

PERSONNEL POLICY
CITY OF CANTON, ILLINOIS
ADOPTED 2004

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PURPOSE AND INTENT

The purpose of this policy statement is to establish a uniform, comprehensive and efficient personnel policy that is applicable to all employees of the City. It is the intent to define guidelines in order to provide a high degree of understanding and cooperation to insure fair and consistent application of these standards.

DEFINITIONS

Anniversary Date: The date upon which an employee receives his/her full time appointment with the City.

Appointment: The employment of personnel not covered by a collective bargaining agreement hired by the Mayor with the consent of the City Council.

Assistant Superintendent: The non-union personnel under the immediate supervision of a specific Superintendent. Unless otherwise noted, Assistant Superintendents will be employed in the following departments: Wastewater Treatment, System Maintenance, Water, and Streets & Garbage.

Contractual Employees/ Independent Contractors: Those persons providing a service for the City that perform duties based upon a mutually agreed upon written document. Contractual employees will not fall under the auspices of either a collective bargaining agreement nor the City's personnel policy.

Demotions: The moving of an employee from one position to that of another with an appropriate reduction in salary. A demotion may be implemented for the purpose of disciplinary action, or, to meet the City's needs.

Department: A major functional unit of the City Government.

Department Head: A person appointed by the Mayor with the advice and consent of the City Council who is responsible for the administration of a specific department.

Economic Development Director: An appointed official by the Mayor with consent of the City Council. The Director shall primarily report to the Canton Community Revitalization Board for direction and operating decisions with ultimate responsibility to the Mayor and City Council.

Employee: A person who has been hired or elected to work for the City of Canton.

Employer: The City of Canton, Illinois.

Full-time Employee: A person hired by the City to work at least 2,080 hours per year. This definition excludes fire and police personnel who are covered under the Fire and Police Commission.

Grievance: A grievance is defined as a difference, complaint, or dispute between the employer and employee regarding the application or interpretation of policy and/or procedures.

Immediate Family: Includes: spouse, brother, sister, parents, mother in-law, father in-law, children, grandparents, brother in-law, sister in-law, grand children and stepchild, step father and mother and legal guardians.

Overtime: Authorized time worked in excess of the regular scheduled work week (i.e. 40 hours). This provision is not applicable for emergency personnel (firefighters and police officers) who are covered under the respective current collective bargaining agreements. Public Works Director, Economic Development Director, Superintendents, Department Heads and Asst. Superintendents are not eligible for overtime.

Part-time Employee: An employee with the City of Canton whose wages are computed on a per hour basis who works less than an average of thirty-five (35) hours per week. The Mayor will appoint all part-time employees. This definition is not applicable to firefighters and police officers, which are covered by current standards set forth by the Fire and Police Commission Act.

Public Works Director: Serves as Chief Administrator of Public Works Departments. Advises the Mayor and City Council on the day-to-day operations of the Public Works Department.

Probationary Employee: An employee who has not completed his/her one-year trial period.

Promotion: An upgrading of an employee from one position within the city, which results in either greater responsibilities and /or higher salary.

Seniority: Priority based on the length of service with the City and applies only to full-time employees.

Transfer: The moving of an employee from one position within the City to another. A transfer can result in the increase or decrease of pay and / or responsibilities. A transfer is neither a demotion nor a promotion. Transfers may be made based upon the needs of the City.

Superintendent: The non-union supervisor in charge of a specific section under the direct guidance of the Public Works Director. Unless otherwise noted, superintendents will oversee the following departments: Wastewater Treatment, System Maintenance, Streets, Garbage and Water Department.

DIVISION 1

HOURS OF WORK

- 1.1 **Workweek.** The workweek shall consist of eight (8) consecutive hours in a five (5) day period. Employee will receive a one-hour un-paid lunch period. Employee will receive a morning and afternoon break not to exceed 15 minutes each. This section is not applicable to the Public Works Director, City Administrator, City Attorney, Fire Chief, Police Chief, Deputy Police Chief, Superintendents, Asst. Superintendents and any other Department Heads. (Eff. 1/1/11)

DIVISION 2

WAGES

- 2.1 **Wages.** The official pay plan for the city consists of a resolution establishing annual salaries and title of job classifications or positions, which are to be compensated. The Mayor with approval of the City Council determines specified wages in the beginning of the city's fiscal year.

- 2.2 **Salary.** The salaries and wages of employees shall be paid on the 15th of the month and on the last day of the month, payroll to include hours worked through the preceding pay period. (Eff. 1/1/11)

DIVISION 3

OVERTIME

- 3.1 **Overtime.** Employees required to work in excess of forty (40) hours per week shall be paid at the rate of one and one-half (1 ½) times their regular rate of pay for all hours worked excess of the employee's regularly scheduled forty (40) hour workweek. Overtime pay is not granted to the Public Works Director, Economic Development Director, Superintendents/Department Heads. It is the policy of the City to keep work in excess of established schedules at a minimum and permit such work only when it is deemed necessary to meet City operating requirements. Overtime designation shall be at the sole discretion of the Department Head/Superintendent and that person will make every effort to allow compensatory time off in order to avoid paying overtime in dollars. If an employee is covered under a collective bargaining agreement, then overtime shall be computed as provided in the agreement; otherwise, overtime shall be computed and paid in conformity with the Fair Labor Standards Act.

DIVISION 4

COMPENSATORY TIME OFF

- 4.1 **Compensatory Time.** May be given when the employee is required to work in excess of the employee's regular shift. Compensatory time off shall be calculated at the rate of one and one-half (1-½) times the hours actually worked. When an employee is required to work on an authorized city holiday, compensatory time off shall be granted at the double time rate of two (2) hours off for every one (1) hour worked. The City shall award, at its own discretion, additional compensatory time to certain full-time employees for work outside the normal activities of their job description. Such work may include, but is not limited to: secretarial duties for committees concerning city matters, and mandatory attendance of meetings after the regularly scheduled hours of employment. The decision to grant special compensation is solely the discretion of the City Council or Mayor. Compensatory time cannot be carried over into the next fiscal year. The employee shall be paid in lieu of the unused compensatory time on the first day of the fiscal year. Comp time will be scheduled in accordance with Federal Statutes.

DIVISION 5

VACATION

- 5.1 **Vacation** - The employee shall be entitled to schedule vacation time beginning on the day following his/her first anniversary date of service with the City as long as consent has been provided by the Department Head or Public Works Director. Only full time employees shall be entitled to a paid vacation. Employees receiving worker's compensation, disability or otherwise on unpaid leave, shall not be entitled to accrue vacation.

With respect to those employees and department heads who were hired prior to May of 2003 the City will continue to honor the following vacation time:

1 year but less than 3 years	2 weeks vacation
3 years but less than 10 years	3 weeks vacation
10 years but less than 15 years	4 weeks vacation
15 years or more	5 weeks vacation

For those employees hired after May 2004 the following vacation time will apply:

1 year but less than 7 years	2 weeks vacation
7 year but less than 15 years	3 weeks vacation
Over 15 years	4 weeks vacation

- 5.2 **Scheduling of Vacation** - Vacation will be scheduled to meet the operating requirements of the City with preference given to employees with the greatest seniority within each respective job classification whenever possible.
- 5.3 **Accumulation of Vacation** - Vacation time shall be used during the anniversary year of the employee during which an employee becomes entitled thereto, unless the Department Head makes a written request during such anniversary year for extension to the office of the Mayor who shall approve or disapprove the same. When vacations cannot be granted during the anniversary year, pay in lieu thereof may be given if mutually agreeable.
- 5.4 **Part-time employees.** Part-time employees shall be granted the ability to accrue paid vacation leave based upon a set formula. However, for the purposes of this document, part-time employees shall not be eligible to accrue sick leave, personal days, and holiday pay or seniority benefits. Paid vacation leave for part-time employees shall accrue at the following rate: total hours worked in one year divided by fifty-two (52) weeks equal total hours vacation time at the prevailing hourly wage rate, except that employees with more than five (5) years service shall receive double the hours of vacation time.

DIVISION 6

HOLIDAYS

- 6.1 **Days Observed.** The following days shall be observed by the City:

New Year's Day	Memorial Day	Labor Day
Thanksgiving Day	Good Friday	Independence Day
Veteran's Day	Christmas Day	President's Day
Martin Luther King, Jr. Day (eff. 1/1/11)		

- 6.2 **Holiday Pay** - The above-mentioned holidays shall be granted to all full-time employees. The City shall pay for eight (8) hours of regular pay applicable to each person. Those employees working part-time shall receive the day off

without compensation unless otherwise dictated by job classification. Employees receiving workman's compensation or disability benefits are not entitled to holiday pay.

- 6.3 **Holiday Falling on a Weekend** - If a holiday falls on a weekend the City shall designate one day during the normal workweek as a day off. Compensation procedures shall be the same as in Division 6.2 above. This provision shall apply only to those employees not covered by any of the collective bargaining agreements. If said employees are covered by said agreements, then procedures will be outlined in the appropriate documents with respect to this matter.

DIVISION 7

EMPLOYMENT REQUIREMENTS

- 7.1 **Appointments.** It is the policy of the City to fill vacancies on the basis of merit and fitness with secondary consideration given to seniority, and insofar as possible in the interests of the City, to promote City Employees within each department and job classification to higher positions. The Mayor has, among other duties, the responsibility of recruiting qualified candidates for City employment in accordance with the City's affirmative action plan. Authority to make appointments of all Department Heads and other appointive positions is vested in the Mayor with the advice of the City Council.
- 7.2 **Job Posting.** All job openings shall be posted for not less than ten (10) consecutive calendar days prior to the filling of the position for the purposes of soliciting applications from employees currently in the service of the City. However, the Mayor has the authority to appoint a person to a vacated position that is not currently employed by the City.
- 7.3 **Probationary Period.** The employment of any employee of the City shall be followed by a one (1) year probationary period. Such probationary period shall be considered a period of test or trial for the employee in relationship to the employee's work and the employer, during which time, such employee may be discharged by the employer with or without cause. It shall be the responsibility of the Department Head to complete the employee performance appraisal report prior to the completion of the employee's probationary period. If the employee's performance during the probationary period does not meet the standards of the City, the Department Head shall terminate the employee with the consent of the Mayor.

DIVISION 8

PERSONAL DAYS

- 8.1 **Personal Days.** Personal days for full-time employees shall be computed with reference to the fiscal year of the City. After sixty (60) days of service, an employee shall earn one-half (1/2) day of personal leave to a maximum of five (5) personal days. Personal days may only be used when requested and approved by the Department Head/Superintendent or Mayor, as applicable. Should the

employee not use all or any of the five (5) personal days the employee will not be paid in lieu of the remaining days. Personal days shall not survive beyond the fiscal year of accrual. Personal days remaining at the conclusion of the fiscal year of accrual shall be forfeited without carry over. Department Heads/Superintendents shall make every effort to approve every employee's personal day request as long as it does not hinder the operation of the City or cause overtime. Part-time employees shall not be eligible for personal days.

DIVISION 9

SICK DAYS

9.1 **Sick Days.** Sick days for full-time employees shall be computed with reference to the fiscal year of the City. After sixty (60) days of service, an employee shall earn one-half (1/2) day of sick leave to a maximum of five (5) sick days. Sick days may only be used when requested and approved by the Department Head/Superintendent or Mayor, as applicable. Part-time employees shall not be eligible for sick days. Employees shall not be entitled to accrue sick leave benefits while on worker's comp, disability or other unpaid leaves.

1. The employee shall report promptly to the Department Head/Superintendent the reason for their absence in writing.
2. The employee shall keep the Department Head/Superintendent informed of employee's condition if the absence is more than three (3) consecutive days.

9.2 **Accrual of Sick Days.**

Any or all of the five (5) sick days not used by the employee during the fiscal year may be carried over to the next year. Employees may accrue up to a total of ninety (90) days. Payment for such accumulation of not more than sixty (60) days shall be made upon termination of employment, except in cases of discharge for disciplinary reasons. Each day shall be valued at 1/5 of the then current weekly salary. Abuse of sick leave use shall be subject to discipline.

Employees shall also be granted the ability to accrue a maximum of two hundred forty (240) days "running concurrently with the ninety (90) days herein above" to be used only for pension credit with IMRF of the employee's total amount of accumulated sick days for pension credit purposes. The City shall notify IMRF of the total amount of accumulated sick days if the employee wishes to use them for pension credit purposes.

DIVISION 10

LEAVE

10.1 **Bereavement.** Each Full-time employee shall be granted up to three (3) consecutive workdays of bereavement leave when a death occurs in the employee's immediate family (see definition of immediate family of the

personnel policy). Additional time may be granted when reasonable justification is provided to the Department Head. Bereavement leave shall be with pay.

- 10.2 **Disability Leave.** If a full-time employee becomes sick or injured off the job and is temporarily disabled from performing his/her duty, the employee shall be eligible to receive disability benefits under the City's short-term disability policy.
- 10.3 **Job Related Disability.** All full-time employees injured while performing assigned tasks, shall be eligible for injury leave in compliance with applicable State Statutes passed by the Illinois General Assembly and approved by the Governor. The employee shall be responsible for causing weekly written reports to be submitted by the attending physician to the employee contact person for each department, on forms prescribed by the latter as may be required. All injuries must be reported immediately by the employee to the Department Head/Superintendent in order to be eligible for injury leave and/or workman's compensation benefits.
- 10.4 **Jury Duty.** Any full-time employee who has more than thirty (30) days of seniority and who either (a) is summoned and reports for jury duty in a court of record or Grand Jury; or, (b) is required by applicable law to appear for examination by a jury commission prior to such jury service; or, (c) is subpoenaed and reports for witness service or Grand Jury on behalf of the City, shall be reimbursed by the City for each day on which he would have otherwise have been scheduled to work, with a deduction from his/her pay in an amount equal to the amount the employee received from the Clerk of the Court.
- 10.5 **Military Leave.** Employees shall be granted such leave in accordance with the provisions of the 65ILCS Section 5/10-2.1- 23 and Section 5/10 2.1-24.
- 10.6 **Miscellaneous Leave Policies.** The Mayor and/or Department Head/Superintendent have the authority to grant other leaves of absence. Such leaves shall be submitted in writing to the Department Head/Superintendent and/or the Mayor in writing on forms provided by the employer, approved by the Department Head/Superintendent and/or the Mayor and reported to the Office of the Mayor.

It will be the sole authority of the Department Head/Superintendent and/or the Mayor to determine if said leave is to be granted with or without pay.

Miscellaneous leaves of absence are intended to be used for unexpected, unusual, unanticipated or emergency situations. Miscellaneous leaves of absence are not intended to be used for additional or unauthorized holidays or vacation days.

No employee may be absent without the express permission of the Department Head/Superintendent and/or the Mayor.

10.7 **Family Medical Leave.** The Employer will comply with all the terms and conditions of the Family Medical Leave Act and adopts the same hereunder by reference.

10.8 **Disability.** The City reserves the right to require medical examinations by other or additional medical authorities. Costs associated with the additional examinations, including transportation costs, shall be borne entirely by the City.

DIVISION 11

EMPLOYEE INSURANCE

11.1 **Premiums/Payment.** Full-time employees are eligible for the City's healthcare insurance. The employee shall pay 3% of their base pay for healthcare coverage for single or family for a period ending April 30, 2009.

Effective May 1, 2009, employees will contribute 20% of the premium cost for the healthcare plan elected by the employee for single or family coverage. The City shall pay the balance. Payments shall be through pretax payroll deduction. Healthcare insurance is defined as the City's healthcare coverage including dental insurance for employees and their dependents.

11.2 **Coverage.** The amount of the insurance coverage shall be at least as much as the coverage in force at the time of approval of this policy by the City Council. (Refer to employee insurance handbook and Exhibit A).

11.3 **Insurance Committee.** A joint Health Insurance Committee shall be formed and be comprised of the following persons who accept invitations to participate:

1. A Representative of City Council
2. A Representative of I.A.F.F. Local 1897
3. A Representative of A.F.S.C.M.E. Local 1372
4. A Representative of Police Benevolent Labor Committee
5. A Representative of Non-Represented Employees
6. A Representative of Management
7. A Park District Representative
8. A Parlin Ingersoll Representative

This Committee shall be empowered to research and analyze the existing coverage and benefits, as well as, available plans to recommend possible changes to and/or additions to the existing plan. The Committee shall only make recommendations to modify the existing plan with a 2/3-majority vote of the committee. No recommended change shall substantially change the benefit levels and coverage of the existing plan. Also this committee will be empowered to hear complaints on insurance payments. The City shall have the final authority on any recommended changes or appeals on payments.

DIVISION 12

RETIREMENT INSURANCE

- 12.1 **Coverage.** The insurance coverage for retired employees shall consist of the overall group plan of hospital, health, dental and life insurance coverage offered to employees of the City. The insurance coverage may change from time to time as it changed for the entire group and the City reserves the right to change coverages or premium co-pays for the entire group without discrimination between its employee participants and its retiree accordance with the terms and conditions of the policy provisions as they may exist from time to time for the termination of the "retirement or disability period" and continued coverage is conditioned upon the retiree's obligation to pay the monthly premium directly to the municipality in accordance with the premium payments determined by the City. Notice of continued coverage and election of continued coverage shall be in accordance with 215 ILCS 5/367j as it exists or is amended from time to time.
- 12.2 **Officials.** The Mayor, City Clerk, City Treasurer, and City Attorney upon retirement, may choose to remain on the City's insurance plan, provided they pay all applicable premiums.
- 12.3 **Retired Employee and Elected Officials** - Employees and department heads, including the Mayor and elected officials, (hereinafter retirees), who have attained the age of 50 and have become entitled to a pension under the provisions of the Police and Firemen's Pension Fund or have become entitled to benefits under the IMRF retirement provisions, who have twenty-five (25) years of service, shall be eligible to have the employer pay the entire amount of the applicable premium for such insurance until the retiree and his or her spouse have attained the age of 65 years. Premium payment shall be for the retiree, retiree's spouse and dependent children. Retired employees, elected officials or department heads, who become re-employed where insurance coverage is provided by the new employer shall be excluded from this provision. Upon attaining the age of sixty-five (65) years, or such other age as Congress may subsequently determine for Medicare, this coverage shall terminate and the retired employee, elected official or department head shall make application to Medicare or to its successor program. If available, the retired employee, elected official or department head shall, however, have the option of purchasing Medicare supplement insurance at his/her expense through the City's group insurance carrier.
- 12.4 **Retired Employees and Elected Officials** - Employees and department heads including the Mayor and elected officials, (hereinafter retirees) who have twenty (20) years of service and who attained the age of fifty-five (55) years and who have become entitled to a pension under the provisions of the Police and Firemen's Pension Fund or has reached fifty-five (55) years of age and who are entitled to benefits under the IMRF retirement provisions, shall be eligible to have the employer pay the entire amount of the applicable premium for such insurance until the retirees and his/her spouse have attained the age of 65 years. Premium

payment shall be for the retiree, retiree's spouse and dependent children. Retired employees, elected officials or department heads, who become re-employed where insurance coverage is provided by the new employer shall be excluded from this provision. Upon attaining the age of sixty-five (65) years, or such other age as Congress may subsequently determine for Medicare, this coverage shall terminate and the retired employee, elected official or department head shall make application to Medicare or to its successor program. If available, the retired employee, elected official or department head shall, however, have the option of purchasing Medicare supplement insurance at his expense through the City's group insurance carrier.

12.5 Retired Employee or Elected Official - Employees and Department Heads, including the Mayor and elected officials (hereinafter retiree) with less than twenty (20) years of service who retire and are eligible to receive a pension under the provisions of the Police and Fireman's Pension Fund or have become entitled to benefits under the IMRF retirement provisions, and has reached the age of fifty-five (55) years will be eligible to have the City pay a proportionate amount of applicable employee premium based on years of service ($x/20$). If any employee, elected official or department head, retires eligible for IMRF benefits or eligible for a pension under the Police and Firemen's Pension Fund, and with less than 20 years of service, then the City will not pay the full amount of the employees' applicable healthcare premium. Retirees who become re-employed where insurance coverage is provided by the new employer shall be excluded from this provision. Upon attaining his age of sixty-five (65) years, or such other age as Congress may subsequently determine for Medicare, this coverage shall terminate and the retiree shall make application to Medicare or to its successor program. If available, the retiree shall, however, have the option of purchasing Medicare supplement insurance at his expense through the city's group insurance carrier. The employer shall not pay any portion of the applicable premium for dependents of participating retirees not covered by a collective bargaining agreement if such retirees have less than twenty (20) years of service with the City of Canton.

12.6 Salary Continuation - If the Administrative Assistant, Department Head, Zoning Administrator or Department Head Assistant (hereinafter referred to collectively as "appointed officials"), shall have their position eliminated or shall be removed from their position other than for a conviction of a disqualifying crime, then the appointed official shall receive one (1) week of normal salary for each year worked with a maximum of twelve (12) weeks at the rate they were receiving when their appointment was terminated. This salary continuation shall also include the continuation of insurance coverage and life insurance but shall not include the continued accrual of vacation, sick leave, personal days or holidays. The City shall deduct normal tax withholdings and benefit contribution payments during the salary continuation period.

- 12.7 **Disabled Employee and Spouse and Dependents of Deceased Employee.** A permanently disabled employee and the surviving spouse and dependent children of a deceased employee shall participate in the City's insurance plan. Eligibility shall continue until the surviving spouse attains the age of sixty-five (65) or such other age as Congress may subsequently determine for Medicare at which time the coverage shall terminate and the spouse of the deceased shall employee shall make application to Medicare or its successor program. If available, the surviving spouse of the deceased employee shall, however, have the option of purchasing Medicare supplement insurance at his/her expense through the City's group insurance carrier.

DIVISION 13

MISCELLANEOUS REGULATIONS

- 13.1 **Employee's use of personal vehicle.** When an employee is authorized or required to drive a personal car for purposes related to employment, the employee shall be compensated therefore at the applicable IRS mileage rate.
- 13.2 **Telephone Requirements.** Employees shall be required to have a telephone in their residence or to provide the Department Head with a telephone number where the employee may be reached. The employee shall keep the Department Head advised, in writing, of such phone number and of any changes thereto.
- 13.3 **Residency Requirements.** All city employees shall become a resident of the City of Canton, or reside within a ten (10) mile radius of the City, within thirty (30) days after expiration of such employee's probationary period, if the employee is to continue as an employee of the City.
- 13.4 **Physical Examination.** After being offered, but before starting a position with the City, each employee shall undergo a thorough medical examination, including drug test, by a physician (s) designated by the City, at the cost of the City, and no one shall be employed unless the employee meets the minimum standards of physical fitness required for the employee's respective position as determined by the City.
- 13.5 **Education Expense.** The City shall reimburse the employee for tuition and books required for attending any job related course or for attending any course required for a job related degree, in the amount not reimbursed by other agencies, provided the Mayor and the Department Head approve such in advance. The above requirement would be contingent upon the successful completion of such course. The City will also pay the cost for continuing education to maintain any required license.
- 13.6 **Conflicts of Interest.** The City will conform to any and all appropriate state statute regarding conflict of interest.

- 13.7 **Outside Employment.** Full-time City employees are prohibited from secondary employment, which may 1. cast discredit upon the City, 2. create embarrassment to the City Government, or 3. interfere with the performance of the employee's duties with the City.
- 13.8 **Political Activity.** All employees shall refrain from performing any political activity during the period of their working hours. It will be the responsibility of the employee to ensure that any and all political activity performed will be done on his/her own time and not interfere with their respective job performance. Nothing in this section, however, shall be construed to prevent employees from becoming or continuing to be members of any political organization, from attending political meetings, from expressing their views on political matters, or from voting with complete freedom in any election.
- 13.9 **Personal Use of City Equipment.** Computers, phones, cameras, pagers, PDA's, voicemail, email and internet are all governed by the City of Canton Technology Policy. Employee use of any other City tools, supplies or equipment for personal purposes or personal financial gain is strictly prohibited.

DIVISION 14

NON-FULL-TIME EMPLOYEES

- 14.1 **Part-time and Seasonal Employees.** The Department Heads are hereby authorized to hire, with approval of the Mayor and advice and consent of the City Council, such part-time and seasonal employees within the constraints of appropriations, pay scales and authorized positions. Such employees shall have all income taxes withheld from their wages and shall in the appropriate retirement system as dictated by state law. Part-time and seasonal employees shall not be eligible for paid sick leave, vacation leave, medical insurance or holiday pay; but may be eligible for overtime and/or expense reimbursement. Any person employed by the City in a part-time capacity shall not be allowed to work more than twenty (20) hours per week unless prior approval is given by the Mayor or in the case of need for an emergency situation.
- 14.2 **Contractual Employees/Independent Contractors.** The performance and conduct of contractual employees will be covered under a specific mutually agreed upon document between the City and said employee. Such employees shall not have any deductions taken out of their paychecks. It will be the sole responsibility of the contractual employee to insure all necessary state and federal income taxes are paid along with any and all other mandated expenses.

DIVISION 15

GRIEVANCE

- 15.1 **Procedure. Preliminary Oral Discussions.** An attempt to resolve a grievance through oral discussion shall take place with the respective supervisor. All grievances must be presented no later than ten (10) calendar days from the date

the grievant knew or should have known of the occurrence giving rise to the complaint.

15.2 **Method.** If unable to resolve the grievance in 15.1, grievances shall thereafter be referred to the appropriate Department Head, in writing, within seventeen (17) calendar days of the date on which the grievance occurred. The Department Head shall respond in writing to each such grievance within seven (7) calendar days following receipt of the written grievance. If the grievance thereafter remains unresolved, it shall be referred in writing to the standing Committee on Grievance, Negotiations and Personnel within seven (7) calendar days after the response by the Department Head is made. The Committee shall thereafter meet with the aggrieved employee and/or his representative, if any, within fourteen (14) calendar days of submission of the written grievance to the Committee. Following such meeting, the Committee shall make its written answer within fourteen (14) calendar days following such meeting. However, by mutual consent, this latter fourteen (14) day period may be extended by an instrument in writing signed both by the aggrieved employee or his representative and by the Chairman of the Committee or by the Chairman pro tem. If the grievance yet remains, it shall, within seven (7) calendar days of the Committee's written answer, be submitted to the Mayor in writing. The Mayor shall make written answer within seven (7) calendar days of receipt of the written grievance. The Mayor's decision shall be final and binding.

15.3 **Limitation.** Employees failure to file a grievance within the time limits prescribed or follow the time limits for each step herein, shall result in an automatic decision in favor of the employer.

DIVISION 16

RESIGNATION

16.1 **Notice Required.** In order to resign in good standing, a probationary or regular employee shall give at least two weeks' notice of his/her intention to resign. Department Head shall give at least thirty (30) days notice. Failure to give the prescribed notice shall constitute a waiver of accumulated vacation pay and sick pay as recorded in the City's personnel records. Employees may have his/her prescribed notice reduced or waived with the written permission of the Mayor and proper notification of the immediate supervisor. The Mayor shall report to the Council that such a request has been granted.

DIVISION 17

LAYOFFS

17.1 **Layoff.** In the event it becomes necessary to lay off employees for any reason employees shall be laid off in accordance with the needs of the City. Decisions concerning layoffs will be based on the operational needs of the City and budgetary constraints. No layoffs will be made without the approval of the

Mayor. Wherever possible, employees' seniority with the City will be given consideration.

17.2 **Notice to be given.** Any City employee may be laid off without reflection upon his/her standing for lack of work or funds. At least two weeks' notice of the effective date of a layoff shall be given each regular employee affected thereby. At least thirty (30) days' notice of the effective date of a layoff shall be given each Department Head affected thereby.

17.3 **Recall.** Employees shall be recalled from layoff according to qualifications. The recall will be in accordance with the needs of the City. Any employee who has not worked for the City for more than twelve (12) months shall not be eligible for recall.

DIVISION 18

DISCIPLINE AND DISCHARGE

18.1 **Conduct.** An employee with the City of Canton is always an at-will employee. It is recognized that if an employee's conduct falls below a desirable standard, the employer may wish to discipline the employee up to and including discharge. Discharge may be with or without cause.

18.2 **Grounds for Immediate Discharge.** The Following shall, without limitation, be grounds for the immediate discharge of an employee:

- a) Drinking or taking non-prescription drugs on the job or arriving on the job under the influence of alcohol or non-prescription drugs.
- b) Fighting while on duty.
- c) Refusal to follow the orders of one's Department Head or immediate supervisor (direct insubordination).
- d) Conviction of a felony or other crime of moral turpitude.
- e) Insubordination, direct or indirect.

It is further recognized that the above list is not inclusive, but is indicative of the type of conduct, which will lead to discharge.

18.3 **Grounds for Disciplinary Action.** The following shall, without limitation, be grounds for disciplinary action:

- a) Absence from work without permission
- b) Habitual tardiness
- c) Habitual absenteeism
- d) Failure to perform work in an efficient manner
- e) Being wasteful of material, property and/or equipment of the City and of working time.
- f) Failure or refusal to cooperate with fellow employees in such a way that such failure or refusal results in the hindrance or obstruction of any employee's performance on the job.

- g) Conduct, which reflects upon the reputation of the City of employer in a slanderous, libelous or abusive manner.

DIVISION 19

ADMINISTRATIVE RETREAT

- 19.1 **Annual Meeting.** At the conclusion of the first City Council Meeting in January, the City Council may, at the request of staff, enter into executive session for personnel related matters. At this time, Department Heads and other invited staff may discuss with the Council their objectives and/or goals for the new fiscal year. The purpose of this meeting is for the development and continuance of open dialogue between the Council and its management personnel.

DIVISION 20

ADMINISTRATION OF PERSONNEL

- 20.1 **Personnel Administration.** The personnel policy and procedures shall be enforced by, and technical questions on this policy and its corollary procedures shall be referred to the Mayor who may delegate the responsibilities aimed at establishing and insuring the maintenance of effective personnel administration on behalf of the City.
- 20.2 **Functional, Administrative and Operational Assignments and/or Re-Assignments.** The Mayor in the fulfillment of his/her duties as Chief Executive Officer shall make all functional, administrative, and operational assignments and/or re-assignments among existing staff of the City.
- 20.3 **City Council's responsibility with Respect to the Policy.** In accordance with Illinois State Statutes, the City Council is a legislative and policy making body and as such is the entity having the authority to make policy or change policy. It shall be the City Council's responsibility to review and update this and related policies from time to time as may be necessary in order to meet the needs of the City.

DIVISION 21

CONFLICT OF LAW OR PROVISIONS

- 21.1 **Conflict of Provisions.** Any conflict between the provisions of this policy and the specific provisions of any applicable collective bargaining agreement shall, to the extent of such conflict, be governed or resolved by the specific provision of the applicable collective bargaining agreement.
- 21.2 **Conflict of Law.** Any conflict between the provision of the this policy and the provisions of any applicable federal or state law, rule or regulation shall, to the extent of such conflict, be governed or resolved by the provision of the applicable federal or state law, rule or regulation.