



CITY OF PEORIA, ILLINOIS
EMPLOYEE HANDBOOK

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INTRODUCTION

The City of Peoria, in extending services to its citizens, recognizes that the well-being of its employees is essential in maintaining a high standard of operation and that the interests of the City and its employees are harmonious rather than conflicting. The purpose of this Employee Handbook is to help foster and promote a high degree of understanding, fairness, cooperation and efficiency by establishing normal procedures which will serve as a guide to administrative action concerning various human resource activities and transactions. It is the responsibility of the Human Resources Director to administer this Employee Handbook.

This Employee Handbook applies to all City of Peoria Management, Confidential and all other employees unless there is conflicting language in the applicable collective bargaining agreement, in which case the contract language would prevail. It is expected that managers will become familiar with the contents of this Employee Handbook so that they are able to answer employee questions as they arise and apply the appropriate policies and procedures as the occasion requires. Managers are also responsible for ensuring that the employees who work for them are informed of these policies and procedures, understand them, and abide by them. Questions about application, interpretation, or clarification regarding any specific policies or procedures are to be directed to the Human Resources Department.

Because we are a dynamic organization, our personnel policies and practices are under constant review. Therefore, the policies, practices and procedures in this Handbook are subject to change with or without prior notice as necessary to meet our business demands and the needs of the citizens of our City. **Therefore, this Employee Handbook is not intended to create a contract of employment nor should it be construed as the terms and conditions of a contract of employment with the City.** Any contract of employment between the City and an employee must be in writing, specific to that employee and signed by the City Manager (or authorized designee).

At least one (1) hard copy of this Employee Handbook shall be maintained as the Employee Handbook of record by each City Department, and accessible to all covered employees upon request. Copies may be maintained at additional locations as needed. In addition, covered employees will be provided with a copy via email communication or otherwise. Finally, the Employee Handbook shall be made available on sharepoint.

As new policies and procedures are written, they shall be placed in each Handbook. Employee Handbook. New policies/procedures shall supersede or supplement existing rules. It is the responsibility of the Human Resources Department to disseminate any applicable changes and/or new policies. If any person has a question about the contents of this Handbook, he/she is encouraged to speak with the Human Resources Department to obtain an answer.

DEFINITIONS

Base Pay – The base pay amount is an employee’s weekly salary amount and it does not include any bonus pay or any other pay enhancements.

Demotion – The placement of an employee into a position having a lower salary range.

Exempt Employee – An employee who is not covered by overtime provisions of the Fair Labor Standards Act (FLSA) and applicable state law. These employees are paid on a salaried basis for all work performed in the week without regard to the number of hours worked per week (except in the event of covered FMLA time off).

Non-exempt Employee – An employee who is covered by the overtime and minimum wage provisions of the Fair Labor Standards Act (FLSA) and applicable state law.

Overtime – Authorized time worked in excess of the regular scheduled work week. Eligibility for overtime pay varies by exempt and non-exempt status under the FLSA.

Part-Time Employee – An employee who regularly works less than forty (40) hours per week and is scheduled on a year-round basis.

Probationary Employee – An employee who has not completed a trial service period upon being hired or promoted to the position.

Probationary Period – Generally, a period of one year from any of the following: 1) The date of appointment to employment with the City of Peoria. 2) The effective date of reclassification to a job classification in a higher salary range. 3) The effective date of promotion to a position in a higher salary range. 4) The date of demotion to a lower salary range. Note: Extensions of the probationary period may occur at the discretion of management.

Promotion – The appointment of a current employee from one position to a vacant position which is in a higher pay range than the position they currently hold. This appointment may occur through a competitive selection process or by direct appointment.

Reallocation – The assignment of a job from one salary range to another salary range due to factors including compression and/or competitive market forces without substantially changing the duties of the job.

Reclassification – Reclassification is a change in the classification of a position resulting from a job audit where it is found that the duties and responsibilities of the position have or will be changed permanently, materially, and significantly. An employee must meet the minimum qualifications of the new classification in order to remain or be placed into the reclassified job.

Regular Employee – A full-time Management, Confidential or Non-Represented employee who regularly works a minimum of forty (40) hours a week on a year-round basis.

Seniority – Seniority is based on the length of service with the City from the last date of hire, unless the employee has left employment with the City in Good Standing and is re-employed after a break in service of less than twelve (12) months.

Service Date – Last date of hire for regular employees. Employees who leave City employment in good standing and return later, shall have their service credit for vacation accumulation calculated to be their length of service with the City minus one year.

Temporary Employee – An employee who is hired to fill a position for a specified length of time generally not to exceed twelve (12) consecutive months.

Unrepresented Employee – When the phrase “unrepresented employee” is used in this handbook, it shall apply to employees who are not covered by a collective bargaining agreement.

I.
CLASSIFICATION AND PAY PLANS

A. Overview

The Human Resources Department is responsible for determining the appropriate classification of new and existing positions as well as maintaining the compensation plan. Once a classification review is completed by the Human Resources Department, it must be reviewed by the appropriate Department Director and Finance Director or his/her designee. Approval by the City Manager is required for a change in classification to occur. New classifications or reclassifications become effective upon written approval by the City Manager. A Job description which summarizes the essential job functions of the position shall be available on-line as well as in the Human Resources Department. Note: The procedures set forth below are general guidelines and exceptions will be considered only if approved in advance in writing by the City Manager (or authorized designee).

B. Establishing a Salary

1. New Employees: New employees generally will be paid at the minimum of the approved salary range for the classification to which he/she is being appointed. The Human Resources Director may approve an appointment at a rate above the minimum for new employees with exceptional factors such as: unique skills and qualifications, or where market conditions warrant. Normally appointments will not be made above the mid-point of the range. Newly appointed employees generally shall serve a one (1) year probationary period.
2. Promotion: The general rule for a pay increase upon promotion to a higher level position is five percent (5%) for one range and ten percent (10%) for two or more ranges. Any employee who would be below the minimum of the range after an increase based on the general guideline will be brought up to the minimum of the new salary range if and when deemed appropriate by management. All newly promoted employees generally shall serve a one (1) year probationary period after placement in the new position.

Any increase above the general guidelines for promotion must be fully documented in writing, including the reasons for the recommended decision. Such raises must be approved by the Human Resources Director and the City Manager prior to any offer being made to the employee and/or being effective. An employee with a base pay rate below the maximum of their previous range may be granted an increase resulting in a base pay rate not to exceed the maximum of the new range in appropriate cases.

3. Demotion: An employee may be demoted from one position to another provided they meet the minimum qualifications of an available lower level position. Voluntary requests may be initiated in writing by the employee, and must be approved by the Department Director and the Human Resources Director to be effective. If an employee is involuntarily demoted as a result of a disciplinary action, the City will consider factors such as the nature and severity of the offense as major factors in determining the rate of pay the employee will receive within the

lower pay range for their new classification. Demoted employees generally shall serve a one (1) year probationary period.

A demoted employee returning to their former job in a lower range will normally be placed at the same rate of pay they were receiving when they left that position. A demoted employee who has limited experience related to the lower level job may receive a lower rate of pay based on the employee's skill level. In no case shall the salary of a demoted employee be below or above the minimum or maximum of the salary range.

4. Reclassification: The general guidelines for a pay increase for an employee whose job is reclassified due to a substantial change in duties and responsibilities to a higher classification is five percent (5%) for one range and ten percent (10%) for two or more salary ranges. Any employee who would be below the minimum of the range after an increase based on the general guidelines normally will be brought up to the minimum of the new salary range. All reclassified employees will normally receive a one (1) year probationary period.

An employee whose position is reclassified to a higher level position must have at least six (6) consecutive months of service that is satisfactory or higher after the effective date of the reclassification to become eligible for consideration for a merit increase.

An employee whose position title has changed but who remains in the same salary range shall continue to be paid at the same rate of pay as they were prior to their job being reclassified. An employee whose position is reclassified to a position in a lower salary range generally will be continued to be paid at their same rate of pay. If the rate of pay of the employee is above the salary range of the new job classification, that employee's rate of pay shall be "red circled" at that rate, and the employee will remain at that rate of pay until the salary range of the new job classification exceeds the employee's rate of pay.

5. Reallocation: The general guideline for a pay increase for an employee whose job duties have not substantially changed but the job classification is placed at a higher range due to wage compression or market forces will be five percent (5%). Any employee below the minimum of the new salary range after applying this general guideline normally will be brought to the minimum of the new range. Paying an employee any amount above the general guidelines shall require written documentation from the Department Head indicating specific and substantial reason(s) why the additional amount should be granted. All such increases must be approved by the Human Resources Director and the City Manager to be effective.

C. Administrative Salary Adjustments

The pay plan for exempt and non-exempt employees provides for period pay increases based on relevant job related and other business factors. In appropriate cases, evaluations are to be conducted for use in determining pay adjustments. Administrative salary adjustments shall be

governed by the following provisions (exceptions must be approved in writing by the City Manager):

1. Prior to the end of each year, the Human Resources Director, with the approval of the City Manager, shall communicate to all Department Directors the following year's merit salary adjustment plan for all eligible employees. The Human Resources Department shall distribute the evaluation forms as well as the criteria and standards for the evaluation process.
2. If, after an employee's annual performance is appraised, the Department Director deems his/her work is at an acceptable or higher level, and the employee's conduct is satisfactory, the employee may be recommended for an increase. New hires and employees promoted or reclassified to a higher level job must have served at least six (6) consecutive months in their current job to be eligible for a merit increase. Upon six (6) months of service, they will be reviewed and considered for a merit increase based on the same guidelines as used for other employees.
3. The normal effective date, unless otherwise determined by the City Manager or another section of this Employee Handbook, for an approved increase is the first pay period of the payroll year. If the employee's performance or conduct is such that a pay increase is not recommended or approved, the employee will be reviewed again at a stated time not less than three (3) months from the date of denial. The employee shall be counseled by the Department Director on how to perform at an acceptable level. If the employee's performance and/or conduct are deemed to be acceptable upon subsequent review, the employee may receive a pay increase, per the guidelines of the applicable year.
4. The City Manager may grant increases to ensure internal equity among management employees. In addition, the City Manager may approve pay adjustments in order to address the impact of other factors such as market and competitive forces. Requests for adjustments are to be submitted through the Department Director to Human Resources for review and recommendation to the City Manager.
5. The City Manager may, at his/her discretion, authorize merit awards in the form of a one-time bonus to those employees who have made significant contributions to specific project completion or have demonstrated sustained superior performance during the course of the year.

D. Part-time Pay Rates

An employee who regularly works less than forty (40) hours per week may be paid by the hour or at a salary proportional to the amount of time worked. The hourly rate for a part-time employee shall be at the rate determined by the Human Resources Department to be appropriate in comparison to the rate offered to full time positions that perform similar work and similar business factors.

E. Payment for Overtime

1. Employees who are non-exempt under the Fair Labor Standards Act (FLSA) shall receive overtime compensation in accordance with FLSA guidelines. All overtime must be approved by the employee's immediate supervisor before it is worked.
2. In some cases, the ECC supervisors will be designated to serve as "mission essential supervisors", when they will be assigned extra shift hours worked in excess of their normal work shift. When this occurs, the ECC supervisors shall be compensated on an overtime basis at the rate of time and one half (1-1/2) for hours actually worked in excess of 40 in a week. These payments are based on department scheduling needs and the necessity of a supervisor being on duty.
3. Exempt employees are paid on a weekly salary without regard to the number of hours they work in a week. Those employees are expected to work the hours necessary to complete assignments and are often required to work more than forty (40) hours per week without additional compensation beyond the weekly base salary. Deductions from the weekly base salary will be made only on a full day increment basis if approved by Human Resources as consistent with the applicable wage and hour laws.

F. Longevity Pay

1. New hires and employees who had not earned longevity pay as of May 31, 2006, are not entitled to earn or receive longevity pay.
2. Management, confidential and employees who are not covered by a collective bargaining agreement who transfer to a bargaining unit position shall be subject to the terms of the applicable collective bargaining agreement relative to longevity pay.
3. When a bargaining unit employee transfers or is promoted to a Management or Confidential position or employees who are not covered by a collective bargaining agreement, the employee's base rate of pay shall be determined prior to computing the rate of pay in the new position. This determination shall be made by computing the annual dollar amount equivalent to the percentage of annual longevity for which the employee is eligible and adding that amount to the employee's annual base rate. Once this new base rate is established, the promotional increase or transfer rate shall be based on that rate. The new base rate shall not exceed the maximum of the range for the new position.

G. Payment for Holidays

If a holiday falls on a Saturday, it generally will be observed on a Friday and if it falls on a Sunday, it generally will be observed on a Monday. In such instances, regular employees required to work both days shall be entitled to holiday pay for either day, but not both days. Employees given either day off shall not be entitled to holiday pay. If an employee does not work on one of the holidays which occur on a Monday or Friday, but is called into work on the designated Monday or Friday

holiday, he/she shall be entitled to holiday pay based on the employee's regular schedule for the day. When a holiday falls on the regular day off of any employee entitled to holiday pay, the employee shall be paid for one (1) day or be given another day off in the same pay period. No payment shall be allowed to any employee for holiday work not specifically authorized by the Department Head.

H. Method of Payment

Pay periods and dates of payment shall be set by the City Manager and Finance Director. Hourly employees shall be paid for the number of hours actually worked during each pay period. Salaried employees shall be paid their annual salary divided by the number of pay periods per year. When absent on authorized sick, personal or vacation leave, each employee shall be paid at his or her regular rate with appropriate charges being made to the employee's leave balance. If an employee exhausts their earned and authorized leave with pay, they shall only be paid for actual hours worked. As noted earlier, employees who are paid on a salaried basis and are exempt from the overtime laws will be subject to deductions from the weekly salary in full day increments for full work days not worked.

I. Acting Pay

Employees temporarily performing work in a higher classification due to a vacancy, prolonged absence or similar situation, may be paid acting pay. Employees assigned in an acting capacity may receive compensation for such duties when the following conditions apply:

1. The employee functioning in an acting capacity is required to assume the full duties and responsibilities listed in the job description; and
2. The employee is placed in an acting capacity by the Department Director with the approval of the Human Resources Director and the City Manager.

Acting pay does not apply if an employee is only assuming partial duties. Acting positions must be approved by the Human Resources Director to be eligible for acting pay.

If the above conditions are met, an individual placed in an acting capacity in a job one (1) salary range above their current pay range will receive a five percent (5%) increase. If the job is two (2) or more salary ranges above their current pay range, the employee shall receive a ten percent (10%) increase. If, after the above salary adjustment, the employee is not yet at the minimum of the range, the employee's salary normally will be adjusted to bring them to the minimum of the new range.

J. Training Assignments

In unique situations where an employee is temporarily assigned duties and responsibilities of training assigned employees in the basic skills of their position, they shall receive a five percent (5%) increase. Such assignments must be approved in advance by the Human Resources Director. Basic training is not to be confused with the typical "familiarization" training required of all positions. This additional pay is to compensate the trainer for the additional work and responsibility for evaluating and documenting work performance of those being trained.

K. Contractual Services

With the approval of the City Manager, Department Directors may enter into contracts with individuals or organizations for performance of personal services. Such contracts shall not be subject to the policies and procedures contained in this Employee Handbook except as required by law; this is because the City will not have control over their employment conditions. Contracts with individuals for performance of personal services generally shall not exceed six (6) months unless extended by the City Manager. All contracts are subject to EEO requirements, and to bidding requirements if applicable.

L. Transfers

Employees may be transferred between departments or other units of City government, between positions in the same or different classifications with the approval of the Human Resources Director and affected Department Directors.

M. Temporary Appointments

Department Directors may hire temporary employees for any position providing that funds are available in the department's budget and that standard employment procedures are followed.

N. Medical Examinations

Prior to appointment but after being offered a position of employment, all candidates selected for employment with the City shall undergo a medical examination by a physician or physicians designated by the City to ensure that the individual can safely perform his/her essential job functions (and/or to determine if some reasonable accommodation is necessary for an individual with a disability). Official job offers shall be contingent upon successful examination and evaluation confirming the applicant's ability to perform the essential functions of the job (either with or without a reasonable accommodation if disabled).

II. ATTENDANCE AND TIME OFF

A. Hours of Work

The normal hours during which City Hall offices and departments are open for business shall be from 8 a.m. to 5 p.m., Monday through Friday. Hours other than these must be requested through the Human Resources Director and approved by the City Manager.

B. Attendance

Employees' attendance shall be in accordance with the rules and standards set forth in this Employee Handbook. Departments shall maintain attendance records of employees as necessary or as requested by the Human Resources Director. If an employee will be tardy or unable to report for work, he/she must contact their supervisor as early as possible prior to their scheduled start time and provide the reason for their absence. If the supervisor is not available, the employee shall contact another designated management official. Failure to come to work without calling in to report the absence is a serious matter and may result in discipline.

C. Holidays

The City Council has declared the following days to be official holidays for employees covered by these rules:

New Year's Day
Martin Luther King, Jr. Day
Good Friday
Memorial Day
Independence Day
Veteran's Day
Labor Day
Thanksgiving Day
Day After Thanksgiving
Christmas Day

All regular employees shall be paid for each holiday for time they would regularly be scheduled to work (provided the employee works the full regularly scheduled hours, or is on approved paid leave, on the day before and after the holiday). As many regular employees as possible shall be scheduled off on each holiday, but when required to work, they shall be paid in accordance with Section I, paragraph G of this Employee Handbook. If an employee needs time off for a holiday which is not celebrated by the City, we provide reasonable accommodations for this purpose. Where applicable, the employee is encouraged to speak with his/her supervisor to make arrangements in advance to minimize disruption to the workplace while addressing the needs of the employee.

If the City Council declares a special holiday, it shall be observed as provided above.

D. Bereavement Leave

In the event of a death in the employee’s immediate family, the City will provide up to three (3) days paid bereavement leave. Immediate family is defined as spouse (or civil union partner), child, parent, grandparent (including great grandparent), grandchild, siblings (including half- and step-siblings), aunt, uncle, niece and nephew; and the child, parent, grandparent, grandchild, brother and sister of the spouse or civil union partner.

For the purposes of bereavement, child is further defined to include a legally adopted child, step-child, current foster child, or child for whom the employee is the legal guardian.

If additional time off is needed, the employee’s Department Director or the City Manager may approve the employee’s use of accrued vacation and/or personal leave. Upon request, the employee will provide substantiating documentation of the need for the leave or attendance at funeral in the unlikely event of suspected abuse.

In the event of the death of an employee’s child, the City will comply with the Child Bereavement Leave Act. The Act provides that eligible employees (those with 1,250 hours of service with the City during the prior 12-month period), may take up to ten (10) work days of unpaid bereavement leave upon suffering the death of a child. Employees may be entitled to up to six (6) weeks of bereavement time in the event of the death of more than one child during a twelve (12) month period. The time may be used to attend the funeral or alternative to a funeral, make arrangements necessitated by the death, or grieve the death of the child. The leave must be completed within sixty (60) days after the date the employee receives notice of the death of the child. The City may require documentation to verify the necessity of the leave. Child bereavement leave may not be taken in addition to leave permitted under the Family Medical Leave Act. Employees may substitute paid time (sick, vacation or personal) for unpaid leave.

E. Vacation Leave

1. All regular employees shall be entitled to a paid vacation. Employees are not entitled to compensation for vacation credit nor receive pay in lieu of taking a vacation. Part-time employees shall accrue vacation on a prorated basis (based on the number of hours they are regularly scheduled to work). During an employee’s first year of service, they will earn a portion (1/12th) each completed month worked, starting the month in which their service anniversary falls. Eligible full-time employees shall accrue vacation leave according to the following schedule:

<u>Years of Service</u>	<u>Accrual</u>
During 1st Year	10 days
1st Anniversary	11 days
2	12 days
3	13 days
4	14 days
5	15 days

6	16 days
7	17 days
8	18 days
9	19 days
10	20 days
11 and beyond	20 days

The maximum amount of vacation that may be earned in any one (1) year is twenty (20) days. Once employees have reached their 10th year of service, there shall be no further increases in vacation accrual. Employees shall not accrue vacation leave while they are on an unpaid leave of absence for thirty (30) days or more. Vacation will continue to accrue for the first six (6) months when an employee is off due to an on-the-job injury and will begin again when the employee returns to work.

2. The accrual period for vacations shall be from January first through December thirty-first. New employees beginning prior to the 15th of the month shall be given vacation credit for the full month. New employees may use up to their first year's allotment of vacation with approval of their Department Director. After the first year of service, only accrued vacation may be used.
3. Employees may carry over up to one (1) year's allotment of vacation plus one (1) week into the following year. These hours may be used at any time during the new calendar year along with any hours accrued during that New Year. Leave carryovers in excess of this amount must be approved by the Department Director, if less than five (5) days; the Department Director and Human Resources Director, if in excess of five (5) eight-hour days or 56 hours for firefighters; and the Department Director, Human Resources Director and City Manager if in excess of ten (10) eight-hour days or 112 hours for firefighters. Any vacation time that had been approved and subsequently denied shall be allowed to be carried over without counting towards the maximum carryover (if arrangements are made in advance with the employee's Department Director).
4. Employees should request vacation with enough advance notice so as not to disrupt the normal operations of the Department. All vacation requests must be approved by the Department Director. Department Directors and supervisors shall give due consideration to service needs and the ability of the remaining staff to perform the work of the department or division. Department Directors shall receive the City Manager's approval for vacation time.
5. Temporary employees shall not earn vacation and therefore no vacation will be paid upon separation.
6. Part-time employees shall be entitled to payment for all earned but unused vacation pay upon separation.
7. Employees who leave City employment in good standing and are re-employed within one (1) year, shall receive service credit for vacation accrual for total prior service.

8. New employees may be given credit at time of hire for purpose of vacation accrual. Such credit shall be granted based on years of service and the needs of the City. This additional accrual must be approved by the Human Resources Director prior to making the offer to the employee.

F. Sick Leave

1. All employees, excluding temporary or part-time workers, shall earn sick leave with pay for each year of employment at the rate of 6.67 hours per month.
2. An employee eligible for sick leave shall be granted such leave for the following reasons:
 - a. Non Work-related Personal illness or physical incapacity (includes time off under FMLA policy);
 - b. Illness of a member of the employee's immediate family that requires the employee's personal care and attention (includes time off under FMLA policy for this purpose); or
 - c. Enforced quarantine of the employee in accordance with community health regulations.
3. An employee shall request leave from his or her immediate supervisor as soon as possible. Failure to do so within a reasonable time period may be cause for denial of sick leave for the period of absence.
4. In instances where sick leave exceeds three (3) consecutive working days, for reasons of personal illness or physical incapacity, employees may be required to present a written statement by a licensed physician, certifying that the employee's condition prevented them from safely performing the duties of their position for the days (either with or without a reasonable accommodation if disabled).
5. If the supervisor believes that sick leave is being abused, an employee may be required to furnish substantiating evidence or a statement from a physician certifying that absence from work was required due to a medical reason.
6. An employee who is laid off from their position may, if re-appointed within twelve (12) months, be credited with any sick leave credit existing at the time of layoff minus any sick leave paid out to them under F8 below.
7. Sick leave shall accumulate for a period of up to twelve (12) months following an on-the-job injury while the employee is off duty and on an approved leave of absence, provided the employee returns to work within one (1) year of the last day worked.
8. The amount of sick leave that may be paid out for employees hired prior to 08/01/85 shall be one hundred twenty (120) days unless accumulation as of 08/01/81 was above one hundred twenty (120) days, in which case the actual cap shall be the

amount the employee had accrued on 08/01/81. The amount of sick leave that may be paid out for employees hired after 08/01/85 shall be one hundred twenty (120) days.

9. Sick leave may be charged for absences in fifteen (15) minute increments.
10. Employees who leave their employment in “good standing” (i.e., after providing adequate notice in the event of a resignation, or for termination through no fault of the employee) shall have a percentage of their sick leave paid in accordance with the following table:

<u>Accumulated Days</u>	<u>Percent Paid</u>
1-25 Days	20%
26-50 Days	40%
51-75 Days	60%
76 Days & Over	80%

Payment for employees hired prior to 4/1/80 will be computed as a percentage of final salary. Payment for employees hired 4/1/80 or after will be computed as a percentage of average career salary.

11. Eligible employees will be required to use accumulated sick days concurrently with otherwise unpaid FMLA leave.

G. Administrative Leave: In the interest, protection, or security of an employee, of the City, or if the employee’s presence on the job is judged to be detrimental to the work operation, the Department Director may place the employee on administrative leave with pay for up to ten (10) working days. Any other circumstance requiring the use of administrative leave must be authorized by the Human Resources Director (i.e., for an employee with a disability or pregnancy related condition). If the situation is not resolved during those ten (10) calendar days, the employee must be placed on vacation, sick, personal leave or leave without pay, unless additional administrative leave is approved by the Human Resources Director and City Manager.

H. Military Training Leave:

The City of Peoria complies with all state, local and federal laws governing employment of military service members. We also provide approved time off, benefits, pay and reinstatement rights to employees who take time off for active duty or required training, in accordance with the law. If you have questions about your rights and obligations under our policies, please consult the Human Resources Department for clarification. Complete Military Leave policy and form is in Appendix A and B of this manual.

I. Jury Duty: Persons called to serve on a jury shall be provided approved time off and they will be compensated at their regular rate for all days required to serve on jury duty status (minus the offset for any amounts received for jury duty service). Employees must notify

their supervisor as soon as they know that they have been called for jury duty. Employees must provide their jury duty check to the Treasurer's office for payment to the City.

- J. Personal Leave:** All regular employees, excluding temporary workers, shall accrue 2.67 hours per completed month worked of personal leave to be taken during their first four (4) years of service, and 3.33 hours per completed month during each year of service beyond four (4) years. For new employees, the accrual period shall commence only at the beginning of a quarter, January 1, April 1, July 1, and October 1. Employees may use personal leave for any reason but are required to notify and receive approval in advance from their supervisor. Personal leave may not be carried forward into a new year. Therefore, it is lost if not used during the year of accrual. Regular part-time employees shall accrue personal leave on a prorated basis.
- K. Disability Leave (Off-the-Job reasons):** If an employee becomes sick (including pregnancy or pregnancy related medical conditions) or is injured off-the-job, they are eligible for disability leave with or without pay. Eligibility requires that the employee's personal physician submits certification to the Human Resources Department that the employee is unable to perform the essential functions of their job (with or without a reasonable accommodation if employee is disabled) due to the medical condition or pregnancy. The recommendation of the personal physician will determine the length of time for the employee to be granted leave. Time off taken for this purpose that also qualifies as FMLA time off will run concurrently.

Employees must exhaust all accrued sick leave time before going on unpaid disability status while on otherwise unpaid leave of absence.

If the employee's period of disability or incapacity persists for one (1) calendar month or more, the management non-commissioned employee may be eligible to receive disability benefits under the Illinois Municipal Retirement Fund (I.M.R.F.). Such disability shall be considered disability leave and such employee shall be granted a leave of absence from the service of the City for the length of the disability while on IMRF disability leave. Consult IMRF for additional details.

While on an approved leave of absence, the City will pay the appropriate health plan premium contribution rate for each of the first six (6) months the employee is off on disability leave. If the disability continues beyond six (6) months, the employee shall be required to pay the appropriate health insurance premiums. This period will run concurrently with time taken and insurance coverage obtained for an employee who is on FMLA leave of absence. No other benefits shall accrue for any month when the employee is off the payroll (for the entire month) on disability leave, except as required by law.

- L. Disability Leave (On-the-Job):** If an employee is disabled or injured while on-the-job, he or she must immediately report the injury to their supervisor and may be entitled to benefits under the Illinois Workers' Compensation Act if allowed by law. An appointment with the City physician (OSF Center for Occupational Health) will be made to determine the need for any leave from work. Disputed claims may not be covered under the Illinois Workers'

Compensation Act, and in those cases, employees must use their accrued leave if off work and should treat with their personal physician. Documentation certifying the disability from their attending physician must be submitted to the Human Resources Department. The City may request additional information to verify an employee's work status and the City may require them to see a doctor of the City's choosing at the City's cost. Employees may be required to see the City physician to return to work to ensure that the employee can safely perform his/her essential job functions (either with or without a reasonable accommodation if disabled or pregnant).

Employees off work on a job-related injury should make application to the I.M.R.F. under disability to keep the employees' pension benefits intact.

M. Family and Medical Leave

The Family and Medical Leave Act (FMLA) allows eligible employees to take up to twelve (12) weeks of unpaid leave due to certain qualifying circumstances. Employees may request FMLA leave due to the birth, adoption or placement of a child for foster care; to care for a spouse, child or parent with a serious health condition; and for the employee's own serious health condition.

The Act also allows an eligible employee to take up to twelve (12) weeks of leave per year for family emergencies resulting from the call to active National Guard or Reserve duty of the employee's spouse, parent, or child. This isn't an entitlement to an additional twelve (12) weeks of FMLA per year. This qualified exigency leave applies only to families of members of the National Guard, Reserves, and to certain retired members of the military, and not to families of active members of the regular armed services. Qualified exigency leave also applies only to a federal call to duty or a state call under order of the President.

Eligible employees may take up to twenty-six (26) work weeks of leave in any single twelve (12)-month period to care for a covered service member with a serious illness or injury suffered in the line of duty during active duty. The employee may be a spouse, parent, child, or next of kin of the service member, who can be in the regular armed forces, Reserves, Guard, or in those categories and on a temporary disability retired list (TDRL). The service member must have a serious illness or injury, as determined by the Department of Defense, that may render him/her medically unfit to perform the duties of his/her office, grade, rank, or rating and for which s/he is undergoing medical treatment, recuperation, therapy or outpatient treatment or is on TDRL.

Requests for FMLA leave should be submitted to the Patient Advocate in the Human Resources Department for approval.

A. Eligibility

To be eligible for FMLA leave, an employee must have been employed by the City for at least twelve (12) months and have provided at least 1,250 hours of service during the twelve (12) months before leave is requested.

An eligible employee is entitled to a total of twelve (12) work weeks of FMLA leave during any twelve (12) month period for one or more of the following reasons:

1. Birth of a child of the employee, in order to care for the child.
2. Placement of a child with the employee for adoption or foster care.
3. Care of the employee's spouse, child or parent of the employee, if the spouse, child or parent has a serious health condition.
4. A serious health condition that makes the employee unable to perform the functions of their position.

FMLA leave may be taken for birth or placement of a child only within twelve (12) months of that birth or placement. FMLA leave may begin before the actual date of birth of a child, if the expectant mother's condition makes her unable to work.

Child is defined as a biological, adopted or foster child, a stepchild, a legal ward, or a child for whom the employee is "in loco parentis," who is under eighteen (18) years of age, or if eighteen (18) years of age or older is incapable of self-care because of mental or physical disability.

Parent is defined as 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. This term does not include parents "in law."

Spouse is defined as husband or wife.

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- (1) Inpatient care in a hospital, hospice or residential medical care facility, or
- (2) Continuing treatment by a health care provider.

The employee must provide certification of a serious health condition for themselves or family member on Form WH-380-F or WH-380-E, Certification of Health Care Provider.

Certification is to include:

- (1) The date on which the serious health condition began,
- (2) The probable duration of the condition,
- (3) Appropriate medical facts regarding the condition,
- (4) A statement that the employee is needed to care for a spouse, parent or child, and an estimate of the time required, or that the employee is unable to

perform their job functions, and in the case of intermittent leave, the dates and durations of treatments to be given.

The employee may be required to provide subsequent “recertification” on a reasonable basis and/or when the circumstances surrounding the need for leave have changed.

B. FMLA Leave and Paid Benefit Time Usage

Employees must use sick leave, vacation and personal leave concurrently with otherwise unpaid FMLA leave. FMLA is authorized in the following circumstances:

1. Birth or placement of a child:

FMLA leave must be taken within twelve (12) months of the birth or placement. FMLA leave may be taken on an intermittent or reduced basis, with approval by the Department Director (or designee).

An employee must provide thirty (30) days’ advance notice before the date on which the leave would begin if the date is foreseeable. If the date is not foreseeable, the employee should provide as much notice as is practicable under the circumstances.

2. Serious health conditions of a family member or the employee:

FMLA leave may be taken intermittently or on a reduced schedule if medically necessary. If FMLA leave is taken intermittently, an employee may be required to transfer temporarily to an alternate position, with equivalent pay and benefits that better accommodates recurring periods of leave than the employee’s regular position.

If FMLA leave is foreseeable based on planned medical treatment, the employee should make a reasonable effort to schedule treatment so as not to unduly disrupt the operations of the workplace. An employee who is on FMLA leave may not work a second job outside the City while on such leave.

An employee must provide thirty (30) days advance notice before the date on which the FMLA leave would begin if the need for leave is foreseeable, or as much notice as practicable if the need for leave time is not foreseeable.

3. Qualifying exigency arising from the active duty or call to active duty of the employee’s spouse, parent or child.

An employee must provide a copy of the service member’s active military orders and other certifications. Employees should contact Human Resources regarding certification requirements and additional information about their rights under the FMLA policy for this purpose.

4. Record Keeping

- a. Requests for FMLA leave must be submitted to the Patient Advocate in the Human Resources Department through their Department Director, along with required certification for either the employee or the employee's family member.
- b. For purposes of record keeping, FMLA leave requests shall be for a period of not less than fifteen (15) minute intervals.
- c. For purposes of administration, the year period shall be a rolling twelve (12) month period. All time off taken by an employee shall be counted towards the required twelve (12) weeks of FMLA if it is for one of the covered reasons.

5. Benefits While on Family Leave

- a. An employee who completes a period of FMLA leave will be returned to the same or an equivalent position as he/she would have been in had he/she not been on leave. If the prior position is no longer available, the employee will be placed in an alternate equivalent position with similar responsibilities and at the same pay and benefit levels.
- b. FMLA leave will not result in the loss of any previously acquired benefits. However, FMLA leave taken on a leave-without-pay basis will not be credited towards any future benefits. FMLA leave taken concurrently with paid leaves (sick, vacation, personal) will be credited towards future benefits.
- c. The employee may elect to continue participation in the City's group health benefit program during the employee's FMLA leave status. The employee is responsible for paying the employee's portion of the premium. This benefit will continue for up to 12 weeks of FMLA leave time. Note: An employee with a disability may be eligible for up to 3 additional months of continued health insurance if approved for a disability leave as a form of a reasonable accommodation after the FMLA leave time has been exhausted.

If the employee is unable to make payment while on FMLA leave, coverage shall cease within thirty (30) days of delinquent payment unless the employee has made arrangements with the Human Resources Department for an alternative payment schedule. Upon reinstatement from FMLA leave, the employee is eligible to reenroll in the City's group health benefit program as if newly employed.

If an employee does not return to work following the expiration of FMLA leave, the City will take action to recover from the employee

any unpaid premiums; the only exception is if the employee fails to return due to circumstances that are beyond the employee's control.

6. Returning to Work

- a. Upon returning to work from FMLA leave, an employee is entitled to return to work in the same or an equivalent position the employee held when leave commenced.
- b. In the case of an employee returning to work from FMLA leave taken as a result of their own serious health condition, the employee must provide the Patient Advocate with a statement from the attending physician confirming that the employee is released to return to work prior to returning to duty. If indicated on the FMLA forms, an employee will be required to provide the health care provider a copy of his/her job description and the health care provider will need to confirm the employee can safely perform the essential functions (either with or without a reasonable accommodation if disabled). The City shall have the right to verify the attending physician's release by sending the employee to a physician of the City's choice. The City shall pay for this visit.

- C. Leave Without Pay: A leave of absence without pay may be granted to a regular employee for up to one (1) month in duration for compelling personal or medical reasons (exceptions for a longer duration will be granted on a case-by-case basis where required by law as a form of reasonable accommodation for an employee with a disability or due to pregnancy or pregnancy related medical condition). Approval by the Department Director and Human Resources Director must be obtained prior to the effective date of the leave. Employees should request leave without pay in writing well in advance of the desired start date (ideally at least 30 days if foreseeable). Leave may be requested for any purpose, but the City will determine whether the request will be granted.

Except in extraordinary circumstances or when required by law, no leave shall be granted before an employee has completed six (6) months of employment. Leave without pay will not be granted until an employee has exhausted their accumulated vacation and other paid time off benefits. Leave without pay may be extended for up to six (6) months with the prior approval of the Department Director and the Human Resources Director; these issues will be reviewed on a case-by-case basis.

III WORK RULES

A. General Rules

Your primary responsibility is to do a good job, and this carries with it a number of obligations, such as obeying City rules, adhering to safe working practices, cooperating with management, fellow employees and our residents and remaining committed to the best interests of the City. As an employee of the City of Peoria, you also are expected to meet reasonable standards of work performance and personal conduct at all times.

The City's policy is, whenever appropriate, to utilize progressive discipline procedures for violations of work rules, policies, or poor work performance. However, the City reserves the right to deal with each violation or infraction on a case-by-case basis. This means that as a general rule, you will be given an increasingly severe penalty each time an offense is committed or work performance falls below an expected standard. Some types of misconduct, however, are so intolerable that you may be suspended (with or without pay as determined by the City Manager) or even terminated immediately upon the first occurrence.

The following are examples of offenses which are so intolerable that they will result in immediate, severe disciplinary action up to and including immediate termination for the first offense. THIS LIST IS NOT ALL INCLUSIVE:

1. Stealing (taking without permission) property belonging to the City, a resident or another employee.
2. Being absent three or more consecutive days without acceptable notice to the Department Head.
3. Failing to return on time from a leave of absence.
4. Falsifying or altering City records.
5. Fighting with, assaulting, threatening, or using obscene language towards management, a co-worker, visitor or resident regardless of where the incident occurs.
6. Fighting with, assaulting, or threatening, on City property, any person not covered by above Rule #5; or deliberately provoking or inciting another person to engage in an assault or fight on City property.
7. Destroying, damaging or hiding property belonging to the City, a resident or another employee.
8. Giving false information to anyone who has any duty in preparing City records including employment applications (no matter when discovered).
9. Refusal or failure to promptly comply with a work assignment or instruction or failing or refusing to perform assigned work.

10. Reporting to work or working under the influence of alcoholic beverages or a habit-forming or illegal drug, or having such in one's possession on City property, or other violation of any Alcohol and Drug Policy.
11. Attempting to or bringing alcoholic beverages or any non-prescription drugs or illegal substances into working areas.
12. Engaging in immoral or indecent conduct or any conduct which could embarrass the reputation of or discredit the City.
13. Possessing or storing dangerous weapons or explosives on Company property.
14. Removal or adjustment of safety or security devices or alarm systems, without authorization from your supervisor.
15. Being convicted of a felony or other serious crime which reflects upon an employee's continuing fitness to perform his/her job, or which results in harm to the City's reputation. (These issues will be addressed on a case-by-case basis considering all the facts involved to determine if the off-duty offense is job related)
16. Failing or refusing to cooperate with the Company in any investigation of a theft or a suspected theft of property, or other conduct harmful to the City or the concealment of or failure to report the occurrence of any violation of any City rules or policies or general understanding of proper conduct.
17. Reckless (or dangerous) driving or other similar activity that presents an actual or potential safety threat to our employees or others.

The following are examples of offenses which may result in disciplinary action under our progressive discipline procedure. In certain situations, depending on the severity and/or frequency of the offense, the first offense will result in immediate suspension or even discharge for the first offense. **Nothing in this Policy is intended to create a procedural or contractual right.**

18. Failing to follow prescribed work rules or policies.
19. Repeated absenteeism or tardiness.
20. Violation of No-Solicitation/Distribution policy.
21. Refusing to work a reasonable amount of overtime, or failing to work voluntarily accepted overtime.
22. Using obscene or threatening language in a malicious manner towards another employee, resident or visitor.
23. Destruction of bulletin boards, or marking or destroying any literature on such bulletin boards, or posting anything on bulletin boards without permission of management.

24. Failing to follow prescribed parking regulations, prescribed safety and health procedures, practices or policies.
25. Failing to report any accident or injury as promptly as possible to your supervisor or Department Head.
26. Failing to maintain satisfactory work performance, or incompetent or inefficient work performance.
27. Failing to maintain satisfactory or proper standards of dress, grooming or cleanliness.
28. Engaging in horseplay, or other disorderly conduct.
29. Interfering with the work performance of other employees.
30. Unauthorized absence from premises or assigned work area, including leaving early for breaks, lunch or at the end of the day or failing to return on time from breaks or lunch, and/or failing to properly record time away when leaving work areas.
31. Excessive loafing on the job or unreasonable use of toilet or washroom facilities during working time.
32. Being in an unauthorized area of the building or examining any type of City records without your supervisor's authorization.
33. Engaging in personal business during working time, such as personal work, personal telephone calls, sleeping, reading, visiting other employees, etc., without permission of your supervisor.
34. Failing to call your supervisor, as far in advance as possible under the circumstances, when not reporting for work.
35. Failing to report knowledge of violation of City rules, policies or procedures by another employee.
36. Carelessness or negligent use of computers, copying machines, fax machines, or other City property or equipment or any violation of computer or equipment use policy.
37. Use or wearing of sunglasses, headsets, or personal radios in working areas without prior permission from your supervisor.
38. Any other act or omission deemed harmful or hazardous to the City, our property, our employees, our residents and/or our visitors.

IV
APPOINTMENTS AND SEPARATION ISSUES

A. Residency

The following residency guidelines apply:

1. All department directors must become residents of the City of Peoria within one (1) year of their date of hire. In instances where the need to establish residency within the one-year period may cause hardship on an employee, the City Manager may grant extensions of the time limit, not exceeding one year. Such requests for an extension shall be sent to the Human Resources Director who will make a recommendation and forward the request to the City Manager.
2. Temporary and seasonal employees have no residency requirement.
3. Employees hired on or before June 21, 1988 are required to reside within the boundaries of Peoria County.
4. Employees promoted to or within the management, confidential and non-represented group after October 9, 2012, may elect to live outside of the City but within a twenty (20) mile radius of City Hall. If the employee elects not to live within the City of Peoria, they shall forfeit two percent (2%) of their base pay for the first five years. Employees temporarily promoted to an “acting” capacity are not subject to this requirement. Proof of residency may be required of any employee. Failure to comply with this policy may be grounds for demotion to the employee’s prior position or dismissal.
5. Employees who live outside the city and later choose to purchase a home in the City as their primary residence, may request assistance in paying for closing costs. These requests should be sent through the Human Resources Director to the City Manager.
6. Employees may request exemptions from the residency requirement through the Human Resources Director to the City Manager. Such exemptions will only be granted in rare instances on a temporary basis if unusual circumstances or cases of hardship arise, and provided the exception is approved by the City Council.

B. Transfers

Employees may be transferred between departments or other units of City government, between positions in the same or different classifications with the approval of the Human Resources Director and affected Department Directors.

C. Temporary Appointments

Department Directors may hire temporary employees for any position providing that funds are available in the department’s budget and that standard employment procedures are followed.

D. Layoff

Department Directors may lay off employees with approval of the City Manager. When appropriate and consistent with our business needs, employees who are to be laid off in one department may be integrated into other departments by transfer into existing vacancies, provided the employee meets the basic requirements of the position.

When employees are to be laid off, the Department Director shall furnish the Human Resources Director a written notice of positions to be eliminated and the reason for the reduction in force. The Human Resources Director shall prepare layoff notices. Whenever practical and provided the layoff is foreseeable, employees shall be provided at least a two (2)-week notice. Temporary employees may be told verbally at the time they are hired of the date their employment is expected to end. This notice shall meet the notification requirements.

E. Resignation

Although we hope your employment with the City will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign. Should this time come, employees are asked to follow the guidelines outlined below.

2. Employees are encouraged to provide two (2) weeks' notice to facilitate a smooth transition out of the organization.
3. Employees are asked to confirm a resignation in writing, providing an effective date and the reason for leaving.
4. If an employee provides less notice than requested, the City may deem that employee ineligible for rehire, depending upon the circumstances surrounding the notice.
5. The City reserves the right to provide an employee with two (2) weeks' pay in lieu of notice in situations where job or business needs warrant such action.
6. Once provided, a resignation generally may not be rescinded.
7. Employees who fail to report to work for three (3) consecutive work days without properly communicating to their supervisor or Department Director the reasons for their absence will be viewed as abandoning their job and will be immediately terminated.
8. Resigning employees are encouraged to complete an exit interview form and, if desired, may meet with a representative from Human Resources.
9. Employees who fail to return City property, including keys, tools, uniforms, cellular phones, lap tops and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of the City.
10. Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Accrued but

unused leave will be paid out consistent with City policy in the employee's final paycheck.

V
EMPLOYEE RIGHTS AND RESPONSIBILITIES

A. EEO POLICY STATEMENT

The City is firmly committed to prohibiting unlawful discrimination on the basis of all legally protected categories, including without limitation, based on race, color, sex, age, sexual orientation or sexual preference, religion, military status, marital status, national origin, disability, pregnancy or pregnancy related medical conditions, etc. This policy extends throughout the employment process, from application/selection through termination, and in all.

If you feel that you have been the victim of unlawful discrimination of any kind (including denial of a reasonable accommodation if disabled) or if you have witnessed a violation of this Policy, you are encouraged to promptly report the allegations to your Department Head or Human Resources. Be assured that all complaints will be promptly investigated and remedied as appropriate. Also, be assured that no retaliation will be taken or tolerated against any person who reports a complaint of a violation of this Policy and/or participates in an investigation of a complaint allegation. In the event the City determines that a violation of this Policy has occurred, appropriate disciplinary action (including immediate termination, if warranted) will be taken as deemed necessary by management.

B. POLICY AGAINST HARASSMENT

Purpose Statement

At the City of Peoria, we are committed to providing a safe and respectful work environment for all staff, visitors and residents. No individual, manager, employee, contractor, or member of the public has to be subject to harassment or violence, for any reason, at any time. Likewise, no one has the right to harass anyone else, threaten or commit violence at work or in any situation related to employment. This policy is designed to help ensure that every person has a comfortable working environment while working or performing services for the City.

Policy Statement

The City of Peoria is committed to creating and maintaining a working environment free from unlawful harassment, discrimination and retaliation based on any protected category or legally protected activity. We also provide reasonable accommodations to our employees and applicants who are disabled in order to assist them in the performance of their essential job functions.

Consistent with this policy any instance of harassment, discrimination or violence based on an individual's protected class status is neither condoned, encouraged nor acceptable in the workplace. Workplace harassment is a violation of state/federal civil rights law including the Illinois Human Rights Act, Title VII of the Civil Rights Act, the Americans with Disabilities Act, Age Discrimination in Employment Act, Chapter 17 of the Peoria Municipal Code and Sections of the Illinois Criminal code with regard to crimes against persons and property. Included also are relevant sections of the Labor Management Relations Act, as amended. For purposes of this

policy, the term protected class status includes the following: Race, Color, Creed, Religion, National Origin, Gender, Age, Disability, Marital Status, Pregnancy Status or Pregnancy Related Medical Condition, Sexual Orientation and Protected Activity (opposition to prohibited discrimination or participation in the statutorily protected complaint process). This prohibition applies to harassment and violence perpetrated by anyone in the workplace—supervisors, co-workers, vendors, elected officials and other non-employees.

Preventing Harassment in the Workplace

Q. What is considered harassment?

- Any unwelcome behavior that degrades, demeans, humiliates, or embarrasses a person.

Harassment is any behavior that demeans, humiliates, or embarrasses a person, and that a reasonable person should have known would be unwelcome with or without regard to protected class status. It includes actions (e.g., touching, pushing), comments (e.g., jokes, name-calling), or displays (e.g., posters, cartoons). It may be a single incident or one that continues over time. As a matter of law, the intent of the alleged harasser is irrelevant to the harassment inquiry.

Disrespectful behavior, also known as “personal” harassment, is also covered by this policy. While it also involves unwelcome behavior that demeans or embarrasses an employee, the behavior is not based on one of the protected grounds named above.

- Sexual harassment

Sexual harassment includes offensive or humiliating behavior that is related to a person’s gender, as well as behavior of a sexual nature that creates an intimidating, hostile, or “poisoned” work environment, or that could reasonably be thought to put sexual conditions on a person’s job or employment opportunities. A “poisoned work environment” is where employees consistently do not feel safe and feel humiliated.

Examples of Harassment

Some general examples of harassment include but are not limited to:

- Unwelcome remarks, slurs, jokes, taunts, or suggestions about a person’s body, clothing, race, national or ethnic origin, color, religion, age, sex, marital status, family status, physical or mental disability, sexual orientation, or other personal characteristics
- Unwelcome sexual remarks, invitations, or requests (including persistent, unwanted contact after the end of a relationship)
- Displays of sexually explicit, sexist, racist, or other offensive or derogatory material
- Written or verbal abuse or threats
- Racial slurs, epithets, and stereotypes

- Practical jokes that embarrass or insult someone
- Leering (suggestive staring) or other offensive gestures
- Unwelcome physical contact, such as patting, touching, pinching, hitting
- Humiliating an employee in front of co-workers
- Vandalism of personal property
- Physical or sexual assault

It's mostly common sense. If the person who is accused of harassment should have known that the behavior was unwelcome, he or she may be considered responsible, even for unintentional harassment. If an employer or manager knew or should have known that an inappropriate situation existed, and did nothing about it, the courts may impose penalties on the organization or person.

Q. Who can be harassed?

Anyone can be the victim of inappropriate or even unlawful harassment. Even managers can find themselves being harassed. No matter what your position in the organization or your personal characteristics, if you believe you are being harassed, report the incident.

Men, women, managers, colleagues, applicants for employment, contractors, customers, and elected officials can all find themselves harassed.

Q. Who harasses others?

Just as with the people being harassed, anyone can harass another person. Men, women, managers, colleagues, contractors, customers, and elected officials can all behave in a harassing manner. Someone may harass another person because he or she does not realize that the behavior in question is offensive, or the harassment can be intentional. Either way, it is unacceptable. If you knew, or if a reasonable person should have known that your behavior was offensive or degrading, you may be held responsible for the harassment.

If you feel that you have been the victim of unlawful harassment of any kind (including denial of a reasonable accommodation if disabled) or if you have witnessed a violation of this Policy, you are encouraged to promptly report the allegations to your Department Head, the Human Resources Director, EEO Manager, or City Attorney. Be assured that all complaints will be promptly investigated and remedied as appropriate. Also be assured that no retaliation will be taken or tolerated against any person who reports a complaint of a violation of this Policy and/or participates in an investigation of a complaint allegation. In the event the City determines that a violation of this Policy has occurred, appropriate disciplinary action (including immediate termination, if warranted) will be taken as deemed necessary by management.

C. ADA POLICY

The City of Peoria also is committed to providing equal opportunities to employees, applicants and the general public without regard to disability status. We also provide reasonable accommodations to disabled individuals and employees who are pregnant or have a pregnancy related medical condition to enable them to perform the essential job functions of an available position and/or to obtain access to, or operation of its programs, services, or activities.

If you have questions about your rights under this Policy and/or if you are in need of a reasonable accommodation due to a disability or a pregnancy related condition, please contact the City of Peoria's designated ADA Compliance Coordinator:

Equal Opportunity Manager
City Hall - Room 403
419 Fulton Street
Peoria, Illinois 61602
Telephone: 309-672-8622 (Voice)
309-672-8619 (TTY/TDD)
309-672-1507 (FAX)

Individuals who need auxiliary aids for effective communication in programs and services of the City of Peoria are encouraged to make their needs and preferences known to the ADA Compliance Coordinator.

ADA Municipal Grievance Procedure

If you feel that you have been discriminated against on the basis of a disability or pregnancy and/or denied a reasonable accommodation, you are encouraged to report the situation to the ADA Coordinator at the above contact. If you feel comfortable doing so, we encourage you to submit your complaint in writing and be sure to include information about the alleged discrimination such as the name, address, telephone number of the complainant and location, date and description of the situation. Alternative means of filing complaints, such as personal interviews, or a tape recording of the complaint, will be made available for persons with disabilities upon request.

If you feel more comfortable doing so, you also may report your complaint under this Policy to any other representative in Human Resources or to the City Manager (or designee). All complaints will be promptly investigated and remedied as appropriate. Be assured that we will not tolerate any form of retaliation against any person who submits a complaint under this Policy and/or any person who participates in the investigation of such a complaint.

D. PREGNANCY RIGHTS POLICY

Regular employees who become pregnant or who are disabled due to child birth or a pregnancy related condition shall be granted leave of absence, insurance continuation and reinstatement rights on the same basis as our employees who become disabled due to any other form of non-work related medical condition. The recommendation of the employee's personal medical doctor will determine the length of time for the employee to be granted leave, except as noted in our Family and Medical Leave Act policy. Employees must exhaust all accrued sick leave time before going

on unpaid disability leave status. The City will pay the appropriate health plan contribution rate for each of the first six (6) months the employee is out on pregnancy related disability leave beginning after the employee's accrued sick leave has been exhausted, but no other benefits will accrue for any month the employee is off work due to a pregnancy related disability.

Pregnancy related medical conditions will be treated like any other medical condition or disability. Additionally, as noted earlier, we provide reasonable accommodations when necessary to assist an employee who is pregnancy or has a pregnancy related medical condition.

E. ANTI-VIOLENCE POLICY

The City of Peoria strictly prohibits any forms of workplace violence or bullying. Workplace violence includes, without limitation, any physical assault, threatening behavior or verbal abuse occurring in the workplace by employees. It may involve employees, citizens, or any individual present in the work place, or work-related event, such as relatives, acquaintances, or strangers. The City of Peoria will not tolerate any type of workplace violence committed by or against employees.

Examples of Workplace Violence:

This list of behaviors, while not inclusive, provides examples of conduct that are prohibited:

- Injuring another person physically
- Engaging in behavior that creates a reasonable fear of injury to another person
- Engaging in behavior that subjects another individual to extreme emotional distress
- Possessing, brandishing, or using a weapon that is not required by the individual's position while on city premises or engaged in city business
- Intentionally damaging property
- Threatening to injure an individual or to damage property
- Committing injurious acts motivated by or related to domestic violence or sexual harassment
- Making intimidating statements like: "You know what happened at the Post Office," "I'll get even," or "You haven't heard the last from me."
- Acting out either verbally or physically
- Suicide, threatening suicide or attempted suicide
- Stalking or obscene or excessive telephone calls
- Retaliating against any employee who, in good faith, reports a violation of this policy

Q. Where Can Workplace Violence Happen?

Any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the building and the surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to and from work assignments.

Q. Who Can be Subject to Workplace Violence?

Anyone can be subject to workplace violence. Even managers can find themselves being threatened with violence. No matter what your position in the organization or your personal characteristics, if you believe you are being threatened with violence, report the incident. Men, women, managers, colleagues, applicants for employment, contractors, customers, and elected officials can all find themselves being threatened with workplace violence.

Q. Who Can Commit Workplace Violence?

- Strangers-involving verbal threats, threatening behavior or physical assaults by an assailant who has no legitimate business relationship with the City of Peoria
- Customers-the assailant who is doing business with the City of Peoria
- Co-workers-the assailant has some employment-related involvement with the workplace such as former employees, co-workers, managers, board members, or elected officials
- Domestic Partners or Friends-including spouse, partner, former spouse, former partner, friends, or acquaintances

Q. What are my obligations under this Policy?

Every employee has the right to be treated fairly and respectfully in the workplace from of unlawful harassment or acts of violence. Likewise, every employee also has the responsibility to treat co-workers and residents in a way that respects individual differences without regard to a legally protected category. No matter what your position, or that of the people with whom you interact at work, showing mutual respect and consideration will make work easier for all of us. If you have doubts about whether a joke, comment, or other behavior will embarrass, humiliate, degrade, or otherwise bother someone, then don't say or do it.

Q. Is There Employee Obligation to "Speak up" to Help Minimize Policy Violations

If someone behaves in a way that offends, harms, humiliates, or degrades you, do not put up with it. First, if you feel that you can speak to that person, do so. Let them know how you feel. Tell them the behavior is inappropriate. If they continue the behavior, or if you do not feel you can speak directly to the person, you have several options, from speaking to your supervisor or manager to filing a formal complaint. For more details see the Procedures section of this policy.

Q. Am I required to report possible workplace violence that I witness?

If you observe a co-worker or other person behaving in a way that seems to be embarrassing or potentially harassing or offensive someone else, you can and should speak up. You can let them know in a respectful way that you think the behavior is inappropriate. If you think someone is being harassed, you can let him or her know that you support them in ending the harassment or violence.

Depending on the circumstances, you may want to say something as the behavior is happening, or you may decide to speak privately with the people involved if you feel comfortable doing so. As it relates to workplace violence, immediate reporting is mandated and expected of every employee (prior to the end of the workday in most all cases). Further, all threats of violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management.

In all situations, if violence appears to be imminent, employees must take the precautions necessary to assure their own safety and the safety of others. The employee discovering the crisis must alert the appropriate law enforcement personnel by calling 911, if the notification can be made without jeopardizing their personal safety. The employee must then notify their immediate supervisor, other supervisory personnel (if their immediate supervisor cannot be located) or their Department Head (or designee). All possible cooperation should be extended to law enforcement, fire, medical and other community resources.

All staff have a responsibility to cooperate in the investigation of harassment and workplace violence complaints. Anyone who gives evidence in an investigation, or who is otherwise involved in the process is asked to respect the privacy and confidential nature of the investigation, when appropriate. Any person who participates in any investigation is offered assurances against retaliation based on his/her participation.

Management Responsibilities to Address Potential Policy Violations

The City of Peoria has the responsibility for making sure our work environment is free from harassment and violence. All members of management within the City of Peoria also have a responsibility to stop violence and harassment. If you become aware of harassment or potential violence in your work area, or elsewhere in the organization, you must, without endangering yourself, do everything you can to stop it, whether or not a complaint has been made. Not knowing is not an excuse. Supervisory personnel will still be held responsible if they allow a situation to continue if a reasonable person should have known that harassment was occurring or that there was a potential for violence or unlawful harassment. Supervisory personnel who ignore harassment and/or workplace violence may be disciplined by the City of Peoria (no matter when discovered).

Q. The City's Process of Reporting Threats, Bullying or other Forms of Workplace Violence

All threats of violence including bullying or threats, whether direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management with whom you feel comfortable reporting the situation. We will investigate and remedy all

matters as appropriate based on the facts involved, including termination of the offender in appropriate cases.

In all situations, if violence appears to be imminent, employees must take the precautions necessary to assure their own safety and the safety of others. The employee discovering the crisis must alert the appropriate law enforcement personnel by contacting 911 if it can be done without endangering personal safety. The employee must then notify their immediate supervisor, department head, or other appropriate supervisory personnel. All employees must then cooperate with the law enforcement, fire, medical and other community resources offering assistance, as necessary. The Office of Human Resources shall handle all communication with the immediate relative(s) and other employees.

Q. What are the Options for Reporting Complaint Allegations?

1. If possible, document or otherwise record each incident of alleged harassment, including the date, time, place, what was said or done, and the surrounding circumstances.
2. If you are comfortable doing so, clearly and directly communicate to the offending individual that his/her conduct is unwelcome, and request that the offensive behavior stop.
3. At the same time, you should **immediately** bring the matter to the attention of your supervisor. If your supervisor is somehow involved in the harassment or if you are uncomfortable talking to him or her, you should report this matter to any of the following individuals: the Director of Human Resources, Chief Diversity and Inclusion Officer, Corporation Counsel, or City Manager.

Managers and supervisors **must** report immediately to the Human Resources Director any incidents that they hear about or observe that may constitute a violation of this policy. If the Director of Human Resources is somehow involved in the harassment, the incident must be immediately reported to the Corporation Counsel.

For additional information regarding employee rights and responsibilities, please see our poster called “Equal Employment Opportunity is the Law.” If an employee believes that he or she has been deprived of any job benefit or that he or she has been threatened, he or she should immediately report it to one of the individuals listed in paragraph 3, above.

Because of their sensitive nature, all complaints of harassment will be investigated and the privacy of the complaining person accused of harassment will be respected to the extent possible. The City will actively investigate all harassment complaints, and if it is determined that harassment has occurred, management will take appropriate disciplinary action against the offending party, up to and including discharge.

Retaliation against any person because he or she complained about harassment, filed a charge of harassment, or otherwise participated in the investigation of harassment will **not** be tolerated. Furthermore, **no** supervisor or manager has the authority to require you to tolerate or agree to **any** conduct that violates this policy in order to receive any job benefit, including compensation, duties, assignments, promotions, etc. Such activities are unlawful and will result in severe discipline, up to and including discharge.

The City hopes that any incident of harassment can be resolved through the internal process outlined above. All employees, however, have the right to file formal complaints with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC).

Agency Contact Information

**City of Peoria
Human Resources Department**
Peoria City Hall
419 Fulton, Suite 403
Peoria, IL 61602
Phone (309) 494-8530
TTY (309) 494-8532

**United States Equal Employment
Opportunity Commission (EEOC)**
500 W. Madison, Suite 2000
Chicago, IL 60661
Chicago Dist. Office (312) 353-2713
Toll Free in Illinois (800) 669-4000
TDD Chicago (800) 669-6820
www.eeoc.gov

Illinois Department of Human Rights

100 W. Randolph,
10th Floor
Intake Unit
Chicago, IL 60601
Phone (312) 814-6200
TDD (312) 263-1579

or

222 S. College, Rm. 101
Intake Unit
Springfield, IL 62704
Phone (217) 785-5100
TDD (217) 785-5125

F. PERSONAL RELATIONSHIPS WITH CO-WORKERS

The public relies upon City government to perform important functions related to public health, safety, and welfare. The work of the government is performed by its employees. In order for City employees to do their best to serve the public, it is important to provide City employees with a professional, stable, harmonious work environment. In order to assure that City employees are able to do their best to serve the public, it is also important that employment related decisions be made based upon valid employment related criteria.

Therefore, directors, managers and supervisors are encouraged to develop and maintain professional working relationships with each other, and with other employees. Directors, managers and supervisors have a responsibility to avoid a personal or romantic relationship with subordinate employees that may result in actual or perceived favoritism, employee morale problems, or liability to the City. These issues will be addressed on a case-by-case basis. In appropriate cases, one or more of the employees involved may be transferred or terminated to alleviate the conflict of interest based on the circumstances involved.

The following guidelines govern these issues:

1. No director, manager or supervisor working for the City of Peoria is permitted to have an intimate or romantic relationship with an employee whom the director, manager or supervisor directly or indirectly supervises.
2. No director, manager or supervisor working for the City of Peoria may appoint, employ, promote or advance, or advocate for the appointment, employment, promotion, or advancement in or to a position in a department over which he/she exercises jurisdiction or control, any individual with whom the director, manager or supervisor is intimate or romantically involved.
3. An individual who is intimate or romantically involved with a director, manager or supervisor of the City of Peoria may not be appointed, employed, promoted, or advanced in or to a position in the City if such appointment, employment, promotion, or advancement has been advocated by the director, manager or supervisor with whom the employee/applicant is having an intimate or romantic relationship.

Violations of Policy

Directors, managers, supervisors, and employees who violate this policy, no matter when discovered, are subject to corrective or disciplinary action up to and including termination of employment to address the problem, minimize the conflict of interest or address perceived or actual instances of favoritism.

G. GRIEVANCE PROCEDURE

Complaint Procedure

It is the overall Policy of the City that each employee has the right to pursue complaints of a violation of this Employee Handbook through the chain of command or the City Manager. ***NOTE: There is nothing in this Policy or Manual which is intended to create a contractual right or due process obligation beyond which may be required by law.***

1. Complaint Procedure

A complaint of a violation of this Personnel Policy shall be processed in the following manner:

Step 1: Any employee who has a complaint of a violation of this Employee Handbook is encouraged to submit a written complaint signed and dated by the employee to the employee's immediate supervisor, specifically indicating that the employee is raising the matter as a complaint under the City Grievance Procedure. The written complaint should specify the section or sections of the City Personnel Policy that are allegedly violated, misinterpreted, or misapplied, the full summary of facts on which the complaint is based and the specific relief requested. All complaints should be presented not later than five (5) business days from the date of the occurrence or event first giving rise to the complaint, or within five (5) business days after the employee, through the use of reasonable diligence, could have become aware of the occurrence or event first giving rise

to the alleged complaint. Extensions would be considered only if required by law and/or otherwise as necessary and appropriate in management's discretion to resolve a matter. The immediate supervisor shall investigate the matter and render a written response to the complainant within five (5) business days after the investigation is conducted.

Step 2: If the complaint is not resolved at Step 1 and the employee wishes to appeal the complaint to Step 2 of the complaint procedure, it shall be submitted in writing designated as a "complaint" to the Department Head involved within five (5) business days after receipt of the Step 1 answer; provided, however, that where the Department Head is the employee's immediate supervisor, the employee shall proceed directly from Step 1 to Step 3 within five (5) business days after receipt of the Step 1 answer. The complaint submitted at Step 2 shall be in writing and dated and signed by the employee. The written complaint shall contain a summary statement of the facts, the provision or provisions of the City Personnel Policy, which are alleged to have been violated, and the specific relief requested. The Department Head or designee shall investigate the complaint and, in the course of such investigation, may offer to discuss the complaint with the complainant at a time mutually agreeable to the parties. If no resolution of the complaint is reached, the Department Head or designee shall provide a written answer to the complainant thereafter.

Step 3: If the complaint is not resolved at Step 2, it may be referred in writing to the City Manager within five (5) business days after receipt of the City's answer in Step 2. Thereafter, the City Manager or his designee and the Department Head or other appropriate individual(s) as desired by the City Manager, shall meet with the complainant generally within five (5) business days of receipt of the employee's appeal, if practicable. If no agreement is reached, the City Manager shall submit a written answer to the employee generally within five (5) business days following the meeting.

Step 3 is the final phase in the complaint procedure and the decision of the Manager shall be final and binding.

Important Note/Disclaimer

This grievance policy and procedure is intended to provide guideline for resolving complaints and it is not intended to create a procedural due process right or guarantee of any particular procedure where management has grounds to believe it is not appropriate or legally required to adhere to this policy.

Freedom from Retaliation or Reprisal for Filing a Grievance

Any City employee may file a grievance pursuant to this procedure without fear of retaliation or reprisal from others. The City of Peoria will aggressively handle any actions as identified through the Internal Review Process, and will take appropriate steps to remedy any type of reprisal taken against individuals filing a charge of discrimination or harassment.

IV

MISCELLANEOUS POLICIES

A. OUTSIDE EMPLOYMENT

Outside employment by any City employee should be kept to a minimum as your work for this City must be your priority. As a rule, time off, vacation, and holidays are granted for the benefit of the employee and are not to be utilized for outside employment. It is to be understood that an employee's employment with the City (even if part time or seasonal) is to be their primary employment. No outside employment shall be permitted if:

1. It could or does physically or mentally hamper or interfere with the employee in his/her ability to do the essential job functions required of the employee by the City.
2. It would or could reflect adversely upon the employee or the City.
3. It is in conflict with (or appears to be in conflict with) the employee's position as a City employee.

Each employee, prior to engaging in outside employment, shall notify the Department Head as to:

1. The name of the outside employer;
2. The nature of the outside work; and
3. The standard work schedule of the outside work.

The Department Director shall then consult with the Human Resources Director to ensure that no conflicts exist. The Human Resources Director or the City Manager shall reserve the right to prohibit and/or restrict any outside employment on the part of any City employee which employment, in their judgment, might be detrimental to the best interest of the City or the employee's performance of services on behalf of the City. In such cases, the employee will be given an appropriate warning and then must decide if he wants to continue his service with the City or with the outside employer. Employees of the City may not engage in outside business activities while on normal duty nor may City property be used for anything but City functions.

If an employee suffers any injury or illness during or resulting from an outside employment activity, the City will not be responsible for any workers' compensation benefits, except as otherwise required by law.

IMPORTANT NOTE: Employees are required to seek approval for outside employment in writing on an annual basis.

B. DEATH BENEFIT

If a covered employee dies and the eligible spouse and children are covered under the health plan at the time of death, the City will continue the coverage on the family at no cost to the surviving spouse and/or children for a period of three (3) months.

C. CONCEALED CARRY POLICY

The City of Peoria is committed to providing a safe, non-violent environment for its employees and the citizens they serve. As the State of Illinois has enacted legislation (“Firearm Concealed Carry Act” -- 430 ILCS 66/1 *et seq.*) that allows certain licensed citizens to carry concealed firearms, this Policy shall govern, consistent with that Act, the carrying of concealed firearms by employees.

Consistent with the Firearm Concealed Carry Act (as amended), the following rules shall apply:

1. No City employee, except for sworn law enforcement personnel or City Fire Marshalls who have been trained, certified, and authorized to carry a firearm as part of their duties, shall carry on or about his/her person a concealed firearm into any building, or portion of a building controlled by the City of Peoria, nor shall any employee possess a firearm, concealed or otherwise, on any City-owned real property, except City-owned parking lots and parking facilities (i.e. public parking garages) as detailed in Paragraph 4 below.
2. Whether on City property or not, no City employee, except for sworn law enforcement personnel or City Fire Marshalls who have been trained, certified, and authorized to carry a firearm as part of their duties, shall carry a concealed firearm on or about his/her person while on duty. “On duty” shall include paid work breaks wherein the employee does not leave his/her workplace or work site, except that:
 - b. Any employee, who is allowed paid lunch break, shall not carry a concealed firearm during that lunch break, whether on City property or not.
 - c. Consistent with the limits of this Policy and all applicable ordinances and statutes, any employee who is allowed an unpaid lunch break may carry a concealed firearm only during the period of that lunch break.
3. No employee, except sworn law enforcement personnel or City Fire Marshalls who have been trained, certified, and authorized to carry a firearm as part of their duties, shall carry or possess a firearm in a City-owned vehicle, whether on duty or off duty.
4. Any employee with a valid State of Illinois license to carry a concealed firearm may carry a firearm on or about his/her person in a City-owned parking lot or parking facility (public parking garage) only while in his/her personal vehicle and may store a firearm or ammunition concealed in a case (“case” includes a glove compartment or console that completely encloses the concealed firearm or ammunition; the trunk of the vehicle; or a firearm carry box/case) within a locked vehicle or locked container out of plain view within the vehicle in the parking area. Further, such employee may also carry said firearm or ammunition in the immediate area surrounding his/her vehicle within a City-owned parking lot or parking facility for the limited purpose of storing or retrieving a firearm within his or her personal vehicle trunk, provided the firearm is unloaded prior to exiting the vehicle.

5. All City employees are encouraged and expected to report violations of this Policy immediately to the Director of Human Resources, the Director of their respective Departments; or the Peoria Police Department. Such reports may be made anonymously or confidentially.
6. The City will not tolerate violence, or threats of violence (threats will be viewed with a presumption that they will be carried out), in the workplace. Weapons are prohibited from City property, work sites, and City vehicles, except for sworn police personnel and trained, certified, and pre-authorized City Fire Marshals. Violation of this Policy may result in discipline up to, and including, discharge.

D. CREDIT UNION BUSINESS

1. Local Meetings: City employees who are members, officers, board members, or committee members of employee credit unions and attend local credit union meetings (board meeting, credit committee meetings or any other local meetings and functions relating to credit union business) will not be compensated for the time spent away from their regularly scheduled work. Time off for these meetings must be charged to accrued vacation, personal leave, or leave without pay subject to prior Department Head approval.
2. State Meetings: For City employees who attend the annual Credit Union State Seminar Convention, the City will allow one delegate and one alternate (to be determined by the credit unions) to be off one work day each as City business for this purpose. Any additional time spent at these meetings must be charged to accrued vacation, personal leave, or leave without pay, subject to prior Department Head approval.

E. ETHICAL STANDARDS

1. Conflict of Interest

A conflict of interest exists when a person's private interests interferes in any way with the interests of the City of Peoria. A conflict can arise when an employee takes actions or has interests that may make it difficult to perform his or her work for the City of Peoria objectively and effectively. Conflicts of interest may also arise when an employee receives improper personal benefits as a result of his or her position at the City of Peoria.

Conflicts of interest may not always be clear cut, so if you have a question, you should consult with your immediate supervisor, the City of Peoria's Human Resources Director or, if circumstances warrant, the CAO. Any employee who becomes aware of a conflict or potential conflict should immediately bring it to the attention of the appropriate person in the chain of command.

2. Compliance with Laws, Rules and Regulations

Obedying the law, both in letter and in spirit, is the foundation on which the City of Peoria's ethical standards are built. In conducting the business of the City of Peoria, employees shall be expected

to understand and comply with all applicable governmental laws, rules and regulations. That said, we do not expect City of Peoria employees to be lawyers. If an employee does not feel that he or she has a good grasp of the applicable laws and regulations, then the employee should seek the assistance at the most appropriate level of the chain of command.

3. Fraud and/or Significant Accounting Deficiencies

Any City of Peoria employee, officer or director shall promptly bring to the attention of the CAO any information he or she may have concerning: (a) significant deficiencies in internal controls over financial reporting which could adversely affect the City of Peoria's ability to legitimately and accurately record, process, summarize and report financial data or (b) any fraud involving any financial or operational matter anywhere within the City of Peoria.

4. Reporting Known or Suspected Violations

The City of Peoria's employees are required to report all known or suspected violations of this Code of Conduct. Specifically, employees should talk to the appropriate person in the organization about any known or suspected illegal or unethical behavior. If the employee is uncomfortable speaking with this person, then the employee can follow the chain of command to seek resolution all the way to the Board Chair. *No retaliatory action of any kind will be permitted or tolerated against anyone making such a report under this Policy or against any person who participates in an investigation under this Policy. The City of Peoria will strictly enforce this prohibition, and violators will be subject to disciplinary action up to and including termination if deemed appropriate based on the circumstances involved.*

Note, reporting known or suspected illegal or unethical behavior is not optional. It is required. Similarly, all employees are required to cooperate in internal investigations of misconduct. Any failure to report a violation or to withhold information related to a violation will result in discipline up to and including discharge.

Finally, it goes without saying, that any violation of this Code of Conduct, will result in discipline up to and including discharge. Any violation of this Code that also constitutes a violation of law may result in criminal penalties and civil liabilities for the offending employee.

REMEMBER

1. ALL EMPLOYEES MUST REPORT SUSPECTED ILLEGAL OR UNETHICAL BEHAVIOR OR any other actual or potential violation of this Policy.
2. EMPLOYEES WHO MAKE SUCH A REPORT (OR PARTICIPATE IN AN INVESTIGATION) WILL BE PROTECTED FROM ANY RETALIATION FOR DOING SO.
3. This policy will be reviewed from time to time for possible revision and should be construed in a manner that complies will applicable laws.

F. USE OF CELLULAR DEVICES WHILE OPERATING VEHICLES

Using cellular devices (including texting devices) while operating a vehicle can be distracting and in many cases will rise to the level of a violation of the law. Therefore, such activities are strictly prohibited at all times while driving a vehicle for City related purposes.

Additionally, employees who are authorized to operate any vehicle for a work-related reason are reminded that they should refrain from using their cellular telephone while driving except when a hands-free device is properly utilized. Those individuals are also reminded to comply with all traffic laws and ordinances regarding cellular or other similar devices while operating a vehicle. Special care should be taken in situations where there is traffic or inclement weather. An employee who is ticketed for failing to comply with a traffic requirement is responsible for the costs of the violation. Violations of this policy will result in disciplinary action including potential loss of driving privileges if deemed appropriate by the Department Head (or designee).

G. SOCIAL MEDIA POLICY

Recent advances in electronic communications and information technologies present valuable opportunities for the City and our residents to learn about the goals, business objectives and accomplishments of our various Departments. These technologies, when properly used, enable us to better serve our citizens through closer and timelier communications and nearly instantaneous access to vast resources of information, when necessary. However, the use of social media also presents certain risks and carries with it certain responsibilities. The careless or inappropriate use of these systems can have dramatic negative consequences to the security and safety of our residents, it could negatively affect the job performance of our employees, and it could interfere with the overall effectiveness of the services we provide.

To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all employees who work for the City of Peoria, including any person who uses or obtains access to City property or computer devices.

GUIDELINES FOR USE OF SOCIAL MEDIA

In the rapidly expanding world of electronic communication, social media can mean many things. The phrase “*Social media*”, as used in this Policy, includes (without limitation) all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, text messaging, instant messages, web bulletin board or a chat room, whether or not employed or affiliated with the City of Peoria, as well as any other form of electronic communication.

1. Be Respectful

Always be fair and courteous to fellow officers, residents, suppliers, visitors, contractors and other people who work on behalf of the City of Peoria. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide

to post complaints or criticism about any particular individual and/or any of our personnel practices, you should avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating. You also are strictly prohibited from making any complaints that directly or indirectly disparage our services and our safety efforts on behalf of the community, or statements that might constitute harassment or bullying or another policy violation.

2. Know and Follow all City Rules and Policies

Carefully read these guidelines, the City's computer use policies, and our Discrimination & Harassment Prevention Policy to ensure your postings are consistent with your obligations in these policies. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, sexual orientation, religion or any other status protected by law or City policy. We will not tolerate or condone any inappropriate postings that include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct. If we learn that such postings have occurred, this may subject you to disciplinary action up to and including termination in appropriate cases.

Adhere to these "Best Practices" and Use Good Judgment!

The same principles and guidelines found in our other City personnel policies as well as the following "Best Practices" will apply to your activities online:

1. Ultimately, you are solely responsible for what you post online. Do not create a link from your blog, website or other social networking site to a City website without identifying yourself as a City employee.
2. If you do publish a blog or post online related to the work you do or subjects employed with the City of Peoria, make it clear that you are not speaking on behalf of the City of Peoria. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City of Peoria."
3. Express personal opinions ONLY. Never represent yourself as a spokesperson for the City of Peoria. If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City of Peoria, our residents, members of management or trustees, or people working on behalf of the City of Peoria.
4. Maintain the confidentiality of the City of Peoria trade secrets and private or confidential information. Trades secrets may include information regarding the development of systems, processes, products, know-how and technology. It also may be unique practices or policies about how we conduct our business to help ensure the community is safe and secure. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

5. Before creating online content, consider some of the risks and rewards that are involved. Make sure you are honest and accurate when posting information or news, and if you make a mistake, correct it quickly.
6. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City of Peoria, fellow officers, people working on behalf of the City or those we do business with in order to service the community on a day to day basis.
7. Keep in mind that any of your conduct that adversely affects your job performance or the performance of fellow officers, which violates a specific policy of the City, or which directly or indirectly adversely affects the security and safety of our residents and/or their property, may result in disciplinary action up to and including termination.

Using social media at work

You must refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the Company Equipment Policy. Do not use the City of Peoria email addresses to register on social networks, blogs or other online tools utilized for personal use. Exemptions to this restriction may be granted by the Department Director with concurrence by the Human Resources Director.

Retaliation is prohibited

The City of Peoria prohibits taking negative action against any Employee for reporting a possible deviation from this Policy or for cooperating in an investigation of a possible Policy violation. 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 disciplinary action, up to and including termination.

Media contacts

Employees should not speak to the media on behalf of the City or any individual Department without contacting the Department Head/Chief (or designee) or the City Manager. All media inquiries should be directed to them.

For more information

If you have questions or need further guidance, please contact your immediate supervisor or Human Resources for guidance.

APPENDIX A

CITY OF PEORIA

MILITARY SERVICE LEAVE POLICY

A. OVERVIEW

The City of Peoria provides employment related protections and benefits to employees who are called to perform uniformed services, whether in the reserves or active duty, in accordance with Federal and State law. Specifically, protections are afforded to all members of the United States Armed Forces to include active, reserve, and national guard components as well as Commission Corps of the Public Health Service, Civil Air Patrol, and Merchant Marines when performing official duties in support of an emergency. Such protections and benefits are also provided to members released from military duty with follow-on care by the Department of Defense and to employees for any period actively spent in military service and others designated by the President of the United States in the time of war or emergency. Reference: Uniform Services Employment and Re-Employment Rights Act of 1994 (“USERRA”), 38 U.S.C. §§ 4301-4335; Illinois Servicemember Employment and Reemployment Rights Act (“ISERRA”), 30 ILCS 61 et seq.

B. PURPOSE

To provide the policy and procedures that are to be followed when notifying the City of a Military Service Leave of absence or to receive employment-related protections and benefits when fulfilling military duties.

C. INTENT

This policy is intended to be interpreted consistent with and subject to applicable law. It supersedes all previous policies and/or memoranda that may have been issued on subjects covered by this policy. This policy is not intended to supersede or limit the City from enforcing provisions if any applicable collective bargaining agreement.

D. SEVERABILITY

If any section or provision of this document should be held invalid by operation of law, none of the remainder shall be affected.

E. NONDISCRIMINATION

The City prohibits discrimination, retaliation, and harassment on the basis of military service or military discharge status, regardless of whether the service was in the past, present, or future as it relates to this policy.

F. EMPLOYEE AND MANAGEMENT RESPONSIBILITIES

The City’s Human Resources department will monitor City practices to ensure compliance with, and answer questions concerning, the information in this policy. If a department manager/supervisor acquires knowledge that an employee’s absence may be for a military service leave qualifying reason, he/she should immediately notify Human Resources.

G. DEFINITIONS

Military Discharge Status means having been discharged from the Armed Forces of the United States, their Reserve components, or any National Guard or Naval Militia in either a General or Honorable discharge status.

Differential Pay means pay due the employee when his or her daily rate of compensation for military service is less than his or her daily rate of compensation by the City. Such pay applies to days on which the employee would have otherwise been scheduled or required to work as a City employee.

H. POLICY AND PROCEDURES; MILITARY SERVICE LEAVE

The City of Peoria provides eligible employees taking part in a variety of military duties with employment-related protections and benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable law, these benefits are generally limited to five (5) years leave of absence.

1. ELIGIBILITY

All full-time and part-time City employees are eligible for Military Service Leave.

2. BASIS

City employees may take Military Service Leave for any period actively spent in military service, including:

- a. Basic training;
- b. Special or advanced training, whether or not within the State, and whether or not voluntary;
- c. Annual training;
- d. Required military related medical examinations; and/or
- e. Any other training or duty required by the United States Armed Forces.

3. CONDITIONS

- a. A Military Service Leave of absence has a limit of five (5) years; that is the cumulative length of time that an employee may serve in the military and remain eligible for re-employment. However, the following categories of military service are not counted toward the five-year service limitation:
 - i. Service required beyond five years to complete an initial period of obligated service;
 - ii. If the individual, through no fault of his or her own, is unable to obtain a release within the five-year limit;
 - iii. Required training for reservists and National Guard members;
 - iv. Service under an involuntary order to, or to be retained on, active duty during a domestic emergency or national security-related situations;
 - v. Service under an order to, or to remain on, active duty (other than for training) because of a war or national emergency declared by the

President or Congress;

vi. Active duty (other than for training) by volunteers supporting “operational missions” for which Selected Reservists are ordered to active duty without their consent;

vii. Service by volunteers who are ordered to active duty in support of a “critical mission or requirement” in times other than war or national emergency and when no involuntary call-up was in effect; or

viii. Federal service by members of the National Guard called into action by the President to suppress an insurrection, repel an invasion, or to execute the laws of the United States.

ix. State service by members of the National Guard called into action by the Governor during times of emergency.

b. Military Service Leave may be taken in a block of time, on an intermittent basis, or in the form of a reduced work schedule.

c. Benefits and Compensation for Full-time Employees. Full-time employees on Military Service Leave shall continue to receive benefits in the same manner as afforded in the normal course of City employment and City compensation as follows, unless an employee’s collective bargaining agreement is more generous. Independent contractors are not considered employees.

i. *Concurrent Pay for Annual Training.* During leaves for annual training, the City will continue to pay an employee his or her regular compensation, without any offset of military pay up to 30 days.

ii. *Pay Differential for Non-Annual Training.* During leaves for basic training; for special or advanced training, up to 60 days; and, for any other training or duty required by the Armed Forces, the employee may be entitled to pay differential if the employee has submitted a completed Leave and Earnings Statement and the employee’s military pay is less than his or her regular compensation as a City employee. Pay differential will be calculated by subtracting the amount equal to an employee’s military active base pay from the employee’s regular compensation. An employee’s military base pay excludes any additional pay received while assigned to a combat zone, hardship duty pay, family separation pay, housing allowance and sustenance allowance.

iii. *Pay Differential for Active Duty with Pay.* During periods of active duty military service, employees are entitled to a pay differential during the entire period of active duty military service if the employee has submitted a completed Leave and

Earnings Statement and the employee's military pay is less than his or her regular compensation as a City employee. Pay differential will be calculated by subtracting the amount equal to an employee's military active base pay from his or her regular compensation. An employee's military base pay excludes any additional pay received while assigned to a combat zone, hardship duty pay, and family separation pay, housing allowance and sustenance allowance. Employees may elect to use accrued vacation, overtime, or compensatory time in lieu of receiving differential pay.

- iv. *Pay Differential for Active Duty without Pay.* Differential pay shall not be given to employees on active duty without pay.

- d. **Benefits and Compensation for Part-time Employees.** Part-time employees on Military Service Leave shall continue to receive benefits in the same manner as afforded in the normal course of City employment. However, they will not receive City compensation while on Military Service Leave, unless mobilized to active duty military service by order of the President of the United States, in which case, the employee may be entitled to pay differential if the employee has submitted a completed Leave Earnings Statement and the employee's military pay is less than his or her regular compensation as a City employee.

- e. **Communication.** Employees on Military Service Leave are expected to be reasonably responsive to the City's Human Resources Department, their supervisor and/or department head during the leave.

- f. **Health Insurance.** Full-time and part-time employees on Military Service Leave are eligible to continue health insurance coverage during the leave in the form and manner provided to full-time or part-time employees at the City, as follows:
 - i. For any Military Service Leave periods of 30 days or less, and for active duty military service, regardless of length, an employee must continue to pay health insurance payroll contributions in order to maintain health insurance coverage.

 - ii. For Military Service Leave periods of 31 days or more for inactive duty military service, an employee must elect to continue health insurance coverage with the City's Benefits Administrator and pay the full premium cost of the health insurance.
 - 1. Employees may elect to continue health coverage for a period that is the lesser of: 24 months from the commencement of military leave; or, the day after the date on which the employee fails to apply for or return for re-employment; and,

 - 2. Employees who elect continuation of coverage must provide notice

to the City's Benefits Administrator at least two (2) weeks in advance of the date of departure for military leave, when practicable.

- g. Paid Time Off. Employees on Military Service Leave will accrue paid time off in the same manner as afforded in the normal course of City employment. Employees may use accrued paid time off during the leave, in accordance with the City's Human Resources Manual and appropriate collective bargaining agreements.
- h. Holidays. Employees on Military Service Leave will receive holiday pay in the same manner as afforded in the normal course of City employment.
- i. Seniority. Employees on Military Service Leave shall accrue seniority time during the leave, as mandated by applicable law.

4. REQUIREMENTS

Failure to meet the following requirements may result in delay of Military Service Leave benefits.

- a. Notice. Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the Human Resources with notice of the need for leave two (2) weeks or 14 days in advance, or as far in advance as is reasonable under the circumstances.
- b. Notification. The employee should designate an absence by submitting a completed Military Service Leave Notification Form to Human Resources, to provide notice of the applicable Military Service Leave. The Military Service Leave Notification Form is contained below.
- c. Supporting Documentation. To ensure timely processing and payment of any compensation, the employee shall provide the Human Resources with the following documentation, no less than two (2) weeks or 14 days in advance of the date of departure for military leave:
 - i. A copy of the employee's military orders, training notice, induction information, or equivalent documentation; and,
 - ii. Proof of military compensation, such as a current Leave and Earnings Statement, except during leaves for annual training.

Failure to do so may result in the City delaying a service-member employee's scheduled payment date, consistent with the employee's late submission of supporting documentation.

- d. Processing Military Service Leave. The Military Service Leave Notification Form will be processed by Human Resources. Notwithstanding the above, the City will not, under any circumstance:
 - i. Refuse to allow an employee to attend scheduled drills, annual training, or to report to active duty;
 - ii. Require the employee to reschedule drills or training; or,
 - iii. Require an employee to find a replacement.

5. RETURN TO WORK (REINSTATEMENT)

- a. An employee that is eligible for reinstatement will be restored to the position from which the employee left, with the same increases in status, seniority, and pay that were earned during the term of military service by employees in like positions, or to a position of like seniority, status, and pay. At the time of reinstatement, such employee must be qualified to perform the duties of the position from which leave was taken. However, the City will make reasonable efforts to train returning employees on new equipment, systems, or techniques, or to refresh job skills.
 - i. Benefits.
 - 1. Benefits for employees on military leave, including service requirements for promotions, seniority rights, and the accumulation of vacation and sick time, will continue to accrue as mandated by federal and state law.
 - 2. An employee returning from Military Service Leave may be entitled to a salary adjustment, if he or she would have received an adjustment with reasonable certainty, but for his or her military service. To determine reasonable certainty, the City will consider factors including, but not limited to, the employee's work history and the work and pay history of other employees in the same or similar positions. This provision does not apply to probationary employees.
 - ii. Health Insurance. Employees returning from military leave will be eligible for

health insurance.

- iv. *Pension*. For information about military leave service credit and/or pension adjustments, please contact the City's Benefits Administrator.
 - v. *Protections from Discharge*. Certain employees returning from Military Service Leave are additionally eligible for protections from discharge as follows:
 - 1. Under USERRA, service-member employees who exercise their re-employment rights cannot be discharged, except for cause:
 - A. Within one year from the date of re-employment if the period of military service was 181 days or more; or
 - B. Within 180 days if the period of service was 31-180 days.
 - 2. Under the Illinois National Guard Employment Law, employees in the Illinois National Guard who exercise their re-employment rights following a period of State Active Duty cannot be discharged for one (1) year, except for cause.
- b. *Veterans with Disabilities*. The City will employ the following three-part re-employment plan for individuals with military service-connected disabilities:
- i. The City will make reasonable efforts to accommodate the individual so he or she can perform the essential functions of the position the individual held prior to taking Military Service Leave;
 - ii. If, despite reasonable accommodation efforts, the individual cannot perform the essential functions of the position held prior to taking military leave, the individual may be placed in a position of equivalent seniority, status, and pay, provided that he or she is qualified or could become qualified, with reasonable efforts by the City, to perform the essential functions of that position; or,
 - iii. If the individual is not qualified for either of the positions described above, he or she may be reemployed in a position that, consistent with the circumstances of the case, most nearly approximates the position the individual held prior to taking military leave, in terms of seniority, status, and pay, provided that he or she is qualified or could become qualified, with reasonable efforts by the City, to perform the essential functions of that position.

For more information, contact the City's Human Resources Director.

- c. *Exceptions.* The City may deny reinstatement to employees if any of the following circumstances are met:
- i. The employee fails to apply for re-employment in a timely manner (see Time Limits, below);
 - ii. The employee held a temporary position which was on a brief, non-recurrent period, with no reasonable expectation that the employment would have continued indefinitely or for a significant period;
 - iii. The reinstatement would pose an undue hardship upon the City; or,
 - iv. The City's circumstances changed to the extent that re-employment is impossible or unreasonable.
- d. *Time Limits for Reinstatement.* Failure to return to work, or apply for re-employment within the specified time limits, may subject an individual to the City's Rules concerning unauthorized absence from work and may result in forfeiture of re-employment rights.
- i. *Beginning of Next Work Period.* An employee returning from 30 or less days of Military Service Leave has until the beginning of the first regularly scheduled work period after the end of the calendar day of annual training, plus time required to return home safely and an eight (8) hour rest period. If this is impossible or unreasonable, then as soon as possible.
 - ii. *Two (2) Weeks or 14 Days.* An employee returning from 31-180 days of Military Service Leave must apply for re-employment no later than 14 days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
 - iii. *90 Days.* An employee returning from 181 or more days of Military Service Leave must apply for re-employment no later than 90 days after completion of military service.
 - iv. *Two (2) Years.* Any employee who is hospitalized or convalescing because of a disability incurred or aggravated by military service has an extended period of up to two years following completion of military service to exercise his or her re-employment rights.
- e. *Supporting Documentation.* Employees returning from a Military Service Leave in excess of 30 days shall submit documentation establishing the following, upon request by the Human Resources Department:

- i. The timeliness of the employee's application for re-employment;
 - 1. Department of Defense Form 214, Certificate of Release or Discharge from Active Duty;
 - 2. A copy of duty orders carrying an endorsement indicating completion of the described service;
 - 3. A letter from the Commanding Officer;
 - 4. A Certificate of Completion from military training school;
 - 5. A discharge certificate showing an employee's characterization of service;
 - 6. A copy of extracts from payroll documents showing periods of service; or,
 - 7. Other relevant documentation.
- ii. That the five (5) year cumulative service limitation was not exceeded; and,
- iii. The employee's military service was characterized as honorable, under honorable conditions, or satisfactory.

If such documentation is not readily available to the employee, the City may conditionally reemploy the returning employee pending submission of the substantiating documentation. The City may contact the military to verify and/or request information regarding proof of military service. If, after re-employment, the City receives documentation showing that application for re-employment requirements are not satisfied, the City may discharge the employee, effective as of the date the documents are received.

I. RESOURCES

General information and available resources may be obtained by contacting the City's Human Resources Department.

J. CONFIDENTIALITY

The City maintains confidentiality of information, to the extent required by applicable law.



City of Peoria Military Service Leave Form

Check One New Leave of Absence Amendment of Original Leave Notification Extension of Leave

Employee Name (Last, First, MI) _____

Position Title _____

Department Name _____ **Supervisor's Name** _____

Home Address (Street, City, Zip) _____ **Phone #** _____

Best Contact While on Military Leave (Phone/Email/Address) _____

Reason for Leave Annual Training Basic Training Special Advanced Training Active Duty
 Other (explain) _____

Last day of Work Leave Start Date: _____ Leave End Date: _____

Documentation Provided Military Orders Training Notice/Induction Information
 Military Compensation Other (explain) _____

If no documentation at this time, explain _____

I anticipate returning to work on Date: _____ Time: _____

By my signature, I certify that this information is **true, correct and complete** to the best of my knowledge. I further acknowledge that I have read and understand the City of Peoria Military Service Leave Policy.

Employee Signature _____ **Date** _____

For HR Use Only

Notification of leave of absence processed YES NO (explain below) PENDING (explain below)

Pay Entitlement Differential Concurrent Other (explain below)

Date Employee Informed of Action _____ **Method of Notification** _____

Copies Distributed to
 1. _____ via _____
 2. _____ via _____
 3. _____ via _____

Comments _____

HR Leave Coordinator _____ **Date** _____
SIGNATURE

HR Director/Designee _____ **Date** _____
SIGNATURE

October 2019

RECEIPT OF PERSONNEL EMPLOYEE HANDBOOK

I have received a copy of the City of Peoria Employee handbook. I understand that the Employee Manual contains a summary of some benefits and policies and that the City reserves the right to change, modify or delete rules, policies and benefits contained in the Employee Manual. I agree to abide by the rules and regulations contained in the Employee Manual and with any revisions made thereafter. I also understand that any delay or failure by the City to enforce any City Policy or rule will not constitute a waiver of the City's right to do so in the future.

I understand that neither this Employee handbook nor any other communication by a management representative, whether oral or written, is intended in any way to create a contract of employment. Since employment with the City of Peoria is voluntarily entered into, I am free to resign at any time. Similarly, the City of Peoria may terminate the employment relationship whenever it believes it is appropriate. In the event of a conflict between this Manual and a specific provision of the collective bargaining agreement, the collective bargaining agreement will govern.

I am aware that the City has the right and responsibility to take reasonable steps to inspect and review any items, materials or communications that are made with City equipment or on City time. Therefore, I acknowledge that I have no expectation with respect to the privacy of such communications. Finally, I acknowledge and understand that nothing in this Manual or this Receipt is intended to diminish my rights to engage in free speech or other forms of communication that are protected by law, including the right to engage in lawful protected or concerted activity under the Illinois State Labor Relations Act.

Date

Signature

[Return to Human Resources and Copy in Employee Personnel File]