

EMPLOYEE HANDBOOK

Perry County, Illinois

Adopted

GENERAL POLICY AND APPLICABILITY

This handbook is a general informational guide to Perry County employment policies. Hereinafter the term Employer will be synonymous to Perry County unless otherwise noted. **This Handbook shall not be construed as a contract, implied or otherwise between you and the Employer. The Employer reserves the right to amend, delete, supplement, or rescind any of the provisions of this handbook without advance notice as the Employer deems necessary and appropriate. The policies contained in the handbook shall not be construed to create contractual rights or any type of promise or guarantee of specific treatment upon which any employee may rely. The Employer also reserves the right to deviate from these policies in order to achieve its primary mission of providing orderly and cost efficient services to its citizens. Employment with the Employer is voluntary at-will on the part of both parties. Either the employee or the Employer may terminate the employment relationship at any time, with or without cause, as either party may deem appropriate.**

Certain County offices or departments have some of their rules and procedures determined by other entities or by other applicable state law or county ordinance. In the event of a conflict with the policies of this Handbook, the rules and regulations of such other entities or applicable law shall govern.

Further, the County recognizes the authority of elected officials to appoint their employees and to control the internal operations of their offices. The elected officials will be requested annually to affirm their acceptance and approval of this Handbook at the time the annual budget is approved.

For those agencies, offices and/or departments with collective bargaining agreements, such agreements will prevail to the extent permitted by law. The provisions in this handbook are intended to comply with applicable federal, state and local law, as well as applicable administrative rules and court rules. To the extent that any provisions in this handbook conflict with applicable federal, state or local law, administrative or court rules, the applicable law, administrative rules or court rules will take precedence over the provisions in this handbook.

TABLE OF CONTENTS

| | |
|--|---------|
| Section 1 – GENERAL | |
| 1.01 – Equal Employment Opportunity | Page 5 |
| 1.02 – Harassment | Page 6 |
| 1.03 – Discrimination & Sexual Harassment Policy | Page 6 |
| 1.04 – Definitions | Page 12 |
| 1.05 – Employee Personnel Records | Page 12 |
| 1.06 – References | Page 13 |
| Section 2 – HOURS & ATTENDANCE | |
| 2.01 – Working Hours | Page 13 |
| 2.02 – Hours of Work and Overtime | Page 14 |
| 2.03 – Compensatory Time Off | Page 14 |
| 2.04 – Attendance | Page 15 |
| 2.05 – Breaks & Meal Periods | Page 15 |
| 2.06 – Call Back | Page 15 |
| 2.07 – Payroll Records | Page 15 |
| Section 3 – COMPENSATION | |
| 3.01 – Salary Classification & Levels | Page 16 |
| 3.02 – Employee Pay Rates | Page 16 |
| 3.03 – Paydays | Page 16 |
| 3.04 – Deductions | Page 16 |
| 3.05 – Travel Outside of the County | Page 16 |
| 3.06 – Travel Expense Reimbursement | Page 17 |
| 3.07 – Compensation on Termination | Page 17 |
| Section 4 – TRAINING | |
| 4.01 – Training Policy | Page 17 |
| Section 5 – BENEFITS | |
| 5.01 – Retirement Benefits | Page 18 |
| 5.02 – Disability Benefits | Page 18 |
| 5.03 – Insurance Benefits | Page 19 |
| 5.04 – Unemployment Compensation | Page 19 |
| 5.05 – Benefit Accrual | Page 19 |
| Section 6 – LEAVES OF ABSENCE & TIME OFF | |
| 6.01 – Vacation | Page 20 |
| 6.02 – Sick Leave | Page 20 |
| 6.03 – Funeral Leave | Page 21 |
| 6.04 – Jury & Witness Leave | Page 21 |
| 6.05 – Family & Medical Leave Act & Military Leave | |

| | |
|--|---------|
| (FMLA) Policy | Page 21 |
| 6.06 – Administrative Leave | Page 27 |
| 6.07 – Holidays | Page 27 |
| 6.08 – Religious Holidays | Page 27 |
| 6.09 – Unpaid Leave for Employees due to Domestic & Sexual Violence | Page 27 |
| Section 7 – EMPLOYEE RESPONSIBILITIES & CONDUCT | |
| 7.01 – General Policy | Page 31 |
| 7.02 – Outside Employment & Conflicts of Interest | Page 31 |
| 7.03 – Use of Employer Equipment | Page 32 |
| 7.04 – E-Mail, Internet & Electronic Communications Policy | Page 32 |
| 7.05 – Bulletin Boards | Page 35 |
| 7.06 – Authorized Drivers & Motor Vehicle Record (MVR) Check Policy & Procedure | Page 35 |
| 7.07 – Safety | Page 36 |
| 7.08 – Substance Abuse | Page 37 |
| 7.09 – Drug Free Workplace | Page 37 |
| 7.10 – Cell Phone Use | Page 39 |
| 7.11 – Accident Reporting Policy | Page 40 |
| 7.12 – Concealed Firearm Policy | Page 41 |
| Section 8 – DISCIPLINE & TERMINATIONS | |
| 8.01 – Discipline | Page 41 |
| 8.02 – Termination | Page 43 |
| 8.03 – Layoff | Page 43 |
| 8.04 – Resignation | Page 43 |
| 8.05 – Return of Equipment | Page 44 |
| 8.06 – Death | Page 44 |
| Section 9 – COMPLAINT PROCEDURES | Page 44 |
| Section 10 – CONFLICT REPEAL | Page 45 |
| Section 11 – EMPLOYEE WORK-RELATED INJURY MEDICAL PROGRAM | |
| I. Policy Statement | Page 46 |
| 11.01 – Medical Provider Documents | Page 46 |
| 11.02 – Modified Duty | Page 46 |
| 11.03 – Modified Duty Job Description | Page 46 |
| 11.04 – Follow up Appointments | Page 47 |
| 11.05 – Workers’ Compensation Modified Duty Policy | Page 47 |
| II. Purpose | Page 47 |
| 11.06 – Eligibility | Page 47 |
| 11.07 – Physician’s Role | Page 47 |

| | |
|--|---------|
| 11.08 – Types of Duty/Work | Page 48 |
| 11.09 – Scheduling | Page 49 |
| 11.10 – Administrative Review | Page 49 |
| 11.11 – Criteria for Modified Duty Assignments | Page 49 |
| 11.12– Procedures for Implementation of Workers’ Compensation Modified-Duty Program | Page 49 |

Section 12 – FRAUD/WHISTLEBLOWER POLICY

| | |
|---|---------|
| I. Policy Statement | Page 50 |
| II. Purpose/Scope of Policy | Page 50 |
| 12.01 - Actions Constituting Fraud | Page 50 |
| 12.02 - Investigation Responsibilities | Page 51 |
| 12.03 - Confidentiality | Page 51 |
| 12.04 - Authorization for Investigating Suspected Fraud | Page 51 |
| 12.05 - Reporting Procedures | Page 52 |
| 12.06 - Protection of Reporting Person | Page 52 |
| 12.07 - Disciplinary Action | Page 52 |

| | |
|-------------------------|---------|
| Employee Acknowledgment | Page 53 |
|-------------------------|---------|

INTRODUCTION

This employee handbook is intended to familiarize new employees with the various aspects of working for Perry County and to act as a reference for current employees as they pursue their day-to-day work activities for the Employer. Employees are encouraged to use it as a resource for understanding employment with the Employer. Questions should be directed to an employee's supervisor, who may in turn consult with the County Clerk’s Office to clarify any uncertainties about the application of the handbook provisions.

SECTION 1 - GENERAL

1.01 Equal Employment Opportunity

It is the policy of Perry County to ensure equal employment opportunity without discrimination on the basis of race, color, creed, ancestry, religion, gender, ancestry, sexual orientation, genetic information, national origin, mental or physical disability, age, military status, marital status, unfavorable discharge from military service, order of protection status, arrest record or any other status protected by law. It is our policy to employ, promote those individuals who possess the required skills, education, experience and qualifications for each position.

Any employee who believes that the Equal Employment Opportunity Policy has been violated should immediately submit a report of the incident to his or her supervisor. Supervisors should immediately report the situation to the County Board or the County or

County's designated Equal Employment Opportunity (EEO) Officer. If an employee's supervisor is the subject of the complaint or the employee is not comfortable making a report with his/her supervisor, then, the employee should submit a report to the immediate attention of the EEO Officer.

The Employer will not in any way retaliate against an individual who makes a report or is involved in an investigation of discrimination under this policy nor will the Employer permit any other County official, Health Department official or employee to do so. Retaliation is a serious violation of this Policy and should be reported immediately.

1.02 Harassment

General

For purposes of this policy harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, creed, ancestry, religion, gender, ancestry, sexual orientation, genetic information, national origin, mental or physical disability, age, military status, marital status, unfavorable discharge from military service, order of protection status, arrest record.

Harassing conduct includes but is not limited to, the following:

- Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, creed, ancestry, religion, sex, sexual orientation, genetic information, national origin, mental or physical disability, age, military status, marital status, unfavorable discharge from military service, order of protection status, arrest record.
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of an individual's protected classification that is placed on wall, bulletin boards, or elsewhere on the employer's premises or circulated in the workplace.

It is the policy of the Employer to maintain a work environment free of unlawful discrimination and/or harassment for all employees. Harassment based on a person's race, color, creed, ancestry, religion, sex, sexual orientation, genetic information, national origin, mental or physical disability, age, military status, marital status, unfavorable discharge from military service, order of protection status, arrest record will not be tolerated. Sexual harassment is unacceptable conduct that violates this policy and will not be tolerated by the Employer.

1.03 Discrimination & Sexual Harassment Policy

I. Statement of Policy

It is the county's policy that it will not tolerate or condone discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, genetic information, national origin, age, physical or mental disability, ancestry, marital status, military status, arrest record, unfavorable discharge from military service, order of protection status or any other classifications prohibited under federal or state law. The County will neither tolerate nor condone harassment of employees by managers, supervisors, elected officials, co-workers, or non employees with whom county employees have a business, service or professional relationship. Retaliation against an employee who complains or reports any act of harassment in violation of this policy is prohibited. The County is committed to ensuring and providing a workplace free of harassment. The County will take disciplinary action, up to and including termination, against any employee who violates this policy.

Sexual harassment is also prohibited by the County. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

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

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

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

Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment or harassment based on any status

protected by law. The following are illustrations of actions that the county deems inappropriate and in violation of our policy:

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

II. RESPONSIBILITIES

A. Supervisors

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

1. Monitoring the workplace environment for signs of discrimination or harassment;
2. Stopping any observed acts of harassment and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision;
3. Reporting any complaint of harassment or discrimination to the state's attorney;
and
4. Taking immediate action to limit the work contact between employees when there has been a complaint of harassment, pending investigation.

B. Employees

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

1. Refrain from participation in, or encouragement of, actions that could be perceived as harassment;
2. Reporting acts of harassment to a supervisor; and
3. Encouraging any employee who confides that he/she is being harassed to report these acts to a supervisor.

Failure to take action to stop known harassment may be grounds for discipline.

There is a clear line most cases between mutual attraction and a consensual exchange and unwelcome behavior or pressure for an intimate relationship. A friendly interaction between two persons who are receptive to one another is not considered unwelcome or harassment. Employees are free to form social relationships of their own choosing. However, when one employee is pursuing or forcing a relationship upon another who does not like or want it, regardless of friendly intentions, the behavior is unwelcome sexual behavior. An employee confronted with these actions by a co-worker should inform the harasser that such behavior is offensive and tell the harasser to stop. You should assume that sexual comments are unwelcome unless you have clear unequivocal indications to the contrary. In other words, another person does not have to tell you to stop for your conduct to be harassment or unwelcome.

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

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

III. APPLICABLE PROCEDURES

The County takes allegations of discrimination and harassment very seriously. It will actively investigate all complaints.

It is helpful for the employee to directly inform the harasser that the conduct is unwelcome and must stop. The employee should use the county complaint procedure to advise the county of any perceived discrimination or harassment.

A. Bringing a Complaint

Any employee of the County, or an employee of a County official, who believes that he or she has been a violation of this policy may bring the matter to the attention of the County in one of the following ways:

1. Advising his or her supervisor; or
2. Advising the employee's supervisor, State's Attorney or the County Clerk in the event that the alleged harasser is the State's Attorney.

If the complaint involves someone in the employee's direct line of command, then the employee should go directly to the State's Attorney.

The complaint should be presented as promptly as possible after the alleged discrimination or harassment occurs.

B. Resolution of a Complaint

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

1. A meeting between the employee making the complaint and an individual designated by the County to investigate such complaints. Important data to be provided by the complaining employee includes the following:
 - a. A description of the specific offensive conduct;
 - b. Identification of all person(s) who engaged in the conduct;
 - c. The location where the conduct occurred;
 - d. The time when the conduct occurred
 - e. Whether there were any witnesses to the conduct;
 - f. Whether conduct of a similar nature has occurred on prior occasions;
 - g. Whether there are any documents which would support the complaining employee's allegations;
 - h. What impact the conduct had on the complaining employee.
2. While not required, the County encourages anyone who makes a complaint under this policy to provide a written statement setting forth the above details and attaching any pertinent records.

3. After a written statement of complaint is submitted by the employee, the alleged offending employee will be contacted by a designated representative of the county. The alleged offending employee will be advised of the charges brought against him or her, and may be provided with a copy of the written statement of complaint made by the complaining employee. The alleged offending employee should have an opportunity to fully explain his or her side of the circumstances, and may also submit a written statement, if desired.
4. After the alleged offending employee is interviewed, any witnesses identified by either the complaining employee or the alleged offending employee will be interviewed individually.
5. Once this investigation is completed, the County will take such action as is appropriate based upon the information obtained in the investigation. In the event that the County finds merit in the charges made by the complaining employee, disciplinary action will be taken against the offending employee. This disciplinary action may, but need not necessarily, include:
 - a. Verbal or written reprimand;
 - b. Placing the offending employee on probation for a period of time to be identified;
 - c. Delay in pay increases or promotions;
 - d. Suspending the offending employee from work without pay;
 - e. Demotion;
 - f. Immediate termination.
6. Upon completion of the investigation, the County will advise the complaining employee of the results of the investigation, including action taken, if any, against the offending employee.

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

C. Non-Retaliation

Under no circumstances will there be any retaliation against any employee making a complaint of discrimination or harassment. Any act of retaliation by any party directed against either a complaining employee, an accused employee, witnesses, or participants in the process will be

treated as a separate and distinct charge and will be similarly investigated. Complaints of retaliation should be addressed to the State's Attorney or County Clerk.

If you have any questions concerning the County's policies on this matter, please see the State's Attorney. Further information may also be obtained from the Illinois Department of Human Rights, 312-814-6200, or the Equal Employment Opportunity Commission (EEOC), 800-669-4000.

1.04 Definitions

- A. At-Will: An Employee who is working "at-will" may resign from work or be terminated with or without cause, with or without severance or advance notice.
- B. Department Head: An employee who has responsibility for directing one or more county departments.
- C. Health Department Administrator: The employee who has responsibility for directing the Health Department
- D. Exempt Employee: An exempt employee is any employee of the Employer, whether having achieved full employment status or not, who is exempted from coverage by the Fair Labor Standards Act ("FLSA") or its amendments for purposes of wages and overtime. This definition includes individuals employed in a bona fide executive, administrative, or professional capacity, and others so identified by the Employer or its designee.
- E. Non-Exempt Employee: A non-exempt employee is an employee who, whether having achieved full employment status or not, is provided coverage by the FLSA and its amendments for purposes of wages and overtime.
- F. County Full-Time Employee: An employee who regularly works a minimum of thirty-two (32) hours a week on a continuing basis. Such an employee may be classified as "exempt" or "nonexempt" as defined above in D and E.
- G. County Part-Time Employee: An employee who works less than thirty-two (32) hours a week on a continuing basis. Such an employee may be classified as "exempt" or "nonexempt" as defined above in D and E. Part-time employees are not eligible for County benefits.

1.05 Employee Personnel Records

- A. A payroll and benefit administration file for each employee is kept in the County Clerk's Office. Access is limited to the employee's immediate supervisor, the Department Head,

and employees involved in payroll and benefits administration. An employee's payroll and benefits administration file contains the employee's name, title and/or position held, department to which the employee is assigned, salary, changes in employment status, and other pertinent information. It is important for an employee to keep his or her personnel information up to date because this information is used for payroll and benefits administration, continued insurance notices under COBRA, notification in case of emergency, etc.

- B. A centralized personnel file for each employee is kept in the Department Head's office. An employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, personnel actions affecting the employee, including discipline, and other pertinent information. Access is limited to the employee's immediate supervisor, the Department Head, County Board or its designee. It is important for an employee to keep his or her personnel information up to date because this information is used for payroll and benefits administration, continued insurance notices under COBRA, notification in case of emergency, etc.
- C. An employee has the right to review their personnel files by submitting a written request to their supervisor and arranging an appropriate time to do so. A photocopy of an employee's personnel file will be provided at the request and expense of the employee. An employee may request removal of what the employee believes to be irrelevant or erroneous information in their personnel file. If the Employer denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in their file.
- D. Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, except where law dictates otherwise.

1.05 References

- A. The Employer does not give references, other than to confirm the dates of employment and last salary, without the express written consent of the employee.
- B. The County Clerk or his/her designee may verify employment, dates of employment, salary, as requested by the employee with written and signed releases for such specific information.

SECTION 2 - HOURS AND ATTENDANCE

2.01 Working Hours

- A. The Employer's standard workweek is five (days) during the period Sunday through Saturday. The five (5) days worked by an employee depends on departmental requirements and scheduling. A standard workday is seven (7) or eight (8) hours, depending on department requirements, falling between 7:00 a.m. and 5:00 p.m. However, there are certain departments with specific needs for a different workweek and different hours, such as the Sheriff's Office. In those departments, the Department Head shall establish a workweek and hours appropriate to the operation of the department.
- B. Part-time employees will work hours as specified by their Department Heads.

2.02 Hours of Work and Overtime

- A. All Employer positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act ("FLSA") regulations.
- B. Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off, when they work more than forty (40) hours during a work period. Different standards may be applied for security personnel in accordance with the FLSA regulations.
- C. The employee's Department Head must authorize all overtime in advance.
- D. Overtime pay for County Employees is calculated at one and one-half times the employee's regular rate of pay for all time worked in excess of forty (40) hours in a work period.
- E. Holiday's, sick leave and vacation time are not counted as hours worked when computing overtime pay.
- F. Exempt employees are not covered by the FLSA overtime provisions and shall not receive either overtime pay or compensatory time.

2.03 Compensatory Time Off

- A. Non-exempt employees entitled to overtime pay may elect to receive compensatory time off instead of cash payment as approved on a case-by-case basis by the employee's Department Head. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Maximum accruals of compensatory time shall be limited to forty (40) hours for regular employees. After maximum accrual, overtime compensation shall be paid.
- B. Employees may use compensatory time within a reasonable time period after making a request to their supervisor or Department Head, unless doing so would unduly disrupt department operations. Compensatory time should be used for short-term absences from work during times mutually agreed to by the employee and the Department Head.

2.04 Attendance

- A. Punctual and consistent attendance is a condition of employment. Each Department Head is responsible for maintaining an accurate attendance record of his or her employees.
- B. Employees unable to work or unable to report to work on time should notify their Department Head as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time. Emergencies will be handled on a case by case basis. If the Department Head is unavailable, the employee may leave a message with a designated representative of a Department Head, stating the reason for absence or tardiness. If an absence continues beyond one day, the employee is responsible for reporting in each day.
- C. Employees are expected to be at work even during inclement weather. Department Heads may allow employees to be late or leave early during severe weather conditions; however, non-attendance will be counted as absence from work and will be charged to accrued vacation time or shall be unpaid if no accrued vacation is available.
- D. An employee who is absent without authorization or notification for two consecutive work days will be considered as having voluntarily resigned.

2.05 Breaks and Meal Periods

All breaks shall be arranged so that they do not interfere with Employer business or service to the public. The employee's Department Head or supervisor shall schedule meal periods. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and usually one hour in length, but may vary in length depending on the departmental work schedule.

2.06 Call Back

All employees are subject to call back in emergencies or as needed by the Employer to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination. Employees called back to work will be paid their appropriate rate of pay for hours worked (the overtime rate, if applicable.)

2.07 Payroll Records

The official payroll records are kept by the County Treasurer's Office. Each Department Head shall turn in a signed work record for each employee in their department on a bi-weekly basis, noting hours worked, leave taken and overtime worked during the previous pay period.

SECTION 3 - COMPENSATION

3.01 Salary Classification and Levels

Each job title within the organization is classified into one of the Employer's classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job title. Each classification is designated a particular salary or salary range shown on the Employer's salary schedule, which is approved periodically by the appropriate board. The Board of Health approves the schedule for the Health Department. The County Board approves the salary schedule for all other departments.

3.02 Employee Pay Rates

- A. Employees shall be paid within the limits of the salary range to which their positions are assigned.
- B. Usually, new employees will start their employment at the minimum salary rate for their classification. However, a new employee may be employed at a higher rate than the minimum when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

3.03 Paydays

Employees are paid bi-weekly (every other week on Fridays), or on some other regular schedule as determined by the Employer. If a regularly scheduled payday falls on a holiday, paychecks will be distributed on the day before the holiday.

All employees hired after the effective date of this Employee Handbook shall only receive pay from the County via direct deposit through the employee's respective financial institution. The County may request, from time to time, necessary financial institution information from employees for direct deposit pay purposes.

3.04 Deductions

Some regular deductions from the employee's earnings are required by law; other deductions are specifically authorized by the employee. The Employer will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized in writing by the employee, applicable union contract, or statute.

3.05 Travel Outside of the County

The Department Head/Employer must approve all travel outside of the County in advance. If private automobiles are used, employees will be reimbursed at rates established from time to time and modified by the County Board and Health Board.

3.06 Travel Expense Reimbursement

County employees will be reimbursed for reasonable expenses incurred when involved in Employer related business outside of Perry County when attending pre-approved meetings, conferences, workshops, and other educational and training programs at locations outside of the County at rates established by the County Board. Mileage reimbursement for the use of a personal automobile will be in accordance with rates as established by the County Board.

Employees shall provide necessary documentation of expenses/mileage incurred pursuant to applicable procedures as set by the County Board.

3.07 Compensation on Termination

When employment with the Employer is terminated, the employee will receive the following compensation:

- A. Regular wages for all hours worked up to the time of termination that have not already been paid
- B. Any overtime or holiday pay due
- C. A lump sum payment of any accrued but unused vacation and compensatory time

SECTION 4 - TRAINING

4.01 Training Policy

The Employer seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge and abilities directly related to employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Training opportunities may include, but are not limited to: on-the-job training, in-house workshops, seminars sponsored by other agencies or organizations; and college and university courses when such training opportunities are on a subject matter directly related to employment. Any employee wishing to attend job-related training must seek pre-approval from his/her supervisor.

SECTION 5 - BENEFITS

5.01 Retirement Benefits

- A. The Employer makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.
- B. All regular uniformed employees in the Sheriff's Office are covered by the Sheriff's Law Enforcement Personnel (SLEP) pension plan. Benefit levels and contribution rates are set by the State of Illinois.
- C. All regular, non-uniformed full-time and part-time employees working 600 hours or more are covered under the Illinois Municipal Retirement Fund (IMRF). Benefit levels and contribution rates are set by the State.
- D. In addition to SLEP and IMRF, the Employer sponsors a voluntary deferred compensation plan paid by the employee. Employees may voluntarily contribute to the deferred compensation plan to supplement future retirement income from SLEP or IMRF.
- E. Employees intending to retire should notify their Department Head of their intent to retire with as much advance notice as possible prior to the date of retirement.
- F. An employee retiring under IMRF or SLEP may use unpaid, unused accumulated sick leave for the purposes of qualifying for up to a year of additional pension service credit under the provisions of such retirement plans.

5.02 Worker's Compensation Benefits

- A. All job-related accidents must be reported immediately to the supervisor.
- B. When an employee is absent for one or more days due to an on-the-job accident, the employee is required to file a claim for worker's compensation benefits. When the employee files a claim, the Employer will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of worker's compensation benefits.
- C. An employee who is injured on the job may exhaust accrued sick leave, comp time, or other accrued time available for the first three days of the injury or illness. If payment is received from the Worker's Compensation carrier for those three days, the employee should indicate this to his/her elected official or department head so his/her time can be reinstated upon payment to the County of the three days. If an employee has no time

available during the first three days of the accident or injury, then this time shall be considered unpaid for County purposes.

- D. The Employer may require an examination at its expense, performed by a physician of its choice, to determine when the employee can return to work and if the employee will be capable of performing the duties and responsibilities of the position.

5.03 Insurance Benefits

- A. All full-time employees are eligible to participate in the Employer's insurance programs. The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. The Employer reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable. Coverage for health insurance is available through the Employer's plan and begins on the first of the month following 30 days of employment.

Only full time employees are covered by the county's health insurance plan. Family plan insurance coverage is available to full-time employees at an Employer/Employee shared expense.

- B. The Employer may continue health insurance coverage at the employee's expense during an approved unpaid leave of absence in accordance with the terms and conditions of the insurance policy. COBRA continuation rights may apply in the event coverage is not extended through the Employer.
- C. While an employee is receiving worker's compensation benefits, the Employer shall continue to pay the employer's portion of the employee's health insurance premiums.
- D. Upon an employee's termination from employment, at the employee's option and expense, the employee may elect to continue Employer's health insurance benefits to the extent provided under COBRA. Continuation rights are not available if an employee is terminated for "gross misconduct."
- E. An administrative handling fee over and above the cost of the insurance premium may be charged the employee or their dependents that elect to exercise their COBRA continuation rights.

5.04 Unemployment Compensation

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

5.05 Benefit Accrual

Paid leave benefits such as vacation, holidays, personal days or sick time will not accrue while an employee is on unpaid leave status for any reason. Paid leave benefits also do not accrue while an employee is on paid leave, if the leave is paid for by a third party source (e.g., worker's compensation or IMRF).

Paid leave benefits (vacation, holidays, sick days and personal days) will not accrue while an employee is on paid leave status once the employee has given notice of his or her retirement.

SECTION 6 - LEAVES OF ABSENCE AND TIME OFF

6.01 Vacation

- A. Each regular full-time employee accrues vacation time according to their years of continuous service with the Employer. On the date of their anniversary of employment they are eligible for vacation on the following schedule:

| <u>Years of Employment</u> | <u>Vacation Time Earned</u> |
|------------------------------------|-----------------------------|
| After 1 year of full-time service | 1 week |
| After 2 years of full-time service | 2 weeks |
| After 4 years of full-time service | 3 weeks |
| After 7 years of full-time service | 4 weeks |

Vacation time must be used in the year in which it is earned.

- D. Each department is responsible for scheduling its employees' vacations without undue disruption of department operations. Leave requests shall be submitted at least one week prior to taking vacation leave.

6.02 Sick Leave

- A. All full-time regular employees accrue sick leave benefits at the rate of one (1) day for each calendar month of continuous employment and may accumulate a total of one hundred twenty (120) sick leave days.
- B. Employees do not accrue sick leave benefits during a leave without pay.
- C. A doctor's certificate may be required when an employee is absent for a period in excess of three (3) days. The Employer may also request the opinion of a second doctor at the Employer's expense.

- D. An employee leaving employment for any reason will not be allowed the use of sick leave in the last two (2) weeks of employment.
- E. Unused sick leave will not be compensated for in any way at the time of resignation or dismissal of an employee.
- F. In the event of a continuing, long-term employee illness or non-work related injury, an employee may apply for and receive disability benefits from the Illinois Municipal Retirement Fund (IMRF). However, an employee is required to use all accrued and unused sick leave and vacation time prior to receiving IMRF disability benefits.

6.03 Funeral Leave

An employee may be granted paid leave up to three (3) days, as needed, by their Department Head in the event of the death of a spouse, child, stepchild, parent, stepparent, sister, stepsister, brother, stepbrother, mother-in-law, father-in-law, grandmother, grandfather, or anyone who raised the employee from childhood. If the employee desires to be absent for more than three (3) days, they may utilize previously earned, unused vacation days provided the Department Head approves such additional absence.

6.04 Jury and Witness Leave

- A. Employees may be granted time off with pay to serve on a jury or as a court witness. If an employee is summoned during a critical work period, the Employer may ask the employee to request a waiver from duty.
- B. An employee granted such leave shall reimburse the Employer for any pay received while serving as a juror or witness.

6.05 Family & Medical Leave Act & Military Leave (FMLA) Policy

This policy document supersedes any other existing policy or policy document governing the handling of leave taken pursuant to the Family & Medical Leave Act of 1993 (“FMLA”). It is intended to conform to the employer’s obligations under 29 C.F.R. 825.300.

I. ELIGIBILITY

To be eligible for FMLA benefits, an employee must:

- (1) have worked for Perry County for a total of 12 months; and
- (2) have worked at least 1,250 hours over the previous 12 months.

II. LEAVE ENTITLEMENT

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

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

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

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

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

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending counseling sessions, and attending post-deployment reintegration briefings.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty, is entitled up to 26 weeks of unpaid leave in a single 12-month period to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is on the temporary disability retired list. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA qualifying reason during the single 12-month period, but is entitled to no more than 12 weeks of leave for:

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

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

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

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

III. Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

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

IV. Leave Availability Calculation

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

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

V. Substitution of Paid Leave

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

All other FMLA leave is unpaid.

VI. Medical Insurance Benefits while on FMLA Leave

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

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

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

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

VII. Procedure for requesting FMLA Leave.

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

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

Any employee taking leave to care for the employee's covered family member with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position must be supported by a certification issued by the health care provider of the employee or the employee's family member on the form attached to this policy. An employee taking leave because of a qualifying exigency or to care for a covered service member with a serious injury or illness must also be supported by a certification in the form attached to this policy except that an employee taking leave to care for a covered service member may provide an invitational travel order (ITO) or an invitational travel authorization (ITA) in lieu of certification for the leave taken through the expiration of the ITO or ITA. Additional copies of the certification forms can be obtained from your supervisor. Employees are required to furnish the above-referenced certifications at the time the employee gives notice of the need for leave or within 5 business days thereafter. In the case of unforeseen leave, certification must be provided within 5 business days after the leave commences. FMLA leave may be denied in accordance with the FMLA Rules and Regulations if appropriate certification is not provided.

VIII. Consequences of Taking FMLA Leave

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

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

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

IX. Employer Responsibilities

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

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

X. Unlawful Acts by Employers

The FMLA makes it unlawful for any employer to:

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

XI. Enforcement

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

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

XII Reference to FMLA Notice Poster

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

6.06 Administrative Leave

On a case-by-case basis, the Employer may place an employee on administrative leave with or without pay for an indefinite period of time, as determined by the County Board or its designee when determined to be in the best interests of the Employer.

6.07 Holidays

Paid holidays are determined on an annual basis by the board.

6.08 Religious Holidays

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with the Department Head's approval, take the day off using vacation, compensatory time, or leave without pay.

6.09 Unpaid Leave for Employees due to Domestic & Sexual Violence

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

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

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

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

Period of Leave: Employee shall be entitled to a total of 12 workweeks of unpaid leave during any 12-month period. (This policy does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act.) Leave may be taken intermittently or on a reduced work schedule.

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

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

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

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

- (a) The employee or the employee’s family or household member is a victim of domestic or sexual violence; and
- (b) The leave is for one of the purposes enumerated in the above “Basis” paragraph.

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

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

- (a) **Documentation** from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee’s family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence;
- (b) a **police or court record**; or
- (c) Other corroborating evidence.

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

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

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

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

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

However, the employee is not entitled to:

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

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

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

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

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

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

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

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

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

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

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

SECTION 7 - EMPLOYEE RESPONSIBILITIES AND CONDUCT

7.01 General Policy

- A. The safety and welfare of the County's citizens shall at all times be held as a central mission of government. All employees are expected to represent the Employer to the public in a manner that is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and Department Head.
- B. Since the proper working relationship between employees and the Employer depends on each employee's on-going job performance, professional conduct and behavior, the Employer has established certain minimum standards of personal conduct. Among the Employer's expectations are: basic tact and courtesy towards the public and fellow employees; adherence to Employer policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the Employer's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.
- C. Confidentiality; in their role as employees of Perry County, employees may encounter confidential or personal information. Questions concerning what constitutes confidential information should be referred to your immediate supervisor.
- D. Further, the Employer expects that any knowledge, techniques, written materials and other information relative to the County's business developed during employment remain the property of the County.

7.02 Outside Employment and Conflicts of Interest

- A. Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the Employer's opinion, with the best interests of the Employer or interfere with the employee's ability to perform the assigned job. Examples include, but are not limited to, outside employment which:
 - 1. Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
 - 2. Is conducted during the employee's work hours;
 - 3. Utilizes Employer telephones, computers, supplies, or any other resources, facilities or equipment;
 - 4. Is employment with a firm which has contracts with or does business with the Employer; or

5. May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.
- B. An employee who chooses to have an additional job, contractual commitment or self-employment, may do so provided the employee obtains prior approval from the employee's Department Head.

7.03 Use of Employer Equipment

Use of Employer phones for local personal phone calls should be kept to a minimum; long distance personal use is prohibited. Other Employer equipment, including vehicles, should be used by employees for Employer business only. An employee's misuse of Employer services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

7.04 Email, Internet, and Electronic Communications Policy

- A. The advanced electronic and communications means at our disposal have made internal and external communication much easier and faster. Their advent does not, however, come without important responsibilities. To the extent that you use any electronic or computerized means to transmit or receive information, you must take responsibility for ensuring its confidentiality and integrity to the greatest extent possible. The Employer has established the following policy to govern the use of electronic and communication systems in the workplace, including but not limited to e-mail, the Internet and the Intranet.
- B. Definition of "electronic communication" tools. This policy addresses the appropriate use of "electronic communication" for all employees and officials of the County. These tools include the following:
1. Telephones, pagers and voicemail facilities;
 2. E-mail systems;
 3. Fax machines, modems and servers;
 4. Laptop and desktop computers;
 5. Software licensed to the County and
 6. All internal and external computer and communications networks (such as Internet access facilities, browsers, commercial on-line services, e-mail systems) accessible directly or indirectly from the various County departments' computer networks where applicable.

Employer property All Employer electronic communication tools and the data stored therein, including electronic files and messages, and e-mail are at all times the property of the Employer, whether composed, sent or received by an employee. E-mail messages and other electronic files constitute business records that belong to Perry County.

- C. Allowed use of computer system. Access to the Employer's electronic communication system is intended to support the Employer's responsibilities and business goals and is made available to employees for use in performing their employment tasks. The e-mail and Internet systems are provided to assist and to facilitate business communications. Occasional, limited, appropriate personal use of the e-mail or internet systems is permitted so long as (1) appropriate Department Head grants permission; (2) the use does not (a) interfere with the employee's work performance; (b) interfere with any other employee's work performance; (c) have undue impact or cost on the operation of the computer system; or (d) violate any other provision of this policy or any other policy, guideline, or standard of the County. At all times, employees have the responsibility to use computer resources in a professional, ethical, and lawful manner. Personal use of the computer system is a privilege that maybe revoked at any time and abuse of this privilege may result in loss of use of the system and/or disciplinary action up to and including termination.
- D. Prohibited users. Users are strictly prohibited from using the Employer's electronic communication system to transmit, receive, download, view or copy, profane, abusive, obscene, offensive, disruptive, threatening, fraudulent, embarrassing, intimidating, defamatory or harassing materials. Such materials include, but are not limited to: racial, gender, or sexual slurs, cartoons, or jokes; pornographic or sexually explicit language or material; racially or sexually insulting or harassing language or material; illegal, inappropriate or unethical solicitations, comments which would be offensive to someone based on his or her race, age, gender, sexual orientation, religious or political beliefs, national origin, or disability; information which propagates discriminatory viewpoints or advocates violence; information that violates or is contrary to Employer policies, such as the harassment and discrimination policies; and any other material which is inappropriate for a business environment. Employees in violation of this rule will be subject to discipline up to and including termination.
- E. Privacy and Passwords. While e-mail may accommodate the use of passwords for access to the computer system or encoding of particular files or messages, such passwords do not create, and should not be interpreted as creating any expectations of privacy in any material created, transmitted or received on the Employer's computer system. The Employer has global passwords that permit it to access all material stored on its computer system – regardless of passwords. Thus, users must assume that any and all messages may be read by someone other than the intended or designated recipient. Accordingly, users need to remember that they have no expectation of privacy in anything they create, store, send, or receive on the computer system. Further, any individual passwords created by employees must be given to their Department Head.
- F. Monitoring. The Employer has no desire to invade the personal privacy of its employees. However, it is essential that the Employer be able to ensure that its electronic communication tools, which are provided primarily for the Employer's business purposes, are being used in a proper manner consistent with this policy. For this reason the Employer reserves the right to appoint a Systems Administrator to monitor, search retrieve and/or read any and all aspects of its electronic tools, including, but not limited to: e-mail

messages composed, sent or received by any employee; Internet messages, sites, chat rooms, postings, images, text or material; computer files or databases; electronic devices; data saved on fixed and removable media devices; materials downloaded or uploads; customer communications; and any other work product, correspondence, documents, data or information maintained on the Employer's systems at any time, without cause or notice. Therefore, employees must ensure that each electronic communication is truthful and accurate, and must use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Users should always strive to use good grammar and correct punctuation, and keep in mind that anything created or stored on the computer system may, and likely will, be reviewed by parties other than the intended recipient. In this regard, users should also keep in mind that electronic files and messages are subject to discovery and may subsequently be used in future litigation involving the Employer or the user. Therefore, it is expected that user statements in electronic messages and files will reflect favorably on the Employer and on the user.

- G. Confidential and sensitive materials. Confidential or sensitive information should never be transmitted via e-mail or the Internet. All users are required to use good business judgment to safeguard Employer information and assets. Users who are unsure about the sensitivity or confidentiality of the information to be transmitted must discuss the matter with and receive approval from their respective Department Head before transmitting the information
- H. Duty not to waste computer resources. Users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These include chain letter e-mails; subscribing to non-business related list servers and mailing lists; spending excessive amounts of time on the Internet; playing games; engaging in online chat groups; printing multiple copies of documents; or otherwise creating unnecessary network traffic.
- I. Reporting misuse of system by others. Misuse of the Employer's systems may occur in many forms. Employees must report any misuse of the Employer's systems or other violations of this policy to their appropriate Department Head, Health Department Administrator or the County Board or its designee.
- J. Violations of policy. Any misuse or abuse of the Employer's electronic communication system, or other violation of this policy, may result in loss of use of this system and/or disciplinary action up to and including termination.
- K. Questions. All Questions regarding this policy should be directed to your respective Department Head.

7.05 Bulletin Boards.

Information of special interest to all employees is posted regularly on the Employer bulletin boards. Employees may not post any information on these bulletin boards without the authorization of the County Board or its designee.

7.06 Authorized Drivers and Motor Vehicle Record (MVR) Check Policy & Procedure

Introduction

The purpose of this policy is to ensure the safety of those individuals who drive company vehicles or personal vehicles on County business and their passengers.

Policy Statements

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

Requirements to Become an Authorized Driver

- Must be a current employee or contracted individual
- Must complete the Employee Authorization for MVR review (attached.)
- Must present and maintain a favorable MVR (See attached for guidelines.)
- Must provide a current copy of a valid Drivers License for the type of vehicle to be driven.

Driver Responsibilities

- It is the driver's responsibility to operate the vehicle in a safe manner to prevent injuries and property damage.
- Drivers must have a valid driver's license for the type of vehicle to be operated, and keep the license(s) with them at all times while driving. All CDL drivers must comply with all applicable D.O.T. regulations, including successful completion on medical, drug, and alcohol evaluations.
- All drivers and passengers must wear seat belts.
- All accidents, regardless of severity, must be reported to the police and to the Supervisor. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including termination.

- Authorized drivers are prohibited from text messaging and emailing while driving. Phone use is also prohibited, unless a hands free device is used, or as otherwise authorized by law.
- It is the responsibility of all authorized drivers to report the loss, bond issuance, suspension and/or revocation of his/her Driver's License immediately to the Supervisor.
- All traffic violations (including parking tickets), citations and fines incurred when driving for work purposes are the sole responsibility of the authorized driver.
- Driving for work purposes while under the influence of intoxicants or other illicit drugs is forbidden and is sufficient cause for discipline, including termination.
- Authorized drivers must inform the Supervisor if taking any medications that may affect their ability to safely operate an automobile.
- Drivers are responsible for the security of vehicles being used by them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.
- Employees operating or driving their personal vehicle for County business shall maintain insurance on said vehicle in compliance with Illinois law and may be required to provide proof of said insurance to the County.

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

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

Any questionable MVR will be reviewed by the Supervisor and may result in suspension or termination of driving privileges.

7.07 Safety

- A. Every employee is responsible for maintaining a safe work environment and following the Employer's safety rules. Negligence in adherence to on-the-job safety standards will be

considered grounds for discipline and/or termination. Each employee shall promptly report all unsafe or potentially hazardous conditions to the Department Head. The Employer will make every effort to remedy problems as quickly as possible.

- B. In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their Department Head.

7.08 Substance Abuse

The Employer may discipline or terminate an employee possessing, consuming, controlling, selling or using alcohol, drugs or other controlled substances during work hours. The Employer may also discipline or terminate an employee who exhibits an on-going dependence on alcohol, drugs or other controlled substances which, in the Employer's opinion, impairs the employee's work performance, poses a threat to the public confidence, or is a safety risk to the Employer or others. The Employer is committed to supporting employees who undergo treatment and rehabilitation for alcohol or other chemical dependency.

- A. Employees who voluntarily report an alcohol, drug or controlled substance dependency problem will not be subject to retaliation or discrimination. Employees who voluntarily report and seek treatment may use sick leave to attend a bona fide treatment or counseling program. The Employer may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances.
- B. Employees using any prescription or over the counter drugs which might impair their work performance should notify their Department Head. At the option of the Department Head, an employee may be reassigned to less hazardous duty or be placed on sick leave if impaired work performance threatens the safety of the employee or others.
- C. Employees who are required to maintain a Commercial Driver's License (CDL) are subject to random drug testing as required by the Federal government in conformance with adopted Employer policy.

7.09 Drug-Free Workplace

The Perry County Board believes strongly in making all Employer work places safe and healthy environments free of drugs and the accompanying problems associated with their use. Further, the Drug Free Work Place Act (30 ILCS 580/3) mandates that the Employer initiate and maintain a drug free work place for their employees. Accordingly, the board has adopted the following policy.

- A. Employer policy, State and Federal regulations prohibit employees from engaging in the following conduct:

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis or the use of intoxicants in any Employer building, on Employer property or while engaged in Employer business.
 2. Reporting to work under the influence or with a measurable amount of alcohol, intoxicants, illegal drugs or other controlled substances in their system.
 3. Refusing to participate in drug free programs that are sponsored from time to time by the Employer.
 4. failing to notify the County Board or its designee, or in the case of the Health Department, the Health Department Administrator within five (5) days of any criminal conviction of a drug statute for a violation having occurred in the work place.
- B. The Employer recognizes drug/alcohol dependency as an illness and a major health problem. Employees needing help in dealing with such problems are encouraged to use our employee assistance program and health insurance plan as appropriate. Conscientious efforts to seek such help will not jeopardize an employee's job and will not be noted in any employee file.

Information on controlled substances and rehabilitation programs are available through the County and/or Health Department Administrator's Office.

- C. Any employee who violates any of the prohibitions contained in section one (1) and/or fails to make a conscientious effort to seek help for their drug/alcohol dependency are subject to appropriate disciplinary action which could include involuntary termination.
- D. The Employer respects the confidentiality and privacy of its employees. The identity of any employee having been convicted of an offense as defined in Section 3(d) and the identity of any employee participating in the Employer's Assistance Program or other assessment of treatment program will not be revealed by the Employer to anyone except as required by law. The Employer will release an employee's records as directed by the express written consent of the employee.
- E. Nothing contained herein shall prohibit any department/office of Perry County from implementing a more restrictive Drug Free policy where deemed appropriate.
- F. The Employer will not penalize an employee or applicant solely for his/her status as a registered qualifying patient or registered designated caregiver under the Compassionate Use of Medical Cannabis Pilot Program Act, unless failing to do so would put Perry County in violation of federal law or unless failing to do so would cause it to lose a monetary or licensing-related benefit under federal law or rules. Perry County prohibits the use and

storage of medical cannabis on its property, at all workplaces and in any employer-owned vehicles.

7.10 Cell Phone Use

This document sets forth Perry County's policies about cell phone usage and applies to all employees. For purposes of this policy, the term "cell phone" is defined as any handheld electronic device with the ability to receive and/or transmit voice, text, or data messages without a cable connection (including, but not limited to, cellular telephones, digital wireless phones, radio-phones/walkie-talkies, telephone pagers and PDA's.).

A. General Use at Work

While at work, employees are expected to exercise the same discretion in using personal cell phones as they use with company phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees should restrict personal calls during work time, and should use personal cell phones only during scheduled breaks or lunch periods in non-working areas. Other personal calls should be made during non-work time whenever possible, and employees should ensure that their friends and family members are instructed of this policy. The County is not liable for the loss of personal cell phones brought into the workplace.

As technological advances continue to expand the functions of cell phones and similar personal equipment, employees are advised that any unauthorized use of such devices at work to record, take pictures or videos and/or to transmit same may well be a violation of federal and state criminal laws and, regardless, will not be tolerated. Anyone determined to have engaged in such activity will be immediately disciplined as well as reported to the authorities.

B. Use While Driving

Employees should be aware that the County does not promote the use of mobile phones while operating a vehicle. Mobile use includes, but is not limited to, texting, instant messaging, using the Internet, emailing, etc. Safety must come before all concerns; under no circumstances should employees place themselves or others at risk to fulfill business needs.

Employees whose job responsibilities include driving, and who may use a mobile phone for business purposes, are expected to refrain from using their mobile phone while driving. Employees should plan calls to allow placement either prior to driving or while on rest breaks. Employees are expected to pull off to the side of the road and safely stop their vehicle before using a mobile phone.

Employees will be solely responsible for any traffic violations resulting from the use of a phone while driving.

Cell phone use in adverse weather or difficult traffic situations is always prohibited.

Sending and receiving e-mails and/or text messages while driving is likewise always prohibited.

Nothing in this policy shall preclude an employee from using a cell phone or electronic device for emergency purposes and/or as otherwise authorized by the Illinois Vehicle Code.

C. High Risk Work Situations

To further ensure the safety of employees and the general public, cell phone use of any kind, for any reason, is strictly prohibited during High Risk Work situations. High Risk situations include, but are not limited to:

- While using any electric, battery or gasoline powered tool
- While operating heavy equipment
- While working on a jobsite with heavy equipment in use
- While working in the street or other public way
- While working in a trench or enclosed space
- While on a ladder or any other raised working surface
- Any task requiring the use of two hands

Violations of this policy will be subject to discipline, up to and including termination.

7.11 Accident Reporting Policy

Any employee who is injured while on duty (regardless of severity) shall report the injury to his/her supervisor immediately both verbally and in writing with a completed Incident Report. The Incident Report shall include the following: the date, time, place injury occurred, how the injury occurred, the type of injury and whether medical assistance was obtained. The report shall be submitted by the end of the workday. Supervisors are required to accurately complete a Form 45 with respect to all on-the-job injuries and submit it as well as a copy of the employee's Incident Report to the County Clerk's Office; additionally, a copy shall be maintained in the employee's personnel file. In the event that an appointed Department head is injured, he or she shall notify the County Board Chair and forward all applicable documentation of said injury to the County Clerk.

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

Any incident involving damage to Perry County's property or vehicles or to a privately owned vehicle being operated for Perry County's business shall be reported immediately to the employee's supervisor both verbally and in writing with a completed Incident Report. The Incident Report shall include the following: the date, time, place incident occurred, how the

incident occurred, and the extent and type of damage. The report shall be submitted by the end of the workday. Employees are also required to notify law enforcement when appropriate.

7.12 Concealed Firearm Policy

Any employee who is issued and possesses a valid Firearm Concealed Carry License issued by the Illinois State Police shall comply with all of the provisions of the Firearm Concealed Carry Act (430 ILCS 55 *et seq*), which includes not carrying a concealed firearm on or into any prohibited area as set out in Section 65 of the Firearm Concealed Carry Act. An employee of Perry County who is issued and possesses a valid Firearm Concealed Carry License who chooses to carry a concealed firearm while driving to and from work and parks in a parking lot owned, leased or under the control of Perry County must store said concealed firearm(s) pursuant to Section 65(b) of the Firearm Concealed Carry Act, unless as otherwise authorized by law.

Nothing in this policy shall apply to any employee who is a sworn peace officer pursuant to applicable law.

SECTION 8 DISCIPLINE AND TERMINATIONS

8.01 Discipline

- A. All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the County.
- B. Acts, errors, or omissions that discredit the public service or impair the provision of orderly services to the citizens of the County may result in discipline, including termination.
- C. The County Board or its designee, or Department Head, as appropriate, has full discretion and authority to impose disciplinary action in accordance with Employer's policy and the circumstances of the particular case.
- D. The following are examples of the types of behavior that may result in discipline:
 - 1. Drinking alcohol or the abuse of non-prescription or prescription drugs or other controlled substances on the job, or arriving on the job under the influence of or while in possession of alcohol, drugs, or other controlled substances.
 - 2. Violation of a lawful duty.
 - 3. Insubordination.
 - 4. Absence from work without first notifying and securing permission from the supervisor.

5. Habitual absence or tardiness for any reason.
 6. Unsatisfactory job performance, as determined by the Employer.
 7. Conviction of a felony or a misdemeanor involving moral turpitude.
 8. Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the Employer.
 9. Inability, refusal or failure to perform the duties of the assigned job.
 10. Violation of duties or rules imposed by this handbook, of any other Employer rule, regulation or administrative order.
- E. This list is not all-inclusive, but only serves as a general guide. The Employer may discipline or terminate employees for other reasons not stated above.
- F. In the event that discipline is necessary, the following types of disciplinary actions may be used, depending on the particular situation:
1. Verbal Warning. A verbal warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or their failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the Employer by changing the employee's conduct, attitude, habits, or work methods. Following the counseling session the supervisor shall document the oral warning
 2. Reprimand. A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.
 3. Suspension. A suspension is a temporary, unpaid absence from duty that may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action that is made part of the employee's permanent record.
- G. Suspensions with pay, where the employee is placed on administrative leave, may be utilized by the County Board or its designee pending the results of an investigation.

8.02 Termination

The Employer reserves the right to terminate the employment relationship at any time, with or without cause. Circumstances that may lead to termination include, but are not limited to, the following.

- A. As a result of disciplinary action.
- B. Due to loss of skills, certifications or other conditions that would make the employee unfit for employment.
- C. When the County Board has made a determination that a lack of work or funding exists with respect to the employee's position.
- D. Whenever the County Board determines to make changes deemed to be in the best interest of the Employer.

8.03 Layoff

- A. Department Heads may lay off employees for lack of work, budgetary restrictions or other changes that have taken place.
- B. In determining who is to be laid off, consideration may be given to individual performance and the qualifications required for remaining jobs, and any other factors deemed relevant by the County.
- C. Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified.

8.04 Resignation

An employee is requested to provide a minimum two (2) weeks' notice of resignation.

- A. The official date of resignation will be the last full day the employee reports to work.
- B. Sick leave and vacation (if applicable) will cease at midnight on the date of resignation. Health insurance will cease the last day of the month of employee's last day of work. Holiday pay will not be paid after date of resignation.
- C. The employee will be paid for each day of accrued, unused vacation time and compensatory time.
- D. IMRF (retirement benefits) service credit will cease on the last full day employee reports to work. Monies accumulated in the employee's retirement account are refundable. Forms

required to request this refund are available from the County Clerk. Employees with eight years of service covered under IMRF are considered “fully vested” and may leave these funds in the plan in order to receive retirement benefits when eligible.

- E. The use of sick time will not be allowed in the last two calendar weeks of employment. Unused sick time will not be compensated in any way at the time of resignation.

8.05 Return of Equipment

Upon separation of employment, employees must return all Employer Property, including uniforms, equipment, keys, identification, etc.

8.06 Death

Upon the death of an employee, all compensation due shall be paid to the surviving spouse or the estate of the employee.

SECTION 9 -COMPLAINT PROCEDURES

It is the policy of Perry County that employees should have an opportunity to present their work-related complaints and to appeal management decisions through a dispute resolution procedure. The County will attempt to resolve promptly all grievances that are appropriate for handling under this policy.

An employee who is dissatisfied with any interpretation or application of a work-related policy by an elected official, or department head or other employees may file a grievance. Examples of matters which may be grieved under this policy include:

- (1) A belief that County policies, practices, rules, regulations, or procedures have been applied unfairly;
- (2) Complaints of coercion, reprisal or intimidation;
- (3) Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.

Employees must notify the appropriate elected official or department head within three (3) working days of any grievance under this policy. The grievance procedure is the exclusive remedy for employees with appropriate grievances.

Retaliation against any employee who has filed a grievance under this policy is strictly prohibited.

The grievance procedure has a maximum of two steps, but grievances may be resolved at any step in the process. Grievances are to be fully processed unless the employee withdraws his/her grievance, does not file a timely appeal, or exhausts the right of appeal. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and there is no further right of appeal.

Grievances pursuant to this policy should be filed and handled as follows:

Step One – The employee shall submit a written grievance to the attention of the appropriate elected department head within five (5) days of the action/conduct being grieved. If the grievance involves the elected department head, the employee should proceed directly to step two. The elected department head is to investigate the grievance, attempt to resolve it, and communicate a decision in writing to the employee within ten (10) business days of the receipt of the grievance. The elected department head should prepare a written and dated proposed resolution for file purposes.

Step Two – An employee may appeal an unsatisfactory decision by the elected official or department head to the County Board. An appeal to the County Board must be made in writing to the County Board Chairman within five (5) business days of receipt of the decision from the elected official or department head. The Board shall grant the employee a hearing at the first available Board meeting to discuss the grievance. The Board will take the necessary steps to review and investigate the grievance and will then issue a written, final and binding decision within thirty (30) calendar days of the hearing. The Board recognizes the right of an Elected Official to control the operations of his/her office including staffing and personnel decisions.

Final decisions on grievances will not be precedent-setting or binding on future grievances unless they are officially stated as County policy. When appropriate, the decisions may be retroactive to the date of the employee's original grievance.

Information concerning an employee grievance is to be held in strict confidence to the extent permitted by law. To the extent permitted by law, elected officials, department heads and the County Board who investigate a grievance are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information.

Time spent by employees in grievance discussions with elected officials or department heads or the County Board during their normal working hours will be considered hours worked for pay purposes.

SECTION 10 – CONFLICT REPEAL

Any and all policies, procedures or regulations previously adopted by the County or any of its agencies, offices or departments which are inconsistent with the provisions of this Handbook shall be hereby repealed to the extent they are inconsistent with the provisions of this Handbook. In the event of conflict with the provisions of this Handbook and any policy, procedure, rule or regulation previously adopted by this County or any agency, office or department thereof, the provisions of this Handbook shall prevail.

SECTION 11 – EMPLOYEE WORK-RELATED INJURY MEDICAL PROGRAM

I. POLICY STATEMENT:

This policy exists to ensure a safe working environment in the event an employee must work with restrictions administered by a physician. This policy is only applicable for an employee who has sustained a work-related injury. The goal of this program is to rehabilitate the injured worker through modified duties and to return the injured worker to gainful employment.

11.01 Medical Provider Documents:

When seeking medical treatment, Perry County will provide the employee with a packet of information to present to the Occupational Health Provider, including:

- Any necessary medical and/or authorization forms
- A cover letter to convey our ability to return injured workers to their jobs with modified duty until the employee can be released to full duty.
- A copy of the employee's job description.
- The Modified Duty Work Restriction form.

If Modified Duty has been indicated by the Medical Provider, the employee will return the completed Modified Duty Work Restriction form to the employee's supervisor

11.02 Modified Duty:

If it is determined by the Medical Provider that, as the result of a work-related injury or illness, an employee is not able to perform his/her normal duties, but is able to perform other meaningful tasks, the supervisor will assess their ability to provide an appropriate modified-duty assignment to the employee. The following procedure will be used in the identification of suitable modified duty and the assignment of the employee to the same.

Perry County has identified various tasks within its operations which may be utilized for modified duty purposes. Upon return of the Modified-Duty Work Restriction Form by the employee, the supervisor will determine if modified duty within physician restrictions is available.

11.03 Modified-Duty Job Description:

Once a Modified Duty position has been located, the supervisor will meet with the employee to discuss the specific duties, restrictions and appropriate monitoring for the employee's safety in the form of a Modified-Duty Job Description.

The work restrictions will be followed with strict adherence with no exceptions. Failure to adhere to the restrictions will result in disciplinary action set forth by this policy.

- 1 The first violation will result in a verbal warning with a discussion of why the restrictions were not followed. Corrective action plans will be immediately implemented.
- 2 The second violation will result in a dialogue between the supervisor and the employee. The supervisor will document the discussion, sign and date it for inclusion in the employee's personnel file. This is a formal written warning.

- 3 The third incident will result in an employee suspension, without pay, and notification of the attending physician regarding failure to adhere to the physician's restrictions.

Refusal to perform a modified duty assignment may result in termination of worker's compensation benefits.

11.04 Follow-up Appointments

Employees seeking treatment during work hours must use Paid Time Off for this purpose.

11.05 WORKERS' COMPENSATION MODIFIED DUTY POLICY

I. PURPOSE:

The purpose of establishing a modified-duty policy is to provide temporary duty for employees who have sustained a work-related injury or illness and cannot be assigned to regular duty, but maintain the ability to perform another form of productive duty. The duties to be performed by the employee on modified duty status will always be medically approved, bonafide, productive work. Modified duty pursuant to this policy will be limited in duration and is intended for employees who are expected to return to full duty in the near future, generally no longer than three months, with an option to extend the status upon review.

11.06 Eligibility:

Eligible candidates for modified duty must be currently employed by Perry County and be temporarily disabled due to a work related injury or illness. Temporary disability is defined as the lack of ability to perform all aspects of the essential functions of the employee's regular position for a period of time.

The employee will keep in regular contact with the supervisor in regard to his/her medical condition and the projected commencement date for the modified-duty assignment. Employees must accept modified-duty assignments which meet their limitations/restrictions, as specified by their treating physician. An employee's failure to report for his/her regular work in a timely manner, once released to do so by their treating physician, may result in disciplinary action up to and including immediate termination. An employee's refusal or failure to fully cooperate with and/or to participate in modified duty may place their workers' compensation benefits in jeopardy.

Employees who are restricted from regular duty due to a work-related injury or illnesses at the time of the approval of this policy are eligible for modified duty.

11.07 Physician's Role

An eligible employee must be released to return to modified duty by his/her treating physician. The eligible employee must bring a letter to the supervisor from his/her treating physician that details the following:

1. The length of time that the employee is expected to remain on modified duty.

2. The exact nature of the work (including duties and limitations/restrictions that the employee can and cannot perform.
3. The date of the next scheduled re-examination to determine any change in the employee's physical status.
4. A medical opinion as to whether the employee's current disability is permanent or temporary in nature.

The employee must provide the above-mentioned information in writing, prior to modified-duty assignment and after each medical re-examination, while on modified duty.

Modified duty may not exceed one (1) month without an evaluation. If, at the end of one (1) month, the employee is still unable to return to regular duty, Perry County will consider a job change for the employee, or a one (1) month extension of the modified-duty assignment. If, at the end of three (3) months, the employee has not been placed in another position and is unable to return to his/her original position, the employee and his/her position will be evaluated further. Each situation will be decided on its own merits.

Modified duty is not a guarantee of permanent, continued employment. If the employee has attained maximum medical improvement or is unable to return to his/her regular duties within one (1) year of their disability, no further reasonable accommodations can be made to allow the employee to perform the essential functions of his/her position and no other position is available for which the employee is qualified, the employer may terminate the person's employment. Termination of employment does not preclude provisions of workers' compensation benefits as provided by state statutes.

11.08 Types of Duty/Work:

Projects or tasks assigned to an eligible employee for modified duty must be legitimate, ongoing and productive work, which does not consist of "manufactured" or "busy" work. Any modified duties shall not be construed as creating a new or permanent position. An eligible employee who is released by his/her treating physician to modified duty shall be directed by his/her immediate supervisor as to their job duties and responsibilities under this modified duty policy. These modified duties must be within any and all limitations/restrictions enumerated by the employee's treating physician.

Modified duty can involve, but is not limited to, work assignments to areas other than the eligible employee's regular duty station or department. The eligible employee may be assigned to an entirely different division within the department or another department. Coordination of placement of eligible employees into modified duty will be completed by the supervisor.

If no modified duties are available, or should any modified duties become unavailable in the future, the eligible employee will be so informed and may be returned to disability leave status, as outlined under Illinois Workers' Compensation.

Availability, assignment and continuation of modified duty will always be at the discretion of the employer, in accordance with the guidelines set forth in this policy.

11.09 Scheduling:

Eligible employees assigned to modified duty will be scheduled by the supervisor. Modified-duty schedule may vary from the employee's regular work schedule or hours. Modified duty may consist of less than a 40 –hour work week.

Eligible employees assigned to modified duty will attempt to schedule their medical treatment and/or care for off-duty times. Employees are not permitted to leave their modified-duty assignment to attend medical appointment(s) without prior approval from the Supervisor.

11.10 Administrative Review:

An employee assigned to modified duty will be subject to an Administrative Review at the end of every 30 calendar days. Included in this meeting will be the employee, supervisor and Union representative. This review will consist of an evaluation of the employee's physical status to determine the employee's ability to perform the modified duty and the availability of legitimate work. If it is determined that the modified-duty assignment is not meeting the limitations/restrictions detailed by the employee's treating physician, the modified-duty assignment will be terminated and the employee returned to workers' compensation disability status.

11.11 Criteria for Modified Duty Assignments:

Below are requirements for the treating physician to follow when determining the return to work on modified duty status of the employee.

1. Sedentary Work:

Lifting 10 pounds maximum and occasionally lifting and/or carrying such articles as documents, books, ledgers and small tools. Although a sedentary job as defined as one that involves sitting, a certain amount of walking and standing is necessary in carrying out job duties. Employee must be able to stand, walk and/or move him/herself, using physical supports such as canes, crutches, walkers or wheelchairs.

2. Light work:

Lifting 20 pounds maximum, with frequent lifting and/or carrying of objects up to 10 pounds.

3. Medium Work:

Lifting 50 pounds maximum, with frequent lifting and/or carrying of objects weighing up to 25 pounds.

4. Heavy Work:

Lifting 75 pounds maximum, with frequent lifting and/or carrying of objects weighing up to 50 pounds.

5. Very Heavy Work:

Lifting objects in excess of 75 pounds, with frequent lifting and/or carrying of objects weighing 50 pounds or more.

11.12 Procedures for Implementation of Workers' Compensation Modified-Duty program

1. During new hire orientation, new employees will be informed of the Modified-Duty Policy and its procedures.

2. Each Department is to make the Workers' Compensation Modified-Duty Policy available for employees to review.
3. At the initial visit and any subsequent visits to the treating physician, the injured employee shall get modified-duty limitations/restrictions or an off-work slip. The employee's off-work slip must be kept current. If it is not, the employee will be expected to return to full duty on their next assigned duty/work shift/day.
4. After the treating physician has completed modified-duty limitations/restrictions, the employee is to return the documentation to the supervisor immediately.
5. The department then assigns the employee a modified-duty assignment, in accordance with the treating physician's limitations. The employee remains on modified-duty status until his/her treating physician authorizes the employee to return to full duty or until the one (1) month evaluation.
6. The Department shall coordinate with the Medical Provider to review medical limitations/restrictions of the employee, monitor on-going medical status and any work adjustments which are necessary.
7. The original release of the employee to full-duty status by the treating physician should be forwarded to the supervisor to be placed in the employee's workers' compensation file.

SECTION 12 – FRAUD/WHISTLEBLOWER POLICY

I. Policy Statement

The County Board is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud includes, but is not limited to, knowingly misrepresenting the truth or concealment of a material fact in order to benefit personally, or to create a benefit for a family member/friend, or to induce another to act to his or her detriment. Each Department Head will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity and any suspected fraud should be immediately reported to the County Board Chair or the State's Attorney for investigation.

II. Purpose/Scope of Policy

The purpose of this policy is to establish certain principles and expectations for the County in order to prevent fraud, to investigate fraud and to provide consequences for engaging in any manner of fraud and to heighten awareness of possible fraud. The County will not tolerate fraud or the concealment of fraud. This policy is intended to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

This policy applies to any irregularity, suspected or observed, involving any employee of the County, vendors, contractors, volunteers, outside agencies doing business with the County and any other persons or parties in a position to commit fraud on the County. Any investigation required shall be conducted without regard to the suspected wrongdoer's length of service, position/title or relationship with the County.

12.01 – Actions Constituting Fraud

Actions constituting fraud include, but are not limited to, the following:

- a) Falsifying or unauthorized altering of County documents, including, but not limited to: claims for payments or reimbursements (including but not limited to submitting false claims for travel or overtime), files (both physical and electronic forms), photographic or audio records, or accounts belonging to the County; checks, bank drafts or any other County financial document; maintenance records; fire, health and safety reports.
- b) Accepting or offering a bribe, gifts or other favors under circumstances that indicate that the gift or favor was intended to influence an employee's decision making.
- c) Disclosing to other persons the purchasing/bidding activities engaged in, or contemplated by the County in order to give any entity, person or business an unfair advantage in the bid process.
- d) Causing the County to pay excessive prices or fees where justification is not documented.
- e) Unauthorized destruction, theft, tampering or removal of County records, furniture, fixtures or equipment.
- f) Using the County's equipment or work time for any outside private business activity or enterprise.
- g) Any dishonest or fraudulent act.
- h) Impropriety in the handling or reporting of money or financial transactions.

12.02 – Investigation Responsibilities

The County Board Chairman, in consultation with the State's Attorney, has the primary responsibility for overseeing the investigation of all suspected fraudulent acts as defined in this policy. If the investigation substantiates that fraudulent activities have occurred, the County Board Chairman will issue reports to the appropriate designated personnel and, if appropriate, to the full County Board.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in consultation with the State's Attorney and the County Board, as will final decisions on the disposition of the case. When an investigation is conducted concerning complaints or charges against an employee, the employee shall be accorded ethical treatment, due process of law, and shall be offered fair and impartial consideration. All County employees shall cooperate fully with appropriate authorities who are conducting investigations into employee conduct.

12.03 – Confidentiality

The County Board shall treat all information received confidentially, to the extent permitted by law. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know and as may be required by law.

12.04 – Authorization for Investigating Suspected Fraud

The County Board Chairman, in consultation with the State's Attorney, will investigate suspected fraud and in conjunction therewith will have access to County records (paper or

electronic), premises (whether owned or rented), files, desks, cabinets, storage facilities, and may conduct interviews of suspected parties or witnesses.

12.05 – Reporting Procedures

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way until the appropriate time.

An employee who discovers or suspects fraudulent activity will contact the County Board Chairman immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the State’s Attorney. No information concerning the status of an investigation will be given out. The proper response to any inquiries is “I am not a liberty to discuss this matter.” Under no circumstances should any reference be made to “the allegation,” “the crime,” “the forgery,” “the misappropriation,” or any other specific reference.

The reporting individual should be instructed not to contact the suspected individual in an effort to determine facts or demand restitution, or discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the State’s Attorney or the County Board Chairman.

12.06 – Protection of Reporting Person

No County employee shall be dismissed, disciplined, or suffer an adverse personnel action for disclosing information pursuant to the provisions of this policy. Neither the County nor the elected or appointed official shall take any adverse action that affects the rights or interests of a person in retaliation for the person’s disclosure of information under this policy. The provisions and protections of this policy shall not be applicable when an employee discloses information which the employee either knows, or reasonably should know, is false information.

12.07 – Disciplinary Action

If an investigation results in a recommendation of discipline consistent with this Policy Handbook, the applicable discipline decision shall be made by the appropriate Department Head or the County Board, all taken in consultation with the State’s Attorney, or outside counsel, if necessary.

EMPLOYEE ACKNOWLEDGMENT

I, _____, hereby acknowledge receipt of my Employee Handbook. I understand that the Handbook has been developed for the general guidance of Perry County (hereafter known as Employer) employees and that it is my responsibility to read and understand the information contained in the Handbook. I have been informed that my Department Head is available to answer any questions I may have concerning the Handbook. Furthermore, I understand that neither the Handbook nor any of its individual terms is a contract, and that the policies, benefits and rules described in the Handbook can be unilaterally changed or discontinued by the Employer at any time without prior notice. I recognize that I am an employee at will and may resign at any time or be discharged at any time for any reason with or without cause.

I acknowledge that because the information, policies and benefits described here are necessarily subject to change, that revisions to the Handbook may occur, except to the Employer's policy of employment-at-will. As new policies are enacted or current policies are revised, I acknowledge that I may receive additional policies or revised information to include in my Handbook that may supersede, modify or eliminate existing policies to include in my Handbook. I will update my Handbook as new pages are issued to ensure that my copy will remain an accurate resource on the Employer's policies. Only the Employer has the ability to adopt any revisions to the policies in the Handbook.

I understand that the Employee Handbook, although assigned to me, is considered property of the Employer and I will be expected to return it upon separation from the Employer.

I, _____, acknowledge that I have been given an Employee Handbook issued ____/____/____. I certify that I have read the Handbook and understand the policies contained in it.

Date

Signature of Employee