

**CHAPTER 11**

**EMPLOYEE CODE**

**ARTICLE I – GENERALLY**

**11-1-1**      **EQUAL EMPLOYMENT.** No person shall be discriminated against in any aspect of employment on the basis of race, color, religion, sex, national origin, age, handicap or disability, ancestry, marital status, political affiliation, or any other prohibited form of discrimination under Federal or State law or government contract or grant regulation.

All employees shall adhere to this nondiscriminatory policy.

Sexual harassment in the workplace is considered by the Village to be a form of sex discrimination, and no employee shall engage in any form of sexual harassment in the workplace.

Any employee, person or individual who feels in any way wronged, harassed, interfered with, or discriminated against should feel free to contact the Village Board. The Village Board will investigate the matter. No employee shall be retaliated against by co-employees or supervisors for making contact with the Village Board or otherwise complaining of any form of discrimination. **(See Chapter 22 for complete law.)**

**11-1-2**      **ETHICS.** Employee shall not recommend or promote the sale of any specific brand name product or equipment.

Many employees in the course of their work have access to medical information about patients, clients, employees, or other individuals. This may be medical, legal or job related information. Such information is not to be repeated or discussed outside the department or with other personnel unless such information is a necessary part of the employee's assigned duty. Employees shall inform the Superintendent or Mayor of any possible conflict of interest situations they may have.

Employees are prohibited from accepting gifts, gratuities, or any item of value for work performed on behalf of the Village. **(See Chapter 22 for complete law.)**

**11-1-3**      **DRUG FREE WORKPLACE.** All employees, as a condition of employment, will comply with the Village's current Drug Free Workplace Policy. The policies are available upon request from the Village Clerk Employee Handbooks and appendices are available from the Village Clerk. **(See Chapter 22 for complete law.)**

**11-1-4**      **PROBATIONARY PERIOD.** All full-time employees of the Village shall be probationary employees for **ninety (90) calendar days** commencing with the first working day a full-time employees. The Village Board may extend the probationary period. During said probation period, such employees shall not be entitled to any sick or personal leave with pay or any other benefits such as vacation, medical benefits, etc. New employees will also be required to obtain a doctor's physical (paid by the Village) and pass a pre-employment drug test. Further drug testing will occur if an employee is involved in a loss of time accident.

**11-1-5 EMPLOYMENT CLASSIFICATION.** Employees are classified according to the following guidelines:

(A) **Full-Time.** Those employees scheduled to work a minimum of **thirty-two (32) hours** per workweek on a continuous basis. Full-time employees are eligible for overtime pay and compensatory time.

(B) **Part-Time.** Those employees scheduled to work less than **thirty-two (32) hours** per workweek on a continuous basis.

(C) **Supervisory Role.**

- (1) Supervisor can hire another person to REPLACE a terminated/ quitting person.
  - (a) Run newspaper ad.
  - (b) Interview.
  - (c) Hire (with consent of Village Board).
- (2) If Supervisor needs to hire an ADDITIONAL personnel:
  - (a) Get authorization from Village Board.
  - (b) Advise Board of pay scale in which person will be hired.
  - (c) Run newspaper ad.
  - (d) Interview.
  - (e) Hire (with consent of Village Board).
- (3) If Supervisor needs to terminate a person:
  - (a) Supervisor may do so without Board notification.
  - (b) Documentation must be in employees personnel file after termination within **three (3) working days**.

**11-1-6 WAGE AND COMPENSATION PACKAGE.**

(A) **Grade 1 – Part-Time.**

- (1) **Contract Wages:** janitorial, or other specific task of limited scope
  - (a) No benefits

(B) **Grade 2 – Part-Time.**

- (1) **Seasonal Hire, six (6) months** maximum
  - (a) No benefits

(C) **Grade 3 – Part-Time.**

- (1) **Permanent:** permanent but part-time basis after **ninety (90) day** probation
  - (a) No benefits

(D) **Grade 4 – Full-Time.**

- (1) Subordinate, department subordinate
  - (a) **Ninety (90) day** probationary period,
  - (b) Full benefits

(E) **Grade 5 – Full-Time.**

- (1) Department Head
  - (a) Public Works Superintendent
  - (b) Police Chief
  - (c) Village Clerk
    - (i) **Ninety (90) day** probationary period
    - (ii) Full benefits

The Salary Cap will increase annually to coincide with the cost of living increases and any additional compensation will be approved by the Village Board and Mayor.

**11-1-7**      **WASTEWATER AND WATER TRAINING.** The Village shall have **two (2) people** trained in these areas. Once an employee passes the proper test they will receive an increase in pay (**Seventy-Five Cents (\$0.75)** per hour for each certification). If the employee does not maintain the certification they will forfeit the **Seventy-Five Cents (\$0.75)** per hour for that certification.

**11-1-8**      **PAYCHECKS.** Paychecks will be available every other Friday for the preceding **two (2) week** pay period or prior to a Holiday if it is at the end of the workweek. There will be a **one (1) week** lag in pay, which will be paid upon termination of employment.

**11-1-9**      **OVERTIME.** Overtime at **one and one-half (1 ½) times** the regular rate of pay is available to employees WORKING in excess of a **forty (40) hour** workweek. An employee must perform **forty (40) hours** of work in a workweek to become eligible for overtime.

**11-1-10**     **PERFORMANCE/REVIEW.**  
(A)            Salary changes are normally given annually during the **first (1<sup>st</sup>) meeting** in September.  
(B)            Employee performance reviews are accomplished annually on employee anniversary date.

**11-1-11**     **WORK WEEK.** The normal workweek will be from Sunday through Saturday and will be **five (5) eight (8) hour days** except as authorized by the Village Board or Mayor. In addition, the following parameters are set forth:

- (A)            **Street Department.** Reserved.
- (B)            **Water Department.** Wells are to be monitored **seven (7) days** a week between the hours of **8:00 A.M.** and **12:00 Noon.** **Three (3) hours** of regular pay shall be received per day for wells only for this duty during weekends (Saturday, Sunday) and paid Holidays.
- (C)            **Police Department.** Reserved. No work shall be performed at home, without prior approval of the Superintendent. Prior approval of immediate supervisors is necessary for any employee to work early or stay late to do work related activity.
- (D)            **Department Supervisors.** Will be required to attend all Village Board meetings with pay.
- (E)            **Employees.** May be required to meet with the Mayor in the evenings as necessary, with pay.

**11-1-12**     **TIME AND ATTENDANCE.**  
(A)            Each Superintendent shall maintain accurate daily attendance records. All employees will clock in when coming on duty and clock out at the end of the day. An

employee shall be at their places of work in accordance with the attendance rules. Tardiness or other abuse of regular attendance will not be tolerated. The attendance records (time stamps) will be the information used to pay employees for work performed. Hand written time cards will **not** be accepted for payroll except by review and signature of the Mayor. An employee shall have the right to review his attendance record on file in the department.

(B) No one will be permitted to sign in or out for another employee. An employee shall, whenever possible, provide advance notice of absence from work. When Village offices and buildings are open, but inclement weather prevents employees from reaching the buildings, employees may account for such absences by using accrued time, such as vacation, or the employee may elect to be docked for time off. Sick leave may not be used to cover absences due to inclement weather.

**11-1-13 APPEARANCES.** Neatness and good taste in dress, as well as care toward personal hygiene, are expected of all employees. For safety and hygienic purposes, employees may be required to comply with any appropriate dress code that is set forth by the Superintendent or Village Board during the performance of their duties.

Employees may be requested to change inappropriate dress and appearance.

**11-1-14 LUNCH.** The following shall apply for lunches: Each Superintendent shall establish the lunch schedule for their department. Travel time to and from any eating place is included in the lunch period. The lunch break cannot be used for a substitute for tardiness. Lunch periods may not be taken at the end of the day or in conjunction with a rest period.

**11-1-15 PAID HOLIDAYS.**

(A) All full-time and salaried employees shall have time off with normal **eight (8) hour** payment on days designated as holidays by the Village Board as follows:

- |                                     |  |
|-------------------------------------|--|
| (1) New Year's Day                  | (7) Columbus Day                           |
| (2) Martin Luther King Jr. Birthday | (8) Veteran's Day                          |
| (3) President's Day                 | (9) Thanksgiving Day and the following day |
| (4) Memorial Day                    | (10) Christmas Eve                         |
| (5) Independence Day                | (11) Christmas Day                         |
| (6) Labor Day                       |  |

(B) To be eligible for holiday pay, the employee must be available for work both the day before and the day after the holiday unless the employee uses a personal or vacation day. Exceptions require "good cause" reasons that are approved by the Superintendent or Mayor.

(C) If a paid holiday falls on a full-time employee's day off, that employee will be paid **eight (8) hours** straight time for the holiday.

(D) All full-time employees who **are required by the Mayor** to work on an official Holiday, shall receive a rate of **one and one-half (1 1/2) times** the regular rate of pay for the hours worked on such holiday; in addition, the holiday will be paid at **eight (8) hours** straight time.

(E) **Overtime Sunday and Holiday Pay.** All full-time employees will be paid overtime as per the existing overtime schedule. In the event the employee works on a Sunday or a scheduled holiday they will be paid double time. Again overtime does not apply to "Well Time".

**11-1-16 VACATION PAY SCHEDULE.**

(A) The following shall be the vacation benefits for full-time employees:

**One (1) week** vacation after employee has completed **one (1) year** of continuous service.

**Two (2) weeks'** vacation after employee has completed **two (2) years** of continuous service.

**Three (3) weeks'** vacation after employee has completed **eight (8) years** of continuous service.

**Four (4) weeks'** vacation after employee has completed **fifteen (15) years** of continuous service.

**Five (5) weeks'** vacation after employee has completed **twenty (20) years** of continuous service.

(B) The full vacation benefit for the year will be available after the employees' anniversary date each year.

(C) Vacation shall be requested in **four (4) hour** increments. A vacation form must be obtained from the Village Clerk, filled out and submitted at least **ten (10) days** prior to leave. All requests will be approved by the Mayor with final approval being given after review with the department head. In the event an employee calls in to request a day off without going through this procedure, the time off will be charged against any personal time they may have coming. Beginning **December 1<sup>st</sup>** a signup sheet for the next year vacation will be available at the Village Hall. All employees will be required to complete a vacation request form for the upcoming year. There will be no vacation days granted for the week prior to and after the annual St. Jacob Homecoming. Choice of vacation periods will be scheduled so it will not unduly interfere with the efficient scheduling of matters of the employer. All vacations will be posted on a calendar in the Village Hall. A new vacation calendar will be posted each January. Days will be granted by using but not limited to the following criteria: (1) department need, and (2) seniority.

(D) Vacation may be carried over from year to year with a maximum accumulation of **one hundred twenty (120) hours.**

(E) If a full-time employee is called back to work, for an emergency situation, while on vacation or while taking a personal day, the vacation or personal day must cease. That employee will be paid for the number of hours worked at their normal rate of pay. The employee will be rescheduled for the remaining vacation or personal time; any partial day lost by the recall will be rescheduled as a full day.

(F) Vacation is not permitted on a holiday. If a paid holiday falls during vacation of a full-time employee, the holiday will be counted as a holiday and not a vacation day.

(G) No vacations will be allowed **one (1) week** before or after the Annual St. Jacob Homecoming without prior approval of the Mayor.

(H) **Accumulation.** Any employee who has accumulated a year's service with the Village and thereafter separates from the Village for any reason, shall be entitled upon separation to receive:

- (1) Payment in lieu of vacation fully earned but not taken
- (2) Payment in lieu of vacation partially earned but not taken computed on a pro-rated basis of **one-twelfth (1/12)** of earned vacation for each month of service.

(I) **Part-Time Employees.** Part-time employees who have more than **one (1) year** of service shall receive the following vacation benefit.

- (1) **One (1) year** of service receives **one (1) day** for every day of work as described in their job description.
- (2) **Five (5) years** of service receives **two (2) days** for every day of work as described in their job description.

**NOTE:** An example would be if a part-time employee is authorized to work **twenty-four (24) hours** per week per their job description they would receive up to **forty-eight (48) hours** paid vacation pay per year depending on their length of service to the Village. These days must be used within the calendar year and cannot be carried over from year to year. In the event an employee works more than authorized hours they will not earn any additional vacation time.

(J) **Volunteer Hours.** In the event a Village employee volunteers his time after work to set up or participate in a Village sponsored or approved event they can earn an additional **forty (40) community service hours** at the rate of **one and one-half (1 ½) hours** volunteered. These hours must be taken within **twelve (12) months** of earning them or they will be forfeited.

**11-1-17 BEREAVEMENT PAY.** Each employee will be allowed **three (3) consecutive work days** off with pay when a death occurs to a member of his or her immediate family. These members include spouse, mother, father, sister, brother, children, stepchildren, stepfather, stepmother, stepbrother, or stepsister, mother-in-law, or father-in-law, grandparents. These days must be workdays and they must include the day of the funeral.

**11-1-18 PERSONAL LEAVE WITH PAY.** Each full-time employee will be allowed to take off **five (5) such days**, equivalent to **five (5) normal work days**, each calendar year for personal reasons after the probationary period is successfully completed. The employee will be paid at their regular rate of pay. Personal leave will be pro-rated for the number of weeks employed during the first and last year of service. Personal days must be taken each calendar year by **December 31** or forfeited. Each employee will be given **five (5)** new days each January to use as needed. After the **five (5) days** have been used; if employee calls in sick or needs to miss a day for any reason he or she must take a vacation day. If employee's vacation days are also used up and the employee takes a day off without pay, he or she must have a good reason for doing so. If the Mayor does not believe it to be a good excuse, disciplinary action may be taken.

**11-1-19 ACCIDENTS/INJURIES.** Any time an employee is involved in an automobile accident with a Village automobile or in a personal automobile while on Village business, the employee shall notify his or her Superintendent immediately with all pertinent information including whether personal injury is involved and whether any traffic citations were

issued. All Superintendents shall within **twenty-four (24) hours** notify the Village Attorney if any traffic citations were issued to a Village employee and shall provide the Village Attorney with a copy of the citation. An employee is obligated to cooperate with the Village and any of the Village's legal representatives regarding the accident and any citations that may have been issued.

**11-1-20 ILLNESS OR INJURY AT WORK.** Any employee injured on the job shall immediately notify the Superintendent who may require the employee to be transported to a hospital for examination by a physician or surgeon. For employees on an **eight (8) hour** work schedule, if an employee becomes ill while at work after the first **two (2) hours** of work, the employee shall lose **one-half (1/2) day** of accumulated sick time. For employees on a **twelve (12) hour** work schedule, if an employee becomes ill at work the first **three (3) hours** of work, the employee shall lose **one-half (1/2) day** of accumulated sick time.

**11-1-21 JURY DUTY.** An employee shall be excused from work for days in which the employee serves on Jury Duty. The employee shall receive his regular pay during jury service for a maximum of **five (5) days**. The employee shall present proof of jury service. If an employee is given an early release from jury duty, the employee shall then report to his or her regular work assignment.

**11-1-22 EDUCATION ASSISTANCE.** Starting after **six (6) months** of service, the Village will participate in the cost of furthering your education by paying the cost of tuition, texts, and other fees for courses that are deemed to be job related and beneficial to the Village. Full tuition reimbursement will be granted upon satisfactory completion of the course(s) with a "C" grade or above ("B" or above for Master's program). Tuition reimbursement forms must be filled out and approved before classes start. If a course is not completed or a grade lower than required is received, tuition and fees will not be reimbursed.

**11-1-23 TELEPHONE USAGE.** Good telephone habits are an indication that the department is interested in serving the public. At all times, answer promptly and courteously. Identify yourself by name and section, be friendly and helpful. Write time and date of any message from the caller, transfer calls tactfully, give accurate information, do not keep the caller waiting and hang up carefully. Employees shall keep incoming and outgoing personal calls to a minimum.

**11-1-24 USE OF DEPARTMENT PROPERTY.** All department property and equipment entrusted to any employee will be used in accordance with the properties prescribed function. All damage through recklessness, gross negligence, intentional act, deliberate misuse, or theft shall be replaced and paid for by the employee committing the violation. Such replacement of property by the employee shall not be considered the exclusive remedy against the employee, and the employee may still be subject to discipline. All department property, personal lockers, and personal offices are subject to search and seizure. The employee's immediate supervisor prior to issuance of the property shall inspect all department property.

No department property shall be used for private or unauthorized purposes. All employees are required to return all department property or equipment in their possession upon separation, promotion, and/or transfer.

**11-1-25 LAYOFFS.** In the event it becomes necessary to lay off employees for any reason, employees will be laid off based on the following criteria: Employee's knowledge, skills, and abilities in relation to positions available, lack of work, lack of funds, the employee's length of service, the employee's work record including commendations as well as disciplinary actions, the employee's attitude and relations with other employees as well as other agencies and change in duties of the department. The employee shall receive **two (2) weeks'** notice.

**11-1-26 RESIGNATION.** A letter of resignation will be submitted to the Supervisor, who in turn will submit it to the Village Board no later than **two (2) weeks** prior to the last work day. Sick leave, vacation, and retirement fund benefits cease at midnight on the date of termination. Health insurance will cease **ten (10) calendar days** from the date of termination.

**11-1-27 INSURANCE.** Insurance will be provided on the following basis:

(A) **Life, Medical and Dental Care Insurance.** All full-time employees are covered by a standard medical plan fully funded by the Village. Dependent insurance can be provided with the employee paying **twenty percent (20%)**. The Village will pay the remaining **eighty percent (80%)** for dependent care. Other medical insurance plans may also be available with the employee paying the difference between the standard and premium plans.

- (1) A manual is provided to employees at the time of hiring which further explains the policy, which can be obtained from the Village Clerk's office.
- (2) The Village Clerk's office shall be notified of any dependent/spouse changes.

(B) **Legal Defense and Liability Insurance.** In any claim or action instituted against an employee, or former employee, where such claim or action arises out of any act or omission, made in good faith, occurring within the scope of employment of the employee, or former employee, the Village shall, upon written request of the employee or former employee, appear and defend the employee or former employee, against any such claim or action, including the process of appeal. The Village Attorney shall appear for and defend the employee. This Section includes disciplinary proceedings or criminal proceedings.

(C) **Other Types of Insurance.** The provisions of Social Security legislation will cover all classifications of employees, and salary deductions will be made in accordance with the law. Employees are covered by the Worker's Compensation Act, **Illinois Compiled Statutes, Chapter 820, Section 305/1 et seq.** Any work-related injury must be reported to the Superintendent. All employees are covered by unemployment insurance. The Village shall pay all costs.



**11-1-28**     **ILLINOIS MUNICIPAL RETIREMENT FUND.**     The Village will participate in contributions for all eligible employees to the Municipal Retirement Fund. The Village shall follow all guidelines of IMRF in order to protect the benefits of the employees. Employees may elect to continue participation in the plan on the self-pay basis as provided by federal statutes.

The employee will be paid each day of accrued and unused vacation time. Monies accumulated in the employee's retirement account may be refundable, according to IMRF Rules. Forms required to request this refund are available from the Village Clerk's office. **(See Chapter 1; Article II)**

**11-1-29**     **OTHER EMPLOYMENT.**     Employees are prohibited from having conflicting employment while having full-time position. Another employer may not pay an employee for the same **forty (40) hours** the department is paying period employee. If a full-time employee performs outside services or employment, such services or employment shall be reported to the Village Clerk. Fees earned by an employee for serving as an instructor for a class during other than normal working hours which is not sponsored by the Village in another Village agency, shall be dealt with as follows:

- (A)           No overtime shall be earned and the fee retained, or;
- (B)           Overtime shall be earned and the fee surrendered to the Village Clerk and recorded as miscellaneous income.
- (C)           Employees who are injured while engaging in other employment shall notify the Superintendent and the Village Clerk.

**11-1-30**     **PERSONNEL FILE.**     Employees are allowed to look at their own personnel files during normal business hours. Persons wishing to view their own file shall file a written request with the Superintendent or Village Clerk. A copy of the request shall be placed in the employee's personnel file. Nothing should be placed in an employee's personnel file nor shall anything be removed from the file without the consent of the Mayor and Superintendent. Records of prior grievances and discipline action shall be maintained in the employee's personnel file. The final decision to remove items lies within the discretion of the Mayor and the Superintendent.

**11-1-31**     **VILLAGE'S RIGHTS.**     The employee recognizes that the Village possesses the exclusive right to operate and direct the employees of the Village in all aspects, including, but not limited to, all rights and authority granted by law. The employee further recognizes that this Code is not a binding contract between the Village and the employee. Nothing contained in this Code shall be construed as creating an employment agreement between the Village and its employee's from time to time.

**11-1-32**     **NEW REGULATIONS.**     The Village has the right to unilaterally create new employment policies and regulations not mentioned in this Code, and to change provisions of this Code without prior notice, approval or consent of the employees of the Village.

**11-1-33**     **LENGTH OF SERVICE.** Length of service is defined as the length of continuous service of an employee since the employee's last date of hire with the Village within the employee's department. An employee's continuous service record shall be broken by voluntary resignation or discharge. If such continuous service is broken due to curtailment of operation, said employee shall be considered on lay off.

**11-1-34**     **CODE OF CONDUCT.** Disciplinary action may be brought against an employee for the following, including but not limited to:

- (A)           Violating any provisions of this Personnel Code.
- (B)           Knowingly falsifying a report.
- (C)           Being insubordinate to or showing disrespect towards superiors.
- (D)           Neglecting to perform the job or performing the job inefficiently.
- (E)           Engaging in any conduct unbecoming of a Village employee or that discredits the Village.
- (F)           Leaving the assigned job without permission.
- (G)           Absence from work without leave or permission.
- (H)           Willfully destroying or damaging any property of the Village.
- (I)           Taking or giving bribes.
- (J)           Being under influence of intoxicating beverages while at work.
- (K)           Using, manufacturing, distributing, dispensing, or possessing any statutorily defined illegal drugs, narcotics, or controlled substances, or failing to report to the employee's Superintendent any arrest or conviction for using, manufacturing, distributing, dispensing, or possessing any statutorily defined illegal drugs, narcotics, or controlled substance.
- (L)           Failure of any employee to notify their Superintendent within **five (5) days** after an arrest or conviction of a violation of any local, state, or federal criminal drug statute.
- (M)           Using a Village vehicle without the knowledge of the immediate supervisor.
- (N)           Improperly operating a Village vehicle or permitting an unauthorized person to operate a Village vehicle.
- (O)           Excessive unexcused absence from work or tardiness.
- (P)           Possession of explosives, firearms or other dangerous weapons on Village premises, unless otherwise permitted.
- (Q)           Use of overtime for other than work or tardiness.
- (R)           Failure to follow any safety rules, regulations, or manuals.
- (S)           Gambling during working hours around Village premises.
- (T)           Sleeping on the job.
- (U)           Being discourteous to the public.
- (V)           Engaging in or instigating or causing an interruption or impeding work.
- (W)           Substantial misrepresentation of facts in obtaining employment with the Village.
- (X)           The use or consumption of Village property for personal or private purposes, or the use of Village employees during working hours for such purposes.
- (Y)           Disorderly conduct during working time or on private purposes, or the use of Village premises, including fighting, interfering with work of another, or threatening or abusing any person by word or act.

- (Z) Unauthorized use of Village property such as Village owned vehicles, equipment and materials.
- (AA) Violation of a written order of a Superintendent.
- (BB) Failure to pay legitimate debts, thus exposing the Village to harassment by creditors.
- (CC) Using profanity on the job.
- (DD) Releasing confidential information.
- (EE) Using or attempting to use an official position to secure special privileges, exemptions, or personal gain except as may be otherwise provided by law.
- (FF) Engaging in disreputable acts and not conducting themselves with "good moral character".
- (GG) Abuse of telephone usage.
- (HH) Theft of any Village or employee property.
- (II) Discriminating against any person, individual, entity, co-employee, on the basis of race, color, religion, sex, national origin, age, handicap or disability, ancestry, marital status, sex harassment or any other prohibited form of discrimination under federal or state law or government contract or grantee regulations.

**11-1-35 SEXUAL HARASSMENT.** The purpose of this policy is to (1) more clearly define sexual harassment, and (2) more clearly state the policy of the Village regarding such behavior. Sexual harassment is a violation of basic human rights fully recognized by the State of Illinois. It is the responsibility of each individual employee to work in an environment free from sexual harassment. The Village will not tolerate sexual harassment in any form. Nor will it tolerate false or malicious accusations of sexual harassment. The Village will remain uncompromised and providing and preserving a professional atmosphere free from sexual harassment of any kind. **(See Chapter 22 – Mandated Policies)**

**11-1-36 DISCIPLINARY PROCESS.** The formal disciplinary process is a **five (5) step** procedure, but dismissal may occur at any step in the process. Under normal circumstances, these steps are outlined in the following sections.

**11-1-37 VERBAL REPRIMAND.** A verbal reprimand informs an employee of unsatisfactory conduct, attitude or performance, and acknowledges that continued such actions. The reprimand should be done in private, and should be documented with the date and nature of the problem and placed in the employee's personnel file.

**11-1-38 WRITTEN REPRIMAND.** A written reprimand informs an employee of unsatisfactory conduct, attitude or performance. Written reprimand is more severe than a verbal reprimand, but serves the same purpose to acknowledge further unsatisfactory conduct, attitude, or performance will result in more severe disciplinary action. The reprimand form must be obtained from the Village Clerk. A copy of the written reprimand will be sent to the employee, the Superintendent, Mayor and employee's personnel file.

**11-1-39 PROBATION.** The Superintendent and/or the Mayor may place employee on probation if the employee's performance is substandard and/or the employee's conduct and behavior are inappropriate and not condoned by management. Employee may be placed on probation not to exceed **six (6) months**. At the end of **three (3) months**, an informal evaluation of the employee's performance will be conducted. At the end of the probationary period, the employee's performance will be formally evaluated. Evaluations will determine if the employee should be retained. If the employee violates the conditions of the probation, the employee may be subject to termination. Removal from probationary status is based upon satisfactory completion of the probationary period, recommendation from the employee's immediate superintendent, and the approval of the Mayor.

**11-1-40 SUSPENSION.** Suspension of an employee would be at the discretion of the Superintendent. The suspension will result in a loss of salary for the period of the suspension. Upon return to work the suspended employee will be placed on probationary status for a period not to exceed **six (6) months**. If the employee violates the conditions of the probation, the employee may be subject to termination. Removal from probationary status is based upon satisfactory completion of a probationary period, a recommendation from the employee's immediate superintendent, and the approval the Mayor and Village Board. The period of suspension may be up to but not exceeding **thirty (30) days** off without pay in **one (1) calendar year**. The suspension may include demotion, and is within the discretion of the Superintendent.

**11-1-41 DISMISSAL.** Dismissal should be used as a disciplinary action of last resort at the discretion of the Mayor and the Village Board. All employees are subject to discharge by the Mayor with the advice and consent of the Village Board during any of the disciplinary steps.

**11-1-42 GRIEVANCE PROCEDURE.** The purpose of a grievance procedure is to establish and maintain harmonious and cooperative working relationships between the Village and its employees, to assure equitable treatment of employees, and to provide expeditious means of resolving employee dissatisfaction over circumstances or conditions of employment.

(A) Strict adherence to the grievance procedures and time limits is mandatory, except that the time limits may be extended for good cause.

(B) A grievance is defined as a dispute, disagreement, complaint, or any matter concerning any terms or conditions of employment, or concerning the application of any departmental policy, or concerning any employee relationship, or work related issue.

(C) As used in this Article, the term days shall mean working days of the employee filing the grievance.

(D) At any step, if a written response is not provided to the grieving employee within the **ten (10) day** time frame, the grievance will be considered denied at that step, and the employee may proceed to the next step.

(E) If any Superintendent is disciplined and/or discharged by the Mayor with the advice and consent of the Village Board, the discipline and/or discharge shall constitute the final resolution of the matter and there shall be no access in this instance to the various steps of the grievance procedure. The failure of a reappointment of a Superintendent by the Mayor

shall not be interpreted to constitute discipline and/or discharge of an ongoing employment relationship with the Village.

(F) A grieving employee shall within **five (5) days** after he learns of the circumstances or conditions, which prompted the grievance, submit the grievance to the employee's Superintendent, in writing, informing such Superintendent of the grievance and the particulars concerning the same. The Superintendent shall provide a written response to the grieving employee within **ten (10) days** after receiving the grievance.

(G) If the grievance is not resolved to the employee's satisfaction, the employee may submit the grievance to the Mayor by summarizing the grievance in writing.

The grievance must be submitted to the Mayor within **five (5) days** of the decision of the Superintendent.

**[NOTE: Nothing contained in this policy creates or is intended to create a contract between the Village and any of its employees. Any or all components of this policy may be changed, altered, deleted and/or discontinued at the sole discretion of Village management at any time and without notice.]**

**(See Resolution 02-08; 11-06-08)**

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