

## **Employee Personnel Code 60-1**

### **Article 60-1-1**

#### **Introduction and Administration**

60-1-1.1

#### **STATEMENT OF POLICY.**

The Carroll County board recognizes that a personnel system which recruits and retains competent dependable County personnel is indispensable to an efficient County government. To achieve this goal the County Board Chairman will designate a Services Committee that will oversee personnel issues. The Committee shall serve by participating in or performing the following activities:

Classifying positions in County service;

Developing systems to compensate employees equitably for their services;

Assisting in the recruitment of persons for County Services;

Providing for employee welfare;

Providing for employee training and development;

Providing advice and assistance to employees on personnel matters, to include assistance in filing of health benefit claims;

Providing for resolution of employee grievances;

A. For the purpose of this document, A Policy is the statement of a County goal. A Procedure is a specific step for reaching that County goal and can include the use of special forms. The policies and procedures will be updated and changed as required. The document is designed to:

1. Provide a basis for and define the objectives of the personnel program.
2. Assign responsibility for carrying out the principles and practices of the personnel program.
3. Provide recognized authority, consistent with applicable laws and County ordinances, when action is to be taken and to minimize the possibility of unauthorized personnel action.

#### **60-1-1.1-1 ADDITIONS TO THE POLICIES AND PROCEDURES**

Internal day to day policies may be necessary within individual departments for efficient and effective operations

Departments desiring to establish departmental policies are requested to reduce them to written format and submit them to the Services Committee. The Services Committee will indicate in writing to department heads whether or not such policies are within the guidelines of the established County policies. A copy of such internal policies shall be made available either by written delivery to the employee or by posting in a conspicuous location within the department.

#### **60-1-1.2-1.1 EQUAL EMPLOYMENT OPPORTUNITY**

As a matter of policy, Carroll County requires employment, training and promotions, and all personnel actions to be based on individual merit and individual capabilities without regard to race, religion, color, national origin, sexual orientation, sex or age. This policy requires full cooperation of all Carroll County employees. We choose to follow this policy on the basis of fairness to all individuals rather than on the basis of our legal requirement. Responsibility for correlation and implementation of the plan and related activities throughout the County has been assigned to the Services Committee.

Employees shall practice non-discrimination, pursuant to the laws summarized below:

1. Title VI of the Civil Rights Act of 1964, and its implementing regulations, requires all services provided directly by the department, or through contractual arrangement, be delivered without regard to race, color, religion, sex, disability or national origin.
2. Section 504 of the Rehabilitation Act of 1973, and its implementing regulations, requires all services provided directly by the department, or by contract, to be delivered as to not discriminate on the basis of disability in admissions, access, treatment, or employment.
3. The Age Discrimination Act of 1975, and its implementing regulations, requires all services provided directly by the county, or by contract, to be delivered as to not discriminate, on the basis of age, in the provision of services, unless age is a factor necessary to normal operations or an identified, population based public health objective.
4. Title II of the American with Disabilities Act of 1990. The county will not, on the basis of disability, exclude or deny a qualified individual, with a disability, from participation in, or benefits of, services it provides.

It is the policy of Carroll County not to discriminate or retaliate in any manner against any person because of such person's opposition to any practice declared unlawful under Title VII of the Civil Rights Act of 1964 or the Illinois Human Rights Act; or because of the filing of a charge, giving of testimony or assistance, or participating in any manner in any investigation, proceeding or hearing under Title VII of the Civil Rights Act of 1964 or the Illinois Human Rights Act.

Carroll County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Carroll County expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

## 60-1-1.2-2.1 **SEXUAL HARASSMENT**

The Carroll County is committed to providing a workplace that is free from all forms of discrimination, including sexual harassment. Any employee's behavior that fits the definition of sexual harassment is a form of misconduct which may result in disciplinary action up to and including dismissal. Sexual harassment could also subject this Carroll County and, in some cases, an individual to substantial civil penalties.

The Carroll County's policy on sexual harassment is part of its overall affirmative action efforts pursuant to federal and state laws prohibiting discrimination based on age, race, color, religion, national origin, citizenship status, unfavorable discharge from the military, marital status, disability and gender. Specifically, sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964 and the Illinois Human Rights Act.

Each employee of this Carroll County must refrain from sexual harassment in the workplace. No employee - male or female - should be subjected to unsolicited or unwelcome sexual overtures or conduct in the workplace. Furthermore, it is the responsibility of all supervisors and managers to make sure that the work environment is free from sexual harassment. All forms of discrimination and conduct which can be considered harassing, coercive or disruptive, or which create a hostile or offensive environment must be eliminated. Instances of sexual harassment must be investigated in a prompt and effective manner.

All employees of this Carroll County, particularly those in a supervisory or management capacity, are expected to become familiar with the contents of this policy and to abide by the requirements it establishes.

### **Definitions.**

- A. "Employee" means a person employed by the Carroll County, whether on a fulltime or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.
  - B. "Employer" means the Carroll County.
  - C. "Officer" means a person who holds, by election or appointment, an office in Carroll County, regardless of whether the officer is compensated for service in his or her official capacity.
  - D. "Sexual Harassment" means any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when:
    - 1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
    - 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
    - 3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991.
- E. "Working environment" is not limited to a physical location an employee is assigned to perform his or her duties.

#### 60-1-1.2-2.2 Prohibition on Sexual Harassment.

- A. Each Employee and officer of Employer has the responsibility to refrain from sexual harassment in the workplace and is prohibited from engaging in conduct that constitutes sexual harassment.
- B. Conduct which may constitute sexual harassment includes:
  - 1. Verbal: sexual innuendos, suggestive comments, insults, humor, and *jokes* about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
  - 2. Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking" or "kissing" noises.
  - 3. Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
  - 4. Physical: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
  - 5. Textual/Electronic: "sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).
- C. The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is subtler and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a "reasonable person."

While the most commonly recognized forms of sexual harassment involve the types of conduct described above, non-sexual conduct can also constitute a violation of the applicable laws when that conduct is directed at the victim because of his or her gender (for example, a female employee who reports to work every day and finds her tools stolen, her work station filled with trash and her equipment disabled by her male co-workers because they resent having to work with a woman).

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a "reasonable person."

For this reason, every manager, supervisor and employee must remember that seemingly "harmless" and subtle actions may lead to sexual harassment complaints. The use of terms such as "honey", "darling" and "sweetheart" is objectionable to many women who believe that these terms undermine their authority and their ability to deal with men on an equal and professional level. And while use of these terms by an individual with authority over a female employee will rarely constitute an adverse employment action, it may lead to the creation of a hostile work environment.

Another example is the use of a compliment that could potentially be interpreted as sexual in nature. Below are three statements that might be made about the appearance of a woman in the workplace:

"That's an attractive dress you have on."

"That's an attractive dress. It really looks good on you."

"That's an attractive dress. You really fill it out well."

The first statement appears to be simply a compliment. The last is the most likely to be perceived as sexual harassment, depending on individual perceptions and values. To avoid the possibility of offending an employee, it is best to follow a course of conduct above reproach or to err on the side of caution.

Sexual harassment is unacceptable misconduct, which affects both genders. Sexual harassment will often involve a man's conduct directed at a woman. However, it can also involve a woman harassing a man or harassment between members of the same gender.

## RESPONSIBILITY OF INDIVIDUAL EMPLOYEES

Each individual employee has the responsibility to refrain from sexual harassment in the workplace.

An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct.

The harassing employee will be subject to disciplinary action up to and including discharge in accordance with company policy or any applicable collective bargaining agreement, as appropriate.

## RESPONSIBILITY OF SUPERVISORY PERSONNEL

Each supervisor is responsible for maintaining the workplace free of sexual harassment. This is accomplished by promoting a professional environment and by dealing with sexual harassment as with all other forms of employee misconduct. It must be remembered that supervisors are the first line of defense against sexual harassment. By setting the right example, a supervisor may discourage his or her employees from acting inappropriately. In addition, supervisors will often be the first to spot objectionable conduct or the first to receive a complaint about conduct which he or she did not observe.

The courts and the Illinois Human Rights Commission have found that organizations as well as supervisors can be held liable for damages related to sexual harassment by a manager, supervisor, employee, or third party (an individual who is not an employee but does business with an organization, such as a contractor, customer, sales representative, or repair person).

Liability is either based on an organization's responsibility to maintain a certain level of order and discipline among employees, or on the supervisor, acting as an agent of the organization. It should be noted that recent United States Supreme Court cases involving sexual harassment claims against supervisors have made the employer's liability for supervisors' actions even stricter. Therefore, supervisors must understand

that their adherence to this policy is vitally important; both with regard to their responsibility to maintain a work environment free of harassment and, even more importantly, with regard to their own individual conduct. The law continues to require employers to remain vigilant and effectively remedy sexually harassing conduct perpetrated by individual(s) on their coworkers. Supervisors must act quickly and responsibly not only to minimize their own liability but also that of the company.

Specifically, a supervisor must address an observed incident of sexual harassment or a complaint, with equal seriousness, report it, take prompt action to investigate it, implement appropriate disciplinary action, take all necessary steps to eliminate the harassment and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint.

Also, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

Furthermore, managers/supervisors should remind employees, on a regular basis, that their incoming and outgoing electronic messages on employer owned/issued equipment are subject to monitoring and that employees have no expectation of privacy on employer owned/issued electronic equipment. Inform employees that if they are subjected to inappropriate electronic communications while at work or on employer- owned equipment, or even on their personal cell phones and computers, that they should contact their supervisor or Human Resources immediately. Advise managers, supervisors, and employees not to "friend" each other on social networks and to limit their electronic messages to relevant business matters. Investigate complaints on a case-by case basis and remind employees of the company's code of conduct and ethics rules if applicable.

#### **60-1-1.2-2.3 Reporting an Allegation of Sexual Harassment**

- A. An employee who either observes or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending employee and her/his supervisor, or to the County Administrator.
- B. It is not necessary for sexual harassment to be directed at the person making a complaint.
- C. During the occurrence of an incident of sexual harassment or following reporting, the Employer may document or record each incident. (what was said or done, the date, the time, and the place). Additionally, the Employer may collect and/or compile related written records such as letters, notes, memos, electronic messages, and telephone messages.
- D. All charges, including anonymous complaints, will be accepted and investigated regardless of how the matter comes to the attention of the Employer. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.
- E. Proper methods of reporting conduct believed to be sexual harassment include the following:

1. Electronic/Direct Communication. If there is sexual harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
2. Contact with Supervisory Personnel. At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor or the County Administrator. If the harasser is the immediate supervisor; the problem should be reported to the next level of supervision or the County Administrator.
3. Formal Written Complaint. An employee may also report incidents of sexual harassment directly to the County Administrator. The County Administrator will counsel the reporting employee and be available to assist with filing a formal complaint. The Employer will fully investigate the complaint and advise the complainant and the alleged harasser of the results of the investigation.
4. Resolution Outside Employer. The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint with those entities. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days. In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint. Where the employing entity has an effective sexual harassment policy in place and the complaining employee fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an employee may, in certain cases, lose the right to further pursue the claim against the employer.

#### ADMINISTRATIVE CONTACTS

Illinois Department of Human Rights (IDHR)  
Chicago: 312-814-6200 or 800-662-3942  
Chicago TTY: 866-740-3953  
Springfield: 217-785-5100  
Springfield TTY: 866-740-3953  
Marion: 618-993-7463  
Marion TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)  
Chicago: 312-814-6269  
Chicago TTY: 312-814-4760  
Springfield: 217-785-4350  
Springfield TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)  
Chicago: 800-669-4000

- F. All reports shall be received and handled as confidential to the extent permitted by law and subject to any disclosure requirements pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*).
- G. The employee experiencing what he or she believes to be sexual harassment must not assume that the Employer is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the Employer will not be presumed to have knowledge of the harassment.

#### **60-1-1.2-2.4 Prohibition Against Retaliation for Reporting Sexual Harassment**

- A. An Employee shall not be retaliated against by the Employer or the Employees or Officers of the Employer due to the Employee's:
  - 1. Disclosure or threatened disclosure of any violation of this policy,
  - 2. The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy, or
  - 3. Assistance or participation in a proceeding to enforce the provisions of this policy.
- B. No individual making a report will be retaliated against even if a report made in good faith is not substantiated.
- C. The Employer will take reasonable steps to protect from retaliation any Employee or Officer who is a witness.
- D. Supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.
- E. Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:
  - 1. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, State agency, or other State employee that the State employee reasonably believes is in violation of a law, rule, or regulation,
  - 2. Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, State agency or other State employee, or
  - 3. Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.
- F. Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. (740 ILCS 174/15(b)).
- G. According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes

to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

- H. An employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge - due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.

#### **60-1-1.2-2.5 Consequences**

- A. In addition to any and all other discipline that may be applicable pursuant to the Employer's policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreement, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable discipline or discharge by the Employer and any applicable fines and penalties established pursuant to local ordinance, State law or Federal law. Each violation may constitute a separate offense. Any discipline imposed by the Employer shall be separate and distinct from any penalty imposed by any ethics commission and any fines or penalties imposed by a court of law or a State or Federal agency.
- B. False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. A false and frivolous charge is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable COUNTY policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.
- C. Any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State's Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.

#### **60-1-1.2-2 PREGNANCY RIGHTS**

It is illegal for your employer to fire you, refuse to hire you or to refuse to provide you with a reasonable accommodation because of your pregnancy. For more information regarding your rights, download the Illinois Department of Human Rights' fact sheet from our website at [www.illinois.gov/dhr](http://www.illinois.gov/dhr).

If you are pregnant, recovering from childbirth, or have a condition related to pregnancy, you have the right to ask for a reasonable accommodation. This includes bathroom breaks, assistance with heavy lifting, a private space for expressing milk, or time off to recover from your pregnancy.

### 60-1-1.3 SCOPE OF COVERAGE AND GENERAL PROVISIONS

The Carroll County Board recognizes the appointing authority vested by various statutes, in the elected officers of the County. Nothing in these policies should be construed as avoidance of that authority; however, the appointment should be made from a field of candidates developed under the guidelines of these policies and procedures.

#### 60-1-1.3-1 SPECIFIC SCOPE OF COVERAGE

The following are expressly exempt from coverage:

All individuals elected, and appointed officers of the County.

All advisory boards, commissions and committees appointed by the Carroll County Board.

All consultants, advisors and counsel rendering temporary professional services.

Independent contractors.

Personnel covered under the jurisdiction of a Collective Bargaining Agreement.

Probation Department personnel under the jurisdiction of the Chief Circuit Judge.

All County employment positions not expressly exempt from coverage by these policies and procedures shall be subject to their provisions. Upon adoption by the County Board, these policies will become effective on the day and date adopted, and will in no way affect any sick leave, accrued vacation, or longevity time any employee has already accrued. The purpose of these provisions is to acquaint employees of all County departments with office policy and procedures so as to help them understand the provisions that have been made in their interests and which will, at the same time, enable them to maintain both quality and productivity in their work performance.

#### 60-1-1.3-2 CATEGORIES OF EMPLOYEES

The purpose of this section is to standardize terminology and insure common understanding in reference to employees.

A. County employees fall into the following classifications:

1. **EMPLOYEE.** All persons who received wages or salaries from the County. Elected and appointed officials whose positions are exempt are considered employees for purposes of benefit administration.
2. **PROBATIONARY EMPLOYEES.** Those employees who are hired after adoption of these policies and are serving a six month probationary period. During this period, the employee has an opportunity to demonstrate proper attitude and abilities for the position for which employed. The employee may be dismissed or terminated from employment with proper notice without

obligation during this period. Employees on probation are not eligible for any paid leave during this period; however, after the probationary period is over, benefit leave which has been accruing since beginning employment is eligible for use.

3. **FULL-TIME EMPLOYEES.** Those employees who work for the customary number of hours weekly and 52 weeks a year for their department. All employees in this category are eligible for all employee benefits including I.M.R.F.; group insurance for employee only, paid vacation/paid leave, paid sick leave, paid holidays, and entitled to worker's compensation and unemployment insurance.
4. **PART-TIME EMPLOYEES.** Those employees who work less than the customary number of full-time hours weekly or less than 52 weeks a year for their department, but more than 1,000 hours annually. Employees in this category will be eligible for the following employee benefit programs: I.M.R.F., worker's compensation, and pro rata vacation/paid leave and sick leave. Employees will accumulate sick leave and vacation time in accordance with Article 60-1-4. Effective with the passage of these policies, employees in the category may participate in the Carroll County Hospital and Medical Insurance Program Plan by paying 100% of the premium and providing proof of insurability.
5. **EXCEPTION.** Employees in this category on the effective date of these policies, and who have been fully insured under any or all previous insurance policies, may participate in the Carroll County Hospital and Medical Insurance Plan by paying 100% of the premium and without providing proof of insurability.
6. **OCCASIONAL OR SEASONAL EMPLOYEES.** Those employees who work full-time, but whose service is of limited duration, such as during the summer months only, or less than the customary number of full-time hours weekly in their department. Employees in this category are not eligible for any employee benefits except worker's compensation and paid leave in accordance with Article 60-1-4. Employees in this category shall not work more than 1,000 hours in each anniversary year.
7. **ELECTED OFFICIALS.**
8. **APPOINTED OFFICIALS.**

#### **60-1-1.3-3HOURS OF WORK- BREAK PERIODS.**

The County office hours with the exception of the Sheriff's Office and County Highway Maintenance Garage, will be from 8:30 AM to 4:30 PM, with each employee being allowed one unpaid hour for lunch. The work week is Monday through Friday. Readjustments and special schedules will be worked out under special circumstances and shall be consistent with a basic work week and any existing statutory regulations. A fifteen minute break may be taken each morning and afternoon, however, the

employee may not leave the work *facility* during such periods of rest and can be called back to work at anytime. Each person involved in this break is responsible for clean-up and neatness of the area.

A. Irregular work schedules are acceptable in appropriate situations.

#### 60-1-1.3-4 **DISSEMINATION OF THE RULES.**

Department heads shall be provided with complete copies of all policies and procedures and changes thereto by the Services Committee and shall be responsible for maintaining a complete and current set, and for bringing these policies and procedures to the attention of all employees in their departments. A handbook summarizing these policies and procedures shall be disseminated to all employees upon publication and to all new employees on hire.

### **ARTICLE 60-1 2**

#### **SELECTION AND APPOINTMENT**

##### 60-1-2.1 **MERIT PRINCIPLES.**

It is the policy of Carroll County to hire the best qualified employees available for all jobs. It is also the policy to encourage a career service within the County by promoting present employees whenever possible to fill vacancies. Appointments and promotions to positions in the County shall be based on merit and fitness.

- A. No part of an application shall include questions designed to reveal political or religious affiliation, belief, national origin, sexual orientation or race of any candidate.
- B. Applications may include one or more of the following components: written test, performance test, oral test, physical test, training evaluation, experience evaluation, and evaluation for promotion.

##### 60-1-2.1-1 **METHODS OF FILLING VACANCIES.**

Department heads are responsible for the final selection and filling of authorized positions within the departments. In order to provide control and to insure that our objective in Equal Employment Opportunity and all personnel system goals are met, applicants hired for employment with Carroll County must meet the minimum qualifications established in the approved job description and pass a required background check. The Sheriff's Department will be responsible for any applicable background checks.

##### 60-1-2.1-2 **HIRING OF RELATIVES.**

Elected department officials and appointed department officials are requested not to hire an applicant for part-time or full-time employment whenever said department head or an intermediate supervisor is related by consanguinity to said applicant. Such

relationship shall include, but not be limited to, husband, wife, parent, brother, sister, child, stepchild, son-in-law, daughter-in-law, mother-in-law and father-in-law. This employment policy shall not be retroactive to any full-time employee currently on the Carroll County payroll at the time of adoption of this resolution by the County Board.

**60-1-2.1-3 RECRUITMENT OF NEW EMPLOYEES.**

- A. All vacancies and new positions shall be filled on the basis of qualification and without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, physical or mental handicap unrelated to ability, or unfavorable (except dishonorable) discharge from military service.
- B. All employees making decisions concerning recruitment shall be instructed that equal opportunity is to be afforded to all employees and applicants.
- C. First consideration for filling all vacancies shall be given to qualified employees of Carroll County.
- D. Notification of full and/or part-time employment opportunities may be placed with area public employment agencies, a County newspaper, minority and community organizations and, when appropriate, with state and national minority organizations and institutions of higher education to encourage the referral of qualified persons.
- E. All advertisement for employment shall state that Carroll County is an Equal Opportunity Employer.

**60-1-2.1-4 EMPLOYMENT PHYSICAL.**

All new employees shall be required to have a physical exam and drug test conducted prior to beginning of employment. The physical exam and drug testing expenses will be paid by Carroll County.

**60-1-2.1-5 SELECTION, PLACEMENT AND PROMOTION**

- A. All selections, placement and promotion decisions shall be made without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, political affiliation, marital status, physical, or mental handicap unrelated to ability, or unfavorable discharge (except dishonorable) from military service.
- B. All persons shall be considered and selected solely on the merit of their qualifications for the position for which they have applied.
- C. All employees making decisions concerning selections, placement and promotion shall be instructed that equal opportunity will be afforded to all persons.
- D. Any testing instrument which may be used in the selection, placement and promotion of an employee shall be fully job related, equitable and identical for all persons seeking the position.

- E. Applicants for positions which involve driving a motor vehicle shall have their driving history considered.

### **ARTICLE 60-1-3**

#### **ATTENDANCE AND LEAVE**

##### **60-1-3.1 HOURS OF WORK.**

Are stated in Section 60-1-1.3-3.

##### **60-1-3.1-1 MEETINGS AND LECTURES**

Opportunity will be given to personnel to attend conferences and meetings which will assist in maintaining and improving their qualifications. Registration fees and other expenses in connection with the conference will be allowed. The most economical mode of transportation must be taken. All persons authorized to travel on County business outside of the County shall be reimbursed for meals, lodging and mileage, in accordance with the County travel policy. Authority to travel on County expenses to any meeting or conference must be obtained in advance from the County Board, or from the committee whose responsibility is that office, if outside the State.

##### **60-1-3.1-2 PERSONAL CARS USED FOR COUNTY BUSINESS- MILEAGE COMPENSATION**

- A. Personnel using personal cars for County business shall be compensated for such. The per mile rate is set by the County Board and will be modified as and when economic and other conditions indicate a need for revision. Personnel driving personal cars shall report all accidents incurred while on duty to the department head. All personal vehicles being driven for County business must be adequately covered by personal liability and property damage insurance within limits, as set by the State, by the owner. Evidence of insurance must be furnished to the States Attorney Committee. In the event of an accident while on County business, the deductible amount of the policy will be paid by the County if the driver is assessed this fee.

##### **60-1-3.1-3 TRAINING**

All training decisions shall be made without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, physical or mental handicap unrelated to ability, or unfavorable discharge (except for dishonorable) from military service. All employees shall be encouraged to increase their skills and job potential through participation in training and educational programs. Conference seminars and workshops shall be utilized to the maximum extent possible within budget and program restraints.

## **ARTICLE 60-1-4**

### **HOLIDAYS AND LEAVES OF ABSENCE**

#### **60-1-4.1 HOLIDAYS**

The Carroll County Board shall adopt annually the holiday schedule. A copy of the schedule shall be sent to each department head.

#### **60-1-4.2 VACATION/PAID LEAVE**

A specific number of hours and minutes will be earned each month as vacation/paid leave time by full time employees of Carroll County. It is the intended policy of Carroll County that all newly hired personnel by the County must have completed at least ninety (90) days of service before they can use accrued vacation time. Additionally, after the one year employment anniversary date of employment, employees can only carry over one (1) week or 35 hours of vacation/paid leave into the next anniversary year. All vacation/paid leave hours accrued in excess of 35 hours and not taken will be forfeited. After 90 days of service, earned vacation/paid leave may be taken in hourly increments. All vacation/paid leave time must have prior approval from the employee's supervisor.

Vacation/Paid Leave time will be earned at the following rates:

- A. Personnel with less than 6 years of continuous credited service will accrue 10 working days or 70 hours per year computed at the rate of 5.83 hours per month.
- B. Personnel with more 7 and less than 10 years of continuous credited service will accrue 13 working days or 91 hours per year computed at the rate of 7.58 hours per month.
- C. Personnel with more than 10 and less than 15 years of continuous credited service will accrue 15 working days or 105 hours per year computed at a rate of 8.75 hours per month.
- D. Personnel with more than 15 years of continuous credited service will accrue 20 working days or 140 hours per year computed at the rate of 11.66 hours per month.

All other employees, including part-time employees, will earn vacation/paid leave subject to the number of hours worked in accordance with and under the provisions of the Paid Leave for All Workers Act (820 ILCS 192).

Employees will not be allowed to use vacation hours they have not earned and, therefore, may not have a negative balance of vacation hours. If an employee leaves the employment of Carroll County, he/she will be paid for the hours of earned vacation.

All employees shall be paid their regular hourly rate of pay in effect for the payday immediately preceding the employee's vacation/paid leave.

It is the responsibility of each department head or their designee to keep permanent records of vacation time earned and taken so there will be no question as to the amount of accumulated time earned or taken.

#### 60-1-4.3 **SICK LEAVE**

Sick leave is graded at the rate of seven (7) hours or one sick day per month accumulative. In order for an employee to earn the 7 hours of sick leave per month, the employee must be present at work for at least 15 working days of that month. Department heads may require medical certification of illness signed by a physician.

The provision for sick leave is essentially a privilege and is not considered as earned leave. Evidence of abuse of this privilege may result in disciplinary action up to and including discharge.

All sick time must be approved by department heads and may be taken as follows:

- A. In hourly increments.
- B. For personal illness.
- C. For the illness of an immediate family member who requires the employee's personal care and attention.
- D. Enforced quarantine.
- E. Accumulated sick leave may be taken as a result of pregnancy and child birth or in the case of adoption. The normal amount of sick leave taken in such instances will be six weeks. However, this period of time may be extended on advice of the attending physician or with the approval of the department head .
- F. On-the-job injuries.
  - 1. Any employee who sustains injury on the job shall have the option to use his sick leave and/or vacation time, thereby extending his period of entitlement to full pay.
  - 2. Employees who sustain on the job injuries shall be entitled to benefits under the Workman's Compensation Act. In order to receive these benefits, injured employees shall report the injury without delay to their immediate supervisor, along with the director, and fill out an injury report.

3. The employee shall have the option to apply for disability compensation under the terms of the Illinois Municipal Retirement Fund if he is covered there or under any other pension fund where applicable.
4. While the employee is receiving full pay from the county, any payments for lost time that are an obligation of Workman's compensation or any other insurance carried by the county, including I.M.R.F. payments, shall be turned over to the County. Payments for lost time for injury that are made by the insurance company after the County ceases to pay any compensation to the employee shall go directly to the employee, as well as any settlement for partial or permanent disability.

#### 60-1-4.4 EXCUSED ABSENCES.

- A. **Family related absenteeism.** Other than time off per Section 60-1-4.3-C shall be chargeable to vacation/paid leave time earned. In every case, the department head should be notified prior to the absenteeism.
- B. **Jury Duty.** In the case of employees who have been called for jury service, the employee shall be paid full compensation for the period of jury service, provided the employee goes to the office and works during those office hours his services are not required in court. An employee MUST return the jury pay he receives, which is subsequently deposited in the General Fund.
- C. **Witness.** An employee subpoenaed to serve as witness is paid for time lost, but must return to work when service is not requested. The employee MUST return the fee, which is returned to the General Fund.
- D. **Weddings.** Not an excused absence, employee must use vacation/paid leave time.
- E. **Family and Medical Leave Act.** Carroll County will adhere to the Federal Family Leave Act.
- F. **Personal Leave of Absence.** A personal leave of absence may be granted in addition to the absence for disability. A personal leave is an UNPAID leave up to a maximum of two months.
- G. **Unpaid Absence.** Unpaid absences shall be allowed at the discretion of the department head.
- H. **Return to Work.** Any Employee should give the department head two weeks notice of their intention to return to work. They must have a statement from their physician that they are physically able to return to work. Upon return to work, they will return to their former position or one similar to it at their former rate of pay. Vacation, sick leave, and other rights will be reinstated upon return to work.

- I. **Termination.** Any employee will be terminated as a voluntary quit if they do not return to work when certified by their physician, unless other arrangements have been made. The termination date will be the last day the employee worked.
- J. **Funerals.** Time will be allowed for the attendance at a funeral of one's immediate family, which would include: mother, father, husband, wife, children, brother, sister, mother-in-law, father-in-law, and grandparents. The maximum allowance will be four working days. Extenuating circumstances concerning funerals may be considered by department head.

#### 60-1-4.4-1 **BENEFITS.**

An employee who is on approved unpaid leave of absence shall have the right to maintain insurance coverage by paying monthly in advance the full applicable monthly premium for employee coverage and if desired, for dependent coverage.

#### 60-1-4.5 **MILITARY LEAVE.**

- A **Eligibility.** A full-time, permanent employee who is a member of the National Guard or Federal Reserve.
- B. **Weekly Military Drill including National Guard.** Permission to be absent WITHOUT pay will be granted for necessary hours.
- C. **Annual Training Camps.** (Ready Reserve, National Guard, etc.) The County *will* grant a leave of absence for encampment. An employee attending an annual training encampment will receive supplemental pay for two weeks. The amount of supplemental pay will be the difference between the employee's regular pay (base rate) and the total military entitlements for the 14 day period. The employee may elect to schedule vacation days during this period. The employee will receive the supplemental pay in addition to payment for vacation. There shall be no supplemental pay for any other form or period of training.
- D. **Emergency Duty Call by the Governor for National Guard.** (floods, riots, strikes, and the like) An employee will be given a leave of absence. Full salary will be paid.

### **ARTICLE 60-1-5**

#### **MISCELLANEOUS BENEFITS AND ENTITLEMENTS**

##### 60-1-5.1 **GROUP HOSPITAL INSURANCE.**

- A Each employee who contributes to I.M.R.F. and works 30 hours per week is eligible to enroll in the Hospital and Medical Insurance Plan. Any employee who is ineligible for I.M.R.F. because of age is covered by the Hospital and Medical Insurance Plan. Any part time employee eligible under section 60-1-1.6 A(4) is eligible to enroll in the plan.
- B. Employees shall be eligible for the Hospital and Medical Insurance Plan on the first day of the month following completion of 30 days of full-time employment.

Each employee who is covered may include his family in the group plan by paying the additional premiums as a payroll deduction. The members of a family so covered do not have the life insurance coverage of the policy. All employees and family members, if covered, receive equal hospital and medical benefits.

#### **60-1-5.2      EMPLOYEE RETIREMENT PLAN.**

The County is a participating member of the Illinois Municipal Retirement Fund (I.M.R.F.).

##### **60-1-5.2-1      COVERAGE.**

A.      The I.M.R.F. covers the following employees:

1.      Employees who occupy a job normally requiring 1,000 hours or more per year.
2.      Employees who are paid on a regular payroll from County Funds.
3.      Employees who were under 60 when first entering employment.
4.      Employees who are not covered by another state-created retirement system for the same service.

B,      Employees not qualifying under "A" above are considered as "non-participating employees" and are covered under Social Security.

##### **60-1-5.2-2      CONTRIBUTIONS.**

Every employee working in a position which requires 1,000 hours or more per year is required by law to become a participating member of the I.M.R.F. Every such employee contributes as a payroll deduction a percentage of-his gross wage to the fund. This contribution covers both retirement and Social Security. The County is also required by law to contribute to the Retirement Fund and Social Security.

##### **60-1-5.2-3      METHOD OF CONTRIBUTION.**

Employee contributions to the I.M.R.F. shall be paid by the County Board on behalf of all of the employees enrolled in the fund. Payment shall be made by reducing the amount of gross earnings payable to the employees by the amount of the contributions and making payment of this amount directly to the Fund. Payment of the employee contributions provided shall be effective for all compensation paid by employees.

##### **60-1-5.2-4      BENEFITS.**

A pension is earned with eight or more years of service. A death benefit is earned with one or more years of service. All contributions made by the employee to the Fund (except Social Security contributions) are refundable to any employee who discontinues

employment with less than eight years of service. The Services Committee will attempt to answer any questions employees may have concerning the retirement program.

### 60-1-5.3 **SAFETY RESPONSIBILITIES.**

It is the intention of Carroll County to provide a safe and healthy working environment for all employees. In keeping with the policy, the following duties will be enforced:

#### 60-1-5.3-1 **Department Head/Supervisor/Foreman**

- A. Assume Full responsibility for safe and healthy working conditions for all employees.
- B. Insure that all management policies herein are fully implemented for maximum efficiency of each job.
- C. Take the initiative in recommending corrections of deficiencies noted in facilities and work procedures that affect County loss control efforts.
- D. Be firm in enforcement of work policies by being impartial in taking disciplinary action against those who fail to conform and by being prompt to give recognition to those who perform well.
- E. Insure that each employee is fully trained for the job assigned and that the employee is familiar with published work rules.

#### 60-1-5.3-2 **Employee**

Each Employee shall be fully responsible for implementing the provisions of the safety program as it pertains to operations. The responsibilities listed are - MINIMUM, and they shall, in no way, be construed to limit individual hazards.

- A. All unsafe conditions are to be reported to the immediate supervisor.
- B. Keep work areas clean and orderly at all times.
- C. Report all accidents immediately to the supervisor.
- D. Avoid engaging in any horseplay, and avoid distracting others.
- E. Learn to lift and handle material properly. Each employee working at a hazardous job shall in addition:
  - 1. Obey all safety rules and follow published work instructions. If any doubt exists about the safety of doing a job, stop and get instructions from the supervisor before continuing work.
  - 2. Only operate equipment that has been authorized by the supervisor.

3. Use only the prescribed equipment for the job and handle it properly.
4. Wear required protective equipment when working in hazardous operations area. Dress safely and sensibly.
5. Take an active part in the safety program.

## **ARTICLE 60-1-6**

### **ON-THE-JOB BEHAVIOR**

#### **60-1-6.1 GENERAL RULES OF CONDUCT.**

It is the purpose of this policy to attempt to provide a framework for the proper conduct of county employees while on the job. It is further intended that discipline, where justified, be meted out in an equitable and imaginative manner. Finally, it is intended that within very broad and general guidelines, department heads and authorized supervisors are responsible for the implementation of this policy within their specific jurisdictional work area.

Work supervisors or department heads should be certain that new employees are aware of existing work rules. This should be done during the employee's initial orientation and should be repeated at the end of the probationary period.

Employees will be provided with a personnel ordinance which will discuss all inappropriate working behavior. In addition, department heads or supervisors will discuss departmental rules with new employees and periodically with all employees as the need arises.

Employees are expected to follow the regulations set forth in the personnel rules and directions of their supervisor. When an employee fails to follow these rules or disobeys the supervisor, that employee becomes subject to disciplinary action. Causes for reprimand, written or verbal, demotion, suspension, or dismissal include, but are not limited to the following reasons:

- A. Repeated tardiness.
- B. Leaving duty prior to the end of the assigned shift.
- C. Failure to complete duties as assigned.
- D. Failure to request leave in the authorized manner.
- E. Abuse of leave.
- F. Failure to report absence in the authorized manner.
- G. Discourtesy or disrespect to a member of the public or a County Official.

- H. Any safety violation.

While this list is not comprehensive, it is sufficient to demonstrate the types of behavior that may indicate an improper attitude toward the job.

60-1-6.1-1 Certain violations of rules are more serious than others. An employee may be immediately terminated for any of the following reasons:

- A. Intoxication while on duty from alcohol or other substance.
- B. Carrying a firearm other than by authorized personnel.
- C. Failure to follow specific order by a supervisor.
- D. Willful destruction of County property and/or public records.
- E. Theft of County property and/or public records.
- F. Fighting with or assault upon fellow employees or supervisors.
- G. Willful misrepresentation or concealment of any fact requested during hiring process.
- H. Harassment/Sexual Harassment.
- I. Gross misconduct other than items listed above.
- J. Upon conviction of a felony.

#### 60-1-6.1-2 ZERO TOLERANCE DRUG AND ALCOHOL-FREE WORKPLACE

Carroll County has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug use and abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, Carroll County is committed to the elimination of drug and/or alcohol use and abuse in the workplace through the adoption of a zero-tolerance drug and alcohol workplace policy.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of Carroll County.

#### 60-1-6.1-3 EMPLOYEE ASSISTANCE AND DRUG-FREE AWARENESS

Illegal drug use, drug abuse and alcohol misuse have several adverse health and safety consequences, information about those consequences and sources of help for drug/alcohol problems is available from the County Administrator, who has been trained to make referrals and assist employees with drug/alcohol problems.

Carroll County will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs, drugs or alcohol. This policy does not prohibit employees from the lawful use and possession or prescribed medications, including medicinal cannabis. Employees must, however, consult with their doctors about the medications' effects on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

#### A. Employee Assistance and Drug-Free Awareness

Illegal drug use, drug abuse and alcohol misuse have several adverse health and safety consequences, information about those consequences and sources of help for drug/alcohol problems is available from the County Administrator, who has been trained to make referrals and assist employees with drug/alcohol problems.

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#### B. Work Rules

The following work rules apply to all employees. Whenever employees are working, are operating any Carroll County vehicle, are present on county premises, are on-call, or are conducting related work off-site, they are prohibited from:

- using, possessing, buying, selling, manufacturing or dispensing any illegal drug
- being under the influence of alcohol, cannabis or any illegal drug as defined in this policy
- smoke, consume, store or otherwise use cannabis in the workplace
- being under the influence of prescribed medications that adversely *affect* the employee's ability to safely and effectively perform their job duties.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing County business or while in a County facility is prohibited.

Carroll County will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it *if* asked. The Employer and employee must adhere to all provisions of the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130).

Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

#### C. Required Testing

Carroll County retains the right to require the following tests.

##### 1. Pre-employment

Applicants must pass a drug test upon acceptance of an offer of employment and before beginning work. Positions governed by the Department of Transportation and other federally regulated (49 CFR 40.151(e)), safety-sensitive positions will require applicants to test negative for illegal substances as well as cannabis. A positive test for cannabis that would result *in* the Employer losing a federal or state contract will result in disqualification of further employment consideration. Refusal to submit to testing will result in disqualification of further employment consideration.

##### 2. Reasonable suspicion

Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. Management must use the Reasonable Suspicion Observation Checklist to document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs, alcohol or legal substances that are adversely affecting the employee's ability to safely and effectively perform their job duties. Examples include:

- Odors (smell of alcohol or cannabis, body odor or urine).
- Movements (unsteady, fidgety, dizzy).
- Eyes (dilated, constricted or watery eyes, or involuntary eye movements).
- Facial appearance (flushed, sweating, confused or blank look).
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts).
- Emotions (argumentative, agitated, irritable, drowsy).
- Actions (yawning, twitching).
- Inactions (sleeping, unconscious, no reaction to questions).
- Negligence or carelessness in operating equipment or machinery
- Disregard for the safety of the employee or others
- Involved in any accident that results in serious damage to equipment or property-Carelessness that results in any injury to the employee or others

When reasonable suspicion testing is warranted, both management and HR will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol test within one hour. Refusal by an employee will be treated as a positive test result and will result in immediate termination of employment.

If discipline results due to the suspicion that the employee is under the influence or impaired by cannabis, the Employer will afford the employee a reasonable opportunity to contest the basis of the determination.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for transportation and arrange for the employee to be transported home.

### 3. Random

The County may randomly test employees for compliance with its drug and alcohol-free workplace policy. Random testing means employees will be selected for testing using a computer-based, random-number generator. This will result in an equal probability that any employee from the entire group of employees will be tested.

Testing must be completed on the same workday the employee is selected, absent extenuating circumstances. In all circumstances, testing must be completed within 2 hours of selection. If an employee selected for testing is unavailable for a legitimate reason such as an extended medical absence, human resources will document the circumstances for failure to

test. The Employer has no discretion to waive the selection of an employee selected at random.

Employees must advise the testing lab of all prescription drugs taken in the past month before the test and must be prepared to show proof of such prescriptions upon request.

Where the employee believes that the positive test result was affected by taking lawful or prescribed substances not in violation of company policy, the employee may be suspended without pay pending substantiation of the employee's claims. Employees will be provided no more than two business days in which to produce this additional information.

#### 4. Post-accident/Injury

Employees are subject to testing when they cause or contribute to accidents that seriously damage a County vehicle, machinery, equipment or property or that result in an injury to themselves or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including a Employer forklift, pickup truck, overhead crane or aerial/man-lift) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within one hour following the accident, if not sooner. Refusal by an employee will be treated as a positive test result and will result in immediate termination of employment.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for transportation and arrange for the employee to be transported home.

#### D. Collection and Testing Procedures

Employees subject to alcohol testing will be transported to a facility designated by Carroll County and directed to provide breath specimens. Breath specimens will be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .04 or more, a second breath specimen will be tested approximately 20 minutes later. The results of the second test will be determinative. Alcohol tests may, however, be a breath, blood or saliva test, at the company's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the company as work rule violations.

Applicants and employees subject to drug testing will be transported to a testing facility designated by Carroll County and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens will be sent to a federally certified laboratory and tested for evidence of cannabis, cocaine, opiates, amphetamines, PCP, benzodiazepines,

methadone, methaqualone and propoxyphene use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

#### E. Consequences

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/retest in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug, cannabis or alcohol in violation of this policy will be terminated. If the employee refuses to be tested, yet the County believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Employees who test positive, or otherwise violate this policy, will be terminated.

Employees will be paid for time spent in alcohol or drug testing and then suspended pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management, a union representative (if requested), and HR. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

#### F. Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the County shall be kept confidential to the extent required by law and maintained in secured files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

#### G. Inspections

Carroll County reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

#### H. Crimes Involving Drugs

Carroll County prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug, cannabis or alcohol in or on county premises or while conducting county business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

As a condition of employment, each employee shall agree to notify his/her supervisor of his/her conviction of any criminal drug statute for a violation

occurring on the department premises or while performing work for the department, no later than five (5) days after a conviction.

Employees shall be informed of the dangers of drug and alcohol abuse in the workplace and about the Carroll County policy of maintaining a drug and alcohol-free workplace.

"Company premises" includes all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by Carroll County or any site on which Carroll County is conducting business.

"Controlled Substance" is a substance which is defined as a controlled substance in the Illinois Controlled Substance Act (720 ILCS 570/1 et seq).

"Refuse to cooperate" means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

"Under the influence of alcohol" means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

"Under the influence of drugs" means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly OTC) when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

#### I. Enforcement

Carroll County Officials are responsible for policy interpretation, administration and enforcement.

### 60-1-6.2 **DISCIPLINE PROCEDURE.**

It may often be in the best interest of Carroll County to follow corrective discipline activities on the part of the employer, rather than to consistently offer punishment.

The essence of this policy is that it is the supervisor and/or the department head's responsibility to imaginatively enforce correction for unacceptable employee behavior. There are many avenues available to positively enforce corrective discipline. These include counseling (talking to the employee), seeking outside assistance, and making the employee part of the organization's decision making process. Of course, there will be instances where positive discipline is not an acceptable method. In these cases,

written notification or reprimand, suspension, demotion, and/or ultimately dismissal or recommendation of dismissal may have to be used.

60-1-6.2-1 The department head or work supervisor should imaginatively and consistently mete out corrective discipline. Care should be taken to treat each case based on the facts of that case and not on similar or like circumstances occurring in the past. Consideration should be given to the following:

- A. What is the purpose of the rule/regulation?
- B. What evidence do we have that the employee knew and understood the rule?
- C. What evidence do we have that the employee knew of possible penalties for violating the rule?
- D. What is the nature of the in-house hearing for the employee to answer the allegation of rule violation?
- E. What evidence is available that the employee violated the rule?
- F. If the evidence established that the employee violated the rule, what corrective action will be given in this case?
- G. What precedents do we have that the violations merit the penalty given?
- H. What evidence do we have that all employees who have violated the same rule have been so accused and, if found in violation, have received similar penalties?

60-1-6.2-2 Corrective discipline should follow a consistent pattern.

- A. One-on-one counseling, and if indicated, assistance in solving a problem area should be given prior to the initiation of any disciplinary action.
- B. Oral reprimand (warning) should be given prior to initiation of a disciplinary action (unless it is serious or is cause for dismissal).
- C. Written reprimand (warning) or correction should be given to the employee after a recurrence of the action. A copy of this should be sent to the County Board Chairman for inclusion in the employee's personnel file. Employees should sign a dated statement that he/she received notification.
- D. Disciplinary suspension should follow a repeated failure of the employee to correct his/her actions. Disciplinary suspension may also be used for first offense which is of an extraordinary nature. In general, suspension of from one to three days WITHOUT PAY is sufficient to produce improved

behavior. In any event, suspension may never exceed 30 days in any one year commencing with the first day or any first suspension.

**60-1-6.2-3 FINAL ACTION.**

Demotion or discharge is the final action.

60-1-6.2-4 Employees will have the opportunity to file a grievance against suspension, demotion or discharge. (See Article 8)

60-1-6.2-5 Department heads and work supervisors are responsible for providing written documentation on disciplinary action taken against employees.

**60-1-6.3 OUTSIDE EMPLOYMENT.**

No permanent full-time or part-time employee shall engage in outside employment which is not compatible with the full and proper discharge of duties and responsibilities of his/her position or which tends to impair the capacity to perform his/her duties and responsibilities in an acceptable manner. Certain positions are of a sensitive nature requiring public trust. The County must assure that no conflict occurs, that no unauthorized use of position or County facilities or property takes place, and that all employees are able to fully discharge all duties and responsibilities for which they are being paid. A full-time employee wishing to engage in outside employment, or an employee at time of implementation of this policy now so employed and wishing to continue his outside employment, should discuss the outside employment with his department head.

60-1-6.3-1 If the department head disapproves of the employment, a copy of the notice and reasons for disapproval shall be sent to the employee and to the County Board Chairman for inclusion in the employee's personnel file.

60-1-6.3-2 Caution should be used in exercising the right to disapprove outside employment. Department heads should be convinced that a genuine conflict of interest would occur.

**60-1-6.3-3 INTERNAL REGULATION.**

Part-time employment within the full-time employee's own department or within another unit of County government is discouraged. Persons so employed at the time of implementation of these policies and procedures may continue such employment under the following conditions:

- A. The full-time hours worked and the part-time hours worked must be reported separately and paid from separate funds. In the event of employment in the same department, a separate line item must be developed for the part-time payment.
- B. No benefits will accrue to the part-time hours worked except I.M.R.F. contributions.

- C. A part-time employee may work in two or more departments up to the total of 30 hours per week.

#### 60-1-6.4 **RESTRICTION OF POLITICAL ACTIVITIES.**

No County employee shall engage in political activities during working hours.

No County employee shall use his/her position or the authority of his/her office to solicit contributions or any other support of partisan political activities.

No county employee shall be intimidated into supporting or contributing to partisan political activities.

Any violation of this rule is cause for suspension or dismissal.

Outside of working hours, there shall be no restriction on political activities, except employees under federal grants covered by the Hatch Act.

#### 60-1-6.5 **USE OF COUNTY PROPERTY AND FACILITIES**

##### 60-1-6.5-1 Use of County vehicles, equipment, supplies and tools.

- A. County vehicles, equipment, supplies or tools shall not be used for private and unauthorized purposes.
- B. Employees shall be responsible for the care and conservation of County vehicles, equipment, supplies or tools and shall promptly report accidents, breakdowns or malfunctions of any unit in order that necessary repairs be made.
- C. In using the County's vehicular equipment, employees must keep in mind the fact that they are representatives of the County government and that their conduct in adhering to the rules of safety and courtesy on the road is a reflection on the entire organization and its level of law enforcement. Thus, it is imperative that such employees abide by these rules and customs.
- D. Where it is permitted that County vehicles be driven to and from work and/or stored at the employee's residence, they shall not be used except in the line of work. Under no circumstances may any unauthorized person operate the vehicle. Non-compliance with this rule shall result in immediate disciplinary action as specified in sections 60-1-6.2, 60-1-6.3 and 60-1-6.4.

#### **60-1-6.5-2 OTHER PROPERTY.**

Employees are required to return all County property or equipment in their possession upon separation from employment, promotion and/or transfer to another department. The employee's final paycheck will be withheld until such time as this is satisfactorily accomplished.

#### **60-1-6.5-3 USE OF COUNTY TELEPHONE AND/OR ELECTRONIC COMMUNICATION DEVICES**

- A. Employees are permitted to place and receive personal calls and emails under a general policy of courtesy and common sense. This is a privilege and not a right that may be withdrawn by the department head if abused through excessive use or if telephoning/emailing causes interference with work duties.
- B. An employee wishing to make a long distance personal call should get the permission of his supervisor and/or use personal cell phone. Personal calls should be made during the employee's break period. In case of utilizing County telephones, they should reimburse the County for the call.
- C. The use of County electronic and/or telephonic equipment should be viewed as a privilege, not a right of employment.

#### **60-1-6.6 CONFLICT OF INTEREST.**

Except as otherwise authorized or provided by the Illinois Revised Statutes, Carroll county Resolution, or action of the Carroll County Board, no employee of the County shall have any substantial interest, direct or indirect, or engage in any business transaction or professional activity, or incur any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest.

No employee of the County shall use his position to secure special privileges or exemptions, personally or for others.

#### **60-1-6.7 CONFIDENTIALITY AND LOYALTY.**

All employees are prohibited from directly or indirectly using or allowing the use of official information obtained through, or in connection with, employment with the County which has not been made available to the general public, for the furtherance of any private interest. Violation of this principle is a serious matter and will result in immediate disciplinary action as outlined in sections 60-1-6.2, 60-1-6.3 and 60-1-6.4.

## ARTICLE 60-1-7

### TERMINATIONS

#### 60-1-7.1 I.M.R.F TERMINATIONS

##### 60-1-7.1-1 I.M.R.F. SEPARATION BENEFIT AND RETIREMENT PENSION APPLICATION.

The purpose of this section is to apprise employees of all entitlements and benefits they may be eligible to receive from I.M.R.F.

A **Retirements.** In order to be eligible for an I.M.R.F. pension, the employees must be at least 55 years old and have completed eight years of service. The amount of a pension is determined by the length of service of the employee and his/her average earnings.

1. Retiring employees should be directed to the I.M.R.F. agent at least six months prior to the expected date of retirement. In addition to the completion of necessary forms, the I.M.R.F. agent shall brief such employees relative to the procedure to be followed in applying for Social Security benefits, if applicable.
2. Employees desiring to know the amount of their pension from I.M.R.F. may contact the Office of the Treasurer one month prior to the expected date of retirement and receive an estimate of the benefit amount.
3. Retiring employees will be eligible for compensation for any earned but unused general leave accrual.

B. **Separation of benefit other than retirement.** To be eligible to receive a refund of their own I.M.R.F. contributions when they stop working as I.M.R.F. participants:

1. Employees shall be under age 55, irrespective of length of service.
2. Employees shall have completed less than eight years of service irrespective of age.
3. The employee shall be over age 55, but have a pension less than \$30.00 a month.

The separation benefit is a refund of the employee's own I.M.R.F. contribution. No interest is paid with a separation refund, nor are the employer I.M.R.F. contributions refunded to the employee.

The employee should fill out the appropriate I.M.R.F. refund form through the Office of the Treasurer who will, immediately upon the employee's termination,

submit the notice of termination of employment form. Payment is normally made within three or four weeks after I.M.R.F. has received this information.

An employee need not withdraw his/her contributions. If he/she has eight or more years of service, he/she may draw a pension at age 55 or thereafter. If he/she has less than eight years of service, he/she may earn a pension by future service under I.M.R.F. or another Illinois public pension system. This separation policy applies to all terminations excluding retirement.

#### **60-1-7.1-2 RESIGNATION -VOLUNTARY.**

An employee may resign from County employment by presenting his/her resignation in writing to his/her department head. To resign in good standing, an employee must give the department head at least 14 calendar days notice. The department head may, at his/her option, choose to set the date for actual termination prior to the end of 14 calendar days. Upon approval of the department head, an employee may withdraw his/her resignation no later than ten calendar days after the date the resignation notice is submitted, unless provision for a replacement has already been made. In order to establish a uniform policy regarding resignation, the following procedure will be used:

- A. The department head shall make sure that all County property and equipment in the possession of the employee, including keys, tools, uniforms, insurance cards, etc., are returned to the department prior to the employee's departure.
- B. Resigning employees giving two weeks notice will be eligible for compensation for any earned but unused vacation leave accrual. Unused accrued vacation will be paid only if proper notice of termination is given.
- C. An employee leaving in good standing is eligible for re-employment at a later date.

#### **60-1-7.1-3 RESIGNATION-INVOLUNTARY.**

An employee shall be regarded as having resigned a position if able to notify the immediate supervisor of the reason for the absence, but fails to do so for three consecutive working days. Such an employee forfeits the right to any accrued benefit payments. Compensation owed to the employee for actual time worked during the pay period, including the resignation, will be paid on the appropriate pay day.

#### **60-1-7.1-4 DISMISSAL.**

Employees in an initial probationary status may be dismissed at any time at the discretion of the department head. (This policy does not apply to any employee serving a probationary period following a transfer or promotion.)

No employee who has non-probationary status shall be dismissed except for just cause (see section 60-1-6.1). The employee shall, before action is taken, be furnished with a statement, in-writing, from the department head setting forth the reason(s). A copy of

the statement and any reply from the employee shall be filed with the Chairman of the Board prior to the effective date of the dismissal.

A. Dismissal shall be only for just cause, as follows:

1. Just cause is a violation of established work rules or action on the part of the employee which impairs the effectiveness, efficiency or reputation of the County. (See section 60-1-6.1 - Rules of Conduct, for examples of such action and procedures to follow prior to dismissal.)
2. An employee dismissed for just cause shall be paid all compensation due at the time of termination, except provided in section 60-1-6.9. (return of equipment, etc.)
3. An employee may grieve a dismissal in accordance with Article 8.

#### 60-1-7.1-5 **REDUCTION IN WORK FORCE.**

Department heads with the approval of or instruction from the County Board, may reduce the workforce in their respective departments by terminating an employee, or group of employees, by reason of abolition of a positions(s), shortage of work or funds, or other reasons outside the employee's control, and which do not reflect discredit on the work performance of the employee. The duties formerly performed by the terminated employee(s) may be reassigned.

To insure that permanent employees are given adequate notice and are treated in a fair and consistent manner:

- A. The order of the termination shall be established by the department head on the basis of the needs of the county.
- B. Consideration shall be given to both the seniority and relative merit of the persons considered for termination.
- C. The affected employees shall be notified as quickly as possible and, in no event, less than 14 days before the action takes place.
- D. Employees terminated under this section have the same privileges to re-employment as employees on a granted leave of absence without pay.
- E. Employees terminated under this section may be eligible to receive unemployment compensation and will be informed of that fact by the department head.
- F. Employees affected by action under this section are eligible for all compensation due in the same manner as an employee resigning under favorable conditions.

- G. A copy of the circumstances shall be retained in the employee's personnel file.
- H. When reduction of staff is necessary, or dismissal of an employee for any cause is necessary, two weeks notice or salary will be given, along with unused accrued vacation pay. The only exception will be for reason of misconduct or insubordination, where no notice will be given, but unused vacation pay will be allowed.
- I. Any employee who is terminated or dismissed also terminates his group insurance as of the day of termination, provisions of the COBRA Act will apply.
- J. Nothing in this chapter should be construed as barring any department head from making changes in his office personnel as necessary.

## **ARTICLE 60-1-8**

### **GRIEVANCE PROCEDURE**

#### **60-1-8.1 GRIEVANCE POLICY.**

It is the policy of Carroll County to encourage and promote the prompt and equitable adjustment of employee grievances so that a harmonious and productive work environment is maintained. It is not necessary that the work situation actually be wrong, unjust, or unfair. It is only necessary that the employee perceive it to be so.

Employees covered under Collective Bargaining Agreement will follow the grievance procedures outlined within their respective contracts.

In so far, as possible, complaints or grievances should be resolved between the employee and the elected official or department head. If the matter is not resolved to the satisfaction of the employee, the complaint or grievance should be written to the elected official or department with a copy to the County Board Chairman who will appoint a Grievance committee. The County Grievance Committee will follow the County guidelines.

#### **60-1-8.1-1 DEFINITIONS.**

The word "grievance" shall be defined as a dispute or disagreement raised by an employee or an individual attempting to be an employee against Carroll County. Grievances are classified as follows:

- A. Alleging discrimination by race, color, national origin, sex, sexual orientation, age, religion, and/or handicap.

- B. Involving personnel practices, but not alleging discrimination, specifically the interpretation of an application of the specific provisions of these policies and procedures and department rules established as provided in section 60-1-1.3 (where solution or redress is not otherwise provided herein).
- C. Alleging criminal fraud and/or abuse.

#### 60-1-8.1-2 **BRINGING GRIEVANCES**

Grievance may be brought by any full-time or part-time employee of Carroll County. In addition, any group of employees may file a class action grievance to correct an alleged wrong.

Grievance made by a person not yet employed by the County under the Equal Employment Opportunities Provisions of the Ordinance may be filed with the County Administrator or the County Board Chair and will follow a similar path listed below. These complaints will be handled by the Administrator or the County Board Chair in place of a department head or immediate supervisor starting with a written complaint.

- 60-1-8.1-3 It shall be the responsibility of each department head to assure that grievances and related correspondence are properly recorded, forwarded to the appropriate persons, and filed within the department. No department head or work supervisor shall deny an employee the right to take the grievance to the next authorized step in the grievance procedure when it cannot be settled to the satisfaction of the employee(s) at the lower level.

#### 60-1-8.1-4 **GRIEVANCES SHALL BE WRITTEN.**

Formal grievances and final resolution thereof shall be completed within 60 calendar days after the filing of the formal grievance.

A written grievance shall include at least the following:

1. Name of grievant (also name of person preparing grievance if not the grievant)
2. Address
3. Contact information
4. Explain your grievance and list all those involved or that witnessed any action in the complaint.

- 60-1-8.1-5 Grievant have the following rights in the grievance process:

- A. To arrange oral conference.
- B. To file the written grievance.
- C. To communicate and seek advice from:
  1. The County Grievance Committee

- D. Following any adverse action (suspension, dismissal or an equal employment opportunity complaint), the grievant may move immediately to the Formal (written) Grievance Procedure.
- E. Whenever possible, all hearings shall be scheduled during normal working hours. All County employees properly appearing before the hearing body shall have such time considered hours of work (though not subject to overtime compensation).

#### 60-1-8.1-6 **WRITTEN GRIEVANCE**

A written grievance involves the following steps:

- A. Discussion with the immediate supervisor.
  - 1. The employee shall orally discuss the complaint with the immediate supervisor within five working days of the alleged action.
  - 2. The employee's immediate supervisor then has up to five working days to give an oral reply to the complainant. Every effort should be made to resolve the complaint at this level.
  - 3. This discussion step may be repeated as often as necessary, particularly in larger departments, by contacting the next higher departmental authority for presentation of the grievance. The informal conference defined in "1" above will always include the department head.

60-1-8.2 A written (formal) grievance procedure may be initiated where the informal grievance steps have failed to resolve the grievance in a manner satisfactory to the grievant following any adverse action defined in section 60-1-8.1-5 "D".

#### 60-1-8.2-1 **FORMAL GRIEVANCE PROCEDURE.**

- A. A written request for a formal hearing should be filed with the County Grievance Committee within five working days after conclusion of the informal grievance steps described in section 60-1-8.1-6. The request should set forth the nature of the grievance, the facts upon which it is based, the action that the grievant requested, and the basis for appeal.
- B. The ad hoc County Grievance Committee shall consist of three members: one department head, one County Board member (other than the Chairman of the County Board) who shall serve as Chairman of the Grievance Committee, and one non-supervisory regular employee with two years of continuous employment with the County.

- C. The Chairman of the County Grievance Committee will be responsible for the notification of the parties in writing at least five working days prior to the hearing. The notice of hearing will clearly state:
1. The date, time and place of the hearing.
  2. The purpose of the hearing and a statement of issues involved.
  3. That other "interested parties" can apply for notice and participate when allowed.
  4. The necessity for attending the hearing and disadvantages of not attending.
  5. Procedural rights, such as the right to present testimony, to bring witness and records, to present oral arguments and question witnesses or parties, and have documents produced.
  6. That the grievant may withdraw the request for a formal hearing in writing anytime prior to the start of the hearing.
  7. That a written request to reschedule the hearing for good cause may be made by the grievant or his representative up until three working days preceding the original hearing date.
  8. That both parties may retain attorneys at their own expense. (Notification that legal counsel has been retained by either party must be made to the other party at least ten days prior to the hearing date.)
  9. That the grievant may have a representative other than an attorney at his/her own expense.
- D. Whenever possible, the hearing shall be scheduled during normal working hours.
- E. The Chairman of the Carroll County Grievance Committee shall be responsible for the conduct of the hearing. The hearing will be conducted informally, in that the technical rules relating to evidence and witnesses will not control. Any relevant evidence will be admitted if it is the type of evidence on which responsible persons are accustomed to rely on the conduct of serious affairs, regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objections in a court of law. However, the quantity of evidence required to support a decision on an issue should be sufficiently credible that a court, upon reviewing the decision, would conclude that it is supported by a preponderance of the evidence.
- F. The Chairman of the County Grievance Committee will ascertain that all three committee members are present and will begin the hearing by summarizing the record and issues explaining the manner in which the hearing will be conducted,

making sure that everyone involved understands the proceedings. This explanation will be adapted to the needs of the specific situation.

- G. The committee will take testimony under oath.
- H. The purpose of the hearing will be to determine, based upon the totality of the circumstances:
  - 1. Whether the request for the hearing was made in a timely manner and applicable procedures were followed.
  - 2. Whether the preponderance of the evidence supports the position of the grievant.
- I. The Chairman of the County Grievance Committee determines the order of presentation at the hearing.
- J. The committee will obtain the maximum amount of information as is reasonable under the circumstances for the record.
- K. The committee may attempt to negotiate a resolution of the issue at anytime prior to the conclusion of the hearing.
- L. Those portions of the hearing which fall within a statutory exception to the Open Meeting Act (Illinois Revised Statutes, Chapter 102, Section 42, as amended) shall not be open to the public.
- M. The parties can present documentary evidence, and the grievant can have relevant records or documents kept in the ordinary course or business produced at the hearing.
- N. No power to issue subpoenas exists. County employees shall attend and give what information or evidence they have as part of their regular employment. Willfully giving false or misleading evidence or refusal to appear may be grounds for dismissal of County employees.
- O. There will be an opportunity to question any witness or parties.
- P. On the date set for the hearing, all parties involved will be expected to be ready to proceed at the hour set and any failure to be prepared to proceed at that time may be deemed by the committee to be an admission by the unprepared party that the party's case is not meritorious, and that a decision should be rendered against the party. If the party against who the decision was thus rendered, offers within 30 calendar days of the decision an explanation satisfactory to the committee, the committee may set aside its decision and reschedule the hearing.
- Q. The decision of the County Grievance Committee shall be based on the majority vote, and the decision shall be given in writing to the parties within five working

days after the hearing. The decision should be written in clear, simple, non-technical language and will include the following information:

1. A list of the attendees at the hearing.
  2. A clear and concise statement of the issues.
  3. The findings of fact, based on the entire record as disclosed at the hearing.
  4. The opinion and reasons for the decision.
  5. The conclusion based on the findings of fact and opinion indicating the final judgment of the County Grievance Committee on the issues involved and pronouncing the action involved.
- R. The County Grievance Committee may approve or disapprove an action of a department head. It may recommend reinstatement of an employee or may recommend other action to the appropriate County Board Committee or department head.
- S. A record will be made of the proceedings of the formal hearing and shall be retained in the office of the County Board.

#### **60-1-8.2-2 CRIMINAL FRAUD OR ABUSE.**

Grievances involving allegations of criminal fraud and/or abuse will be turned over to the Carroll County State's Attorney's office for determination of an criminal activity. If any criminal activity is found, grievance procedures under this section will be stayed pending the adjudication in the courts. If criminal activity is not found, procedures described in this section will be followed.

#### **60-1-8.2-3 MISCELLANEOUS PROVISIONS.**

- A. The Carroll County Grievance Committee, acting in its discretion, may hear and act upon grievance declared by the committee to be serious and appropriate for the committee action, with binding advisory effect, as it sees fit.
- B. Upon mutual agreement, time limits established may be waived.
- C. The informal grievance procedure shall be private and considered to be internal to the department.
- D. This article does not apply to:
1. Issues subject to final administrative review outside County Government.

2. Non-selection for promotion or merit salary increase from a group of properly ranked and certified candidates.

#### 60-1-8.3 **DRUG FREE WORK ENVIRONMENT**

Carroll County will establish a drug free environment.

#### 60-1-8.4 **SEVERABILITY.**

The articles, sections, subsections, paragraphs, and provisions of this ordinance shall be deemed to be separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

#### 60-1-8.5 **REPEAL.**

The personnel policies of Carroll County, adopted by the Carroll County Board, and any other ordinance, resolution, or action of the County Board or portion thereof, in conflict with this ordinance or any of the provisions thereof, are hereby repealed as of the effective date of this ordinance.

#### **60-1-8.6 EMPLOYEE ACKNOWLEDGMENT**

Please acknowledge receipt and review of this policy by completing the following form and returning it to the County Treasurers Office for placement in your personnel file.

I have read and I understand the Policy Prohibiting Sexual Harassment, Zero Tolerance Drug and Alcohol in the Workplace. I understand that if I ever have any questions or concerns I can speak to my supervisor or the State's Attorney. I have signed and dated this acknowledgment to confirm my receipt and understanding of the policy.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

#### **60-1-8.7 EFFECTIVE DATE.**

This ordinance shall take effect to be in full force on and after December 21, 2023.

WHEREAS, on the 21<sup>st</sup> of June, 2007, the County Board of Carroll County adopted a Personnel Code; and

WHEREAS, the Personnel Code is in need of revision;

The COUNTY BOARD OF CARROLL COUNTY hereby ordains that the Personnel Code adopted by the Board on June 21, 2007, shall be amended as set forth below.

Adopted by the County Board of Carroll County, Illinois, this 21<sup>st</sup> day of December, 2023.

Approved



Joseph Payette, Chairman  
Carroll County Board

ATTEST:



Amy Buss  
Carroll County Clerk

Amended December 21, 2023

**TRAVEL REGULATIONS 60-2  
CARROLL COUNTY, ILLINOIS**

**I. PURPOSE**

To provide travel regulations and instructions.

**II. POLICY**

It is the policy of the County of Carroll to reimburse employees for expenses incurred during authorized travel provided all reimbursement is allowable within the travel regulations established by the County of Carroll.

**III. OBJECTIVES**

To ensure:

- A. Travel vouchers are completed in an accurate and timely manner.
- B. The traveler is reimbursed only those amounts allowable as established in the travel regulations.

**IV. RESPONSIBILITY**

Employees submitting travel vouchers and travel requests are personally responsible for their accuracy. Any fraudulent misrepresentations will be cause for disciplinary or legal action.

**V. PROCEDURES**

**A. Travel Voucher**

A Travel Voucher submitted for travel incurred will:

- 1. Be prepared and submitted as specified in the directive entitled "Travel Voucher".
- 2. Be accurate and complete.

**B. Request for Travel.**

A Request for Travel submitted for out-of-state travel will:

- 1. Be prepared when overnight lodging is involved.
- 2. Be signed by the employee who will incur the expense and the department head for approval as appropriated in the Carroll County Budget.

3. Contain detail information as to:
  - a. Date of departure
  - b. Destination
  - c. Date(s) of events
  - d. Length of time necessary for the trip
  - e. Purpose of trip

## **VI. REGULATIONS**

### **A. Reimbursement: Meals**

1. Maximum reimbursement of \$100 per day per individual for all meals.
2. All reimbursement requests must be accompanied by receipts for all meals. Receipts must show the complete address of the establishment, be the itemized customer receipt and must be submitted with the Travel Voucher to support expenses claimed.
3. Alcohol is not reimbursable for any reason.

## **VII. Reimbursement: Lodging**

### **1. Lodging**

- a. The actual cost of lodging, excluding tips and room service, not in excess of government rate or the preferred rate for the event being attended.
- b. The original of the lodging receipt, showing the complete address of the establishment, must be submitted with the Travel Voucher to support expenses claimed.
- c. Guaranteed room reservations not kept or cancelled are not reimbursable so the individual involved will be responsible for payment.

### **2. Miscellaneous Travel Expense**

- a. The cost of other miscellaneous travel expenses incurred will be allowed, if reasonable. The following are examples of special expenses for which reimbursement may be given: Stenographic and typing services, storage of baggage, and telephone calls for official business. (Receipts must be submitted for any miscellaneous charges.)

- b. Vehicle storage; parking fees; bridge, road and tunnel tolls; baggage transfer; taxi fare; and other reasonable miscellaneous expenses are reimbursable. The original of receipt for any expense must be attached to the Travel Voucher.

#### C. Use of Privately-Owned Conveyance

- 1. Use of privately-owned motor vehicles for county business is permitted when specifically authorized by the department supervisor or County Board Chair.
  - a. The mileage reimbursement rate is the current Internal Revenue Service rate.

#### D. Itemized Expenses

- 1. Expenses will be itemized in detail by days and types of expenses. Expenses will not be allowed for items described as miscellaneous, incidental, services, etc.
- 2. The actual cost of meals for a non-county employee are reimbursable in reasonable amount in connection with County business. The Travel Voucher will indicate in detail why and for whom the expense was incurred and will be shown in the miscellaneous column with receipt attached. The voucher must certify that the claim does not include alcoholic beverages.
- 3. All applicable spaces on the Travel Voucher must be completed. The time of departure and arrival at the location where expenses are incurred must be listed.
- 4. The purpose of all travel must be indicated on the voucher.
- 5. Investigative expenses listed on the Travel Voucher will be itemized on a separate sheet of paper and stapled to the voucher when submitted to the County Board.

NOTE: Investigative Services expenses would be for items not normally reimbursable from County funds such as alcoholic beverages purchased during an investigation, etc.

- 6. Any Travel Voucher not prepared in accordance with these regulations will be returned for correction or for additional information at any time.

#### E. Exceptions

The Carroll County Board may grant approval of exceptions to the Travel Regulations if it is necessary to meet special circumstances and is in the best interest of the County of Carroll.

1. Employees must show a genuine attempt to obtain lodging at the established rate before exceptions will be allowed.
  - a. A diligent effort must have been made to obtain lodging in a hotel honoring the governmental rate. Contacting three or four hotels in an urban area is considered reasonable. This is not required when an employee is attending a conference and stays at or near the hotel where the conference is held.
2. All travel will be by the most economical mode of transportation available, considering travel time, costs and work requirements.

This policy shall become effective September 1, 2022 and shall be in effect until rescinded or modified by the Carroll County Board.