

VILLAGE COUNCIL
VILLAGE OF FOREST PARK, ILLINOIS
 (Under Commission Form of Government)

MONDAY, JULY 13, 2009

TO THE HONORABLE MAYOR AND COMMISSIONERS:

I hereby Move that the Ordinance adopting and approving a comprehensive amendment to the Village's Employee Handbook be adopted.

COUNCIL MEMBERS:	MOVED	SECONDED	YEAS	NAYS	ABSENT	ABSTAIN
COMMISSIONER HOSKINS						
COMMISSIONER CURRY						
COMMISSIONER HOSTY						
COMMISSIONER TELLALIAN						
MAYOR CALDERONE						

I certify that the above is a true and correct record of the action taken by the Mayor and Village Council of the Village of Forest Park on _____.

Signed:

 Vanessa Moritz
 Village Clerk

**AN ORDINANCE ADOPTING AND APPROVING
A COMPREHENSIVE AMENDMENT TO THE
VILLAGE OF FOREST PARK EMPLOYEE HANDBOOK**

WHEREAS, the corporate authorities of the Village of Forest Park have previously adopted and amended an official Employee Handbook of the Village of Forest Park; and

WHEREAS, the administrative staff of the Village of Forest Park has recommended that the Employee Handbook be amended in a comprehensive fashion; and

WHEREAS, the corporate authorities of the Village of Forest Park are desirous of comprehensively amending the official Employee Handbook of the Village of Forest Park pursuant to the recommendations of the Village's administrative staff.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Forest Park, Cook County, Illinois, as follows:

Section 1. The Village of Forest Park Employee Handbook, a copy of which is attached hereto as Exhibit A, is hereby adopted and approved. This Employee Handbook, as comprehensively amended, shall replace and supersede any Employee Handbook previously adopted by the Village of Forest Park.

Section 2. The Village Clerk, or her designee, is hereby directed to distribute copies of this Village of Forest Park Employee Handbook to all Village employees, and to obtain a written acknowledgment of receipt of such Employee Handbook, as comprehensively amended, from each Village employee.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED by the Council of the Village of Forest Park, Cook County, Illinois this 13th day of July, 2009.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED:

Anthony T. Calderone, Mayor

ATTEST:

Vanessa Moritz, Village Clerk

VILLAGE OF FOREST PARK

EMPLOYEE HANDBOOK

IN EFFECT AS OF _____

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WELCOME FROM THE MAYOR

Welcome to the Village of Forest Park. We are pleased that you have chosen to work with our Village. In the pages to follow, you will find helpful information regarding our employment policies as well as benefits available to you as a Village of Forest Park employee.

The Village of Forest Park takes great pride in being a premier municipal corporation. We aim to maintain our excellent reputation and to continue to grow and prosper. We value your enthusiasm, performance and loyalty as a member of the Village team.

We hope that you will find your work challenging and rewarding. Working together, we hope to continually progress by providing our customers with quality service and products.

Should you have any questions, whether addressed in this Employee Handbook or not, please feel free to raise them with your supervisor. We are available to assist you; we will try to provide you with whatever information you need.

Sincerely,

The Village of Forest Park

By:

Anthony T. Calderone, Mayor

DISCLAIMER

The contents of this Handbook do not constitute terms of any express or implied contract of employment between any employee and the Village of Forest Park. The employment practices and procedures outlined herein are not contractual terms, but merely offer guidelines for the implementation of current practices and procedures. Notwithstanding any of the provisions of this Handbook, employment with the Village of Forest Park is at will, and may be terminated at any time, with or without notice or reason, by either the employee or the Village of Forest Park, and nothing contained in this Handbook shall be construed as a promise of continued employment. The Village of Forest Park explicitly reserves the right to modify or amend any of the provisions of this Handbook at any time in its sole discretion, and any amendments may supersede or eliminate one or more provisions of this Handbook.

INTRODUCTION

Contract Disclaimer

This Employee Handbook is meant to provide guidelines and expectations to employees in order to assist employees to better perform their job duties. This Handbook is not an exhaustive list of every workplace rule and policy, but rather a guide to employees on commonly raised questions.

THIS EMPLOYEE HANDBOOK IS NOT AN EMPLOYMENT CONTRACT.

This Employee Handbook does not establish a contract (express or implied) between the Village of Forest Park and any employee regarding terms and conditions of employment.

EMPLOYMENT-AT-WILL RELATIONSHIP: This Employee Handbook does not in any way alter the employment-at-will relationship between the Village of Forest Park and its employees. The Village of Forest Park and each employee have the right to terminate the employment relationship (at any time, with or without cause or notice), unless otherwise provided in a collective bargaining agreement or written employment contract.

Whenever the terms of an individual employment agreement or a collective bargaining agreement conflict with the terms of this handbook, the terms of the individual employment agreement or collective bargaining agreement shall control, unless otherwise governed by Illinois law.

The Village of Forest Park may revise or revoke any portion or employee benefit of this Employee Handbook at any time with or without prior notice.

Any reference to one gender applies to both genders.

Applicability

This Handbook shall be applicable to all full-time and part-time employees not subject to a collective bargaining agreement. Employees subject to the collective bargaining agreement shall be subject to the non-economic provisions contained herein, provided they are not in conflict with the employees' respective collective bargaining agreement.

EMPLOYMENT POLICIES

Equal Employment Opportunities

It is the policy of the Village of Forest Park to afford Equal Employment Opportunities regardless of race, age, religion, color, marital status, national origin, gender, or sexual orientation. Further, all applicable laws relating to disability discrimination will be strictly followed. This policy of Equal Employment applies to all aspects of the employment relationship.

Americans with Disabilities Act Compliance

It is the policy of the Village to comply with all the provisions of the Americans with Disabilities Act (ADA). The Village will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The Village will also make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not require unreasonable difficulty or expense.

The Village Clerk or designee shall be responsible for the Village's compliance with the ADA regarding personnel matters. It will be the responsibility of the Village Clerk or designee to periodically review the Village of Forest Park ordinances, policies and practices to facilitate compliance with the ADA, meet with supervisors and employees to discuss alternative means for accommodating a disabled employee or visitor to Village premises, and to remain current regarding all developments in the laws and regulations governing the hiring and employment of individuals with disabilities.

Applicants and employees are advised that all medical information regarding the applicant or employee will be kept confidential, except that: 1) appropriate supervisory personnel will be informed of any restrictions on work assignments and/or reasonable accommodations that must be provided; 2) first aid and safety personnel will be informed if the disability might require emergency treatment; 3) on request, relevant information will be released to government officials investigating compliance with the ADA; and 4) information may be used for insurance purposes.

An individual who believes that he/she has been discriminated against as a result of a physical or mental disability should immediately report the incident to his/her supervisor, or, if the alleged discriminatory conduct is the action of the supervisor, to the Mayor. The investigation procedures set forth in this handbook shall apply to complaints of alleged discrimination based on disability. Such individual may also avail himself or herself of the grievance procedure set forth in this handbook.

Anti-Harassment/Sexual Harassment

A working environment that is free from any form of sexual harassment is essential and shall be maintained. It will be a violation of Village policy for any employee to harass another in the work place. Violation of this policy shall be considered grounds for disciplinary action.

A. DEFINITION OF SEXUAL HARASSMENT

“Sexual harassment” consists of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any employee to another employee when:

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

Sexual harassment, as defined above, may include, but is not limited to:

1. Persistent or repeated unwelcome flirting, pressure for dates, sexual comments or touching;
2. Sexually suggestive jokes, gestures or sounds directed toward another or sexually oriented or degrading comments about another;
3. Preferential treatment of an employee, or a promise of preferential treatment to an employee, in exchange for dates or sexual conduct; or the denial or threat of denial of employment, benefits or advancement for refusal to consent to sexual advances;
4. The open display of sexually oriented pictures, posters, or other material offensive to others; and
5. Retaliation against an individual for reporting or complaining about sexually harassing conduct.

B. INVESTIGATION OF COMPLAINTS

Employees who believe they have been ethnically, racially, sexually or otherwise unlawfully harassed or discriminated against by another employee (including claims of discrimination based on disability), should report the alleged act immediately (after the alleged harassment or discrimination occurs), to their Department supervisor, or to the Mayor if the Department supervisor is the alleged offender. The Village will undertake an investigation of all such complaints immediately. If the Village finds that any employee has illegally harassed or discriminated against another employee, the Village will take appropriate action against the offender. A substantiated charge against an employee will subject the employee to disciplinary action, which may include discharge.

The filing of a complaint under the procedure described herein shall not limit, extend, replace or delay the right of any person to file a similar complaint or charge with any appropriate local, state or federal agency or court.

Any individual who believes that he or she has been subjected to prohibited discrimination or harassment may submit a complaint to his/her Department supervisor in accordance with the following complaint procedure. If the Department Supervisor is the alleged harasser or discriminator, then the complaint shall be submitted to the Mayor, who shall be responsible for the investigation and complaint procedure contained herein. The Mayor may appoint a designee to investigate and process the complaint.

C. COMPLAINT PROCEDURE

1. Any employee wishing to submit a complaint (*i.e.* the “complainant”) must submit a written statement to his/her Department supervisor, or, alternatively, to the Mayor, in the event that the Department supervisor is the alleged offender. The written statement should state the specific facts and/or perceived wrongful act (*e.g.* location, names, dates, times) to be investigated. All such written statements should be submitted within thirty (30) days after the incident or act which gives rise to the complaint, unless the time for submission is extended by the investigator because the complainant has shown good cause for such an extension.

2. The Department supervisor or Mayor or designee shall promptly investigate the complaint. The investigator shall make all reasonable efforts, including but not limited to convening a conference with the complainant to discuss the complaint and the results of the investigation, to resolve the matter informally.

3. The Village will not in any way retaliate against an individual who makes a report of prohibited harassment or discrimination nor permit any supervisor or employee to do so. Retaliation is a serious violation of the Village’s discrimination/ harassment policy and should be reported immediately. Any person found to have retaliated against another individual for reporting prohibited harassment or discrimination will be subject to the same disciplinary action provided for prohibited harassment or discrimination offenders.

4. The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with the Village’s legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

5. If an investigation results in a finding that the complainant falsely accused another of prohibited harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions, including the possibility of discharge.

D. HEARING

6. In the event the complaint cannot be resolved informally, the Department supervisor or Mayor or designee will advise the complainant of his/her right to a hearing and the following additional procedures:

a. The complainant’s request for a hearing must be submitted in writing to the Department supervisor or Mayor or designee. A copy of the original complaint shall be attached to the hearing request.