

The City of Marion, Illinois

Employee Handbook

Ordinance 3550

August 12, 2019



A handwritten signature in blue ink, appearing to read 'M. Absher', is written over a horizontal line.

Michael W. Absher, Mayor

Attest: A handwritten signature in blue ink, appearing to read 'Tammy S. Beasley', is written over a horizontal line.

Tammy S. Beasley, City Clerk

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1.1 Welcome Statement

Welcome to employment with the City of Marion. The City of Marion relies upon its dedicated employees to provide the highest level of service to the citizens of Marion.

This employee handbook contains many of the City of Marion's policies. It is impossible to address every issue that may occur at work in this manual. If an issue is not addressed in this employee handbook, please bring this issue to the attention of your supervisor, the Mayor's Chief of Staff, City Administrator or Human Resource Director. We will do our best to resolve any questions or concerns.

To the extent that any policies contained within this handbook conflict with an applicable collective bargaining agreement, the policies in the collective bargaining agreement will control.

1.2 At-Will Employment

This employee handbook and the individual policies contained herein do not create any contractual rights. Unless your employment is governed by a separate collective bargaining agreement or duly executed contract stating otherwise, you are an at-will employee. That means that the employment relationship is for no definite or determinable period of time, and regardless of salary, position or rate of pay may be terminated by either the City of Marion or by the employee at any time with or without cause or notice. Nothing in this employee handbook is meant to alter that relationship in any manner.

Furthermore, no supervisor or representative of the City of Marion has the authority to enter into any agreement or contract for employment for any specified duration, or to make any agreement, promise, guarantee or commitment that contradicts the above.

Any agreement that contradicts your at-will status must be approved by the City Council and will not be enforceable unless it is in writing and signed by you and by City Council. The agreement must specifically state that the at-will relationship between you and the City of Marion has changed and a new standard is to be applied.

Additionally, this employee handbook cannot address every circumstance that may occur while you are performing your duties. It cannot list every act you are permitted or not permitted to do while employed or answer every question you may have.

Therefore, consult your supervisor if you have a question that this employee handbook does not address. If something is not addressed in this employee handbook, the City of Marion will act in its discretion and in accordance with the law.

The City of Marion also reserves the right to modify, supplement, or rescind any provision of this employee handbook without notice. Only the City Council can approve changes to this employee handbook and that those changes must be in writing and signed by the City Council.

1.3 How to Use This Handbook

You should use this employee handbook as guide regarding the City of Marion's policies. If you have any questions regarding the policies, please direct your questions to your supervisor.

1.4 Worker Classifications and Employment

All employees contribute different skills and experience to the workplace. Duties and work schedules may vary by employee.

The City of Marion reserves the right to change this employee handbook, including the employee classifications listed below, in its discretion and without notice.

Please also note that none of the classifications change the at-will relationship the City of Marion has with its employees.

Classifications

The classifications are:

Full-Time Employees
Part-Time Employees
Seasonal Employees
Project Employees
Contract Employees
Temporary Employees
Volunteers

Non-Exempt or Exempt

Employees will also be classified as exempt or non-exempt.

Non-exempt employees are those employees that are eligible to receive overtime under state and federal law.

Exempt employees are employees that meet the criteria to be exempt from overtime under state and federal law.

The City of Marion recognizes the following positions as exempt:

City Clerk	City Treasurer	Police Chief
Fire Chief	Human Resource Director	Assistant Police Chief
IT Director	Water Office Manager	911 Coordinator
Safety Director	Water Plant Superintendent	Civic Center - Tech Director
Senior Citizens Director	Street Dept Superintendent	Library Director
Boyton Street Director	City Administrator	Assistant Treasurer
Mayor's Chief of Staff	Waste Water Superintendent	Cemetery Superintendent
Pavilion Director	Office Manager (Codes)	Civic Center Director

HUB exempt positions:

Aquatics Coordinator	Fitness Director	General Manager
Marketing Director	Child Care Lead	Lead Customer Service
Maintenance Manager	Membership Coordinator	Sports & Rec Coordinator
Young Adult Coordinator		

Residency Requirements

Full-time employees of the City of Marion shall live within 10 miles, straight line GPS, of City Hall of the City of Marion, Illinois. Upon hiring, a new employee has eighteen (18) months to establish residence to satisfy this requirement.

Part-Time/Temporary employees do not have a residency requirement, however upon being employed full-time the employee shall have eighteen (18) months to establish residency within the requirements.

1.5 Wage and Salary Policy

Non-Exempt Employees

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States receive at least the federal minimum wage for all hours worked and receive overtime pay, or alternatively for public employees, compensatory time off, at the rate of one and one-half hours for each hour worked over forty (40) in a workweek. Note that law enforcement and fire protection employees may be entitled to overtime on the basis of a different workweek. Employees who are subject to minimum wage and overtime laws are called “non-exempt.” If you are eligible for overtime pay or compensatory time off (including pay due under our personnel policies or pursuant to a collective bargaining agreement), you must maintain a record of the total hours you work each day. These hours must be accurately recorded using our time-keeping system. You should not work any hours outside of your scheduled work day unless your supervisor has authorized the unscheduled work in advance. Do not start early, finish late, work during a meal break, or perform any extra work unless you are authorized to do so in advance, and the time is reported on your time-keeping record. You are required to verify that the reported hours worked are complete and accurate and that you have not worked any “off-the-clock” or unrecorded time. Your recorded hours worked must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks. At the end of each workweek, you should submit your completed time record for verification and approval. When you receive each paycheck, please verify immediately that you were paid correctly for all regular and overtime hours worked.

Exempt Employees

Section 13(a)(1) of the FLSA, however, provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. Job titles do not determine exempt status. In order for an employee to qualify as “exempt” from minimum wage and overtime, an employee’s specific job duties and salary must meet all the requirements of the Department of Labor’s regulations. If you are classified as an exempt, salaried employee, you will receive a salary which is intended to compensate you for all hours that you may work for the city. This salary will be set at the time of hire or whenever you become classified as an exempt employee. Your salary may be subject to review and modification from time to time, such as during salary review time.

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a “salary basis.” If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Deductions from an exempt employee’s pay are permissible under the following circumstances:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- For absences of one or more full days due to sickness or disability if the deductions is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- To offset amounts employees receive as jury or witness fees or for military pay in some cases;
- Or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions;
- In the initial or terminal week of employment in the event you work less than a full week;
- For penalties imposed in good faith for infractions of safety rules of major significance;
- For weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

An exempt employee's salary may also be reduced for certain types of deductions such as his or her portion of health, dental or life insurance premiums, state, federal or local taxes, social security, IMRF, or contributions to a 401(k) plan.

Please note that you will be required to use accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. However, an exempt employee's salary will not be reduced for partial day absences if he or she does not have accrued paid time off.

Accurate Time-Keeping

It is a violation of this policy for any employee to falsify a time-keeping record or to alter another employee's time-keeping record. It is a violation of city policy for another employee, supervisor, elected or appointed official to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time-keeping record to over- or under-report hours worked. If any employee, supervisor, elected or appointed official instructs you to violate this policy, do not do so. You are to report it immediately to the Mayor's Chief of Staff, City Administrator or Human Resource Director.

Prohibition of Improper Salary Deductions

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit any member of management, elected or appointed official from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

Reporting Errors or Improper Deductions

We make every effort to ensure that all of our employees are paid correctly. Occasionally, however, an inadvertent error can occur. Please review your paystub every pay period. If you find an error, please call it to our attention immediately by reporting it to your immediate supervisor or to the Treasurer's office.

If you believe that an improper deduction has been made from your salary, you should immediately report this to your direct supervisor or to the Treasurer's office.

Reports of errors or improper deductions will be promptly investigated. If it is determined that an error or improper deduction has occurred, it will be promptly corrected, and you will be promptly reimbursed for any improper deduction made.

No employee will be retaliated against for reporting violations of this policy or for cooperating in an investigation of a reported violation.

2.1 The City of Marion's Policy against Discrimination, Harassment and Sexual Misconduct

I. STATEMENT OF POLICY

It is the City of Marion's policy that it will not tolerate or condone discrimination or harassment on the basis of race, color, religion, creed, sex, gender-identity, gender-expression, sexual orientation, pregnancy, childbirth, medical or common conditions relating to pregnancy and childbirth, genetic information, national origin, age, physical or mental disability, ancestry, marital status, military status, arrest record, unfavorable discharge from military service, order of protection status, citizenship status or any other classification protected under federal or state law. Sexual misconduct is also prohibited. The City of Marion will neither tolerate nor condone discrimination, harassment or sexual misconduct by employees, supervisors, elected officials, appointed officials, co-workers, or non-employees with whom the City of Marion has a business, service, or professional relationship. "Employee," for purposes of this policy only, includes any individual performing work for the City of Marion, an apprentice, an applicant for apprenticeship, or an unpaid intern.

Retaliation against an employee who complains about or reports any act of discrimination, harassment or misconduct in violation of this policy is prohibited. Retaliation against any employee who participates in an investigation pursuant to this policy is likewise prohibited. The City of Marion is committed to ensuring and providing a work place free of discrimination, harassment, sexual misconduct and retaliation. The City of Marion will take disciplinary action, up to and including termination, against an employee who violates this policy.

As set forth above, sexual harassment and sexual misconduct are prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. submission to or rejection of this conduct explicitly or implicitly affects a term or condition of individual's employment;
2. submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee or;
3. the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive work environment because of the persistent, severe or pervasive nature of the conduct.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The employee as well as the harasser may be a woman or a man. The employee does not have to be of the opposite sex.
- The harasser can be the employee's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The employee does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the employee.
- The harasser's conduct must be unwelcome.

Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment or harassment based on any status protected by law. The following are illustrations of actions that the City of Marion deems inappropriate and in violation of our policy:

1. Unwanted sexual advances.
2. Offering employment benefits in exchange for sexual favors.
3. Retaliating or threatening retaliation after a negative response to a sexual advance or after an employee has made or threatened to make a harassment complaint.
4. Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars or posters.
5. Verbal conduct such as making derogatory comments, using epithets or slurs, making sexually explicit jokes or suggestive comments about a person's body or dress.
6. Written or electronic communications of a sexual nature or containing statements or images which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or stereotypes about disabled individuals.
7. Physical conduct such as unwanted touching, assaulting, impeding or blocking movements.

Sexual misconduct is strictly prohibited by the City of Marion and can include any inappropriate and/or illegal conduct of a sexual nature including, but not limited to, sexual abuse, sexual exploitation, sexual intimidation, rape, sexual assault, or ANY sexual contact or sexual communications with a minor (including, but not limited to, conduct or communications which are written, electronic, verbal, visual, virtual or physical).

II. RESPONSIBILITIES

A. Supervisors

Each supervisor shall be responsible for ensuring compliance with this policy, including the following:

1. Monitoring the workplace environment for signs of discrimination, harassment or sexual misconduct;
2. Immediately notifying law enforcement where there is reasonable belief that the observed or complained of conduct violates the criminal laws of the State of Illinois.
3. Immediately notifying the Department of Children and Family Services (DCFS) Hotline (1-800-25-ABUSE or 1-800-252-2873) if the observed or complained of conduct involves the abuse of a minor.
4. Immediately stopping any observed acts of discrimination, harassment or sexual misconduct and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision;
5. Immediately reporting any complaint of harassment, discrimination or sexual misconduct to the Mayor's Chief of Staff, City Administrator or Human Resource Director, and;
6. Taking immediate action to limit the work contact between the individuals when there has been a complaint of discrimination, harassment or sexual misconduct, pending investigation.

B. Employees

Each employee is responsible for assisting in the prevention of discrimination, harassment and sexual misconduct through the following acts:

1. Refraining from participation in, or encouragement of, actions that could be perceived as discrimination, harassment or sexual misconduct;
2. Immediately reporting any violations of this policy to a supervisor, the Mayor's Chief of Staff, City Administrator or Human Resource Director. Employees are obligated to report violations of this policy as soon as they occur. An employee should not wait until the conduct becomes unbearable before reporting the prohibited conduct. All employees are obligated to report instances of prohibited conduct even if the conduct is merely observed and directed toward another individual and even if the other person does not appear to be bothered or offended by the conduct. All employees are obligated to report instances of prohibited conduct regardless of the identity of the alleged offender (e.g. man, woman, supervisor, elected official, co-worker, volunteer, vendor, member of public).
3. Encouraging any employee who confides that he/she is the victim of conduct in violation of this policy to report these acts to a supervisor.

Failure to take action to stop known discrimination, harassment or sexual misconduct may be grounds for discipline.

There is a clear line most cases between a mutual attraction and a consensual exchange and unwelcome behavior or pressure for an intimate relationship. A friendly interaction between two persons who are receptive to one another is not considered unwelcome or harassment. Employees are free to form social relationships of their own choosing.

However, when one employee is pursuing or forcing a relationship upon another who does not like or want it, regardless of friendly intentions, the behavior is unwelcome sexual behavior. An employee confronted with these actions is encouraged to inform the harasser that such behavior is offensive and must stop. You should assume that sexual comments are unwelcome unless you have clear unequivocal indications to the contrary. In other words, another person does not have to tell you to stop for your conduct to be harassment and unwelcome. Sexual communications and sexual contact with a minor are ALWAYS prohibited.

If you are advised by another person that your behavior is offensive, you must immediately stop the behavior, regardless of whether you agree with the person's perceptions of your intentions.

The City of Marion does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any employee, including supervisory and management employees.

III. APPLICABLE PROCEDURES

The City of Marion takes allegations of discrimination, harassment and sexual misconduct very seriously. It will actively investigate all complaints.

It is helpful for the employee to directly inform the offending individual that the conduct is unwelcome and must stop. The employee should use the City of Marion's complaint procedure to advise the City of Marion of any perceived violation of this policy as soon as it occurs.

A. Bringing a Complaint

Any employee of the City of Marion who believes that there has been a violation of this policy may bring the matter to the attention of the City of Marion by advising his or her supervisor, the Mayor's Chief of Staff, City Administrator or Human Resource Director for the City of Marion.

The complaint should be presented as promptly as possible after the alleged violation of this policy occurs.

The City of Marion will take steps to ensure that complaints made are kept confidential to the extent permissible under the law. Individuals who are involved in an investigation under this policy are required to keep the matter confidential to the fullest extent permitted under the law.

B. Resolution of a Complaint

Promptly after a complaint is submitted, the City of Marion will undertake such investigation, corrective and preventive actions as are appropriate. In general, the procedure in resolving any complaints can (but will not necessarily) include any of the following items:

1. A meeting between the employee making the complaint and an individual designated by the City of Marion to investigate such complaints. Important data to be provided by the complaining employee includes the following:
 - a. A description of the specific offensive conduct;
 - b. Identification of all person(s) who engaged in the conduct;
 - c. The location where the conduct occurred;
 - d. The time when the conduct occurred;
 - e. Whether there were any witnesses to the conduct;
 - f. Whether conduct of a similar nature has occurred on prior occasions;
 - g. Whether there are any documents which would support the complaining employee's allegations;
 - h. What impact the conduct had on the complaining employee.
2. While not required, the City of Marion encourages anyone who makes a complaint under this policy to provide a written statement setting forth the above details and attaching any pertinent records.
3. After a complaint is submitted by the employee, the alleged offending individual should be contacted by a designated representative of the City of Marion. The alleged offending individual should be advised of the charges brought against him or her and may be provided with a copy of the written statement of complaint made by the complaining employee (if applicable). The alleged offending individual should have an opportunity to fully explain his or her side of the circumstances, and may also submit a written statement, if desired.
4. After the alleged offending individual is interviewed, any witnesses identified by either the complaining employee or the alleged offending individual may be interviewed separately.

5. Once this investigation is completed, the City of Marion will take such action as is appropriate based upon the information obtained in the investigation. In the event that the City of Marion finds merit in the charges made by the complaining employee, disciplinary action will be taken against the offending employee. This disciplinary action may, but need not necessarily, include:
 - a. Verbal or written reprimand;
 - b. Placing the offending employee on a corrective action plan for a period of time to be identified;
 - c. Delay in pay increases or promotions;
 - d. Suspending the offending employee from work without pay;
 - e. Demotion;
 - f. Immediate termination.
6. Upon completion of the investigation, the City of Marion will advise the complaining employee of the results of the investigation.

When investigating alleged violations of this policy, the City of Marion looks at the whole record including, but not limited to, the nature of the allegations, the context in which the alleged incidents occurred, and the statements of the parties and witnesses. A determination on the allegations is made from the facts on a case-by-case basis.

Non-Retaliation

Under no circumstances will there be any retaliation against any employee making a complaint of discrimination, harassment or sexual misconduct. Any act of retaliation by any party directed against a complaining employee, an accused employee, witnesses, or participants in the process will be treated as a separate and distinct complaint and will be similarly investigated. Complaints of retaliation should be addressed to the Mayor's Chief of Staff, City Administrator or Human Resource Director. Illinois law provides protections to whistleblowers as set forth in the Whistleblower Act, 740 ILCS 174/15 and the Illinois Human Rights Act, 775 ILCS 5/6-101.

Discipline, Fines and Penalties

In addition to any and all other discipline that may be applicable pursuant to the City of Marion's policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreement, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to penalties per 5 ILCS 430/50-5, applicable discipline or discharge by the City of Marion 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 Marion shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

False Reports Prohibited

It is a violation of this policy for an employee to knowingly make a false report of discrimination, harassment, sexual misconduct, or retaliation. An employee who is found to have knowingly made a false report is subject to disciplinary action, as set forth in Section III.B.5, above.

Additional Resources

If you have any questions concerning the City of Marion's policies on this matter, please see your supervisor, the Mayor's Chief of Staff, City Administrator or Human Resource Director. Further information may also be obtained from the Illinois Department of Human Rights, 312-814-6200 or the Equal Employment Opportunity Commission (EEOC), 800-669-4000. Confidential reports of harassment or discrimination may also be filed with these state agencies. For matters involving the abuse of minors the Illinois Department of Children and Family Services (DCFS) may be contacted by dialing 800-25-ABUSE.

Please acknowledge receipt and review of this policy by completing the acknowledgment form at the end of this handbook and returning it to your supervisor.

2.2 Requests for Accommodation

It is the intent of the City of Marion to provide equal opportunity in its workplace for applicants and employees. Circumstances may arise where a reasonable accommodation for an applicant or employee is necessary to meet this objective.

Accommodations for Disability

The City of Marion will provide reasonable accommodation to any qualified individual with a disability as required under federal, state or local law.

Nursing Mother Policy and Accommodations

The City of Marion will provide reasonable paid break time each work day to an employee who needs to express breast milk for her infant child for up to one year after the child's birth unless doing so would result in an undue hardship. Break time may run concurrently with any break time already provided to the employee. A private room will be made available to the employee to use for this purpose.

Other Accommodations

In addition to providing reasonable accommodation to persons with a disability, the City of Marion will provide reasonable accommodation for medical or common conditions related to pregnancy or childbirth as required by the Illinois Pregnancy Accommodation Act and for employees needing a religious accommodation as required under federal, state or local law.

To Make an Accommodation Request

Direct your accommodation request in person or in writing to your supervisor. All requests for accommodation will be evaluated on a case-by-case basis taking into consideration all known circumstances.

2.3 Employment of Relatives

The City of Marion allows the employment of relatives under limited circumstances.

Relatives under this policy include:

Spouse/Partner, including common law spouse or civil union partner
Parent
Sibling
Child
Grandchild
Grandparent
In-laws including parent, brother and sister in-laws
Uncle/Aunt
Nephews/Nieces
First cousins
Fiancé

Under no circumstance will one relative be allowed to hire or supervise another or be in a position to influence the other's terms and conditions of employment.

Under no circumstance are relatives allowed to work in the same department.

2.4 Personal Relationships with Other Employees

Working relationships can sometimes evolve into personal relationships. When employees are engaged in a personal relationship, a conflict of interest may arise in certain instances. In order to avoid conflicts of interest the City of Marion has implemented the following policy.

For purposes of this policy *personal relationship* includes dating; engagement to be married; cohabitation within the same household and living in a romantic partnership (excludes platonic roommates sharing living expenses); having a romantic or sexual relationship.

An employee may not supervise or hire a person with whom he or she is having a personal relationship. An employee may not work in a position where he or she has influence over the terms and conditions of the employment of a person with whom he or she has a personal relationship.

Under no circumstance are employees engaged in a personal relationship allowed to work in the same department.

Disclosure

Employees that are in a personal relationship must immediately report the relationship to their supervisor if either employee supervises the other, is in a position to hire the other, or has any influence over the other employee's terms and conditions of employment.

Employees who work in the same department are required to report the personal relationship to their supervisor.

Failure to comply with this policy can lead to discipline, including termination.

2.5 Outside Employment or Work

Employees are prohibited from holding outside employment if that employment poses a conflict of interest with the employee's work for the City of Marion or if the job duties or hours of the other position hinder the employee's ability to perform to the best of his or her ability in his or her position with the City of Marion.

Employees are expected to notify their supervisor of any outside employment.

2.6 Disclosure of Confidential Information

In the course of your employment, you may have access to information, including but not limited to, private or personal information about other employees or citizens of the City of Marion that is confidential. Confidential information generally includes information that is exempt from disclosure under the Freedom of Information Act including but not limited to social security numbers, driver's license numbers, biometric identifiers, personal financial information, medical records, home and personal telephone numbers, personal email addresses, home addresses, personal license plate numbers, other information where the disclosure would constitute a clearly unwarranted invasion of privacy or information which is specifically exempted or prohibited from disclosure by law. The disclosure of confidential information is strictly prohibited.

Any questions regarding whether information is confidential should be referred to your supervisor, the Mayor's Chief of Staff, City Administrator or Human Resource Director.

2.7 Safety

Safety is a priority at the City of Marion and the City of Marion is committed to providing a safe workplace for its employees and all visitors to the workplace.

Employees are required to do their part including wearing reasonably necessary safety equipment, following safety protocols, following manufacturer instructions for equipment and machinery, and using common sense.

Reporting Safety Incidents and Concerns

Employees should report safety incidents and concerns, including any injury, near injury or unsafe condition, to supervisor, Safety Director, Mayor's Chief of Staff, City Administrator or Human Resource Director immediately.

2.8 Preventing and Reporting Workplace Violence

The City of Marion prohibits violence in the workplace. Violent behavior is strictly prohibited on the City of Marion property, on adjacent property, while working at any location on behalf of the City of Marion, in the City of Marion vehicles or during events sponsored by the City of Marion. This prohibition includes not only actual acts of violence, but also direct or implied threats of violence. Employees who exhibit or threaten violent behavior will be subject to criminal prosecution and disciplinary action up to and including termination. The City of Marion takes all reports of violent behavior seriously and will take appropriate action to investigate complaints and/or report complaints of violent behavior to law enforcement as appropriate.

Any employee who becomes aware of violent behavior or the threat of violent behavior (whether by another employee or by any other person) is directed to inform his or her supervisor immediately. Supervisors are directed to report all reports of violent behavior or threats of violent behavior immediately to the Mayor's Chief of Staff, City Administrator or Human Resource Director who will conduct a prompt and thorough investigation. In the case of an imminent danger, an emergency situation, or actual or suspected criminal conduct, employees and supervisors are directed to immediately contact law enforcement.

The following is a non-exhaustive list of violent behavior that is prohibited by this policy:

- Fighting
- Physical restraint or confinement
- Assault
- Battery
- Horseplay
- Stalking
- Intentionally endangering the safety of another person
- Violent destruction of property
- Any other act that a reasonable person would perceive as a violent act.

2.9 Policy Prohibiting Concealed Firearms in the Workplace

Purpose: The City of Marion seeks to protect the safety of employees, visitors and citizens of the City of Marion. In recognition of the Illinois Firearm Concealed Carry Act (430 ILCS 66), the City of Marion adopts the following policy.

Definition: *Employee*, for purposes of this policy, shall mean all persons performing work for the City of Marion in any job classification, including but not limited to, full-time employees, part-time employees, temporary employees, seasonal employees, probationary employees, contractual employees, elected or appointed officials, elected or appointed members of any committee or commission, volunteers working on behalf of the City of Marion or volunteers working on behalf of any elected or appointed official.

This definition shall not include, for purposes of this policy, law enforcement officers who are specifically authorized by law to carry a firearm or any other employee specifically authorized by law, other than pursuant to the Illinois Firearm Concealed Carry Act, to carry a firearm.

Prohibited Conduct:

- I. Pursuant to this policy, employees of the City of Marion are prohibited from carrying or possessing firearms in any of the following areas, regardless of any license or permit that an individual may have which would otherwise authorize the individual to carry firearms and may be subject to discipline up to and including immediate termination for violating this policy.

Employees are prohibited from carrying on their person or otherwise possessing firearms:

- A. In any building, portion of a building or real property controlled by the City of Marion;
 - B. At any work location controlled by the City of Marion;
 - C. At any job site controlled by the City of Marion;
 - D. In any vehicle owned, leased or under the control of the City of Marion;
 - E. At any time or in any area other than the employee's residence that is associated with the employee's work with the City of Marion;
 - F. At any time, other than when the employee is working from home while the employee is acting within the scope and course of his/her employment with the City of Marion.
 - G. In any area prohibited by state law;
 - H. In any area where firearms are prohibited under federal law.
- II. Employees are also prohibited from carrying a firearm on or into one of the prohibited areas defined by the Illinois Firearm Concealed Carry Act while acting within the course and scope of his or her employment and may be subject to disciplinary action up to and including termination for violating this policy. Prohibited areas are defined by the Illinois Firearm Concealed Carry Act as:
- A. Any building, real property, and parking area under the control of a public or private elementary or secondary school;
 - B. Any building, real property, and parking area under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility. Nothing in this paragraph shall prevent the operator of a child care facility in a family home from owning or possessing a firearm in the home or license under this Act, if no child under child care at the home is present in the home or the firearm in the home is stored in a locked container when a child under child care at the home is present in the home.
 - C. Any building, parking area, or portion of a building under the control of any officer of the executive or legislative branch of government, providing that nothing in this paragraph shall prohibit a licensee from carrying a concealed firearm onto the real property, bikeway, or trail in a park regulated by the Department of Natural Resources or any other designated public hunting area or building where firearm possession is permitted as established by the Department of Natural Resources under Section 1.8 of the Wildlife Code.
 - D. Any building designated for matters before a circuit court, appellate court, or the Supreme Court, or any building or portion of a building under the control of the Supreme Court.
 - E. Any building or portion of a building under the control of a unit of local government.
 - F. Any building, real property, and parking area under the control of an adult or juvenile detention or correctional institution, prison, or jail.
 - G. Any building, real property, and parking area under the control of a public or private hospital or hospital affiliate, mental health facility, or nursing home.
 - H. Any bus, train or form of transportation paid for in whole or in part with public funds, and any building, real property and parking area under the control of a public transportation facility paid for in whole or in part with public funds.
 - I. Any building, real property, and parking area under the control of any establishment that serves alcohol on its premises, if more than 50% of the establishment's gross receipts within the prior 3 months is from the sale of alcohol. The owner of an establishment who knowingly fails to prohibit concealed firearms on its premises as provided in this paragraph or who knowingly makes a false statement or record to

avoid the prohibition on concealed firearms under this paragraph is subject to the penalty under subsection (c-5) of Section 10-1 of the Liquor Control Act of 1934.

- J. Any public gathering or special event conducted on property open to the public that requires the issuance of a permit from the unit of local government, provided this prohibition shall not apply to a licensee who must walk through a public gathering in order to access his or her residence, place of business or vehicle.
- K. Any building or real property that has been issued a Special Event Retailer's license as defined in Section 1-3.17.1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special Event Retailer's license, or a Special use permit license as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.
- L. Any public playground.
- M. Any public park, athletic area, or athletic facility under the control of a municipality or park district, provided nothing in this Section shall prohibit a licensee from carrying a concealed firearm while on a trail or bikeway if only a portion of the trail or bikeway includes a public park.
- N. Any building, classroom, laboratory, medical clinic, hospital, artistic venue, athletic venue, entertainment venue, officially recognized university-related organization, property, whether owned or leased, any real property, including parking areas, sidewalks, and common areas under the control of a public or private community college, college or university.
- O. Any building, real property, or parking area under the control of a gaming facility licensed under the Riverboat Gambling Act or the Illinois Horse Racing Act of 1975, including an inter-track wagering location licensee.
- P. Any stadium, arena, or the real property or parking area under the control of a stadium, arena, or any collegiate or professional sporting event.
- Q. Any building, real property, or parking area under the control of a public library.
- R. Any building, real property, or parking area under the control of an airport.
- S. Any building, real property, or parking area under the control of an amusement park.
- T. Any building, real property, or parking area under the control of a zoo or museum.
- U. Any street, driveway, parking area, property, building, or facility, owned, leased, controlled, or used by a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission. The licensee shall not under any circumstance store a firearm or ammunition in his or her vehicle or in any compartment or container within a vehicle located anywhere in or on the street, driveway, parking area, property, building, or facility described in this paragraph.
- V. Any area where firearms are prohibited under federal law.

Firearm Storage: Any employee who does not possess a valid license to carry a concealed firearm is prohibited from bringing a firearm onto a parking lot owned, leased or under the control of the City of Marion.

An employee of the City of Marion with a valid license to carry a concealed weapon who chooses to carry a concealed weapon while driving to and from work and park in a parking lot owned, leased or under the control of the City of Marion must store his or her firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. The Illinois Firearm Concealed Carry Act defines "case" to include a glove compartment or console that completely encloses the concealed firearm and ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box or other container. An employee with a valid license to carry a concealed weapon may carry a concealed weapon within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within the vehicle's trunk, provided the licensee ensures the concealed firearm is unloaded prior to exiting the vehicle. An employee with a valid license to carry a concealed firearm must make certain that the firearm is properly stored in accordance with this policy and Illinois law prior to acting in the course and scope of his or her employment.

Policy Violations: Any employee who violates this policy is subject to discipline up to and including termination of employment and shall be considered as acting outside the scope and course of his or her duties and/or employment.

The City of Marion will not defend or indemnify any employee for an act or omission in violation of this policy.

2.10 Drug and Alcohol Use/Abuse Policy

Intent: The City of Marion is concerned about the ultimate effects of the use of illegal drugs and the use of alcohol upon the health and safety of its employees and the public. We recognize that studies show that alcohol abuse and the illegal use of drugs leads to increased accidents and medical claims. Employees who abuse drugs and alcohol present a danger to themselves, their fellow employees, the City of Marion and the public. In addition, the increased medical costs incurred by employees who use/abuse drugs and/or alcohol and the associated decreased productivity of these individuals, because of accidents, absenteeism and turnover adversely affect achievement of the City of Marion's mission and goals.

The City of Marion will not penalize an employee or applicant solely for his/her status as a registered qualifying patient or registered designated caregiver under the Compassionate Use of Medical Cannabis Pilot Program Act, unless failing to do so would put the City of Marion in violation of federal law or unless failing to do so would cause it to lose a monetary or licensing-related benefit under federal law or rules. The City of Marion prohibits the use and storage of medical cannabis on its property, at all workplaces and in any employer-owned vehicles.

No part of this policy, nor any of the procedures hereunder, guarantees employment, continued employment, or terms or conditions of employment or limits in any way the City of Marion's rights to manage its workplace or discipline employees.

Definitions: For purposes of this policy, the following terms shall have the following meanings:

- A. 'Premises' shall include all work sites, work areas, property owned or leased by the City of Marion, or vehicles owned, operated, leased, or under the control of the City of Marion. Privately-owned vehicles parked or operated on property owned, leased or managed by the City of Marion is also included under the definition.
- B. 'The City of Marion time' shall include all times during which an employee is on The City of Marion premises, meal and break times on or off The City of Marion premises, or performing work off the premises for the benefit of the City of Marion, as a representative of The City of Marion.
- C. 'Legal drug' means any substance the possession or sale of which is not prohibited by federal law, including prescription drugs that have been prescribed for the employee and over-the-counter drugs.
- D. 'Illegal drug' means any controlled substance the possession or sale of which is prohibited by federal law.
- E. 'Under the influence' means the condition wherein any of the body's sensory, cognitive, or motor functions or capabilities is altered, impaired, diminished, or affected due to substances. This also means the detectable presence of substance(s) within the body, regardless of when or where it (they) may have been consumed, having an alcohol concentration within the violation range specified by the laws of the State of Illinois, and/or having a positive test for any other substance(s). With respect to employees subject to the Federal Motor Carrier Safety Administration (FMCSA) regulations, U.S. Department of Transportation regulations, or performing safety-sensitive functions including those employees who drive commercial motor vehicles, operate heavy or large mobile equipment, police officers, firefighters, under the influence is defined in accordance with FMCSA regulations as having an alcohol concentration of 0.04 or greater.
- F. 'Substance' means any alcohol, drugs, or other substances (whether ingested, inhaled, injected subcutaneously, or otherwise) that have known mind altering or function-altering effects upon the human body or that impair one's ability to safely perform his or her work, specifically including, but not limited to, prescription drugs and over-the-counter medications; alcohol, drugs, and other substances made illegal under federal or state law; "synthetic or designer" drugs; illegal inhalants; "look-alike" drugs; amphetamines; cannabinoids (marijuana and hashish); cocaine; phencyclidine (PCP), and opiates; and any drugs or other substances referenced in Schedule I through V of 21 C.F.R. Part 1308 (whether or not such drugs or other substances are narcotics).
- G. 'Traceable in the employee's system' means that the results of a laboratory's analysis of the employee's urine or blood specimen is positive for the tested substance.
- H. 'Reasonable suspicion' of impairment means that the City of Marion's representatives have observed and can describe specific symptoms of an employee while working that decrease or lessen his or her performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, breath,

physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment or machinery, disregard for the safety of the employee or others, or involvement in an accident that results in serious damage to equipment or property, disruption of a production or manufacturing process, or carelessness that results in any injury to the employee or others, or detection of a prohibited substance in the area where an employee has/had been working. A registered qualifying user of medical cannabis under the Compassionate Use of Medical Cannabis Pilot Program Act must first be given a reasonable opportunity to contest the basis of the suspected impairment before being subject to discipline based on a reasonable suspicion of impairment.

- I. 'Safety sensitive function' includes any job function fraught with the risk of injury to others such that even a momentary lapse of attention can have disastrous consequences as well as any function described as safety sensitive by applicable FMCSA or other applicable regulations.
- J. 'Work related cause' means the employee has: incurred a work-related injury requiring medical attention at a medical facility; caused the injury of another person on the City of Marion premises or during the City of Marion time; caused damage to any the City of Marion owned or leased property; or commits repeated and/or flagrant violations of safety standards.

Applicability:

- A. This policy applies to all employees and volunteers of the City of Marion as well as candidates for employment with the City of Marion who have been given conditional offers of employment. Such persons are responsible to be familiar with and comply with this policy.
- B. The provisions of this policy are subject to any federal, state, or local laws that may prohibit or restrict their applicability and testing for substances shall be conducted and in accordance with and limited by such laws, notwithstanding any terms of this policy to the contrary.

Policy:

- A. **Alcohol or Illegal Drugs or Substances:** The possession, sale, purchase, use, distribution, delivery or transfer of alcohol or an illegal drug or substance while on the City of Marion's premises or while on the City of Marion's time is prohibited. In addition, employees may not report to work or be on the City of Marion premises or the City of Marion time under the influence of alcohol or with any traceable federal illegal drug or substance in their system. Employees who drive commercial motor vehicles, operate heavy or large mobile equipment or perform other safety-sensitive functions in addition to the prohibitions above must not consume alcohol for four hours prior to duty time and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever comes first. Individuals who are registered users of medical cannabis in accordance with the Compassionate Use of Medical Cannabis Pilot Program Act will not be disqualified from employment based solely on the detected presence of cannabis on a drug test, unless failing to do so would put the City of Marion in violation of a federal law or cause it to lose a federal contract or funding. Individuals who are registered users of medical cannabis in accordance with the Compassionate Use of Medical Cannabis Pilot Program Act may not report to work under the influence of cannabis. Any violation of this policy may result in immediate discharge and may subject an employee to legal action.
- B. **Legal Drugs:** The City of Marion does not condone the abuse of federal legal drugs or working under the influence of federal legal drugs to the extent that job performance and/or safety is adversely affected. Employees using prescription and/or over-the-counter drugs are responsible for being aware of any potential effect such drugs may have on their judgment or ability to perform their duties.
- C. **Pre-Employment Substance Testing:** Upon receipt of a contingent offer of employment, candidates for safety-sensitive or security-sensitive positions may be subject to pre-employment drug testing. Individuals to whom a contingent offer is made whose pre-employment drug test returns positive (except with respect to legally prescribed drugs and over-the-counter medications) will be ineligible for employment. Candidates who test positive may have their contingent offer of employment revoked.
- D. **Random Selection Testing:** The City of Marion is a drug-free workplace and reserves the right to conduct random testing on all employees. Where random testing is prohibited or restricted by applicable federal, state or local statute or regulation, or other legally-binding agreement, the City of Marion will conform to all applicable laws, regulations, and/or agreements notwithstanding the provisions of this policy.

- E. **Post-Accident Testing:** If the City of Marion has reasonable cause to believe an employee has caused an on-the-job injury that is considered recordable under OSHA guidelines (i.e. requiring medical treatment) as a result of being under the influence, the Safety Director will require the injured employee to undergo a post-accident substance test. The employee will also be required to undergo post-accident testing if required by FMCSA, DOT or other applicable regulation.
- F. **Fitness for Duty:** Employees suspected of being unfit for duty as a result of the use or reasonably suspected use of substances may be subject to substance testing. Employees who have successfully completed a substance abuse or rehabilitation program will be required to submit to a fitness for duty substance test before being permitted to return to work.
- G. **Safety Sensitive Functions:** A driver subject to FMCSA or DOT regulations, or any other employee who is required to perform a safety-sensitive function and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours. Additionally, no concentration of marijuana shall be permitted in the employee's system.
- H. **Disciplinary Action:**
 - a. Any employee who possesses, sells, purchases, uses, distributes, delivers or transfers alcohol or an federal illegal substance on the City of Marion premises will be removed from the work area, and may be subject to immediate discharge.
 - b. Any employee who reports to work under the influence of alcohol or with a federal illegal drug or substance traceable in his/her system will be removed from the work area and may be subject to immediate disciplinary action up to and including discharge.
 - c. An employee who refuses to submit to testing when required under this policy will be removed from the work area and may be subject to immediate disciplinary action up to and including discharge. Refusal to submit to testing shall include, but may not be limited to: (1) failure to appear for any test within a reasonable amount of time, after being directed to do so by the City of Marion, consistent with this policy and/or applicable regulations, including but not limited to FMCSA or DOT regulation; (2) failure to remain at the testing site until testing is complete; (3) failure to provide a sufficient breath, saliva, blood or urine specimen for any drug or alcohol test required by this policy or applicable FMCSA or DOT regulation; (4) in the case of directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of the provision of a specimen; (5) failure to provide a sufficient amount of saliva, breath, blood or urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure; (6) failing or declining to take a second test that the City of Marion or the collector has directed the employee to take; (7) failure to undergo a medical examination or evaluation, as directed by the Medical Review Officer as part of the verification process or as directed by the Designated Employer Representative; (8) failure to cooperate with any part of the testing process; (9) having a verified adulterated or substituted test result as reported by the Medical Review Officer.
 - d. Any employee who refuses to participate in rehabilitation/treatment as recommended as a result of a positive test and evaluation by a substance abuse professional, will not be allowed to perform work for the City of Marion and may be subject to disciplinary action up to and including discharge.

Testing Procedures:

- A. **Testing:** The City of Marion may require an employee or candidate to provide a urine specimen, submit to a blood test, provide saliva samples, and/or undergo breath/alcohol testing for laboratory analysis at a medical clinic or other location as designated by the City of Marion, immediately upon the request of authorized The City of Marion representatives or agents in accordance with this policy.
 - 1. Where the City of Marion has reasonable suspicion that an employee is under the influence of a substance, he or she will be removed from the work area and provided with transportation to the place of testing. The City of Marion should call the emergency contact indicated by the employee or, if unavailable, arrange for the employee to be transported home following the test.
 - 2. Prior to submitting to testing, an employee or candidate may confidentially disclose to the independent medical examiner any prescription drugs or over-the-counter medications that he/she has taken or known medical condition that might interfere with an accurate test result. Such information will only be revealed to the City of Marion as permitted by law.

3. At the discretion of the City of Marion, employees suspected of violating this policy may be placed on administrative leave without pay pending test results. If the test results are negative; the employee will be reimbursed for any salary lost during administrative leave.
 4. Specimens reported by the testing laboratory as adulterated or substituted will be considered a refusal to test and may be grounds for immediate termination of employment or ineligibility for hire.
 5. Should a candidate or employee fail the initial drug test, he or she will be notified of the results and will not be allowed to perform work on behalf of the City of Marion. The candidate or employee will have the option of requesting testing of the split specimen within 72 hours at the City of Marion's expense unless the candidate or employee presents documentation that serious injury, illness, lack of actual knowledge of the verified test result or inability to contact the Medical Review Officer prevented a timely request. If the candidate fails to request testing of the split specimen within 72 hours and the candidate or employee has not presented sufficient documentation to excuse the delay, the City of Marion will take appropriate action including but not limited to discipline or discharge.
 6. If the test of the split specimen is also positive, the candidate or employee will have the opportunity to explain the results. The City of Marion retains the discretion to determine the appropriate disciplinary action, including discharge, following two positive drug tests.
 7. An employee who has been removed from the work area or barred from the working as a result of violating this policy, may be subject to disciplinary action up to and including immediate discharge. If an employee has not been terminated as a result of a violation, he or she may not commence or return to work unless he or she provides sufficient documentation that he or she has tested negative for the presence of a substance and is not under the influence of a substance; has been approved to commence or return to work under the terms of this policy; has received an evaluation from a Substance Abuse Professional, has successfully complied with the recommendations of the Substance Abuse Professional, and testing for the presence of a substance and the handling of test specimens was conducted in accordance with guidelines for laboratory testing procedures and chain-of-custody procedures established by applicable federal or state regulation.
 8. The City of Marion will take steps to ensure the integrity of the testing process and to ensure that all test results are attributed to the correct employee.
- B. **Consent:** The employee may be required to sign a consent form authorizing the medical clinic or other location as designated by the City of Marion to perform the aforementioned tests and release the results of the testing to the City of Marion.
- C. **Chain of Custody Procedures:** At the time specimens are taken, standard 'chain of custody' or 'chain of possession' procedures will be followed, and the employee shall be given a copy of these specimen collection procedures.
- D. **Confidentiality and Privacy:** The employee's right to privacy will be respected, and the results of any testing shall be kept strictly confidential by the City of Marion to the extent required and permitted by law. However, the City of Marion may use the results to decide upon an action to be taken towards an employee, or to the extent necessary, to defend its actions in any subsequent grievance, arbitration, or legal or other proceeding.
- E. **Treatment:** An employee who voluntarily informs the City of Marion that he/she has a drug or alcohol abuse problem and desires rehabilitation assistance may be granted a leave of absence, in accordance with the City of Marion's Family Medical Leave Act policy. The sole purpose of such leave is to obtain the necessary rehabilitation assistance. The employee may be required to periodically provide proof that he/she is participating in an appropriate rehabilitation or after-care program. Any employee who returns to work after completion of a rehabilitation program and who subsequently violates the substance abuse policy may be immediately discharged without regard to a request for further rehabilitation.

Additional Policies:

- A. **Searches:** Upon reasonable suspicion, authorized the City of Marion representatives or agents may conduct searches of personal effects, vehicles, lockers, desks and rooms for drugs/alcohol and related paraphernalia, dangerous weapons, the City of Marion property or property of other employees. Items discovered through such searches may be turned over to law enforcement authorities.
- B. **Employees must notify The City of Marion within 5 days of any criminal drug statute conviction.**

- C. The City of Marion, with the development and implementation of this policy, is making a good faith effort to maintain a drug/alcohol-free workplace.
- D. The Designated Employer Representatives responsible for receipt of testing results and removal of employees from safety sensitive functions when they violate this policy would be your direct supervisor or their designee.
- E. Employees who have questions about this policy or who would like more information regarding the effects of alcohol misuse and controlled substances on an individual's health, work and personal life, signs and symptoms of an alcohol problem, and available methods of intervening when an alcohol and or controlled substance problem is suspected should contact your direct supervisor.

2.11 Tobacco and Nicotine Use, Including E-Cigarettes and Vapor Products

Pursuant to the Smoke-free Illinois Act (410 ILCS 82/15), the City of Marion prohibits the use of tobacco and nicotine products, including e-cigarettes and vapor products in the workplace and at any work site, while driving any vehicle owned or leased by the City of Marion or while performing job duties on behalf of the City of Marion. No person shall smoke within 15 feet of the entrance or exit, any window that opens or ventilation intake of any building owned or operated by the City of Marion. Employees may utilize their break periods, in designated areas for tobacco or nicotine use.

2.12 Safe Driving

Safe driving of the City of Marion vehicles or your own vehicle while conducting the City of Marion business is always required.

The City of Marion prohibits the following acts while driving the City of Marion vehicles or while driving another vehicle while performing your job duties:

- Driving under the influence of alcohol or drugs;
- Operating any vehicle without a license;
- Disobeying any traffic laws;
- Operating a vehicle carelessly or negligently;
- Driving a vehicle without the use of a seatbelt or safety restraint;
- Operating a vehicle while operating a cellular phone or other electronic device;
- Using a cell phone (even in hands-free mode) in a school zone or construction zone, unless permitted by law;
- Disabling vehicle safety devices, like airbags or seatbelts;
- Driving while distracted.

Violation of this policy may result in disciplinary action up to and including termination.

2.13 Computer, Internet and Network Usage

The City of Marion has e-mail and internet access systems in place for the City of Marion business. We also have software and systems in place that can monitor and record all internet usage. The e-mail and internet access systems in place are the sole property of the City of Marion. The technology is in place for business related to the City of Marion. Employees may use the technology for limited personal purposes if that use does not interfere with the employee's work or jeopardize the integrity of the City of Marion computer system, e-mail system or internet access. The technology may also not be used for any purpose which would violate the City of Marion policies or state or federal law. If an employee is found to be abusing the technology, his or her access may be limited or eliminated altogether. An employee is also subject to discipline, up to and including termination. Nothing on the internet system or any property of the City of Marion, including phones or voice mail, is or can become the private property of any employee.

THERE CAN BE NO EXPECTATION OF PRIVACY OR ASSURANCE OF CONFIDENTIALITY FOR ANY MESSAGES OR FOR ANY USE OR PATTERN OF USAGE OF THE CITY'S INTERNET, PHONES OR ANY OTHER PROPERTY.

Management and Administration of the Internet and Phone System

We want you to be aware that our security systems are capable of recording for each and every user, each World Wide Web site visit, each chat, and each newsgroup or e-mail message accessed on each computer station within the City of Marion. The system is also capable of recording each file transfer into and out of our internal networks. We reserve at all times the right to monitor such activity. No employee should have any expectation of privacy as to any internet usage or telephone system. The management of the City of Marion may review internet activity, voice mail messages, and analyze usage patterns in an effort to maintain the highest levels of productivity. We reserve the right to inspect any and all files stored in private areas of our network in order to assure compliance with this policy.

The system must never be used in violation of our policy against discrimination and harassment. The display or access of any kind of sexually explicit image or document on the City of Marion system is a violation of both this internet policy and the City of Marion's nondiscrimination and harassment policy. In addition, sexually explicit material may not be archived, stored, distributed, edited or recorded using our network or computing resources. The City of Marion may use independently-supplied software and data to identify inappropriate or sexually-explicit internet sites. We may block access from within our networks to all such sites. If you find yourself inadvertently connected to a site that contains sexually explicit or offensive material, you must immediately disconnect from that site, regardless of whether that site has been previously deemed acceptable by any monitoring, screening or rating program.

The City of Marion's internet facilities and computing resources must not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, the City of Marion, province or other local jurisdiction in any material way. Use of any the City of Marion resources for illegal activity is grounds for immediate dismissal, and we will cooperate with any legitimate law enforcement agency in the investigation of such activity.

Any software or files downloaded via the internet into the City of Marion network become the property of the City of Marion. Any such files or software may be used only in ways that are consistent with their licenses or copyrights.

No employee may use the City of Marion facilities knowingly to download or distribute pirated software or data. No employee may use the City of Marion's internet facilities to deliberately propagate any virus, worm, "Trojan horse," or trap-door program code. No employee may use the City of Marion's internet facilities knowingly to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

Each employee using the internet facilities of the City of Marion shall identify himself or herself honestly, accurately and completely, including the City of Marion affiliation and function, when participating in the City of Marion related chat groups, newsgroups, message boards, or discussion lists, or when setting up accounts on outside computer systems on behalf of the City of Marion. Employees may not represent their statements as official the City of Marion policy or practice without proper authorization. Participating in non-City of Marion-related chat groups, newsgroups, message boards or discussion lists by use of the City of Marion hardware is prohibited.

Any material posted to any forum, newsgroup, chat group, or internet site in the course of an employee's duties, remains the property of the City of Marion.

Employees are reminded that chat groups and newsgroups are public forums where it is inappropriate to reveal confidential the City of Marion information as defined in this manual. Employees releasing confidential information via any internet facility, whether intentional or inadvertent, may be subject to disciplinary actions, including termination.

Use of the City of Marion internet facilities to commit infractions such as misuse of the City of Marion assets or resources, sexual harassment, unauthorized public speaking and misappropriation or theft of intellectual property are also prohibited by general the City of Marion policy, and will be subject to discipline, including termination.

It is a violation of the City of Marion policy to store, view, print or redistribute any document or graphic file that is not directly related to the user's job or the City of Marion's business activities and which would constitute a violation of the City of Marion's policy against discrimination and harassment.

Employees may from time to time use the City of Marion internet facilities for non-business research outside of work hours provided they request permission from their supervisor before engaging in such use and provided all other usage policies are observed.

The City of Marion will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries and archives on any individual employee's internet activities.

Employees must take care to understand federal and state copyright, trademark, libel, slander and public speech control laws so that our use of the internet does not violate any laws which might be enforced against us.

Employees with internet access may download only software with direct business use and must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of its license.

Employees may not use the City of Marion internet facilities to download entertainment software or games, or to play games over the internet, including games against opponents.

Employees with internet access may not use the City of Marion internet facilities to download images or videos unless there is an explicit business-related use for the material.

Employees with internet access may not download any software licensed to the City of Marion or data owned or licensed by the City of Marion without explicit authorization from the supervisor responsible for the software or data.

Technical

No employee may create or implement any password other than the password issued by the City of Marion for voice mail, network or internet access, without permission of the employee's department head.

Security

The City of Marion has installed a variety of firewalls, proxies, address screening programs and other security systems to assure the safety and security of the City of Marion's networks. Any employee who attempts to disable, defeat or circumvent any the City of Marion security facility will be subject to discipline, including immediate termination.

Computers that use their own modems to create independent data connections sidestep our network security mechanisms. An individual computer's private connection to any outside computer can be used by an attacker to compromise any the City of Marion network to which that computer is attached. That is why any computer used for independent dial-up or leased-line connections to any outside computer or network must be physically isolated from the City of Marion's internal networks. Only those internet services and functions with documented business purposes for the City of Marion will be enabled at the internet firewall.

EMPLOYEES WHO MISUSE THE CITY'S INTERNET/EMAIL SYSTEM MAY BE SUBJECT TO DISCIPLINE UP TO AND INCLUDING TERMINATION. REMEMBER THAT YOU HAVE NO EXPECTATION OF PRIVACY IN ANY CITY EQUIPMENT OR PROPERTY, INCLUDING BUT NOT LIMITED TO DESKS, COMPUTERS, INTERNET ACCESS, VOICE MAIL, OR E-MAIL.

2.14 Security of Portable Data Storage Devices

The City of Marion requires that employees who have been issued the City of Marion laptop or tablet computers, cell phones and other information storage devices take certain precautions to prevent theft or data breach.

With all portable data storage devices such as laptop or tablet computers, cell phones or other information storage devices the City of Marion requires that:

Strong passwords are used to secure information on the device;

No unauthorized persons are allowed to access to the information storage device;

Username or passwords are not shared with any person, with the exception of authorized employees;

Only authorized hardware, software or information security programs are installed on the device with authorization and approval from the IT Department;

Care is taken to ensure the device is properly locked and secured when it is not in the immediate possession of the employee.

In the event that a device is lost or stolen, or in the event that information security has been breached, employees are to advise your supervisor immediately.

2.15 Cell Phones

Employees are prohibited from using cell phones when engaged in the following activities:

While driving or operating a moving vehicle unless a hands-free device is used;

While driving in a school zone or construction zone, even if a hands-free device is used, unless permitted by law;

While operating machinery;

While in close proximity to moving equipment or machinery;

At any time when the use of a cell phone might place you or others at risk.

Employees are discouraged from conducting personal business on portable electronic devices during work hours. Personal cell phone use during work hours should be limited to emergency situations. Employees are expected to mute or lower the ring tone volume on their personal cell phones during work hours so as not to disturb others. If cell phone use during work hours becomes necessary, employees are expected to exercise courtesy towards others in the workplace and to avoid being loud or disruptive.

2.16 Equipment/Supplies

The City of Marion provides equipment and supplies to assist employees in performing their work on behalf of the City of Marion. The City of Marion-provided equipment and supplies are solely to be used for work purposes.

Employees must use all equipment safely, for its intended use and in accordance with manufacturer specifications.

Employees are asked to conserve resources and use only those supplies necessary to perform their job.

The City of Marion prohibits the use of equipment or supplies for personal use.

2.17 Social Media Policy and Guidelines

A. Policy

The City of Marion recognizes that many of its employees have personal accounts on various social media sites including but not limited to Facebook, Linked-In, Google+, Twitter, YouTube, etc. and may create or contribute to blogs, wikis, social network sites, virtual worlds and the like.

This policy applies to all City of Marion employees while on City property, the City's worksites or wherever City employees are performing a function of their jobs, or while participating in a City-sponsored event on or off City property or using City electronic assets.

The City of Marion recognizes that Social Media provides opportunities to participate in interactive discussions and share information on particular City and non-City related topics. Social Media use, however, poses risks to the ability of the City of Marion to operate effectively. The following policy is intended to balance those interests.

B. Guidelines

a. Use Only During Non-working Time. During the workday, employees may engage in the personal use of Social Media only during nonworking time. Nonworking time consists of authorized break times and meal periods only. This includes accessing Social Media from personally owned devices. However, at no time shall any posting include images of any City of Marion property (buildings, offices, uniforms, cars, etc.).

b. Prohibited Disclosure of Certain Information.

i. Confidential Information. When posting comments to Social Media sites, including an online forum such as a blog, employees may not include any confidential information relating to the City of Marion. Confidential information includes, by way of example, nonpublic information about individuals who have received services from the City, HIPAA protected health information (other than with respect to the individual making the post), and other information, the disclosure of which would violate any federal, state or local statute or regulation (including privacy laws). Questions about whether an item of information constitutes confidential information should be directed to the Human Resource Department.

ii. Use of the City of Marion's Intellectual Property Prohibited. Employees may not utilize any City of Marion logos, drawings, trademarks, copyrights, or other images or photographs typically associated with the City with respect to their personal Social Media activities if doing so would reasonably create the impression that the Social Media post or page is sponsored or sanctioned by the City of Marion.

C. Representation on Social Media Pages

Not Speaking for the City of Marion. To the extent employees are posting comments to the Social Media outside of the scope of their job responsibilities, they may not make any statements that would give the impression that the views they have expressed are the opinions of the City of Marion. If there is the potential for confusion on this point (for example, the individual making the post identifies himself or herself in the post as an employee of the City of Marion), employees are expected to include a disclaimer to the effect that the views being expressed are personal and not necessarily reflect the views of the City of Marion.

D. Content of Postings

Employees may not make comments or otherwise communicate about coworkers, supervisors, the City of Marion, citizens or business owners, or vendors or suppliers in a manner that is vulgar, obscene, threatening, intimidating, harassing, libelous, or discriminatory on the basis of age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status, or any other legally recognized protected basis under federal, state, or local laws, regulations or ordinances.

Employees may not post statements that they know are to be false about the City of Marion and/or its managers, supervisors, coworkers, independent contractors (consultants), or any third party.

E. No Retaliation

The City of Marion prohibits taking retaliatory action against any employee for reporting possible violations of this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to discipline, up to and including termination.

F. Violations of this policy may result in disciplinary action up to and including termination.

2.18 Whistleblower Policy

Code of Conduct:

The City of Marion requires employees to observe the highest standards of business and personal ethics in conducting their duties on behalf of the City of Marion. Compliance with all applicable federal, state and local laws, rules and regulations is required. All employees are expected to fulfill their duties honestly and with integrity.

Reporting Responsibility:

Employees are encouraged and expected to report suspected violations of federal, state or local law, rules or regulations or suspected ethical violations.

Retaliation Prohibited:

The City of Marion prohibits retaliation against any employee who, in good faith, reports a suspected ethics violation or suspected unlawful conduct. Anyone who violates this policy against retaliation is subject to disciplinary action, including but not limited to, termination of employment.

Reporting Procedure:

The City of Marion has an open-door policy and expects and encourages employees to address questions, concerns and complaints with their supervisor. Supervisors are required to report complaints regarding suspected unethical or illegal conduct in writing to the Mayor's Chief of Staff, City Administrator or the Human Resource Director. If an employee is not comfortable speaking with his/her supervisor or is not satisfied with the supervisor's response, he/she may discuss the matter with the Mayor's Chief of Staff, City Administrator or the Human Resource Director. If a complaint involves suspected conduct of the Mayor's Chief of Staff a complaint may be brought directly to the Mayor. The Mayor is responsible for informing the City Council of all complaints of unethical or unlawful conduct pursuant to this policy.

2.19 Accident Reporting Policy

Any employee who is injured while on duty (regardless of severity) shall report the injury to his/her supervisor immediately both verbally and in writing with a completed Incident Report. The Incident Report shall include the following: the date, time, place injury occurred, how the injury occurred, the type of injury, the identity of any witnesses, and whether medical assistance was obtained. The report shall be submitted by the end of the workday. Supervisors are required to accurately complete a Form 45 with respect to all on-the-job injuries and submit it along with the employee's Incident Report to the Safety Director.

Any employee witnessing or receiving a report of an injury to a visitor shall verbally report the injury to the employee's supervisor immediately. The employee may also be required to complete a written Incident Report. Supervisors are required to submit all required information to the Safety Director.

Any accident involving the City of Marion's property or vehicles or involving a privately-owned vehicle being operated for the City of Marion business shall be reported immediately to the employee's supervisor both verbally and in writing with a completed Incident Report. The Incident Report shall include the following: the date, time, place incident occurred, how the incident occurred, the identity of any witnesses, and the extent and type of damage, if applicable. The report shall be submitted within 48 hours of the occurrence. Employees are also required to notify law enforcement when appropriate.

2.20 Policy Against Bullying

The City of Marion prohibits bullying in the workplace and will not tolerate it under any circumstances. This policy against bullying applies to all employees, including but not limited to full-time, part-time, contract, temporary,

supervisory, volunteers and department heads. It also applies to elected and appointed officials, and non-employees with whom the City of Marion has a business, service or professional relationship.

This policy applies during working hours, at work-related functions, at on-site and off-site work locations, and during work-related travel. The City of Marion prohibits retaliation against anyone who makes a complaint of bullying or who participates in any way in an investigation of bullying. Retaliation in violation of this policy is considered a separate offense, and complaints of retaliation will be promptly investigated and dealt with under this policy.

The following are examples of conduct that violate this policy against bullying. This list is non-exhaustive meaning that conduct not listed here may also constitute bullying. This list is meant to provide some examples of prohibited conduct, including:

- Addressing an individual in an abusive manner
- Exclusion or social isolation
- Personal attacks
- Spreading rumor and innuendo
- Unreasonable criticism
- Setting unreasonable demands
- Sabotage of another's work product
- Public humiliation
- Unwelcome touching
- Any conduct that a reasonable person would find hostile, offensive and unrelated to the employer's legitimate business interests

The City of Marion encourages all employees to promptly report any instance of bullying behavior to either supervisor, the Mayor's Chief of Staff, City Administrator or the Human Resource Director. Reports of bullying will be treated seriously and will be investigated in a prompt and impartial manner.

Employees are to refrain from participation in or encouragement of any conduct that could be considered bullying in violation of this policy. Employees are also expected to immediately report any conduct in violation of this policy that they witness or experience regardless of the identity of the alleged offender (e.g. supervisor, co-worker, department head, elected official, appointed official, volunteer, outside contractor, etc.). Employees should encourage anyone who confides that he or she has been the victim of conduct in violation of this policy to report it. Employees, if they feel comfortable doing so, are also encouraged to advise an alleged offender that the conduct in violation of this policy is unwelcome and must stop.

Supervisors are expected to monitor the workplace for signs of bullying, and to take immediate action to stop instances of bullying. Supervisors are also expected to immediately report any conduct in violation of this policy or complaint of conduct in violation of this policy to the Mayor's Chief of Staff, City Administrator or Human Resource Director. Supervisors are also expected to take appropriate action to limit workplace contact between an alleged victim and an alleged offender when a complaint of bullying has been made, pending investigation.

The City of Marion will promptly and thoroughly investigate all complaints of bullying and will take appropriate action against any individual who violates this policy, up to and including termination of employment.

Employees who have questions regarding this policy should direct them to their supervisor, the Mayor's Chief of Staff, City Administrator or the Human Resource Director.

2.21 Political Activity Policy

The City of Marion prohibits employees from engaging in political activity during working time, in any areas where employees are working, or while in a uniform which identifies them as an employee of the City of Marion. The

political activity prohibited by this policy shall be defined in accordance with the definition of “prohibited political activity” in the State Officials and Employees Ethics Act (5 ILCS 430/1-5).

The City of Marion also prohibits employees from requiring other employees to perform prohibited political activities as part of their job duties, as a condition of employment or during any compensated time off from work.

The City of Marion prohibits employees from misappropriating any property or resources owned by the City of Marion for the purposes of political activity.

The City of Marion prohibits employees from awarding or promising to award other employees with additional compensation, employment benefits, bonuses, time off, continued employment or any other employment benefit for performing political activity.

The City of Marion supports the right of employees to support candidates and causes of their own choosing, to participate in the political process and to engage in political activities while on their own time, so long as these political activities do not pose a conflict of interest with the employee’s duties on behalf of the City of Marion.

Any employees with questions or concerns regarding this policy should contact their supervisor, the Mayor’s Chief of Staff, City Administrator or the Human Resource Director.

Employees should report suspected violations of this policy to their supervisor, the Mayor’s Chief of Staff, City Administrator or the Human Resource Director.

The City of Marion will promptly and thoroughly investigate policy violation complaints and will take appropriate action against employees who violate this policy.

2.22 Business and Travel Expense Reimbursement

I. GENERAL:

- A. All requests for attendance at training sessions, conventions, or conferences must be submitted on the Travel Request Approval Form at least seven (7) days prior to the beginning of the event. Long distance travel requests for meetings involving City business should be submitted on the Travel Request Approval Form seven (7) days prior to the meeting. In the event that a seven (7) day period prior to the meeting is not available, the Travel Request Approval Form should be submitted as soon as possible prior to the meeting.
- B. Failure to submit the Travel Request Approval Form at least seven (7) days prior to the event will result in no advance travel checks being issued.
- C. Decisions as to which trips are authorized are made through the budget formulations. In general, a reasonable number of regional and state conferences are authorized in a given fiscal year.
- D. All Travel Request Approval Forms to conferences and training sessions must be accompanied by a copy of the program or agenda.
- E. All registration fees, lodging, gas, and any other travel expenses (excluding meals) should be placed on a City purchasing card (P-card).
- F. An employee is expected to show good judgment and a proper regard for economy in incurring travel expenses, as the employee normally would if traveling at his/her own expense. Expense limits established by this regulation are limits, not authorizations to spend that much if less would be adequate. The City will not reimburse employees for seat upgrades, early airline boarding fees, early check-ins, non-coach airline tickets, rental car vehicle upgrades, hotel room upgrades, or other fees that are extraordinary to normal business travel.
- G. Travel expenses must be itemized on the previously approved Travel Request Approval Form and are to be forwarded to the Finance Department within ten (10) days after returning from a trip. Paid bills for lodging and receipts for air or rail fares are required, if such expenses have been paid by advance check(s) or P-card. All other receipts received in the normal course of making transactions shall be attached. Those expenses that have been incurred through the Purchase Order or P-card systems and subsequently paid through the

Warrant system must also be itemized on the Expense Report section of the Travel Request Approval Form. The receipts for these expenses will be attached and filed with the paid Warrant document. Proof of attendance must be provided along with expense documentation.

- H. Any money due to the City must be paid within a thirty (30) day limit after the travel has ended. Any individual not meeting all of the above requirements within the thirty (30) day limit is prohibited from attending any conference, training session, or seminar until the requirements of this section have been satisfactorily fulfilled.
- I. The City travel expense reimbursement plan is considered an accountable plan by the Internal Revenue Service. Employee business expenses reimbursed under an accountable plan are not considered taxable wages. However, substantiation is required within a reasonable amount of time (less than 30 days) after an expense is incurred, or it will not meet the criteria of an accountable reimbursement plan and therefore must be added to the employee's taxable wages. Unsubstantiated advances and/or any amounts paid in excess of Federal per diem limits are also subject to payroll withholding taxes and only deductible as miscellaneous itemized deductions to the extent that total miscellaneous deductions exceed 2% of the taxpayer's adjusted gross income.
- J. Employees should recognize that travel is approved, first and foremost, to conduct official business. However, a spouse and/or other family member(s) may accompany an employee on an official trip provided that their presence does not detract from performance of duty, but no expenses attributable to them, not even conference registration fees for spouses or special events charges, will be reimbursed by the City. Additional hotel stays, car rentals or other expenses may be added to the duration of the trip beyond the scope of the official event. These additional expenses are to be paid directly by the employee.
- K. In any situation where extraordinary travel expenses are to be incurred or where these regulations do not cover the situation or would work a significant hardship if strictly enforced, the City Manager may authorize an exception.

II. TRANSPORTATION:

A. Local Travel

Employees are always encouraged to use City vehicles for local travel while conducting City business. If a City vehicle is not available the employee may request authorization from the Mayor's Chief of Staff or City Administrator to utilize his or her vehicle and will be reimbursed at the IRS published standard mileage rate.

B. Long Distance Travel

- 1. Air Travel shall be limited to coach fares. Travel to and from airports should be by the most economical and practical forms of transportation available.
- 2. Rail Travel shall be limited to coach fares for trips involving daytime travel. For overnight rail travel, sleeping compartments may be used.
- 3. Auto Travel should utilize city vehicles when they are available. Personal autos may be used if city vehicles are unavailable or special circumstance justifies their use if round trip automobile mileage is expected to be less than 200 miles. Use of personal automobiles for long distance travel shall be preauthorized by the Mayor's Chief of Staff or City Administrator. Employees will be reimbursed at the IRS published standard mileage rate. For trips with expected automobile mileage in excess of 200 miles the use of a rental car from the city's preferred provider is acceptable.
- 4. Parking charges are reimbursable with proper receipts.
- 5. Charges for the use of taxis will be reimbursable for travel to and from the travel hub and hotel or conference location as well as to and from the hotel to the conference location.

III. LODGING:

- A. An employee is expected to make hotel or motel reservations well in advance whenever possible and to take other actions to insure that lodging is secured at moderate rates. Often lodging facilities offer government rates. Employees should inquire as to whether such rates are available and what requirements must be met in order to utilize them.

- B. Some, but not all, hotels or motels will remove state and/or local taxes if notified at registration that you are traveling on government business. The Treasurer's Office can provide you with a form to present at check-in that gives the City's tax-exempt number.
- C. Reimbursement for lodging shall be limited to the minimum number of nights required to conduct the assigned City business. If an employee chooses to arrive earlier or stay later, the additional lodging and other expenses related to this decision are his/her personal expenses.
- D. If any employee's spouse or other family member(s) share the lodging, reimbursement shall be limited to the single rate for the room occupied. The employee must determine what this single rate is and deduct the difference between the double and single rates on the hotel or motel bill submitted as a receipt.

IV. MEALS AND INCIDENTAL EXPENSES:

- A. On travel for City business, the amount allowed for meals, tips, tax, etc. shall be limited to the daily allowance. The employee authorized to travel may be reimbursed the daily amount based on the rate schedule and the length of the authorized stay. The per diem meal allowance is expected to cover most meal costs.
- B. The per diem for meal and incidental expenses is \$50.00 per full day of travel and \$37.50 for partial days. Receipts need not be submitted to support this allowance. An example of the rate schedule follows:

Per Diems Schedule

Day 1	Leave to go on trip	\$37.50
Day 2	Day at conference	\$50.00
Day 3	Day at conference	\$50.00
Day 4	Return back to Marion	<u>\$37.50</u>
	Total	\$175.00

- C. On pre-approved travel for areas where the daily per diem is not adequate to cover meal costs, the Mayor's Chief of Staff or City Administrator may approve reimbursement for actual costs with receipts.
- D. Travel within the continental United States shall be subject to the per diem or Reimbursement for Actual Costs. The Mayor's Chief of Staff or City Administrator may authorize higher meal reimbursements for travel outside the continental United States.
- E. When the traveler is **not away overnight**, there is no reimbursement for meals or per diem.
- F. Alcoholic beverages are not eligible meal expenses.
- G. City issued p-cards are NOT to be used to purchase meals while traveling. The daily allowance for meals can either be received before traveling or be reimbursed upon your return.

2.23 Identity Protection Policy

I. It is the policy of the City of Marion to protect social security numbers from unauthorized disclosure in accordance with the Illinois Identity Protection Act, 5 ILCS 179/1 et. seq. All employees of the City of Marion are required to comply with this Identity Protection Policy ("Policy"). For purposes of this policy, only, "employee" shall be defined as any person performing work on behalf of the City of Marion including, but not limited to, full-time, part-time, seasonal, temporary or contractual employees, volunteers, interns, and elected or appointed officials.

II. Any employee of the City of Marion who has access to social security numbers in the course of performing their duties will be trained to protect the confidentiality of social security numbers and will be trained on the requirements of this Policy. Training will include instructions on the proper handling of information and documents that contain social security numbers from the time of collection through the destruction of the information or documents.

- III. The City of Marion prohibits the following:
- A. Publicly posting or publicly displaying in any manner an individual's social security number;
 - B. Printing an individual's social security number on any card required for the individual to access products or services provided by the City of Marion;
 - C. Requiring an individual to transmit his or her social security number over the Internet, unless the connection is secure, or the social security number is encrypted;
 - D. Printing an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed.
- IV. Notwithstanding any provision in this Policy to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may be permissibly mailed under this Policy may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.
- V. The City of Marion prohibits the following:
- A. The collection, use or disclosure of a social security number from an individual, unless (i) required under State or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number; and (iii) the social security number collected is relevant to the documented need and purpose;
 - B. Requiring an individual to use his or her social security number to access an Internet website;
 - C. Using the social security number for any purpose other than the purpose for which it was collected.
- VI. Notwithstanding any provision in this Policy to the contrary, social security numbers may be collected, disclosed or used in the following circumstances:
- A. The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities, and if disclosing to a contractor or subcontractor, prior to such disclosure, the individual acting on behalf of the City of Marion first receives from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Policy of protecting an individual's social security number will be achieved;
 - B. The disclosure of social security numbers pursuant to a court order, warrant, or subpoena;
 - C. The collection, use, or disclosure of social security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities; local jails, and other law enforcement facilities or retention centers; wards of the State; youth in care as defined in Section 4d of the Children and Family Services Act, and all persons working in or visiting a State or local government agency facility;
 - D. The collection, use, or disclosure of social security numbers for internal verification or administrative purposes;
 - E. The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a government agency to assist with an investigation or the prevention of fraud;
 - F. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is

enumerated under the federal Gramm-Leach-Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or unclaimed property benefit.

- VII. Only employees who are required to use or handle information or documents that contain social security numbers are permitted to have access to such information or documents.
- VIII. When the City of Marion must request an individual provide a social security number, it must be provided in a manner that makes the social security number easy to redact if the record is required to be released as part of a response to a public records request.
- IX. When collecting a social security number, or upon request by an individual, the City of Marion will provide a statement of the purpose or purposes for which the City of Marion is collecting and using the social security number provided.
- X. Any individual responding to a Freedom of Information Act request or other request for records, must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.
- XI. This Policy does not apply to the collection, use or disclosure of a social security number as required by State or federal law, rule, or regulation.
- XII. This Policy does not apply to documents that are recorded with the city clerk or required to be open to the public under any State or federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this section, city clerks must comply with 5 ILCS 179/35.
- XIII. If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any employee of the City of Marion that complies with that federal law shall be deemed to be in compliance with this Policy.
- XIV. The City of Marion prohibits the encoding or embedding of a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Policy.
- XV. This Policy must be provided to the City Council within thirty (30) days of approval and employees will be promptly advised of the existence of this Policy and will be provided a copy of this Policy promptly upon approval.
- XVI. The City of Marion will make a copy of this Policy available to any member of the public, upon request.
- XVII. If this Policy is amended in the future, a copy will be provided to the City Council and employees will be promptly advised of the amended Policy and provided with a copy of the Policy.
- XVIII. This Policy does not supersede any more restrictive law, rule, or regulation regarding the collection, use or disclosure of social security numbers.
- XIX. Anyone violating this policy is subject to disciplinary action, up to and including termination of employment and/or criminal prosecution as provided in 5 ILCS 179/45 or any other applicable law.

3.1 Sick Leave

There are times that an employee may need time away from work due to illness, injury, medical appointments or to attend to health needs that cannot be addressed during non-working hours. The City of Marion provides paid time off to qualified employees to address these needs.

Eligible Employees:

Regular full-time employees
Exempt employees

If you have questions regarding the amount of sick leave to which you are entitled, please contact your supervisor.

Notification Requirements

Employees are required to provide notice to their supervisor at least one day prior to their intent to take sick leave and the reason for the leave. In case of emergency, notice should be provided as soon as possible.

Retaliation Prohibited

The City of Marion strictly prohibits retaliation against an employee for exercising his or her right to use sick leave benefits in accordance with this policy.

Short-Term Disability

An employee who is injured or ill may qualify for short term disability. Please see the Human Resource Director for questions regarding eligibility.

Sick Leave Accrual and Use

Eligible employees will accrue twelve (12) hours per month of sick leave time. Sick leave may be used in quarter-hour increments. Employees may use up to two (2) accrued sick days per year for personal leave purposes. Use for personal leave may not be used in less than half (1/2) day increments and shall not be cumulative from year to year.

Eligible employees may use sick day buy-back benefits at the end of each calendar year. Employees having over six hundred (600) accumulated sick leave hours at the end of the calendar year, shall be allowed to sell back to the city unused, accrued sick leave hours for the calendar year at the rate of one half (1/2) of the employee's regular rate of pay. The employee should request to the Treasurer's office in writing by the 10th of December of each calendar year if they wish to exercise the buy-back benefit. Buy-back payments are made by separate check from the employee's paycheck following the second pay period following the end of the year.

Sick leave may be applied towards IMRF service credit up to the IMRF maximum (240 days).

3.2 Vacation

The City of Marion provides paid vacation to eligible employees in accordance with the following policy:

Eligible Employees:

Regular full-time employees
Exempt employees

If you have questions regarding vacation time, please consult with your supervisor.

Amount of Vacation Available

The number of vacation days available to eligible employees is determined by the following:

Years of Service

Weeks Earned

After 1 year	1 week
After 2 years	2 weeks
After 7 years	3 weeks
After 14 years	4 weeks

Each employee who has fifteen (15) years of service shall receive four (4) weeks plus one (1) additional day and shall continue each year up to a maximum of seven (7) additional days.

Requesting Vacation

Paid vacation leave can be used in quarter -hour increments. Employees should request vacation time use in advance from their supervisor.

Reasonable efforts will be made to accommodate vacation requests; however, the City of Marion reserves the right to deny specific vacation dates or times requested in order to ensure that the City of Marion's needs are met.

Vacation Time Not Used

Vacation time not used during the year does not carry forward to the next year. Employees must take their vacation during the year it accrues.

At the time of termination of employment, the City of Marion will pay employees for accrued but unused vacation days.

3.3 Time off to Vote

Employees are requested to vote before or after work if possible. However, the city will comply with 10 ILCS 5/17-15 if polls are open only during work hours or you are unable to vote before or after work registered voters may take time to vote during work so long as the time taken does not exceed two hours. Employees must request time off to vote in advance of the election date, and the City of Marion reserves the right to specify the time frame during which the employee may be absent to vote.

3.4 Jury and Witness Duty

All employees are granted time off from work to perform jury duty or if summoned to testify as a witness.

Paid time off for jury or witness testimony is available for a maximum of 5 working days. After 5 working days, time off will be unpaid.

Any fee received by an employee for serving on a jury or providing testimony should be given to your supervisor to be deposited with the Treasurer's office for recovery of your paid time off.

Requesting Leave

To request time off employees must provide a copy of the jury or witness summons to their supervisor within 10 days of receipt.

Return to Work

While serving on a jury or testifying as a witness, employees are required to advise their supervisor about their availability for work each day. Employees who are released from jury duty or witness testimony during the work

day are expected to report to work immediately.

3.5 Military Leave

The City of Marion will comply with all applicable federal, state and local laws providing military leave and benefit protections to eligible employees. Please direct any questions or requests for leave to your supervisor.

- **Annual Training:** Employee receives regular compensation as a city employee.
- **Special or Advanced Training:** For leaves up to 60 scheduled work days, if the employee's compensation for military activities is less than his/her city compensation, the employee shall receive regular city compensation minus the amount of base pay for military activities for normally scheduled work days. The 60 days do not have to be consecutive.
- **Basic Training:** If the employee's compensation for military activities is less than his/her city compensation, the employee shall receive regular city compensation minus the amount of base pay for military activities for normally scheduled work days.
- **Call-Up for Active Duty:** Active duty refers to a call up for deployment or mobilization in support of a named operation overseas, and in some cases for an emergency or disaster in the United States.

Employees called for active duty shall receive leave with pay for normally scheduled work days for up to 30 calendar days. Compensation will be at the employee's regularly hourly rate for non-overtime scheduled hours.

If call-up is extended beyond 30 calendar days, the employee will be granted leave without pay for such additional days or will be granted leave and compensated as mandated by Federal or State of Illinois legislation.

YOUR RIGHTS UNDER USERRA

A. THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System.

USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

B. REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

C. RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or

- are obligated to serve in the uniformed service; then an employer may not deny you
- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

D. HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., preexisting condition exclusions) except for service-connected illnesses or injuries.

E. ENFORCEMENT

- The U.S. Department of Labor, Veterans' Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USADOL or visit its Web site at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

ILLINOIS SERVICE MEMBER EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (ISERRA)

The City of Marion complies with the Illinois Service Member Employment and Reemployment Rights Act, 330 ILCS 61. Employees may be eligible under the Act for differential compensation, military leave, concurrent compensation, employer-based health plan benefits, and other protections as enumerated in the Act. The City of Marion prohibits discrimination against persons who serve in the uniformed services.

Employee eligibility under each of the referenced statutes is governed by all relevant statutory provisions.

3.6 Holidays

Eligible employees are provided with paid holidays in accordance with the following policy:

Eligible Employees:

Paid holidays are available to the following non-union employees:

Regular full-time employees
Exempt employees

Holidays Recognized:

New Year's Day
Good Friday
Memorial Day
Independence Day
Labor Day

Veteran's Day
Day After Thanksgiving
Thanksgiving
Christmas Eve
Christmas

The City of Marion annually passes a holiday schedule for paid holiday time off to eligible employees. Please contact the City Clerk for a copy of this schedule.

Holiday Pay Administration:

Unless otherwise expressly provided in writing, any non-exempt full-time employee required to work on an observed holiday shall be paid at the employee's regular rate of pay at the overtime rate of time and one-half for the hours worked on the holiday in addition to the eight (8) hours of holiday pay.

A holiday occurring during vacation leave or other authorized day off, will not count against accrued vacation time.

A holiday occurring during sick leave will not be deducted from accrued sick leave, unless the employee was scheduled to work on that holiday.

Holiday pay will not be paid to employees on any type of unpaid leave.

3.7 Family Medical Leave and Military Leave Policy

This policy document supersedes any other existing policy or policy document governing the handling of leave taken pursuant to the Family and Medical Leave Act of 1993 ("FMLA"). It is intended to conform with the City of Marion's obligations under 29 C.F.R. §825.300.

ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- (1) have worked for The City of Marion for a total of 12 months; and
- (2) have worked at least 1,250 hours over the previous 12 months;
- (3) the employer is one who employs 50 or more employees within a 75-mile radius.

LEAVE ENTITLEMENT

A covered employee is entitled to up to a total of 12 workweeks of unpaid leave in a 12-month period for one or more of the following reasons:

- For the birth of a son or daughter, and to care for the newborn child;
- for the placement with the employee of a son or daughter for adoption or foster care;
- to care for the employee's spouse, son or daughter or parent (but not parent-in-law) who has a serious health condition;
- when the employee is unable to perform the functions of the employee's job because of a serious health condition, or because of incapacity due to pregnancy, prenatal medical care or child birth.

Leave to care for a newborn child or for a newly placed child must conclude within 12 months after the birth or placement.

Spouses employed by the same employer may be limited to a *combined* total of 12 workweeks of family leave for the following reasons:

- birth and care of a child;
- for the placement of a child for adoption or foster care, and to care for the newly placed child; and,
- to care for an employee's parent who has a serious health condition.

Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status as defined by applicable federal regulations may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include the following as defined and limited by federal regulation: short notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, parental care, and additional activities arising out of the military member's covered active duty or call to covered active duty status as agreed by employer and employee.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember (as defined by federal regulation) who is recovering from a serious illness or injury sustained in the line of duty on active duty, is entitled to up to 26 weeks of unpaid leave in a single 12-month period to care for the servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness. Covered servicemember also includes a covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA -qualifying reason during the single 12-month period, but is entitled to no more than 12 weeks of leave for:

- the birth of a son or daughter of the employee and in order to care for such son or daughter;
- because of the placement of a son or daughter with the employee for adoption or foster care;
- in order to care for the spouse, son, daughter or parent with a serious health condition;
- because of the employee's own serious health condition,
- or because of a qualifying exigency.

A husband and wife who are eligible for FMLA leave and are both employed by the City of Marion are limited to a combined total of 26 workweeks of leave during the single 12-month period if the leave is taken to care for a covered servicemember with a serious injury or illness AND for the birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, to care for the child after placement, or to care for the employee's parent with a serious health condition.

Under some circumstances, employees may take FMLA leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- If FMLA leave is for birth and care or placement for adoption or foster care of a son or daughter, use of intermittent leave is subject to the employer's approval.
- FMLA leave may be taken intermittently whenever **medically necessary** to care for a seriously ill family member or seriously ill or injured servicemember, or because the employee is seriously ill and unable to work.

The terms "son or daughter" are defined as biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability. An employee stands in loco parentis to a child when the employee intends to assume the responsibilities of a parent with regard to the child through either day-to-day care or financial support.

SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either

prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

LEAVE AVAILABILITY CALCULATION

The City of Marion has adopted the "rolling 12-month period" method of calculating available FMLA leave for all types of leave with the exception of leave to care for a seriously ill or injured servicemember. Under the rolling 12-month period, in order to determine the amount of available FMLA leave, the calculation is made each time an employee commences an FMLA leave. From that date, the preceding 12-month period is examined. Any FMLA leave used during that preceding 12 months is deducted from the 12 weeks annual leave granted by the FMLA. The employee is entitled to take no more than the remaining balance of FMLA leave.

For FMLA leave requests made to care for a covered servicemember with a serious injury or illness, the single 12-month period begins on the first day the eligible employee takes FMLA leave.

SUBSTITUTION OF PAID LEAVE

Any employee taking FMLA leave is required to substitute and use any remaining paid "leave" benefits which are available or become available during the FMLA leave. This includes vacation, personal, and sick days. Such paid leave is substituted for the unpaid FMLA leave and is not in addition to such FMLA leave.

All other FMLA leave is unpaid.

MEDICAL INSURANCE BENEFITS WHILE ON FMLA LEAVE

During FMLA leave, The City of Marion will maintain the employee's health coverage under any group health plan, under the same terms as if the employee had continued to work. If the employee was required to pay a portion of the premiums for coverage, that obligation continues while on leave. Payment is expected to be made in the same amounts, and at the same time (i.e. each payroll date) as was made while working. If any payment is more than 30 days late, medical coverage may be canceled pursuant to the FMLA Rules and Regulations.

An employee can elect not to continue medical coverage while on leave. If this election is made, the City of Marion will immediately place the coverage into COBRA.

If the coverage is continued while on FMLA leave, and the employee does not return to work at the end of the FMLA leave period, the City of Marion will bill the employee for the amount of premiums paid by the City of Marion during the leave period unless the employee does not return to work due to a reason exempted from this provision by FMLA Rules and Regulations.

No other employment benefits provided by the City of Marion to employees are continued during FMLA leave. All such benefits are instead held in abeyance until the employee returns to work. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

PROCEDURE FOR REQUESTING FMLA LEAVE

An employee must provide the City of Marion with at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable. If a 30-day notice is not possible, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

Employees must provide sufficient information for the City of Marion to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the City of Marion if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees will also be required to provide certification as specified below and may be required to provide periodic recertification supporting the need for leave.

Any employee taking leave to care for the employee's covered family member with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position must be supported by a certification issued by the health care provider of the employee or the employee's family member on the form attached to this policy. An employee taking leave because of a qualifying exigency or to care for a covered servicemember with a serious injury or illness must also be supported by a certification in the form attached to this policy except that an employee taking leave to care for a covered servicemember may provide an invitational travel order (ITO) or an invitational travel authorization (ITA) in lieu of certification for the leave taken through the expiration of the ITO or ITA. Additional copies of the certification forms can be obtained from your supervisor. Employees are required to furnish the completed certification within 15 calendar days of the City of Marion request for certification. In the case of unforeseen leave, certification must be provided as soon as practicable. FMLA leave may be denied in accordance with the FMLA Rules and Regulations if appropriate certification is not provided.

CONSEQUENCES OF TAKING FMLA LEAVE

Any FMLA leave taken will be counted against the available leave allowed by statute. Any employee seeking to return to work after leave taken because of the employee's own "serious health condition" must submit a medical certification of fitness to return to duty, signed by the attending health care provider, before the employee will be allowed to return to work. Failure to comply with this requirement does not extend the leave.

On return from FMLA leave, the employee will be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The City of Marion reserves the right to deny restoration to "key employees" as defined by the FMLA regulations where restoration will cause "substantial and grievous economic injury" to the operations of the City of Marion.

If the employee is unable to perform an essential function of the position because of a physical or mental condition, including the continuation of a serious health condition or an injury or illness also covered by workers' compensation, the employee has no right to restoration to another position under the FMLA. The employee may, however, fall under the Americans with Disabilities Act (ADA).

EMPLOYER RESPONSIBILITIES

The City of Marion must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the City of Marion will provide a reason for the ineligibility.

The City of Marion must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the City of Marion determines that the leave is not FMLA-protected, the employer must notify the employee.

WORKING PROHIBITED WHILE ON FMLA

An employee out on FMLA leave may not use that time to engage in work elsewhere, whether as an employee, independent contractor, volunteer or otherwise, unless prior written approval from the City of Marion has been obtained. If an employee is taking FMLA leave, it must be because an FMLA-qualifying reason is preventing the

employee from appearing at work for the City of Marion. Performing work elsewhere is contradictory to that premise and will create a presumption that the employee fraudulently obtained or continued FMLA leave.

UNLAWFUL ACTS BY EMPLOYERS

The FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

ENFORCEMENT

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

REFERENCE TO FMLA NOTICE POSTER

The City of Marion has posted in each building, a notice setting forth the relevant provisions of the FMLA. The terms of the notice are incorporated in this policy document as if they were specifically set forth. Each employee is charged with familiarizing him/herself with the contents of the notice concerning all applicable employee rights and obligations under the FMLA.

3.8 Workers' Compensation

The safety and health of our employees is very important to the City of Marion. Despite our best efforts at prevention, accidents in the workplace can sometimes occur.

When an employee is injured in his or her scope of employment, the employee may be eligible for workers' compensation benefits.

Reporting Injuries

An employee is required to report any and all injuries that occur or may have occurred while performing his or her job duties as soon as he or she is aware of the injury to their supervisor.

Retaliation Prohibited

The City of Marion prohibits retaliation against any employee for reporting a workplace injury or filing a workers' compensation claim. Any employee that retaliates against another employee for making a good faith request for workers' compensation is subject to discipline or termination.

3.9 Victims' Economic Security and Safety Policy (820 ILCS 180)

Unpaid Leave for Employees due to Domestic and Sexual Violence

The Employer will provide up to 12 workweeks of unpaid leave from work to an employee who is a victim of domestic or sexual violence (or who has a family or household member who is a victim of domestic or sexual violence) to address domestic or sexual violence if the employee is:

- (A) **seeking medical attention** for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- (B) **obtaining services from a victim services organization** for the employee or the employee's family or household member;
- (C) **obtaining psychological or other counseling** for the employee or the employee's family or household member;
- (D) **participating in safety planning, temporarily or permanently relocating**, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or
- (E) **seeking legal assistance or remedies** to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

"Family or household member" means a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household whose interests are not adverse to the employee as it relates to the domestic or sexual violence.

"Parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter. "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

PERIOD OF LEAVE: Employee shall be entitled to a total of 12 workweeks of unpaid leave during any 12-month period. Any leave that qualifies for both FMLA and VESSA will run concurrently as both FMLA and VESSA leave. A VESSA leave, or part thereof, shall only be in addition to FMLA leave if an employee's VESSA leave does not qualify for FMLA leave. Leave may be taken intermittently or on a reduced work schedule.

EXISTING LEAVE: The employee may use any available paid or unpaid leave (including family, medical, sick, annual, personal, etc.) from employment, pursuant to federal, State or local law, a collective bargaining agreement, or an employment benefits program or plan, in substitution for any period of such leave for an equivalent period of leave.

EMPLOYEE NOTICE REQUIREMENTS: The employee shall provide the Employer with **at least 48 hours' advance notice** of the employee's intention to take the leave, unless providing such notice is not practicable.

When an unscheduled absence occurs, the Employer will not take any action against the employee if the employee, **within a reasonable period after the absence** (generally defined herein as 15 days) provides certification as shown under the next section.

EMPLOYEE CERTIFICATION: The Employer may require the employee to provide certification to the Employer that:

- (A) the employee or the employee's family or household member is a victim of domestic or sexual violence; and
- (B) the leave is for one of the purposes enumerated in the first paragraph above.

The employee shall provide such certification to the Employer within a reasonable period after the Employer requests certification.

An employee may satisfy the above certification requirement by providing to the Employer a **signed and dated statement** of the employee, and upon obtaining such documents the employee shall provide:

- (A) **documentation** from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family

or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence;

- (B) a police or court record; or
- (C) other corroborating evidence.

CONFIDENTIALITY: All information provided to the Employer, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this policy, shall be **retained in the strictest confidence by the Employer**, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable Federal or State law.

RESTORATION TO POSITION: In general, an employee who takes leave under this policy shall be entitled, on return from such leave:

- (i) to be restored by the Employer to the position of employment held by the employee when the leave commenced; or
- (ii) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

LOSS OF BENEFITS: The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. An employee may elect to substitute available paid leave any period of leave under this policy. An employee will not be required to substitute available paid leave for the leave provided under this policy.

An employee who takes leave under this policy for the intended purpose of the leave shall be entitled upon return from such leave to be restored to the same position or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

However, the employee is not entitled to:

- the accrual of any seniority or employment benefits during any period of leave; or
- any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

REPORTING TO THE EMPLOYER: The Employer may require an employee on leave under this policy to **report periodically to the Employer** on the status and intention of the employee to return to work.

MAINTENANCE OF HEALTH BENEFITS: Except as provided under "Failure to Return From Leave," during any period that an employee takes leave under this policy, the Employer shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

FAILURE TO RETURN FROM LEAVE: The Employer may recover the premium that the Employer paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during any period of leave under this policy if:

- (i) the employee **fails to return** from leave under this policy after the period of leave to which the employee is entitled has expired; and
- (ii) the employee **fails to return** to work for a reason other than:
 - (I) the continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave; or
 - (II) other circumstances beyond the control of the employee.

The Employer may require an employee who claims that the employee is unable to return to work because of a reason described in (I) or (II) above to provide, within a reasonable period after making the claim, certification to the Employer that the employee is unable to return to work because of that reason.

An employee may satisfy the certification requirement above by providing to the Employer:

- a sworn statement of the employee;
- documentation from an employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;
- a police or court record; or
- other corroborating evidence.

The Employer will not fail to hire, refuse to hire, discharge, constructively discharge, or harass any individual exercising their rights under this policy or otherwise discriminate against any individual exercising their rights under this policy with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner for exercising their rights under this policy.

LEAVE AVAILABILITY CALCULATION: The Employer has adopted a “rolling 12-month period” method of calculating available leave. In order to determine the amount of available leave, the calculation is made each time an employee commences leave. From that date, the preceding 12-month period is examined. Any leave used during that preceding 12 months is deducted from the total amount of leave available under this policy. An employee is entitled to take no more than the remaining balance of leave.

REFERENCE TO REQUIRED POSTING: The Employer has posted in each building, a poster setting forth the relevant provisions of the Victims’ Economic Security and Safety Act. The terms of that poster are incorporated in this policy document as if they were specifically set forth. Each employee is charged with familiarizing him/herself with the contents of that poster concerning all applicable employee rights and obligations under the Act.

3.10 Bereavement Leave

Full-time employees may take 3 days of paid bereavement leave for the death of an immediate family member. For purposes of this policy, *immediate family member* is defined as a spouse, parent, child, brother, sister, grandparent, son-in-law, daughter-in-law, mother-in-law, father-in-law, step-parent, step-parent-in-law or legal guardian.

Eligible employees (as that term is defined in Section 101(2) of the federal Family and Medical Leave Act, 29 U.S.C. 2601 et seq.) are also entitled to take a maximum of 2 weeks (10 working days) of unpaid bereavement leave to: (a) attend the funeral or alternative to a funeral of a child; (b) make arrangements necessitated by the death of a child; or (c) grieve the death of a child. In the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of 6 weeks of bereavement leave during the 12-month period.

Bereavement leave under this policy must be completed within 60 days after the date on which the employee receives notice of the death of the child. An employee is required to provide the City of Marion with at least 48 hours’ advance notice of the employee’s intention to take bereavement leave unless providing such notice is not reasonable and practicable. The City of Marion may require reasonable documentation, including a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution or government agency.

An employee who is entitled to take paid or unpaid leave, may elect to substitute any period of paid leave for an equivalent period of unpaid bereavement leave.

The City of Marion prohibits retaliation against any employee who exercises his or her rights under this policy, opposes any practice that the employee believes to be in violation of this policy, or supports the exercise of rights of another under this policy.

3.11 School Visitation Leave Policy (820 ILCS 147)

In accordance with the School Visitation Rights Act, an employee who has worked for the City of Marion for at least six (6) consecutive months and works at least a half-time schedule may take up to eight (8) hours off during any school year, and no more than four (4) hours in one day to attend school conferences or classroom activities related to the employee's child, provided that the conference or classroom activity cannot be scheduled during non-working hours. Before taking leave pursuant to this policy, an employee must have exhausted all accrued vacation leave, personal leave, compensatory leave and any other leave that may be granted to the employee except for sick leave and disability. Employees who intend to take leave pursuant to this policy are required to provide a written request at least seven (7) days in advance to their supervisor. In emergency circumstances, only twenty-four (24) hours' notice will be required. The employee is required to consult with his or her supervisor to schedule the leave so as not to unduly disrupt operations. Employees who take leave pursuant to this policy will be given a reasonable opportunity to make up the time off taken on a different day or shift as directed by the employer, but in no circumstances shall such make-up hours be scheduled so that they result in overtime pay to the employee.

Employees are not required to make up the time, and if they choose not to do so, shall not be compensated for the time off. Employees are required to provide verification of the school visit to their supervisor within two (2) working days. Failure to provide verification may result in disciplinary action.

3.12 Health Care Benefits

Employees eligible for health care benefits include the following:

Regular full-time employees
Exempt employees

Employees will be advised at the time of hiring as to available benefits, coverage details and cost.

3.13 Retiree Health Care Benefits

Retiring employees hired prior to May 1, 2009 may elect to continue the City's health care plan.

Rate Schedule:	AGE	PERCENT OF PREMIUM COST
	50-55	50%
	56-64	38%
	65 and Older	30%

Retiring employees hired after May 1, 2009 shall only be eligible for health care per state and federal law.

4.1 Work Hours

Your supervisor will advise you of your work schedule upon hiring. Work schedules are subject to change based on the City of Marion's needs.

The City of Marion retains sole discretion to determine work hours and schedules.

4.2 Attendance

Regular and consistent attendance by all employees is critical to the operation of the City of Marion. Attendance during scheduled work hours is an essential aspect of every position at the City of Marion. Employees are expected to be present and ready to begin work at their work station at the scheduled start of their shift and are expected to diligently perform their work duties through the end of their shift, except during scheduled breaks or lunch periods.

An employee who exhibits unsatisfactory attendance or repeated tardiness may be subject to discipline up to and including termination. Employees are expected to call their supervisors at least one (1) hour prior to the start of their shift (or as soon as possible in case of emergency) if they will be absent or late for work, advising the supervisor of the reason for the absence or late arrival, and (in the case of a late arrival) advising when the employee expects to arrive at work. Failure to properly report an absence or late arrival in accordance with this policy may result in disciplinary action up to and including termination.

4.3 Payroll

Employees are paid every two weeks. Should a holiday fall on a scheduled payday, the payday will be the day prior to the normal payday.

Paychecks will only be issued to supervisors or their designee. No checks will be issued prior to any pay date, for any reason.

4.4 Overtime

For most non-exempt employees, *overtime* is any time worked over 40 hours a workweek. For all overtime worked, eligible employees will be paid one and one-half (1.5) times their regular pay rate or may be credited with compensatory time off at the rate of one and one-half (1.5) hours of time off for each hour of overtime worked. Law enforcement and fire protection employees will be paid overtime on a "work period" basis in accordance with the Fair Labor Standards Act.

Call-out/call-back overtime for non-union hourly employees: The 2-hour minimum applies when an employee is physically called to a location (either their own department or another city location). If a supervisor texts, calls or asks the employee to perform work without leaving their home/personal location, they will be paid actual time worked, in minimum 15-minute increments.

Exempt employees are not eligible for overtime pay.

Please contact your supervisor if you have questions regarding your overtime eligibility.

4.5 Longevity

Eligible regular non-union full-time employees, as defined in 1.4 of this manual, shall have their base annual salary increased by the longevity schedule outlined below.

Longevity Schedule

Years of Service	Monthly Increase	Annual Increase
5	\$40.00	\$480.00
6	\$50.00	\$600.00
7	\$60.00	\$720.00
8	\$70.00	\$840.00
9	\$80.00	\$960.00
10	\$90.00	\$1,080.00

There is a monthly increase of \$10.00 every year of service after 10 years up to your 30th year of service. The above longevity schedule is subject to change as the City Council deems necessary.

4.6 Personnel Files

Personnel files will be maintained on each employee in accordance with the provisions of the Personnel Record Review Act. Employees may review their personnel files in accordance with the Personnel Record Review Act.

It is important that employees notify the Human Resource Director when there is a change in their personal information. Failure to do so could cause delay or exclusion of your benefits.

4.7 Dress and Employee Identification Badges

Employees are expected to present themselves professionally. Good hygiene and grooming are expected. Appropriate work attire will be determined by your supervisor consistent with your job duties.

City employees are required to wear identification badges which are issued at date of hire. For the purpose of security, employee ID badges should be worn whenever an employee is engaged in official city business, unless working conditions make wearing one dangerous. Employees wearing a department issued uniform will not be required to wear an identification badge but should carry the badge on their person. ID badges should be worn above the waist to optimize visibility. It should not be obstructed by clothing and the employees name and photo should be clearly visible. Old, faded or damaged badges should be replaced as soon as possible. Upon termination of employment, the employee should surrender the badge, along with any other city property.

4.8 Record Retention Policy

The Illinois Local Records Act prohibits a public entity from destroying public records without first receiving approval from the Local Records Commission. The Local Records Act defines a public record as "any book, paper, map, photograph, born digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein." 50 ILCS 205/2. A public record may take the form of an electronic record, including but not limited to, emails (and/or attachments thereto), text messages or other electronic data. In order to ensure compliance with the Local Records Act, employees are prohibited from altering, destroying or deleting public records unless and until appropriate approval has been received from the Local Records Commission. Any questions with respect to this policy should be directed to the Mayor's Chief of Staff or the Human Resource Director.

4.9 Motor Vehicle Record (MVR) Checks

Introduction

The purpose of this policy is to ensure the safety of those individuals who drive City of Marion vehicles or personal vehicles for City of Marion business and to ensure the safety their passengers and the public.

Policy Statements

- All drivers must be authorized to drive for work purposes.
- The City of Marion vehicles are not to be used for personal or non-work-related purposes.
- The City of Marion reserves the right to review both the driver's license and MVR of all authorized drivers at any time.
- MVR review will typically be run for authorized drivers a minimum of every 6 months.
- For positions which require driving as an essential function, applicants will receive a conditional offer of employment, contingent upon the results of the MVR review.

Requirements to Become an Authorized Driver

- Must be a current employee or contracted individual.

- Must provide a current copy of a valid driver's license for the type of vehicle to be driven.

Driver Responsibilities

- It is the driver's responsibility to operate the vehicle in a safe manner to prevent injuries and property damage.
- Drivers must have a valid driver's license for the type of vehicle to be operated and must always keep the license(s) with them while driving. All CDL drivers must comply with all applicable D.O.T. regulations, including successful completion of medical, drug, and alcohol evaluations.
- All drivers and passengers must wear seat belts.
- Employees must report all accidents, regardless of severity, to the police and to the City of Marion. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including termination.
- Authorized drivers are prohibited from reading or typing text messages, emails or posts of any type while driving. Phone use is also prohibited, unless a hands-free device is used. All phone use is prohibited school zones and construction zones regardless of whether a hands-free device is used. Authorized drivers are prohibited from surfing the internet or reviewing websites or posting on social media or other websites while driving. Authorized drivers are prohibited from taking or posting photos while driving.
- Distracted driving of any type is prohibited.
- It is the responsibility of all authorized drivers to report the loss, bond issuance, suspension and/or revocation of his/her driver's license immediately to the City of Marion.
- All traffic violations (including parking tickets), citations and fines incurred when driving for work purposes are the sole responsibility of the authorized driver.
- Driving for work purposes while under the influence of intoxicants or other illicit drugs is forbidden and is sufficient cause for discipline, including termination.
- Authorized drivers who perform safety sensitive functions must inform the City of Marion if taking any medications that may affect their ability to safely operate an automobile.
- Drivers are responsible for the security of vehicles being used by them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.

The following is a non-exhaustive list of conduct resulting in traffic convictions that may result in rescinding an offer of employment, terminating driving privileges, or other disciplinary action, up to and including termination.

- Reckless or negligent driving
- Driving while impaired by or under the influence of alcohol or drugs
- Homicide, negligent homicide, or involuntary manslaughter by vehicle
- Fleeing or attempting to elude police officers
- Driving without a license or while license is suspended or revoked
- Hit and run or failure to stop after an accident
- Using a motor vehicle for the commission of a felony
- Operating a motor vehicle without the owner's authority (theft)
- Speeding
- "At fault" accident
- Any moving violation

5.1 Work Performance Evaluations

Employees will usually be evaluated after ninety (90) days of employment, and annually thereafter. Evaluations are an opportunity for both the City of Marion and the employee to reflect upon all areas of the employee's performance, to consider whether improvement is needed in any areas, and to recognize areas where an employee has met or exceeded performance expectations. Evaluations are also a time to update performance expectations and to set future

goals. Performance evaluations are generally conducted by an employee's direct supervisor, with documentation placed in the employee's personnel file.

5.2 Discipline and Corrective Action

The following procedures relating to employee discipline and termination are meant to be a guide only. The City of Marion reserves the right to bypass any or all steps in this progressive discipline policy. Employment with the City of Marion is at-will and may be terminated with or without cause and with or without notice. Employees who are in violation of the established policies, procedures, or practices of the City of Marion may be subject to corrective action. However, the City of Marion reserves the right to bypass any or all of these corrective action steps. The corrective action process may include any or all of the following:

CORRECTIVE ACTION PROCESS

Verbal Counseling: This is typically an informal verbal counseling issued by the employee's supervisor which may be noted in the employee's file.

Written Warning: This is the first formal step in the Corrective Action Process. The written warning will normally identify three (3) areas:

- 1) Specific violation of policy, procedure, or practice.
- 2) Corrective action required to resolve the identified breach of policy, procedure or practice.
- 3) The time frame in which the noted violation must be satisfactorily resolved.

The employee will be requested to sign verification of receipt of the written warning. Should the employee disagree with the basis for the warning, notation may be made by the employee directly on the written warning. The warning will normally be maintained in the employee's file. If satisfactory resolution is not noted in the identified time frame, the next step in the Corrective Action Process may be initiated.

Suspension: Suspension without pay may be issued for an egregious or persistent violation of policy, procedure, or accepted practice. There may be circumstances where an employee may be suspended even if the employee has not received a prior warning. The length of the suspension will be determined by the severity of the violation.

Dismissal: Dismissal may also result from an egregious or persistent violation of policy, procedure, or accepted practice. An employee is subject to dismissal even if the employee has not received a prior warning.

The following is a non-exhaustive list of reasons for which an employee may be disciplined:

1. Abusive or inconsiderate treatment of others, including but not limited to, coworkers, volunteers, other staff or members of the public
2. Dishonesty, stealing, or falsification of records
3. Disorderly conduct or fighting
4. Insubordination
5. Endangering your own safety or that of someone else
6. Intoxication or use of alcohol or city prohibited controlled substances while on duty
7. Unauthorized disclosure of confidential information
8. Repeated absences or tardiness
9. Violation of established safety policy, procedure, or practice
10. Willful destruction of property
11. Sleeping during scheduled work hours
12. Violation of the policy against discrimination or harassment
13. Failure to satisfactorily perform job duties
14. Violation of any other City of Marion policy.



**Acknowledgment of Receipt and Understanding of the Employee
Handbook of The City of Marion**

I have read, reviewed, and understand the regulations and policies stated in the City of Marion's Employee Handbook. I will comply with the policies contained in this handbook. I understand that neither this policy manual nor any of the individual policies contained in it is a contract for employment and that unless my employment is governed by a collective bargaining agreement or written contract of employment stating otherwise that I am an at-will employee, which means that my employment may be terminated by either the City of Marion or me at any time with or without cause or notice.

Printed Name: _____

Signature: _____

Date: _____



Acknowledgment of Receipt and Understanding of Policy against Discrimination, Harassment and Sexual Misconduct

I have read and I understand the Policy against Discrimination, Harassment and Sexual Misconduct. I understand that if I ever have any questions or concerns I can speak to my supervisor, the Mayor's Chief of Staff, City Administrator or Human Resource Director. I have signed and dated this acknowledgment to confirm my receipt and understanding of the policy.

Please respond to the following questions, circle appropriate answer and initial:

Have you read, and do you understand this policy? Yes No Initials: _____

Do you have any questions about this policy? Yes No Initials: _____

Do you know how to file a complaint should you ever have a problem with discrimination harassment, or sexual misconduct or if you see inappropriate behaviors at work? Yes No Initials: _____

If you ever have a problem or concern regarding discrimination, harassment or sexual misconduct in the workplace, please list who within our organization you can address your concerns with: 1) _____
2) _____
3) _____
Initials: _____

Are you aware of any behaviors going on either in our workplace or outside the workplace that may impact the workplace and that are inconsistent with this policy? Yes No Initials: _____

Employee Signature: _____ Date: _____

Print name: _____

I certify that the above person has received the Policy against Discrimination, Harassment and Sexual Misconduct and that I have reviewed this checklist with him/her.

Supervisor Signature: _____ Date: _____

Print name: _____



Employee Authorization for MVR Review

I acknowledge that the information contained in the City of Marion's MVR policy has been reviewed with me, and a copy of the policy has been furnished to me. As a driver of a City of Marion's vehicle or a private vehicle for City of Marion's business I understand that it is my responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage.

I also understand that my employer will periodically review my Motor Vehicle Record to determine continued eligibility. In accordance with the law, I have been informed that a MVR will be periodically obtained on me for continued qualification and employment purposes.

I acknowledge the receipt of the above disclosure and authorize my employer or its designated agent to obtain a MVR report. This authorization is valid as long as I am an employee or employee candidate and may only be rescinded in writing.

Employee Name (printed)

Employee Signature

Date



Travel Request Approval Form

Pre-approval Code (to be assigned by Treasurer):

Traveler's Name (please print)		Position	
Department		Email	Phone #
Grant Required? Y/N	Destination City	Travel Dates - Start/End	
Conference / Event		Third Party Sponsored	Request For
		<input type="checkbox"/> Yes → <input type="checkbox"/> Other <input type="checkbox"/> No <input type="checkbox"/> Industry Vendor	<input type="checkbox"/> Time & Costs <input type="checkbox"/> Time Only
Item	Estimated Costs (include all applicable taxes)	Recoverable?	Purpose of Trip
Airfare		<input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	<input type="checkbox"/> Meetings <input type="checkbox"/> Capital Project Related <input type="checkbox"/> Professional Development <input type="checkbox"/> Research <input type="checkbox"/> Conference <input type="checkbox"/> Leadership Development <input type="checkbox"/> Speaker/Presenter <input type="checkbox"/> Other (specify) _____
Ground		<input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	
Accommodation # of Nights =		<input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	
Per Diem # of Days =		<input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	
Registration Fees		<input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	
Other (specify)		<input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	
TOTAL	\$ -	\$ -	
Justification for Travel/Third Party Sponsored or Recoverable Travel Details			
Maximum Airfare Approved - if greater than estimate (to be completed by CA, COS, or Treasurer) \$ _____			
Approval - Must obtain 2 levels of Approval			
Signature - Supervisor/Superintendent/Commissioner	Print Name	Date	
Signature - Mayor/Chief of Staff/City Administrator	Print Name	Date	
Special Instructions			
THIS IS A PRE-APPROVAL FORM ONLY. A COPY OF THIS FORM MUST BE SENT TO THE CITY TREASURER PRIOR TO BOOKING AIRLINE TICKETS. P Card receipts and personal expense receipts , along with the approved Travel Request Approval Form, must be submitted for any reimbursement upon completion of travel. If this Travel Request Approval Form is for a Conference, attach a copy of the Conference Brochure. Forward a completed copy of this form and a completed Conference Registration confirmation to the Treasurer to initiate payment of Registration Fees.			



Employee Disciplinary Action Form

Employee Information

Name	Employee ID
Job Title	Date of Infraction
Department	Supervisor
Discipline Action	<input type="checkbox"/> Verbal Warning <input type="checkbox"/> Written Warning <input type="checkbox"/> Written Warning with Suspension <input type="checkbox"/> Termination

Violation

	Attendance	Safety	Disobedience	Work Quality	Other
Check all that apply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Supervisor Statement

Employee Statement

Previous Discipline(s) Dates and Action Taken

Date: _____
Discipline Action: _____

Date: _____
Discipline Action: _____

Verification of Review

By signing this form, you confirm that you have discussed this disciplinary action in detail with your supervisor. Signing this form does not necessarily indicate that you agree with this infraction.

Employee Signature	Date
Manager Signature	Date
Witness Signature	Date
Union Representative	Date



Employee Performance Review

Employee Information

Name	Employee ID
Job Title	Date
Department	Manager
Review Period	

Ratings

	1 = Poor	2 = Fair	3 = Satisfactory	4 = Good	5 = Excellent
Job Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments					
Work Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments					
Attendance/Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments					
Initiative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments					
Communication/Listening Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments					
Dependability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments					
Overall Rating (average the rating numbers above)					

Evaluation

ADDITIONAL COMMENTS

GOALS

(as agreed upon by employee
and manager)

Verification of Review

By signing this form, you confirm that you have discussed this review in detail with your supervisor. Signing this form does not necessarily indicate that you agree with this evaluation.

Employee Signature	Date
Manager Signature	Date