

VERMILION COUNTY

PERSONNEL POLICIES

★ "Ye are the salt of the earth" ★

AND

ESTABLISHED

JANUARY 18, 1826

PROCEDURES

Approved by: The Vermilion County Board

February 11, 1991

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DISCLAIMER

This personnel policy is not intended to create a contract of employment. It is intended as a policy and information guide for employees. If at any time this policy conflicts with applicable State or Federal Law or the Collective Bargaining Agreement between the employee and any bargaining unit having entered into a collective bargaining agreement, the applicable law or agreement shall prevail.

Employee acknowledgment

Date _____

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ARTICLE 1

INTRODUCTION and ADMINISTRATION

1.1 STATEMENT OF POLICY.

This manual has been provided for the employees of Vermilion County to establish a systematic approach to administering the personnel policies and procedures adopted by the Vermilion County Board. It is provided as a tool to communicate personnel policies and procedures and provides a source of authority for reference and guidance. Unless exempted by County ordinance, union contracts, federal or state statute, all persons engaged in County service are subject to these policies and procedures, including department/agency heads, officeholders and administrative personnel.

The Vermilion County Board recognizes that a personnel system which recruits and retains competent, dependable County personnel is indispensable to an efficient County government. To achieve this goal, the Board has established an "Employee Relations Committee" responsible for developing and maintaining employee relations and the personnel policy for the County. The committee will be comprised of at least an elected officeholder, appointed department head and three County employees. It is understood that elected officials may establish a set of general internal operating policies for the purpose of handling matters which are unique to the department concerned, but with a commitment to follow the personnel policies of Vermilion County.

This is not intended to create a contract of employment but is a policy and information guide to guide employees.

1.2 SOLICITATION POLICY.

Vermilion County, by Ordinance #1022, dated June 11, 1984, has established rules restricting solicitation of individuals and distribution of materials on Vermilion County property. Vermilion County will continue to communicate official and administratively approved programs, such as United Way, etc.

Persons who are not employed by Vermilion County may not solicit or distribute

literature or other material in Vermilion County buildings or on Vermilion County owned property for any purpose or at any time. All salespersons should be directed to the following individuals at the particular facilities:

Courthouse Vermilion County Sheriff
VCAB County Board Chair
Public Safety Building Vermilion County Sheriff
Health & Ed Building. Vermilion County Health Administrator
Highway Building Vermilion County Engineer

Employees may not post literature or other material in common areas of Vermilion County buildings or on Vermilion County owned property without prior approval from the Vermilion County Board Chair, except that each office may maintain an area for such postings.

Employees may not sell, directly or indirectly, any item or service in Vermilion County buildings or on Vermilion County owned property, without prior approval from the administrative person responsible for that area.

1.3 AMENDMENT PROCEDURE.

Recommendations for amendments to the personnel policies and procedures set forth in this manual may be submitted by employees of Vermilion County. Employees should submit their proposed amendments to the department head/officerholder to submit the proposed amendment to the Employee Relations Committee. Employees may also directly submit such recommendations to the Vermilion County Board Finance/Personnel Committee for review and comment. The Finance/Personnel Committee may present amendments to the Vermilion County Board for consideration. The final authority on changes to the personnel policy will be that of the Vermilion County Board.

All recommended amendments should state specifically the section to be amended and offer the exact wording for the new section along with the expected effects of the resulting changes. The Finance/Personnel Committee will see that the members of the County Board receive a copy of the amendment prior to the time the Board is expected to act upon the matter. Any action taken by the Board will become effective immediately unless otherwise specified, but will not limit the opportunities for further amendments in accordance with these procedures.

The County Board Office, department heads, elected officials and EEO Officer are responsible for maintaining a current personnel policy and procedures manual with all revisions, deletions and additions. The County Board Office will forward

a copy of all Board-approved policy changes to each department head/officeholder for insertion into the appropriate section of the manual. The old section(s) should be removed from the manual and the new section(s) added. In order to maintain consistency, care must be used in numbering new pages. If the new section has more pages than the old section, then the additional pages should be numbered -01, -02, -03, etc. For example, if the old section was completely on page 10 but the new section has three pages, then they would be numbered 10, 10-01, 10-02. On the other hand, if the new section has fewer pages than the old section, then blank pages with appropriate page numbers should be inserted.

1.4 DEPARTMENTAL AND OFFICE POLICIES.

Due to the number and diversity of County departments and offices, flexible personnel administration is required. As a result, a department head/officeholder may establish a subsidiary set of general internal operating policies and procedures in order to accommodate the specific needs of the particular department or office. It is recognized that the nature of some departments either by law or the duties imposed may in fact require such individualized policies. These operating policies and procedures should be submitted in writing by the department head/officeholder to the Employee Relations Committee, Personnel Committee and EEO Officer.

Any internal policies adopted and operated by the department head/officeholder shall comply to all local, state and federal laws and not place Vermilion County in legal liability.

ARTICLE 2

EQUAL OPPORTUNITY EMPLOYMENT

02.01 POLICY STATEMENT.

It is the policy of Vermilion County that all persons are entitled to equal employment opportunities and, therefore, Vermilion County is an affirmative action/equal opportunity employer. More specifically, there shall be no discrimination because of race, creed, color, national origin, religion, ancestry, marital status, age, sex, or physical or mental disability; it is required that the employee or applicant is qualified and meets the physical requirements necessary for the job. In all cases only qualified individuals shall be hired and the predetermined standards shall not be lowered in any way for employment or promotion; however, reasonable accommodations shall be made for persons with disabilities.

The responsibility for insuring that all phases of personnel administration are in accord with this policy has been assigned to the management (department heads, officeholders, agency administrators) of Vermilion County. It is management's duty to apply this policy to all employees or applicants for employment according to the personnel guidelines and the Affirmative Action Program as adopted. Employees, as applicants for employment, when classified by the above noted criteria, who are members of a class disproportionately represented in the County's work force, are referred to herein as "minority employees" or "minorities."

ARTICLE 3

AFFIRMATIVE ACTION PROGRAM

3.1 PURPOSE.

This Affirmative Action Program has been developed as an expression of Vermilion County's compliance with all laws, orders, rules, regulations and ordinances covering employees within the State of Illinois. The program is aimed at prevention of any practices of discrimination and the continuance and further development of employment practices that will facilitate full integration of the County's work force. The goal of this Affirmative Action Program is to maintain staffing levels which are representative of the available labor force in the community.

Vermilion County's Affirmative Action Program is an affirmative statement containing its employment policy and procedures which the Equal Employment Opportunity Officer of the County will implement to assure proper utilization of members of minority classes of employees and to strive for increase in their employment whenever possible.

3.2 POLICY STATEMENT.

Vermilion County is an equal opportunity employer. The hiring of employees and promotions are carried out in accordance with all laws, orders, ordinances, rules and regulations of all governmental units having jurisdiction with respect to employment policies, to provide employment opportunities without regard to race, color, sex, religion, age, national origin or ancestry.

The relationship between the employee and the County shall be based solely upon the basis of the individual's ability, performance, attitude, effort and responsibility and other work-related criteria. This policy shall be extended to practices regarding recruiting, hiring, training, promotion, rates of pay, in fact all terms and conditions under which the employee works.

The Vermilion County Affirmative Action Program shall be administered by the EEO Officer under the direction of the County Board Finance/Personnel Committee. The Affirmative Action Program shall be implemented in all cases including, but not limited to, employment, promotion, demotion, grievances, transfer, testing, advertising, layoff, rates of pay or other forms of compensation and selection for training.

3.3 POLICY COMMUNICATION.

3.3.1 Internal Notification. Vermilion County's policy of equal employment shall be made known to the employees through appropriate communications. It shall be the policy of the County to communicate to the employees and the public the County's obligation to comply with all civil rights, laws, rules and regulations. Department heads, officeholders and agency administrators of Vermilion County shall inform applicants and employees of their rights and right, under the law, to notify appropriate agencies if any act of discrimination occurs.

3.3.2 External Notification. Vermilion County shall in an effort to make its policy known, contact leaders of community organizations, educational facilities, federal and state agencies and all others interested in providing equal employment opportunities. These sources shall also be used to promote and solicit applicants for the positions that become open from time to time.

Vermilion County shall, as required by law, inform all of the organizations that provide goods or services to the County of its policies and include in all purchase orders, contracts and other documents an equal employment opportunity clause.

3.4 IMPLEMENTATION.

Vermilion County, by resolution, assigned the duties of the Equal Employment Opportunity (EEO) Officer to the Human Resources Director under the authority of the Vermilion County Board Finance/Personnel Committee. The EEO Officer shall ensure that periodic reviews and updating takes place consistent with current laws, rules, regulations and ordinances as they may be passed. The EEO Officer shall be responsible for the plan and overall principle to provide that the County reaches its stated objectives.

The County shall, from time to time, require the employment of individuals to satisfy organizational work force needs. To actively provide for equal opportunity for all interested parties, the following steps will be taken:

3.4.1 Recruitment. Communication shall be established and maintained with federal and state agencies and community civic and social agencies to encourage applications from minority workers. To facilitate periodic audits of the applicant activity, records shall be maintained on the applications received, their handling and disposition. At all times, written applications shall be taken from all applicants whenever they desire to file an application of employment with the County whether there are vacancies or not.

These applications shall be kept on file with the EEO Officer for at least six months and active for 90 days so that vacancies, as they occur, may be immediately reviewed and prior applicants can be considered and qualified persons contacted.

3.4.2 Selection. After observing the policies of equal opportunity recruitment, uniform hiring qualifications capable of objective evaluations shall be used and maintained for all occupational categories. The acceptance of all applicants for employment shall be the responsibility of the EEO Officer. Acceptance for actual position placement shall be the responsibility of the department head, officeholder or agency administrator. All applicants shall be advised of the results of their application for employment and of the County's acceptance criteria upon request.

All standards used in selection of employees shall realistically be related to the job and must be on file with the EEO Officer. Progression requirements shall also be job related and shall be applied in a nondiscriminatory manner. All applicants shall be advised of the program requirements at the time they apply for a particular job. The County's selection process, including position description, job requirements, application forms, interview procedures, tests administered and validity, referral procedures, educational certification, legislative requirements, and final selection process shall be considered to ensure that at all times they remain consistent with the objectives of the program.

3.4.3 Transfers and Promotions. From time to time, the opportunity for promotion and/or transfer will occur; the County is desirous of offering those opportunities to their existing work force. Performance evaluations shall be made at regular intervals for all employees to determine progress and position for advancement, promotion or transfer. Emphasis will be placed on giving promotional opportunity to all employees identified as having qualifications for the advancement. There shall be no impediment causing discriminatory practices in promotional or transfer opportunities. Records shall be kept of the transfer and promotions of all employees. To ensure the effectiveness of this program and to identify any area that may require correction or modification, qualifications for all positions shall be kept current to ensure that they relate in a nondiscriminatory and meaningful way to the work performed.

3.4.4 Training. To ensure that the County has a work force that is efficient and well-performing, the County desires to provide training and training opportunities to those employees as may be required for the employee's upgrading and future advancement. Appropriate records of job performance shall be maintained. If the employee obtains special on-the-job training or obtains, on his or her own initiative, additional training through vocational schools, correspondence schools or other off-the-job training programs, these efforts will be appropriately noted. The County will encourage all employees to participate in these types of programs.

3.4.5 Facilities Integration. For any County-sponsored educational, recreational or other use of a facility, the policy reflected will be that the opportunity will be made available to all employees without regard to race, creed, religion, sex, age, national origin, and ancestry.

3.4.6 Reporting. The County will continue to comply with the requirements of appropriate laws, rules, regulations, and executive orders issued by governing governmental bodies and report compliance with the same as required.

In order to fulfill the annual reporting requirements of the Equal Employment Opportunity Commission, County departments, offices and agencies shall submit affirmative action information to the EEO Officer and the Personnel Committee. Such information shall include:

1. A body of procedures, in writing, which analyzes the employment practices of a department, office or agency and which sets up goals, a timetable, and specific procedures to be implemented by the department, office or agency with good faith efforts for the correction of deficiencies in the employment of minority groups.
2. A brief analysis of sex and race of current personnel by job classification.
3. A brief statement of internal or external dissemination of personnel policy and/or affirmative action commitment.
4. Identification of problems, i.e., deficiencies by job classification and salary range.
5. Establishment of goals and objectives for correcting deficiencies, if any, in job classifications and a timetable for correction.
6. Suggestions for the execution of programs or procedures designed to eliminate problems and further designed to establish goals.
7. Method of auditing the department, office, or agency to determine the effectiveness of programs in good faith.
8. Review of transfer and promotion practices within the department, office or agency to determine whether employees are being promoted on an equal basis.
9. Comparison of job duties and rates of compensation to insure that the rates of compensation for similar jobs are equal.
10. A brief statement of policy and procedures for internal and external recruitment.
11. Suggestions for the execution of policy and procedures designed to eliminate discrimination.
12. Other information deemed necessary by the EEO Officer and the Personnel Committee.

Vermilion County shall maintain a current Equal Opportunity/Affirmative Action Program and copies of the program shall be available for dissemination to employees and other interested persons.

3.4.7 Compliance Review. The EEO Officer shall conduct compliance reviews of each department, office and agency. The EEO Officer shall inform all departments, offices and agencies, in a reasonable time, prior to the initiation of a compliance review. The EEO Officer shall inform each department, office or agency within 30 days of the findings and recommendations and shall forward a copy to the Personnel Committee.

3.4.8 Complaint Processing. Within 10 working days of the filing of a complaint, the EEO Officer shall notify the department head, agency head, or officeholder, and the Personnel Committee. The notice will include the date, place and circumstances of the alleged unlawful practice. Notification of a schedule of review will be sent to the department, office or agency as far in advance as possible but at least 10 working days prior to the initiation of the investigation.

The EEO Officer shall receive all complaints of discrimination practices and shall recommend to the Personnel Committee sanctions necessary to correct a noncomplying department, office or agency. The committee shall act on the EEO Officer's recommendations as judged appropriate and proper and make recommendations to the full County Board for its action.

3.5 GOALS.

The goal of this Affirmative Action Program is to maintain staffing levels in professional, labor, office, clerical and skill positions which are representative of the available labor force in the community. Employment shall be determined by prevailing needs. Employment openings shall be through attrition and growth requirements. Each and every new employee shall be hired on the basis of need only. All of the goals and objectives mentioned above shall be examined periodically to ascertain the effectiveness of this Affirmative Action Program in attaining equal opportunity goals and requirements.

3.6 VERMILION COUNTY SHERIFF'S DEPARTMENT.

It is the County's goal to recruit a larger number of females in order to increase the availability for hiring females as Deputy Sheriffs. Extensive recruiting will be done to acquaint females with opportunities that exist for them as Deputy Sheriffs.

Such recruitment will be aimed toward the female community with emphasis on the requirements, standards and desirability of being a Deputy Sheriff.

Procedures will be developed to aid and orient females to testing procedures, testing dates, and cover opportunities as Deputy Sheriffs for Vermilion County.

The Captain of Patrol, of the Vermilion County Sheriff's Department will coordinate such activities for the Sheriff's Department.

The following is a plan that will be followed to orient females to the possibility of a career as a Deputy Sheriff. This plan should not be construed as limiting the department in any way in attempting to make people aware of the requirements and procedures to become a Deputy Sheriff.

1. The Vermilion County Sheriff's Department will seek representation at all Career Days, College Days and other such activities within the County high schools to talk about career opportunities.
2. Close cooperation will be maintained with Danville Area Community College, which has a Police Science program, in making cooperative education agreements available, particularly to females, so that they can be oriented to police work.
3. Notices of testing will be sent to all community colleges and universities in East Central Illinois. Such notices will also be sent to the YWCA, Women's Club, Executive Club, high school counselors and other groups or agencies that might be identified with a substantial female population.
4. Field trips and tours of the County jail and Sheriff's Department will be encouraged.
5. An appropriate exhibit will be developed about the Sheriff's Department and will be displayed at appropriate gatherings. If at all possible, deputies staffing this exhibit will represent categories being recruited.

6. Extensive news media contacts will be made, stressing opportunities for females. Test dates will be advertised and widely distributed, emphasizing that Vermilion County is an Affirmative Action/Equal Opportunity Employer.

The long-term employment parity goal for female Deputy Sheriffs is 35%. The annual hiring goal to meet the long-term goal will be 50% in order to reach representational parity within a reasonable period of time.

3.7 SUMMARY STATEMENT.

Vermilion County shall continue to ensure that its policy toward equal employment for all is stated in a positive manner and is clearly communicated to County personnel, other organizations and the public.

ARTICLE 4

EMPLOYEE CLASSIFICATIONS

4.1 APPOINTED AND ELECTED OFFICIALS.

4.1.1 Appointed Officials. An appointed official is a staff member of the Vermilion County Government who manages a principal service or department of County Government under the general direction of the County Board, another supervisory board, or the Fifth Judicial Circuit. The compensation of appointed personnel shall be established through negotiations with the proper authority. Such compensation shall assume and encompass periods of vacation and disability.

The extent of such non-work periods shall be at the discretion of the employer and may be so specified in a contract of employment. It is expected that an appointed official shall not absent himself from his duties to the detriment of fulfilling his responsibilities. It is further expected that the official shall advise the appropriate oversight authority, as delineated in the employment contract, in advance of any planned, non-emergency absence.

4.1.2 Elected Officials. Compensation of elected officials shall be established on a term basis by the County Board in accordance with State Law. Such compensation shall assume and encompass periods of vacation and disability. The extent of such non-work periods shall be at the discretion of the elected official. It is, however, expected that the official shall not absent himself from his duties to the detriment of fulfilling his responsibilities.

4.1.3 County Board Chairman. The Chairman of the Vermilion County Board, while serving in the full-time position, shall be entitled to receive coverage under the County-paid life insurance plan, and to participate in the County-sponsored health insurance plan.

Further, the full-time chairman, as an elected official, may take

time off from the job each year, with salary continuation, as his/her work load permits. No salary payment shall be made in lieu of vacation time not taken.

As an elected official, the full-time chairman is not eligible to receive personal days under the Vermilion County Personnel Policy.

4.2 REGULAR, PART-TIME OR TEMPORARY.

4.2.1 Regular. Full-time employment in an established job as specified in the organizational structure. Appointed and Elected officials are not considered to be regular employees.

4.2.2 Part-Time. Employment in an established job requiring less than eight hours per work day and/or not more than 32 hours per week.

4.2.3 Temporary. Employment in a job established for a specific project or period of time.

4.3 EXEMPT OR NONEXEMPT.

4.3.1 Exempt. Regular employees not eligible for overtime compensation.

4.3.2 Nonexempt. Regular employees eligible for overtime or compensatory time.

4.4 POLICY ON EMPLOYEE CLASSIFICATION FOR WAGE AND TAX PURPOSES.

PURPOSE: To clarify when it is appropriate to classify someone as an employee or independent contractor.

BACKGROUND: Both the Internal Revenue Service ("IRS") and the Illinois Department of Labor have indicated a concern for how workers are classified. Independent contractors do not have withholding for taxes, including FICA.

The IRS in an audit of the County corrected some worker classifications among

other matters. When the County or any employer incorrectly classifies a worker as an independent contractor, the County becomes liable for the employment taxes. There can be other penalties as well. The State of Illinois passed a law entitled "Employee Classification Act" which is related to construction jobs and covers a wide variety of repair and other physical tasks. While that Act does not cover local government, it indicates a strong policy to enforce such rules. Improper classification can result in a negative audit finding. IMRF also has questioned the employee/independent contractor status from time to time. It is therefore critical to correctly classify a worker.

POLICY: A worker shall be correctly classified as an employee or independent contractor. Workers who meet the definition of an employee shall be classified as such and appropriate withholding shall be made for taxes and other employment costs. Independent contractors shall have a written contract establishing the terms of work and providing for proof of insurance to cover any loss or injury they might incur while performing their work as independent contractors.

GUIDANCE: Both the IRS and the Department of Labor have a variety of resources to determine if a person is an independent contractor. When in doubt the County Human Resources Director can assist. There are some common indicators of an employer-employee relationship however.

- Do you direct what will be done and when it is to be done?
- Do you reimburse the person for costs like mileage incurred when performing the work?
- Is the job to be performed one that your department would typically do but you needed extra help?
- Does this person offer their services to anyone else?
- Who would be responsible if the person was injured while performing work for the County?
- If there was a problem with the task to be done who would the worker call for direction?
- Who supplies the equipment needed for the work?

If the responses tend to show the County is directing the work, supplies needed equipment, reimburses for costs, or it is work the department typically performs as part of their regular duties, the worker is likely to be an employee and we are liable for ensuring the right taxes and other employment costs are paid. A worker may be occasional or temporary but they can be employees. Misclassifying employees can be costly.

4.5 PROBATIONARY PERIOD.

A person employed for a regular job assignment shall serve a probationary period designated to provide the opportunity to demonstrate ability, interest and skill. This probationary period will be no less than 90 calendar days on which the employee is actually on the job, and will apply to all new employees. All probationary employees shall receive an employee evaluation every 30 days during their probationary period. If the probationary employee completes the probation period with uninterrupted employment, and work performance is acceptable to the appropriate supervisor, then the probation will be lifted.

Probationary employees that are hired for regular full-time positions will be considered regular employees for the purpose of receiving holiday benefits.

Current employees of the County who transfer to a new position in County employment shall not be considered new employees for the purposes of pay, holidays, or other benefits, but shall otherwise be on a probationary status for 90 days as described and may be discharged from their job if they do not satisfactorily complete their probation.

ARTICLE 5

PAY

5.1 PAYCHECKS.

All employees are paid by check bi-weekly on Friday. If the regular payday falls on a holiday, then paychecks will be issued on the preceding day. Under no circumstances will an employee receive a paycheck in advance of payday. "Advances" or loans to employees which would be "secured" by future work by the employee are prohibited.

5.2 PAY RATES.

Employee salary schedules are established for all job classifications in Vermilion County. These schedules are based on rates of compensation paid for comparable work in the public sector. Position classifications have been structured by pay grade.

5.3 OVERTIME.

For purposes of overtime calculations, the work week runs from Sunday through Saturday. Any nonexempt salaried employee who works in excess of 40 hours per week will be paid or will receive compensatory time at a rate of time and one-half. Overtime incurred by any employee must be reviewed and approved by the department head/officeholder before payment will be made.

5.4 COMPENSATORY TIME.

Compensatory time as otherwise recognized by the County Board in this personnel policy shall not apply to Appointed or Elected Officials or Department Heads.

For those employees eligible to receive compensatory time, the following restrictions shall apply:

- a. All compensatory time must be authorized by someone other than the person to whom it applies.
- b. Compensatory time should be scheduled to be taken at the earliest possible date agreeable between the employee and employer.
- c. There shall be no carry-over of compensatory time beyond the fiscal year in which it is earned.

5.5 EDUCATIONAL TIME.

Any employee's attendance during regular working hours at a professional conference, training session, or educational seminar must be approved in advance by the department head/officeholder. With proper approval, the employee is paid for educational time at the regular rate not to exceed eight hours in any one day. The total pay for educational sessions for any employee during a 12-month period will be limited by departmental/office budgetary constraints.

ARTICLE 6

EMPLOYEE BENEFITS

6.1 ELIGIBILITY.

All regular employees are entitled to the employee benefits of Vermilion County. Part-time or temporary employees will not be eligible for any benefits until they are reclassified as regular employees. Reinstated employees are considered new employees. Employees who work in a qualifying position in excess of 600 hours in twelve months service must participate in IMRF.

6.2 HOLIDAYS.

A list of holidays will be distributed to all departments and offices by December of each year establishing holidays to be observed the following year.

Because of the nature of County government, some categories of employees (i.e. Sheriff's Department) are required to work on holidays. Holiday work assignments are made by the department head/officeholder. For these categories of employees not covered by union contracts whose terms encompass this point, the holiday compensation policy is as follows:

Regular employees not scheduled to work on the holiday receive either another day off which must be taken within six months from the date incurred, or a holiday premium of one day's pay.

Regular employees who do work on the holiday are paid at the rate of twice their daily pay, i.e., they are paid for one additional day's work plus a holiday premium of one day's pay. For those employees covered by union contracts they are referred to the terms of such contract.

6.3 VACATION.

All regular employees are eligible for paid vacation according to the following schedule:

Years of Service	Paid Days of Vacation Per Anniversary Year
1	05
2-7	10
8-12	15
13-24	20
25 or more	25

Years of service are based upon calendar years.

Vacations must be taken in the following year in which it is earned, and cannot be carried over.

An employee whose employment is terminated for any reason will receive payment for any earned vacation. Employees working less than one year of service are not entitled to any vacation benefits.

All vacation time to be taken should be scheduled with the department head/officeholder in advance. In all cases, vacation schedules are subject to the department head/officeholder's approval.

6.4 PAID TIME OFF (PTO) Formerly Personal Days.

All regular employees are eligible for personal days off with pay according to the following procedures:

All regular employees who have completed 90 days of service as of December 1 shall earn PTO up to a maximum of 64 hours for the fiscal year. Regular employees shall earn 16 hours PTO on December 1 and shall then earn 8 PTO hours on the first of each month to a maximum of 64 hours earned for the fiscal year.

Regular employees hired after December 1 in any fiscal year, who have completed 90 days of service shall earn 16 PTO hours on the 1st of the month following the employee completing 90 days of service. Regular employees shall

then earn 8 PTO hours on the 1st of each month to a maximum of 64 hours for the fiscal year.

If an employee wishes to use PTO, the employee must make a request no less than two days in advance. All requests will be honored, if feasible, based upon the operational needs of the department. PTO will be granted on the basis of office requirements. Since PTO may be used for both personal time and sick leave, employees may take up to 32 hours PTO on an unscheduled basis, representing sick leave or unavoidable emergencies. The balance of any further time must be taken with advance notice to their supervisor.

Employees shall retain their Option II banked hours pursuant to the Vermilion County Personnel Policy and Procedures and Vermilion County Board Resolution No. 1094 adopted November 13, 1984.

Employees shall retain their Banked personal days which were banked prior to December 1, 2013. If an employee wishes to use their remaining banked personal days, the employee must make a request no less than two days in advance. All requests will be honored, if feasible, based upon scheduling requirements. Remaining banked personal days will be granted on the basis of office requirements and employee seniority in the event of a conflict. The employer reserves the right to direct employees to take banked personal days. Upon termination or retirement, employees will be paid for any remaining banked personal days at current rate of pay. The policy of paying for unused personal days will cease effective with the accrual beginning on December 1, 2013.

It shall be noted that various employees are under a collective bargaining agreement. That contract may have slightly different procedures due to the nature of the department and terms of the collective bargaining agreement. Where there is a conflict, the collective bargaining agreement shall prevail as to those employees covered under such an agreement. Bargaining unit employees must receive the PTO only as described in their collective bargaining agreement.

For non-union employees, it is recognized that there are differences between hourly, salaried, or managerial employees or what this policy refers to as "exempt" and "non-exempt" employees. This policy or the applicable collective bargaining agreement shall be applied as written to a non-exempt employee. As to exempt employees who are not eligible to acquire overtime compensation, some flexibility is recognized.

6.5 GROUP LIFE INSURANCE.

Each employee is eligible to join Vermilion County's group life insurance plan on the first of the next month following date of hire. The County will assume the cost of life insurance for each employee. Additional detailed information concerning the life insurance plan is available in the Human Resource Director's office.

6.6 RETIREMENT PLAN.

6.6.1 Social Security. All employees, including part-time and temporary employees, are required by law to participate in the social security retirement plan.

6.6.2 Illinois Municipal Retirement Fund (IMRF). All qualified employees are required to participate in the IMRF. Information regarding IMRF is available in the Human Resource Director's Office or at www.imrf.org.

6.7 UNEMPLOYMENT INSURANCE and WORKER'S COMPENSATION.

These two employee benefits are paid for by Vermilion County as required by law. Additional information can be obtained from the Human Resource Director's office.

6.8 BREAK TIME.

At the discretion of the department head/officeholder, each employee may be allowed to take two breaks of ten minutes each which are paid by the County. These breaks are counted as work time. One of the two breaks will be taken during each half of the work day at a time not to conflict with the employee's duties. The periods cannot be taken at the start or end of a work day.

In all cases, the department head/officeholder will determine when the employee may take a lunch break.

6.9 OVERTIME AUTHORIZATION.

It is the policy of Vermilion County to avoid, as much as possible, overtime work for its employees. However, when overtime work becomes a necessity, it will be a condition of employment and will be distributed as equally as possible. In the

case of minimal overtime demands, the work will be assigned to the employee who regularly does the job on which the overtime occurs. Different offices may have different overtime rules, e.g. the Sheriff's Department. These rules apply only in the absence of other rules or contract language.

6.9.1 Scheduled Overtime. Overtime requirements which are foreseeable and can be scheduled in advance will be distributed fairly and equitably to responsible employees by the department head/officeholder. The amount of overtime worked by each employee will be noted by the department head/officeholder or an appointed designate. A permanent record of regularly scheduled overtime will be maintained by the department head/officeholder.

If any employee is assigned overtime for a period which would conflict with the employee's personal schedule, he/she may ask the department head/officeholder for a change in overtime assignment. This change will be made, subject to the approval of the department head/officeholder, if one of the following criteria is met.

(1) The employee wishing to change finds another employee capable of performing the work who is willing to take the overtime assignment, or

(2) The employee wishing to change asks the supervisor far enough in advance to allow for a schedule change to be made. This will be done only if the schedule change does not affect the performance of the overtime work.

6.9.2 Unscheduled Overtime. In the case of an emergency or unforeseen overtime, the assignment will go to the employee or employees who could best handle the situation under the circumstances involved. Unscheduled overtime will be assigned by the department head/officeholder or an appointed designate and will not be subject to changes to suit personal schedules.

6.10 DISABILITY LEAVE.

The County shall follow the Family and Medical Leave Act, Workers' Compensation Laws and other applicable State and Federal Laws regarding leave, disability and illness.

Leave of Absence without Pay

Any employee of Vermilion County who requires an extended leave of absence beyond the term of Family and Medical Leave, or for reasons not covered by any other provisions within the policy, may seek authorization from their department head/officeholder.

The employee shall provide a written request stating the nature and expected duration of the leave of absence without pay. Subject to approval of the department head/officeholder, the period of the leave may not exceed thirty (30) days unless employee received an extension from the department head/officeholder, but in no event shall exceed 90 days.

Employees on leave of absence do not accrue vacation, personal or holiday benefits for the period of leave of absence without pay.

6.11 MATERNITY LEAVE.

A maternity leave of absence may be granted upon written request to the department head/officeholder. IMRF is required to pay disability benefits for pregnancy in the same manner as other disabilities. One year's participation in IMRF is required. Employees on pregnancy disability will not receive payment for the first 30 days of leave and will receive one-half pay from IMRF until their return to work. All persons on pregnancy disability must be on a disability leave of absence and will be paid disability payments for the period a physician states that physical impairment makes the employee unable to perform regularly assigned duties.

6.12 FUNERAL AND FAMILY BEREAVEMENT LEAVE.

6.12.01 FUNERAL LEAVE An employee may obtain a reasonable amount of time off with pay (not to exceed three days, depending on travel and funeral arrangements), in the event of a death in the immediate family. The employee's immediate family is considered as: spouse, domestic partner, parents, child, grandchild, stepchild, siblings, step-parents, grandparents, and parents-in-law.

Up to one day off with pay may be obtained for funeral leave for other relatives. Other family members include: aunt, uncle, sister-in-law, or brother-in-law.

All funeral leaves must be approved by the department head/officeholder. Persons covered by collective bargaining agreements should consult their individual contracts.

6.12.02 FAMILY BEREAVEMENT LEAVE Effective January 1, 2023, the State of Illinois updated the Child Bereavement Leave Act with the Family Bereavement Leave Act (FBLA) to allow eligible employees to take up to ten days of unpaid leave. The Act provides unpaid leave for special circumstances related to bereavement in the event of:

- The death of a “covered family member;”
- A stillbirth;
- A miscarriage;
- An unsuccessful reproductive procedure;
- A failed adoption match or an adoption that is not finalized because it is contested;
- A failed surrogacy agreement; or
- A diagnosis that negatively impacts pregnancy or fertility.

A “covered family member” is an employee’s child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.

"Domestic partner", used with respect to an unmarried employee, includes:

1. the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a state or political subdivision of a state; or
2. an unmarried adult person who is in a committed, personal relationship with the employee, who is not a domestic partner as described in paragraph (1) to or in such a relationship with any other person, and who is designated to the employee's employer by such employee as that employee's domestic partner.

The unpaid leave is available to any employee who has been employed by the County for at least 12 months and worked at least 1,250 hours in the last 12 months. As provided above in section 6.12.01, the county provides paid funeral leave which allows employees to be paid for up to three of the ten days of this family bereavement leave for those defined immediate family members. The leave must be completed within 60 calendar days after the date the employee receives notice of the death or date of the event as described in the section above. In the event of the death of more than one covered family member in a 12-month

period, an employee is entitled to up to a total of 6 weeks of bereavement leave during the 12-month period. This does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993. Therefore, employees who have exhausted their FMLA entitlement may not take any additional days under this policy.

An employee shall provide the employer with at least 48 hours' advance notice of the employee's intention to take bereavement leave, unless providing such notice is not reasonable and practicable. The County may require reasonable documentation showing the need for the leave.

6.13 MILITARY LEAVE.

Leave without pay will be granted to any employee to satisfy federal or state military obligations provided the employee returns to the job within 30 days of discharge. This leave shall not cause the employee to lose any vacation or personal days previously accumulated. Any employee required to satisfy reserve duty requirements will be allowed leave the same as for full military duty. In such cases, the employee shall notify the department head/officeholder at the earliest possible date of reserve duty requirements for scheduling purposes.

6.14 LEAVE WITH PAY.

Approval for leave with pay may be obtained by a regular employee from the department head/officeholder for performance of jury duty, emergency civil duty in connection with national defense, and for the purpose of voting if the polls are not open at least two hours before or after the employee's scheduled work hours. If the employee receives any compensation for the performance of these duties, employment pay will be for the difference between what was received for the outside duties and what regular pay would be. In the case of jury duty or emergency civil duty, the employee will be expected to provide proof of participation before being paid.

6.15 SCHOOL VISITATION LEAVE POLICY.

Vermilion County will comply with the School Visitation Rights Act of 1993 (Senate Bill 1075), effective July 1, 1993, which permits employed parents and guardians who are unable to meet with educators because of a work conflict the right to an allotment of time during the school year to attend necessary educational or behavioral conferences at the school(s) their children attend.

ARTICLE 7

HOURS OF WORK

7.1 PUNCTUALITY.

Arriving early or leaving late for the employee's own convenience will not be included in working time unless the employee performs duties for the County during such periods and has the approval of the department head/officeholder.

Any employee desiring to arrive late or leave early must secure permission from the department head/officeholder. This time can be made up during the same pay period if approved by the department head/officeholder or charged against compensatory time. If the time is not made up, the employee will not be paid for the time lost. In no case will makeup time be counted as overtime.

7.2 WORK WEEK.

The work week for regular nonexempt employees consists of forty (40) hours in the seven-day period starting on Sunday and ending on Saturday. Usually, 40 hours will be accumulated eight (8) hours per day for five out of the seven days. Any hours worked in excess of 40 hours per week will constitute overtime.

7.3 DAILY HOURS.

Each department head/officeholder shall set appropriate work hours.

ARTICLE 8

ATTENDANCE CONTROL POLICY

8.1 SCOPE.

All nonexempt employees are covered by this policy. This policy covers two categories of absences:

- Absence without Cause
- Absence with Cause

Absence without cause are always subject to some evaluation under this policy. When an employee is absent without cause, that employee has flagrantly disregarded one of his or her basic obligations to the County. According to the terms of this policy and procedure, this evaluation may result in disciplinary action up to and including termination.

Absence for cause is further broken down into two additional categories. They are:

- Non-Covered Absence for Cause
- Covered Absence for Cause

8.1.1 Non-Covered Absence for Cause. This is an absence always for a reason satisfactory to the County. It is never counted towards the limits of this policy.

The following are examples of Non-Covered Absences with Cause which are not counted against an employee in determining if his or her absenteeism is excessive:

- Military Leave
- Funeral Leave
- Jury or Civic Duty Leave
- Vacation
- Holidays
- Occupational Injury

8.1.2 Covered Absence for Cause. An employee may be absent from his or her work so much of the time as to become, in effect, a part-time employee. The County is entitled to insist on reasonable attendance. While an employee may be perfectly capable of doing a job, the job does not get done by the employee if he/she is not there. If an employee has repeated absences over a long period, even if such absences are justified (for example, legitimate illness), the employment bargain struck with the employee has been broken and the County may be left with no alternative but termination, because of excessive absenteeism.

Some examples of Covered Absence for Cause are:

- Illness
- Medical Leave
- Personal Leave
- Personal Days Off

8.2 RESPONSIBILITY.

It is the responsibility of the department head/officeholder or designee to prepare and maintain records and other documentation necessary for policy administration, and to develop appropriate procedures for dealing with absenteeism.

8.3 REPORT-IN.

8.3.1 When a reporting employee is absent from a normally scheduled work day or absent from accepted overtime assignment, that employee is required to report that absence.

8.3.2 When an employee knows s/he will be absent, that absence should be reported as far in advance as practical, however, the report should not be more than twenty-four (24) hours before the actual absence from the normally scheduled work day or accepted overtime assignment. Absences should not be reported any later than one hour after the start of the normally scheduled work day or accepted overtime assignment.

8.3.3 All absences must be reported to the employee's supervisor or department head. No other report-in is acceptable. The supervisor will notify the appropriate department head/officeholder.

8.3.4 For each day of absence that is not an approved leave of absence, the reporting employee must report the absence. However, if a reporting employee knows, in advance, that an absence will last up to and including three (3) consecutive working days, only one "report-in" is necessary as long as the reporting employee gives that information to the reporting authority. If an absence is longer than three (3) consecutive working days, the reporting employee must report each consecutive absence daily after the third consecutive absence to the reporting authority. Any consecutive absences of three (3) working days or more due to an illness or injury must be accompanied by a physician's "return to work" release when the employee returns.

8.3.5 Immediately after a "report-in" is made by a reporting employee, the designated person will contact the reporting employee's supervisor or department head/officeholder to notify absence, giving the supervisor or department head the following information:

- (1) Reporting employee's name.
- (2) Dates of day or days absent.
- (3) Reason for absence.

8.4 INFORMATION BASE.

When a reporting employee "reports in" for an absence, the following information must be given:

- (1) Employee's name.
- (2) Employee's department name and/or number.
- (3) Name of employee's immediate supervisor.
- (4) Employee's reason(s) for absence such as:
 - (a) Illness
 - (b) Injury
 - (c) Emergency
 - (d) Etc.
- (5) The dates of absence or absences if consecutive and not more than three (3).

8.5 TIME LIMITS.

A completed "Absentee Calendar" will be maintained for a period of twelve (12) months by the department head/officeholder. All attendance records will be maintained for a minimum of five (5) years by the department head.

8.6 QUANTIFICATION.

8.6.1 Excessive Absenteeism. Each absence is evaluated by counting the number of absences for that employee in the preceding six (6) months. Absenteeism is considered excessive if the employee has four (4) or more absences in the sliding six (6) month period.

The six (6) month period considered is six (6) months prior to the last absence. When the above limit is exceeded, the employee will receive disciplinary action.

When an approved leave of absence for illness, injury or personal reasons has approached or exceeded a reasonable percentage of the employee's working time, that employee's situation will be reviewed by the department head/officeholder. An employee who has repeated absences over a long period, even if such absences are justified, would be subject to the disciplinary policy which could lead up to and including termination. All such cases, however, must be fully reviewed and approved by the department head/officeholder.

8.6.2 Counting Absences. For the purpose of this attendance policy, the number of "absences" (Covered Absences with Cause and Absences Without Cause) will be determined by the following method:

(1) One workday or a series of consecutive workdays missed for the same reason will be counted as one absence.

(2) Absence from an overtime assignment previously accepted will be treated in the same manner, using the same formula as an absence from regularly scheduled work.

(3) Reporting for work more than for (4) hours after the scheduled starting time will be counted as one absence; tardiness of more than one but less than four hours will be counted as one-half absence.

(4) Leaving work more than four (4) hours before quitting time will be counted as one absence; leaving work one to four hours before quitting time will be counted as one-half absence.

(5) Leaving work within four (4) hours of quitting time for such events as dentist, doctor appointments and court appearance will not be counted as one-half absence, if written approval of such absence is requested and received at least 24 hours in advance.

(6) Absence Without Cause - An absence not reported within the specified period will be counted as one absence. A reported absence for a reason not satisfactory to the County will be counted as one absence.

(7) Pay will be deducted for tardiness on the basis of fifteen (15) minute time blocks. For each fifteen (15) minute block or fraction thereof that an employee is tardy, one-fourth (1/4) of his or her hourly pay will be withheld.

This should be determined by the department head/officeholder.

8.7 ACCESSIBILITY.

To keep informed of their current attendance record, employees should contact their supervisor or department head/officeholder.

ARTICLE 9

FAMILY & MEDICAL LEAVE POLICIES

9.1 FAMILY AND MEDICAL LEAVE.

Vermilion County recognizes the importance of family and medical responsibilities. Accordingly, Vermilion County provides time away from work for eligible employees to recover from an injury, illness or condition or to care for a family member in accordance with the Family and Medical Leave Act of 1993 (“FMLA”) and the National Defense Authorization Act for FY 2008 (“NDAA”).

The NDAA amended the FMLA to provide two types of military-related family leave for employees who are otherwise FMLA-eligible — “Qualifying Exigency Leave” and “Military Caregiver Leave.” This policy adopts the law as currently amended. This policy will be updated as the law changes. Please consult your supervisor or the Human Resources Director for any questions.

9.1.1 Are You Eligible for FMLA Leave?

To be eligible to apply for any FMLA leave under this policy:

1. You must have worked for Vermilion County:
 - a. for a total of at least 12 months; **and**
 - b. for at least 1,250 hours during the 12 months immediately preceding the start of the leave; **and**
2. You must also work at a worksite:
 - a. with 50 or more employees; **or**
 - b. where 50 or more employees are located within 75 miles of your worksite.

If you do not meet this eligibility test, you are not eligible for any type of FMLA leave.

9.1.2 Qualifying Reasons for FMLA Leave

If you are eligible under the criteria set forth above, Vermilion County will grant you FMLA leave if you follow the procedures in this policy set forth below and request the leave under any of the following six FMLA Qualifying Reasons for leave.

After you identify for which Qualifying Reason you seek FMLA leave, check the “Definitions” section of this policy below for the meaning of the specific terms in that Qualifying Reason. Here are the six Qualifying Reasons:

1. The birth of your child if the leave is completed within twelve (12) months of the date of birth of the child;
2. The placement for adoption or foster care of a child with you if the leave is completed within 12 months of the date of placement of the child;
3. To care for an Eligible Family Member if that individual has a Serious Health Condition;
4. For your own Serious Health Condition that renders you unable to perform the essential functions of your job;
5. Qualifying Exigency Leave – this leave is taken because of a Qualifying Exigency arising out of the fact that a Covered Military Member in your family is on covered Active Duty Status (or has been notified of an impending call or order to such covered Active Duty) in the Armed Forces; or
6. Military Caregiver Leave – this leave is taken because a Covered Service member in your family has a Serious Illness or Injury and needs your care.

9.1.3 How Long is the Leave Benefit?

You are entitled to a maximum of 12 weeks of unpaid leave during a rolling 12-month period.

If you take Qualifying Exigency Leave, you are entitled to a maximum of 12 weeks of Qualifying Exigency Leave during a rolling 12-month period.

If you take Military Caregiver Leave, you are entitled to a maximum of 26 weeks within the 12 months following the first day of Military Caregiver Leave, regardless of the [e.g., rolling 12-month period or calendar year] used by Vermilion County for other FMLA leave reasons. The 26 weeks is calculated on a per service member, per injury basis.

You may apply any accrued paid vacation; personal days; or illness, injury and recovery leave or short-term disability leave to FMLA leave. FMLA leave will run concurrently with any other type of paid leave. Any remaining FMLA leave time left after the exhaustion of other leaves will be unpaid leave.

Spouses' Combined Leave

If you and your spouse are both eligible and employed by Vermilion County, you are jointly entitled to a combined total of 12 weeks of leave for the birth of your child or for placement for adoption or foster care of a child with you or for the care of a parent with a Serious Health Condition. Likewise, spouses who are both employed by Vermilion County are jointly entitled to a combined total of 26 weeks of Military Caregiver Leave to care for a Covered Service member.

9.1.4 Definitions

To help you better understand if you have a FMLA Qualifying Reason for leave, the following definitions are provided:

- ***Eligible Family Member:*** an Eligible Family Member is your spouse, Son, Daughter, or Parent (but not a parent “in-law”).
- ***Son or Daughter:*** any child under 18 who is your biological, adopted, stepchild, legal ward, or foster child; or a child whom you supervise on a day-to-day basis (*in loco parentis*) and for whom you are financially responsible. A *Son or Daughter* is also any child over 18 who is incapable of self-care because of a mental or physical disability. For purposes of Qualifying Exigency Leave or Military Caregiver Leave, the age of the Son or Daughter is not limited.
- ***Parent:*** your biological parent, or one who stood in the place of (*in loco parentis*) your biological parent when you were a child.
- ***Spouse:*** your husband or wife.

• ***Serious Health Condition:***

Serious Health Condition: a Serious Health Condition is an illness, injury, impairment or physical or mental condition that requires in-patient care in a hospital, hospice or residential medical care facility or that requires Continuing Treatment by a health care provider. It does not mean short-term conditions in which treatment and recovery are brief; routine physical exams; or voluntary or cosmetic treatments that are not medically necessary, unless in-patient hospital care is required.

Continuing Treatment means: (1) a period of incapacity of more than three consecutive, full calendar days plus treatment by a health care provider twice, or once with a continuing regimen of treatment; (2) any period of incapacity related to pregnancy or for prenatal care; (3) any period of incapacity or treatment for a Chronic Serious Health Condition; (4) a period of incapacity for permanent or long-term conditions for which treatment may not be effective; or (5) any period of incapacity to receive multiple treatments (including recovery from those treatments) for restorative surgery, or for a condition which would likely result in an incapacity of more than three consecutive, full calendar days absent medical treatment.

If the Serious Health Condition is under the period of incapacity of more than three consecutive, full calendar days and any subsequent treatment or period of incapacity relating to the same condition, your first treatment visit (or only visit, if coupled with a regimen of continuing treatment) must take place within seven days of the first day of incapacity.

If the Serious Health Condition involves treatment of two or more times, the two visits to a health care provider must occur within 30 days of the first day of incapacity.

A ***Chronic Serious Health Condition*** is one that (1) requires Periodic Visits for treatment by a health care provider or nurse under the supervision of the health care provider, (2) continues over an extended period of time, and (3) may cause episodic rather than continuing periods of incapacity.

Periodic Visits for treatment of a Chronic Serious Health Condition means at least twice a year visits.

- **Key Employee:** You are a key employee if you are a salaried employee who is among the highest paid ten percent of all employees employed by Vermilion County within 75 miles of your worksite.
- **Qualified Exigency Leave:** This is leave that may be taken by you for any Qualifying Exigency arising out of the fact that a Covered Military Member is on Active Duty Status or on call to that status.
- **Qualifying Exigency:** The most common types of events considered a Qualifying Exigency are: attending military-sponsored functions, making appropriate financial and legal arrangements, arranging for alternative childcare, and attending counseling. This includes certain post-deployment exigencies, including reintegration activities for a period of 90 days following the termination of a Covered Military Member's Active Duty Status.
- **Covered Military Member:** A Covered Military Member for purposes of Qualifying Exigency Leave is your spouse, Son, Daughter, or Parent who is on Active Duty Status or on call to that status.
- **Active Duty Status:** Active Duty Status for purposes of Qualifying Exigency Leave means when a member of the National Guard or Reserves is under a call or order to active duty (or has been notified of an upcoming call or order) in support of a contingency operation. Family members of service members in the Regular Armed Forces are not entitled to Qualified Exigency Leave.
- **Military Caregiver Leave:** This is leave that may be taken by you to care for a Covered Service member with a Serious Injury or Illness. This care means providing physical or psychological care, transportation for care, and/or time to make arrangements for care.
- **Covered Service member:** For purposes of Military Caregiver Leave, a Covered Service member is your spouse, Son, Daughter, Parent, or next of kin (your nearest blood relative) who has a Serious Injury or Illness. This leave applies to those service members, including veterans, of the Regular Armed Forces and the National Guard or Reserves, who are undergoing medical treatment, recuperation, or therapy, including outpatient status or being on the temporary disability retired list for a Serious Injury or Illness incurred in the line of duty on active duty.

- ***Serious Injury or Illness:*** For purposes of Military Caregiver Leave, Serious Injury or Illness means an injury or illness that was incurred by the service member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the service member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating; and

For veterans, it means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the service member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

9.1.5 Notice Requirements

When the need for leave is foreseeable, you must provide your supervisor with a written request for leave at least 30 days prior to the leave and must attempt to schedule the leave to minimize the effect on Vermilion County.

When the leave is not foreseeable, you must provide notice to your supervisor as soon as practicable after you determine you need the leave and comply with Employer's normal call-in procedures.

You may take leave intermittently (in periods of days or partial days) when medically necessary or occasioned by a Qualified Exigency. However, you must apply for and obtain approval from Vermilion County to take intermittent leave for the birth or care of your child, except pregnancy-related leave that would qualify as leave for a Serious Health Condition. As with FMLA leave taken in one block of time, if requesting FMLA leave on an intermittent basis, you must provide at least 30 days' notice when your need for FMLA leave is foreseeable. When it is not, you must notify Vermilion County as soon as practicable.

If you are absent due to illness or injury for more than three consecutive work-days, you are required to apply for FMLA leave under this policy, unless you are using compensatory time for your absence.

9.1.6 Certification

Vermilion County will require you to provide certification for the need for family-related leave. To apply for leave, pick up the required documents/forms from the Human Resources Department. You must provide the certification within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Employer also requires you to obtain a medical certification from the health care provider who is treating you or your family member. You may obtain certification forms from the Human Resource Department.

Vermilion County may directly contact your health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. Vermilion County will not use your direct supervisor for this contact. Before such direct contact with the health care provider, you will be given an opportunity to resolve any deficiencies in the medical certification. Failure to resolve any deficiencies may result in the delay or denial of leave.

To verify your Serious Health Condition, Vermilion County may, at its discretion and expense, require you to obtain the opinion of a second health care provider designated or approved by Vermilion County. If there is a conflict between the first and second opinions, Vermilion County may, at its discretion and expense, require a third opinion from a different provider. The third opinion will be binding.

Within five business days after you have submitted the appropriate certification form, your supervisor will complete and provide you with a written response to your request for FMLA leave.

Certification for Qualifying Exigency Leave

Vermilion County will require certification of Qualifying Exigency leave. As is required for other types of FMLA leave, you must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for Military Caregiver Leave

Vermilion County will require certification for the Serious Injury or Illness of the Covered Service member. As is required for other types of FMLA leave, you must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Intermittent Leave Certification

After Vermilion County requests certification, you will have at least 15 calendar days to submit the paperwork to Vermilion County. If your medical certification is incomplete or insufficient, Vermilion County will specify in writing what information is lacking and allow you seven days to cure the deficiency.

Vermilion County can insist on a health care provider's estimate of how often you will need time off. Vermilion County may wait until that estimate is received to approve intermittent leave.

Employer may temporarily transfer you to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when you or your family member's leave is foreseeable and for planned medical treatment, including recovery from a Serious Health Condition or to care for your child after birth, or placement with you of a child for adoption or foster care.

In the case of intermittent Military Caregiver Leave, Vermilion County may transfer you, with equivalent pay and benefits, if you need leave on an intermittent or reduced leave schedule to care for a Covered Service member that is foreseeable based on planned medical treatment for the service member.

Recertification

Vermilion County may request recertification for your or your family member's Serious Health Condition no more frequently than every 30 days and only when circumstances have changed significantly, or if you receive information casting doubt on the reason given for the absence, or if you seek an extension of your leave. Otherwise, Vermilion County may request recertification for your or your family member's Serious Health Condition every six months in connection with an FMLA absence. Vermilion County may provide your health care provider with your attendance records and ask whether the need for leave is consistent with

your Serious Health Condition.

Certification/recertification must be returned to Vermilion County within 15 days. Failure to provide certification in the requested time period may result in the delay or denial of leave.

Fitness for Duty:

Vermilion County will require a “fitness for duty” certification upon your return to work, if leave was taken for your own Serious Health Condition. The “fitness for duty” certification must certify that you are able to return to work and perform the essential functions of your position. [A copy of your job description will be supplied with the designation notice.]

GINA Information

To comply with the Genetic Information Nondiscrimination Act of 2008 (GINA), Vermilion County will ask your health care providers to not provide any genetic information as defined by GINA when responding to a request for your or your family member’s medical information, except as allowed by specific GINA exceptions.

9.1.7 While on Family and Medical Leave

Periodic Reporting

Vermilion County requires you to report periodically to your supervisor as to your leave status and your return to work, once known. The frequency of that reporting requirement will be designated in writing.

No Employment While on Leave

You may not engage in gainful employment while on authorized leave under this policy. Acceptance of employment while on leave shall be deemed as voluntary termination of employment.

Health Insurance Plans:

During periods of unpaid leave, Vermilion County will continue providing health care coverage at the same level of any health benefit plans you are enrolled in at the time you take leave, as long as you continue to pay the portion of the pre-

mium that you made before taking the leave. This payment must be received in the County Board Office by the 25th day of each month. If the payment is more than 30 days late, your health care coverage may be dropped for the duration of the leave. Vermilion County will provide 15 days' notification prior to your loss of coverage.

If you choose not to return to work for reasons other than because of your or your family member's continued Serious Health Condition or a circumstance beyond your control, you must reimburse Vermilion County the amount it paid for your premiums during the leave period.

Paid Leave Benefits:

When you are on unpaid leave under this policy, you will accrue benefits such as vacation and personal leave. Please ask your supervisor or the Human Resources Director if you have questions.

Life or Disability Insurance:

If you contribute to a life insurance or disability plan, while on leave under this policy, you may request continuation of such benefits and make your portion of the premium payments. If you do not continue these payments, Vermilion County may discontinue coverage during the leave.

Vermilion County, in the alternative, may choose to maintain such benefits during the leave and pay your share of the premiums. Vermilion County may recover the premium costs incurred for paying your share, whether or not you return to work.

9.1.8 When You Return from Leave — Reinstatement

Generally, when you return from FMLA leave, you will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms unless business circumstances have impacted the position. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

Key Employee Exception to Reinstatement

A key employee is a salaried employee who is among the highest paid ten percent of all employees employed by Vermilion County within 75 miles of the employee's worksite. Vermilion County may refuse to reinstate certain key employees where restoration to employment will cause substantial and grievous economic injury to its operations. If you are a key employee, Vermilion County will notify you in writing of your status as a key employee, the reasons for denying job restoration, and provide you a reasonable opportunity to return to work after notification.

9.1.9 Exhaustion of Leave

Your employment will be terminated when you have exhausted your FMLA leave unless you have additional leave as a reasonable accommodation under the Americans with Disabilities Act or pursuant to other policies of Vermilion County. FMLA leave will not be counted as an absence under Vermilion County's attendance policy.

9.1.10 Reporting Violations of this Policy

If you are experiencing any violation of this policy, or if you know of, or suspect a violation of the policy by another employee or workplace participant, you must report it immediately to your supervisor, Chief Deputy, Department Head or Elected Official.

If you do not feel comfortable reporting as listed above or if you did report and are not satisfied with the response, then you should direct your report or dissatisfaction to the Human Resources Director or Civil Attorney.

Please note that you are not required to confront the person or persons who have given you reason to report. However, if you experience any violation of this policy, or if you know of or suspect violation of the policy by another employee or workplace participant, you must make a reasonable effort to make the violation known as soon as you experience or discover it. Discussing or reporting policy violations to any person not listed above does not constitute a report.

9.1.11 Retaliation Prohibited

Retaliation can include, but is not limited to harassment, discrimination, bullying or any other unfair treatment or abuse of power.

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above, regardless of the accused's identity or position. Please note that you do not have to confront the person who is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant who retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination.

9.1.12 Workplace Investigations

A report of retaliation for reporting a violation of this policy or a report of a violation of this policy that is made to those listed above will result in an appropriate investigation of the allegations. Vermilion County may use third parties to investigate allegations. All employees and workplace participants have a responsibility to cooperate fully with any investigation. The interviews, allegations, statements, and identities will be kept confidential, on a need-to-know basis, consistent with the law and the investigation process and goals. Unreasonable refusal to participate in an investigation may lead to discipline, including termination.

Those found to have violated this policy or to have retaliated against another in violation of this policy are subject to discipline including, but not limited to, termination, consistent with the law, the results of the investigation, the severity of the conduct, and the person's employment history, including any similar reports of prior violations and/or retaliation.

9.1.13 Knowingly False Reports Prohibited

Any employee or workplace participant who makes a knowingly false report of a violation of this policy or retaliation will be subject to discipline, including termination.

9.1.14 Questions About This Policy

If you have questions, suggestions or concerns about this policy, you should direct them to your supervisor, Chief Deputy, Department Head or Elected Official.

If you feel uncomfortable discussing your questions, suggestions or concerns about this policy with those listed above, you can direct them to the Human Resources Director or Civil Attorney.

ARTICLE 10

STAFFING

10.1 AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYMENT.

As stated earlier in Section 02.01, Vermilion County is an Affirmative Action/ Equal Opportunity Employer. The Affirmative Action policies as set forth in Section 03.02 are an integral part of the process of employee recruitment, selection, promotion, discipline, demotion and termination.

10.2 TRANSFERS AND PROMOTIONS.

It is the policy of Vermilion County to transfer and promote from within the County whenever possible. Employees are urged to obtain the necessary skills, training, education, professional registration or licenses necessary in order to be eligible candidates for transfer or promotion.

10.2.1 Definition.

(1) Promotion is a change of an employee from a position of one grade to a position of another grade with more responsible duties and a higher salary range.

(2) Transfer is a change by an employee from one position to another position of the same grade or another grade in the same salary range, usually involving the performance of similar duties and requiring essentially the same basic qualifications.

(3) Internal Listing - All positions will be posted in the Vermilion County Courthouse and at other bulletin boards located in County facilities to allow employees the opportunity to apply for the identified jobs. Outside applicants will be accepted after the waiting period for internal applications, but employees will still be given priority considerations.

10.2.2 Procedures. Upon notification by the department head office holder that a vacancy is occurring, the EEO Officer shall complete the internal listing of the position.

The employee desiring a transfer may initiate a request for consideration by written request to the EEO Officer. The EEO Officer will in turn submit the names of all inquiring County employees to the department head/office holder to arrange interviews. Upon request, the EEO Officer will conduct appropriate testing to determine qualifications.

If the employee meets the basic qualifications of the vacant position, and the department head/officeholder having the vacancy concurs, an interview will be arranged between the department head/officeholder and each qualified employee applying for the job. If the employee is selected for the new job, he/she will not be transferred for two (2) weeks or until he/she has been replaced, if at all possible. This applies for both transfers and promotions. This condition may be waived by the terminating department at that department head/officeholder's option.

Employees wanting promotion to an open position must also apply with the EEO Officer. They may be required to resubmit an application and will also be interviewed by the department head/officeholder. In the selection of an employee to fill a higher job, aptitude, skills, ability and past performance will be considered.

All accrued benefits remain with the employee when he/she transfers or is promoted to a different position in the County.

All transferred and promoted employees are required to serve a probationary period as stipulated in Section 04.03. All accrued benefit time continues to be available to the employee.

If no qualified employee is located within the department, the position will be posted as notification for all employees in County service as specified in Section 10.02.03.

If the vacancy is filled by promotion, the vacated lower level position will be requisitioned and posted for five (5) working days for all employees in County service who may wish to transfer.

If there are no qualified employees within the department or elsewhere within the County service, applicant search will be undertaken as specified in Section 10.02.03.

10.2.3 Methods of Filling Vacancies. Elected Officials are responsible for the final selection and filling of positions within their departments. It is the desire of the County Board to exercise its responsibilities and powers regarding hiring practices as granted by statute. Appointed officials and department heads are responsible for the filling of vacant positions within their respective departments as limited by statute or County Board authority.

(1) When a vacancy occurs, the department head/officeholder shall complete a Personnel Requisition Form and submit to the EEO Officer.

(2) The EEO Officer is to prepare a notice of the position vacancy and post that vacancy in established locations in the County for five (5) working days. The notice will be based on information supplied in the Personnel Requisition Form.

(3) If no existing employee is found to have the requirements necessary for the position, or none apply, then outside applicants will be considered.

(4) When considering outside applicants, all position openings will be listed with the Illinois Job Service and shall be advertised in local newspapers. Professional positions may also be listed in appropriate professional journals. Additionally, public and private referral agencies (i.e., Danville Area Community College's Personnel Department, Job Training Program, City of Danville Director of Personnel, Community Action Center, etc.) will be contacted to encourage applications from minority workers.

The EEO Officer will be responsible for placing all advertisements. Position advertisements shall include:

- Position title and classification
- Position description
- Employment requisites
- A statement that the County is an Equal Opportunity Employer
- Dates of application period

(5) When a vacant position occurs involving the head of a department, the County Board Chairman shall appoint a selection committee comprised of two members of the parent committee, two members of the Finance/Personnel Committee and the Human Resources Director. This committee shall be responsible for interviewing the candidates and recommending a person to fill the position.

Department heads shall be appointed upon concurrence by the County Board after considering the recommendation of this selection committee. Where a statutory eligibility requirement exists, the committee shall verify such eligibility.

10.2.4 Selection. As stated in the Equal Employment Opportunity policy statement, in all cases, only predetermined standards will not be lowered in any way for employment or promotion. The employee job descriptions set forth the qualifications and experience needed for each position.

Interviews of qualified applicants shall be scheduled and qualified applicants so notified. Interviews will be conducted by the department head/officeholder. All applicants shall be notified of the position being filled. The EEO Officer shall be notified as to the person hired, the pay grade and step, and date of hire.

10.3 DEMOTIONS.

It is the position of Vermilion County to discourage demotions except in certain situations where an employee requests a demotion. Employees may be demoted to a lower position for which he/she is qualified in the following situations:

- (1) The employee requests demotion.
- (2) The employee's position is eliminated and the employee would otherwise be laid off.
- (3) The employee's position is reclassified with additional responsibilities and the person is no longer qualified.
- (4) It is determined during the employee's probationary period that he/she is not qualified for the position.
- (5) The employee is no longer meeting the expectations of the job.

10.4 RESIGNATION.

Any employee who desires to terminate his or her employment will be requested to submit a written resignation to the department head/officeholder at least two weeks in advance of the termination date. The EEO Officer shall be notified of all resignations.

10.5 REDUCTION IN WORK FORCE.

Vermilion County has historically offered its employees steady, long-term employment. However, should general economic conditions or some phase of the County's operations change significantly, a reduction in the work force may be necessary. This will only be done after careful analysis of the staffing required to provide essential services. Departments will determine which job classification will be affected by layoffs and employees with the least seniority in the affected job classification will be laid off first.

ARTICLE 11

ORIENTATION AND TRAINING

11.1 RESPONSIBILITY.

Each department head/officeholder is responsible for the orientation and training of the employees working in his or her department or office. This responsibility may be delegated to other individuals by the department head/officeholder.

11.2 ORIENTATION.

During the first few days of employment (preferably the first day), each new employee will be informed of the following:

- (1) Job title, classification and job description
- (2) Hours and days of work
- (3) Rate of pay
- (4) Work rules and regulations

Also, the employee will be oriented to the particular work facility and allowed an opportunity to ask questions concerning the nature of work assignments, pay, benefits, work rules, etc.

11.3 TRAINING PROGRAM.

For some positions, actual formal training will be minimal, involving on-the-job orientation and guidance by a supervisor or co-worker. Employees in other positions will need to become familiar with operating manuals and policy manuals.

Some employees will require classroom training or attendance at special courses outside of the working facility. The development and implementation of training programs are the responsibility of the department head/officeholder.

11.4 PERIOD OF TRAINING.

The probationary period is designed not only to determine the employee's suitability for regular employment, but also as a time when the employee can acquire and develop new skills. However, additional training may be required at any time during an employee's tenure when the need or opportunity arises. In other words, training is not limited to just the probationary period.

ARTICLE 12

PERFORMANCE EVALUATION

12.01 PURPOSE AND PROCEDURE.

Performance evaluations are a means of reviewing the employee's performance in comparison with his or her job description. The objective of the evaluation is to increase employee motivation and improve work performance. The purpose of the review is to go over with the employee the employee's past year's work record. This includes a discussion of the employee's attendance, attitude, accomplishments, problems, and any other work-related topics. After this meeting, a written summary is made of the information covered and recommendations concerning the employee's future with the County. A completed evaluation form is to be placed on file with the appropriate department/office and with the EEO Officer.

An evaluation should be conducted whenever it will serve to improve or maintain a high level of employee performance or whenever there is a need for employee motivation. The evaluation also provides justification for salary reviews. The time between evaluations will vary according to the type of work being performed. New employees should be evaluated every 30 days during their probationary period. Thereafter, employee evaluations must be conducted no less than on an annual basis. Department heads/officeholders should ensure that all evaluations are conducted in a timely manner.

ARTICLE 13

RULES OF CONDUCT AND DISCIPLINARY ACTION

13.1 RULES OF CONDUCT.

Good relations with co-workers, with other departments and offices of the County and with other public agencies are essential. Failure to maintain appropriate work standards and behavior can result in disciplinary action or termination of employment. Work rules, in addition to those set forth in this policy, may be established by the Department Head/Officeholder and a copy furnished to the Human Resources Department.

13.2 DISCIPLINARY ACTION.

Whenever an employee's performance, attitude, work habits, or personal conduct falls below a desirable level, the applicable supervisor, Department Head/Officeholder may, where circumstances permit, inform the employee promptly and specifically and give counsel, guidance and assistance. After an appropriate period of time, if improvements or correction is not evident, disciplinary action should be initiated.

Unless an employee is part of a bargaining unit covered by a labor contract requiring just cause for termination or some form of progressive discipline, no particular steps in discipline are required, but are encouraged. While it is expected that each employee will receive the guidance needed to successfully perform their duties, circumstances may require different approaches. Employees who hold confidential positions of trust or make or influence policy, may be held to a different standard due to the nature of their duties and the needs of the employer. See the provisions regarding at-will employment in this section. However, the following are typical and may be used where appropriate:

13.2.1 Warning. A warning is a form of discipline and notice that you should discontinue some action or take action immediately. For example, should you fail to follow your manager's/supervisor's instructions or violate a provision of a county/departmental policy.

More than one disciplinary warning can lead to a suspension, negative evaluation or even termination.

Management has the discretion of offering two types of disciplinary warnings: verbal and written. Verbal disciplinary warnings are issued orally from a supervisor, department head or officeholder. At his or her discretion, the verbal warning can be recorded in writing and placed in your personnel file.

Written disciplinary warnings are warnings that are put into writing, signed by the manager and read by you. Written disciplinary warnings are placed in your personnel file for future reference.

Verbal or written disciplinary warnings are not a prerequisite before issuing a suspension or terminating your employment. Disciplinary action documentation will be reviewed during evaluations and other important employer decisions.

13.2.2 Suspension Without Pay. At management's discretion, employees may be suspended without pay for a period of time as a consequence for an action taken or not taken. During this time, an employee is not permitted to work for the employer and no wage or salary is provided for the time the employee is suspended.

In addition to the suspension without pay, written documentation is placed in the employee's personnel file.

Whether or not a suspension without pay is imposed is at the discretion of management. No counseling, warning or other form of discipline is required on the part of management before a suspension without pay is issued.

Suspensions without pay are reviewed for determining an employee's contribution to the department during evaluations and other important employer decisions.

13.2.3 Termination of Employment. Vermilion County hopes that its relationship with its employees is mutually beneficial for both parties. When circumstances occur that make the relationship less than mutually beneficial, management or you have the option to terminate the employment relationship.

Whether or not to terminate an employment relationship is at the sole discretion of the department head/officeholder and you and can be

made at any time with or without warning or notice. No reason is necessary for terminating the employment relationship and if reason is given, it can be for any reason so long as the reason is lawful. Vermilion County may classify terminations as they occur. The following are the different termination classifications:

1. Voluntary Termination – A voluntary termination of employment occurs when an employee informs his or her supervisor of the employee's resignation or when an employee is absent from work for three consecutive workdays and fails to contact his or her supervisor (job abandonment).

A **resignation** is when an employee terminates his or her employment on their own accord and provides reasonable notice to department head/officeholder of their intent to resign. Reasonable notice is defined as written notice of intent to resign as an employee 14 days prior to departure.

Employees who provide 14-days written notice of their resignation may be considered for reemployment with Vermilion County so long as their employment record is satisfactory. A satisfactory work record is at the discretion of management.

Job abandonment is when an employee does not show up for work at their department or duty station or call in to notify an employer or supervisor of the reason for their absence for three consecutively scheduled shifts. Employees who do not provide reasonable cause for their absenteeism are considered to have voluntarily terminated their employment.

At its discretion, department head/officeholder may rescind any voluntary termination so long as it is determined that the employee acted in good faith and has reasonable cause for not providing notice.

Employees that voluntarily terminated their employment by job abandonment are not eligible for rehire.

2. Involuntary termination – An involuntary termination is when management terminates the employment relationship. Management may terminate employment at any time for any legal reason with or without warning or notice. In some cases, progressive discipline may be used prior to termination to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline.

Such grounds for immediate termination include, but are not limited to theft, dishonesty, gross misconduct, insubordination, use of position for personal advantage, falsification of records, unauthorized absence and other justifiable reasons where alternative personnel actions are not appropriate.

Insubordination includes not only the refusal to follow a directive of the employer, but also may include use of abusive language to an employer or supervisor, or exhibiting an attitude of disrespect or defiance.

3. Lay-Off – Situations or conditions, economic or otherwise, may require Vermilion County to lay-off employees. Employees that are laid off are eligible for rehire at the discretion of management. Rehiring after a layoff is not guaranteed.

13.2.4 At-Will.

Please note, unless you are a part of a bargaining unit that has a labor contract requiring just cause for termination, you are an at-will employee, and nothing in this policy manual or this particular policy shall constitute a contract requiring certain action be taken before termination, including any step-by-step or progressive disciplinary procedure or any requirement to classify your termination. Your department head/officeholder has the right to terminate your employment at any time and for any lawful reason with or without rendering counseling, warnings, or any other forms of discipline. Likewise, you may terminate your employment with Vermilion County at any time and for any reason.

13.2.5 Questions about This Policy.

If you have questions, suggestions or concerns about this policy, you should direct them to the Human Resources Department. If you feel uncomfortable discussing your questions, suggestions or concerns with the Human Resources Department listed above, you can direct them to the County Board Chairman or Assistant State's Attorney in the Civil Division.

ARTICLE 14

POLITICAL ACTIVITY

14.01 POLICY STATEMENT.

No employee of Vermilion County shall be subject to direct or indirect political influence or coercion. Employees are not required to participate in or contribute financially to political campaigns. Political affiliation or support is not a contingency for employment with Vermilion County.

ARTICLE 15

GRIEVANCE PROCEDURE

15.1 DEFINITION.

A grievance is the dissatisfaction of an employee when he/she believes that he/she has not been treated fairly concerning work conditions or issues of discipline including termination.

15.2 GRIEVANCE PROCEDURE.

Employees who have any grievance arising out of their employment with Vermilion County have the right of redress.

Supervisor Level - The grievance must be submitted in writing, signed by the employee to the employer's supervisor within five (5) working days of the event which has caused the grievance to be filed. Failure to do so automatically abandons the grievance. The supervisor will make every effort to resolve the grievance at this level. The supervisor's reply should be in writing and returned to the employee within five (5) working days after the receipt of the grievance.

Department Head/Officeholder Level - If settlement is not reached at the supervisory level, the aggrieved employee may carry it to the department head/officeholder within five (5) working days from receipt of the supervisor's decision. The department head/officeholder should submit a written reply within five (5) working days after receipt of grievance.

In cases where the immediate supervisor is the department head/officeholder, the employee is expected to start at the department head/officeholder level. For employees of Emergency Management Agency, Animal Regulations, Building and Grounds, Information Services and County Board office, the County Board Chairman shall be the last step in the supervisory chain of command.

The proper method of delivery at any step of the grievance is personal delivery, email or certified mail through the US postal service.

15.3 APPEAL.

If settlement is not reached at the administrative level, the grievance may be carried to the Human Resources Director within five (5) working days from receipt of the Department Head/Officeholder's decision. The Human Resources Director or designee will meet with the employee as early as practicable, but within 30 days of the written appeal. Either party may bring persons to the meeting to aid in the resolution or discussion of the grievance. The Human Resources Director will provide an answer in writing within 14 calendar days after the meeting.

The recommendation of the Human Resources Director is non-binding due to the internal control laws applicable to each officeholder. Final authority is that of the Department Head/Officeholder.

Employees shall be assured freedom from restraint, interference, discrimination and/or reprisal arising from any grievance presented. Any employee shall be allowed reasonable time with pay during working hours for the presentation of a grievance, provided the employee has obtained permission from their immediate supervisor and the employee's absence will not interfere with operations of the agency, department or office.

ARTICLE 16

EMPLOYEE SAFETY

16.01 POLICY STATEMENT.

It is the policy of Vermilion County to adequately provide for on-the-job safety of its employees. It is expected that every employee will carry out his or her duties in the safest possible manner with due regard for all rules and regulations, personal safety and the safety of others using County buildings and grounds.

If any employee observes unsafe working conditions or practices, these observations or experiences should be reported to his or her supervisor or department head/officeholder immediately.

ARTICLE 17

PERSONNEL RECORDS REQUIREMENTS

17.1 EMPLOYEE FILES.

A file for each employee of Vermilion County will be maintained in the office of the Human Resources Director. This file shall contain all information required for compliance with employment laws and regulations. All pertinent information on each employee shall be provided to the office of the Human Resources Director on a timely basis by the individual department head/office holder. Employee records will also be maintained by the individual department head/office holder.

Employee files maintained by the Human Resources Director may contain, but not be limited to, the following employee records:

- A. Employment application
- B. Withholding allowance certificate (W-4)
- C. IMRF information
- D. Employee's earnings records (W-2)
- E. Employee's Immigration & Naturalization Form (I-9) which is applicable to all employees hired after 11/86
- F. Insurance coverage
- G. Employee job classification
- H. Salary information and approval
- I. Payroll deduction authorizations
- J. Termination statement (when applicable)

ARTICLE 18

SEXUAL HARASSMENT POLICY

18.1 POLICY STATEMENT.

All employees should be aware of Vermilion County's prohibition regarding any form of sexual harassment in the workplace. All employees must be allowed to work in an environment free from sexual overtones and intimidation.

18.2 DEFINITION.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

18.3 PROHIBITED CONDUCT.

No employee shall directly or indirectly: (a) threaten or insinuate that another employee's refusal to submit to sexual advances will adversely affect that employee's relationship with County, work status evaluation, wages, advancement, assigned duties, or any other condition of employment; (b) promise, imply or grant preferential treatment in connection with another employee engaging in sexual conduct; or, (c) abuse the dignity of another employee through insulting or degrading sexual remarks or conduct.

18.4 REPORTING OF INCIDENT.

Any incident of perceived sexual harassment should be reported as quickly as possible, in confidence, to the State's Attorney, the Sheriff, or the Human Resources Director, so that an immediate investigation may be conducted. Every effort will be made to promptly investigate any allegation of sexual harassment in as confidential a manner as possible, and appropriate action will be taken where warranted.

18.5 DISCIPLINE.

Anyone who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to disciplinary action up to and including termination. In addition, because false accusations regarding sexual harassment can have serious effects on the person or person accused, any person who deliberately and in bad faith makes a false accusation shall be subject to appropriate disciplinary action when warranted.

18.6 RETALIATION.

Retaliating or discriminating against an employee for reporting sexual harassment is prohibited. Protection is provided by this policy, by the Illinois Human Rights Act and the Whistleblower Act.

18.7 QUESTIONS.

You are encouraged to raise any questions regarding this policy with the Human Resources Director.

ARTICLE 19

DRUG-FREE WORKPLACE POLICY

19.1 PURPOSE.

Pursuant to the federal Drug-Free Workplace Act which became law in 1988 and the Illinois Drug-Free Workplace Act which became effective January 1, 1992, Vermilion County shall provide a drug-free work place by:

1. Notifying all employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, or cannabis is prohibited in any County workplace and specifying the action that will be taken against any employee for violation of this prohibition.
2. Establishing a drug-free awareness program to inform employees about:
 - a) the dangers of drugs in the workplace;
 - b) distribution of the Vermilion County policy on maintaining a drug-free workplace;
 - c) any available drug counseling, rehabilitation and employee assistance programs; and
 - d) the penalties that may be imposed upon employees for drug abuse.
3. Each person employed by Vermilion County will be given a copy of the Policy.
4. Each employee will be notified that as a condition of employment at Vermilion County the employee will:
 - a) abide by the terms of the policy; and
 - b) notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after conviction.
5. Notify the Human Resources Director and the appropriate grant agency within ten (10) days after receiving notice under subparagraph 4. (b) from an employee or other receiving actual notice of such conviction.

6. Take one of the following actions, within 30 days of receiving notice under subparagraph 4. (b) with respect to any employee who is convicted:

a) take appropriate personnel action against such an employee, up to and including termination; or

b) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

7. Making a good faith effort to continue to maintain a drug-free work place through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

19.2 POLICY.

1. The possession, use, distribution of illegal drugs on County property is prohibited.

2. Being under the influence of alcohol while performing one's job is prohibited.

3. Employees whose drug or alcohol use impair their job performance shall be subject to discipline.

19.3 ENFORCEMENT

1. Violation of paragraphs one or two shall be grounds for immediate termination.

2. Violation of any part of this policy, if not resulting in termination, shall include any form of discipline set out in the personnel policy and if deemed necessary, a referral for counseling.

3. The department head/officeholder may refer an employee for counseling in lieu of any other discipline.

4. Any action of discipline shall take place within thirty days of discovering the violation. A referral for counseling in lieu of discipline shall toll the time for imposing discipline and if the counseling is not accepted or completed, discipline as previously available may be imposed.

ARTICLE 20

BUSINESS AND TRANSPORTATION POLICY

The Vermilion County Board affirms that County employees are honest individuals and that claims for reimbursement are made in good faith. Therefore, Vermilion County will reimburse employees for reasonable authorized expenses incurred in the performance of duties.

20.1 APPLICABILITY.

This travel policy shall apply to all Vermilion County personnel including the appointed and elected officials.

20.2 ADMINISTRATION.

The County Auditor shall administer this policy and see that the provisions herein are carried out by auditing all requests for reimbursement for travel and transportation costs and approving only such costs which fulfill the provisions set forth in this policy. Exceptions to this policy may be by a majority vote of the Vermilion County Finance/Personnel Committee.

20.3 AUTHORIZATION.

All travel and business expenses of any employee subject to these travel regulations shall be authorized and approved by his/her supervisor prior to the beginning of travel.

20.4 RESPONSIBILITY AND ACCOUNTABILITY.

Individuals submitting travel vouchers are personally responsible for their accuracy and propriety. Misrepresentation may be cause for disciplinary or legal action.

20.5 ACCOUNTABILITY FOR EXPENSES.

The County Auditor shall provide travel vouchers for all Vermilion County personnel. All travel vouchers shall indicate the purpose of the travel, shall include an itemized list of all expenses accompanied by all receipts specified in the applicable travel regulations and by the person incurring such expenses, certifying that the amount is correct and just, and shall be forwarded to the Auditor

within 30 days of completion of travel. The vouchers should also indicate that the amounts charged were actually paid, the expenses were incurred through official County business, the journey was performed with all practicable dispatch by the shortest route, and the traveler has not been furnished with transportation or money in lieu thereof for any part of the journey for which charged.

20.6 ADVANCE TRAVEL EXPENSES.

20.6.1 Conference, Seminar, or Class Fees. Allowable conference, seminar, or class registration fees, and similar reimbursable expenses of conducting County business may be paid in advance by purchase order. A completed purchase order, together with a copy of the registration or application form indicating the cost of the conference, seminar, or class to be attended, shall be forwarded to the Auditor, and for purposes of this article, such purchase order shall be sufficient documentation to authorize issuance of a check for fees and expenses. A receipt or other adequate documentation of payment of registration or other fees or expenses shall be forwarded to the Auditor and attached to the purchase order upon completion of the conference, seminar, or class.

20.6.2 Lodging and Mileage. Reimbursement for lodging and mileage may be paid in advance when travel includes an authorized overnight stay out of the County. The request for advance payment of mileage and lodging shall be on forms provided by the Auditor and shall include the following:

- a) Name of person traveling;
- b) Dates, times, and places of travel;
- c) County business to be conducted;
- d) Budget line item to be charged for the travel;
- e) An accurate estimate of the mileage from Danville to the place(s) of business and return to Danville.

The request for advance payment of lodging and mileage shall be signed by the appropriate officeholder or department head and the person to whom the advance will be paid, if other than the officeholder or department head, and forwarded to the Auditor.

The Auditor shall approve a properly completed request if adequate funds are available in the budget line item and the funds are authorized for the purpose of the travel. The Auditor shall authorize issuance of a check for the approved advance mileage and lodging payment and charge the payment to an Advance Account in the officeholder's or

employee's name in the asset section of the General Fund.

Receipts for lodging, along with documentation of mileage, and receipts for any other allowable claimed expenses shall be forwarded to the Auditor within 30 days of completion of the travel. If the cost of lodging and mileage is less than the amount of the advance, the difference shall be credited against any other claim for reimbursement, returned by the officeholder or employee, or deducted from the officeholder's or employee's pay. The Auditor shall charge the allowed reimbursement to the appropriate budget line item and credit the Advance Account for the allowed reimbursement.

If the Auditor is the person requesting advance travel payment, the Financial Resources Director shall perform the functions of the Auditor set forth in this article.

20.6.3 Meals. Per Diem for meals may be paid in advance with proper documentation. The full conference agenda noting events and meals must be provided to obtain a per diem advance. Partial days will be paid based on necessary arrival time at the destination.

20.7 ALLOWABLE EXPENSES FOR TRANSPORTATION.

20.7.1 Modes of Transportation. Transportation for official travel shall include automobiles, railroads, airlines, buses, taxi cabs, and other usual means of transportation.

20.7.2 Tips. Reasonable tips, not exceeding 15% of the bill, will be considered acceptable expenses.

20.7.3 Routing of Travel. All travel shall be by the most direct route that provides the best balance of safety and economy of time and money. Additional costs which result from travel arrangements not in accordance with the above, but solely for the convenience for the employee, shall be the responsibility of the employee.

20.7.4 Most Economic Means. All travel shall be by the most economic mode of transportation available considering travel time, cost, and work requirements. The traveler should purchase accommodations for coach or tourist class when traveling by air or rail.

When the use of public transportation is a reasonable alternative, the mileage payment shall not exceed the cost of its use. A reasonable alternative exists when the cost of travel, taking into account both time and costs, would be less if public transportation were used.

20.7.5 Use of Privately Owned Vehicles. When an employee rendering services to the County uses his/her privately-owned vehicle to conduct official business, the reimbursement rate shall not exceed the rate established by the County Board.

The per mile travel reimbursement rate is intended to reimburse the traveler for vehicle operation expenses. These expenses include insurance, gasoline and oil, repairs, and all other operating expenses.

Reimbursement for the cost of automobile parking fees and bridge and road tolls will be allowed in addition to mileage reimbursement.

20.7.6 Mileage Reimbursement. Mileage shall be paid only after completion of travel upon submission of a properly executed expense report which includes relative odometer readings, unless advance payment is authorized pursuant to Article 20.06.02 of this Policy. Claims which do not provide detail by day and destination during that day will be rejected.

Mileage reimbursement for County Board members attending County Board and committee meetings shall be based on a standard mileage payment from home to meetings.

Mileage shall be paid on a point-to-point basis, based on the route that is the most economical and efficient to the County.

Election Judges shall be paid the standard mileage payment from the polling place to the drop off point. Mileage will be paid only to those persons operating a motor vehicle.

20.8 LODGING, MEALS, PER DIEM, AND MISCELLANEOUS.

20.8.1 Lodging. It is the responsibility of each employee to ask for the government or state rate when available. Each employee must obtain the lowest available rate when making room reservations. In addition, when choosing a hotel or motel, consideration should be made to commuter costs between place of lodging and place of business.

When attending training courses, committee meetings, or other types of conferences, employees shall make reservations for lodging at the hotel or motel recommended by the sponsoring organization if this is the most economical lodging.

Since the following counties are within sufficient traveling distance, no lodging expenses will be reimbursed: Vermilion, Champaign, Iroquois, and Edgar.

All personal expenses charged to the lodging bill are the responsibility of the occupants. This includes, but is not limited to, meals without receipts, personal telephone calls, and room service. Valet parking will be reimbursed only if the hotel offers only this type of parking option.

20.8.2 Meals. Expenses for meals, including tips, will be paid on a Per Diem basis. These amounts will be based on localities as set by the Federal CONUS guidelines to meet reporting requirements.

Per Diem on days when meals are included in the cost of the seminar or meeting, or provided by such an organization, will be reduced appropriately whether such a meal is consumed or not.

Per Diem will be prorated based on required travel and arrival times on partial days.

No amounts will be paid for meals within the boundaries of Vermilion County.

No amounts will be paid for meals provided for anyone other than a County employee, even if paid by the employee. County Sheriff's deputies will be reimbursed for amounts spent for meals for prisoners during prisoner transport. Probation Officers will be reimbursed for amounts spent for meals for respondents and/or defendants during transportation.

No receipts shall be required for reimbursement.

The following guidelines will be followed to determine payment for meal reimbursement:

- a) No lunches paid for trips of less than four (4) hours counting from necessary time of departure until a reasonably expeditious time of return that would include the normal meal time period for lunches.

- b) Breakfasts paid only the morning after an overnight stay if not provided.
- c) No “departing” meals paid for the start of a trip.
- d) No “departing” meals paid for the return trip if the return without stopping for the meal can be expected within a one-hour time frame of the normal meal time.
- e) If necessary travel time is disputed it will be gauged by mileage time estimates on MapQuest using shortest route, and legal speed limits.
- f) For purposes of this policy, normal mealtime for lunches shall be defined as 11:00 a.m. until 1:00 p.m. and for dinner 5:00 p.m. to 7:00 p.m.
- g) Continental breakfasts if included are not considered a breakfast provided.
- h) No meals will be reimbursed through petty cash, office checking accounts, etc., to avoid having them classified as income, without prior authorization from the County Auditor. Meal allowances will only be paid if proper expense vouchers or travel advance forms are filled out completely with all necessary information including but not limited to destination, purpose, and times of travel, and turned in to the County Auditor’s office through the adopted accounts payable system within 30 days of the travel. See Section 20.09 for State and Federal Laws and Regulations regarding reporting of income.

PER DIEM AMOUNT

The Per Diem shall be the Federal CONUS rate for the locality. The rate shall change March 1 of each year.

20.8.3 Other Miscellaneous Expenses. The cost of business-related expenses, if reasonable, shall be reimbursable, while on travel status.

- a) Hire of room, exhibit space, setup for official business.
- b) Laundry and dry cleaning if on travel status for at least seven consecutive days.
- c) Taxis, including reasonable tips.
- d) Telephone calls on official business including calls of three minutes or less to announce safe arrival or delay or change in plans.
- e) Telephone calls to secure lodging.

20.9 STATE AND FEDERAL LAWS AND REGULATIONS.

Provisions of this policy shall not have effect when in conflict with the Illinois Revised Statutes.

The Internal Revenue Service requires that travel expense reimbursements or advances be included as “wages, tips, or other compensation” on all W-2’s for the year unless an “adequate accounting” is made to the County.

It is in the interests of the County and its employees to have a travel policy requiring adequate accounting within Internal Revenue guidelines. This travel policy replaces all travel policies now in effect for Vermilion County and is applicable to all employees, including elected and appointed officials, for whom the County of Vermilion provides a W-2 form.

ARTICLE 21

INTERNET and ELECTRONIC MAIL (E-MAIL) USE POLICY

21.1 INTERNET.

21.1.1 Purpose/Scope. To establish guidelines for appropriate use of the Internet by Vermilion County Offices, officials and employees.

21.1.2 Organizations Affected. All Vermilion County Government Offices and Departments.

21.1.3 Policy. Vermilion County is making every effort to provide its offices, officers and employees with the best technology available to conduct the County's official business. In this regard, the County has installed, at substantial expense, equipment such as computers and advanced technological systems such as electronic mail (e-mail) for use to conduct its official business. This document was created to advise all users regarding the access to and the disclosure of information created, transmitted, received and stored via the use of the Internet, County e-mail, and other Computers.

Access to the Internet is provided to County offices and employees for the purpose of conducting "official County business". The Internet may not be used for prohibited purposes, such as conducting private business, or political campaigning, or any illegal uses. Personal use of the Internet should be governed by the same tests of reasonableness as personal phone calls and internal e-mail. These include:

1. There is no cost associated with the use.
2. Use is moderate in time.
3. Use does not interfere with an employee's or co-workers' work.

The following rules require strict adherence. Any infraction thereof could result in disciplinary action. Disciplinary actions range from verbal warnings to termination; the severity of the misbehavior governs the severity of the disciplinary action.

1. The use of Internet is restricted to “official County business”. Personal use of or time spent for personal gain is strictly prohibited. Authorization for Internet access must be obtained through your department head or elected office holder. Once authorization is approved you are responsible for the security of your account password and you will be held responsible for all use or misuse of your account. You must maintain secure passwords and never use an account assigned to another user.
2. Hacking is the unauthorized attempt or entry into any other computer. Never make an unauthorized attempt to enter any computer. Such an action is a violation of the Federal Electronic Communications Privacy Act (ECPA) 18 U.S.C. § 2510.
3. Sending threatening, slanderous, racially and/or sexually harassing messages is strictly prohibited.
4. The representation of yourself as someone else, real or fictional, or a message sent anonymously is prohibited.
5. Never copy or transfer electronic files without permission.
6. Downloading a file from the Internet can bring viruses with it. Scan all downloaded files with standard virus prevention software.
7. Never send post or provide access to any confidential County materials or information.
8. Almost all data and software is subject to the Federal copyright laws. Care should be exercised whenever accessing or copying any information that does not belong to you. Software which requires purchase or reimbursement for its use, such as shareware, requires strict adherence to the terms and conditions specified by the owner unless written permission for unrestricted use has been obtained. When in doubt consult your office holder or department head.
9. You are obligated to cooperate with any investigation regarding the use of your computer equipment and which your office holder or department head has authorized.

10. Chain letters are illegal and may not be transmitted through e-mail.

11. E-mail requires extensive network capacity. Sending unnecessary e-mail, or not exercising constraint when sending very large files, or sending to a large number of recipients consumes network resources that are needed for critical County business. When the County grants an individual employee access to the network, it is the responsibility of the employee to be cognizant and respectful of network resources.

Because of the unique nature of the Internet, additional guidelines apply to its use:

1. Internet access, hardware and software must be authorized and installed by appropriate personnel in each County department. Employees authorized to download software or browser plug-ins should be provided with safety guidelines and virus protection software.

2. Certain features of the Internet can clog the County's network and e-mail system, and should be used only for work-related purposes.

3. Resources of any kind, for which there is a fee, must not be accessed or downloaded without prior approval from a supervisor.

4. Individual users must be aware of and at all times attempt to prevent potential County liability in their use of the Internet.

5. Employees should be aware that there is a wide variety of information on the Internet. Some individuals may find some information on the Internet offensive or otherwise objectionable. Individual users should be aware that the Vermilion County has no control over and can therefore not be responsible for the content of information available on the Internet.

21.2 ELECTRONIC MAIL (E-MAIL).

21.2.1 Introduction. Electronic mail (E-mail) refers to the electronic transfer of information typically in the form of electronic messages, memoranda, and attached documents from a sending party to one or more receiving parties via an intermediate telecommunications system. Stated differently, electronic mail is a means of sending messages between computers using a computer network. Electronic mail services, as defined in this policy, not only consist of the use of state-provided electronic mail systems but also the act of sending and/or receiving electronic mail across the Internet.

As with any County-provided resource, the use of electronic mail services should be dedicated to legitimate County business and is governed by rules of conduct similar to those applicable to the use of other information technology resources. Use of electronic mail services is a privilege, which imposes certain responsibilities and obligations on County users and is subject to County government policies and local, state, and federal laws.

Acceptable use must be legal, ethical, reflect honesty, and show restraint in the consumption of shared resources.

The user should not violate intellectual property rights, information ownership rights, system security mechanisms, and should not use electronic mail to intimidate, harass or annoy.

21.2.2 Purpose/Scope. The purpose of this “Electronic Mail Acceptable Use Policy” is to establish guidelines and minimum requirements governing the acceptable use of County-provided electronic mail (e-mail) services. By establishing and maintaining compliance with this policy, risks and costs to the County can be minimized while the valuable potential of this communication tool can be maximized.

The objectives of this policy are to:

1. Ensure that the use of County-provided electronic mail services is related to, or for the benefit of, Vermilion County government;
2. Inform users that electronic mail messages and documents are subject to the same laws, regulations, policies, and other requirements as information communicated in other written forms and formats;

3. Minimize disruptions to County government activities from inappropriate use of County-provided electronic mail services; and
4. Provide users with guidelines describing their personal responsibilities regarding confidentiality, privacy, and acceptable use of County-provided electronic mail services as defined by this policy.

This policy applies to any person(s) and/or contractor(s) (hereinafter referred to as “users”) whose access to or use of electronic mail services is funded by Vermilion County or is available through equipment owned or leased by Vermilion County.

21.2.3 Department/Office Responsibilities. All departments are responsible for the electronic mail activities of their users. County departments and offices have the responsibility to ensure that County-provided electronic mail services are used for internal and external communications which serve legitimate County government functions and purposes. Managerial authority over electronic mail services should be defined, and user training programs provided which address electronic mail usage and policies.

Vermilion County offices and departments may consider providing additional restrictions and guidelines regarding the use of electronic mail within their local environments. In considering the need for additional restrictions and guidelines, each office may take into account its particular needs, mission, available technology, level of staff training, size, and geographic diversity.

21.2.4 User Responsibilities. Electronic mail is not private communication. All information transmitted via Internet/electronic mail system(s) can be reviewed at any time. Electronic mail communications may best be regarded as a postcard rather than as a sealed letter. Disclosure may occur intentionally or inadvertently when an unauthorized user gains access to electronic messages. Disclosure may also occur when electronic mail messages are forwarded to unauthorized users, directed to the wrong recipient, or printed in a common area where others can read them.

Because of the various security, legal, and productivity issues referenced in this policy, each user has the following responsibilities:

1. As an electronic mail participant, each user must comply with this "Internet and Electronic Mail (E-mail) Use Policy." By participating in the use of networks and systems provided by the County, users agree to comply with County and office policies governing their usage.
2. The content of anything exchanged (sent and/or received) via electronic mail communications must be appropriate and consistent with County policy, subject to the same restrictions as any other correspondence.
3. Electronic mail communications, if allowed to accumulate on a server, can quickly consume the server's disk space and may cause system problems. Although deletion of unnecessary e-mail communications is encouraged, users should refer to an approved record retention schedule for proper procedure regarding disposition of electronic mail communications.
4. Be courteous and follow accepted standards of etiquette.
5. Protect others' privacy and confidentiality.
6. Be responsible for the use of their electronic mail accounts.
7. Use information technology resources efficiently and productively.

21.2.5 Acceptable Use. Acceptable electronic mail activities are those that conform to the purpose, goals, and mission of the County office and to each user's job duties and responsibilities. The following list, although not all-inclusive, provides some examples of acceptable uses:

1. Communications, including information exchange, for professional development or to maintain job knowledge or skills;
2. Use in applying for or administering grants or contracts;
3. Communications with other County, state agencies and business partners providing document delivery or transferring working documents/drafts for comment;

4. Announcements of County laws, procedures, hearings, policies, services, or activities;
5. Use involving research and information gathering in support of advisory, standards, analysis, and professional development activities related to the user's County governmental duties; and
6. Communications and information exchanges directly relating to the mission, charter, and work tasks of the office including electronic mail in direct support of work-related functions or collaborative projects.

21.2.6 Unacceptable Use. Unacceptable use can be defined generally as activities that do not conform to the purpose, goals, and mission of the agency and to each user's job duties and responsibilities. Any electronic mail usage in which acceptable use is questionable should be avoided. When in doubt, seek policy clarification prior to pursuing the activity.

21.2.7 Security Implications. Users should take all reasonable precautions, to prevent the use of their electronic mail account by unauthorized individuals.

Transmission of electronic mail to locations outside of the County's local area network may require the use of the Internet for transport. Since the Internet and its tools adhere to open and documented standards and specifications, it is inherently an unsecured network that has no built-in security controls.

Although confidential and sensitive information should not be included in electronic mail communications unless proper, formalized security precautions have been established, certain electronic mail communications may be privileged or confidential. It is the responsibility of each County office to protect confidential and sensitive information where intentional, inappropriate, or accidental disclosure of the information might expose Vermilion County or an individual to loss or harm.

21.3 DEFINITIONS.

Electronic Mail. Electronic Mail (e-mail) may include non-interactive communication of text, data, images or voice messages between a sender and designated recipient(s) by systems utilizing telecommunications links. It may also include correspondence transmitted and stored electronically using software facilities called "e-mail", "facsimile", or "messaging" system; or voice messages transmitted and stored for later retrieval from a computer system.

Guidelines. Recommendations derived from experience and which should be used.

Hacking. Attempting to break into another system on which you have no account or authorization.

Internet. A worldwide network of networks, connecting informational networks communicating through a common communications language, or "protocol".

Netiquette. A combination of "network" and "etiquette". It is the practice of good manners in a networked environment.

Policy. Primary objectives of the County of Vermilion as contained in this document.

Standards. Departmental directions or instructions describing how to achieve policy. Mandatory statement of direction.

Users. The public and County employees.

Vendors. Any private person or business enterprise.

ARTICLE 22

Harassment/Discrimination Policy

22.1 POLICY STATEMENT.

All employees should be aware of Vermilion County's prohibition regarding any form of harassment or discrimination in the workplace. It is the policy of Vermilion County to provide a work environment for its employees which is free from discrimination and intimidation. As an employee it is your responsibility to assist in implementing our County policy prohibiting all forms of harassment or discrimination. Secondly, you will also be expected to support and enforce this policy in a vigorous manner. Harassment of any form cannot and will not be tolerated in Vermilion County.

22.2 DEFINITION and PROHIBITED CONDUCT.

Federal laws such as The Civil Rights Act of 1964, The Americans With Disabilities Act of 1991 and The Civil Rights Act of 1991 make harassment and discrimination illegal. Harassment or discrimination of any form - sexual, racial, age, national origin, religious or because of a disability is unacceptable behavior by supervisors and employees alike. For the purpose of this policy, the terms "harassment" and "discrimination" will be interchangeable.

Harassment is considered to be any behavior (comments, actions or displays) that demeans, humiliates, or embarrasses a person, that a reasonable person should have known would be unwelcome. The term "harassment" includes, but is not limited to:

Slurs, jokes, epithets, negative stereotyping, threats, intimidation, hostile acts, denigrating or hostile written or graphic material posted or circulated (i.e., posters or cartoons) in the workplace or any other graphic or physical conduct relating to an individual's race, color, sex, religion, national origin, age, familial status, sexual orientation or disability.

22.3 REPORTING AND INVESTIGATION OF INCIDENT.

An employee who believes he/she is being harassed by supervisors or co-workers should immediately notify the next highest authority (Supervisor, Chief Deputy, Department Head, Elected Official, Human Resources Director, or County Board Chairman). The matter will be thoroughly investigated, and where appropriate corrective action will be taken. Where an employee is not comfortable reporting to the next highest authority, he/she may notify the next individual in the chain of command, as listed above.

Vermilion County does not condone harassment of its employees in connection with their work by non-employees (vendors, truck drivers, etc.). Any employee who becomes aware of any harassment of an employee by a non-employee shall report such harassment to the Supervisor, who will be responsible for investigating and reporting all such incidents to the appropriate person. Appropriate action will be taken against non-employees for violation of this policy.

When a supervisor or other authority receives a harassment complaint, the complaint shall be immediately reported to the Department Head or Officeholder, unless the Department Head or Officeholder is the subject of the complaint, in which case the complaint should be immediately reported to the Human Resources Director. The Department Head or Officeholder shall immediately notify the Human Resources Director, unless the Human Resources Director is the subject of the complaint, in which case the complaint should be immediately reported to the County Board Chairman.

Once the complaint has been reported to the supervisor, the alleged offender should not be confronted by the harassed employee, leave this up to the investigator(s). All parties involved will be expected to keep all comments and personal opinions to themselves. Any rumors or false stories may negatively affect the objectivity and progress of the investigation. All persons charged with harassment are considered innocent until proven guilty.

Upon the completion of an investigation by the official(s), the findings of the investigation will be submitted in writing to the Department Head or Officeholder for review, upon which a final decision will be determined. The person making the charge, the employee being charged and the Human Resources Director will be notified of the final decision and how the decision was made. The punishment of being found guilty of harassment will subject an employee to disciplinary action up to and including termination.

If upon the completion of an investigation the alleged employee is found innocent, no record of this charge will appear in his/her personnel record.

22.4 DISCIPLINE

Anyone who is determined, after an investigation, to have engaged in a violation of this policy, will be subject to disciplinary action up to and including termination. In addition, because false accusations regarding harassment can have serious effects on the person or person accused, any person who deliberately and in bad faith makes a false accusation shall be subject to appropriate disciplinary action when warranted.

22.5 RETALIATION

Any employee who reports conduct prohibited by this policy, or assists in the investigation of a complaint of harassment will not be penalized. The employee will be treated courteously, the problem handled swiftly and confidentially, and the registering of a complaint will in no way be used against the employee, nor will it have an adverse impact on the individual's employment status. Retaliating or discriminating against an employee for reporting harassment is prohibited.

22.6 QUESTIONS

You are encouraged to raise any questions regarding this policy with the Human Resources Director.

ARTICLE 23

CELLULAR PHONE POLICY

23.1 RESPONSIBILITY.

This policy is meant to make rules and guidelines for employees who are in possession of and use cellular phones owned and paid by Vermilion County and its Departments and Agencies.

Since the Officeholders or Department Heads are more familiar with work schedules, after hours duties, and other pertinent facts for their employees with phones, it is their responsibility to review all cellular phone bills and monitor usage. This will not relieve the Auditor of his or her duties in reviewing and implementation.

This policy is meant to be a basis. It does not preclude any department developing and implementing their own policy that is more restrictive.

23.2 INVENTORY.

Cellular phones and their accessories are the property of Vermilion County. Cell phones should be tagged, if possible, and listed on inventory with the County. The Officeholder or Department Head shall be responsible for this inventory, and the location of each phone.

23.3 UNAUTHORIZED USE AND DAMAGE.

Phones must be safeguarded at all times. Employees will not allow unauthorized use of their phone.

Lost, stolen or broken phones will be looked at on a case-by-case basis by the Officeholder or Department Head and the Financial Resources Director. The employee may be responsible for the loss if it is determined that the loss was through violation of this policy.

23.4 PERSONAL USE.

All personal calls are the employee's responsibility. The County Treasurer must be reimbursed at the current per minute charge and the receipt attached to the purchase order prior to the Department paying the bill.

If personal calls have been included in "free" minutes, and there are calls over the free time, the personal calls shall be paid by the employee as per this policy. The business calls shall then be "backed into" the free minutes on a minute-by-minute basis to determine overage charges if any.

Phone bills will be randomly audited using various means including number research. All personal phone calls, both incoming and outgoing, must be clearly marked on the bills.

23.5 ENFORCEMENT.

Failure to comply with this policy could lead to loss of the phone, the necessity to check it in the office each night, or charges to the employee.

23.6 EXCEPTIONS.

Use of a "hand-free" telephone device shall be considered as being in compliance with this policy, except that the employee shall stop the vehicle in a safe location if manual dialing is required.

Certain agencies have emergency response or crime investigation responsibilities which require different considerations, and this policy shall not apply to emergency or law enforcement vehicles responding to an emergency or crime investigation situations, where such use is considered necessary and consistent with the individual department policy on cellular phone use.

ARTICLE 24

NEPOTISM

24.1 POLICY STATEMENT

To comply with the suggestions of auditors and generally accepted accounting practices, when any office that is responsible for directly handling cash transactions employs immediate family within that office who handle such cash, the County Board Chairman, Human Resources Director and Financial Resources Director shall take note of the same and forward to that office any appropriate suggestions, taking into account standard accounting practices, to avoid the appearance of impropriety.

24.2 DEFINITION

Immediate family shall be defined as the spouse, children, brother, sister, spouses of children, parents, grandparents, brother-in-law, sister-in-law, father-in-law, mother-in-law or any individual residing in the household of the officeholder, department head or county employee.

ARTICLE 25

Vehicle Use Policy

25.1 VEHICLE USE POLICY

The purpose of this policy is to ensure the safety of employees who drive county vehicles and personal vehicles used for county-designated business and to provide guidance on the proper use of those vehicles. The county provides vehicles for business use to those employees holding jobs that regularly require driving as an essential job function. County designated business is defined as work related to the day-to-day operations of the various County departments. The guidelines below are for those employees assigned a vehicle to drive for county-designated business and for those employees who may occasionally use their personal vehicle for county-designated business. The reimbursement policy for employees using their personal vehicles for county-designated business can be found in Section 20 – Business and Transportation Policy of the Personnel Policies and Procedures Manual. The following guidelines includes, but is not limited to cars, trucks, equipment vehicles, tractors, backhoes, front-end loaders, and graders.

It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, the county endorses all applicable state laws and motor vehicle regulations relating to driver responsibility.

Authorized Personnel, Personal Use and Passengers of County Vehicles

Employees may not drive county vehicles without prior approval from their supervisor. Employees who drive for county-designated business must show proof of a valid and current driver's license and, if using a personal vehicle, must provide proof of auto insurance coverage. Annually, each supervisor should verify the existence of a valid driver's license and, for employees using personal vehicles, proof of insurance coverage. Employees driving county vehicles or personal vehicles for county-designated business are required to inform their supervisor of any changes immediately that may affect their legal or physical ability to drive or their continued insurability.

Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor. Failure to do so may result in disciplinary action, up to and including termination of employment.

County vehicles are to be driven by authorized employees only. Passengers are limited to those individuals who need to ride in the vehicle to conduct county business and then only if authorized by the supervisor. Spouses, other family members or other non-employees are not authorized to drive county vehicles.

Department Heads or employees who are on-call on a 24-hour basis may be allowed to take a county vehicle home in order to respond as soon as possible to emergency events requiring their presence. Departments under direct authority of the County Board must discuss and demonstrate the need with the County Board Chairman to obtain permission in writing. Other departments are encouraged to follow this same practice as the County will no longer budget for vehicles used in violation of this policy. Such employees need to provide a written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and not for personal use.

Any employee authorized to take a vehicle home should drive the vehicle directly home and not use that vehicle unless responding to a call or traveling on County business at the direction of their supervisor. A short stop on the way to or from work is permitted so long as it does not unduly prolong the use of the vehicle and is not a great distance from a route directly to and from the jobsite and home. If you have questions about appropriate need-based personal use, please ask your supervisor.

To provide accommodation for restricted, need based personal use of county vehicles, it should be noted that while dropping off or picking up children on the way to and from the jobsite, it is expected that all state laws and regulations concerning child safety be followed.

Driver Guidelines, Driver Safety and Reporting Requirements

If an employee receives a traffic citation or is in any kind of accident while driving a county vehicle, or while using personal vehicle for county-designated business, it must be reported immediately or as soon as practicable if same day reporting is not possible. This also applies to county vehicles during off-duty hours as it may affect our insurance rates. Failure to report an accident or a traffic violation may result in disciplinary action, up to and including termination of employment.

The use of a county vehicle while under the influence of intoxicants and other drugs (which could impair driving ability) is forbidden. There shall be no alcohol or illegal drugs present in the vehicle at any time. Violations of this paragraph are sufficient cause for discipline, up to and including termination of employment.

No driver shall operate a county vehicle when his/her ability to do so safely has been impaired by illness, injury, fatigue, or prescription medication.

To prevent vehicular accidents, Vermilion County prohibits the following acts while driving County vehicles or while driving a vehicle while performing your job duties:

- Driving under the influence of alcohol or drugs;
- Operating any vehicle without proper license;
- Speeding;
- Operating a vehicle carelessly, negligently, improperly, illegally or outside recommended safety protocols;
- Driving a vehicle without using a seat belt, shoulder belt or other safety harness;
- Operating a vehicle while holding or physically operating a cellular phone or other device unnecessary to the operation of the vehicle; and
- Turning off or dismantling vehicle safety devices, like airbags.
- Driving carelessly, negligently or recklessly

Any decision requiring whether or not a vehicle is driven carelessly is at the sole discretion of the County. While not an exclusive list, an operator is considered to have operated a vehicle carelessly if he or she:

- Is operating a vehicle while holding or physically operating a cellular phone or other device unnecessary to the operation of the vehicle;
- Operating a vehicle while eating, writing, reading or performing other functions that reduce the driver's awareness or ability to control the vehicle;
- Looks away or down while driving or otherwise becomes distracted while operating a vehicle;
- Passes another vehicle in a no pass lane or in the wrong lane;
- Tailgates another vehicle;
- Drives too fast or aggressively during poor conditions, like rain or snow;
- Is ticketed by law enforcement after an accident; or
- Operates a vehicle while overly tired or with an illness or condition that impairs or could impair motor skills and judgment.

It is not considered careless to drive and speak to a hands-free device for a cellular phone so long as the employee is not distracted while using that device, both hands are on the steering wheel, and eyes are focused on the road. Driving a vehicle carelessly is not permitted and may result in discipline including, but not limited to, termination of employment.

All state and federal laws must be obeyed.

Drivers are expected to park county owned vehicles in legal areas intended for such.

Drivers are responsible for the security of county vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed and vehicle doors locked whenever the vehicle is left unattended.

Drivers who are assigned a county vehicle are expected to keep the vehicle clean and shall be fully responsible for the general maintenance and proper care of the vehicle. Drivers will be held accountable for maintaining proper fluid levels and tire air pressure.

Please be aware that County vehicles are to be used for County business only. This applies to equipment vehicles, trucks, passenger cars. County business is defined as work related to the day-to-day operation of the various County Departments. For example, transporting animals, responding to calls during or after hours, plowing snow, picking up supplies during the work day, constitute County business. Examples which do not constitute County business include traveling for groceries or shopping, running errands for personal needs or travel done on non-work hours for personal needs.

Any employee authorized to take a vehicle home should drive the vehicle directly home and not use that vehicle unless responding to a call or traveling on County business at the direction of the Director or Assistant Director/Chief Deputy of the Department. A short stop on the way to or from work (for example stopping at a convenience store, picking up a child, stopping at a bank) is permitted so long as it does not unduly prolong the use of the vehicle and is not a great distance from a route directly to and from the workplace and home. Extensive shopping for groceries or large items, even if on the way from work to the home is not permitted. If you have questions, please ask.

There shall be no alcohol or illegal drugs present in the vehicle at any time.

There shall be no smoking in any county vehicle.

No third persons other than employees of the County should be in a vehicle at any time unless necessary to accomplish the duties of the Department and then only if authorized by the Department.

If an employee receives a traffic citation or is in any kind of an accident while driving a county vehicle, he or she must report it by the next business day to their supervisor and the County Board Office. If there is an accident with any injury, that should be reported immediately if possible.

You will be expected to park the vehicle in legal areas intended for such.

The following uses are not allowed with company vehicles:

- Towing of trailers, campers or boats
- Transporting of hazardous materials
- Traveling into any foreign country (Canada or Mexico)
- Attaching equipment such as luggage carriers, winches, or plows (unless that is the purpose for which the vehicle was intended, e.g. Highway Department snowplow.)
- For hiring to others or transporting others to generate income
- Giving rides to hitchhikers
- Using for any other purpose not approved by the County.

Safe Driving

Safe driving of Vermilion County vehicles, or your own vehicle, while conducting county business is important for your safety.

Reporting Careless Driving

If you know or suspect another employee or workplace participant is violating this policy, you must report it immediately to your manager, your supervisor or the County Board Chairman.

If you do not feel comfortable reporting as listed above or if you did report and are not satisfied with the response, then you should direct your report or dissatisfaction to Human Resources Department.

If for any reason you do not want to discuss the matter with the persons or departments listed above, you may report the matter to the State's Attorney's Office-Civil Division.

Please note that you are not required to confront the person or persons that have given you reason to report. Discussing or reporting acts of careless driving to any person not listed above does not constitute a report of wrongdoing.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of a violation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person that is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant that retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to, harassment, discrimination, bullying or any other unfair treatment or abuse of power.

False Claims Prohibited

Any employee or workplace participant that makes a knowingly false claim of a violation of this policy will be subject to discipline or termination.

Questions about This Policy

If you have questions, suggestions or concerns about this policy, you should direct them to your manager, your supervisor or the County Board Office.

Accident Review Panel

For all Departments, other than the Sheriff's Department which has their own review process, any accident involving a county vehicle must as noted above be reported to the County Board Office. The County Board Chairman, Department Head, Human Resources Director, Civil Attorney and any other person designated by the Board Chairman will review the facts and circumstances of the accident and make recommendations to the Department Head concerning any changes in policy or the need for any discipline based upon the incident.

ARTICLE 26

E-Cigarettes and Smoking Prohibited

26.1 POLICY

Vermilion County prohibits use of e-cigarettes ("vaping") in Vermilion County's buildings, in Vermilion County's vehicles or while performing job duties on behalf of Vermilion County. This policy applies whether the e-cigarette contains nicotine or not. Vermilion County also abides by the Illinois State laws including the Smoke Free Illinois Act and accordingly the smoking of tobacco or any form of smoking as described in the law is prohibited in Vermilion County Buildings or vehicles.

26.2 DEFINITION

"Smoke" or "smoking" means the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, e-cigarette (commonly referred to as vaping), cigar, cigarette, hookah, weed, herbs, or any other lighted, or electronic smoking equipment.

26.3 SMOKING AREAS

Use of e-cigarettes or other forms of smoking is permitted during breaks in the following areas:

- In Vermilion County's parking lot, or any outdoor area which is 15 feet from an entrance to the County building or 15 feet from any entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited to ensure any form of smoke does not thereby enter the building. Each department may designate permitted areas so as to not inconvenience or disturb the public as they enter or exit the building, or otherwise detract from the mission of each department.
- In employee's own vehicle.

26.4 E-CIGARETTE SAFETY

The liquid nicotine in an e-cigarette is a known dangerous poison and should not be ingested or be in contact with skin. Therefore, no nicotine refill bottles or other nicotine containers are allowed in the workplace. Do not dispose of nicotine in Vermilion County's trash receptacles.

26.5 QUESTIONS ABOUT THIS POLICY

If you have questions, suggestions or concerns about this policy, you should direct them to your manager, your supervisor, or the elected or appointed official over your department.

If you feel uncomfortable discussing your questions, suggestions or concerns about this policy with those listed above, you can direct them to the Human Resources Department or in the absence of the Human Resource Director, then the County Risk Manager.