an employee's job status, pay, performance, disciplinary action, and attendance. The City Administrator keeps personnel records for each employee and access is limited to the employee's immediate supervisor, the department head, the City Administrator and employees involved in payroll and benefits administration.

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In accordance with the Employment Personnel Record Review Act (820 ILCS 40/0.01 *et seq*.), an employee may, upon written request, inspect those records maintained by the City of Galena which are, have been, or are intended to be used in determining the employee's qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action. Such records may not include those described in 820 ILCS 40/10 including, but not limited to, letters of reference, information of a personal nature about a person other than the requesting employee, documents related to employee testing (other than an employee's score), and certain records relating to a pending investigation or claim.

Employees shall be provided with the opportunity to inspect photocopies of the above-described records within seven working days after their written request for inspection. However, if the City of Galena can reasonably show that such deadline cannot be met, the City of Galena shall have an additional seven days to comply.

An employee may request removal of what the employee believes to be irrelevant or erroneous information in their personnel records. If the City denies the employee's request to remove this information, the employee may file a written rebuttal statement to be placed in his or her file.

Personnel records are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel records will be released to the public, including the press, without a written request from the employee for specific information.

## 2.13 PAYROLL RECORDS

The Finance Director keeps the official payroll records. Each department head will turn in on a regular basis a signed work record for each employee within their department noting hours worked, leave taken and overtime worked during the previous pay period.

## 2.14 PROMOTIONS AND TRANSFERS

The City encourages current City employees to apply for vacant City positions for which they are qualified. Promotions and transfers are based on the recommendation from the employee's department head, work force requirements, performance evaluations, job descriptions and related City requirements.

Regular employees are eligible for promotion, transfer or voluntary demotion. To be considered for another position, an employee must have satisfactorily completed the probationary period and possess the qualifications for the vacant position.

All promotions and transfers will be subject to a probationary period of six months. During the probationary period the employee will be entitled to sick leave and vacation leave. If the employee who has been promoted is found unsuited for the work of the position to which promoted, he or she may be

reinstated to the position and rate of pay previously held or some other position in the class from which he or she was promoted.

## 2.15 GRIEVANCE PROCEDURE

It is the policy of the City insofar as possible to prevent occurrence of grievances and to deal promptly with those which occur. The following procedure is established to resolve employee grievances.

- An employee should first try to resolve any problem or complaint with the supervisor.
- When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of City policies and procedures, the employee should attempt to resolve the problem with the department head. The department head will respond to the employee in writing within five working (5) days after meeting with the employee, if possible.
- If the employee is not satisfied with the response ~~form~~from the department head, the employee may submit the problem, in writing, to the City Administrator. The written complaint must contain at a minimum:
    - A description of the problem;
    - A specific policy or procedure that the employee believes has been violated or misapplied;
    - The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
    - The remedy sought by the employee to resolve the complaint.

  The written complaint should be filed within ten (10) working days of the occurrence leading to the complaint, or ten (10) working days after the employee becomes aware of the circumstances.

- The City Administrator may meet with the parties, either individually or together, and the City Administrator will respond in writing to the aggrieved employee within ten (10) days of the meeting.
- The decision of the City Administrator may be appealed to the Mayor who will, within ten (10) days of its receipt, uphold or overturn the decision of the City Administrator.
- If the Mayor upholds the decision of the City Administrator, the employee may make a final appeal to the City Council at the next available meeting of the Council. The employee will present his or her complaint to the City Council in executive session. The response and decision of the City Council will be final and binding.

Employees represented by a collective bargaining unit will follow grievance procedures set forth in their respective labor contracts, where applicable. Under no circumstance will an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee.

## 2.16 ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

In accordance with the Americans with Disabilities Act and other applicable law, the City of Galena will make reasonable accommodations for the known disability of an otherwise qualified individual to the extent required by law unless undue hardship would result.

Procedures for Requesting Reasonable Accommodations – Otherwise qualified employees and applicants who require a reasonable accommodation to perform the essential functions of a position should take the following steps:

- Make a request to your supervisor or the appropriate member of management for a reasonable accommodation. Requests can be oral or written, but employees and applicants should reduce their requests to writing.
- Once the City of Galena has been notified of an employee or applicant's request or need for a reasonable accommodation due to a disability, the employee or applicant may be required to provide current documentation from a physician or other medical professional concerning the existence and extent of the disability. The employee or applicant will be responsible for requesting the applicable medical documentation from their physician or other medical professional and ensuring it is provided to the appropriate member of management. The City of Galena will generally not communicate with an employee's physician or other medical professional directly without first obtaining the employee or applicant's written consent for the release of medical information.
- After the City of Galena has been alerted to an employee or applicant's request or need for a reasonable accommodation, an appropriate member of management will communicate with the employee or applicant regarding what accommodations, if any, would be reasonable under the circumstances. Accommodations will be made if they are reasonable and do not cause undue hardship. All employees must be able to perform the essential functions of their positions, with or without reasonable accommodations.

Information and documentation related to accommodations, including medical information, will be maintained in a confidential file separate from other personnel records. Information and documentation related to accommodations will only be shared with those individuals who need to know in order to provide the accommodation. Such individuals may or may not include an employee's supervisor.

## 2.17 ACCOMMODATIONS FOR CONDITIONS RELATED TO PREGNANCY

In accordance with 775 ILCS 5/2-102(J), the City of Galena will not discriminate or retaliate against an employee or applicant affected by pregnancy, childbirth or medical or common conditions related to pregnancy or childbirth. Otherwise qualified individuals who require an accommodation to perform the essential functions of their positions due to any medical or common condition related to pregnancy or childbirth should notify their immediate supervisor and/or an appropriate member of management. If an accommodation is reasonable and does not impose an undue hardship, the accommodation will be made.

Reasonable accommodations for employees or applicants affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth may include one or more of the following:

- more frequent or longer bathroom breaks
- breaks for increased water intake
- breaks for periodic rest
- seating
- assistance with manual labor
- light-duty
- temporary transfer to a less strenuous or hazardous position
- acquisition or modification of equipment
- part-time or modified work schedule
- appropriate adjustment or modification of examinations, training materials or policies
- reassignment to a vacant position
- time off to recover from a condition related to childbirth
- leave necessitated by pregnancy, childbirth, or medical or common conditions relating to childbirth

## 2.18 ACCOMMODATIONS FOR RELIGIOUS BELIEFS

The City of Galena will endeavor to accommodate the religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on operations. Employees who wish to request such an accommodation should make a written request to their supervisor and/or an appropriate member of management.

Accommodations for religious beliefs may include the use of voluntary substitutes and swaps, flexible scheduling, or temporary changes in job assignments. Employees should notify their supervisor in writing of any requested time off for religious observations at least 30 days prior to the requested absence.

## 2.19 ILLINOIS CROWN ACT

The CROWN Act, "Creating a Respectful and Open World for Natural Hair," prohibits race-based hair discrimination, which is the denial of employment and educational opportunities because of hair texture or protective hairstyles including braids, locs, twists or bantu knots.

## 2.20 DISCIPLINE

Employee supervisors and their superiors, as applicable, are responsible for administering disciplinary measures, when in the sole discretion of the appropriate supervisor, based on the facts and circumstances of the situation, discipline is warranted. Prior to the administration of any disciplinary action, the applicable supervisor may give the employee the opportunity to respond to the allegations

made against the employee. The disciplinary procedures set forth in this section apply to all employees. These policies and procedures should not be construed as preventing, limiting, or delaying the City of Galena from taking appropriate disciplinary action, including immediate dismissal without prior warning or notice, as the facts and circumstances warrant.

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

The Mayor may suspend any employee without pay for disciplinary reasons. Such suspension will not exceed 30 days in any one calendar year. An employee may be demoted by the Mayor for inefficiency in performance of his or her duty, for disciplinary reasons or for any other justifiable cause.
Discipline may be administered for the following actions/inactions by employees (these are in addition to any other reason that discipline may be administered):

- Activities in conflict with hours of work;
- Activities in conflict with job performance;
- Activities in conflict with the City of Galena obligations and responsibilities;
- Excessive absenteeism;
- Reporting late/leaving early from work;
- Untimely and/or inaccurate records or reports;
- Unsatisfactory work performance;
- Inappropriate appearance;
- Slander, verbal abuse or threats to others;
- Misuse or misappropriation of City of Galena property or funds;
- Intentional falsification of records, claims for reimbursement;
- Disclosure of any proprietary or confidential information, or inappropriate disclosure of any information;
- Disorderly conduct during working hours;
- Interruption of another employee's work;
- Harassment of other employees, constituents, or other individuals;
- Use of alcohol while on duty;
- Violations of the Drug and Alcohol Policy;
- Insubordination;
- Failure to return to work in accordance with applicable leave policies;
- Substantial misrepresentation of fact;
- Conviction of a felony or a misdemeanor involving moral turpitude;
- Taking any fee, gift or other valuable item in the course of the employee's work from any citizen for the employee's personal use when such gift, fee or other thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens. Any gift of cash will be deemed given in the hope or expectation of receiving a favor or better treatment. If the employee has any doubt about the propriety of the gift, the gift should be reported to the immediate superior. If the superior approves the gift, the gift will not be deemed improper;
- Conduct in private life that brings discredit upon the municipal service of the city; or
- Any other similar conduct that is detrimental to the City of Galena.

In all cases, a suspension, demotion or dismissal will become effective immediately upon the affected employee's receipt of a dated, written statement by the Mayor. Within five days of the official action,

the affected employee may file a dated, written appeal to the Mayor. The employee will be granted a hearing before the Mayor within ten (10) working days from filing a request for hearing. Unless otherwise provided by law, the Mayor may revoke or modify the previous action taken. The Mayor's decision will be final. The right of any employee, if exonerated and reinstated, will be retroactive to the effective date of the disciplinary action.

The City Council has final authority to hear any appeal from an employee when he or she has been unable to settle a grievance to his or her satisfaction with the Mayor. Within five days of the Mayor's decision, the employee may appeal to the City Council. The City Council, meeting in executive session, will consider the appeal at the next available meeting of the City Council.

## Section 3 – Employee Hours & Compensation

### 3.1 WORKING HOURS

Except for employees in the Police Department covered by a collective bargaining agreement, the regular work week will be forty (40) hours. Pay periods begin on Wednesday and end on the second Tuesday thereafter. It is the responsibility of all employees to prepare time sheets daily. Time sheets must be signed by the employee and department head before submission to the city for payment. Altering, falsifying or tampering with time sheets in any way may result in immediate dismissal of the employee.

Part-time workers will work hours as specified by their department heads.

The normal hours of operation for the City of Galena are 8 a.m. to 4:30 p.m. However, individual hours of work may vary depending on your position and the duties you perform. Your supervisor will inform you of your work hours. The standard workday may only be altered by action of the City Council.

### 3.2 ATTENDANCE

Punctual and consistent attendance is a condition of employment. Each department head is responsible for maintaining an accurate attendance record of his or her employees. If an absence continues beyond one day, the employee is responsible for reporting in each day.

Employees are expected to report to work promptly at their designated starting times. If you are unable to timely report to work, you must notify your supervisor in advance of your designated start time in accordance with the policies in this Handbook and any other applicable department policies. If you are unable to reach your supervisor, you must notify your department head or another appropriate member of management. Notifying a fellow employee is not sufficient.

If you need to leave work prior to the end of your shift, you must first notify your supervisor and obtain permission to do so. If your supervisor is unavailable, you must notify and obtain permission from your department head or another appropriate member of management.

Failure to adhere to this policy shall subject an employee to disciplinary action up to and including termination of employment.

Employees are expected to be at work even during inclement weather, but department heads have the authority to allow employees to report late or leave early based on weather conditions. The Mayor and/or City Administrator will determine whether city hall remains open.

### 3.3 LUNCH AND REST BREAKS

Employees shall be allowed at least 24 consecutive hours of rest in every consecutive seven-day period, in addition to the regular period of rest allowed at the close of each working shift, unless otherwise exempt from the provisions of the Illinois One Day Rest in Seven Act.

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An Employee who ~~work~~works seven and one-half continuous hours or more in a shift shall be given ~~at least~~ 20 minutes for a meal period beginning no later than five hours after the start of the work period. An additional 20-minute meal break shall be permitted for every additional four and one-half hours worked. The lunch break for all employees will not exceed one (1) hour and should be scheduled in the middle of the day. Specific times for meal and any other break periods shall be determined by an employee's supervisor. Meal periods may be uncompensated when employees are completely relieved of all duties.

In addition to the meal periods discussed above, supervisors may, at their discretion, authorize employees to take reasonable break periods during the workday. Such reasonable break periods should be taken at a time and in a manner that does not interfere with the operational needs of the employee's department. In accordance with federal law, properly authorized reasonable break periods of less than 20 minutes will be compensated. Meal periods and rest breaks may not regularly be used to cover late arrivals or early departures, nor may they be regarded as cumulative if not taken.

If your employment is governed by a collective bargaining agreement or individual employment contract, your meal periods and rest breaks shall be in accordance with the terms and conditions of that agreement or contract in the event of any conflict.

### 3.4 TIMEKEEPING

If you are classified as a non-exempt employee, you are required to clock-in whenever you begin working and clock-out whenever you cease working in accordance with the timekeeping method designated by your department. For purposes of this policy, the terms clock-in and clock-out refer to the actions whereby an employee records the beginning and ending of any working time. "Working time" is the period of time during working hours when an employee is engaged in or committed to be engaged in service on behalf of the City of Galena. Travel time for official work-related purposes (excluding commuting to and from work) will be considered working time under this policy. Any questions or concerns regarding what constitutes working time should be directed to your supervisor and/or an appropriate member of management.

Employees who are unable to clock-in or clock-out due to a technical problem must immediately notify their immediate supervisors or department heads. Employees should note the time at which they were attempting to clock-in or clock-out, and if the employee's immediate supervisor or department head agrees that the time stated by the employee is accurate, the supervisor or department head will arrange to have the employee's work hours manually entered.

Employees are responsible for ensuring the accuracy of their timekeeping records. Employees who believe that their timekeeping records are inaccurate will immediately notify their supervisors and/or an appropriate member of management. Any disputes as to the accuracy of timekeeping records will be reviewed with the employee's supervisor and/or an appropriate member of management.

**Prohibited Timekeeping Actions** – The following actions with respect to timekeeping are strictly prohibited and may result in disciplinary action up to and including termination:

- Falsifying Timekeeping Records – Clocking in or out for other employees is strictly prohibited and will subject all employees involved to disciplinary action up to and including termination. Any attempt to tamper with timekeeping devices or interfere with another employee's ability to clock-in or clock-out is likewise prohibited. Employees who witness such misconduct will immediately notify their supervisors or another appropriate member of management.
- Clocking in Late – Employees are prohibited from clocking in after their scheduled start times. Employees who fail to clock-in on time will be considered late for work. Employees who are repeatedly late for work will be subject to disciplinary action up to and including termination.
- Clocking out Early – Employees are prohibited from clocking out before their scheduled ending times unless authorized to do so by their supervisors. Any employee who clocks out early without proper authorization will be considered to have abandoned the workplace and will be subject to disciplinary action up to and including termination.
- Working Outside of Scheduled Hours – Employees are prohibited from clocking in before their scheduled start time or clocking out after their scheduled end time unless specifically authorized to do so in writing by their supervisor or another appropriate member of management.

## 3.5 OVERTIME PAY FOR NON-EXEMPT EMPLOYEES

In accordance with the federal Fair Labor Standards Act and applicable state law, employees classified as "non-exempt" will be paid overtime for any working time in excess of 40 hours in a workweek. Working time for purposes of calculating overtime will include paid benefit time, such as vacation, sick days, or holidays.

Overtime will be paid at one and one-half times the employee's regular base hourly rate of pay for all hours of overtime actually worked within the workweek. Authorized work on holidays will be compensated at two (2) times the regular rate of pay.

Non-exempt employees are prohibited from working before, beyond, or outside their scheduled work hours unless authorized to do by their immediate supervisors or department heads and subsequently approved on timesheets. Unless otherwise provided by law, employees who work outside of their scheduled hours without proper authorization will not be compensated for such time. Employees who

work overtime without prior authorization will be subject to disciplinary action up to and including termination.

### 3.6 COMPENSATORY TIME IN LIEU OF CASH OVERTIME

The federal Fair Labor Standards Act allows public employers to compensate non-exempt employees for hours worked in excess of 40 with compensatory time off (comp time) in lieu of cash overtime compensation. Such comp time must be credited at a rate not less than one and one-half hours for each hour of employment.

The City of Galena also allows its exempt employees who work authorized overtime to be reimbursed at the regular rate of one hour of compensatory time for each hour of overtime worked.

Employees may only be compensated with comp time in lieu of cash overtime if the employee agrees, prior to performing the work in question, to be compensated with comp time instead of cash overtime, either in a collective bargaining agreement or other agreement.

While employee wishes will be considered, the scheduling of the requested use of compensatory time is at the discretion of the employer. Scheduling of compensatory time shall not adversely affect operations and shall not be unreasonably denied.

Compensatory time will be taken as soon as practicable after it is earned. Employees may carry over a maximum of 60 hours from one fiscal year to the next. For exempt employees, any accrued comp time in excess of 60 hours is forfeited on May 1 of each year. For non-exempt employees, any accrued comp time in excess of 60 hours will be paid out at the current wage of the employee on May 1 of each year.

An employee who has accrued compensatory time off shall, upon termination of employment, be paid for the unused compensatory time at the final regular rate received by the employee.

The ability to earn comp time in lieu of cash overtime may only be available to certain employees, job titles, or assignments. Any questions or concerns regarding comp time should be directed to your supervisor and/or the City Administrator.

### 3.7 CALL BACK

All employees are subject to call back in emergencies or as needed by the City to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination.

### 3.8 PAYROLL AND DEDUCTIONS

Paydays will be biweekly on Friday. Payment will be made by direct deposit to the employee's bank account or by check. Each paycheck will include hours worked through the end of the previous pay period, unless dictated otherwise by a collective bargaining agreement.

The City of Galena is required by law to withhold certain deductions from your paycheck. This includes deductions for federal income tax, state income and unemployment tax and Federal Insurance Contributions Act (FICA) tax contributions (Social Security and Medicare). The City of Galena is also required to withhold deductions pursuant to legal orders, such as orders for child support, bankruptcy, tax levy, money owed to a state agency, or general creditor debts.

The City of Galena will withhold certain deductions from your paycheck that you have voluntarily authorized. This includes deductions for health insurance premium contributions, retirement plan contributions, or other services. Voluntary deductions not required by law will only be made with written authorization signed by the employee.

All employees should routinely examine every paycheck and immediately report any inaccuracies to their immediate supervisor, the Finance Director, and/or the City Administrator.

**See Voluntary Payroll Deduction Form – Exhibit E**

### 3.~~10~~9 LONGEVITY

Non-union employees receive a one (1) percent longevity ~~pay increase~~stipend on May 1 preceding each five-year anniversary (5, 10, 15, 20, etc.).

## Section 4 – Expense Reimbursement & Travel

### 4.1 EXPENSE REIMBURSEMENT POLICY

The City of Galena reimburses employees for all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for the City of Galena in accordance with the provisions of the Wage Payment and Collection Act (820 ILCS 115/9.5). The City of Galena is not responsible for losses due to an employee's own negligence, losses due to normal wear or losses due to theft unless the theft was a result of the City of Galena's negligence.

***Guidelines for Authorized Expenditures***

"Authorized expenditures" means all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of, subject to the provisions of this policy.

Authorized expenditures include cell phone expenses, laptop, tablet, mileage, tools, equipment, Internet, meals, registration fees, training expenses, tolls and parking fees.

Unauthorized expenditures include home Internet service, parking tickets/fines, alcoholic beverages and entertainment expenses.

Any expenditure that is not requested and approved prior to purchase is deemed an unauthorized expenditure and reimbursement will occur in the sole and exclusive discretion of the City of Galena in accordance with applicable law. Reimbursement of travel, meal or lodging expenses incurred by an employee is governed by the Local Government Travel Expense Control Act (50 ILCS 150/1 et seq.) and applicable City of Galena ordinances.

***Pre-Approval for Authorized Expenditures***

An employee will submit a written request to purchase any authorized expenditures at least three business days prior to incurring the expense on the Travel Expense Form attached to this Handbook as Exhibit F. Following approval of the expense, the employee will be reimbursed as provided herein. If the expense is not approved following a written request, the employee will not be entitled to reimbursement.

In the event that an expense is not pre-approved, reimbursement will be subject to the discretion of the City of Galena.

***Reimbursement Procedure for Authorized Expenditures***

Employees will submit the previously approved Travel Expense Form and appropriate supporting documentation not later than 30 calendar days after incurring the expense. Where supporting documentation is nonexistent, missing or lost, the employee will submit a signed statement regarding any such receipts. Employees may not be entitled to reimbursement if the employee has failed to comply with this policy.

**See the City's Travel Expense Form – Exhibit F**

## 4.2 CITY-PROVIDED CELLULAR SERVICE POLICY

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***Purpose***

The purpose of this policy is to provide information for the use of cellular phones for official City business and to ensure such equipment is used in the most efficient and professional manner.

In certain instances, the City provides cellular phone service to facilitate the use of employee-owned cellular phones for official city business and authorized personal use. Such use shall be in accordance with these procedures.

In other instances, monthly cell phone allowances are used for employees who already have a personal cell phone, are willing to use it for City business, and wish not to carry both a personal and work phone. The allowance is designed to offset the cost to the employee for using his/her personal device for City business. The allowance shall be established by the City Administrator and equal to the cost of city-provided service. The allowance shall be reviewed and adjusted as needed on May 1 of each year.

***Eligibility and Provision of Service***

The provision of cellular phone service is based on an employee's need for immediate two-way communication with the employee's office, other city departments, outside organizations, and members of the public. Such service assignments must be fully justified and approved by the City Administrator.

***Procedures***

It will be the responsibility of the department head to verify that sufficient funds are budgeted for the monthly costs associated with cellular service. These expenditures will be charged to each department's communication line item. All cellular service shall be the least expensive plan available to the City that will provide the necessary service.

The City accepts no responsibility for an employee-owned cell phone. Employees accepting a cell phone service allowance are responsible for all charges incurred and can choose any phone or plan they want. Employees accepting a cellular phone allowance are required to provide their cell phone number to department heads, employees and City officials and notify the same of any changes to their number. An employee receiving a cellular phone allowance must maintain an active phone contract as long as the allowance is in place.

***Use of Cellular Service and Phones***

1. Because cellular transmissions are not secure, employees should use discretion and practice reasonable caution when using their devices. Reasonable precautions should also be made to prevent equipment theft and vandalism.
2. The use of a cellular phone, whether owned by the employee or the City, and with service provided at the expense of the City, creates data that is stored on the device, including, without limitation, emails, text messages, communication logs (such as records of numbers called and received), photos, and videos. Those data or records, created when conducting city business, are, in nearly every case, public records, subject to possible disclosure under the Illinois Freedom of Information Act. All communications and data stored on the device, created or received to conduct city business, using a cellular phone owned by the employee or the City, and with service provided at the expense of the City, is the property of the City. Employees have no personal or property right in these communications and data and no expectation of privacy with regard to the use of said device. The City reserves the right to access any and all communications created or received for City business using a cellular phone with service provided at the expense of the City.
3. An employee will be required to pay replacement or repair cost for any lost cellular phone and equipment or for any damage to a phone or equipment caused by the employee's carelessness.

4. The City reserves the right to review, audit, and inspect the records from a cellular phone, where service is paid for by the City or by the employee with a City cellular service allowance, at any time, with or without notice.
5. The City reserves the right to rescind cellular phone service or a cellular service allowance for inappropriate use of the service by the employee, for budgetary reasons, or policy changes.
6. The use of a handheld cellular phone while driving in a city-owned vehicle is prohibited. Should an employee need to make or receive a call while driving, he/she should locate a lawfully designated area to park and receive or make the call or use a hands-free speaking device such as a speakerphone/earpiece.
7. Access to the City's network including a combination cell phone/PDA must be pre-approved by the City Administrator.

***Misuse of Cellular Service and Phones***

The following acts using the City provided cellular service will subject an employee to removal of cellular service and/or disciplinary action up to and including discharge from employment:

1. Harassment of any member of the public, any governmental employee or any vendor.
2. Making or receiving any calls of a sexually explicit nature.
3. Downloading or uploading inappropriate, illegal or obscene material.
4. Inappropriate language including obscenity, vulgarity, profanity or expressions of ill will.
5. Misrepresentations or release of information of a confidential nature.
6. Violations of any local, state, or federal law or regulation or City policy or procedures.
7. The use of a handheld cellular phone while driving in a city-owned vehicle.

***Administration***

Each department head will be responsible for monitoring their department's use of cellular phones and reporting violations of the policy to the City Administrator. The City Administrator or a department head designated by him/her may carry out appropriate discipline for violations of this policy.

**See the City-Provided Cellular Service Assignment Form - Exhibit G**

**See the Cellular Service Allowance Form - Exhibit H**

## 4.3 TRAVEL-OUTSIDE GALENA

Employees will travel to approved destinations outside the city limits in a city-owned vehicle unless a city-owned vehicle is not available. In cases where the city-owned vehicle is not available and the employee has approval from his or her superior to travel in his or her own vehicle, the employee will be reimbursed at the current per mile rate as set forth by the Internal Revenue Service. Reimbursable mileage will accrue when in direct route between City Hall and the destination and vice versa. Other mileage accrued during the trip will only be reimbursable if it is required as a part of the conference or meeting itinerary. Employees who use city-owned vehicles for authorized travel will be covered by the City's liability insurance. Employees using their personal automobiles in the course of performing the requirements of their position will:

- Maintain automobile liability insurance coverage of at least $100,000 for each person for bodily injury and $300,000 for each occurrence for bodily injury and property damage.
- Keep on file with the employee's department a copy of his or her current insurance certificate verifying such coverage.

### 4.4 TRAVEL-LOCAL

Employees are encouraged to use city-owned vehicles for all job-related travel within the city limits. When city-owned vehicles are not available, employees may use their own personal vehicles for local travel. Travel-related expenses will not be reimbursed for employees using their personal vehicles for local job-related travel. Employees who use city-owned vehicles for authorized travel will be covered by the City's liability insurance. Employees who travel in their personal vehicles will provide a current copy of their automotive liability insurance (in the amounts referenced in Section 4.3) prior to departure and will be liable for any damages or injury resulting from travel.

### 4.5 LODGING

Employees will have all lodging rates approved by their superior prior to departing. All lodging will be obtained at the "government rate" where said rate is offered. Lodging costs will be paid or reimbursed in accordance with the Policy Governing Reimbursement of Employee and Officer Travel, Meal and Lodging Expenses (attached hereto in the Appendix). Other expenses, such as personal telephone calls, in room movies, or newspapers will not be reimbursed.

### 4.6 MEALS

Employees will be permitted a per diem for each meal. Employees will be reimbursed for meals in accordance with the Policy Governing Reimbursement of Employee and Officer Travel, Meal and Lodging Expenses. When meals are offered under the basic cost of the conference or meeting being attended, employees will not be reimbursed for meals purchased in place of the meals offered at the conference or meeting. Employees will not be reimbursed for alcoholic beverages.

### 4.7 RECEIPTS

Receipts are required for reimbursement of any travel-related expenses.

### 4.8 TRAVEL PAY

Any mandatory meetings or training sessions after normal scheduled working hours will be paid at the non-exempt employee's regular hourly rate. However, if such a meeting or training session increases the number of hours actually worked in that workweek to more than forty (40), those additional hours will be paid at one and one-half times the regular hourly rate.

Ordinary travel between home and work is not hours of work.

For exempt employees, travel to and from training will be paid at the employee's regular rate of pay. For non-exempt employees, any mandatory meetings, training sessions, or travel to and from training that increases the number hours actually worked to more than 40 will be paid at one and one-half times the regularly hourly rate.

## Section 5 – Leaves of Absence

### 5.1 FAMILY AND MEDICAL LEAVE ACT

In accordance with the Family and Medical Leave Act (FMLA) of 1993 (29 U.S.C. § 2601 et seq.), certain employees may be eligible to take job-protected leave from work for up to 12 weeks in a 12-month period for qualifying reasons.

***Eligibility for FMLA Leave***

To be eligible to take leave under FMLA, you must meet the following requirements:

- You have been employed by the City of Galena for at least 12 months (with no break in service of seven or more years, except: (a) if such break in service is related to qualifying military obligations; and/or, (b) as otherwise provided in a collective bargaining agreement or other written agreement); ~~and,~~
- You have worked at least 1,250 hours during the 12-month period preceding the start of the leave; and,
- You work at or report to a work site which has 50 or more employees within a 75-mile radius of that work site.

***Qualifying Reasons for FMLA Leave***

Eligible employees may only use FMLA leave for one or more of the following qualifying reasons:

- Because of the birth of your child and in order to care for such child (within 12 months after the birth of the child);
- Because of the placement of a child with you for adoption or foster care (within 12 months of the placement of the child);
- In order to care for your spouse, child, or parents if they have a serious health condition;
- Because of a serious health condition that makes you unable to perform the functions of your job; or,

- Because of any "qualifying exigency" (as defined by the U.S. Secretary of Labor) arising out of the fact that your spouse, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces (retired member only), National Guard, or Reserves in support of a contingency operation.

***Serious Health Condition***

For purposes of this policy, a "serious health condition" means an illness, injury, impairment, or physical or mental condition involving one of the following:

- Hospital Care – Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity relating to the same condition;
- Absence Plus Treatment – A period of incapacity of more than three full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (a) treatment two or more times (within 30 days and provided the first visit takes place within seven days of the first day of incapacity) by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or, (b) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (first visit to health care provider must take place within seven days of the first day of incapacity);
- Pregnancy – Any period of incapacity due to pregnancy or for prenatal care;
- Chronic Conditions Requiring Treatment – A chronic condition which requires at least two periodic visits for treatment per year by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; which condition continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-Term Conditions Requiring Supervision – A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
- Multiple Treatments (non-chronic conditions) – Any period of incapacity to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three full consecutive calendar days in the absence of medical intervention or treatment.
- Qualifying Exigency Leave – If you are an eligible employee (as defined above), you are entitled to take up to 12 weeks of unpaid FMLA leave for any qualifying exigency arising out of the fact that a covered military member is on active duty or called to active duty status. The leave described in this section is available during a 12-month rolling period and may be taken on an intermittent or reduced leave schedule basis. You will be required to provide a copy of the covered military member's active duty orders or other documentation issued by the military

that indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation and the dates of the covered military member's active duty service. Eligible employees may take all 12 weeks of their FMLA leave entitlement as qualifying exigency leave or the employee may take a combination of 12 weeks of leave for both qualifying exigency leave and leave for a serious health condition (as defined above).

***With Respect to a Qualifying Exigency Leave***

A "covered military member" means your spouse, son, daughter, or parent who is on active duty or called to active duty status.

A "qualifying exigency" includes the following broad categories: (a) short notice deployment; (b) military events and related activities; (c) childcare and school activities; (d) financial and legal arrangements; (e) counseling; (f) rest and recuperation; (g) post deployment activities, including reintegration activities, for a period of 90 days following the termination of active duty status; and, (h) additional categories that are agreed to by the employer and employee within this phrase.

The phrase "son or daughter" is defined as your biological, adopted or foster child, stepchild, legal ward, or child for whom you stood in loco parentis, of any age for qualifying exigency leave, who is on active duty or called to active duty status. (Note: This definition is different from other sections of this policy).

A "parent" means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to you when you were a son or daughter but it does not ~~included~~include "parents-in-law."

***Military Caregiver Leave***

If you have been employed by the City of Galena for at least 12 months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, and you work at or report to a work site which has 50 or more employees within a 75-mile radius of that work site, and you are a spouse, child (of any age for military caregiver leave), parent, or next of kin of a covered service member, as defined below, you are entitled to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the covered service member (including 12 workweeks for any other FMLA qualifying reason). The leave described in this section will only be available during a single 12-month period beginning as of the date the leave commences and ending 12 months after that date (and any unused amounts are forfeited). Military caregiver leave may be permitted more than once if necessary to care for a different covered service member (or the same covered service member with multiple or subsequent injuries or illnesses) up to a combined total of 26 workweeks in a 12-month period. However, your total available leave time in any single 12-month period generally may not exceed a combined total of 26 workweeks (including FMLA leave taken for any other reason); except as provided under FMLA regulations. You will be required to timely submit any requested documentation as a condition of receiving approved military caregiver leave; except as provided under FMLA regulations. (Note: the 12-month computation period for this type of leave differs from the other types of FMLA leave.)

***With Respect to Military Caregiver FMLA Leave***

"Covered service member" means a member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy from an injury or illness occurring in the line of active duty and/or during active duty, who is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

"Outpatient status" means the status of a member of the armed forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the armed forces receiving medical care as outpatients.

"Next of kin" means the nearest blood relative of that individual (regardless of age) other than an employee's spouse, son or daughter. You are required to provide confirmation of the relationship upon request. The service member may designate the blood relative who is considered their next of kin; otherwise, the following order generally will apply: blood relatives granted custody by law, brother/sister, grandparents, aunts/uncles and then first cousins.

"Serious injury or illness" means an injury or illness incurred by the service member in the line of duty on active duty in the armed forces that may render the service member medically unfit to perform the duties of the member's office, grade, rank or rating.

***Additional Rules and Procedures for FMLA Leave***

Spouses – If your spouse also works for the City of Galena and you both become eligible for leave due to the birth, adoption, or foster care placement of a child as described above, or for the care of a sick spouse, child, or parent, the two of you together will be limited to a combined total of 12 workweeks of leave in any rolling 12-month period. In addition, if you and your spouse both become eligible for leave under the military caregiver family leave provision or under a combination of the service member family leave provision, for any qualifying reasons for FMLA leave (other than for the serious health condition of either you or your spouse, child, or parent), or to care for your parent with a serious health condition, the two of you together generally will be limited to a combined total of 26 workweeks of leave in any single 12-month period, but if the leave taken by you and your spouse includes leave for any qualifying reasons for FMLA leave, that leave will be limited to a combined total of 12 workweeks of leave in any rolling 12-month period.

Medical Certification – Any request for a leave for the serious health condition of either you or your spouse, child, or parent, or under the service member family leave provision above must be supported by certification issued by the applicable health care provider or the U.S. Department of Defense. You are required to submit this information on the forms provided to you by the City of Galena or on the Invitational Travel Orders or Authorizations provided to you by the U.S. Department of Defense.

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

You may be required to submit a second medical opinion and periodic recertification to support the continuation of such leave (except as otherwise provided by the U.S. Department of Labor). If the first

and second opinions differ, a third opinion can be obtained from a health care provider jointly approved by both you and the City of Galena (unless you accept the second opinion as determinative).

Intermittent Leave – If certified as medically necessary for the serious health condition of either you or your spouse, child, or parent, or to care for a covered service member if you are a spouse, child, parent, or next of kin to the covered service member, leave may be taken on an intermittent or reduced leave schedule. Intermittent leave also may be taken if you qualify for leave because of a qualifying exigency arising out of the fact that your spouse, child, or parent is on active duty in support of a contingency operation, subject to the submission of a certification prescribed by the U.S. Secretary of Labor. If leave is requested on an intermittent basis, however, you may be required to transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.

Light Duty Work Assignments – While voluntarily performing in a light duty capacity while on FMLA leave, that time does not count against your 12-week FMLA allotment. In effect, your right to restoration is held in abeyance during the period of time that you are performing in a light duty capacity (or until the end of the applicable 12-month FMLA leave year if longer).

Notification and Reporting Requirements – All requests for leaves of absence must be submitted to your supervisor or the appropriate member of management at least 30 days in advance of the start of the leave, except when the leave is due to an emergency or is otherwise not foreseeable. If the leave is not foreseeable, you must provide notice as soon as practicable, which generally means either the same day or the next business day that you learn of the need for leave, in the absence of any unusual circumstances. A delay in submitting an FMLA leave request may result in a loss of FMLA protections and/or a delay of the start of your leave. Your supervisor will forward the request to the appropriate member of management for approval.

You must respond to our questions relative to your leave request so that we can determine if the leave qualifies for FMLA protection; failure to do so may result in loss or delay of FMLA protections. If you are seeking leave due to an FMLA-qualifying reason for which you have previously been granted FMLA-protected leave, you must specifically reference the qualifying reason or need for FMLA leave at the time of your request to be away from work. It is not sufficient to simply “call in sick” without providing additional information indicating that your absence/time away from work may qualify as an FMLA qualifying event. In all cases in which you are seeking leave under this policy, you will provide such notice consistent with established call-in procedures so long as no unusual circumstances prevent you from doing so. Failure to comply with the call-in procedures may result in a delay or denial of FMLA protected leave.

You must make an effort to schedule a leave so as not to disrupt business operations. During the leave, you may be required to report periodically on your status and your intention to return to work. Any extension of time for your leave of absence must be requested in writing prior to your scheduled date of return to work, together with written documentation to support the extension. Your failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered a resignation of employment effective as of the last date of the approved leave. Employees on ~~leaves~~leave for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work. Your maximum time on a leave of absence, all types combined, and including all extensions, cannot exceed a total of 12 weeks

in a rolling 12-month period, unless you are a spouse, child, parent, or next of kin on leave to care for a covered service member, in which case your leave can last for up to 26 workweeks in a single 12-month period.

An employee will not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action up to and including termination. A leave of absence will not affect the continuity of your employment. Your original date of employment remains the same for seniority purposes. However, you will not accrue any benefits during the period you are on a leave.

Employee Benefits during FMLA Leave – You will be permitted to maintain health and dental insurance coverage for the duration of the leave under the same conditions coverage would have been provided if you had remained actively at work. However, you must make arrangements for the continuation of and payment of insurance premiums before you go on leave status. If you do not return to work after the leave, or if you fail to pay your portion of the premiums, you will be required, under certain circumstances, to reimburse the City of Galena for the costs and expenses associated with insuring you during the leave.

Return From FMLA Leave – If you return from your leave on or before being absent for 12 workweeks in a rolling 12-month period or 26 workweeks during a single 12-month period if you took a leave under the service member family leave provision, you will be restored to the same or to an equivalent position to the one you held when the leave started. Of course, you have no greater right to reinstatement or to other benefits and conditions of employment than if you had been continuously employed during the FMLA leave period. In determining whether a position is equivalent we look at whether the position had substantially similar terms and conditions of employment and whether the position entails similar duties, skills, efforts, responsibilities, authority, privileges, and status. The alternative position should be at the same worksite or a nearby worksite with a similar work schedule. However, the employee does not need to be reinstated in a position with the same job title or in the same physical office or cubicle as the prior position.

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

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

Key Employees – Certain highly compensated key employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to operations. A "key" employee is a salaried employee who is among the highest paid 10% of employees at that location, or any location within a 75-mile radius. Employees will be notified of their status as a key employee, when applicable, after they request a FMLA leave.

Coordination With Other Policies – The City of Galena may require you to substitute any accrued paid time off, including vacation days and sick days (if you otherwise qualify), for unpaid leave under this policy, and any such paid time off must be taken concurrently with your family and medical leave. If you otherwise qualify for disability pay, you will collect it at the same time you are on unpaid family and medical leave.

Further, if you otherwise qualify for any other type of leave of absence, you must take that leave at the same time as you are taking FMLA leave. All time missed from work that qualifies for both FMLA leave and for workers' compensation will be counted toward your FMLA leave. To receive any type of paid time off benefit while on FMLA leave, you may be required to meet the conditions for taking the paid leave.

Anti-Retaliation Provisions – Employees will not be retaliated against for exercising their rights under the FMLA. If you believe you have been subjected to any unlawful discrimination or retaliation, you should promptly register a complaint with your supervisor or the appropriate member of management.

## 5.2 BEREAVEMENT LEAVE

Except as otherwise provided in this Handbook, the City of Galena may grant up to three workdays of paid leave to regular full-time employees in the event of the death of an immediate family member to attend the funeral (or alternative to a funeral) of the employee's immediate family member, make arrangements necessitated by the death of an employee's immediate family member, or grieve the death of the employee's immediate family member. For purposes of this policy, an employee's "immediate family member" will be defined as the employee's spouse, domestic partner, parents, sibling, children, grandchildren, grandparents, mother-in-law, father-in-law, brother-in-law, daughter-in-law, son-in-law, stepparents, or any other relative within the first degree living in the same household.

This leave should be completed within 60 days after the date on which the employee receives notice of the death of the family member. The City of Galena may require reasonable documentation to support any requested bereavement leave, which may include a death certificate, a published obituary notice, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.

Nothing in this policy will be interpreted as increasing the total amount of time off available to an employee under FMLA or any other policy.

## 5.3 FAMILY BEREAVEMENT LEAVE ACT

~~The Family Bereavement Leave Act (FBLA) guarantees two weeks, or 10 working days,~~Except as otherwise provided in this Handbook, the City of Galena may grant up to 2 weeks or 10 workdays of unpaid ~~leave following the death of a family member. This time is meant to be used to handle planning and attending a funeral or similar service, as well as to grieve.~~

~~Employees can use~~ bereavement leave to attend the ~~funerals~~funeral or ~~services~~alternative to a funeral of a ~~child, step-child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or step-parent.~~
covered family member, make arrangements necessitated by the death of the covered family member, grieve the death of the covered family member, or be absent from work due to: (i) a miscarriage; (ii) an ~~Bereavement leave can be used due to:~~

- ~~A miscarriage,~~
- ~~An~~ unsuccessful round of intrauterine insemination ~~(IUI),~~
- ~~An unsuccessful round~~or of ~~any "~~an assisted reproductive technology procedure~~" like in vitro fertilization (IVF),~~
- ~~A~~; (iii) a failed- adoption- match~~,~~
- ~~An~~ or an adoption that is not finalized because it is contested~~,~~
- ~~A~~ by another party; (iv) a failed surrogacy agreement~~,~~
- ~~A~~; (v) a diagnosis that negatively impacts pregnancy or fertility~~,~~; or
- ~~A~~, (vi) a stillbirth.

~~You~~An employee may also be ~~asked for documents showing you have experienced~~ granted one workday of ~~the above circumstances to qualify for~~ leave ~~under~~due to the death of a relative outside the ~~FBLA. According to~~ immediate family or household. This would include an employee's aunt, uncle, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, son-in-law and cousin (within the first degree).

Bereavement leave ~~FBLA,~~must be completed within 60 days after the date on which the employee receives notice of the death of the family member. The City of Galena may require reasonable documentation ~~includes:~~to support any requested bereavement leave, which may include a death certificate, a published obituary notice, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency. Other acceptable forms of documentation may include documentation from the adoption or surrogacy organization that the employee worked with; medical documentation certifying that the employee or his or her spouse or domestic partner has experienced an event listed. Employees are not required to identify which category of event the leave pertains to.

- ~~A form from the doctor or medical professional who gave the treatment,~~
- ~~Documentation from the adoption agency showing a failed match or contested adoption, or~~
- ~~Documentation from the surrogacy agency showing a failed surrogacy agreement.~~

An employee shall provide the employer 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. In the event of the death of more than one covered family member 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.
For the purposes of this Section, an "immediate family member" is defined as an employee's husband, wife, domestic partner, mother, father, brother, sister, children, grandchildren, grandparents, mother-in-law, father-in-law, stepparents, or any other relative within the first degree living in the same household.

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For the purposes of this Section, an employee's "child" is defined as the employee's son or daughter who is the biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*. Further, employees will be covered for pregnancy loss, failed adoptions or surrogacy agreements, unsuccessful reproductive procedures, and other diagnoses or events negatively impacting pregnancy or fertility.

## 5.4 LEAVE UNDER THE VICTIMS' ECONOMIC SAFETY AND SECURITY ACT

The Victims' Economic Security and Safety Act (VESSA) provides an employee ~~who is~~, if they or a covered family or household member are a victim of domestic ~~or~~, sexual or gender violence, or ~~who has a family or household member who is a victim of domestic or sexual~~any other crime of violence, with up to 12 weeks of unpaid leave per any 12-month period.

For the purposes of this Section, a "family or household member" shall include a spouse, party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee and persons jointly residing in the same household.

For the purposes of this Section, a "crime of violence" shall include homicide, sex offenses, bodily harm, harassing and obscene communications, terrorism and armed violence.

VESSA leave may be taken intermittently or on a reduced leave schedule. VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA, which also qualifies under the FMLA, will be simultaneously designated as both VESSA and FMLA leave.

***Qualifying Reasons for VESSA Leave***

Eligible employees may use VESSA leave for the following reasons:

- To seek medical attention for, or recovery from, physical or psychological injuries caused by domestic violence to the employee or the employee's family or household member;
- To obtain victim services for the employee or employee's family or household member;
- To obtain psychological or other counseling for the employee or the employee's family or household member;
- To participate in safety planning, including temporary or permanent relocation or other actions to increase the safety of the victim from future domestic or sexual violence; and/or,
- To seek legal assistance to ensure the health and safety of the victim, including participating in court proceedings related to the violence.
- ~~Employees are eligible to take this leave if the victim of domestic or sexual violence is: (a) the employee themselves; (b) a covered family member (spouse, child, parent); or, (c) a person jointly residing in the employee's household.~~

***Notice Requirements***

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Employees must provide their supervisors and/or the appropriate member of management with at least 48 hours' notice in advance of taking VESSA leave unless doing so is not practicable under the circumstances. If an unscheduled absence occurs which an employee desires to be covered under VESSA leave, the employee must, upon request and within a reasonable period of time after the absence, comply with the certification requirements below. Failure to do so, may result in the absence being treated as unexcused and/or other disciplinary action.

***Certification Requirements***

An employee requesting VESSA leave must ~~be able to~~ provide the following, if the employee has possession of such documents:

- A sworn statement by the employee showing that the leave qualifies for a purpose covered by VESSA; and,
- Written documentation from the source from whom assistance was sought or who could otherwise verify the nature of the leave, such as documentation from: A representative of a victims' services organization, an attorney, a member of the clergy, or a medical or other professional, from whom the employee has sought services on behalf of a covered victim to address domestic or sexual violence or the effects of such violence;
- A police or court record; and/or,
- Other corroborating evidence.

~~If an employee fails to produce adequate certification within a reasonable time period after it is requested, or if the certification does not confirm a VESSA-qualifying purpose, the employee's absence will be treated as unexcused and/or may result in disciplinary action up to and including termination.~~Employees shall have the right to make the decision as to which documentation is provided for certification; however, the City of Galena will not request or require more than one document to be submitted during the same 12-month period leave is requested or taken if the leave is related to the same incident(s) of violence or the same perpetrator(s) of the violence. If an employee is unable to return to work for reason related to the need for leave, the City of Galena may request certification from the employee. Again, in this case, the employee can choose which document to submit, and the City of Galena will not require or request that more than one document be submitted.

***Pay and Benefits***

VESSA leave is unpaid. However, employees may be required or permitted to use their accrued vacation days in lieu of taking otherwise unpaid leave under this policy. During an approved VESSA leave, an employee's health benefits will continue as if they continued to be actively employed. If an employee uses accrued vacation days in lieu of taking otherwise unpaid leave, the employee's portion of any applicable health plan premium will be deducted from their paycheck. If the leave is unpaid, the employee must pay their portion of any applicable health plan premium during the leave. Group health care coverage may cease if the employee fails to make timely payments of their portion of the premium(s). Benefits, including vacation days and sick days, will not accrue while an employee is on unpaid VESSA leave. However, employees who take VESSA leave will not suffer loss of seniority or any other benefits previously accrued.

***Return from VESSA Leave***

Employees who timely return to work following approved VESSA leave will be restored to the same or an equivalent position. Employees who fail to timely return to work may be subject to disciplinary action up to and including termination. Employees will not be retaliated against for exercising their rights under VESSA. If you believe you have been subjected to any unlawful discrimination or retaliation, you should promptly register a complaint with your supervisor or the appropriate member of management.

## 5.5 MILITARY LEAVE

The City of Galena will grant leave from employment to eligible full-time and part-time employees who are members of any active or reserve component of the U.S. armed services, any "military service" as defined in the Illinois State Guard Act (20 ILCS 1815/0.01 et seq.), or the National Guard of any state for any period actively spent in military service, whether voluntary or involuntary, including basic training, annual training, and special or advanced training.

Military leave will be uncompensated, except to the extent required by Article 5 of the Illinois Service Member Employment and Reemployment Rights Act (330 ILCS 61/1-1 et seq.). Employees may use their accrued vacation days in lieu of taking otherwise unpaid leave under this policy.

***Notice***

Employees will provide their supervisor with advance notice of the need for military leave, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Unless otherwise provided by law, such leave will not exceed a cumulative period of five years.

***Health Benefits during Military Leave of Absence***

Unless otherwise provided by law, employees who are on military leave in excess of 31 days may elect to continue their employer-sponsored health insurance coverage for up to 24 months. Upon return from military leave, employees will be entitled to reinstatement of health insurance benefits. Employees who take military leave will not suffer loss of seniority or any other benefits previously accrued.

**Military Leave for Training Purposes**

Employees who are members of any reserve component of the U.S. armed services, any "military service" as defined in the Illinois State Guard Act (20 ILCS 1815/0.01), or the National Guard of any state, will be granted leave for any period actively spent in military service, including:

- Basic training;
- Special or advanced training, whether or not with the state, and whether or not voluntary;
- Annual training; and,
- Any other training or duty required by the U.S. armed forces.

During leaves for annual training, full-time employees who are in the Reserves will continue to receive their regular compensation.

During leaves for basic training, for up to 60 days of special or advanced training, and for any other training or duty required by the U.S. armed forces, full-time employees who are in the Reserves will receive their regular compensation minus the amount of their base pay for military activities if their daily rate of compensation for military activities is less than their daily rate of compensation as a full-time employee. Calculations under this section will be made in accordance with applicable law.

During leaves for basic training, full-time employees who are in the Reserves will continue to accrue seniority and other applicable benefits.

The City of Galena recognizes and fully complies with the provisions listed in the Illinois Service Member Employment and Reemployment Rights Act (330 ILCS 61/1-1 et seq.).

***Employees in the Reserves Who Are Called to Active Duty***

Employees who are members of any reserve component of the U.S. armed services, any "military service" as defined in the Illinois State Guard Act (20 ILCS 1815/0.01 et seq.), or the National Guard of any state, and who are mobilized to active military duty as a result of an order of the President of the United States, will continue to receive their compensation as an employee for the duration of their active military service, as well as any health insurance and other benefits they were receiving or accruing at the time they were mobilized to active military duty minus the amount of their base pay for military service.

***Returning From Military Leave***

Employees wishing to return to their employment following military leave must report back to work or make a request for reemployment within the timeframe set by law. Employees who have been on leave for less than 31 days must report for work by the beginning of the first regularly scheduled work day that would fall eight hours after the employee returns home from the place of military service. Employees who have been on leave for 31-180 days must make a request for reemployment no later than 14 days following the completion of their military service. Employees who have been on leave for more than 180 days must make a request for reemployment within 90 days following the completion of their military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible, unless otherwise provided for by law. An employee's failure to timely report for work or make a request for reemployment may be grounds for the denial of reinstatement and may result in discipline up to and including termination.

## 5.6 LEAVE FOR ELECTED OFFICIALS

Any employee who is an elected official of a unit of local government or school district will be granted leave from work to attend an official meeting of a public body to which the employee has been elected, plus any necessary travel time. Employees wishing to take leave under this policy must provide their supervisors with least 24 hours' advanced notice. Leave under this policy will be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

## 5.7 JURY DUTY LEAVE

Any employee who has been duly summoned for jury duty for either petit or grand jury service or as a subpoenaed court witness will be granted leave to serve upon the jury for which such employee is summoned. An employee summoned for jury duty must deliver to their supervisor or the appropriate member of management a copy of the summons within 10 days of the date of issuance of the summons to the employee. Employees may be required to provide proof of the number of days served by submitting a copy of the summons or subpoena and other relevant documentation to their supervisor and/or an appropriate member of management. An employee shall receive compensation that will equal the difference between the employee's regular pay and compensation paid for jury duty or witness fees.

## 5.8 VOTING LEAVE

An employee will be permitted to take a two hour leave of absence from work to vote in a general or special election or at any election at which propositions are submitted to a popular vote in the event the employee's working hours begin less than two hours after the opening of the polls and end less than two hours before the closing of the polls. An employee's supervisor may specify the hours in which an employee may take this leave. All requests for voting leave must be made to the employee's supervisor and/or the appropriate member of management prior to the date the leave is taken. Leave under this policy will be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

## 5.9 BREAKS FOR NURSING MOTHERS

Reasonable break times will be provided each day to an employee who needs to express breast milk for the employee's infant child. The break time must, if possible, run concurrently with any break time already provided to the employee. Reasonable efforts will also be made to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee can express milk in privacy. Leave under this policy will be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

## 5.10 LEAVE UNDER THE ILLINOIS SCHOOL VISITATION RIGHTS ACT

Employees who have worked for the City of Galena for six consecutive months will be granted up to eight hours of unpaid leave per school year, with no more than four hours being taken in one day, to attend school conferences or classroom activities related to the employee's child if the conference or classroom activities cannot be scheduled during nonworking hours. Employees are only entitled to leave under this policy if they have exhausted all accrued vacation leave. Employees must provide their supervisors with a written request for leave at least seven days in advance of when the leave is to be

taken, except for emergency situations in which case at least 24 hours' notice will be required. Reasonable efforts will be made to accommodate an employee who wishes to make up any time missed after taking leave under this policy. Leave under this policy will be unpaid unless otherwise approved by an employee's supervisor and/or the appropriate member of management.

### 5.11 EMPLOYEE BLOOD DONATION LEAVE

Regular full-time employees who have been employed by the City of Galena for at least six months will be entitled to up to one hour of blood donation leave, with pay, every 56 days. The employee will submit a written request for leave before donating or attempting to donate blood. Medical documentation of the appointment to donate blood will be provided at the time of said written request. The employee may be required to provide a written statement from the blood bank confirming that the employee donated blood.

### 5.12 LEAVE WITHOUT PAY

Upon request of an officer or employee, leave of absence without pay may be granted by the Mayor, taking into consideration good conduct, length of service and efficiency of the employee and the general good of the employee and the general good of the municipal service. Such leave of absence will not exceed a period of 90 days; provided that the same may be extended beyond such period if for continued disability or other good and sufficient reasons, but in no case will the leave exceed one year except when the employee is detailed for military service or is disabled for disability incurred while in the service of the city. No vacation or sick leave benefits will accrue during a period of leave of absence without pay unless as specified in Section 5.5 Military Leave.

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## Section 6 – Benefits

All leave time in this section is based on an employee working five 40-hour days. If an employee works anything other than that, the leave time will need to be adjusted.

Benefit eligibility is dependent upon your employee classification as outlined in this handbook. All employees are covered under the programs prescribed by law, such as Social Security, Workers' Compensation and Unemployment Insurance. Some benefit programs require contributions from the employee.

### 6.1 HOLIDAYS

The following legal holidays will be observed as paid holidays for city employees:

- New Year's Eve;
- New Year's Day;

- Martin Luther King Jr. Day;
- President's Day;
- Good Friday;
- Memorial Day;
- Independence Day;
- Labor Day;
- Columbus Day;
- Veterans Day;
- Thanksgiving;
- Friday after Thanksgiving;
- Christmas Eve; and,
- Christmas

| Holiday | Holiday falls on | Day observed |
|---|---|---|
| New Year's Eve | Saturday or Sunday | Friday |
| New Year's Day | Saturday or Sunday | Monday |
| Independence Day | Saturday | Friday |
| Independence Day | Sunday | Monday |
| Veterans Day | Saturday | Friday |
| Veterans Day | Sunday | Monday |
| Christmas Eve | Saturday or Sunday | Friday |
| Christmas | Saturday or Sunday | Monday |

The collective bargaining contracts will dictate how holidays are paid for employees subject to the contracts.

## 6.2 VACATION

Vacation time is earned and available for use by all employees as described in this Section. For purposes of this Handbook, "vacation time" and/or "vacation leave" shall represent "paid leave" as described in the "Illinois Paid Leave for All Workers Act," 820 ILCS 192, *et seq.*

Full-time employees shall begin earning vacation time at the start of their employment, requests for paid vacation may not be granted until after an employee completes 90 days of continuous employment.

As vacation leave is granted to employees for a period of recreation, no employee will be permitted to waive such leave for the purpose of receiving double pay.

Regular full-time employees ~~will be entitled to~~shall accrue vacation ~~earned~~time by years of service based on the employee's anniversary date, as follows:

- One (1) hour for every 40 hours of actual work, up to a maximum of 40 hours, during the first year of employment;
- 5 days (40 hours) with pay after 90 days of employment;
- 10 days (80 hours) with pay after 1 year of employment;
- 15 days (120 hours) with pay after 10 years of employment;
- 20 days (160 hours) with pay after 15 years of employment;
- 21 days (168 hours) with pay after 20 years of employment;
- 22 days (176 hours) with pay after 22 years of employment;
- 23 days (184 hours) with pay after 24 years of employment;
- 24 days (192 hours) with pay after 26 years of employment;
- 25 days (200 hours) with pay after 28 years of employment.

Part-Time and Temporary Employees – Part-time and temporary employees accrue one (1) hour of vacation time for every 40 actual work hours, up to 40 hours per 12-month period. Vacation leave accrued by part-time and temporary employees may be used only after 90 days of employment.

Unused Paid Vacation Time –A maximum of 25 days (200 hours) of unused paid vacation time ~~can~~may be carried over from year to year for regular full-time employees.

Requests to Use Vacation Time – ~~All requests to use vacation time should be made in writing as early as possible, but no later than seven workdays prior to the date(s) of the requested vacation time. Requests that are not submitted timely may be denied. All requests for vacation must be approved by an employee's supervisor and/or department head. Requests to use vacation time may be denied depending upon staffing levels and other operational needs. Employees must use at least 50 percent of their vacation time in the year it is earned.~~Vacation time may be used for any reason and may be taken at any time, subject to the City of Galena's operational requirements, as determined by the City of Galena's City Administrator and described below. If an employee's use of vacation time is foreseeable, he/she must provide seven (7) calendar days' notice to his/her supervisor. If an employee's use of vacation time is unforeseeable, then the employee must provide written notice to his/her supervisor as soon as practicably possible after the employee is aware of the necessity of the vacation leave. The City of Galena shall grant an employee's request to use vacation time even if it does not meet the foreseeability requirements, except when granting such vacation time will impede the City of Galena's core operational needs for the requested time period. In determining whether a request for vacation leave will be denied on this basis, the City of Galena shall consider the following factors:

- Whether the City of Galena provides a need or service critical to the health, safety or welfare of the people of Illinois.
- Whether similarly situated employees are treated the same for purposes of reviewing, approving and denying vacation time.
- Whether granting vacation time during this particular time period would significantly impact the City of Galena's business operation due to its size.
- Whether the employee has adequate time to use all vacation time to which he/she is entitled over a 12-month period.

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In the event an employee's request for vacation time is denied, the City of Galena will maintain a record of each request that is denied and the reason for the denial.

Regular full-time employees must use at least 50 percent of their vacation time in the year it is earned.

The Police Chief and Lieutenants follow the vacation policy as outlined in the most recent ~~Agreement with the City of Galena, the Galena Police Officer Unit and the Illinois FOP Labor Council~~collective bargaining police agreement.

The City Council may modify the vacation schedule at its discretion.

Transfer – An employee transferring to a separate division, entity, or location will retain their accrued paid leave.

**See the Vacation or Comp Time Request – Exhibit I**

### 6.3 SICK LEAVE

**Accrual of Sick Leave –** Immediately upon hire, the employee shall accrue one sick day per month to be credited at the beginning of each month. Employees may accumulate no more than 90 sick days. The Mayor will determine whether a person will be allowed to carry a deficit of sick leave. In no case can more than 12 days of sick leave be used in advance without City Council approval.

**Permitted Uses –** Sick days may only be used for absences due to an illness, injury, personal care, or medical appointment of the employee or the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent. "Personal care" includes activities to: (i) ensure that the family member's basic medical, hygiene, nutritional, or safety needs are met; (ii) provide transportation to medical appointments for a family member who is unable to meet their own needs; or, (iii) being physically present to provide emotional support to a family member with a serious health condition who is receiving inpatient or home care. Claiming sick leave when physically fit, except as permitted by this section, may be cause for disciplinary action, including transfer, suspension, demotion or dismissal.

**Notification Requirements –** Employees must notify their supervisors of their intention to use a sick day prior to the start of their scheduled workday. Failure to do so may result in the absence being considered an unpaid, unexcused absence and/or subject to other disciplinary action. Employees should schedule all non-emergency medical appointments outside of the employee's working hours. However, if an employee needs to use a sick day for a pre-scheduled, non-emergency medical appointment, the employee should notify their supervisor at least five workdays in advance of using the sick day.

**Medical Certification –** Under certain circumstances, an employee who uses one or more sick days may be required to furnish a certificate from a licensed physician supporting the employee's need for the sick day(s). Such medical certification should only state the date on which the employee was examined, whether the employee's absence from work is/was medically necessary, and the date on which the employee is reasonably expected to return to work. Circumstances under which an employee may be required to produce medical certification include, but are not necessarily limited to, if the employee uses sick days for three consecutive workdays or if the employee uses a sick day on the day of, before,

or after a holiday or vacation day. If an employee fails to provide requested medical certification to substantiate their need for a sick day, the employee will not be paid for the day and the absence may be considered unexcused.

## 6.4 SICK LEAVE BANK

***Introduction***

The Galena City Council, in cooperation with the employees of the City of Galena, has established a Sick Leave Bank plan (hereinafter called plan) as a matter of city policy. The intent of the plan is to provide extended sick leave to eligible employees who ~~incur~~experience a period of prolonged personal illness or disability themselves or of their spouse or minor child residing in their household. The Finance Director will administer the Sick Leave Bank. Eligible personnel participation in the plan will be on a voluntary basis, subject to the following conditions:

***Eligibility***

New employees will be permitted to participate in the plan provided written notice of intent to participate is given to the Finance Director within thirty (30) days of the first day of employment.

Eligible personnel who fail to give timely written notice of intent to participate will be forever precluded from participation in the plan.

***Donation of Days***

Each participating employee, upon giving timely written notice of intent to participate, will be required to immediately donate two (2) days of sick leave to the bank.

In addition to the initial donation of days, each participating employee will be required to donate up to two (2) days of sick leave to the bank at the beginning of each fiscal year. If a reserve of one hundred twenty (120) or more days exist in the bank, no employee donation will be required for that fiscal year.

In the event the bank is depleted, no more sick days from the Sick Leave Bank will be granted for that fiscal year.

Nothing in this policy will be constructed to obligate the city to loan Sick Leave Days to the bank for any reason/s whatsoever.

***Illness or Disability***

This plan will be applicable solely to the illness or disability of an employee ~~and not to the serious illness or death of any other person(s).~~or employee's spouse or minor child residing in the household. This plan is not to be used for bereavement leave.

This plan will not be applicable to any employee illness or disability that occurs during an unpaid leave of absence or which is covered under a workers' compensation plan.

This plan will not be applicable to any illness or disability for which the participating employee does not provide the Finance Director with written evidence from a physician that the employee or employee's spouse or minor child residing in the household cannot return to work. Such evidence will state the nature of such illness or disability. If possible, such written evidence must be submitted prior to the onset of the use of Sick Leave Bank days.

***Prerequisites for use of Sick Leave Bank Days***

A participating employee must have exhausted all individual accumulated sick leave, vacation days and comp time accrued before any Sick Leave days can be drawn from the Sick Leave Bank.

A participating employee who qualifies may draw from the Sick Leave Bank during any fiscal year with the following limitations:

| *Years of Service for City of Galena* | *Number of Work Days* |
|---|---|
| 0 – 5 Years | 30 Days |
| 6 -10 Years | 40 Days |
| 11 Years and Over | 60 Days |

A participating employee who has been granted use of Sick Leave Bank days will not become eligible for use of Sick Leave Bank days in any subsequent year unless and until such employee has returned to full time service for at least ninety (90) days.

***Withdrawal***

A participating employee may voluntarily withdraw from future participation in the plan provided written notice of intent to withdraw is given the Finance Director five (5) days prior to the date on which withdrawal is desired. Such withdrawal will forever preclude such employee from future participation in the plan.

An employee will be involuntarily withdrawn from participation in the plan upon the employee's separation from city employment.

In the event a participating employee is withdrawn from the plan, whether voluntarily or involuntarily, such employee will not be permitted to withdraw any sick leave days which were previously donated to the plan.

The City Council retains the right to terminate the plan at its discretion. In the event the City Council does terminate the plan, the total number of days remaining in the bank will be divided by the number of participating employees who have under ninety (90) days of sick leave accrued. The quotient derived therefrom will be rounded off to the lowest whole number and be credited to the accumulated personal sick leave days of each such employee.

The Sick Leave Bank must have at least fifty percent (50%) of the eligible city employees participating. Failure to meet this fifty percent (50%) membership will terminate the plan.

***Hold Harmless***

The employees of the City of Galena agree, with respect to the operation of the Sick Leave Bank, that it will hold harmless and defend the City Council and the Finance Director as regards any action, complaint or suit of any type. However, the City Council will fulfill its responsibilities as set forth above. In the event any action, complaint or suit of any type in any forum will be brought against the Council or Finance Director, the City Council will retain the exclusive right to select counsel to defend such action, complaint or suit and/or to determine whether such action, complaint or suit should be compromised or settled.

## 6.5 SICK LEAVE BANK FOR RETIREMENT PREMIUMS

***Purpose***

The purpose of this policy is to provide the guidelines for the Sick Leave Bank for Retirement Premiums for Non-Union Employees. The policy is intended to communicate the policy to employees and to be used for the implementation, administration, and interpretation of the described employee benefit.

***Benefit description***

Each employee shall be authorized to bank up to ninety (90) additional days of sick leave once they have accumulated the maximum number of sick days authorized by city policy (currently 90 days). The additional sick leave may be used solely for offsetting the cost of retirement health, dental and vision insurance. Employees wishing to participate in the Sick Leave Bank for Retirement Premiums shall notify the Finance Director in writing of their intention. Each day of sick leave banked shall be banked using the sum of their hourly wage times eight (8) hours of work. The Finance Director shall keep a record of each employee's Sick Leave Bank for Retirement Premiums in the respective employee's personnel file. Sick leave banked for offsetting the cost of retirement insurance shall be used solely for that purpose. Under no circumstances shall an employee be authorized to bank more than ninety (90) days for this purpose.

***Procedures***

1. The amount accumulated in the Sick Leave Bank for Retirement Premiums shall be held on deposit by the City for paying the retiree's COBRA health insurance premiums or alternative health insurance premiums after retirement and until the retiree is eligible for Medicare. When the retiree is eligible for Medicare, any remaining balance of the Sick Leave Bank for Retirement Insurance Premiums shall be forfeited to the City.

   Notwithstanding the foregoing, employees who have a balance in their Sick Leave Bank for Retirement Premiums as of June 11, 2018, may apply the funds banked to offset health insurance premiums in retirement even if they are Medicare eligible or 65 years or older. However, any funds banked after June 11, 2018 and before Medicare eligibility or age 65 shall

be subject to the restrictions described in Paragraph 1 above. In no case shall funds be banked after the employee reaches Medicare eligibility or age 65.

2. The City shall reimburse the retiree for health insurance premiums paid prior to reaching Medicare eligibility, or after Medicare eligibility in accordance with Paragraph 2 above, only after the retiree submits proof of payment of the premium. Proof of payment shall be submitted not more than 60 days after the payment by the retiree. The City shall reimburse the retiree within 30 days of receiving proof of payment.

3. Not less than 30 days prior to an employee's retirement, the City shall inform the employee in writing of any insurance and other benefits that the retiree may be entitled to in retirement.

4. For purposes of this Agreement, any time the term "retirement" is used herein it shall mean an act whereby an employee voluntarily leaves the employment of the City and begins to collect retirement benefits under the Illinois Municipal Retirement Fund (IMRF) as said employee may so qualify from time to time under the rules and requirements of IMRF.

***Administration***

This policy shall be administered by the City Administrator with assistance from the Finance Director.

In addition, even after the sick leave bank for retirement premiums is exhausted, the retiree may remain on the City group health, dental and vision insurance plans as long as the retiree stays current with premium payments to the City's COBRA administrator.

## 6.6 HEALTH, DENTAL AND VISION INSURANCE

Employees may be eligible for group insurance benefits for themselves and their eligible dependents. Employees may be responsible for paying a percentage of the monthly insurance premium for the type of coverage that they select.

At the start of their employment, or upon request, employees shall be provided with information regarding applicable insurance plan options and premium contributions. Employees should refer to the health plan documents, as amended, for specific coverage information. The cost that is the responsibility of the employee will be deducted equally from the employee's paycheck for the first two pay periods each month.

Insurance benefits are subject to change without notice and no right to continuation of any benefit, coverage, or level of coverage exists. Part-time, seasonal or any employee working fewer than 30 hours per week are not considered full-time employees and are not eligible to participate in the city's group insurance benefits.

## 6.7 HEALTH SAVINGS ACCOUNT

In conjunction with the City's high-deductible health insurance plan, enrolled employees are eligible for deposits into health savings accounts (HSA). The City's HSA employer contribution varies based on individual employee elections. New employees receive pro-rated deposits upon hire, and annual contributions thereafter are deposited at the beginning of each calendar year. In addition to the City contribution, each employee may contribute additional amounts in compliance with current Internal Revenue Service regulations.

### 6.8 ALTERNATIVE HEALTH INSURANCE STIPEND

An alternative health insurance stipend of $1,500 annually is available if you choose not to enroll in the City health insurance plan. New employes receive a pro-rated stipend through payroll upon hire, and annual stipends thereafter are paid with the first payroll of each calendar year.

**See the City's Alternative Employee Insurance Incentive Program Waiver and Application Form – Exhibit J**

### 6.9 ILLINOIS MUNICIPAL RETIREMENT FUND

The Illinois Municipal Retirement Fund (IMRF) provides retirement benefits, disability benefits, and death benefits for qualified employees. Employees may be covered under IMRF if they work more than 600 hours per year and were hired prior to February 3, 2014. Employees hired after February 3, 2014 may be covered under IMRF if they work more than 1,000 hours per year. Information regarding IMRF benefits may be obtained by contacting IMRF at 1-800-ASK-IMRF.

### 6.10 LIFE INSURANCE

All IMRF-eligible employees have death and survivor benefits through IMRF.

In addition, the City of Galena provides each employee with a $15,000 term life policy. Patrol Officers in the Police Department receive a $35,000 term life policy per their collective bargaining agreement. The employee automatically receives this coverage upon the date of hire.

### 6.11 DISABILITY

All IMRF-eligible employees have disability benefits through IMRF.

In addition, the City of Galena provides a disability insurance policy for all its employees. The maximum period to receive disability benefits is 26 weeks. Each employee will receive $100 a week if drawing disability income. The employee cannot draw disability until he or she uses all Sick Leave, Vacation and Comp Time accrued by that employee to date.

The employee cannot draw disability, IMRF or otherwise, until he or she uses all sick leave, vacation and comp time accrued by that employee to date.

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## 6.12 WORKERS' COMPENSATION

An employee with a workers' compensation injury or illness will be entitled to leave as set forth in the Family Medical Leave Act (FMLA).

The City of Galena maintains its own workers' compensation insurance in accordance with Illinois law. The City of Galena will pay for all necessary first aid, medical, and surgical services reasonably required to cure or relieve the effect of any accidental injury or disablement suffered by an employee arising out of, or in the course of, employment with the City of Galena. Employees may seek treatment from their own medical provider for work-related injuries. However, the City of Galena through its agents or workers' compensation administrator, reserves the right to have another medical provider of its choice examine the employee.

**Employee Accident/Injury Reporting –** An employee who suffers an accident and/or injury arising out of, or in the course of, employment must take the following actions:

- Immediately report the accident and/or injury to the employee's supervisor, even if the accident and/or injury does not seem to warrant medical treatment.
- Make a full written report on the employee's condition and the circumstances surrounding the accident or injury, including all witnesses, as soon as possible after its occurrence. The City of Galena may provide reporting forms and the employee may obtain the forms (Illinois Form 45: First Report of Injury and/or any other required forms) from their supervisor.
- Submit Illinois Form 45: First Report of Injury and/or any other required forms to the employee's supervisor as soon as possible after the accident and/or injury, but in no event later than the completion of ~~that~~the following business day.
- Adhere to any drug or alcohol testing requirements.

All employees must follow these procedures. Failure to immediately report an on-the-job accident and/or injury or otherwise comply with this policy may lead to disciplinary action up to and including termination and could lead to the denial of workers' compensation benefits.

## 6.13 CLOTHING ALLOWANCE

The City of Galena will provide non-union employees with an initial clothing allowance of two hundred ($200) dollars to purchase work clothing with the City of Galena logo within the first year of employment. After the first year, the clothing allowance is set at one hundred ($100) dollars per fiscal year. Said expenditure shall proceed through the normal warrant channel and be approved by the City Council.

The Police Chief and Lieutenants follow the clothing, cleaning and equipment allowance as outlined in the most recent collective bargaining police agreement. The Public Works Director follows the uniform allowance as outlined in the most recent collective bargaining public works agreement.

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## Section 7 – Standards of Conduct

The safety and welfare of the citizens of Galena will be the central mission of City government. Employees are expected to represent the City to the public in a manner that is courteous, efficient and helpful.

The City's expectations from the employees consists of:

- Basic tact and courtesy towards the public and fellow employees.
- Providing orderly and cost-efficient services to its citizens.

### 7.1 HARASSMENT AND COMPLAINT PROCEDURE

The City of Galena is committed to maintaining a work environment free of harassment and discrimination of any kind, including sexual harassment. Accordingly, harassment of employees by anyone is strictly prohibited. Policies and procedures regarding complaints of harassment are included below.

***Prohibition on Harassment in the Workplace***

Harassment that interferes with an individual's work performance or that creates an intimidating, hostile, or offensive working environment is prohibited. Harassment consists of unwelcome conduct, whether verbal, physical, or visual that is based upon a person's race, color, creed, religion, sex, gender, ancestry, national origin, alienage, citizenship status, marital status, sexual orientation, medical condition, pregnancy, disability status, gender identity or expression, protected veteran status, or any other characteristic protected by federal, state, or local law. No employee will either explicitly or implicitly ridicule, mock, deride, or belittle any other employee or conduct themselves in a manner that has the purpose or effect of interfering with another employee's work performance or creating an intimidating, hostile, or offensive working environment. Any employee who fails to abide by this policy will be subject to disciplinary action up to and including termination of employment.

***Prohibition on Sexual Harassment***

It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations. It is the policy of the City of Galena to prohibit sexual harassment by any of its employees, volunteers, supervisors, managers, directors, agents, officials, board members, representatives, or other persons subject to the City of Galena policies and procedures (for the purposes of this section of the Handbook,

all of the foregoing will be known as “employees”) on the basis of sex or gender. All Employees are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof.

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
- 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.

Sexual harassment can occur between men and women or between members of the same sex.

Sexual harassment can take a variety of forms ranging from comments of a sexual nature to physical contact. An individual may or may not be aware that their conduct is offensive or harassing to others. While it is impossible to list all conduct that may constitute sexual harassment, some examples include, but are not limited to:

- Verbal – sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature;
- Non-verbal – suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, catcalls, smacking or kissing noises;
- Visual – 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 (email, text/picture/video messages, intranet/online postings, blogs, instant messages and social network websites like Facebook and Twitter);
- Persistent and unwelcome sexual flirtations, propositions, requests for sexual favors, offensive touching, or commenting on a person’s physical characteristics;
- Vulgar language or gestures and lewd or derogatory comments or jokes;
- Verbal abuse of a sexual nature, repetitive use of offensive words of a sexual nature describing body parts or the sexual act, telling suggestive or dirty stories;
- Conversations or discussion between employees or between supervisors and employees about subjects that are sexual in nature and perceived (by a listener or participant) as offensive including, but not limited to, the following: invitations to spend the night, engaging in particular sexual acts, requests to start a sexual relationship between employees or a supervisor and employee and pressure on employees to have pre- or extra-marital affairs;

- Displaying in the workplace sexually suggestive objects, pictures, pornographic magazines, or representations of any actions or subject sexual in nature which can be perceived as offensive;
- Retaliation against employees for refusing a sexual advance or for complaining about an incident of possible sexual harassment;
- Requesting sexual favors as a condition to employment, favorable treatment, favorable evaluation, favorable assignment, or promotion;
- Comments regarding sexual behavior or the body of another employee;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, texts, posts, invitations, photographs, cartoons, articles, or other written or pictorial materials of sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Displaying in the workplace sexually suggestive objects, pictures, pornographic magazines, or representations of any actions or subject sexual in nature which can be perceived as offensive; or
- Any unwanted physical touching or assault or blocking or impending movements.

***Prohibition Against Hair Discrimination***

Employees will not be discriminated against because of hairstyle or hair texture that are actually or perceived to be associated with a particular race.

***Procedure for Reporting an Allegation of Harassment***

An employee who observes harassment, sexual or otherwise (hereinafter collectively known as harassment) or believes themselves to be the object of harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating their position to the offending employee, and their immediate supervisor. It is not necessary for harassment to be directed at the person making the report.

Any employee may report conduct which is believed to be harassment to the City of Galena through the following processes and procedures:

Direct Communication – If there is harassing behavior in the workplace, the harassed employee should directly and clearly express their objection, indicate that the conduct is unwelcome, and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.

Contact with Supervisory Personnel – At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the employee making the report, the employee's department head, the director of human resources, or other appropriate officer. A report by an employee should be made to the employee's immediate supervisor, except in circumstances when the immediate supervisor is the offending individual or employee reasonably determines, based on the circumstances, that the report should be made to another City of Galena supervisor or officer. Reports may be made either orally or in writing, but oral reports should be reduced to writing before an investigation is initiated. The report should include a description of the incident(s), the name of the person accused of the harassment, the date(s) on which the incident(s) occurred, and the signature of the individual making

the report. Reports should be made promptly after a suspected violation has occurred. Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including but not limited to written records such as letters, notes, memos and telephone messages.

After a report has been reduced to writing, a member of management (or a third party when appropriate) will, within a reasonable amount of time, investigate the allegations by the reporting employee. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Upon completion of the investigation, the reporting employee will be advised of the results of the investigation and the proposed resolution of the report. Appropriate disciplinary action will be taken against an offending employee.

Individuals who submit a written report of harassment should maintain any relevant notes and documentation. The City of Galena will maintain records of reports and investigation materials for at least two years after the date of resolution of the report unless the circumstances are such that the records should be kept for a longer period of time.

Reasonable efforts will be made to keep reports of harassment confidential. In the event of a legal claim, records relating to reports of harassment and other legal violations may not be considered privileged from disclosure.

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 City of Galena. However, all employees have the right to contact the Illinois Department of Human Rights (IDHR) (312-814-6200) or the Equal Employment Opportunity Commission (EEOC) (800-669-4000) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense. A complaint with EEOC must also be filed within 300 days.

The employee experiencing perceived harassment must not assume that the City of Galena is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or officer, the City of Galena will not be presumed to have knowledge of the harassment.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to our attention. However, because of the serious implications of harassment charges, the difficulties associated with their investigation, and the questions of credibility involved, a reporting employee's willing cooperation is a vital component to any investigation.

***No Retaliation***

The City of Galena and its employees will not take any retaliatory action against any employee due to an employee's:

- Disclosure or threatened to disclosure of an any violation of this policy;

- The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy; or
- Assistance or participation in a proceeding to enforce the provisions of this policy.

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 employee, that is taken in retaliation for an employee's involvement in protected activity established pursuant to this policy.

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

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

- Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, state agency, or other state employee that the state employee reasonably believes is in violation of a law, rule or regulation;
- Provides information to or testifies before any public body conducting an investigation, hearing or inquiry into any violation of a law, rule or regulation by any officer, member, state agency or other state employee; or,
- Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.

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

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

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

***Consequences of a Violation of the Prohibition on Sexual Harassment***

In addition to any and all other discipline that may be applicable pursuant to the City of Galena policies, this Handbook, employment agreements, procedures, employee handbooks and/or collective bargaining

agreements, any person who violates this policy or the prohibition on sexual harassment contained in 5 ILCS 430/5-65 may be subject to a fine of up to $5,000 per offense, applicable discipline or discharge by the City of Galena and any applicable fines and penalties established pursuant to local ordinance, state law or federal law. Each violation may constitute a separate offense. Any discipline imposed by the City of Galena will be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

***Consequences of Knowingly Making False Reports***

A false report is a report of harassment made by an accuser using the harassment report to accomplish some end other than stopping harassment or retaliation for reporting 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 will be subject to discipline or discharge pursuant to applicable City of Galena policies, this Handbook, employment agreements, procedures, and/or collective bargaining agreements, up to and including termination of employment.

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

***Training***

The Illinois Department of Human Rights was charged by Public Act 101-0221 (commonly referred to as the Workplace Transparency Act) to develop and release a model Sexual Harassment Prevention Training program for Illinois employers. Under this Act, Illinois employers are required to train all employees regardless of status (full-time, part-time, short-term or intern) on sexual harassment prevention as soon as possible after hire and on an annual basis thereafter. The training program must equal or exceed the minimum standards for sexual harassment prevention training outlined in Section 2-109(B) and/or Section 2-110(C) of the Illinois Human Rights Act.

**See the City's Sexual Harassment Prevention Annual Training Acknowledgement Form – Exhibit K**

## 7.2 REPORTING OF SUSPECTED FRAUDULENT ACTIVITIES

Every employee is required to read, accept the terms of, sign and date the Reporting of Suspected fraudulent Activities Policy. This policy applies to all city departments, activities, and employees.

***Policy***

The City will not tolerate theft, waste, abuse or misuse of city property or other resources through fraudulent means. City employees will be required to report suspected irregularities or possible fraudulent transactions to the City Administrator and/or the City Finance Director. All reported

allegations will be fully reviewed, and substantiated fraudulent activities will be reported to the proper authorities as deemed necessary by the Mayor.

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***Procedures***

- Upon the discovery of circumstances which suggest that a fraudulent transaction may have occurred, it is the responsibility of city employees to immediately notify the City Administrator and/or the Finance Director. Upon such notification, they will ensure that the proper authorities are informed of the questionable transaction or specific event.
- The Department Head, City Administrator, and Finance Director will perform audit procedures to determine whether there is reasonable possibility that a fraudulent transaction has occurred. The Finance Director will also attempt to quantify any losses and make recommendations for improving internal controls.
- Employees are required to cooperate fully with those performing investigations. Employees and Department Heads (ie: other than those responsible for conducting investigations pursuant to this policy) shall not conduct investigations.
- If there is a report or discovery that a fraudulent transaction has occurred and involves a city employee, the City Administrator will prepare a report for the Mayor who will determine the level of investigation and extent of reporting to the City Council. The Mayor will also determine the need for involvement and investigation by the Galena Police Department or other law enforcement agency.
- Further investigation of the transaction or specific event with the objective of prosecution is the responsibility of the Mayor and the City Council. The decision to prosecute is the responsibility of the State's Attorney. City staff will assist with further investigation if requested.
- The City may request restitution of funds and take appropriate administrative action. Recovery of funds will be the responsibility of the Finance Director unless otherwise decided.

***Sanctions***

Regarding employees, sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

In addition to the administrative actions, individuals may also be subject to criminal prosecution.

***Exclusions***

None.

***Interpretation***

The authority to interpret this policy rests with the City Administrator, City Attorney, Mayor and/or City Council.

**See Reporting of Suspected Fraudulent Activities Policy – Exhibit ~~JJ~~ JL**

## 7.3 POLITICAL ACTIVITY

In accordance with state and federal laws, employees are not prohibited from exercising their political rights to engage in political activities, including the right to petition, make speeches, campaign door-to-door, and to run for public office. However, employees are strictly prohibited from engaging in political

activities on behalf of any political candidate or cause while they are being compensated by the City of Galena, other than during paid time off. Employees are further prohibited from using any City of Galena property or resources for the benefit of any political organization, candidate, or cause.

Employees may not use their positions to attempt to coerce or influence others in relation to any political activity. Employees are strictly prohibited from requiring other employees to engage in political activities as part of their duties, and no employee shall be required to participate in any political activity in consideration for additional compensation or benefits.

## 7.4 EMPLOYEE PURCHASING AND SELLING

***Purpose***

The City of Galena periodically adopts ordinances declaring property that is no longer useful or needed by the city as surplus property. Typically, surplus property is advertised for sale to the public and sealed bids for the property are solicited. The city seeks to sell surplus items to the highest bidder. To avoid the appearance of impropriety and the appearance of unfair bidding practices, the city seeks to restrict employees of the city and their spouses or children from bidding on and purchasing surplus property being sold by the city. To the same extent, the city seeks to restrict employees from selling personal property to the city.

***Policy***

No city employee, his/her spouse, or children will bid on or purchase any property being sold by the city. Furthermore, no city employee, his/her spouse, or children will sell any personal property to the city. This policy does not pertain to the sale of property to the city by a business owned or operated by a family member of a city employee provided the sale is made according to the purchasing or bidding requirements of the Galena Code of Ordinances. The City Administrator will be responsible for administering this policy.

## 7.5 OUTSIDE EMPLOYMENT

The City of Galena recognizes that employees may seek additional employment during off hours, but expects, in these cases, that any outside employment will not affect job performance, work hours, or scheduling, or otherwise adversely affect the employment relationship. Any conflicts should be reported to your supervisor. Failure to adhere to this policy may result in disciplinary action up to and including termination. Written approval from the Mayor, with concurrence of the City Council, is required. No regular employee will be permitted to accept any full-time second position.

Outside employment which creates a conflict of interest or which affects the quality or value of your work performance or availability at the City of Galena is prohibited. Conflicts of interest shall be assessed by the City of Galena in its sole discretion.

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## 7.6 STATE GIFT BAN ACT

All employees will adhere to and understand their obligations under the State Officials and Employees Ethics Act (5 ILCS 430/1-1, et seq.) and any gift ban or ethics requirement implemented by the City of Galena. Employees are not to provide any special services in exchange for gifts or other forms of compensation. Employees, their spouses, and any immediate family members living with an employee are prohibited from intentionally soliciting or accepting any gift from any source prohibited by law, ordinance, or policy. If an employee, employee's spouse, or immediate family member living with an employee receives any compensation, or offer of compensation, as a result of the employee's status as an employee of the City of Galena, the employee must report this immediately to their supervisor or the appropriate member of management.

## 7.7 SAFETY

All employees are required to familiarize themselves with and adhere to any applicable safety rules and standards. Additionally, all employees are required to exercise caution and good judgment while performing their duties and during break and meal periods.

You have a responsibility to immediately report to your supervisor any accidents, injuries, or unsafe working conditions. This includes reporting unsafe equipment and/or procedures. If you become injured on the job, no matter how insignificant the injury may seem, you must report the injury to your supervisor.

Failure to comply with anything in this policy may subject an employee to disciplinary action up to and including termination.

## 7.8 WORKPLACE VIOLENCE

Workplace violence is strictly prohibited. Workplace violence includes, but is not limited to, any act of physical violence, threats of physical violence, harassment, intimidation, or other threatening or disruptive behavior. Workplace violence can affect or involve employees, visitors, or other parties.

If an employee witnesses or experiences any form of workplace violence, the employee should immediately report the violence to their supervisor and/or the appropriate member of management. If an employee is found to have engaged in workplace violence, the employee will be subject to discipline up to and including termination.

## 7.9 DRESS AND GROOMING

All employees are expected to maintain appropriate dress and grooming standards based on their position and working situation. While each department and position may have different standards with respect to dress and grooming, all employees should adhere to the following guidelines:

- Attire should be clean and properly fitting;
- Clothing should not be tattered, ragged, or overly-revealing;
- Employees should maintain good personal hygiene; and,
- Employees should refrain from the overuse of perfume, cologne, and other scented products. Strong odors may be offensive to others.

Some examples of inappropriate clothing include:

- Attire containing obscene, profane, discriminatory, provocative or inflammatory words or pictures;
- Attire depicting alcoholic beverages, drugs, and/or drug paraphernalia;
- Pool/beach attire; and,
- Any other item of clothing deemed inappropriate by your supervisor.

Your supervisor is responsible for evaluating the dress and appearance of employees under their supervision. Employees may be sent home to change into appropriate clothing (time spent in transit will not be considered working time). Failure to adhere to appropriate dress and grooming standards may result in disciplinary action up to and including termination.

All City of Galena dress code and grooming polices will be implemented so as to avoid potential discrimination because of any hairstyle or hair texture that are actually or perceived to be associated with a particular race.

## 7.10 IDENTIFICATION BADGE

All year-round employees, seasonal pool managers, and seasonal grounds crew employees are required to wear a City identification badge in plain view to others while working or representing the City in any official capacity including while operating a vehicle owned or leased by the City. The badge contains employee name, photo and title and is to be worn between the shoulders and waist on a clip, chain or lanyard.

The requirement may be temporarily waived at the department head's discretion when wearing the badge presents a safety issue. However, the employee must always carry the badge during work hours or when acting in an official capacity. It can be placed in a pocket or wallet.

Employees are responsible for safeguarding their own badge. A badge should be used only by the employee to whom it was issued and should not be folded, defaced, altered or exposed to extreme temperatures (i.e., on a vehicle dash).

Lost or stolen badges should be reported to the department head as soon as possible to obtain a permanent replacement. Upon separation or suspension, employees will be required to return badges to the City Administrator.

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## 7.11 PRIVACY

The City of Galena reserves the right to conduct searches of work areas for legitimate, work-related reasons when it has a reasonable suspicion that an employee has engaged in work-related misconduct or violated policies, laws, and/or procedures.

Property of the City of Galena including but not limited to lockers, phones, computers, desks, work spaces, vehicles, or machinery is subject to inspection at any time, without notice to the employee and without the employee's presence. Employees should have no expectation of privacy in any of these areas. The City of Galena assumes no responsibility for the loss of, or damage to, any employee property maintained on the premises including property kept in lockers and desks.

The City of Galena may utilize video surveillance in public areas for security reasons. The video surveillance will not be hidden. The City of Galena may rely upon the surveillance in assessing employee misconduct and/or criminal activity.

## 7.~~11~~12 TELEPHONES

Employees should keep personal calls and text messages during working time to a minimum and should ensure their family members and friends are aware of this policy. Exceptions may be made in urgent circumstances demanding immediate attention, subject to the discretion of an employee's supervisor.

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## 7.~~12~~13 USE OF CITY PROPERTY

Employees should use City equipment for City business only. Any employee's misuse of City services, telephones, vehicles, equipment or supplies, can result in disciplinary action including termination.

## 7.~~13~~14 CAMERAS AND VIDEO/AUDIO RECORDERS

Employees are prohibited from using camera phones, cameras, or video or audio recorders in the workplace for non-work-related purposes. All employees are prohibited from recording any meeting or conversation without the express written consent of all parties to the conversation.

## 7.~~14~~15 EMAIL AND INTERNET SYSTEM

Employees may be granted access to the City of Galena internet and email system (the system). The system and all data transmitted or received through the system are the exclusive property of the City of Galena. No individual should have any expectation of privacy in any communication over the system.

The City of Galena reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system. Any individual who is given access to the system is hereby given notice that this right will be exercised periodically, without prior notice and without the prior consent of the employee.

The interest of the City of Galena in monitoring and intercepting data include, but are not limited to, protection of proprietary and classified data; managing the use of the computer system; preventing the transmission or receipt of inappropriate materials by employees; and/or assisting the employee in the management of electronic data during periods of absence. No individual should interpret the use of password protection as creating a right or expectation of privacy. In order to protect everyone involved, no one can have a right or expectation of privacy with regards to the receipt, transmission, or storage of data on the system.

Any employee who abuses the privilege of access to the system will be subject to disciplinary action up to and including termination of employment. If necessary, law enforcement officials will be advised of any illegal conduct.

- The safety and security of the City's network and resources must be considered paramount when using City computers. User passwords are confidential. It will be the user's responsibility to maintain confidentiality of his/her password(s).
- There will be no passwords applied to any files without the consent of the designated employee in charge of the City's computer technologies.
- For the protection of the City's computer users, data, documents and email messages generally will be stored on the City's computer networks.
- Employees will not create, install or knowingly distribute a computer virus.
- No City employee will sell, distribute or give away any information obtained from the City computer systems unless the City Administrator or City Clerk has approved such material for release, pursuant to the provisions of the Freedom of Information Act.
- No employee with authorized access to email will allow an unauthorized person, employed or not employed by the City, to use the system for any reason.
- Computers will be used to conduct City business; however, incidental and occasional personal use will be permitted. Employees will not use email for mass distribution of personal or non-City information. These messages include, but are not limited to, information containing personal advertisements, personal opinions or personal requests.

Security Awareness Training is required annually by all employees, elected and appointed officials. Public Act 102-0753 requires every employee of a county or municipality to annually complete a cybersecurity training program. All elected and appointed officials should also complete the training. The training must include, but is not limited to, detecting phishing scams, preventing spyware infections and identity theft and preventing and responding to data breaches. The Illinois Department of

Innovation and Technology has created cybersecurity awareness training that satisfies the requirements of the Act.

**See the City's Security Awareness Training Acknowledgement – Exhibit M**

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## 7.~~15~~16 MEDIA RELATIONS POLICY

***Purpose***

The media represents one of the best opportunities for the City of Galena to communicate in a positive manner with the public. This policy is intended to ensure that the City of Galena effectively uses this resource by responding consistently, factually and in a timely manner to all requests for information by the media. The policy is also designed to ensure that information generated by the City of Galena for dissemination by the media, such as press releases, accurately represents the position of the City of Galena as opposed to a personal or individual perspective. For the purposes of this policy, the media includes, television stations, radio stations, newspapers, magazines and other like mediums of providing information to the public. The City Administrator will be charged with administering the Media Relations Policy.

***Policy***

The City Administrator will be the spokesperson for the City of Galena and may delegate the responsibility of communicating with the media to department heads on a case-by-case basis. All information communicated to the media will be factual and will conform to the following:

***Television Interviews, Radio Interviews, Newspaper***

- Before accepting a request for a television, radio or newspaper interview an employee will review the subject of the interview with the City Administrator. The City Administrator will decide who will be the spokesperson for the City of Galena. Responding to a request for a television, radio or newspaper interview will be given priority over regular office work.

***Press Releases***

- All press releases will be presented to the City Administrator for review before submission to the newspaper.

***Letters to the Editor and Other Newspaper Articles***

- All letters to the editor or articles intended for print in a newspaper will be presented to the City Administrator for review and approval before submission.

***Exceptions***

- Some information, such as public notices (e.g., Zoning Board public hearing notices,), public service announcements (e.g. snow removal information, Galena Police Report), and similar general information may be communicated to the media by any employee charged with the task.

## 7.~~16~~17 PERSONAL USE OF SOCIAL MEDIA

At the City of Galena, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established the following guidelines.

***Guidelines***

In the rapidly expanding world of electronic communications, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, as well as any other form of electronic communication.

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 members, customers, suppliers, people who work on behalf of the City of Galena's legitimate business interests may result in disciplinary action up to and including termination.

- **Know and Follow the Rules –** Carefully read these guidelines, as well as all other applicable written employment policies, procedures, notices, memoranda, and manuals and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

- **Be Respectful –** Always be fair and courteous to fellow employees, customers, members, suppliers, or people who work on behalf of the City of Galena. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage customers, members, or employees or suppliers, or that might constitute harassment by bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or policy.

- **Be Honest and Accurate –** Make sure you are always honest and accurate when posting information and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City of Galena, fellow employees, members, customers, suppliers, or people working on behalf of the City of Galena.

- **Post Only Appropriate and Respectful Content**:

    - Maintain the confidentiality of private or confidential information.

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

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

- **Using Social Media at Work –** Refrain from using social media while on work time or on equipment, unless it is work-related as authorized by your supervisor or consistent with other applicable policies. Do not use any email addresses issued by the City of Galena to register on social networks, blogs, or other online tools utilized for personal use.

- **Retaliation is Prohibited –** Employees who in good faith report a possible deviation from this policy or cooperate in an investigation related to this policy shall not be retaliated against for doing so. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation related to this policy will be subject to disciplinary action up to and including termination.

- **Media Contacts –** Employees should not speak to the media on behalf of the City of Galena without approval of their supervisor or the appropriate member of management.

## 7.~~17~~18 CITY USE OF SOCIAL MEDIA

***Scope***

This policy establishes guidelines for the establishment and use by the City of Galena Social Media sites (including but not limited to Facebook, Instagram, Nixle, Snapchat and Twitter) as a means of conveying

City of Galena ("City") information to the public. This policy provides rules and guidance for employees on their professional use of social media.

***Purpose***

The purpose of establishing City of Galena Social Media sites is to disseminate information from the City, about the City, to the public. The sites also provide a forum to learn about the likes, needs and concerns of the community. Social media communications contribute to relevant conversations, actively pull the ideas of public into the government innovation process and promote departmental programs and services.

This policy acknowledges that the City of Galena has an overriding interest and expectation in deciding what is "spoken" on behalf of the City on the City Social Media sites and sites under account with others.

For purposes of this policy, "Social Media" is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of Social Media include Facebook, blogs, Instagram, Snapchat, RSS, YouTube, Twitter, LinkedIn, Pinterest, Nixle and Google Plus. For purposes of this policy, "comments" include information, articles, pictures, videos or any other form of communicative content posted on a City of Galena Social Media site.

***General Policy***

The following general policy statements apply to all City Social Media sites.

Disclaimer: The City's use of external Social Media tools is provided as a public service. The City disclaims liability for ads, videos, promoted content or comments accessible from any external web page. The responsibility of external content and/or comments rests with the organizations or individuals providing them. Any inclusion of external content and/or comments on external Social Media sites does not imply endorsement by the City of Galena. The City disclaims any responsibility or liability for positions taken by individuals or entities in their individual cases for any misstatement, misunderstandings and loses, directly or indirectly, on the part of the user. As a user of the City's Social Media sites, you further consent to your post being removed for any of the reasons set forth in this policy or for administrative reasons, including deletion of old posts or comments.

Legal or Official Notices Prohibited: No communication to the City through Social Media will be deemed to constitute legal or official notice for any purpose. No request made pursuant to the Freedom of Information Act ("FOIA") may be submitted to the City through Social Media sites.

a. Official Identification Required: All City Social Media Sites will make clear that they are maintained by the City of Galena and that they follow the City's Social Media Policy.

b. Website Linkage Required: Wherever possible, City Social Media sites will provide a link to the official City or departmental website.

c. Policy Dissemination: The City's Social Media Policy will be displayed on the City's official website, www.cityofgalena.org, and made available by hyperlink to all users of the City's Social Media.

***Comment Policy***

The following statements regarding posting content apply to all City Social Media sites.

The City of Galena encourages you to submit your questions, comments, and concerns, but please note that this is a moderated online discussion site and not a public forum. The comments expressed by a member of the public on any of the City's Social Media sites is the opinion of the poster only and the publication of the comment does not reflect the opinions and position of the City of Galena government or its officers and employees.

The City of Galena, in the City's sole discretion, reserves the right to remove these kinds of comments, postings, and submissions:

- Any content that is deemed in violation of this Social Media policy.
- Vulgar language.
- Inappropriate or derogatory comments.
- Obscene or sexually explicit comments.
- Personal attacks of any kind.
- Private, personal information submitted without consent.
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability, sexual orientation, or any other characteristic protected by federal, state or local law.
- Solicitation of commerce, advertising of any product or service for sale, commercial promotions or spam.
- Threats to any person or organization.
- Advocates illegal activity.
- Violate any law or promote the violation of any law.
- Promote political organizations or causes not sanctioned by the City.
- Infringe on copyrights or trademarks.
- Made by a person masquerading as another person.
- Personally identifiable medical information.
- Information that may compromise the safety, security or proceedings of public systems or any criminal or civil investigations.

Termination of Privilege: The City reserves the right to terminate a person's ability to post comments and/or submit materials or otherwise participate in the City's Social Media sites when the person violates the City of Galena's Social Media Policy at any time and without prior notice.

Facebook's Statement of Rights and Responsibilities: All comments posted to any City of Galena Facebook site are bound by Facebook's Statement of Rights and Responsibilities located at facebook.com/terms.php, and the City of Galena reserves the right to report any violations of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

If you have any questions concerning the City of Galena's Social Media platforms, please contact the Facilities Manager, who serves as the City's Social Media Coordinator.

***Professional Use of Social Media***

Social Media Coordinator: The Facilities Manager will serve as the official Social Media Coordinator for the City of Galena. He or she will monitor content of all City Social Media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City of Galena.

Departmental Monitoring Required: All City departments that provide Social Media sites will routinely monitor their sites for comments requesting responses and reply as soon as practical.

The following steps must be followed when a new official social media account is registered:

- The creation of the account must be undertaken/approved by the Social Media Coordinator.
- The account must be managed only through approved tools.
- Those with approval to post to the social media account and manage content must be clearly indicated.
- Only official organization credentials may be used to create and access the account.
- Account login credentials may not be shared with anyone who does not have official authorization to make use of the account.

Before engaging in social media as a representative of the City, you must be authorized to comment by the Social Media Coordinator. You may not comment as a representative of the City unless you are authorized to do so.

Once authorized to comment, you must:

- Disclose you are an employee or elected official of the City and use only your own identity.
- Disclose and comment only on non-confidential information.
- Ensure that all content published is accurate and not misleading and complies with all City policies.
- Comment only on your area of expertise and authority.
- Ensure comments are respectful and refrain from posting or responding to material that is offensive, obscene, defamatory, threatening, harassing, bullying, and discriminatory, infringes copyright, breaches a Court order, or is otherwise unlawful.
- Refrain from making comments or posting material that might otherwise cause damage to the City's reputation or bring it into disrepute.
- Not engage in debate with other Social Media users or respond to argumentative comments.

***Records Retention & the Public Records Act***

As a public-sector organization, all City communication over social media channels are subject to public records laws. Accordingly, the City will endeavor to respond to all record requests related to its social media content. To accomplish this, all data related to its social media accounts is collected and archived.

The City makes use of an archiving and compliance solution which includes:

- Data is collected in real-time and includes all activity such as posts, comments, likes, private messages, etc. It also includes removed content such as deleted comments and unlikes.
- All media related to content is collected, including photos, videos, live streams/broadcasts, etc.

- All data is digitally signed (SHA-256) and timestamped in order to satisfy legal requirements for submitting digital content as evidence per the Federal Rules of Evidence.
- As per the established retention schedule of the City, social media records are retained in accordance with State of Illinois records retention schedules.
- A public access portal that offers search and live replay of all archived social media content can be found at pagefreezer.com. Content can also be exported to PDF, if necessary.

***Authorization and Review***

This policy will be placed in effect upon the affirmative vote of the majority of the city council. This policy will be reviewed and modified as necessary.

**See the City's Social Media Policies Acknowledgement – Exhibit ~~K~~N**

## 7.~~18~~19 CREDIT CARD USE

***Purpose***

To authorize the use of a City credit card(s) to transact official business.

***Policy Statement***

With the adoption of this policy, the City Council authorizes the City Administrator to implement the procedures hereafter described for the use of a City credit card(s) for the following budgeted uses:

- Travel and Training—The City credit card(s) may be used by the City Administrator and employees designated by the City Administrator for official business-related expenditures as permitted by the City's Expense Reimbursement Policy and Travel Reimbursement Schedule for hotel, parking, transportation, food, gas for City vehicles, emergency City vehicle repairs, and other travel related expenses. The designated employees may also use the City credit card(s) for conference and class registrations.
- Purchases—The City credit card(s) may be used for ordering supplies, including online purchases for City purposes and when approved by the City Administrator.
- The City credit card(s) will not be used for cash advances or personal purchases.

***Procedures***

All credit card expenditures are contingent upon the City Administrator's approval of the monthly statement of transactions. If an expenditure is deemed inappropriate, the assigned credit card user will be responsible for reimbursing the City, possibly through payroll deduction.

***Receipts and Verification***

Receipts must be obtained for each credit card transaction. The purpose of the charge and the name of the individual making the expenditure must be clearly written on the receipt. Receipts are to be saved and retained by the assigned employee. Each assigned employee with credit card use will be provided with a monthly transaction summary by the City Clerk, and within three days, will:

- Verify all credit card expenditures against the monthly transaction summary
- Sign the transaction summary
- Attach corresponding City credit card receipts and corresponding detail receipts which show exactly what was being purchased
- Forward all documentation to the City Administrator for approval
- The balance of each credit card will be paid in full monthly to avoid any interest costs or late fees.

***Control***

The assigned employee is responsible for contacting the vendor when supplies purchased with a credit card are not acceptable (incorrect order, damaged, etc.) and for arranging a return for credit or exchange.

The Finance Director is responsible for selecting the provider of the credit card(s).

The City Clerk is responsible for the payment of credit card bills.

The City Administrator is responsible for assigning the cards to employees for use and ensuring the proper use.

The City Administrator will disallow use of the assigned City credit card(s) for violation or misuse of a credit card in accordance with this policy.

Any employee assigned to use a City credit card must sign a Credit Card User Agreement before they are eligible to use the card. A current list of authorized users will be kept on file by the City Clerk.

City credit card(s) are to be returned to the City Administrator immediately following use or stored in a secure location.

***Other***

Fees—The City credit card(s) will not have any annual or other reoccurring fees.

Credit Limit—The credit limit for a City credit card will not exceed $10,000 per card.

Budgeted Expenditures Only—All expenditures made with the City credit card will be budgeted in advance of the purchase.

Any discounts, credit, cash back, or other benefits of credit card use will accrue to the City and will not be received, saved, or used by any City employee or other person.

**Credit Card User Agreement – Exhibit ~~L~~O**

## 7.~~19~~20 CASH OVER AND SHORT POLICY

Employees who handle cash are expected to be careful and accurate and to settle their funds each day without overages or shortages. We recognize the possibility that ~~difference~~differences may occur from time to time, and we have developed the following policy to ensure that accuracy is a first priority.

***Verbal Warning Offense***

A verbal warning will be given if an employee has a cash short total of $5 in one day, a cumulative cash short total of $10 in one week or a cumulative cash short total of $25 in one month.

***Written Warning Offense***

A written warning will be issued to any employee that exceeds three verbal warnings.

A written warning will immediately be issued to any employee who exceeds a cash short total of $10 in one day, a cumulative cash short total of $15 in one week or a cumulative cash short total of $30 in one month.

***Termination***

Termination will result upon the third written warning.

Any single cash short total of $50 or more, any cumulative weekly cash short total of $75 or more and any cumulative monthly cash short total of $100 or more may be grounds for immediate dismissal.

Any attempt to alter, falsify or omit information on the daily Cash Settlement Report to avoid a cash short incidence may be grounds for immediate dismissal.

Each incident will be addressed in writing with the employee by the employee's supervisor and/or Department Head.

***Restitution***

In the case for verified fraudulent activity on the part of any employee, that employee may be required to pay restitution to the city as deemed necessary by the City Manager and/or Mayor in addition to administrative sanctions.

***Record Retention***

All written warnings will be retained in the employee's personnel file.

**See the City's Cash Over and Short Policy Employee Agreement– Exhibit ~~M~~P**

## 7.~~20~~21 COPYRIGHT AND INTELLECTUAL PROPERTY

Employees must comply with all software licenses, copyrights, and all other laws governing intellectual property, online activity, and telecommunications. Employees are prohibited from copying any copyrighted material without the prior approval of the copyrighted individual or entity. Any violation of this policy is grounds for discipline up to and including termination.

## 7.~~21~~22 SOLICITATIONS AND DISTRIBUTIONS

Solicitations for contributions, sale of merchandise, circulation of petitions, solicitations for membership in clubs or organizations, and all other forms of solicitation, including the distribution of handbills, flyers, or other similar materials, by or from employees, during working time is prohibited. "Working time" for purposes of this policy means those times during the workday when employees are required to be engaged in work-related tasks and does not include time before or after the workday, authorized break times, or mealtimes. All solicitations and distributions will be limited to non-working areas.

Solicitations or distributions of any kind by non-employees is prohibited: (a) during the working time of any employee receiving the solicitations or distributions; (b) at any time in areas not open to the public or in public areas where such activity is inconsistent with the intended or normal use of the area; or, (c) in a manner that disturbs working employees.

## 7.~~22~~23 VEHICLES

Employees in certain job classifications may be provided vehicles owned or leased by the City of Galena.

Employees are prohibited from using vehicles provided by the City of Galena to transport non-employees unless the individual being transported is participating in official City of Galena business or has otherwise been approved by the employee's supervisor. Minors 16 years of age and under may not drive motor vehicles on public roads as part of their jobs. Minors 17 years of age with a valid driver's license may drive cars and small trucks on public roads on the job, but only in limited circumstances, such as during daylight hours.

Employees using vehicles (including personal vehicles) for work-related purposes are responsible for driving such vehicles in a safe and prudent manner and complying with all state and local laws. Employees must promptly report all accidents involving vehicles (including personal vehicles) being used for work-related purposes to both the appropriate law enforcement agency and to the employee's supervisor. Additionally, employees must immediately report to their supervisor any citations for traffic law violations, parking violations, and any other legal violations occurring while using vehicles (including personal vehicles) for work-related purposes. Payment of traffic and parking citations shall be the responsibility of the employee operating the vehicle at the time the violation occurred. Employees shall immediately notify their supervisor(s) of any and all violations related to driving under the influence of drugs or alcohol.

Every employee must have (and be able to produce) a valid driver's license before operating a vehicle (including a personal vehicle) for work-related purposes. Employees must promptly inform their supervisors of any reason that would prohibit the employee from operating a motor vehicle. Employees must notify their supervisors within 24 hours of being arrested for ~~a~~ driving under the influence (DUI) or having their driver's license suspended or revoked. Employees who use their personal vehicles for work-related purposes approved by their supervisor must maintain adequate insurance coverage as referenced in Section 4.3 and must present evidence of insurance coverage to the City of Galena upon request.

## 7.~~23~~24 SMOKING

In accordance with the Smoke Free Illinois Act (410 ILCS 82/1 et seq.), the City of Galena maintains a smoke-free environment in all its facilities. Smoking is prohibited in all the City of Galena buildings and vehicles. Smoking areas may be designated outside of facilities, provided the location is at least 15 feet away from any City of Galena building and will not reasonably affect non-smokers. For purposes of this policy, smoking includes the use of all tobacco products including, but not limited to, electronic cigarettes and chewing tobacco, as well as non-tobacco vaping products.

## 7.~~24~~25 LOSS PREVENTION

Employees will exercise reasonable care to prevent loss or damage to City of Galena property. Employees are expected to use caution when using City of Galena property, vehicles, tools, and equipment.

## 7.~~25~~26 PROHIBITION OF FIREARMS IN THE WORKPLACE

Employees are prohibited from possessing or carrying firearms on or in City of Galena property (except in the parking lot for licensed concealed carry holders) or during any period when the employee is actively working. A concealed carry license holder may not knowingly carry a firearm into any building or portion of a building under the control of the City of Galena. 430 ILCS 66/65(3). Pursuant to state law, employees who possess a valid state concealed carry license may store a firearm locked in their car if the firearm or ammunition is concealed in a case or locked container out of plain view within the vehicle in the parking area. A licensed concealed carry holder may also carry a concealed firearm in the immediate area surrounding their vehicle, only for the limited purpose of storing or retrieving a firearm in the vehicle's trunk.

## 7.~~26~~27 DRUGS AND ALCOHOL

***Drug Free Workplace***

In order to ensure a safe work environment and compliance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101 et seq.), the City of Galena maintains a drug-free workplace. Accordingly, the City of Galena prohibits employees from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Anti-Drug Abuse Act of 1988, use of drugs, and use of alcohol in the workplace. The foregoing prohibition will apply to the City of Galena property, including in City of Galena vehicles and any private vehicles parked on the City of Galena premises or worksites.

For purposes of this policy, the term "drugs" includes, but will not be limited to: (a) any non-prescribed controlled substance that the employee is not authorized to possess or consume by law; (b) any substance listed in the Controlled Substances Act (720 ILCS 570 et seq.); or, (c) drugs or substances which may not be listed in the Controlled Substances Act but which have adverse effects on perception, judgment, memory, or coordination. A non-exhaustive list of applicable drugs includes, but is not limited to, the following:

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

***Prohibited Conduct***

The following conduct is prohibited:

- The unauthorized use, possession, manufacture, distribution, or sale of cannabis, drugs, drug paraphernalia, or alcohol while on or in City of Galena property, while conducting work-related business, or during working hours.
- Being under the influence of cannabis, drugs or alcohol while on or in City of Galena property, while conducting work-related business, or during working hours.
- Being under the influence of legal or prescribed drugs or chemicals used in excess of, or in non-conformity with, prescribed limits while on or in City of Galena property, while conducting work-related business, or during working hours.
- The illegal use, possession, manufacture, distribution, or sale of cannabis, drugs, or drug paraphernalia (while on or off duty).
- Storing any cannabis, illegal drug, drug paraphernalia, or alcohol in or on City of Galena property.
- Failing to notify an employee's supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind that the employee is taking (or has taken) which might affect the performance of the employee's duties.
- Refusing to immediately submit to an alcohol and/or drug test when requested by a supervisor.
- Failing to provide, within one workday following a request, documentation confirming a valid prescription for any drug or medication identified by a positive drug test.
- Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled as a condition of continued employment.

- Failing to notify the employee's supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and nolo contendere) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two calendar days following the arrest, conviction, or plea.
- Tampering with, adulterating, altering, substituting, or otherwise obstructing any testing process required pursuant to this policy.
- Performing any safety-sensitive duties while having a blood-alcohol concentration of .02 or greater.
- Possessing or using drugs or alcohol while on duty or while operating a commercial vehicle.
- Operating a commercial vehicle within four hours after using alcohol (an on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty).
- Consuming alcohol during the eight-hour period following an accident requiring a drug and alcohol test before a post-accident alcohol test is given.
- Reporting for duty or remaining on duty requiring the operation of a commercial vehicle when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial vehicle.

***Required Conduct***

The following conduct is required of all City of Galena employees:

Employees must notify their supervisor prior to starting work of any known side effects of medications, prescription drugs, or other chemical compounds or supplements of any kind that they are taking (or have taken) which might affect the performance of their duties or threaten the safety of the employee or any other person.

Employees must notify their supervisor of any arrest, conviction, or relevant plea (including pleas of guilty and nolo contendere) relating to drugs or alcohol no later than the earlier of the next date the employee is scheduled to work or two calendar days following the arrest, conviction, or plea. In accordance with federal law, the City of Galena will notify any applicable federal contracting officer(s) of any relevant conviction(s) or plea(s) within 10 days of receiving notice of the conviction or plea.

Employees must submit to drug testing in accordance with this policy and applicable law.

***Voluntary Treatment for Abuse of Drugs and/or Alcohol***

The City of Galena strongly encourages employees who believe or suspect that they may be abusing drugs and/or alcohol to voluntarily seek treatment before their job performance is affected. Any employee who notifies the City of Galena of alcohol or drug abuse problems will be treated in the same manner as any other employee with an illness. Information and communications regarding an employee's voluntary treatment or counseling due to actual or suspected drug and/or alcohol abuse will remain confidential in accordance with state and federal law.

Employees who voluntarily seek treatment for drug and/or alcohol abuse will not be subject to discipline, discharge, or discrimination based solely on such voluntary treatment if the treatment is sought prior to:

- The employee testing positive for illegal drugs and/or alcohol;
- The employee being notified of an upcoming drug and/or alcohol test;
- The occurrence of an event that gives rise to reasonable suspicion that the employee is under the influence of drugs and/or alcohol;
- Any return to duty or related follow-up testing for drugs and/or alcohol; and/or,
- The occurrence of an accident which requires the employee to submit to drug and/or alcohol testing.

Employees who seek voluntarily treatment for drug and/or alcohol abuse will continue to be subject to appropriate disciplinary action up to and including termination for substandard job performance, unexcused absences, abuse of drugs and/or alcohol, or any other violations of this Handbook, whether such violations are directly or indirectly related to the employee's use of drugs and/or alcohol.

Furthermore, employees who voluntarily seek treatment for drug and/or alcohol abuse will not be excused from required drug and/or alcohol testing in accordance with this policy even when voluntary treatment was sought prior to the testing in question. No employee will be permitted to use voluntary treatment for drug and/or alcohol abuse to avoid otherwise legitimate disciplinary action for failure to comply with this policy or other provisions of the Handbook.

Employees may request a medical leave of absence to obtain treatment for drug and/or alcohol abuse in accordance with the Family and Medical Leave Act of 1993 and other applicable law. Such leave requests will be treated in the same manner as any other request for leave pursuant to this policy. The City of Galena may also grant reasonable accommodations for employees being treated for drug and/or alcohol abuse so long as those employees are participating in a treatment program and are not currently abusing drugs and/or alcohol. The City of Galena will not retaliate or discriminate against any employee for requesting leave or a reasonable accommodation to obtain treatment for drug and/or alcohol abuse.

***Acknowledgement***

In accordance with applicable law, employees are required to acknowledge and agree to this policy as a condition of employment. Any employee violating this policy is subject to discipline, up to and including termination of employment.

***Drug and Alcohol Testing of all Employees***

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

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

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

- Observable phenomena, such as direct observation of drug or alcohol use, the presence of the odor of drugs or alcohol on or about the employee and/or the physical symptoms or manifestations of being under the influence of drugs or alcohol;
- Abnormal conduct or erratic behavior;
- Excessive unexcused absenteeism, tardiness, or deterioration in work performance;
- Slurred speech or unsteady walking or movement;
- Illegal possession of drugs or controlled substances or an arrest for violation of a drug statute;
- Information obtained from a reliable and credible source with personal knowledge that has been independently corroborated.

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

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

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

***Types of Testing***

Any of the following methods may be utilized to test an employee for the presence of drugs and/or alcohol:

- Urine testing;
- Evidentiary breath testing device (Breathalyzer);
- Blood testing;
- Hair follicle testing; or,
- Saliva testing.
- Licensed Clinical Laboratory Only

The City of Galena will use only licensed clinical laboratories for drug and/or alcohol testing. Such laboratories will be responsible for maintaining a proper chain of custody of any samples. If an

employee tests positive for drugs and/or alcohol, a confirming test will be conducted. The laboratory will not submit a positive test result to the City of Galena unless the confirming test result is also positive for the same sample. The laboratory will retain a portion of the tested sample so the employee can arrange for another confirming test to be conducted by a licensed clinical laboratory of the employee's choice and at the employee's expense. Once the portion of the tested sample is delivered to the clinical laboratory selected by the employee, the employee will be responsible for maintaining the proper chain of custody for that portion of the sample.

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by a medical review officer. A medical review officer is a licensed physician responsible for receiving and interpreting laboratory results from applicable tests.

***Records Relating to Drug and/or Alcohol Tests***

Records reflecting positive drug and/or alcohol tests will be kept in the employee's file and will be kept confidential in accordance with applicable law. Information regarding drug and/or alcohol tests and an employee's participation in a substance abuse rehabilitation program may be disclosed to supervisors only if such information relates to the employee's ability to perform his or her work duties or the employee's need for a reasonable accommodation under the Americans with Disabilities Act of 1990 or other applicable law.

For employees in safety sensitive positions, the following records will be maintained for a minimum of five years: (a) records of annual management information system reports; (b) records regarding employee evaluations and referrals to substance abuse professionals; (c) records relating to follow-up tests and follow-up schedules; (d) records relating to refusals to submit to drug and/or alcohol tests; (e) records of alcohol test results indicating an alcohol concentration of .02 or greater; (f) verified positive drug test results; and, (g) breath testing device calibration documentation.

***Required Records from Prior Employment as Driver of a Commercial Vehicle***

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

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

commercial vehicle unless subsequent information indicates that the individual was evaluated by a substance abuse professional and successfully completed return to duty testing.

***Compensation***

If an employee is ordered to submit to an involuntary post-employment drug and/or alcohol test, the time spent by the employee traveling to and from the test and waiting for and undergoing the test will be considered compensable working time unless otherwise provided by law or contract. Pre-employment drug and/or alcohol tests will not be compensated.

***Cutoff Levels for Drugs and Drug Metabolites; Blood Alcohol Exceedances***

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

***Policy Violations***

Any employee testing positive for drug usage, blood alcohol levels greater than .02, or engaging in any other prohibited conduct concerning drug or alcohol will be subject to disciplinary action up to and including immediate termination. Regardless of disciplinary action taken, all such employees will be advised of resources available to evaluate and treat problems associated with drug and/or alcohol abuse.

Employees in safety-sensitive positions, including those that require a CDL, who are not terminated for violation of this policy will be subject to the following conditions of continued employment:

If an employee has a breath alcohol concentration of at least .02 but less than .04, he or she will not drive a commercial vehicle or engage in any other safety sensitive ~~actives~~activities for at least 24 hours.

If an employee tests positive for drugs, tests positive for a blood alcohol level of .04 or greater, and/or engages in any other conduct prohibited by this policy relating to drugs and/or alcohol, the employee will be immediately removed from duties requiring the driving of a commercial vehicle and will not be permitted to return to work unless the employee: (a) has been evaluated by a substance abuse professional; (b) has complied with any rehabilitation prescribed by a substance abuse professional; and (c) has successfully completed a return to duty test for drugs and/or alcohol.

Upon completion of a recommended rehabilitation program and successful return to work, the employee will be subject to follow-up random testing for up to 60 months as recommended by the substance abuse professional and the City of Galena with a minimum of six such unscheduled tests within the first 12 months of returning to duty.

***Cannabis***

Cannabis (Marijuana) is currently regulated pursuant to Illinois law in two general categories:

- Recreational Use: The City of Galena recognizes the recreational cannabis law in Illinois permits an adult (21 years of age or older) to use cannabis and avoid civil and criminal penalties under state law.
- Medical Use: The City of Galena recognizes that Illinois' medical cannabis law permits an individual with a qualifying debilitating medical condition to register as a medical cannabis patient and avoid civil and criminal penalties under state law for certain medical uses of cannabis.

The City of Galena will not discriminate against an employee based on the employee being a registered medical cannabis cardholder. However, in accordance with Illinois and federal law and in order to maintain a safe, efficient and productive workforce, employees may not use or possess cannabis in or at the workplace. The City of Galena also prohibits employees from reporting to work under the influence of, or in any way impaired by, cannabis; as determined in the City of Galena's sole discretion to the fullest extent permitted by applicable law. The "workplace" includes, but is not limited to, any City of Galena building, property, or parking area under the City of Galena's control (regardless of whether it is leased or owned), or any location or area where an employee is performing his or her job duties or where an employee is physically located during his or her work schedule, including any vehicles.

***Drug and Alcohol Testing of Employees***

In accordance with the Omnibus Transportation Employee Testing Act of 1994 and other applicable law, the City of Galena requires employees in safety-sensitive positions and applicants for safety-sensitive positions to submit to mandatory drug and alcohol testing pursuant to this policy. Applicants for non-safety-sensitive positions may be required to submit to pre-employment testing. All employees are subject to random drug and alcohol testing.

Safety-sensitive positions are those positions where there exists a high risk of injury to others with disastrous consequences if the employee has even a momentary lapse of attention. Some examples of safety-sensitive positions include armed law enforcement personnel, firefighters, health care professionals responsible for direct patient care, employees who transport passengers, and employees who operate large or heavy equipment.

Under this policy, employees in safety-sensitive positions specifically include all employees whose positions may involve driving a commercial vehicle and that require the possession of a CDL. For purposes of this policy, a "commercial vehicle" means a vehicle that either: (a) has a gross weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds); (b) is designed to transport 16 or more persons, including the driver; or, (c) is used to transport hazardous materials.

An employee is considered to be driving a commercial vehicle under this policy if he or she is performing any safety sensitive function defined in 49 CFR 382.107, which includes all time working in a position requiring a CDL.

With respect to employees who work in a position requiring a CDL, alcohol testing for reasonable suspicion may be conducted just before, during, or after an employee operates a commercial vehicle.

- Drug and Alcohol Testing for Safety-Sensitive Positions – Employees in safety-sensitive positions are subject to drug and alcohol testing under different and additional circumstances than employees who are not in safety-sensitive positions.
- Reasonable Suspicion – Any employee in a safety-sensitive position will submit to a drug and/or alcohol test when any supervisor has reasonable suspicion to believe that an employee has been using illegal drugs, abusing prescribed drugs, is under the influence of alcohol, or is consuming alcohol while working. If an employee is removed from duty based on reasonable suspicion of alcohol use and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform safety-sensitive functions until: (a) an alcohol test

determines that the employee's breath alcohol concentration measures less than .02; and, (b) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has been using alcohol.

- Post-Accident Testing Involving a Commercial Vehicle – An employee is required by law and this policy to submit to an alcohol test whenever he or she is involved in an accident while driving a commercial vehicle on a public road which results in: (a) a fatality; (b) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; and/or, (c) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.
- Return to Duty Testing – Any employee who has violated this policy and/or has tested positive on a drug or alcohol test and is subsequently permitted to return to work, must pass a drug and/or alcohol test in accordance with this policy prior to returning to duty.
- Follow-Up Testing – An employee in a safety-sensitive position who is referred for assistance related to alcohol and/or drug abuse is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a substance abuse professional and the City of Galena. The number and frequency of follow-up tests will be determined by the substance abuse professional and the City of Galena but will not be less than six (6) tests in the first 12 months following the employee's return to duty.
  For purposes of this policy, a substance abuse professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders.
- Pre-Employment Drug Testing – Employees in safety sensitive positions must pass a drug test as a post-offer condition of employment. Employees in non-safety sensitive positions may be required to take and pass a drug test as a post-offer condition of employment. Failure to successfully pass a post-offer pre-employment drug test may result in the offer of employment being revoked. An applicant who is denied employment because of a positive drug test may not reapply for employment with the City of Galena for a period of six months.
- Random Drug and/or Alcohol Testing – Employees may be randomly selected to submit to drug and/or alcohol testing. The process will be unannounced, and employees will be selected in a non-discriminatory manner. After an employee is notified that he or she has been selected for random testing, the employee will be required to report immediately to the testing location no later than one hour after notification. Upon arrival at the testing location, the employee must identify him or herself by use of the photo identification card and present any applicable documentation. Upon completion of the drug and/or alcohol testing, the employee will, if his or her shift is not completed, immediately return to duty status.

## Section 8 – Separation of Employment

### 8.1 RETIREMENT

Employees intending to retire should notify their department head of their intent to retire with as much advance note as possible prior to the date of retirement.

The City makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.

All full-time and part-time employees working one thousand (1,000) hours or more are also covered under the Illinois Municipal Retirement Fund (IMRF). Benefit levels and contribution rates are set each year by the State of Illinois. Unused and unpaid Sick Leave of any city employee will be reported to IMRF for the purpose of qualifying for additional pension service credit under the provisions of the retirement plan.

In addition to IMRF, the City sponsors two (2) non-participatory deferred compensation plans. Employees may voluntarily contribute to one or both deferred compensation plans to supplement future retirement income.

All retired employees are entitled to insurance coverage at the employee's expense under the city's insurance policy. The retired employee must pay 100% of the insurance premium costs of this coverage either out of pocket or by using the Sick Leave Bank for Retirement Premiums.

### 8.2 RESIGNATION

Employees who voluntarily resign from their employment with the City of Galena, are expected to submit a written resignation letter to their supervisor or an appropriate member of management at least 10 working days in advance of their last date of employment to leave in good standing. This period may be shortened by your supervisor and/or the appropriate member of management under appropriate circumstances. Once employees have provided notice of their resignation, they shall not be entitled to utilize any paid time off within 10 workdays preceding their last date of employment unless otherwise approved by their supervisor or an appropriate member of management. Your resignation letter will become part of your permanent personnel file, and failure to provide proper notice under this policy may make you ineligible for re-employment.

Failure to comply with this procedure will be considered cause for denying separation leave benefits. Unauthorized absence from work for a period of three (3) working days may be considered by the Mayor as a resignation without benefits.

## 8.3 TERMINATION

Employment is "at-will," which means that the employment relationship may be terminated at any time for any lawful reason with or without cause or notice. An employee's immediate supervisor and the City Administrator may terminate any employee whenever such action is made necessary.

No full-time employee will be laid off while there are temporary, provisional or probationary employees serving in the same class of positions for which the full-time employee is qualified, eligible and available. Length of service in the same position may be given consideration.

City employees may qualify for State Unemployment Compensation after termination from City employment depending on the reason for termination and if certain qualifications are met.

## 8.4 DEATH

Upon the death of an employee all compensation due will be paid to the estate of the employee.

## 8.5 COMPENSATION UPON SEPARATION

Upon separation of employment, the employee will receive the following compensation:

- Regular wages for all hours worked up to the time of separation that have not already been paid.
- Any overtime or holiday pay due worked up to the time of separation that has not already been paid.
- A lump sum payment of any accrued but unused vacation.
- For non-exempt employees, a lump sum payment of any compensatory hours accrued but unused.
- A lump sum payment equal to one-third (1/3) of all Sick Leave accrued to first day of the month of separation.
- If an employee is rehired after a separation of employment within 12 months of separation, their unused paid leave at separation will be reinstated.
- Upon an employee's separation from City employment, at the employee's option and expense, the employee may elect to continue City health insurance benefits to the extent provided by COBRA. Continuation rights are not available if an employee is terminated for gross misconduct.

## 8.6 REFERENCES

The City does not give references, other than to confirm the date of employment and the last salary, without the express written consent of the employee. Only the City Administrator, the Mayor, or their designee will provide employment information on current or former City employees.

## 8.7 RETURN OF PROPERTY UPON SEPARATION

Upon separation of employment, employees must return all City of Galena property in their possession or control to their supervisor or the appropriate member of management on or before their last day of work. Such property includes, but is not limited to, City of Galena apparel, cellular phones, keys, usernames, passwords, access codes, key cards, documents, electronic files, badges, computers and/or other electronic devices.

## ACKNOWLEDGEMENT

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

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

I agree to abide by and observe all the information, rules, policies, and procedures set forth in the Handbook and Exhibits and understand that the City of Galena's rules, policies, and procedures may be changed from time to time, with or without notice, and that this Handbook with Exhibits supersedes and replaces any and all prior Handbooks with Exhibits.

| Exhibit | Initials | Cell Phone or Credit Card #'s |
|---|---|---|
| A – Employee Agreement and Consent to Drug and/or Alcohol Testing | | N/A |
| G – City-Provided Cellular Service Assignment Form – ***Please provide cell phone # far right*** | | |
| H – Cellular Service Allowance Form – ***Please provide cell phone # far right*** | | |
| K – Sexual Harassment Prevention Annual Training Acknowledgement | | N/A |
| L – Reporting of Suspected Fraudulent Activities Policy | | N/A |
| M – Security Awareness Training Acknowledgement | | N/A |
| N – Social Media Policies Acknowledgement Form | | N/A |
| O – Credit Card User Agreement – ***Please provide credit card # far right*** | | |
| P – Cash Over and Short Policy Employee Agreement | | N/A |

Printed Name

Signature

Date ~~Signed~~

Position Department

## Exhibit A - Employee Agreement and Consent to Drug and/or Alcohol Testing

I hereby agree, upon a request made under the Drug Policy of the City of Galena, to submit to a drug or alcohol test and to furnish a sample of my urine, breath, and/or blood for analysis. I understand and agree that if I at any time refuse to submit to a drug or alcohol test under city policy, or if I otherwise fail to cooperate with the testing procedures, I may be subject to discipline, including the possibility of termination. I further authorize and give full permission to have the City of Galena and/or its chosen physician send the specimen or specimens so collected to a laboratory for a screening test for the presence of any prohibited substances under the policy, and for the laboratory or other testing facility to release any and all documentation relating to such test to the City of Galena and/or to any governmental entity involved in a legal proceeding or investigation connected with the test. Finally, I authorize the City of Galena to disclose any documentation relating to such test to any governmental entity involved in a legal proceeding or investigation connected with the test.

I understand that only duly-authorized City of Galena officers, employees, and agents will have access to information furnished or obtained in connection with the test; that they will maintain and protect the confidentiality of such information to the greatest extent possible; and that they will share such information only to the extent necessary to make employment decisions and to respond to inquiries or notices from government entities.

I will hold harmless the City of Galena, its chosen physician, and any testing laboratory the city might use, meaning that I will not sue or hold responsible such parties for any alleged harm to me that might result from such testing, including loss of employment or any other kind of adverse job action that might arise as a result of the drug or alcohol test, even if a City of Galena or laboratory representative makes an error in the



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administration or analysis of the test or the reporting of the results. I will further hold harmless the City of Galena, its chosen physician, and any testing laboratory the city might use for any alleged harm to me that might result from the release or use of information or documentation relating to the drug or alcohol test, as long as the release or use of the information is within the scope of this policy and the procedures as explained in the paragraph above.

This policy and authorization have been explained to me in a language I understand, and I have been told that if I have any questions about the test or the policy, they will be answered.

I UNDERSTAND THAT THE CITY OF GALENA WILL REQUIRE A DRUG SCREEN AND/OR ALCOHOL TEST UNDER THIS POLICY UNDER CIRCUMSTANCES THAT SUGGEST POSSIBLE INVOLVEMENT OR INFLUENCE OF DRUGS OR ALCOHOL WHILE ON THE JOB OR IN THE EVENT OF AN ON-THE-JOB ACCIDENT OR INJURY, AND I AGREE TO SUBMIT TO ANY SUCH TEST.

_____ _____

Signature of Employee Date

_____

Employee's Name - Printed

_____ _____

City of Galena Representative Date

## Exhibit B-New Employee Checklist

The employee has submitted the following information to the City of Galena:

- Federal W-4 (Required)
- State W-4 (Required)
- I-9 Form (Required)
- State of Illinois New Hire Reporting (Required)
- Direct Deposit Authorization (~~Required~~Optional)
- ~~Health Insurance Form – Blue Cross Blue Shield (Optional)~~
- ~~Dental Insurance Form – MetLife (Optional)~~
- ~~Vision Insurance Form – Guardian National (Optional)~~
- IMRF Application (Required)
- IMRF Beneficiary Form (Required)
- IMRF Voluntary Contribution Form (~~Required~~Optional)
- ~~Cash Handling & Fraud~~Personnel Policy ~~(Required)~~
- ~~Policy Prohibiting Sexual Harassment~~Handbook Acknowledgements (Required)
- Sick Leave Bank (Optional)
- NCPERS Supplemental Life through IMRF (Optional)

The employee has received documentation and learned about the following:

City of Galena Personnel Policy Handbook

Sexual Harassment Prevention Training

Security Awareness Training

Contact List:

~~NACO~~Nationwide / VOYA Deferred Compensation (Optional)

Aflac Supplemental Insurance (Optional)

IL Bank & Trust HSA Account (Required if enroll in health insurance)

Union Dues (if applicable) – See Union Stewards

| City of Galena – Employee | City of Galena – Administration |
|---|---|
| Name _____ | Name _____ |

## Exhibit C-Employee Checklist - Moving

The employee has notified the following organizations of the new address:

- City of Galena – Finance Director
- Blue Cross Blue Shield
- ~~MetLife~~
- Guardian
- Dearborn National
- IL Bank & Trust HSA Account
- IMRF
- ~~NACO~~Nationwide / VOYA
- Aflac
- Collective Bargaining Unit
- NCPERS Life Insurance

| City of Galena – Employee | City of Galena – Administration |
| --- | --- |
| Name _____ | Name _____ |

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## Exhibit D-Employee Checklist – Beneficiary Change / Dependent Change

The employee has notified the following entities of a change of beneficiary:

- City of Galena – Finance Director
- Blue Cross Blue Shield
- ~~MetLife~~
- Guardian
- Dearborn National
- IL Bank & Trust HSA Account
- IMRF
- ~~NACO~~Nationwide / VOYA
- Aflac
- Collective Bargaining Unit

- NCPERS Life Insurance

| City of Galena – Employee | City of Galena – Administration |
|---|---|
| Name _____ | Name _____ |

## Exhibit E-Authorization for Voluntary Payroll Deduction

I, _____ hereby authorize the City of Galena to deduct from my wages for the purpose of _____, the sum of $_____, beginning _____ and ending _____ until the full amount of $_____ has been deducted. The deduction will be made (~~chose~~choose one) from the first paycheck of the month _____ or from the first *and* second paycheck of the month _____.

In the event my employment ends for any reason before the final deduction is made, the entire balance will be deducted from my final wages.

_____

Employee's Signature

_____

Date

_____

Approved by (for the City of Galena)

_____

Date

**Exhibit F-Travel, Meal and Lodging Expense Reimbursement Form**

## Travel, Meal and Lodging Expense Reimbursement Form

**Name** _____

**Job Title** _____

**Department** _____

**Per Mile Reimbursement** _____

**Total Reimbursement Due** _____

**Date Submitted** _____

**Expense** _____

**Submitted By (Signature)** _____

**Authorized By (Signature)** _____

| Date | Description of Expense | Airfare | Lodging | Ground Transportation (Gas, Rental Car, Taxi) | Meals & Tips | Conferences, Seminars, Training | Miles (Personal Car Only) | Mileage Reimbursement | Miscellaneous | U.S. $ |
|---|---|---|---|---|---|---|---|---|---|---|
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## Travel Reimbursement Schedule

**Airfare** Air travel must be pre-approved by the City Administrator. Travelers are expected to obtain the lowest available airfare that reasonably meets business travel needs. Travelers are encouraged to book flights at least thirty (30) days in advance to avoid premium airfare pricing. Only coach or economy tickets will be paid or reimbursed. The traveler will pay for the difference between higher priced tickets and coach or economy tickets with his or her personal funds.

**Lodging** The traveler will be reimbursed for a standard single-room at locations convenient to the business activity. Hotel/motel accommodations are to be reserved in advance and secured at a moderate or conference rate. Reimbursement for lodging will be limited to the number of nights required to conduct the assigned City business. If a conference, for example, opens on a Sunday evening and closes Thursday noon, reimbursement for Sunday through Wednesday night would be allowed. In the event of a change in plans or a cancellation, the traveler must cancel the hotel/motel reservation so as not to incur cancellation charges. Cancellation charges will not be reimbursed by the City unless approved by a vote of the City Council.

**Ground Transportation-Personal Automobiles:** Travelers will use City vehicles for travel unless the use of a personal vehicle is pre-approved by the City Administrator. Mileage reimbursement for personal vehicles will be based on mileage from the work location office to the off-site location of the official business, not from the employee's or officer's residence. When attending a training event or other off-site official business directly from an employee's or officer's residence, no reimbursement will be made if the distance is less than the mileage of a normal commute to the workplace. If the distance is higher than the employee's or officer's normal commute, reimbursement will be paid based on the differential of the commute less the mileage of a normal commute to the workplace. An employee or officer will be reimbursed at the prevailing IRS mileage rate. The traveler will only be reimbursed up to the price of a coach airfare ticket if they drive to a location for which airfare would have been less expensive.

**Ground Transportation-Automobile Rentals:** Travelers will be reimbursed for the cost of renting an automobile including gasoline expense only as provided in this section. Car rental insurance will cover the vehicle during personal use, e.g., using the vehicle after the conference has ended. Compact or mid- size cars are required for two or fewer employees or officers traveling together and a full-size vehicle may be used for three or more travelers. The traveler must refuel the vehicle before returning it to the rental company.

**Ground Transportation:** The traveler should utilize hotel shuttle service or other shuttle services, if available. If none are offered, the use of the most economic transportation is encouraged. In the case of local training or official business where an employee or officer chooses to use public transportation, reimbursement for use of public transportation will be the cost of the public transportation plus any mileage in accordance with this policy.

**Meals and Tips:** Meal expenses and reimbursements are limited to the current U.S. General Services Administration (GSA) per diem rate for the location of travel at the time the expense is incurred. Receipts will be submitted to substantiate all expenses within 14 days after expenses are incurred. Any amount of the per diem allowance which was not spent by the traveler will be returned to the City at the time receipts are submitted. Meals provided by a conference or seminar should be deducted from the per diem allowance. Partial reimbursement may be made for departure and return days based on time. Meals during in-state travel that are not part of an overnight stay will be reimbursed at the actual cost not to exceed the GSA meal rate. If not already applied by the establishment, gratuity must be calculated on the amount of the bill before sales tax. The maximum reimbursement for gratuities is 20%. Alcoholic beverages are not reimbursable under any circumstances.

**Conferences and Seminars:** The actual cost of registration, including any ancillary and optional sessions or events.

**Mileage:** An employee or officer will be reimbursed at the prevailing IRS mileage rate.

**Miscellaneous:** Family members may accompany the traveler when traveling on official City business. However, no expenses attributable to any family member will be reimbursable. All expenses will be calculated as if the traveler were traveling alone, using the minimum costs to the City for lodging, meals, and transportation. Parking fees at a hotel/motel or incidental to other travel will be reimbursed only with a receipt. No employee or officer of the City will be reimbursed for any entertainment expense, unless ancillary to the purpose of the program, event or other official business.

## Exhibit G-City-Provided Cellular Service Assignment Form

**EMPLOYEE**

Printed Name: _____ Date: _____ Position: _____

Department: _____ Cell Phone Number: _____

**AUTHORIZATION**

The City of Galena has established monthly cellular service for your use as a city employee. The service may be used for City of Galena business and personal use in accordance with the City-Provided Cellular Service Policy.

**AGREEMENT**

• I have received and will follow the City-Provided Cellular Service Policy, and I understand that I am subject to disciplinary action for non-compliance.

• I understand that the data created with the use of my city-provided cellular service and my cellular phone may be subject to disclosure under the Freedom of Information Act.

Employee Signature: _____ Date: _____

City Administrator Signature: _____ Date: _____

## Exhibit H-Cellular Service Allowance Form

**EMPLOYEE**

Printed Name: _____ Date: _____ Position: _____

Department: _____ Cell Phone Number: _____

**AUTHORIZATION**

The City of Galena has established a monthly cellular service allowance. The service may be used for City of Galena business and personal use in accordance with the Cellular Service Policy.

The allowance is designed to offset the cost to the employee for using his/her personal device for city business. The allowance shall be established by the City Administrator and equal to the cost of city-provided service. The allowance shall be reviewed and adjusted as needed on May 1 of each year.

**AGREEMENT**

• I have received and will follow the Cellular Service Policy, and I understand that I am subject to disciplinary action for non-compliance.

• I understand that the data created with the use of my cellular service and my cellular phone may be subject to disclosure under the Freedom of Information Act.

Employee Signature: _____ Date: _____

City Administrator Signature: _____ Date: _____

**Exhibit I-Vacation or Comp Time Request Form**

## Vacation or Comp Time Request

EMPLOYEE NAME: _____

DEPARTMENT: _____ DATE OF REQUEST: _____ VACATION HOURS AVAILABLE: _____

COMP TIME HOURS AVAILABLE: _____

| DATES REQUESTED: | VACATION | COMP TIME |
|---|---|---|
| | | |
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## Vacation or Comp Time Approval Response

| DATES REQUESTED: | VACATION | COMP TIME |
|---|---|---|
| | | |
| | | |
| | | |

**EMPLOYEE NAME:** _____

**DEPARTMENT HEAD:** _____ **CITY ADMINISTRATOR:** _____

## Exhibit J-Alternative Employee Insurance Incentive Program Waiver & Application Form

**CITY OF GALENA**

**ALTERNATIVE EMPLOYEE INSURANCE INCENTIVE PROGRAM WAIVER**

I elect to participate in the Alternative Employee Insurance Incentive Program. I have elected to participate in this program on my own volition, without influence from any City elected officials or City staff. I certify that I have alternative health insurance coverage with the following insurance carrier(s) and have provided the required documentation as proof of such alternative insurance coverage to City staff:

_____ (Health Insurance Provider)

In lieu of enrolling in the City of Galena's health insurance plan, which is provided to all full-time employees and will continue to be offered to those employees who do not elect to participate in this plan, I understand and agree that I am eligible to accept an incentive payment for waiving the City provided health plan. I further understand and agree that I am eligible for an incentive payment up to $1,500 (pre-tax) annually for waiving the City provided health insurance. Incentive payments will be disbursed to eligible employees in January. New or current employees who enroll in the incentive program during the plan year will receive a prorated disbursement based on the effective date of enrollment in the Alternative Insurance Incentive Program.

I understand and accept that if my alternative insurance coverage is lost due to a qualifying event (i.e. death of spouse, legal separation, divorce, birth of child, adding a dependent, loss of insurance due to spouse's termination or reduction of work hours), that I may re-enroll in the City's health insurance plan at any time. I also understand and accept that if I elect to discontinue my alternative insurance coverage and re-enroll in the City's health insurance plan for any other reason than a qualifying event, then I may only do so during the City's designated insurance open enrollment period. I also understand and accept that the City is not responsible for any lapse in insurance coverage relating to my election to participate in this program. I also understand that if I have received a stipend payment and need to re-enroll during the same plan year that I will be responsible for reimbursing the City on a prorated basis the unearned portion of the payment received. I also understand that if I have received a stipend payment and my employment with the City is terminated, for any reason voluntarily or involuntarily, I will be responsible for reimbursing the City on a prorated basis the unearned portion of the payment received.

By my signature on this document, I agree to waive any and all claims, actions, causes of actions, damages, injuries, losses, administrative claims, demands and costs against the City of Galena, its elected officials, employees, and agents as a result of any and all failure of inadequacies of alternative health insurance which may arise in consequence of my election to enter into this Agreement and/or any lapses that may occur between the termination of my alternative health insurance and my reinstatement to the City's provided health insurance.

| | |
|---|---|
| Employee Name (print) | Employee Signature |
| Date | Employee Social Security Number |
| Application Accepted By | Date |

**CITY OF GALENA**
**ALTERNATIVE EMPLOYEE INSURANCE INCENTIVE APPLICATION FORM**

Instructions:

City employees who wish to participate in this program must complete this application form and the required waivers and turn these documents into the City Administrator's office prior to being considered for participation in this program. The City Administrator and the Finance Director shall evaluate each application to determine eligibility. Any employee's application that does not meet the requirements for participation shall have a written response forwarded to the employee that identifies the reason for denial.

Employee/Department Head Section

Date of Application: _____

Employee Name: _____ Employee's Department: _____

_____ _____

Employee Signature Department Head Signature

Finance Director Office Section

Is the employee currently eligible for enrollment under the provisions of the City's health insurance contract?

Yes No Explanation: _____

Has the employee completed and submitted the required waivers?

Yes No

Has the employee submitted valid proof of alternative health insurance coverage?

Yes No

Signature:

_____ Date: _____

Finance Director

City Administrator's Section

Application approved and payment directed? Yes No

Signature:

_____ Date: _____

City Administrator

Comments:

**CITY OF GALENA**
**ALTERNATIVE EMPLOYEE INSURANCE INCENTIVE APPLICATION FORM**

The City requires those employees who choose to opt out of the City's health insurance to provide proof that they have health insurance coverage from another source (i.e., typically from their spouse's employer). If you are choosing to opt out of the City's health insurance, please complete and submit this form along with a copy of your Health Insurance Card or other proof of insurance coverage from the other carrier to the City Administrator.

Employee Name: _____ Department: _____

Name of Alternate Health Insurance Provider: _____

Name of Primary Insured: _____ Relationship to Primary Insured: _____

**Please attach a copy (Front and Back) of the health insurance card from your Health Insurance Carrier to this form.**

By signing this form, I understand that I am electing not to participate in the City's health insurance for the plan year. I further understand that I will not be able to elect to participate in the City's health insurance at any time during the plan year unless a qualifying life event occurs (qualifying life events include loss of a job for your spouse, divorce, birth of a child, etc.).

_____ _____
Signature of Employee Date

## Exhibit K-Sexual Harassment Prevention Annual Training Acknowledgement

**ACKNOWLEDGEMENT**

By signing below, I acknowledge that I have received a copy of the City of Galena Harassment and Complaint Procedure ("Procedure") and understand that it is my responsibility to read and become familiar with its contents. I further understand that it is my responsibility to ask questions of my supervisor and/or other responsible official if I do not understand any of the information contained in the Procedure and that I am required to abide by and observe all the information, rules, policies and procedures explained therein.

I understand that City of Galena's rules, policies and procedures may be changed from time to time, with or without notice, and that this Procedure supersedes and replaces any and all prior versions.

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

**Training Participant Information:**

_____

Printed Name - First, Middle Initial, Last

_____

Work Location Training Date

_____

Signature Date Signed

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

## Exhibit L-Reporting of Suspected Fraudulent Activities Policy

I acknowledge that I have received a copy of the City of Galena Reporting of Suspected Fraudulent Activities Policy.

I have read and understand the contents of the Reporting of Suspected Fraudulent Activities Policy and will act in accord with these policies and procedures as a condition of my employment with the City of Galena.

I understand that if I have questions or concerns at any time about the Reporting of Suspected Fraudulent Activities Policy, I will consult my immediate supervisor, the Finance Director, or the City Administrator for clarification.

Finally, I understand that the contents of the Reporting of Suspected Fraudulent Activities may change at any time and that I will be notified of any changes.

***Please read the Reporting of Suspected Fraudulent Activities Policy carefully before you sign this document.***

_____

Employee Signature

_____

Date

_____

Employee Name (Please Print)

## Exhibit ~~K~~M-Security Awareness Training Acknowledgement

**ACKNOWLEDGEMENT**

By signing below, I acknowledge that I have received a copy of the City of Galena Security Awareness Training ("Training") and understand that it is my responsibility to read and become familiar with its contents. I further understand that it is my responsibility to ask questions of my supervisor and/or other responsible official if I do not understand any of the information contained in the Training and that I am required to abide by and observe all the information, rules, policies and procedures explained therein.

I understand that City of Galena's rules, policies and procedures may be changed from time to time, with or without notice, and that this Training supersedes and replaces any and all prior versions.

I further certify that I have carefully read, reviewed, and completed Security Awareness Training pursuant to the Illinois Information Security Improvement Act, 20 ILCS 1375.

**Training Participant Information:**

_____

Printed Name - First, Middle Initial, Last

_____

Work Location Training Date

_____

Signature Date Signed

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

## Exhibit N-Social Media Policies Acknowledgement Form

I acknowledge that I have received a copy of the City of Galena Personal Use of Social Media and City Use of Social Media policies.

I understand that this policy replaces any and all prior verbal and written communication regarding City of Galena policies relating to employee use and access and employee monitoring of employee use of social media, as defined in the Social Media policies.

I have read and understand the contents of the Social Media policies and will act in accord with these policies and procedures as a condition of my employment with the City of Galena.

I understand that if I have questions or concerns at any time about the Social Media policies, I will consult my immediate supervisor, the Social Media Coordinator, or the City Administrator for clarification.

Finally, I understand that the contents of the Social Media Policy may change at any time and that I will be notified of any changes.

***Please read the Social Media policies carefully before you sign this document.***

_____

Employee Signature

_____

Date

_____

Employee Name (Please Print)

## Exhibit ~~L~~O-Credit Card User Agreement

I, _____, as an employee of the City of Galena accept personal responsibility for the safeguard and proper use of the City credit card # _____, which has been assigned to me for use in the performance of my job, in accordance with the terms outlined below.

- The credit card is to be used solely for travel related business expenses, conferences, classes, etc. incurred by the assigned employee only and in accordance with the City of Galena Expense Reimbursement Policy and Travel Reimbursement Schedule.

- The credit card may be used for purchasing department supplies up to $1,000 only if prior approved by the City Administrator.

I have read and understand the credit card policies and procedures.

I understand the City Administrator will disallow my use of the City credit card for a violation of misuse of the credit card and/or credit card policies and procedures.

I understand that each time I use the City credit card I am adhering to the following statement:

I hereby certify under penalty of perjury that this is a true and correct claim for necessary expenditures incurred by me and that no payment had been received by me on account thereof.

I understand that I will be held personally liable for any inappropriate charges I incur to the City credit card, and payment for any such inappropriate charges is hereby authorized to be withheld from my paycheck.

The undersigned individual has read and understands the above statements.

Signature: _____

Print Name: _____

Date: _____

## Exhibit ~~M~~P-Cash Over and Short Policy Employee Agreement

Employees who handle cash are expected to be careful and accurate and to settle their funds each day without overages or shortages. We recognize the possibility that ~~difference~~differences may occur from time to time, and we have developed the following policy to ensure that accuracy is a first priority.

**Verbal Warning Offense**

A verbal warning will be given if an employee has a cash short total of $5 in one day, a cumulative cash short total of $10 in one week or a cumulative cash short total of $25 in one month.

**Written Warning Offense**

A written warning will be issued to any employee that exceeds three verbal warnings.

A written warning will immediately be issued to any employee who exceeds a cash short total of $10 in one day, a cumulative cash short total of $15 in one week or a cumulative cash short total of $30 in one month.

**Termination**

Termination will result upon the third written warning.

Any single cash short total of $50 or more, any cumulative weekly cash short total of $75 or more and any cumulative monthly cash short total of $100 or more may be grounds for immediate dismissal.

Any attempt to alter, falsify or omit information on the daily Cash Settlement Report to avoid a cash short incidence may be grounds for immediate dismissal.

Each incident will be addressed in writing with the employee by the employee's supervisor and/or Department Head.

**Restitution**

In the case for verified fraudulent activity on the part of any employee, that employee may be required to pay restitution to the city as deemed necessary by the City Manager and/or Mayor in addition to administrative sanctions.

**Record Retention**

All written warnings will be retained in the employee's personnel file.

I have read and understand the above policy and agree to the terms and conditions set forth.

**Employee Signature**_____**Date**_____

**Printed Employee Name** _____