

**REGULAR CITY COUNCIL MEETING
105 S MAIN ST
FARMER CITY, ILLINOIS
MONDAY, APRIL 5, 2021
6:00 P.M.
AGENDA**

PRELIMINARY MATTERS

1. Call to order
2. Roll call
3. Pledge of allegiance to the flag
4. Proclamations/presentations/recognitions
5. Public Comment –

CONSENT AGENDA

The following items will be adopted on a single motion without discussion unless a council member requests separate consideration:

- A. Approval of the minutes of the March 1, 2021 council minutes
- B. Fund Warrant List

UNFINISHED BUSINESS--Ordinances or resolutions previously tabled.

- A. Ordinance 1061 Approving the Amendment to the Personnel policy

NEW BUSINESS--Ordinances and resolutions for initial consideration

- A. Resolution 2021-58 Resolution authorizing the execution of a contract for mowing between the City of Farmer City, Illinois and _____
- B. Resolution 2021-59 A Resolution Determining Whether the Need for Confidentiality Still Exists or Is No Longer Required as to All or Part of Minutes of All Confidential Closed Meetings
- C. Discussion regarding farmer's market
- D. Approval of an emergency waiver of the bidding process to hire Hoerr Construction Inc for the sewer lining on 300 block of John in the amount of \$124,350.00.
- E. FY 22 budget discussion

EXECUTIVE SESSION

OTHER ITEMS

1. City manager report
2. Non-agenda items and other business

ADJOURNMENT

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the city clerk's office at (309) 928-2842, 48 hours before the meeting. Staff will be pleased to make the necessary arrangements.

**MINUTES OF THE FARMER CITY, ILLINOIS
CITY COUNCIL
REGULAR MEETING OF
MARCH 1, 2021 6 p.m.**

Roll call

Present: Councilmembers Shelley Friedrich, Scott Kelley, Sandra Shaw, Willard McKinley and Mayor Scott Testory
Also, in attendance: City Clerk Angie Wanserski, City Manager Sue McLaughlin and City Attorney Joe Chamley.

Pledge of allegiance to the flag

Proclamations/presentations

Public Comment

Public Hearing

CONSENT AGENDA

1. Approval of the minutes of the February 2, 2021 council meeting.
2. Fund Warrant List
MOTION by McKinley to approve consent agenda. Seconded by Kelley. Voted unanimously. Motion carried.

UNFINISHED BUSINESS none

NEW BUSINESS Ordinances and resolutions for initial consideration

1. Approval of Ordinance 1060 An Ordinance Amending the Approved Annual Budget for the City of Farmer City for the Fiscal Year Beginning May 1, 2020 and ending April 30, 2021. The amendments made to the budget were minimal changes that included tree damage, truck repairs and camera grant reimbursement.
MOTION by Kelley to approve Ordinance 1060 An Ordinance Amending the Approved Annual Budget for the City of Farmer City for the Fiscal Year Beginning May 1, 2020 and ending April 30, 2021. Seconded by Shaw. Voted unanimously. Motion carried.
2. Discussion regarding amendments to the personnel policy.
The current personnel policy was last updated in 2012 with most rules still dating back to the 90's. This updated policy will cover social media, technology, credit card usage and updated state law language. City manager McLaughlin is also recommending that vacation time be capped at a maximum of 5 weeks after 20 years of employment instead of the current 6-week amount. Two employees would be grandfathered and continue to receive 6 weeks. It was also recommended to increase sick time accumulation from 6 to 8 hours per month to match what the police department accrues.
3. Approval of payout #10 to Leander Construction for \$15,908.79.
Leander is waiting on weather to improve to complete pool construction. In the meantime, picnic tables, lounge chairs, and a Square inventory system have been ordered. The Mayor has been able to procure the Jaws movie for the grand opening on May 29.
MOTION by McKinley to approve payout #10 to Leander Construction for \$15,908.79. Seconded by Friedrich. Voted unanimously. Motion carried.

OTHER ITEMS

1. City manager report

City manager McLaughlin reviewed the FY20 audit findings with council. McLaughlin informed council that an accounting firm had been in and corrected past bookkeeping errors. The city's general fund is currently operating at 90% fund balance which is more than acceptable. Income tax for the year was down \$15,000. Sales tax was down \$50,000. The city did overspend on public safety, the majority of that expense being overtime. McLaughlin also informed council that the city will be out of crossing guard funds in 2-3 years. The city will need to find an alternative for this situation. All other funds are doing okay.

2. Non-agenda items and other business.

Clean up day is May 15th. A list of acceptable/non acceptable items will be posted on Facebook prior to that date. The pool grand opening will be May 29th.

EXECUTIVE SESSION

5 ILCS 120/2(c)21 Meetings to review closed session minutes, including the semi-annual review of closed session minutes pursuant to Section 2.06 of OMA.

MOTION by McKinley to close open session and go into executive session. Seconded by Kelley. Voted unanimously. Motion carried.

MOTION by McKinley to close executive session and return to open session. Seconded by Kelley. Voted unanimously. Motion carried.

5 ILCS 120/2(C)11 Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

MOTION by McKinley to close open session and go into executive session. Seconded by Kelley. Voted unanimously. Motion carried.

MOTION by McKinley to close executive session and return to open session. Seconded by Kelley. Voted unanimously. Motion carried.

ADJOURNMENT

MOTION by McKinley to adjourn meeting. Seconded by Friedrich. Voted unanimously. Motion carried.

Angie Wanserski, City Clerk

Report Criteria:

Detail report.

Only unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Absopure Water Co								
20	Absopure Water Co	03172021	ADM - DRINKING WATER	03/17/2021	37.50	.00		
Total Absopure Water Co:					37.50	.00		
ANIXTER INC								
4151	ANIXTER INC	4782994-02	ARRESTER ELBOW MOVE	03/05/2021	528.66	.00		
Total ANIXTER INC:					528.66	.00		
AQUA-AEROBIC SYSTEMS INC								
3971	AQUA-AEROBIC SYSTEMS INC	89299-R	FINAL RETENTION 25% OF WW	03/12/2021	43,067.06	.00		
Total AQUA-AEROBIC SYSTEMS INC:					43,067.06	.00		
City of Farmer City								
585	City of Farmer City	03182021	ELECTRIC	03/18/2021	442.89	.00		
585	City of Farmer City	03182021	WATER	03/18/2021	50.89	.00		
585	City of Farmer City	03182021	ADM	03/18/2021	427.53	.00		
585	City of Farmer City	03182021	PARK	03/18/2021	63.54	.00		
585	City of Farmer City	03182021	PARK	03/18/2021	124.48	.00		
585	City of Farmer City	03182021	PARK	03/18/2021	54.19	.00		
585	City of Farmer City	03182021	STREET	03/18/2021	27.50	.00		
585	City of Farmer City	03182021	STREET	03/18/2021	360.51	.00		
585	City of Farmer City	03182021	POOL	03/18/2021	164.04	.00		
585	City of Farmer City	03182021	POLICE	03/18/2021	99.06	.00		
585	City of Farmer City	03182021	ELECTRIC	03/18/2021	1,792.47	.00		
585	City of Farmer City	03182021	ELECTRIC	03/18/2021	12,326.61	.00		
585	City of Farmer City	03182021	SEWER	03/18/2021	48.74	.00		
585	City of Farmer City	03182021	SEWER	03/18/2021	482.65	.00		
585	City of Farmer City	03182021	SEWER	03/18/2021	15,502.53	.00		
585	City of Farmer City	03182021	SEWER	03/18/2021	101.53	.00		
585	City of Farmer City	03182021	SEWER	03/18/2021	82.87	.00		
585	City of Farmer City	03182021	WATER	03/18/2021	427.66	.00		
585	City of Farmer City	03182021	WATER	03/18/2021	42.55	.00		
585	City of Farmer City	03182021	WATER	03/18/2021	503.52	.00		
585	City of Farmer City	03182021	WATER	03/18/2021	471.52	.00		
585	City of Farmer City	03182021	WATER	03/18/2021	188.96	.00		
Total City of Farmer City:					33,786.24	.00		
COOPER, BILLIE								
4354	COOPER, BILLIE	03262021	MARCH CLEANING	03/26/2021	300.00	.00		
Total COOPER, BILLIE:					300.00	.00		
CORNEGLIO AG								
3950	CORNEGLIO AG	1099	STREET SUPPLIES	03/30/2021	67.92	.00		
3950	CORNEGLIO AG	1099	WATER SUPPLIES	03/30/2021	28.93	.00		
3950	CORNEGLIO AG	1099	SEWER SUPPLIES	03/30/2021	7.87	.00		
3950	CORNEGLIO AG	1099	SEWER SUPPLIES	03/30/2021	194.95	.00		
3950	CORNEGLIO AG	1099	ELEC SUPPLIES	03/30/2021	100.48	.00		
3950	CORNEGLIO AG	1099	STREET SUPPLIES	03/30/2021	11.49	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
3950	CORNEGLIO AG	1099	ELE SUPPLIES	03/30/2021	35.84	.00		
	Total CORNEGLIO AG:				447.48	.00		
FRONTIER								
3838	FRONTIER	031321	ADM	03/13/2021	32.36	.00		
3838	FRONTIER	031321	WATER PHONE	03/13/2021	138.24	.00		
	Total FRONTIER:				170.60	.00		
Gasvoda & Associates								
1240	Gasvoda & Associates	2100506	TREATMENT PLANT REPAIR MA	03/18/2021	3,149.03	.00		
	Total Gasvoda & Associates:				3,149.03	.00		
HEPLERBROOM LLC								
4378	HEPLERBROOM LLC	853449	ELECTRIC - LEGAL	03/15/2021	10,362.60	.00		
	Total HEPLERBROOM LLC:				10,362.60	.00		
LAUTERBACH & AMEN, LLP								
4386	LAUTERBACH & AMEN, LLP	54384	ACCOUNTING ASSISTANCE - F	03/29/2021	1,125.00	.00		
	Total LAUTERBACH & AMEN, LLP:				1,125.00	.00		
Mediacom								
2025	Mediacom	03092021	INTERENET	03/09/2021	136.90	.00		
	Total Mediacom:				136.90	.00		
MIKE'S AUTO GLASS PLUS								
4385	MIKE'S AUTO GLASS PLUS	12216	REPLACED BACK WINDOW TR	01/24/2021	195.00	.00		
	Total MIKE'S AUTO GLASS PLUS:				195.00	.00		
NICOR GAS								
2330	NICOR GAS	03262021	ELE-UTILITIES	03/26/2021	1,589.02	.00		
	Total NICOR GAS:				1,589.02	.00		
PDC Laboratories Inc.								
2460	PDC Laboratories Inc.	19455547	LAB SERVICES	03/10/2021	59.50	.00		
	Total PDC Laboratories Inc.:				59.50	.00		
PF Pettibone & Co.								
2500	PF Pettibone & Co.	180147	IDS POLICE	03/18/2021	17.00	.00		
	Total PF Pettibone & Co.:				17.00	.00		
PRESTO X PEST CONTROL								
3725	PRESTO X PEST CONTROL	03222021	ADM - PEST CONTROL	03/22/2021	45.00	.00		
	Total PRESTO X PEST CONTROL:				45.00	.00		
Progressive Chemical								
2625	Progressive Chemical	50331	CUSTOM STREET NAME BLADE	03/15/2021	356.40	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2625	Progressive Chemical	50374	WEED KILLER	03/22/2021	678.95	.00		
Total Progressive Chemical:					1,035.35	.00		
Ray O Herron								
2705	Ray O Herron	2095841	POL - UNIFORM / SUPPLIES	03/15/2021	702.74	.00		
Total Ray O Herron:					702.74	.00		
SIMPLIFIED COMPUTERS								
3651	SIMPLIFIED COMPUTERS	14755	QUARTERLY FEE - APRIL	04/01/2021	310.00	.00		
3651	SIMPLIFIED COMPUTERS	14755	QUARTERLY FEE - MAY & JUNE	04/01/2021	620.00	.00		
3651	SIMPLIFIED COMPUTERS	15093	POLICE IT	03/30/2021	180.00	.00		
Total SIMPLIFIED COMPUTERS:					1,110.00	.00		
SPRINT								
2325	SPRINT	03262021	ST - TELEPHONE	03/26/2012	68.06	.00		
2325	SPRINT	03262021	ELE - TELEPHONE	03/26/2012	123.07	.00		
2325	SPRINT	03262021	POL TELEPHONE	03/26/2012	128.57	.00		
Total SPRINT:					319.70	.00		
TECHNOLOGY MANAGEMENT REV FUND								
635	TECHNOLOGY MANAGEMENT	T2122166	IWINN MEMBERSHIP SERVICES	03/15/2021	132.81	.00		
Total TECHNOLOGY MANAGEMENT REV FUND:					132.81	.00		
TEPPER ELECTRIC SUPPLY COMPAN								
3739	TEPPER ELECTRIC SUPPLY C	1001058	LITH TRIPLE ASSEMBLY	03/10/2021	26,079.54	.00		
3739	TEPPER ELECTRIC SUPPLY C	586258	ANCHOR BOLTS	01/20/2021	408.90	.00		
3739	TEPPER ELECTRIC SUPPLY C	90011981416	PAST DUE CHARGE	02/25/2021	19.57	.00		
Total TEPPER ELECTRIC SUPPLY COMPAN:					26,508.01	.00		
U.S. BANK								
4305	U.S. BANK	031821	ADM	03/18/2021	170.38	.00		
4305	U.S. BANK	031821	ADM POSTAGE	03/18/2021	7.70	.00		
4305	U.S. BANK	031821	COU SUPPLIES	03/18/2021	10.11	.00		
4305	U.S. BANK	031821	SEWER POSTAGE	03/18/2021	7.00	.00		
4305	U.S. BANK	031821	POOL CAPITAL IMPROVEMENT	03/18/2021	10,637.38	.00		
4305	U.S. BANK	031821	WIRELESS DATA NET	03/18/2021	64.95	.00		
4305	U.S. BANK	031821	ELEC TRAVEL & TRAINING	03/18/2021	88.62	.00		
4305	U.S. BANK	031821	ELEC SUPPLIES	03/18/2021	433.95	.00		
4305	U.S. BANK	031821	CREDIT FROM SAMS CLUB CH	03/18/2021	4.47-	.00		
Total U.S. BANK:					11,415.62	.00		
Water Products Co.								
3485	Water Products Co.	0618786	HYDRANT REPLACEMENT	03/17/2021	2,600.00	.00		
3485	Water Products Co.	0618836	SEWER CHEMICALS	03/24/2021	330.00	.00		
Total Water Products Co.:					2,930.00	.00		
WATER SOLUTIONS UNLIMITED INC								
3821	WATER SOLUTIONS UNLIMITED	41542	WATER CHEM SUPPLIES	03/25/2021	1,535.00	.00		
3821	WATER SOLUTIONS UNLIMITED	41542	SEWER CHEMICALS	03/25/2021	1,538.14	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total WATER SOLUTIONS UNLIMITED INC:					3,073.14	.00		
WATTS COPY SYSTEMS INC								
4251	WATTS COPY SYSTEMS INC	28988178	ADM COPIER	03/22/2021	216.20	.00		
Total WATTS COPY SYSTEMS INC:					216.20	.00		
XEROX FINANCIAL SERVICE								
4180	XEROX FINANCIAL SERVICE	03232021	XEROX CONTRACT	03/23/2021	80.60	.00		
Total XEROX FINANCIAL SERVICE:					80.60	.00		
Grand Totals:					142,540.76	.00		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

- Detail report.
- Only unpaid invoices included.

Vendor Name	Net Invoice Amount	
100		
PRESTO X PEST CONTROL	45.00	ADM - PEST CONTROL
LOCALGOVNEWS.ORG	480.00	ONE YEAR MEMBERSHIP
FRONTIER	26.32	ADM
FRONTIER	94.11	ADM
FRONTIER	239.96	ADM
SIMPLY SENNETT	37.50	ADM- IT
Absopure Water Co	55.75	ADM - DRINKING WATER
Progressive Chemical	198.49	ADM SUPPLIES
Walker Tire Service	764.91	TIRES AND ALIGNMENT FOR BALLARDS SQUAD
ADVANCED DIGITAL SOLUTION	92.20	COPIER CONTRACT
SPRINT	128.57	POL TELEPHONE
FRONTIER	340.49	POL PHONE
TECHNOLOGY MANAGEMENT	132.81	IWIN MEMBERSHIP SERVICES
NAPA	2.89	WASHER FLUID FOR CHARGER
Evergreen FS Inc	1,262.83	POLICE FUEL
NAPA	38.98	2013 DUMP TRUCK
LEHIGH HANSON	262.24	CA6 ROCK
MITCHELL'S TRUCKING	314.69	CA6 TRUCKING
MAURER-STUTZ	3,810.00	MADISON STREET DRAINAGE IMPROVEMENTS
SPRINT	68.06	ST - TELEPHONE
SIMPLIFIED COMPUTERS	210.00	FREDS COMPUTER FIXED
Birkeys Farm Store	40.25	BACKHOE PARTS
Progressive Chemical	353.12	STREET SUPPLIES
CORNEGLIO AG	49.00	STREET SUPPLIES
CORNEGLIO AG	98.88	STREET SUPPLIES
CORNEGLIO AG	180.81	STREET SUPPLIES
Evergreen FS Inc	357.80	STREET FUEL
True Value of LeRoy	60.00	RENTAL BOX BLADE
FRONTIER	142.20	POOL
Total 100:	9,887.86	
170		
FEHR GRAHAM	552.00	POOL RENOVATIONS
Total 170:	552.00	
490		
AREA DISPOSAL	11,390.49	MONTHLY GARBAGE SERVICE
Total 490:	11,390.49	
510		
COE EQUIPMENT	755.82	EQUIPMENT MAINT
NICOR GAS	41.89	WATER GAS
CORNEGLIO AG	23.57	WATER SUPPLIES
Evergreen FS Inc	231.52	WATER FUEL
Water Products Co.	306.75	WATERMAIN REPAIR PARTS
Total 510:	1,359.55	
520		
NAPA	6.99	WATER VEHICLE MAINT
Schoonover Sewer Service Inc.	700.00	JET SEWER ON PLEASANT DR
PDC Laboratories Inc.	59.50	LAB SERVICES
Progressive Chemical	124.58	CASE OF WYPALLS TO CLEAN LAB TABLES
MAURER-STUTZ	862.50	IEPA VIOLATION NOTICE ASSISTANCE

Vendor Name	Net Invoice Amount	
MAURER-STUTZ	1,395.00	CMOM PLAN
Evergreen FS Inc	84.18	SEWER FUEL
Yeagle Electric	157.50	SERVICE CALL POND AERATOR WONT RUN
Total 520:	3,390.25	
530		
Drake Scruggs	485.61	BUCKET TRUCK
NAPA	413.75	ELEC SUPPLIES
PRODUCTIVITY PLUS ACCOUN	57.25	VEHICLE REPAIR ELECTRIC
BHMG ENGINEERS	526.73	PROJECT 1011V
Office Machine Repair	10.00	COPIER
ALTORFER INC.	6,282.10	GENERATOR 6 AND 7
QUADIENT FINANCE USA INC.	103.32	POSTAGE
SPRINT	123.44	ELE - TELEPHONE
FRONTIER	164.85	ELEC PHONE
ASSOCIATION OF ILLINOIS ELE	75.00	FLANNELL SCHOOL
NICOR GAS	1,380.54	ELE-UTILITIES
NICOR GAS	621.20	ELE-UTILITIES
McMaster-Carr	58.77	PIPE FITTING
Safety-Kleen Corporation	380.00	PARTS WASHER
CORNEGLIO AG	129.26	ELE SUPPLIES
Evergreen FS Inc	168.38	ELEC FUEL
Total 530:	10,980.20	
Grand Totals:	37,560.35	

Vendor Name	Net Invoice Amount	
510		
F. C. AUTO BODY	<u>2,397.18</u>	2004 GMC 2500 HD REPAIR (REIMBURSED FROM INSURANCE \$1897.18)
Total 510:	<u>2,397.18</u>	
Grand Totals:	<u><u>2,397.18</u></u>	

Vendor Name	Net Invoice Amount	
530		
ALTA CONSTRUCTION	<u>712.31</u>	GLASS ON TB240 TAKEUCHI
Total 530:	<u>712.31</u>	
Grand Totals:	<u><u>712.31</u></u>	

ORDINANCE 1061

AN ORDINANCE REPEALING AND REPLACING

SECTION 32: PERSONNEL REGULATIONS

WHEREAS; the City of Farmer City is a municipality in accordance with the constitution of the State of Illinois of 1970; and

WHEREAS; the City of Farmer City has the authority to enact ordinances setting the rules and regulations of city employees; and

WHEREAS; the City of Farmer City desires to update the existing code to include new or amended provisions, among other revisions.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Farmer City, DeWitt County, Illinois that:

That Chapter 32, Personnel Regulations, is hereby repealed and replaced with the attached Manual, attached hereto as Exhibit A.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMER CITY,
DEWITT COUNTY, ILLINOIS THIS 5th DAY OF April, 2021.

AYES: _____ NAYES: _____ ABSTAIN: _____ ABSENT: _____

Scott Testory, Mayor

Angie Wanserski, City Clerk

Personnel Policy Manual

**For the City of
Farmer City, Illinois**

Effective: April 6, 2021

Table of Contents

Section 1: Introduction

32.001 - Purpose of the Manual.....	3
32.002 - Regarding Collective Bargaining Agreements.....	3

Section 2: Terms and Conditions of Employment

32.010 - Equal Employment Opportunity.....	4
32.011 - Reasonable Accommodation Policy.....	4
32.012 - Employee Recruitment and Selection.....	4
32.013 - Employee Personnel Files.....	5
32.014 - Background Investigations / Reference Checks.....	5
32.015 - Employment Classifications.....	5
32.016 – Layoffs & Recalls.....	6
32.017 - Performance Reviews.....	6
32.018 - Code of Conduct.....	7
32.019 - Disciplinary Action.....	7
32.020 – Non-Union Grievance Procedure.....	10
32.021 - Attendance.....	11
32.022 - Appearance Standards.....	11
32.023 - Residency Requirements.....	11
32.024 - Outside Employment.....	12
32.025 - Substance Abuse Policy.....	12
32.026 - Worker’s Compensation	13
32.027 – Injury / Accident Reporting	13
32.028 - Harassment Policy	14
32.029 – Workplace Violence Policy	18
32.030 - Gift Policy	19
32.031 - Use of City Property Policy	20
32.032 - Technology Resources Policy	20
32.033 - City Credit Card Policy	27
32.034 - City Vehicle Policy	28
32.035 - Cell Phone / GPS Policy	29
32.036 - Cell Phone Allowance	30
32.037 – Training, Travel & Tuition Reimbursement	31
32.039 – Smoking Policy	32

Section 3: Employee Compensation and Benefits

32.040 - Wages.....	32
32.041 – Change in Personal Status.....	33
32.042 - Scheduling.....	33
32.043 - Overtime.....	34

32.044 – Emergency Services.....	34
32.045 - Vacation.....	34
32.046 - Holidays.....	35
32.047 –Personal Days.....	36
32.048 Rest / Meal Periods.....	36
32.049 - Benefits / Payroll Deductions.....	36
32.050 – Health and Dental Insurance.....	37
32.051 – Personal Benefits.....	37
32.052 - Wage Garnishment.....	37
32.053 - Employee-Incurred Expenses / Reimbursement.....	38

Section 4: Employee Leaves of Absence

32.060 - Sick Leave.....	39
32.061 – Light Duty.....	39
32.062 - Military Leave.....	41
32.063 - Bereavement Leave.....	41
32.064 - VESSA Leave.....	42
32.065 - Educational Leave.....	42
32.066 - Discretionary Unpaid Leave of Absence.....	42
32.067 - Jury Duty.....	42
32.068 – School Visitation Rights Act Leave.....	43
32.069 – Inclement Weather.....	43

Section 5: Resignation, Termination or Retirement

32.070 – Resignation.....	43
32.071 – Termination.....	44
32.072 – Retirement.....	44
32.073 – Final paycheck.....	44

Section 6: Administrative Procedure for assessing and determining Claims under PSEBA

32.080 – Purpose.....	45
32.081 – Definitions.....	45
32.082 – Application Procedure.....	45
32.083 – Administrative Composition.....	47
32.084 – Administrative Hearing.....	48

Receipt of Policy Manual Form 50

Receipt of City Property upon Departure Form..... 51

Section 1: Introduction

32.001 - Purpose of the Manual

The policies and procedures in this manual are intended to provide guidance and suggestions to employees and management as a method of assisting employees in the performance of their job duties and responsibilities. The manual is not designed to cover every aspect of City operations. The contents of this manual are not contractual commitments and no policy guarantees the continuity of an employee's benefits or rights. The City of Farmer City reserves the right to remove, edit, or supplement the contents of this manual, or completely discontinue its use, at any time, with or without notice. Any violation of the City of Farmer City's policies may result in discipline, up to and including termination, regardless of the date of discovery.

Neither the existence of any of these policies, nor anything contained in this manual is intended to create or shall create an employment contract or contractual commitment, either expressed or implied. Unless otherwise provided in a written contract of employment or applicable collective bargaining agreement, employees of the City of Farmer City are employed "at will" and can be dismissed at any time, with or without notice, and with or without cause.

32.002 - Regarding Collective Bargaining Agreements

The City of Farmer City negotiates collective bargaining agreements with approved unions to ensure appropriate salary, benefits, and other conditions of employment for all employees who are in a represented unit. When the policies or procedures in this manual differ from those in an existing collective bargaining agreement, the collective bargaining agreement shall take precedence over this manual, but only in the areas where conflicting policies and procedures are present.

Those employees not covered by a collective bargaining agreement are considered at-will employees.

Section 2: Terms and Conditions of Employment

32.010 - Equal Employment Opportunity

The City is an equal opportunity employer. Qualifications for employment and promotion are based upon ability to perform the job. Equal employment opportunities are provided to all applicants and employees without regard to actual or perceived age, ancestry, citizenship status, national origin, religion, creed, sex, gender, gender identity, gender transitioning status, sexual orientation, pregnancy (including childbirth and medical conditions related to pregnancy and childbirth), marital status, disability (physical or mental), genetic information, race, color, sealed or expunged arrest records not resulting in conviction, military discharge or veteran status, or any other characteristic protected by law. Furthermore, no person will be discriminated against due to a mental or physical disability which does not prevent the individual from performing the essential functions of the job, with or without reasonable accommodation. Everyone will be given equal opportunity commensurate with their abilities. Laws regarding veteran's status will also be observed. The City will earnestly seek the cooperation of all employees in helping to maintain this policy. Throughout this manual, the interchangeable use of masculine and feminine pronouns is in no way intended to exclude members of the opposite sex.

32.011- Reasonable Accommodation Policy

In accordance with the Americans with Disabilities Act of 1990, it is the policy of the City of Farmer City to provide reasonable accommodation for qualified persons with disabilities who are either applicants or current employees, unless the accommodation would create an undue hardship for the City. "Reasonable accommodation" is the term for adjusting the structure of a job or the work environment in a manner that will enable an individual with a disability to perform the essential functions of the job.

For the purposes of this policy, a "disability" includes any physical or mental impairment that substantially limits one or more major life activities including, but not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and working on a regular basis.

32.012 - Employee Recruitment and Selection

The City recruits both internal and external candidates for vacant positions in an effort to fill these positions with the most qualified applicants, based solely on the applicant's demonstrated and potential ability to perform the essential job functions of the desired position. Applicants for certain City positions may be subject to specific testing requirements as determined by the respective department.

Selection of a new employee from a pool of applicants is based on factors including, but not limited to, relevant experience, education, training, test results, reference and background checks, and other traits that make the applicant more qualified for the position than other applicants.

32.013 - Employee Personnel Files

The City Clerk's Office maintains a personnel file on every City employee, which is to keep your records confidential. Your personnel records will only be available to your supervisor, the Department Head, the City Clerk, and the City Manager.

You may schedule an appointment with the City Clerk to examine your personnel file. The personnel file is a part of your permanent record and may not be removed from the Office of the City Clerk pursuant to the Illinois Personnel Records Review Act, 820 ILCS 40/0.01 et seq.

32.014 - Background Investigations / Reference Checks

A background check shall be completed on every new, regular employee prior to employment. This may include inquiries into employment references, educational references, and personal references for all applicants.

A background investigation may also be required for newly hired employees. An investigation may include checking criminal records and driving records that are relevant to the desired position.

Employment with the City of Farmer City may not continue until the background investigation (if applicable) and the reference check has been completed. These inquiries are necessary in order to ensure that the appropriate person for the position is being hired.

32.015 - Employment Classifications

The City of Farmer City classifies employees in the following categories:

- **Probationary employee** – An employee is “probationary” for the first twelve (12) months of employment. The City may discharge the employee with or without cause during this probationary period.
- **Regular Full-Time employee** – An employee working the regularly scheduled number of hours, or approximately 2080 hours annually. As a regular full-time employee, one becomes eligible for all benefits provided by the City.
- **Regular Part-Time employee** – An employee working under IMRF guidelines may not exceed 1000 hours annually.

- **Temporary employee** – An individual employed for a period of less than six (6) consecutive months. Temporary employees may work full-time or part-time. IMRF requires all employees working over 1000 hours per year to receive retirement benefits. Therefore, by City policy, temporary employees shall not be retained for more than 1000 hours in any 12 month period.
- **Volunteer** – An individual who performs duties exclusively by choice, not by request or legal obligation. A volunteer is not promised remuneration for services and is exempt from receiving benefits.

Provisions in the Fair Labor Standards Act of 1938 divide employees into separate categories with respect to eligibility for overtime payment:

- **Exempt** – Employees who are not eligible to receive payment for overtime. Exempt status often accompanies positions of a managerial, administrative, or professional nature.
- **Non-exempt** – Employees who are eligible to receive payment for overtime. Non-exempt status often accompanies positions of a clerical, technical, or service nature.

32.016 - Layoffs & Recalls

Employment may be terminated by the City Manager due to a lack of funds causing a reduction in staff or by elimination of the position and the best interest of the citizens of Farmer City.

In the case of personnel reduction, the employee with the least seniority in the classification of the appropriate Department shall be laid off first. Employees shall be recalled, conditioned upon the ability to perform the work available, in the order of their seniority. No new employees shall be hired until all laid off employees have been given ample opportunity to return to work and have returned to work with thirty (30) days of written notice.

32.017 - Performance Reviews

Employee performance reviews are to be completed by an employee's Supervisor or Departmental Director annually (on or about the employee's anniversary date unless otherwise noted). The purposes of a performance review are:

- To evaluate an employee's job performance on a periodic basis, while offering praise, guidelines for improvement, and other feedback.
- To set goals for the employee being evaluated to ensure improved work performance and a more cohesive work environment.
- To provide an opportunity to discuss an employee's future development.
- To provide an opportunity for open communication between employees and their Supervisors on a regular basis.

32.018 - Code of Conduct

Employees of the City of Farmer City must act in a manner that stands up to the closest public scrutiny. Each employee has responsibilities to various groups, which include:

- The public.
- Elected officials who represent the public
- Appointed authorities and those in supervisory roles.
- Fellow employees.
- Representatives of other agencies or organizations.

These responsibilities require each employee to act with honor, integrity, loyalty, and fairness in the performance of City business, while also reporting improper, unethical, or unlawful behaviors as they occur. Employees must comply with all applicable laws and regulations at all times. Engaging in illegal or unethical behavior during the performance of an employee's job duties will not be tolerated and the employee may be subject to disciplinary or legal action.

32.019 - Disciplinary Action

The City believes in the philosophy of progressive, corrective discipline. The methods of disciplinary action shall include only the following:

- **Oral warning** – An oral warning consists of a conference between the employee and the employee's Supervisor or other City official issuing the warning. The purpose of the conference is to express disapproval of misconduct or poor work performance, to clarify applicable rules or standards of performance, policies, and procedures, and to warn that repetition of the misconduct or failure to improve work performance may result in more severe discipline. Records of oral warnings will be maintained in the employee's personnel file indefinitely.
- **Written warning** – A written warning consists of a conference between the employee and their Supervisor or other City official who issued the discipline, accompanied by a letter or notice expressing disapproval of the misconduct or poor work performance, clarifying applicable rules, policies, and procedures, and warning that repetition of the misconduct or failure to improve work performance may result in more severe discipline. Written warnings may be used for repeated misconduct of a minor nature or for more serious misconduct that does not warrant suspension or discharge from employment.

The employee will be given an opportunity to review the written disciplinary letter and respond to it.

The employee will receive a copy of the disciplinary notice and copies of the notice shall be maintained in the employee's personnel file.

Records of written warnings will be maintained in the employee's personnel file indefinitely.

- **Suspension** – A suspension is a temporary removal from employment, accompanied by a temporary loss of the privileges of employment, including, but not limited to, wages or salary. Suspensions may be used to discipline employees for serious misconduct and performance issues or for repeated misconduct or performance issues of a less severe nature. Suspensions may be imposed for not less than one (1) but no more than ten (10) days.

Employees may be suspended without pay. The immediate Supervisor or Departmental Director shall give written notification of the suspension to the employee, specifying the reason, duration, and effective date. The written notice may be given to the employee after the fact, as in the case of an immediate suspension by a Supervisor. Copies of the written notice of suspension shall be maintained in the employee's personnel file indefinitely.

Suspended employees shall not be allowed to use any paid leave, including vacation leave, sick leave, or personal leave during the suspension.

In the event that any order of suspension is reversed or reduced, the employee shall be paid any lost wages, salary, or benefits and such a reversal or reduction shall be documented in the employee's personnel file.

- **Discharge** – Discharge, or termination of employment, is the permanent removal from employment and the permanent loss of all privileges of employment with the City. Employees may be discharged for any improper or inappropriate conduct without ever having received an oral warning, written warning, or suspension.

An employee may be discharged by the Departmental Director, with the approval of the City Manager and/or City Council when necessary. Written documentation of the discharge shall be maintained in the employee's personnel file indefinitely.

Conduct or behavior identified below shall constitute a violation of the policies and other work rules in this manual and may subject employees to disciplinary action, ranging from oral warning to discharge, as deemed appropriate. These work rules are examples and do not limit the City's right to discipline or terminate an employee for reasons not specifically identified as this list is not all-inclusive. The City may revise or modify work rules found in this manual as it deems appropriate. Employees will be subject to disciplinary action for the following:

Disciplinary action may be imposed on an employee only for a just, reasonable cause. Examples of such causes include, but are not limited to:

- Incompetent, inefficient, negligent, or unsatisfactory performance of assigned work.
- Being absent without proper notification to the City. Excessive, unreported, or unexcused absences from work. Abuse of sick leave privileges.
- Excessive tardiness or early departures from work.
- Insubordination or refusal of a direct work order or assignment or other breaches of conduct.
- Bribery.
- Failing to report to work at any time when so directed, including during emergencies.
- Leaving the assigned place of work during work hours without authorization.
- Sleeping, loitering, or loafing on duty.
- Improper dress while at work.
- Failure to report on-the-job injury.
- Misconduct away from the job, which adversely affects the City.
- Any act which endangers the safety, health, or well-being of an employee or citizen, or which is of sufficient magnitude that the consequences cause or act to cause disruption of work or City operations.
- Disruptive attitude or abusive language, which is detrimental to the services, programs, and operations of the City.
- Violating the Equal Employment Opportunity policy, Americans with Disabilities Act, Age Discrimination in Employment Act, **Sexual Harassment** or other employment policies.
- Violating the City's alcohol and substance abuse policy, smoking policy, sexual harassment policy, or workplace violence policy.
- Violating any of the provisions of the ethics standards.
- Creating or contributing to an unsafe condition on City premises or failing to adhere to safe operating practices. Failure to report an accident involving City personnel or equipment.
- Sexual misconduct or immorality.
- Engaging in fighting, horseplay, or reckless conduct on City premises or while on City business.
- Using vile, intemperate, offensive, or abusive language or acting in a disrespectful manner towards any resident, citizen, municipal officer, fellow employee, or member of the general public.
- Physically abusing, intimidating, offending, or coercing through verbal threats any resident, citizen, municipal officer, fellow employee, or member of the general public.
- Unauthorized possession of a weapon of any kind on City premises or while on City business. This does not apply to sworn officers carrying weapons pursuant to Police Department policies.
- Falsifying or altering of time sheets, personnel records, employment applications, attendance, or any other City records or documents.

- Providing false information or information the employee should have known to be false to a Departmental Director, Supervisor, City Manager, or any other City representative.
- Refusing to cooperate with the City during an investigation of a City or employment-related incident.
- Removing from City premises, being in the unauthorized possession of, or using for personal or any other inappropriate use, any City vehicle, equipment, supplies, tools, material, or other property or using such property of a resident, business, City official, or fellow employee without authorization.
- Destroying, damaging, defacing, abusing, wasting, or misusing City property, equipment, supplies, or materials or such property owned by a resident, business, City official, or fellow employee.
- Allowing the political affiliation of the employee or a resident or member of the general public to affect or influence whether a resident or member of the general public receives City services or in any way affect the type or quality of City services available or provided to the resident or member of the general public.
- Allowing or conducting political activities during work hours
- Assaulting or threatening an elected official.
- Revealing confidential City information without proper authorization.
- Outside employment which adversely affects the City.
- Other violations of City policies or procedures.

The City reserves the right to initiate progressive discipline at the level that is determined to be the most commensurate with the severity of the offense. Discipline shall be imposed as soon as possible after the City becomes aware of the event or action that has warranted a disciplinary decision and after the City has a reasonable period of time to investigate the matter. If the City has reason to discipline an employee, all efforts shall be made to issue the discipline in a manner that will not embarrass the employee in the presence of other employees or members of the public.

32.020 - Non-Union Grievance Procedure

Every employee shall have the right and privilege to present a grievance using the following steps, free from interference, coercion, restraint, discrimination, penalty or reprisal. The following steps are to be used for any cause of dissatisfaction or anything related to employment that is wrong in the employee's opinion.

Employees must present the grievance orally and in writing on a Grievance Form to the immediate supervisor or the City Manager within five working days of the incident. The supervisor or City Manager shall carefully review the grievance and schedule a mutually convenient time, generally within five working days to discuss the complaint with the employee. The supervisor or City Manager shall write a report of the review findings (which may include a plan of action) and submit it to the City Manager and to the employee, generally within ten working days.

If the employee is dissatisfied with the review findings, the employee may request in writing that the City Manager further review the grievance. This request shall be made within ten working days after receipt of the supervisor's written review. The City Manager shall:

- a. Review prior written material
- b. Schedule a hearing at a mutually convenient time, generally within five working days to discuss the grievance with the employee.
- c. Write a review of his/her findings, generally within ten working days of the hearing. The written findings shall set forth the issue, state the principle and relevant facts brought out at the hearing, state applicable provisions in policy and/or law and state the reasoning that led to the decision.
- d. The City Manager's decision shall be final and not reviewable.

An employee may withdraw a grievance at any time.

32.021 - Attendance

City employees are expected to arrive at work at their scheduled times on their scheduled work days. Excessive absenteeism, tardiness, or early departure from work may result in disciplinary action, up to and including discharge from employment. Employees that will be late or absent from work due to an illness or emergency must notify their immediate Supervisor no less than one (1) hour before their scheduled start time. A leave of absence or time off with or without pay, may be approved and granted by a Supervisor or Departmental Director if necessary. Absences consisting of three days or more must be excused with documentation by a certified physician.

32.022 - Appearance Standards

The City is a professional organization and must represent the public in a professional manner. Therefore, a professional image should be reflected in employee dress and mannerisms. Good grooming habits and proper, tasteful attire are both essential in projecting this image. Styles, appearances, habits, or other practices that are considered distracting or offensive to others should be avoided. A Supervisor should be consulted if there are any questions or concerns regarding appropriate dress and behavior. Departmental Directors and Supervisors have the discretion to create and change a list of appropriate attire list based on the work environment and job duties performed.

32.023 - Residency Requirements

Certain city employees (Utility departments) shall reside within thirty (30) miles of the corporate boundaries of the City of Farmer City unless otherwise provided for in employment agreements and Collective Bargaining Agreements.

32.024 - Outside Employment

“Outside employment” is defined as employment in addition to a regular full-time position with the City. The City will not permit any kind of outside employment if:

- It physically or mentally restricts an employee’s ability to perform the job required by the City.
- It reflects negatively upon employees of the City.
- It conflicts with their position as an employee of the City.

The City Manager with consultation of each Departmental Director reserves the right to prohibit any outside employment that is deemed detrimental to the best interest of the City. In such cases, an employee shall be given an appropriate warning and must make a decision, within a reasonable period of time, regarding their future employment with the City.

32.025 - Substance Abuse Policy

The City of Farmer City is a drug and alcohol-free workplace. The City recognizes that substances such as alcohol or illegal drugs can severely impair an individual’s physical and mental capabilities. When an employee consumes these substances and they are impaired during the performance of their job, they pose a major health and safety risk to themselves, other employees, and members of the public. Therefore, the City deems all of its properties and work areas drug and alcohol-free zones unless during appropriately sanctioned events.

The City prohibits the following:

- The consumption, possession (unless in accordance with duty requirements), or being under the influence of alcohol or drugs at any time during the workday or anywhere on City premises or job sites, including all City buildings, properties, and vehicles, or while engaged in City business.
- Selling, purchasing, or delivering any drugs during the workday or on any City properties.
- Using prescribed or over-the-counter medications, where such medications may interfere with job performance or pose a safety risk to the employee or others (unless first reporting to a Supervisor that the medication is being used).

In order to support its goal of a drug and alcohol-free workplace, the City has implemented a drug and alcohol testing program intended to help reduce accidents and casualties, to help discourage substance abuse, and to help reduce absenteeism, health care costs, and other drug and alcohol related problems. This program is also designed to enhance the safety and health of the employees, while also increasing employee morale and productivity and commitment to the public.

The City may conduct drug and alcohol screenings for the following reasons:

- As a condition of pre-employment.
- At random times.
- As a requirement following an accident if the accident or citation occurred during working hours.
- As a matter of reasonable suspicion if an employee is believed to be under the influence of drugs or alcohol during the course of the workday.

Positive tests may lead to suspension or discharge from employment based on the severity of the circumstances surrounding the reason for testing and the test results.

The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal drug use and alcohol abuse are incompatible with employment at City of Farmer City. The City offers an Employee Assistance Program (EAP) (see Section 3.12) to every employee and their immediate family members.

32.026 - Worker's Compensation

All personnel working at City are covered for work related injuries. This insurance provides medical coverage and compensation for accidents occurring on the job. Any job related injuries must be reported IMMEDIATELY to the employee's supervisor or to the person on call, within the work schedule that the injury was received.

Failure to report the accident or injury within the work schedule that the injury was received, or treatment by a non-City-assigned physician, may result in limited or eliminated coverage under the Worker's Compensation Law which could result in the employee becoming responsible for any charges incurred during treatment.

Personal items damaged during a work-related injury will be replaced (eye glasses or clothing damaged during a behavior incident will be replaced by City according to the procedure).

32.027 - Injury / Accident Reporting

The City will comply with all state and national safety requirements. The City will also comply with all safety requirements by the City's insurance carrier.

All job-related accidents involving injuries or occupational illness must be reported to an immediate Supervisor within twenty-four (24) hours of the accident so that the preparation and distribution of the required accident report forms can be completed. Additionally, accidents resulting only in property damage and accidents of a "near miss" nature must be reported to an immediate Supervisor within forty-eight (48) hours of the incident.

It is the responsibility of every employee, Supervisor, and Departmental Director to report all information concerning an accident, or “near miss” accident, within the required time frame.

Every employee injured on the job shall receive prompt medical attention, which may range from first aid treatment to hospitalization, depending on the extent of the injury or illness.

All employees shall notify their supervisor, when they have incurred or as soon as reasonably possible, an off-duty injury that could affect the performance of their duties. Notification shall occur at the beginning of the first shift after the off-duty injury occurs. The City has the right to choose whether to make “light duty” assignments and/or to require a statement from a physician indicating that the employee can return to work, before allowing an injured employee to return to work.

32.028 - Harassment Policy

I. PROHIBITION ON HARASSMENT

It is City’s policy to prohibit harassment and/or discrimination of any individual by another person on the basis of any protected classification including, but not limited to, actual or perceived race, creed, color, religion, national origin, ancestry, citizenship status, age, disability, sex, marital status, veteran status, sexual orientation, genetic information or pregnancy. The purpose of this policy is not to regulate our employee’s personal morality, but to ensure that in the workplace, no one harasses another individual.

Harassment consists of unwelcome conduct, whether verbal, physical or visual that is based upon a person’s protected status as outlined above. The City will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual’s work performance or that creates an intimidating, hostile or offensive working environment. Such harassment may include, for example, jokes about another person’s protected status, or kidding, teasing or practical jokes directed to a person based on his or her protected status.

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

- Epithets, innuendoes, slurs, negative stereotyping or threatening, intimidating or hostile acts that related to race, color, religion, gender, national origin, age, disability, sexual orientation or any other legally protected category;
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of an individual’s protected classification that is placed on walls, bulletin boards, or elsewhere on the employer’s premises or circulated in the workplace.

II. PROHIBITION ON SEXUAL HARASSMENT

It is unlawful to harass a person because of that person's sex. Sexual harassment is a form of discrimination. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations. It is a policy of the City of Farmer City to prohibit harassment of any person by any municipal official, municipal agent, municipal employee, municipal agency or municipal office on the basis of sex or gender. All municipal officials, municipal agents, municipal employees and municipal agencies or municipal offices are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof.

III. DEFINITION OF SEXUAL HARASSMENT

This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of an individual's employment, either explicitly or implicitly; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Conduct which may constitute sexual harassment includes, but is not limited to:

- Verbal Harassment: sexual innuendos, suggestive comments, insults, humor, jokes about: sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates; or, statements of a sexual nature about other employees, even outside of their presence.
- Non-verbal Harassment: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking" or "kissing" noises.
- Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical Harassment: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic Harassment: "sexting" (electronically sending messages with sexual content, including pictures or video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (email/text/picture/video messages, intranet/online postings, blogs, instant messages and posts on social network websites, like Facebook and Twitter).

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.”

IV. PROCEDURE FOR REPORTING AN ALLEGATION OF SEXUAL HARASSMENT OR ANY OTHER HARASSMENT

An employee who either observes sexual harassment or harassment or believes herself/himself to be the object of sexual harassment or other 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 immediate supervisor. It is not necessary for sexual harassment or other harassment to be directed at the person making the report.

Any employee may report conduct which is believed to be sexual harassment, including the following:

- *Electronic/Direct Communication.* If there is sexual harassment or other harassment 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.
- *Contact with Supervisory Personnel.* At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a department head, the city manager or administrator or the chief elected official of the municipality.

The employee experiencing what she/he believes to be sexual harassment or other 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 municipality will not be presumed to have knowledge of the harassment.

- *Resolution Outside Municipality.* The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the municipality. However, all municipal employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must also be filed within 300 days.

- *Allegations of Sexual Harassment or other Harassment made against an elected official of the governmental unit by another elected official of a governmental unit.* In addition to the methods of reporting included above, an elected official may request an independent review of a complaint of sexual harassment or other harassment by another elected official. The request shall be made to the city manager or the chief elected official of the municipality. The official receiving the request shall take immediate action in keeping with the procurement process of the municipality to retain a qualified individual or entity for the independent review of the allegations of sexual harassment in violation of this policy. The outcome of the independent review shall be reported to the corporate authorities.

Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the location), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the municipality. However, because of the serious implications of sexual harassment or other 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.

V. *PROHIBITION ON RETALIATION FOR REPORTING SEXUAL HARASSMENT OR HARASSMENT ALLEGATIONS*

No municipal official, municipal agency, municipal employee or municipal office shall take any retaliatory action against any municipal employee or official due to a municipal employee's or official's:

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

For purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer or change in the terms or conditions of employment of any municipal employee that is taken in retaliation for a municipal employee's or official's involvement in protected activity pursuant to this policy.

VI. CONSEQUENCES OF A VIOLATION OF THIS POLICY

Any violation of this Policy may be subject to discipline up to and including termination from employment.

VII. CONSEQUENCES FOR KNOWINGLY MAKING A FALSE REPORT

A false report is a report of sexual harassment made by an accuser to accomplish an outcome other than stopping sexual harassment or harassment or stopping retaliation for reporting sexual harassment or harassment. A false report is not a report made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to disciplinary action or discharge pursuant to applicable municipal policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.

VIII. WHISTLEBLOWER ACT

The City requires elected and appointed officials, department heads and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities and to practice honesty and integrity in fulfilling their responsibilities and to comply with all applicable laws and regulations.

- It is the responsibility of all elected and appointed officials, department heads and employees to report violations or suspected violations in accordance with the Whistleblower Act, 740 ILCS 174/1 et seq.
- No elected or appointed officials, department heads, or employees who in good faith report a violation shall suffer harassment, retaliation or adverse employment consequences. Violation of this policy is subject to discipline, up to and including, termination of employment.

32.029 - Workplace Violence Policy

It is the policy of the City of Farmer City that violence in the workplace, work-related violence, or threats of violence will not be tolerated, regardless of when or where it occurs, both on and off duty. Accordingly, City employees are prohibited from engaging in violence or threats of violence against any person in the workplace, or outside of the workplace if the violence is work-related. Employees who violate the policy will be subject to disciplinary action, up to and including discharge from employment and legal action. Acts of self-defense against criminal assault are not prohibited by the policy.

Acts of violence shall include, but are not limited to:

- Physically threatening or hostile behaviors.
- Bodily injury or harm.
- Verbal or written threats of violence.
- Physical assault.
- Acts of vandalism, arson, or sabotage.
- Unauthorized possession or use of a lethal weapon or poisonous substance.

Acts or threats of violence, or severe disagreements or disputes that could lead to violence, should be reported to an immediate Supervisor or Departmental Director at the first opportunity so that a thorough investigation may be conducted immediately.

32.030 - Gift Policy

The City of Farmer City adheres to the provisions of the State of Illinois Gift Ban Act. In accordance with the Act, all employees, as well as all City Departments, are prohibited from soliciting or accepting gifts, gratuities, or other related donations from any individual, vendors, businesses, or other entities with whom they may come into contact during the course of their official duties that might be reasonably inferred to be for the purpose of influencing the employee in the normal exercise of their duties.

Exceptions to the gift ban restrictions include:

- Opportunities, benefits, and services that are available on the same conditions as for the general public.
- Anything for which the employee pays the market value.
- Any contribution that is lawfully made or activities associated with a fundraising event in support of a political organization or candidate.
- Educational materials and missions.
- Travel expenses for a meeting to discuss City business.
- A gift from those people who are related to the employee.
- Anything provided by an individual on the basis of a personal friendship, unless the gift was offered because of the official position or employment of the employee who receives it.
- Food or refreshments not exceeding \$75 per person in value on a single calendar day, but only if the food or refreshments are delivered to the worksite or consumed on the premises from which they were purchased.
- Food, refreshments, lodging, transportation, and other benefits resulting from the outside business or employment activities of the employee or their spouse, but only if the benefits have not been offered or enhanced because of the official position or employment of the employee and if the benefits are customarily provided to others in similar circumstances.

- Gifts given to an employee of a City department by a member of the same City or by a member of another City, State agency, federal agency, or any governmental entity.
- Bequests, inheritances, and other transfers upon death.
- Any item or items from any one prohibited source having a cumulative total value of less than \$100 during any calendar year.

32.031 - Use of City Property Policy

The City provides employees with a variety of resources that are essential in the efficient and effective performance of their jobs. Accordingly, these resources (including, but not limited to, telephones, cell phones, smart phones, tablets, notebook computers, tools, automobiles, GPS navigation units, pagers, copiers, fax machines, e-mail, and Internet access) should be used solely for job-related purposes. While in the performance of job-related functions, these resources shall be used responsibly and professionally and shall not be used for any unlawful purpose.

32.032 - Technology Resources Policy

The City provides various information technology resources to its employees (and other authorized persons) to facilitate the creation and communication of business-related data in the most effective and efficient manner possible. As means develop to transmit more data in less time and with less formality, users must put more effort to maintaining the accuracy, security and control of data. Each user must ensure that use of City information technology resources is appropriate and professional. This is especially true because electronic communications tend to be more immediate and informal than written communications and because passwords and deletion functions create the illusion of privacy and control.

Relatedly, although the Internet can be a valuable information resource for legitimate business, research and information sharing, it also presents a significant opportunity for abuse, lost productivity and potential liability for the City and its employees.

In light of these concerns, the City has developed this policy, which establishes the parameters for proper use of information technology resources. The information technology resources are to be used for legitimate corporate purposes and in compliance with all City policies and procedures. Employees (and other authorized persons) who do not comply with this policy are subject to the revocation of their access to City information technology resources and disciplinary action up to and including termination.

a. Proper Use

Other than occasional personal use of e-mail and Internet access, City-provided technology resources may be used only for legitimate business-related communications. Occasional personal use means infrequent, incidental use that is professional and does not interfere with City business, the performance of the user's duties or the availability of technology resources. To the extent possible such use shall be restricted to meal periods and breaks. All use of City technology resources -- including all personal use -- is subject to this policy.

Examples of appropriate Internet usage include:

- Communicating with fellow employees, supervisors, customers, vendors, and the public regarding business matters.
- Researching topics that are relevant to specific job requirements or City projects.
- Conducting other work-related activities.

Examples of inappropriate Internet usage includes, but is not limited to:

- Visiting sites or transferring information that is considered obscene.
- Using e-mail or other communications as a form of harassment.
- Visiting social networking sites, dating sites, or any other site that is not related to the job being performed for an inordinate amount of time.
- Fund raising or political activities.
- Personal for-profit or commercial activities.
- Storing, viewing, or printing multimedia files (such as games, movie files, animations, pictures, graphics or other files) that are not directly related to an employee's job or business activity of the City.

b. Data Ownership

All data created, entered, received, stored, accessed, viewed or transmitted via City technology resources are City property, where permissible by law. The City has a perpetual, royalty-free, irrevocable, non-exclusive right and license to use, reproduce, modify, adapt, publish, distribute and incorporate all such data. Business-related data may neither be used for any purpose unrelated to City business nor sold, transmitted, conveyed or communicated in any way to anyone outside of the City without the City's express authorization.

c. No Privacy

Users have no expectation of privacy in connection with the use of City technology resources, including the creation, entry, receipt, storage, accessing, viewing or transmission of data.

d. Monitoring

As with all other City property, the City will search, monitor, inspect, intercept, review, access and/or disclose all City technology resources and all data created, entered, received, stored, viewed, accessed or transmitted via those resources for any reason, at any time, and without further advance notice by persons designated by or acting at the direction of the City, or as may be required by law or as necessary for, or incidental to, auditing, security and investigative activities, and to ensure effective technology resource administration and policy compliance. For example, authorized persons will inspect the City's technology resources to investigate theft, the unauthorized disclosure of client confidences, attorney work product and proprietary information, misuse, and to assess Internet use. The City will attempt to ensure that monitoring and inspections are conducted professionally. In this regard, no employee may monitor or intercept any data without the authorization of the City Manager or Mayor, or persons designated by them or acting at their direction or at the direction of the Corporate Authorities.

e. Harassment

Users are absolutely forbidden from using the City's technology resources in any way that may be construed to violate the City's harassment-free workplace policy. This prohibition includes sexually explicit or offensive images, messages, cartoons, jokes, ethnic or religious slurs, racial epithets or any other statement or image that might be construed as harassment or disparagement on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, or any other status protected by law. Users are required to take all reasonable steps to avoid and eliminate receipt from known sources of all potentially offensive material.

f. Improper Use

City technology resources may not be used to intentionally or unintentionally violate any local, state, federal or international civil or criminal law. Users likewise may not upload, post, e-mail or otherwise transmit any data that is threatening, malicious, tortious, defamatory, libelous, obscene, or invasive of another's privacy. In addition, City technology resources may not be used to job-search outside of the City or run or solicit outside business ventures.

g. Prohibited Software

Software purchased and licensed for personal use may not be installed on City computers. The City periodically may, at any time, conduct an audit or interrogation of computers for installed software and related printed material that is not included on a then-current inventory of City-authorized software. All unauthorized software will be removed and destroyed.

h. Proprietary Rights

City technology resources may not be used to violate proprietary rights, including copyright, trademark, trade secrets, right of publicity or any other intellectual property rights. For example, unless consistent with all applicable licenses, users may not post or download any data (including software) protected by copyright or patent law. Likewise, users may load only licensed software from the Internet or other source onto a City-provided workstation or laptop, provided that use of the software is consistent with the license and the original software license remains at the appropriate City office so that the City may conduct accurate audits (and respond to external audits). All software must be approved by the City Manager prior to downloading.

i. Confidential Information and use of Intellectual Property

Users may not leak, place, post, transmit or otherwise disclose confidential, sensitive and/or proprietary City information to any unauthorized City employee or anyone outside of the City by any means, at any time or for any reason.

j. Passwords and Security

All passwords and security used in connection with City technology resources, including voice mail access codes, are City property and must be made available to the City upon request. Users must understand that their use of passwords will not preclude access, monitoring, inspection, review, or disclosure by authorized City personnel. The City also may unilaterally assign and/or change passwords and personal codes. The security of City's technology resources is a serious matter and is every user's responsibility.

Users are expected to follow any password and security complexity procedures provided by the City Manager. Users shall make every effort to secure their passwords and security codes and not share this information with other people, including fellow employees with the exception of City authorities as stated above. **The City will not ask or require any employee or employment applicant to disclose user names, passwords or other login information to any personal accounts or services.**

k. E-Mail Retention

The City retains and archives every e-mail message sent or received by those with a City-issued e-mail account.

l. Viruses

Users may not knowingly upload, post, e-mail or otherwise transmit any material that contains software viruses or any other computer code, files or programs designed to interrupt, destroy, or limit the functionality of any computer software, hardware or telecommunications equipment.

m. Misrepresentation of Identity or Data

Unauthorized access of e-mail, data, and use and/or disclosure of other users' passwords is strictly prohibited. For example, users are prohibited from accessing other users' files or communications without any legitimate business purpose (e.g., to satisfy idle curiosity or to "snoop"), regardless of the security designation assigned to a particular file or communication.

n. General Matters

City technology resources may not be used to transmit junk mail or spam (the same or substantially similar messages sent to a large number of recipients for commercial or other purposes unrelated to the City) or pyramid schemes of any kind, or to download or execute games. The City will not be responsible for any damages, direct or indirect, arising out of the use of its technology resources. The City may amend, revise or depart from this policy at any time, with or without notice.

o. Acknowledgment

All employees who are authorized to use City technology resources must sign the attached Acknowledgment and Statement of Agreement. The City Clerk will retain the Acknowledgments in users' personnel files.

p. Termination of Access at Separation

Before each user's last day of employment, the employee shall return or otherwise surrender possession of all City technology resources (including computers, software programs, computer peripherals, electronically stored data (including all client confidences and/or attorney work product), data storage devices, keys, and written passwords) in his or her possession, custody or control. Upon separation of employment, the City will terminate user access to City technology resources.

q. Social Media

Social Media is defined as a media outlet that allows users to generate their own content and share content while networking with other users. Social Media is not strictly limited to the Internet; however, Internet-based Social Media sites present the best opportunity to reach a critical mass of residents and businesses.

Generally, the only cost for the most basic Social Media programs is limited to the manpower needed to start and maintain them.

Objective of the City of Farmer City Social Networking Program:

“To deliver City of Farmer City information to residents and businesses in a timely and engaging manner via relevant social networking tools.”

Information includes:

Public event information – dates, times, locations

City meeting information and updates

Photos from public events

“Did you know ...” information, services available, tools on the City website

Links to relevant pages of the City website or in the traditional media

Social Media will NOT be used to share personal opinions, subjective information, political campaign information or political stands. The City Manager reserves the right to delete or remove inappropriate and/or offensive comments

Posting Updates:

The purpose of posting updates is to communicate useful, factual information regarding public events and information. The tone of updates on Social Media sites will strive to appropriately convey a feeling of excitement for upcoming events and general announcements. Public meeting updates will maintain a neutral, objective tone. Minimally, updates will be posted on a regular basis during the work week. Posting will be under user names that may include “Farmer City,” “City of Farmer City,” or “#CityofFarmerCity,” et al.

Posting Update Requests:

Requests for posting updates on Social Media sites will be sent to the City Manager from the appropriate Department Director or their deputy or assistant.

Requests will include relevant information (event name, date, time, location) and any photos, artwork, or logos associated with the request. Requests may also include a preferred number of announcements and timing (i.e., two weeks prior to the event, a week prior to the event, and the day of the event).

Events will be posted on the City’s website and relevant social channels throughout the week to avoid releasing information all at one time, and to keep information fresh.

Fostering a Dialogue:

Considering the information posted on each of the sites is informational in nature and will not take on a political bias or tone, it is recommended comments be enabled unless conditions warrant that the comment feature be disabled. Municipalities with similar “fan pages” on Facebook have limited comments on their sites, and the comments are generally positive or neutral responses to event information. The City of Farmer City reserves the right to remove any comments received through social media channels that are found to be spam, obscene, malicious, threatening, hostile, overtly negative or destructive to the dialogue.

Disclaimers:

The Facebook user names will have disclaimers included that will direct individuals with questions to the City website and individuals with emergencies to 9-1-1. The disclaimer will be incorporated into the Facebook “city page”.

Employee Usage

The City recognizes that social media creates opportunities for community engagement, interpersonal connection and self-expression, but it also creates risks and responsibilities. Everyone should assume that any use of social media – whether on a business or personal account – could be viewed by a colleague, supervisor, partner, supplier or member of the public. If any social media activity of an employee of the government adversely affects the employee’s job performance, the performance of fellow employees or otherwise adversely affects the goals of the government, an employee of the government may be subject to disciplinary action up to and including termination.

Disclosure of confidential government information, sensitive information or personal information relating to government officials and employees, or members of the public, is prohibited.

It is requested that employees who identify themselves as employees of the City post a disclaimer on their own personal social media platforms that any posts or blogs are solely the opinion of the employee and not the employer.

Personal use of social media in the workplace may be allowed within reasonable time limits so long as it does not adversely impact the government employee’s job performance.

As provided in Section 2.23(c), City employees have no expectation of privacy when using the City’s technology resources, including any use related to the employee’s use of any social media platform.

r. Policy Violations

Access to and use of City technology resources is a privilege, not a right. Users who do not comply with this policy are subject to denial of access to City technology resources and disciplinary action up to and including termination.

32.033 - City Credit Card Policy

Credit cards may be provided to City employees for the purpose of acquiring the necessary materials and services to complete their duties in a more convenient and efficient manner. A Supervisor or Departmental Director may submit a request for an employee to become a cardholder. If the request is granted, the approved employee must review this policy and shall be required to sign a City Cardholder Agreement to indicate an understanding and acceptance of the rights and responsibilities of a cardholder.

The credit card provided by the City may be used for official use only. Unauthorized or private use of City-owned credit cards is strictly prohibited. Also, no other individual is authorized to use the card except for the approved cardholder. An employee who makes unauthorized purchases or carelessly uses the credit card will be liable to the City of Farmer City for the total dollar amount of such purchases plus any administrative fees charged by the bank or card company in connection with the misuse. In addition, inappropriate or negligent use of the City-owned credit card will result in disciplinary and possible legal action.

Unauthorized uses of the City-owned credit card include, but are not limited to:

- Personal purchases or for personal identification.
- A single purchase that exceeds the cardholder's predetermined single purchase limit.
- Cash advances.
- Personal cell phone or other monthly service payments.
- Alcoholic beverages.

The cardholder is responsible for maintaining receipts of all card transactions. Receipts are required for all purchases made with the card and they must be submitted as soon as possible, but no more than 30 days after purchase, to the employee's Supervisor or Departmental Director or Finance Office. If the cardholder does not have documentation of a transaction listed on the monthly statement, the employee must attach an explanation that includes a description of the items or services purchased, the date of purchase, the vendor's name, and the reason for the lack of supporting documentation. In the event that a cardholder displays a pattern of undocumented or unauthorized purchases, the employee's credit card privileges may be revoked and disciplinary action may be administered. Also, the cardholder will be responsible for all charges not adequately documented as well as charges that were not made for legitimate City business.

Cardholders are expected to obtain the best prices available when purchasing goods and services. Purchasing items at above market prices where the vendor gives the employee any form of gift, bonus, or premium in exchange for making the purchase is considered an illegal kickback and may result in discharge from employment and prosecution.

If a credit card is lost or stolen, the cardholder must immediately notify the Supervisor or Departmental Director so that the card can be deactivated for further use. Once the deactivation process is complete, a new card can be issued to the cardholder.

In the event that a cardholder ceases to be employed by the City, the card must be returned. If an employee leaves their position voluntarily, they must surrender the credit card and any undocumented receipts to their Departmental Director prior to the separation date.

If an employee leaves their position involuntarily, the Departmental Director or City Manager should collect the credit card and any undocumented receipts at the time of the employee's discharge.

32.034 - City Vehicle Policy

The City of Farmer City may provide vehicles that are to be used only to conduct City business. Only permitted City employees, as well as elected and appointed City officials, shall be allowed to drive City-owned vehicles. Authorized users are responsible for the care, conservation, and the correct and safe usage of City vehicles. When operating City-owned vehicles, authorized users shall obey the laws of the City of Farmer City and the State of Illinois and will take every precaution to safeguard the condition of the vehicle and members of the public. When not in use, City vehicles and equipment shall be locked in an effort to avoid theft or destruction.

Smoking is prohibited in all City vehicles as is the transportation of alcohol.

Authorized users must be at least eighteen (18) years of age and must possess a valid driver's license of proper classification in order to operate a City vehicle. In the event an authorized user's driver's license is suspended or revoked, the user must immediately notify their Supervisor or Departmental Director. Failure to do so will be cause for disciplinary action.

When operating the City's vehicles or equipment, authorized users should keep in mind that they are representatives of the City and their conduct is a direct reflection on the entire organization. It is essential that authorized users exhibit courteous and safe operation on the road, while also abiding by all City, State, and other applicable laws and regulations.

City vehicles are not for personal use or to be taken home by the employee, unless authorized by the employee's Supervisor or Departmental Director. Vehicles that are authorized to be taken home must be available for City business at all times. Also, no passengers shall be transported in City vehicles other than those who are involved in City business, unless otherwise approved by the operator's Supervisor or Departmental Director.

An employee of the City must immediately notify their Supervisor or Departmental Director of all damaged, lost, or stolen property. If an authorized user experiences an accident, equipment loss or theft, or damage to the vehicle caused by the negligence of the employee, then the employee may face disciplinary action and may be responsible for the replacement of the damaged, lost, or stolen items.

All employees of the City must report any moving traffic violations or accidents in which they are involved while on duty, or while using City vehicles, to their Supervisor or Departmental Director. Under these circumstances, the employee must pay any fines for violations incurred in full.

If an authorized user is involved in an accident while on duty, the employee must submit an accident report using the designated forms as soon as possible after the accident occurs. Failure to notify a Supervisor about an accident or failure to submit a report may be cause for disciplinary action, up to and including discharge.

Employees may, with Departmental Director approval, use their private vehicles for City business. In these instances, the City will reimburse the Employee at the set IRS mileage rate for any mileage used for City business. Mileage reimbursement will not be given for trips made to/from employee's residence and main work location.

32.035 - Cell Phone / GPS Use Policy

Employees are expected to use discretion when using City phones or personal cell phones. Excessive personal calls during the workday can interfere with employee productivity and can be distracting to others. Employees are asked to make personal calls on non-work time where possible and to make friends and family aware of this policy.

Employees whose jobs require regular or occasional driving and who use a cell phone or GPS navigation unit for business or personal use are expected to use good judgment when using these devices while driving. Personal and public safety must come before all other concerns.

Employees are prohibited from using a cell phone while driving unless with hands-free equipment. It is strongly recommended that the employee pull over to the side of the road and park the vehicle before placing or accepting a call. Where job responsibilities require regular driving and phone usage, hands-free equipment may be provided for the employee's convenience at the Department Head or Supervisor's discretion.

Employees must adhere to all State regulations involving cell phone usage. It is against the law in the State of Illinois to compose, send, or read a text message, e-mail, instant message, or other notification on an electronic device while operating a vehicle. Also, it is prohibited to use a cell phone while driving, while in a school speed zone or a construction zone, unless using hands-free equipment.

When using a GPS navigation system, the destination should be entered before the vehicle is in motion in order to reduce distraction and lower the risk of an accident. Also, the GPS unit should be placed in a position that does not hinder the driver's view of the road.

Employees who are charged with traffic violations or who are involved in accidents resulting from the use of their cell phones or GPS units while driving will be responsible for all liabilities that result from such actions.

Employees whose responsibilities do not specifically include driving as an essential function, but who are issued a cell phone or GPS unit for business use, are also expected to follow all provisions of this policy. Violations of the policy by any employee will lead to disciplinary action, up to and including discharge from employment.

32.036 – Cell phone Allowance

1) Policy: Per the Illinois Wage Payment and Collection Act, Employees whose job duties include the frequent need for a cell phone will receive extra compensation, in the form of a cell phone allowance, to cover business-related costs on their personal cell phone. No further reimbursement for cell phone costs is available to employees who receive such an allowance. The City may also maintain a limited number of cell phones assigned to a specific department or piece of equipment. These phones are intended to be used only during work hours and personal use of these phones is strictly prohibited.

2) Allowance:

- a) **Eligibility:** Employees eligible for a cell phone allowance generally include department heads, supervisors, and full-time employees whose job duties regularly require emergency call back, irregular work hours or other job-related factors that require the employee to routinely utilize a cell phone to enhance their ability to perform their job duties. Department heads shall recommend which employees within their departments qualify for a cell phone allowance. The City Manager shall give final approval on all cell phone allowances.
- b) **Allowance Amount:** The standard monthly cell phone allowance amount shall be \$25 or \$50. No further reimbursement for cell phone costs is available to employees who receive an allowance.
- c) **Allowance Payment:** The approved cell phone allowance will be paid monthly on the employee's paycheck pre-tax. This allowance does **not** constitute an increase to base pay, and will **not** be included in the calculation of percentage increases to base pay due to salary increases, promotions, etc.

- 3) **Employee Responsibilities:** Per the employee cell phone reimbursement agreement, the employee must retain an active cell phone contract as long as a cell phone allowance is in place. The employee must provide their department head and the City Manager with their current cell phone number and immediately notify both parties if the number changes. Employees receiving a cell phone allowance are expected to carry the cell phone on their person both on and off duty and respond when called for City business.

Employees may choose the cellular service provider and plan design of their choice.

Because the employee owns the cell phone personally, the employee may use the phone for both business and personal purposes, as needed. Use of the phone in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the cell phone allowance. Any business-related use (texts, calls and emails) will be subject to FOIA.

If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the cell phone allowance being discontinued or the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation. For example, if an employee resigns, and no longer wants to retain the current cell phone contract for personal purposes, any cancellation charges will be the employee's responsibility.

4) **Department Assigned Cell Phones:** City-owned cell phones assigned to departments shall be used by multiple employees on an as-needed basis during the work day and are intended solely for city business use. Personal use of such phones for anything other than a personal emergency may subject the employee to disciplinary action and require appropriate reimbursement to the City. Such phones will not be assigned to an individual and shall not be taken home by employees except periodically when an employee is assigned by the department to be "on call" after normal work hours.

32.037 - Training, Travel and Tuition Reimbursement

a. Training

The City recognizes that attendance at and participation in seminars or conferences is a valuable tool for updating an employee's job knowledge, skills and abilities. Requests by employees to attend seminars, conferences, workshops, conventions and the like should be submitted through their supervisor for review and approval by the respective department head subject to budgetary and scheduling parameters.

Employees attending a conference, meeting, class, seminar, convention or similar occasion as a representative of the City of Farmer City are expected to conduct themselves in a professional manner. Any improper conduct will be treated as if it occurred during regular working hours and the employee may be subject to disciplinary action for such improper conduct, up to and including termination of employment.

b. Travel

The cost of travel and related expenses for attendance at conferences and seminars shall be reimbursed pursuant to Section 3.14.

32.039 - Smoking Policy

The City of Farmer City honors the Illinois ban on smoking in public places. In doing so, the City reinforces the importance of a safe and healthy workplace.

Smoking is not permitted:

- Inside City buildings or within any work area.
- Within any City-owned vehicle.
- Within fifteen (15) feet outside of any City building.

Section 3: Employee Compensation and Benefits

32.040 - Wages

The purpose of a classification and pay plan is to promote a wage system that is fair, flexible and consistently applied throughout the organization. In its administration, it is linked with regular performance appraisals of the employees and longevity plan, if any.

Within the plan, positions are assigned to pay ranges, which are competitive with the market place and provide room for individual advancement based on performance. Employees move up annually based on performance evaluations; the amount that they move on the scale should be directly and quantitatively related to their measured performance. Wage increases will take place at the beginning of the next year budget upon anniversary.

Employees shall be compensated in accordance with a current wage schedule. All employees are encouraged to enroll in the City's Direct Deposit Program. Sign-up will be with the City Clerk's Office.

Employees are paid on a bi-weekly basis (twenty-six periods per year). Payroll receipts are issued on Friday of a pay week. In the event the regular payday is a legal holiday, the preceding day shall become the payday.

All employees paid on an hourly basis are required to document time in and out for their hours worked. All times must be recorded on the appropriate time sheet, if provided by the respective department. The employee and their supervisor in those departments must sign all time sheets. Prior permission of the immediate supervisor must be obtained for any change in schedule or overtime hours. Employees are required to check out when not on duty. The supervisor must authorize make up time.

Falsification of time records is a serious offense and is grounds for disciplinary action, including discharge.

In accordance with the Equal Pay Act of 1963, the City of Farmer City will not pay wages or salaries to any employee at a rate less than the City pays employees of the opposite sex for work that is substantially equivalent and requires comparable skills.

Wages are reviewed on an annual basis during budget preparation and then adopted by the City Council with recommendations from the City Manager, who takes into consideration budgetary constraints as well as collective bargaining agreements, as part of the overall compensation plan.

32.041 - Change of Personal Status

Any changes in name, address, tax exemptions, marital status or emergency contact should be reported to the City Clerk. Requests for changes in health coverage must also be made through the City Clerk.

32.042 - Scheduling

The workday shall vary by department. Departmental Directors may change normal hours based on operational needs.

The workweek is defined as forty (40) hours beginning at 700 A.M. or 800 A.M. on Monday and ending at 330 or 400 P.M. the following Friday. For payroll purposes, the workweek will end at the close of the employee's regular shift on Wednesday on the week of payday.

32.043 - Overtime

In accordance with the Fair Labor Standards Act of 1938, all non-exempt employees working in excess of forty (40) hours in any workweek shall be paid at a rate of one and one-half (1.5) times the employee's straight time hourly rate. Departmental Directors are responsible for approving all overtime.

Leave time shall not be used in a manner that causes overtime to be accrued unless required and/or allowed by the Department Head.

An employee shall be compensated at a rate of five dollars (\$5.00) per hour for each hour "on call" not to include any call out which is at one and one half normal hourly rate. On call times are listed per department.

32.044 – Emergency Services

All full time City employees who also serve as a volunteer firefighter shall be allowed to respond to an emergency call during their regularly scheduled workday. Employees responding to such calls, as outlined in this section, will receive only their regular rate of pay for those hours or fraction of hours in which the emergency response occurs during their regularly scheduled work shift. If the emergency response extends beyond the regularly scheduled work hours, the employee will not be paid for those hours beyond the regularly scheduled work day.

32.045 - Vacation

Regular full-time employees – The policy of the City of Farmer City is to provide paid vacation hours for employees to have time away from work for their own health and wellbeing.

Scheduling and using vacation hours requires a request from the employee and authorization from the supervisor. Vacation hours are granted based on the needs of the department to which the employee is assigned. All full-time employees not covered by a collective bargaining agreement shall receive paid vacation hours according to the following schedule.

<u>Consecutive Years</u>	<u>Annual Accrual</u>
After 1 Year through 4 years	80 hours
After 5 Years through 9 years	120
After 10 years	160
After 20 years	200 hours

Employees may not carry over accrued vacation time from one year to the next. The City Manager may grant an extension if he/she deems it necessary or appropriate. Employee may sell back up to 80 hours of vacation per budgetary year.

Vacation is accrued every two weeks and is available to be used after accrual. An employee must complete one full year of service in order to be eligible to utilize vacation time.

No more than two (2) weeks' vacation shall be taken at any one time. Any deviation from this Section shall first have the approval of the Department Head.

Consecutive years of service shall mean without interruption, other than interruptions caused by military service, sickness, or other leaves of absence granted by the City.

All vacations will be scheduled so as not to interrupt service to residents. If there are conflicts that cannot be resolved, then vacation time of those affected by the conflicts, and those only, will be determined by the Department Head on the basis of seniority.

Upon resignation or termination, an employee is entitled to be paid for all earned but unused vacation time. Upon the death of an employee, all earned vacation time shall be paid at the regular rate of pay to the employee's legal heir or executor.

32.046 - Holidays

Paid time-off is granted to most full-time employees for the following holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Memorial Day
- Fourth of July
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve
- Christmas Day

If a holiday falls on a Saturday, the proceeding Friday shall be observed as the holiday. If a holiday falls on a Sunday, the following Monday shall be observed as the holiday.

For employees who are scheduled to work on holidays, the employees shall be paid eight (8) hours holiday pay at straight time rates and time and one-half (1.5) for all

hours worked. When a holiday falls on an employee's regularly scheduled workday during the employee's vacation period, the employee will be charged for the holiday and retain the vacation day.

32.047 – Personal Days

All fulltime employees with at least one full year of continuous service with the City may be granted two paid eight hours personal days per calendar year. Personal days may be taken together with holidays or vacation days but must be approved in advance. Personal days must be taken during the calendar year and cannot be carried over.

32.048 - Rest / Meal Periods

Rest periods – There shall be two (2) rest periods of fifteen (15) minutes each during each regular shift, one during the first half of the shift and one during the second half of the shift. All rest periods shall be taken in the work place in the case of office employees and at the job site in the case of field employees.

Rest periods shall be taken at the time designated by the supervisor. Missed rest periods do not constitute overtime or a reduction in working hours.

Meal periods – Work schedules shall provide for the workday to be split at approximately the mid-point by an uninterrupted, unpaid meal period of no less than thirty (30) minutes and no more than one (1) hour.

Meal periods shall be taken at the time designated by the supervisor. Missed meal periods do not constitute overtime or a reduction in working hours.

32.049 - Benefits / Payroll Deductions

Automatic deductions are taken from all City employees' pay, including State and Federal withholdings, Medicare (where applicable), Social Security (where applicable), and the Illinois Municipal Retirement Fund. The City also provides the opportunity for voluntary payroll deductions, in which the employee can subtract a chosen amount of their pay to contribute to benefits or other fees.

Examples of voluntary payroll deductions include, but are not limited to:

- Union membership dues or fees or Fair Share.
- Health insurance – The City offers health insurance which calls for employees' premium contributions to be automatically deducted from their pay, with an option of before taxes.
- Deferred compensation – The City offers Section 457 Deferred Compensation Plans, which are a tax-deferred retirement plan that is funded exclusively by an employee's contributions. This plan allows employees to set aside a portion of their pay on a pre-tax basis to supplement their Social Security and other retirement plans.
- Life insurance – \$10,000 plan

32.050 - Health/Dental Insurance

The City of Farmer City purchases insurance for health insurance and dental insurance. Currently, rates are determined by the insurance plan based on all expenses associated with coverage and allocated between single and family coverages; and are reviewed and approved by Council for a July 1st effective date.

The City may pay 100% of individual employee premiums for those employees and 50% of their immediate family members participating in the City's insurance plan. This insurance program may be altered by the City Council based on the City's ability to maintain the costs of the program. For a complete version of the City of Farmer City's Health and Dental Plan, please see the City Clerk.

32.051 - Personal Benefits

Other types of insurances (accident, cancer, disability, intensive care, life, long-term care, sickness, etc.) may be purchased through payroll deduction. Costs and policies vary depending upon desired insurances.

457(b) PLANS – The City also offers additional voluntary retirement plans through deferred compensation payroll deductions. You do not pay federal or state taxes on the payroll deductions. You are contributing to your retirement. Deferral amounts are determined each year by the IRS. Additional deferrals may be made if you qualify. You can withdraw assets from these accounts under the following conditions according to IRS guidelines:

- 1.) Termination of employment
- 2.) Retirement
- 3.) Unforeseeable emergencies (subject to strict IRS guidelines)
- 4.) Small accounts distributions (also subject to strict IRS guidelines).

For a list of providers and further information, please refer to Appendix A for further details.

32.052 - Wage Garnishment

If the City receives a wage garnishment notice on any employee, it will be processed the next pay period in accordance with the law. Also, whenever the City is served with an order to withhold income from an employee, pursuant to any statute, the City has the right to charge the applicable statutory administrative fee from the employee's income.

32.053 - Employee-Incurred Expenses / Reimbursement

Subject to the conditions set forth below, the City of Farmer City will provide a credit card or reimburse employees for reasonable business travel expenses incurred while on professional business away from the normal work location. Business travel must be approved in advance by the department head or City Manager.

If not provided a credit card, any advances to cover conference costs must be arranged by the employee and the department head at least 7 days prior to the conference date. Advances can be requested for the following:

- Travel: Federal rate at the time (IRS mileage)
- Hotel/motel room: Room rental expense
- Meals: Up to a maximum of \$200 for any stay exceeding two days and two nights: \$100 for any stay of less than two days (Alcohol is specifically excluded from reimbursement)

Employee must keep all receipts related to the conference costs, along with detailed accounting of the same, and must be submitted to the department head and then to City Finance.

Expenses for travel, meals and lodging of (1) any officer or employee that exceeds the maximum reimbursement allowed under the regulations adopted above or (2) any member of the corporate authorities of the city may only be approved by roll call vote at an open meeting of the corporate authorities of the City. However, in the event of an emergency or other extraordinary circumstance, the corporate authorities or City Manager may approve more than the maximum allowable expenses set forth above.

The City shall not reimburse any elected official, employee or officer for any activities which would be considered entertainment. Activities which would otherwise be considered entertainment but which are excluded from the prohibition on reimbursement due to being ancillary to the purpose of the program or event, may be reimbursed in accordance with the provisions of this policy.

Abuse of the travel regulations, including falsifying expense reports to reflect costs not incurred by the employee may be subject to disciplinary action, up to and including termination of employment.

Section 4: Employee Leaves of Absence

32.060 - Sick Leave

The purpose of sick leave is to provide income protection for absences.

Sick leave may be used for:

- Illness, disability, or injury of an employee.
- Appointments with a doctor, dentist, or other professional medical practitioner.
- Events of illness, disability, or injury of a member of an employee's immediate family or household. (Immediate family can include, but is not limited to, spouse/partner, children including step-children and parents).

Regular full-time employees accrue ninety-six (96) hours of sick leave per year at eight (8) hours per month. Accrual will be capped at 500 hours. Absences and use of sick leave of three days or more must be excused with documentation by a certified physician for the employee or family member.

A Department Head may direct an employee who appears ill to leave work to protect the health of other employees. Employees who are ill more than two days will provide a doctor's excuse for additional time. Employees who are unable to return to work upon expiration of the accrued sick leave must request a leave of absence without pay. Prior to returning from a sick leave over one (1) month long, the employee must submit a statement from a physician indicating the employee can return to work and perform the essential duties of the job with reasonable accommodation.

32.061 - Light Duty

The best interests of the City and its employees are served when injured or ill employees return to work as soon as they are able. Light duty work is work which requires only a minimum of physical exertion, and can be accomplished by an injured or ill employee without risk to the employee's recuperation process and without potential risk of harm to others. When employees are on leave of absence for an injury or illness, the department head may recommend and the City Manager may approve a light duty assignment in accordance with the procedures identified below. There is no guarantee of a light duty assignment. Light duty assignments will be considered on a case-by-case basis and shall be at the discretion of the Department Head or based on the operational needs of the City.

Further, light duty assignments are temporary and are reserved for employees who will be able to recover from their injuries. Light duty assignments are intended to benefit the employee and the City and to the extent that light duty assignments cease to serve the operational needs of the City, light duty assignments will be terminated.

- 1) An employee may be required, or may volunteer, to work in an available revised duty assignment, whether the injury was sustained on-duty or off-duty. The number of light duty assignments available is limited. Therefore, on-duty injuries have priority over off duty injuries in the selection of light duty assignments, and are at the discretion of the Department Head.
- 2) The work the employee performs must be within the physical limitations prescribed by the employee's and/or City-designated physician.
- 3) The work the employee performs must have existed within the department before the illness or injury occurred.
- 4) No employee will be moved from his regular job in order to make a light duty situation available to another employee.
- 5) The performance of light duty work shall not otherwise disrupt the functioning of the department within which the light duty is being performed.
- 6) Employees may be removed from limited duty assignments if appropriate work is not available, or if the employee cannot satisfactorily perform the work assigned. In most cases, light duty assignments will not be allowed for more than 90 days.
- 7) It is recognized that the nature of the injury and the skills of the employee will determine what assignments are made. The nature of the injury and the skills of the individual must be balanced against the needs of the department (e.g. an administrative or clerical employee with a broken arm may be able to perform office work that a utility person or mechanic with the same type of injury is unable to do).
- 8) The City is the employer, not the department. It is the primary goal of this policy that departments find alternative work assignments for employees assigned to their respective departments. However, when the employee's department head cannot find suitable work, suitable restricted work may be sought in other departments.
- 9) An employee who is authorized and assigned light duty work shall continue in his status as an employee of the City, with the same wage and benefits that were assigned to his regular position.
- 10) The City may require the employee to submit to an examination by another physician at the City's expense in order to determine the employee's fitness for duty, even light duty. The determination of the City's physician will govern in the case of a dispute between the City's physician and the employee's physician. The City also reserves the right to review an employee's status at any time during the duration of the light duty assignment.
- 11) The decision of the City Manager shall be final with respect to the determination of whether a light duty assignment is available within the limits of the physician's restrictions. No light duty assignments will be made permanent and requests for light duty may be denied where there is no reasonable expectation of the employee returning to regular duty within 90 days.

- 12) If an employee is granted light duty, the light duty assignment generally shall not exceed 90 days. If at the end of that time, the employee is still not medically released to perform full duties as defined by the employee's official job description, he shall either: (1) be reclassified or reassigned; or (2) be placed on a leave of absence with or without compensation; or (3) apply for a disability pension; or (4) be subject to commencement of the termination process. Such decision shall be made by the City Administrator and department head based on the circumstances of each specific case and in accordance with applicable laws.
- 13) The City will treat pregnancy as any other non-job related disability. Any restrictions imposed by a pregnant employee's physician or the City-designated physician will be reviewed to determine if light duty assignments are available consistent with the employee's prenatal restrictions.
- 14) Failure to report for or to carry out the assignments of the limited duty work status may result in disciplinary action, up to and including termination of employment.
- 15) No light duty assignments shall result in overtime.

Nothing herein shall be construed to require the City to create a light duty assignment for an employee. Employees will only be assigned light duty assignments when the City determines that the need exists, and only as long as such need exists.

32.062 – Military Leave

The City will comply with the requirements of the Illinois Service Member Employment and Reemployment Act, 330 ILCS 61/1-1 et seq.

32.063 - Bereavement Leave

In the event of a death in an employee's immediate or extended family, an employee may be granted bereavement leave. For the death of immediate family member, an employee may receive three (3) days leave of absence with pay. Immediate family is defined as: parents, spouse, children, stepchildren, grandparents, brother, sister, grandchild, mother in law, father in law, sister in law and brother in law. Requests may be made for an authorization of leave involving the deaths of individuals who are not part of the employee's immediate or extended family and leave may be granted at the discretion of a Supervisor or Departmental Director. An additional one (1) day for travel may be granted if distance is more than 250 miles one way. Bereavement leave shall not affect any other leave.

32.064 - VESSA Leave

In accordance with the Victim's Economic Security and Safety Act, **as amended**, the City will provide an unpaid leave of up to **eight (8)** weeks per year for an employee who is the victim of domestic or sexual violence or who has a family member or household member who is a victim of such violence.

32.065 - Educational Leave

Supervisors may grant City employees leave for educational purposes to attend conferences, seminars, briefings, or actual classes that are designed to improve, maintain, or upgrade an employee's certifications, skills, and professional ability. While on leave, the employee will receive their regular daily wage for each day they would have worked.

32.066 - Discretionary Unpaid Leave of Absence

Departmental Directors may grant leaves of absence, without pay or salary, to employees for job-related reasons, such as further training or study, which will enable employees to perform their usual and customary duties with greater efficiency and expertise, or for a prolonged illness in the family or child birth. **Maximum leave is capped at 6 weeks.** Departmental Directors shall assure employees that the position, or a similar position, will be restored at the conclusion of the leave, unless the position or job was eliminated by the City Council or State / Federal legislation. Sick and vacation leave will not accrue during the absence and insurance coverage will be continued only at the specific request of the employee taking authorized leave of absence. The City will not pay for any portion of the insurance coverage for an employee on authorized leave.

Unpaid leaves of absence **shall not exceed six weeks and** may be granted by the department head, with approval by the City Manager, on a case-by-case basis.

32.067 - Jury Duty

Leave with pay shall be granted to all full-time City employees for time spent in jury and grand jury service or when subpoenaed to give depositions or appear in court on job-related cases. To receive full pay, employees shall endorse or turn over to their supervisor any payment received (less mileage, if applicable) for such jury or witness duty, such as jury pay vouchers and checks, or other forms of compensation for witness fees.

32.068 - School Visitation Rights Act Leave

The School Visitation Rights Act leave affords employees an unpaid leave of up to 24 hours during any school year, no more than 4 hours of which may be taken on any given day to attend school conferences or classroom activities related to the employee's child if those activities cannot be scheduled during non-work hours. No leave may be taken by an employee unless the employee has exhausted all accrued vacation leave, personal leave, and any other leave that may be granted to the employee except sick leave and disability leave. Before arranging attendance at the conference or activity, the employee shall provide the employer with a written request for leave at least 7 days in advance of the time the employee is required to utilize the visitation right. In emergency situations, no more than 24 hours' notice shall be required. The employee must consult with his supervisor or department head to schedule the leave so as to not disrupt unduly the operations of the employer.

32.069 - Inclement Weather

City of Farmer City generally continues operations during inclement weather. Whenever inclement weather or any other emergency situation makes it necessary for the City to cancel work for all or certain employees, the affected employees shall not be compensated for their regularly scheduled hours of work during the work cancellation period, except to the extent that they elect to use accumulated leave time. Employees are encouraged to use caution when weather conditions make travel hazardous. If it is necessary to delay arrival or to leave work early, employees are required to seek approval from their supervisor.

ARTICLE 5. RESIGNATION, TERMINATION OR RETIREMENT

32.070 - Resignation

Letter of Resignation – A letter of resignation shall be given to the Department Head, with a copy to the City Manager, at least two (2) weeks before the employee's last working day. The letter should state the reason for resignation and the date of the last working day.

Exit Interview – Prior to the last working day, the employee may schedule an exit interview with the Department Head or designee and must complete any necessary resignation/termination/retirement forms at the City Clerk's Office.

Regardless of the separation reason, an employee must schedule an exit interview with the City Clerk. The interview will be conducted to discuss the circumstances regarding separation of employment and continuation of insurance policies (COBRA).

Employees are expected to return all City of Farmer City property at the time of the exit interview.

32.071 - Termination

Resignation or Termination Benefits – Upon resignation or termination (including dismissal or reduction in force), an employee is entitled to all of unused vacation time.

Disability Retirement – Qualified employees may retire from the service of the City if they are disabled as “disabled” is defined by the Illinois Pension Code.

32.072 - Retirement

Retirement – Any employee may retire from the service of the City if they have accumulated full-time service with the City as outlined by the Illinois Pension Code.

32.073 - Final Paycheck

Final paychecks will be issued on the regular payday of the period in which employment is terminated. Arrangements will be made during the exit interview for delivery of final paychecks.

Payout of accrued vacation time minus any appropriate deductions will be issued on the next regularly scheduled payday following termination of employment.

Administrative Procedure for Assessing and Determining Claims under PSEBA

32.080 Purpose

The purpose of this ordinance is to provide a fair and efficient method for determining the eligibility of a full-time employee for the benefits enumerated under PSEBA through an administrative process, including if necessary, an administrative hearing.

32.081 Definitions

For the purpose of this Ordinance, the following terms will have the following meanings. These definitions are derived from the federal Public Health and Welfare Act, which was enacted in 1944 and amended in 1984 to define, by inclusion or reference, the following terms.

For use in this Ordinance, provisions containing the words “mayor,” “commissioner,” “alderman,” or “city council” also apply to the president, trustee, councilmember and boards of trustees so far as the provisions are applicable to them.

Catastrophic injury	An injury, the direct and proximate consequences of which permanently prevent an individual from performing any gainful work.
Gainful work	Full- or part-time activity that actually is compensated or commonly is compensated.
Injury	A traumatic physical wound (or a traumatized physical condition of the body) directly and proximately caused by external force (such as bullets, explosives, sharp instruments, blunt objects, or physical blows), chemicals, electricity, climatic conditions, infectious disease, radiation, virii, or bacteria, but does not include— (1) Any occupational disease; or (2) Any condition of the body caused or occasioned by stress or strain.

32.082 Application Procedure.

As noted by the Court in *Englum*, “while the [Act] contained *substantive* requirements for section 10 eligibility, the [Act] contained no *procedural* requirements for determining whether a former employee met the substantive criteria.” ¶ 55. This ordinance and the application procedure of this section establishes guidance on the proper procedural requirements for Public Safety Officers seeking PSEBA benefits in the City.

- A. Public Safety Officers, or family member(s) of an injured or deceased Public Safety Officer, (“Applicant”) must file a full and complete PSEBA application in writing within thirty (30) days of filing a pension claim with the City or within thirty (30) days of the date of the adoption of this Ordinance in the event that an Applicant has filed for a PSEBA claim prior to the date of adoption of this Ordinance, whichever is later, if the Applicant is seeking benefits under PSEBA. The City shall notify Applicant if the PSEBA application is incomplete and Applicant shall have five (5) days to remedy their application. Failure to timely file the full and complete application shall result in a forfeiture of the benefits under PSEBA by failure to properly submit a complete application.
- B. A complete PSEBA application includes the following:
1. The name of the Applicant, date of hire, detailed information regarding the incident, including information relating to how the injury was sustained in the line of duty (date, time, place, nature of injury, and other factual circumstances surrounding the incident giving rise to said claim);
 2. The Applicant’s firsthand knowledge explaining, to the City’s satisfaction, how the injury/death directly resulted from:
 - i. Response to fresh pursuit;
 - ii. Response to what is reasonably believed to be an emergency;
 - iii. An unlawful act perpetrated by another; or
 - iv. Participation during the investigation of a criminal act;
 3. A signed PSEBA medical authorization release which authorizes the collection of information related to the incident including, but not limited to, disability pension proceedings, worker’s compensation records, and medical records and specifies the name and address for pertinent health care provider(s);
 4. A signed PSEBA general information release specifying the name and signature of the Applicant or her/his authorized representative along with legal proof of said representation and name and signature of witness authorizing the collection of information pertinent to the incident review process;
 5. The name(s) of witnesses to the incident;
 6. The name(s) of witnesses the Applicant intends to call at the PSEBA hearing;
 7. Information and supporting pension documentation filed with the appropriate pension board;
 8. Information supporting the PSEBA eligibility requirements; and
 9. Other sources of health insurance benefits currently enrolled in or received by the Applicant and/or family members if the Applicant is deceased.
- C. The PSEBA application must be submitted to the City Manager in its entirety.

- D. The PSEBA application must be sworn and notarized to certify the truthfulness of the content of the information. A review of the application shall not occur until the application is complete.
- E. On the date that the PSEBA application is deemed complete by the City, the completed application shall then be submitted to the City as the Preliminary Record, and a copy of the same shall be date stamped and provided to the Applicant.
- F. Upon receipt of a complete application for PSEBA benefits, the City shall set the matter for an administrative hearing before a hearing officer to make a determination on whether to grant the Applicant PSEBA benefits based on the result of the administrative hearing.
- G. The Applicant will be given written notice of the date for the scheduled administrative hearing to be served not less than ten (10) days prior to the commencement of the hearing. If the Applicant, upon receiving written notice of the administrative hearing, cannot attend said date, the Applicant must contact the hearing officer in writing within seven (7) days after being served. The hearing officer shall establish an alternative hearing date which is within thirty (30) days of the original hearing date. Failure to appear at the administrative hearing shall result in denial of PSEBA benefits.

32.083 Administrative Composition.

The administrative hearing shall be scheduled and conducted by a hearing officer whose authority and limitations are as follows:

- A. Authority of the hearing officer. The hearing officer shall have all of the authorities granted to her/him under common law relative to the conduct of an administrative hearing, including the authority to:
 1. Preside over City hearings involving PSEBA;
 2. Administer oaths;
 3. Hear testimony and accept evidence that is relevant to the issue of eligibility under PSEBA;
 4. Issue subpoenas to secure attendance of witnesses and the production of relevant papers or documents upon the request of the parties or their representatives;
 5. Rule upon objections in the admissibility of evidence;
 6. Preserve and authenticate the record of the hearing and all exhibits in evidence introduced at the hearing; and
 7. Issue a determination based on the evidence presented at the hearing, the determination of which shall be in writing and shall include a written finding of fact, decision and order.

- B. Hearing officer. The Mayor, with the advice and consent of the City Council, is hereby authorized to appoint a person to hold the position of hearing officer for each hearing on PSEBA benefits that shall come before this City. In making said selection, the following information should be considered, at a minimum:
1. The individual's ability to comply with the job description as set forth herein; and
 2. The individual must be an attorney licensed to practice law in the State of Illinois and have knowledge of and experience in employment and labor law, general civil procedure, the rules of evidence, and administrative practice.

32.084 Administrative Hearing

The system of administrative hearings for the determination of eligibility for benefits under PSEBA shall be initiated either by the City or by the Applicant after the submission of a full and complete PSEBA application. An administrative hearing shall be held to adjudicate and determine whether the Applicant is eligible for benefits under PSEBA. If the Applicant is found eligible, the benefits shall be consistent with the Act.

- A. Record. The City shall ensure that all hearings are attended by a certified court reporter and a transcript of all proceedings shall be made by said certified court reporter and a copy be provided to the Applicant within twenty-eight (28) days of the date of the administrative hearing.
- B. Procedures. The City and the Applicant shall be entitled to representation by counsel at said administrative hearing and present witnesses, testimony and documents, may cross-examine opposing witnesses, and may request the issuance of subpoenas to compel the appearance of relevant witnesses or the production of relevant documents.
- C. Evidence. The Illinois Rules of Evidence shall apply to the extent practicable unless, by such application, the Hearing Officer determines that application of the rule would be an injustice or preclude the introduction of evidence of the type commonly relied upon by a reasonably prudent person in the conduct of her or his affairs. Such determination shall be in the sole discretion of the Hearing Officer. The Hearing Officer must state on the record her or his reason for that determination.
- D. Final Determination. A written determination by the hearing officer of whether the petitioning Applicant is eligible for the benefits under PSEBA shall constitute a final administrative determination for the purpose of judicial review under the common law writ of certiorari.
- E. Burden of Proof. At any administrative hearing, the Applicant shall have the obligation and burden of proof to establish that the Applicant is eligible and

qualified to receive PSEBA benefits. The standard of proof in all hearings conducted under this Ordinance shall be by the preponderance of the evidence.

- F. Administrative Records. All records pertaining to the administrative process shall be held in a separate file under the Applicant's name with the City.

Receipt of Policy Manual Form

I have received my copy of the Personnel Policy Manual for the City of Farmer City, Illinois. I understand that this manual outlines and summarizes the policies, practices, and benefit guidelines of the City. I have read and I understand all of the information contained in the manual.

Since the information in this manual is subject to change as situations warrant, I understand that changes in the manual may override, revise, or eliminate existing policies or practices currently contained in this manual. I understand these changes will be communicated to me by a Supervisor or through official notices and I accept responsibility for keeping informed of these changes and following them.

I further acknowledge my understanding that my employment with the City of Farmer City is "at will" and may be terminated at any time, with or without cause.

I understand this manual replaces all previous handbooks, policies and procedures, but does not supersede any current collective bargaining agreements.

Employee Name (print)

Employee Signature

Date

Receipt of City Property
Upon Employee Departure

_____, the departing employee's Department Head, does hereby certify that the following items belonging to the City of Farmer City were returned to the City in acceptable condition from departing employee _____.

___ Cell phone

___ Computer/Laptop

___ Keys

___ City Credit Card(s)

___ Other electronic equipment _____
 (Description)

 Department Head

 Date

RESOLUTION 2020-58

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR MOWING
FOR THE CITY OF FARMER CITY ILLINOIS**

WHEREAS, the City of Farmer City, located in DeWitt County, Illinois, has determined that it is advisable, necessary and in the public interest to keep the grass mowed in city parks and other property owned or maintained by the City; and

WHEREAS, the City of Farmer City advertised for bids to be received by 2 p.m. on April 1, 2021; and

WHEREAS, the City of Farmer City received bids from 3 landscaping companies.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Farmer City, DeWitt County, Illinois that:

FIRST: The City of Farmer City has heretofore determined that it is advisable, necessary and in the public interest to award the contract for the 2021 mow season to:

SECOND: The City Manager of the City of Farmer City is hereby instructed and authorized to sign the document attached as Exhibit A.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMER CITY, DEWITT COUNTY, ILLINOIS THIS 5th DAY OF APRIL 2021

AYES: _____ NAYS: _____ ABSTAIN: _____ ABSENT: _____

Scott Testory, Mayor

Angie Wanserski, City Clerk

2021 Mow Season bid results

NAME	City Cemetery		Cemetery		Weedman Park		South Park		Prairie Ridge detention		TOTAL per mow
	Cemetery	Lift station & Hillside	Lift station & Hillside	Lift station	Park	Park	Park	Park	detention	detention	
Fundi Landscaping	400	40	40	140	140	350	350	125	125	1,055	
Camo's Lawn & Landscape	290	30	30	100	100	320	320	100	100	840	
Philip Turner	350	80	80	250	250	1944	1944	250	250	2874	

RESOLUTION NO. 2020-59

**A RESOLUTION
DETERMINING WHETHER THE NEED FOR
CONFIDENTIALITY STILL EXISTS OR IS NO LONGER REQUIRED
AS TO ALL OR PART OF MINUTES OF ALL CONFIDENTIAL CLOSED MEETINGS**

WHEREAS, Section 2.06 of the Open Meetings Act (5 ILCS 120/2.06) requires each public body to periodically, but no less frequently than semi-annually, to meet to review minutes of all closed meetings and to make a determination, reported in open session, that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection; and

WHEREAS, the Mayor and Council Members (the “**Corporate Authorities**”) of the City of Farmer City, DeWitt County, Illinois (the “**City**”) have met to review the minutes of all closed meetings which remain confidential as of the date hereof as detailed on the attached list (the “**Confidential Closed Meeting Minutes**”) in order to make such determination.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FARMER CITY, DEWITT COUNTY, ILLINOIS, as follows:

Section 1. That the Corporate Authorities of the City hereby expressly find and determine that: (1) confidentiality still exists in connection with those Confidential Closed Meeting Minutes designated by an “X” in the column under the heading “Confidential”, and (2) confidential treatment is no longer required in connection with those Confidential Closed Meeting Minutes designated by an “X” in the column “Released” in that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.

Section 2. That the City Clerk shall make those Confidential Closed Meeting Minutes so designated by an “X” in the column “Released”, if any, available for public inspection.

This Resolution is hereby passed, the “ayes” and “nays” being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a meeting on the date set forth below.

PASSED this 5th day of April 2021.

City Clerk

APPROVED this 5th day of April 2021.

Mayor

City of Farmer City
CLOSED MEETINGS
As of March 1, 2021

Date	Subject	Confidential	Released
January 21, 2013	Personnel, water and sewer	X	
February 4, 2013	Personnel, contract years	X	
March 4, 2013	Property,	X	
April 15, 2013	Personnel, mayor	X	
August 2, 2013	Property,	X	
Sept 3, 2013	Personnel, water superintendent	X	
Oct 7, 2013	Personnel, water superintendent	X	
Nov 14, 2013	Personnel, water superintendent	X	
Dec 16, 2013	Personnel, water superintendent	X	
February 2, 2014	Personnel, water superintendent	X	
February 3, 2014	Review closed session	X	
April 7, 2014	Personnel, specific employee matter	X	
April 21, 2014	Personnel, specific employee matter	X	
May 19, 2014	Personnel, manager evaluation	X	
August 4, 2014	Personnel/sale or lease of land	X	
October 6, 2014	Personnel, specific employee matter	X	
January 5, 2015	Personnel, specific employee matter	X	
March 2, 2015	Personnel, specific employee matter	X	
April 20, 2015	Sale or lease of property	X	
June 1, 2015	Personnel, specific employee matter	X	
June 15, 2015	Pending litigation	X	
July 6, 2015	Sale or lease of property	X	
July 20, 2015	Sale or lease of property	X	
August 3, 2015	Sale or lease of property/pending litigation	X	
Dec 7, 2015	Personnel, specific employee matter	X	
January 25, 2016	Personnel, specific employee matter	X	
February 25, 2016	Personnel, specific employee matter	X	
April 6, 2016	Property,	X	
April 18, 2016	Property,	X	
June 6, 2016	Pending litigation	X	
July 18, 2016	Personnel, specific employee matter	X	
October 31, 2016	Property,	X	

Nov 21, 2016	Personnel, specific employee matter	X	
Dec 5, 2016	Personnel, specific employee matter	X	
January 9, 2017	Pending litigation	X	
January 23, 2017	Pending litigation	X	
February 6, 2017	Personnel, specific employee matter	X	
April 3, 2017	Personnel, specific employee matter	X	
April 17, 2017	Pending litigation	X	
May 15, 2017	Personnel, specific employee matter	X	
May 19, 2017	Personnel, specific employee matter	X	
June 19, 2017	Personnel, specific employee matters	X	
June 22, 2017	Personnel, specific employee matter	X	
June 26, 2017	Personnel, specific employee matter	X	
August 21, 2017	Personnel, specific employee matter	X	
August 25, 2017`	Personnel, specific employee matter	X	
October 2, 2017	Personnel, specific employee matter	X	
January 2, 2018	Setting price for sale or lease of property	X	
February 5, 2018	Property	X	
February 19, 2018	Setting price for sale or lease of property	X	
March 5, 2018	Property	X	
April 2, 2018	Setting price for sale or lease of property	X	
April 16, 2018	Pending litigation	X	
Oct 15, 2018	Personnel, manager evaluation	X	
Nov 5, 2018	Personnel, manager evaluation	X	
Dec 3, 018	Setting price for sale or lease of property	X	
January 7, 2019	Personnel, appointment	X	
May 6, 2019	Personnel, contract renewal	X	
May 20, 2019	Personnel, contract renewal	X	
June 30, 2019	Personnel, contract renewal	X	
July 15, 2019	Property,	X	
July 15, 2019	Setting price for sale or lease of property	X	
Sept 3, 2019	Setting price for sale or lease of property	X	
Nov 4, 2019	Property	X	
Dec 9, 2019	Property	X	
Dec 9, 2019	Review closed sessions	X	
February 3, 2020	Review closed sessions	X	
March 2, 2020	Property	X	
March 2, 2020	Review closed sessions	X	
March 2, 2020	Pending litigation	X	
March 2, 2020	FOP bargaining	X	
May 4, 2020	Setting price for sale or lease of property	X	
May 4, 2020	Property	X	
July 6, 2020	Personnel, specific employee matters	X	
Dec 7, 2020	Collective bargaining	X	
Dec 7, 2020	Audit review	X	



Hoerr Construction, Inc.
1416 County Road 200 N
P.O. Box 65
Goodfield, IL 61742

Office: (309) 691-6653
Fax: (309) 508-7990

3/26/2021

City of Farmer City
105 S. Main St.
Farmer City, IL 61842

Project: Sewer Repairs and CIPP Lining for the City of Farmer City

Hoerr Construction, Inc. to Provide

- Cleaning and televising of pipe prior to lining as a separate mobilization
 - Findings of cleaning and televising work could impact the planned CIPP work if pipe size or condition is different than assumed.
- Cured in Place Pipe (CIPP) for 32" concrete sanitary sewer pipe
 - Lining of pipe in the center of John St. from Green St. to mid-block between Water and IL-54. Total footage approx. 702 LF
 - All necessary equipment and labor for liner inversion, cure & lateral reinstatements
 - Post-lining televising with digital video record and reports
 - Work will require some bypass of flow but preferably will be lined in dry weather leading to low flow conditions
- Traffic control to consist of closing John Street to through traffic

Owner to Provide

- Water for pipe cleaning operations
- Dump site for debris removed from pipe
- Access to pipe being lined to include but not limited to
 - Access to all manholes including upstream and downstream of work area for the purpose of installation and bypass pumping
- Notices to residents or property owners in the cleaning area to be passed at least one day prior to cleaning or lining by the City of Farmer City
 - Notices need to state the nature of the work and protective measures that the home and business owners should take to protect their property from potential damage due to sewer jetting. A sample can be faxed or emailed.
- Any necessary bonds, permits, fees, association dues, special insurance coverage, surface restoration, erosion control, deflection testing, air testing, or staking



Hoerr Construction, Inc.
1416 County Road 200 N
P.O. Box 65
Goodfield, IL 61742

Office: (309) 691-6653
Fax: (309) 508-7990

Total Project Price:

- +/-702' of 32" CIPP @ \$175.00/LF: **\$122,850.00**
- +/-10 Service Reinstatement @ \$150.00/EA: **\$ 1,500.00**
- Total Project: **\$124,350.00**

Thank you for the opportunity to quote this pipe lining project. This quote is good for 60 days. If you have any questions, please call me at (309) 691-6653.

Sincerely,

Andrew M Hoerr

Andrew Hoerr, Estimator/PM
Hoerr Construction, Inc.

Accepted By:

Sue McLaughlin

Print:

Sue McLaughlin *City manager*
(name) (title)

Date:

3-26-21