



**TOWNSHIP OF SCHAUMBURG**  
1 Illinois Boulevard, Hoffman Estates, IL 60169

**COMMITTEE OF THE WHOLE**  
Upper Level – Board Room

**AGENDA**

**7:00 p.m. Wednesday November 8, 2023**

Meeting ID: 850 9593 1317

Join Online: <https://www.zoom.us/join>

Password: 063643

Dial by Phone: (312) 626-6799

The Township Board room is open during the meeting for public attendance but is subject to limited capacity. The Township will stream a live audio of the meeting in the Township Board room. Public comment is afforded on the conference line via the Zoom meeting protocol. The public may also submit written comments prior to the meeting, which will be read by the Supervisor at the public meeting. We are requiring members of the public who wish to comment live or submit written comments at this meeting to email the Township Administrator Melissa Williams at [mwilliams@schaumburgtownship.org](mailto:mwilliams@schaumburgtownship.org) at least one (1) hour before the start of the meeting.

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**CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL**

**I. PUBLIC COMMENT**

*Limit remarks to three minutes.*

**II. PRESENTATION**

Review of tax levy options, James Howard, Governmental Accounting.

**III. OLD BUSINESS**

**IV. NEW BUSINESS**

- A. Policy Manual revision walk through.
- B. IMRF Early Retirement Incentive consideration
- C. Township Code of Conduct discussion

**V. ANNOUNCEMENTS**

**November 15, 2023** - Regular Board of Trustees Meeting, 7PM Town Hall

**November 23 & 24, 2023** – Township Closed, Thanksgiving

**December 8, 2023** – Senior Holiday Luncheon, Chandler's, 11am

**December 12, 2023** – Senior & Disability Services Holiday Adoption Pick Up, 10:30am – 7pm

**December 13, 2023** – Dinner with Santa for Individuals with Disabilities, 5:30pm

**December 13, 2023** - Regular Board of Trustees Meeting, 7PM Town Hall

**December 22 & 25, 2023** – Township Closed, Christmas

**January 1, 2024** – Township Closed, New Years

**VI. EXECUTIVE SESSION**

*Any person who has a disability requiring an auxiliary aid or service for effective communication or a reasonable accommodation to participate in a Township meeting should contact Becky Cordes, ADA Coordinator and Director of Disability and Senior Services, by telephone at (847)884-0030 or by email at [bcordes@schaumburgtownship.org](mailto:bcordes@schaumburgtownship.org), as soon as possible and at least 48 hours before the scheduled meeting.*

5 ILCS 120/2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

**VII. ADJOURNMENT**



# Personnel Policy

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## ***Section 1.***

### **Purpose**

The purpose of this Personnel Policy (“Handbook”) is to assist Township of Schaumburg (“Township”) leadership and staff in the uniform and equitable application of personnel practices and to inform Township employees about various aspects of their employment.

### **Employee at will status**

All Township employees are employees-at-will. Either party may end the employment relationship, with or without cause or notice, at any time. This Handbook is not a contract of employment, nor does it in any way alter the employment-at-will relationship. The Township reserves the right to modify, revoke, suspend, terminate, or change any plans, policies, procedures, or benefits described in this Handbook at any time. By signing the receipt on the last page of this Handbook, the employee acknowledges that they understand the personnel policies set forth herein and that their employment can be terminated, with or without cause, at any time, at the option of the Township.

### **Equal opportunity employment**

The Township is an equal opportunity employer committed to complying with all applicable state and federal laws and regulations relating to equal employment opportunities. The Township prohibits discrimination with respect to the terms and conditions of employment on the basis of an individual’s actual or perceived race, color, creed, religion, ancestry, national origin, sexual orientation, gender identity, age, sex, citizenship, veteran status, pregnancy, medical or common conditions relating to pregnancy and childbirth, genetic information, unfavorable discharge from military service, arrest record, conviction record, traits associated with race, including but not limited to hair texture or protective styles such as braids, locks or twists, status as a victim of domestic violence, sexual violence, gender violence, or other crime of violence marital status, parental status, disability, perceived disability, association with a disabled person, or any other protected status or characteristic. This policy governs all aspects of employment, including recruitment, selection, job assignment, compensation, discipline, discharge, promotion, leaves of absence, termination, and access to benefits and training.

It is the policy of the Township of Schaumburg to provide all employees with equal employment opportunities without discrimination based on family relations. No relative shall be assigned or hired into a position where the employee would be required to supervise or be supervised by another relative, whether directly or indirectly. This policy is not intended to preclude the employment of relatives in other departments within Township of Schaumburg.

This policy is intended to comply with the requirements of all applicable federal, state, and local laws. For purposes of this section, a “relative” is defined as any person related by blood, marriage or adoption, or whose relationship with the employee is similar to that of persons who are related by blood, marriage or adoption, including but not limited to:

- Mother
- Father
- Brother
- Sister
- Spouse
- Partner (by law)
- Children
- Aunts
- Uncles
- Nieces
- Nephews
- First Cousins
- Mother-in-Law
- Father-in-Law
- Brother-in-Law
- Sister-in-Law
- Stepfather
- Stepmother
- Stepbrother
- Stepsister
- Stepchild
- Half-Brother
- Half-Sister
- Grandchild
- Grandparent
- Legal Guardian

In addition, exceptions may be made on a case-by-case basis with approval from Human Resources to temporary, seasonal, intermittent, or intern employees. If employees in a supervisory relationship become related after employment, every effort will be made to transfer one of the employees to a position or shift where no supervisory relationship exists. The Township, however, reserves the right to terminate, in the event that transfer is not in its best interests.

## Section 2

### Employee Classifications

The following definitions will be used in classifying employees:

- **Probationary employee:** One who is within the first 180 days or more of employment and has not been established as a regular employee.
- **Full-time employees:** Full-time employees are those employees whose duties normally require 37.540 [MW1] or more hours each workweek.
- **Part-time employee:** Part-time employees are those employees whose duties normally require less than 37.540 hours per week.
- **Temporary, seasonal or intermittent employees and/or interns:** Temporary, seasonal or intermittent employees and/or interns are those employees who are hired, on a full-time or part-time basis, to work for a definite, specified period of time, and in most cases, whose normal duties do not require services on any regular basis, or one who was employed in connection with a specific project or assignment, or for a limited period without any promise of continued, regular employment.
- **Nonexempt employees:** A nonexempt employee is an employee who is paid on an hourly basis and is not excluded from the overtime rules of the Fair Labor Standards Act. In other words, a nonexempt employee is entitled to overtime pay if they work over 40 hours in a workweek.
- **Exempt employees:** Any exempt employee is an employee who is paid on a salary basis and is exempt from the overtime requirements of the Fair Labor Standards Act. Exempt employees are compensated for the performance of assigned duties regardless of the hours needed to complete those tasks and should have no expectation of additional compensation for work over 40 hours in any given workweek.

## Workday

The Township of Schaumburg standard hours are Monday-Friday, 8:30am-5pm. Mondays-Thursdays, the Township is open until 10pm for meetings, events, and community gatherings. Hours may vary at the discretion of the Township Administrator.

- Workday hours, breaks, and lunch periods shall be established in the most appropriate manner for maintaining departmental operations.
- Workday hours:
  - Each employee is expected to work their assigned hours.
  - These regular business hours may be extended, reduced, or otherwise amended with Board approval.

Employees shall report promptly to their designated working place, or other assigned location, and shall devote their entire efforts during working hours to assigned duties. In the event that an employee is unable to report for work as scheduled, their supervisor shall be notified by telephone (and/or text message) at least 60 minutes prior to their designated starting time. Failure to notify their supervisor as provided herein may result in an unexcused absence, which may result in discipline.

The Township Administrator, or, in their absence, the Director of Administrative Services, shall have the authority to close the building in the event of an emergency. The Township Administrator or Director of Administrative Services shall have the responsibility for notifying staff and appropriate Township Officials concerning possible revised office schedules. The Township Administrator will determine, on a case-by-case basis, if impacted employees will receive pay due to closing.

## Lunch and break times

Full-time employees are provided with a one-hour ~~paid~~<sup>[MW2]</sup> lunch break to be taken as determined by management. Part-time employees working at least 5-hours in a day have 30-minute paid lunch breaks. In cases of emergency (shortage of staff due to illness, etc.), a person may be required to respond to any emergencies or work demands during their break. This should be an exception, not a common routine and the Township will ensure that employees are afforded appropriate break time in accordance with the Fair Labor Standards Act.

Additionally, employees are scheduled to work at least 7-1/2 hours in a particular day must be provided with an unpaid meal break of at least 20 minutes no later than 5 hours into the workday has been amended, effective January 1, 2023. 8+ hours shifts will require a total of 60-minutes accumulated between breaks or lunch.

## Nursing employees

The Township will provide reasonable paid break time each day to an employee who needs to express breast milk for an infant child, as long as such break time will not unduly disrupt the operations of the Township. The break time must, if possible, run concurrently with any break

time already provided to the employee. The Township will also make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee can express milk in privacy.

### **Workplace accommodations**

Reasonable accommodations generally involve modification or adjustment of a job, employment practice, or the work environment, which makes it possible for an individual with a disability to perform the essential functions of their job and/or to otherwise enjoy equal employment opportunities. Upon request of an accommodation, the employee will be given the opportunity to engage in an interactive dialogue with the Township over the requested accommodation. As part of the interactive process, the Township may request the employee to provide certain information from their health care provider related to their ability to perform the essential job functions with or without reasonable accommodation.

If you are pregnant, recovering from childbirth, or have a condition related to pregnancy, you have the right to ask for a reasonable accommodation. This includes bathroom breaks, assistance with heavy lifting, a private space for expressing milk, or time off to recover from your pregnancy. Upon presentation of medical documentation supporting the need for a workplace accommodation and where an employee has made the Township aware of the need for such accommodation, the Township of Schaumburg will consider accommodation of pregnancy to the extent such accommodation does not pose an undue hardship on the ordinary operation of the business of the Township. For more information regarding your rights on Pregnancy in the Workplace, download the Illinois Department of Human Rights fact sheet at [www.illinois.gov/dhr](http://www.illinois.gov/dhr), or refer to the posted 'Pregnancy Rights Notice.'

It is the Township's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of non-discrimination, the Township will provide reasonable accommodations to a qualified individual with a disability, as defined by the American with Disabilities Act ("ADA"), who has made the Township aware of their disability, provided that such accommodation does not constitute an undue hardship on the Township of Schaumburg.

### **Americans with Disabilities Act (ADA)**

If you have a disability, you are protected under the Americans with Disabilities Act of 1990 (ADA), as amended by the Americans with Disabilities Act Amendments Act of 2008. The ADA, as amended, prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training and other terms, conditions, and privileges of employment. The ADA does not alter the Township's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of his or her disability, or because of a perceived disability. As a matter of Township policy, the Township prohibits discrimination of any kind against people with disabilities.

Qualified applicants or employees who are disabled should request reasonable accommodation from the Township in order to allow them to perform the essential functions of a particular job. If you have a disability and you desire such reasonable accommodation, contact the Township Administrator.

### **Genetic Information Nondiscrimination Act (GINA)**

All applicants and employees are protected from discrimination in employment based on genetic information. Genetic information includes information about genetic tests of applicants, employees, and/or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for, or receipt of, genetic services by applicants, employees, or their family members. Under GINA, acquisition of genetic information is restricted, and disclosure of genetic information is strictly limited.

## ***Section 3.***

### **Compensation**

#### **Salaries, wages, and terms of employment:**

Depending on the job and department it falls under, the determination of salary/wages falls to different recommending authority:

- For the office of Assessor: by the Assessor.
- For the office of Welfare Services: by the Township Supervisor.
- For all other Township employees: by the Township Board, pursuant to the recommendations of the Township Supervisor in discussion with Human Resources and the Administrator.
- Wage increases are subject to the budgetary authority and allocation of the Board.

#### **Timekeeping:**

All employees are expected to report hours worked or time off in an accurate manner using the correct Township designated process. Employees are expected to follow the established procedures and keep an accurate record of hours worked. Failure to accurately record time may result in disciplinary action.

- Nonexempt employees must receive prior authorization from their supervisor if performing work outside of the employee's regularly assigned work hours.
  - The Township does not allow nonexempt employees to work "off the clock" without compensation. Nonexempt employees must record all hours of work, including work performed away from the Township. Any employee who fails to accurately record all hours of work will be subject to disciplinary action.

#### **Overtime, compensatory time, and flextime:**

The Township compensates all employees pursuant to the Fair Labor Standards Act (FLSA) and/or the Illinois Minimum Wage Law. Under ordinary circumstances, the Township does not expect its staff to work overtime. If, however, overtime is worked by an employee, the Township will abide by applicable state and federal laws regarding overtime pay.

- "Overtime" is defined as hours worked in excess of 40 hours per workweek, which is from Sunday-Saturday. Overtime applies only to nonexempt employees for hours

worked in excess of forty 40 hours per week. Hours worked means the hours during which an employee actually works, as opposed to hours for which they are paid, but do not work (e.g. vacation, personal days, sick, holidays, etc.). Overtime is paid to nonexempt employees at the rate of one- and one-half times their **rate of pay for time worked in excess of 40 hours per week.**

○ **Non-Exempt employee may elect to be compensated by taking time off work in lieu of being paid for extra hours. Compensatory time (CTO) should be requested through the payroll system and approved by the Department Head when employee request those hours.**

○ **Such compensatory time shall compute at a rate of one and one-half hour for each hour worked once you exceed 40 hours worked in a week. CTO time must be used within 6 months of earning it. In addition, this will be compensated at the hourly rate it was earned by the employee.**

○ **Employees may not accrue more than 30 hours of CTO time.** [MW3]

- The Employer shall have the right to require overtime work when necessary, and employees shall not refuse overtime assignments unless a bona fide reason exists. When possible, the Township will attempt to schedule employees so that they do not work more than six consecutive workdays.
- Overtime work must be authorized in advance by the employee's supervisor (person to whom the employee normally reports).
- **Travel Flextime is approved on a case-by-case basis by the employee's direct supervisor at TOS only for exempt employees who have travelled overnight. Full-time employees who have completed 30 days of employment are eligible for flextime.**
  - **The employee must first discuss possible flextime arrangements with their supervisor and then submit a verbal or written request.**
  - **The supervisor will keep track of these hours, approve or deny the flextime request based on staffing needs, the employee's job duties, the employee's work record and the employee's ability to temporarily or permanently return to a standard work schedule when needed.**
  - **A flextime arrangement may be suspended or cancelled at any time.**

## **Pay periods**

Paychecks are issued every other Friday of each month (semimonthly), paid one week in arrears.

## **Payroll deductions**

Payroll deductions are limited to federal and state taxes, social security, retirement, insurance and such other purposes as may be provided by law, through a program of the employer, or by court order.

## Reimbursements and expenses

Travel, meal and lodging expenses incurred by officers and employees of the Township shall be reimbursed in accordance with the *Local Government Travel Expense Control Act (50 ILCS 1501/1 et seq.)*, and as regulated in Township Ordinance No. 2016-3, An Ordinance Regulating Travel, Meal and Lodging Expense Reimbursements by the Township. Mileage reimbursement and expenses follow the IRS standard mileage rate. Contact Human Resources on the current mileage reimbursement procedure and rate.

- Any expense of a reimbursement level must be added under an approved account number by the Township, receipt of expense is required or electronic transaction.
- The TOS Wellness Program encourages, motivates and challenges employees to take an active interest in their personal well-being by having access to wellness resources and a personalized wellness plan. This Wellness Program policy is to establish reimbursement guidelines of qualified fitness and/or wellness related expenses to promote employee health and disease prevention.
  - Full time employees who have completed the 30-day probation and elected officials are able to request the reimbursement.
  - The maximum total annual reimbursement amount per employee per fiscal year is \$300.
  - Purchased approved fitness/wellness service, attached receipt and appropriate documents must be provided. Request will be reviewed and processed by Human Resources.

## Section 4

### Vacation and other time off [JM4][MW5]

- **Regular, active full-time** employees begin accruing vacation benefits on the date of hire. Any accrued vacation benefits may not be used until the employee has completed half of their probationary period of 180 days (90 days).
- **Regular active part-time employees** who are scheduled for and who have worked an average of 20 hours per week and who have worked a minimum of 1,000 hours in the prior year of employment, shall qualify for paid vacation time.
- **Part-time employees** who are scheduled for and have worked less than an average of 20 hours per week in the prior year of employment are not eligible for vacation benefits.
- **Temporary, seasonal or intermittent employees and/or interns** are not eligible for vacation benefits.
- **Regular part-time employees who become full-time employees** will begin accruing vacation benefits at the full-time rate upon becoming a full-time employee. Service credit length of service shall be calculated as commencing on the original date of hire as a full-time employee.
  - **Full-time employees who become part-time employees** cease accruing vacation benefits at the full-time rate upon becoming a part-time employee. Part-time eligibility requirements must be met prior to a part-

time employee earning vacation benefits. All accrued time will be available for use per normal practices.

- **Accrual:** Vacation leave will accrue for full-time employees on active status and will be credited bi-weekly, based on years of service:

**Full-time Employees on a 37.5-hour work week schedule<sup>[MW6]</sup>:**

During these Years of Service	Vacation Hours are Accrued per Pay Period	Vacation Days are Accrued per Pay Period	At the Completion of these Years of Service	Total Vacation Hours Accrued:	Total Vacation Days Accrued:
0-4	2.8846	.3846	1-4	75.00	10
5-9	4.3269	.5769	5-9	112.50	15
10 or More	5.7692	.7692	10 or More	150.00	20

**Full-time Employees on a 40-hour work week schedule:**

During these Years of Service	Vacation Hours are Accrued per Pay Period	Vacation Days are Accrued per Pay Period	At the Completion of these Years of Service	Total Vacation Hours Accrued:	Total Vacation Days Accrued:
0-4	3.0769	.3846	1-4	80	10
5-9	4.6154	.5769	5-9	120	15
10 or More	6.1538	.7692	10 or More	160	20

**No vacation leave is accrued while an employee is on an unpaid leave of absence.**

To earn vacation, an employee must be "actively employed". "Actively employed" does not include any period of unpaid FMLA or disability leave, no vacation shall be earned or accrued during such absence.

**Paid time off for Part-time, seasonal, and temporary employees<sup>[MW7]</sup>:**

Part-time, seasonal, and temporary Employees Are provided annually, 40 hours of paid leave available to use once hired; however, those hours do not have the ability to carry over into the next year.

- Use of Paid time off for Part-time, seasonal, and temporary employees requires at least 60 minutes notice prior to shift start.
- All time off should be requested at least seven days in advance, unless advance notice is not practicable, to assure that the smooth performance of Township functions are not in any way jeopardized; time off may be abbreviated or canceled on an emergency basis to ensure the continuity of a satisfactory level of service.
  - Schedules will be determined after giving consideration to work requirements, length of service, and the employee's preferences.
  - Under no circumstances will an employee be allowed to take requested time in

increments of at least 2 hours.

- Your employment commencement date is the first day on which you report for work and are entered on our payroll records. Each completed year following your employment commencement date will be your anniversary date.
  - If you begin at Township of Schaumburg on a part-time or temporary basis and are offered and accept full-time employment, your seniority date and year will be the date upon which you first commenced full-time employment. In the scenario of accepting a promotion/ new full-time opportunity a new role anniversary date will align with that date, without losing seniority.

## Birthdays

In addition to vacation days, *eligible staff will earn an additional day off to be used in their birthday month, in accordance with the eligibility requirements set forth below.* Requests will be made through the payroll system and approved by the direct supervisor in accordance with the operational demands of the department.

- **Full-time employees** are eligible after they have completed their 180-day probation period. Full-time staff should request hours in the amount of a typical workday applicable to the employee (7.5 or 8).
- **Part-time employees** are eligible after 1 year of service (as with other similar Township benefits) and part-time staff should request the standard number of hours worked on a typical workday when requesting the time.

## Holidays

All work performed on a designated holiday must be authorized, in advance, by the employee's supervisor. Full-time employees receive the following paid holidays off from work, or as determined by the Township Board:

- |                          |                             |
|--------------------------|-----------------------------|
| • New Year's Day         | • Labor Day                 |
| • Martin Luther King Day | • Indigenous Peoples' Day   |
| • Presidents Day         | • Thanksgiving Day          |
| • Memorial Day           | • Friday After Thanksgiving |
| • Juneteenth (June 19)   | • Christmas Eve Day         |
| • Independence Day       | • Christmas Day             |
- If a scheduled holiday falls on a Sunday, the following Monday will be counted as the observance, unless the Township designates another day as the holiday.
  - If a scheduled holiday falls on a Saturday, the previous Friday will be counted as the observance, unless the Township designates another day as the holiday.

## Personal days

After completion of one year of full-time employment, each full-time employee will be allowed five days of compensated personal leave in each calendar year. All requests to use days of personal leave should be made at least five workdays in advance whenever possible, requested through the payroll system and subject to approval of the employee's supervisor.

- Part-time, seasonal, temporary, and intermittent employees and interns are not eligible for personal days.
- Personal days shall not be used in less than one half day increments.
- Personal days must be taken within the calendar year and cannot be carried over to a succeeding year.
- Pay in lieu of taking any personal day will never be given.
- In the event of termination, employees will be paid for unused personal days. [JM8]

## Sick leave

Sick leave is time off with pay for periods of non-service-related illness or incapacity of the employee, or a member of the employee's immediate family (spouse, domestic partner, child, stepchild, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) requiring the employee's personal attendance, as well as for medical and health examinations or treatments which cannot reasonably be obtained at times other than during working hours. In accordance with the Illinois Employee Sick Leave Act.

Reasons an employee's personal attendance may be required to care for an immediate family member include to ensure that an immediate family member's basic medical, hygiene, nutritional or safety needs are met or to provide emotional support to an immediate family member with a serious health condition who is receiving inpatient or home care. **Retaliation Prohibited: The Township strictly prohibits retaliation against an employee for exercising their right to use personal sick leave benefits in accordance with this policy.**

- The employee's supervisor may grant sick leave to employees to attend these appointments if the employee establishes that the appointment cannot reasonably be scheduled outside working hours.
- Use of sick leave, including to provide personal care to a family member, must be requested through the payroll system and will run concurrently with unpaid FMLA leave, to the extent sick leave is used for a FMLA-qualifying reason.
- Except in unusual circumstances, to be eligible for paid sick leave, the absence must be excused. To be considered an excused absence, the employee (or someone else on their behalf) must call, text, or email, within one hour of their scheduled starting time, unless circumstances exist that make such advance notice impracticable, and report to the employee's Supervisor or Department Head. If neither is available, the Administrator or Human Resources should be contacted. *It is not acceptable to leave word of absence with anyone else.* It is the employee's responsibility to confirm the request directly with their supervisor about the absence. This is completed when the contacted person confirms receipt of the notice via phone, text, or email. Failure to ensure confirmation could result in no pay for that day.
- Sick leave shall be allowed only in cases of necessity and actual sickness or disability of the employee.

- **Sick Leave Service Credit**

IMRF members may qualify for a maximum of one year of additional pension service credit for unpaid, unused sick leave accumulated with the Township. One month of

service is credited for every 20 days, or fraction thereof, of unpaid, unused sick leave not to exceed 240 days (one year limit).

- **Accrual:**
  - Sick leave will accrue at the following rate:
    - ~~2.885 hours per pay period for employees on a 37.5-hour workweek schedule (75 hours per year).~~
    - 3.077 hours per pay period for employees on a 40.0-hour workweek schedule (80 hours per year). [MW9]
      - No sick leave is accrued while an employee is on an unpaid leave of absence.
      - Use of sick days in advance of earning them will not be permitted.
- **Eligibility:** Regular active full-time employees shall be eligible for sick leave with pay after the completion of six months continuous full-time employment. Any absences before the completion of six months of employment are not paid.
  - Part-time, seasonal, temporary and intermittent employees and interns are not eligible for sick-days.
  - Nonexempt & exempt employees who are classified as regular, full-time employees and who have worked for the Township for at least a full calendar month are eligible to receive holiday pay.
  - Full-time employees who become part-time employees will immediately forfeit any accrued sick days they may have acquired while employed as a regular full-time employee. Forfeiture will take place on the first day of part-time employment.
- **Procedures:** Any accrual of compensated sick leave must be taken in increments of one hour.
  - Medical Statements: All full-time and part-time employees are required to provide written verification of illness or injury from a licensed medical doctor when the employee knows or anticipates that they will be absent from work for any period in excess of five consecutive workdays.
  - This policy requiring written verification from a licensed medical doctor for absence from illness or injury applies to part-time and to full-time Township employees regardless of whether the absence of the employee was compensated or not.

Any full-time or part-time employee may be asked to provide a medical verification of illness or injury from a licensed medical professional for repeated absences from work due to illness or injury.

- Persistent absenteeism or improper notification of absence may result in disciplinary action up to and including termination. **Misuse** of sick leave may result in loss of pay for the period involved and/or other discipline.
- If an employee is absent for more than five consecutive workdays without contacting their Department Head, Administrator or Human Resources, the employee will be considered to have abandoned their position and will be terminated from Township employment.

- **Termination:** upon termination of employment with the Township, there shall be no compensation for unused accumulated days of sick leave.
- **Pandemic considerations:** It is the expectation of all who work at the Township to do all possible to remain healthy and able to work. However, given the Township's experience surrounding the realities of the Pandemic in 2019, the Board of Trustees acknowledges the uncertainty of state, national, and/or international health emergencies. To that end, the Township of Schaumburg, in any event of a localized or broader community health threat will offer guidance in line with what government officials and science directs.
  - Upon a declaration of pandemic (or other such health) emergency, the Township Administrator will work with Human Resources and the Township Board to determine the appropriate expectations for the health and safety of all staff/clients.
  - Following guidance from the appropriate government entity, the Township Board will determine the appropriate course of action for staff work options (in person, remote/hybrid, or agency closure) and any applicable requirements for staff.
  - For any guidance deemed required, where individual staff members may have religious or other reasons for not aligning to guidance, the Board reserves the right to allow for various accommodations to balance guidance with personal decision-making.
- Subject to approval of the employee's supervisor and Human Resources, and only for good cause in exceptional circumstances, an employee may request up to 30 days personal leave of absence without pay. If granted, the employee does not earn vacation time or sick days for the leave period. Other benefits will depend upon the rules, regulations, or guidelines for the benefit involved.
- For sick leave in excess of five or more days, the employee must obtain a physician's certification stating that the employee is medically able to return to work.
- When job-related and consistent with business necessity, an employee's supervisor or Human Resources may also require a complete physical and/or psychological examination or medical test with a physician designated by the Township at the Township's expense at any time when in the judgment of the Township Supervisor or Human Resources (or their designee), such an examination or test may be necessary to determine the employee's fitness to perform the duties of their position, or for other purposes related to business necessity.
- All medical information relating to any employee is personal and confidential and may only be disclosed only to such other persons as is necessary in order to carry out the provisions of this Handbook and Township personnel policies. The Township will comply with any applicable provisions of the Health Insurance Portability and Accountability Act (HIPAA).
- **Maternity/Paternity Leave Policy**
  - Full-time employees will be eligible for maternity/paternity or adoption leave after successful completion of 90 calendar days of probation period with the Township.
  - Employees who pre-certify their pregnancy within the first trimester are granted

up to three work weeks, total of 15 days of paid maternity leave.

- Employees who pre-certify their spouse's pregnancy in the first trimester are granted up to two work weeks, or 10 days under maternity leave status.

Adoption Leave will be approved for employees who can exhibit the formal adoption process is underway. This leave can be approved when the employee gets physical custody of the infant.

## **Education and Training**

In addition to vacation, holidays, and sick days, an employee may be granted, at the Administrator's discretion, and with Board approval, time off for education or training. Any special arrangements for expense reimbursement, and additional time off, must be reached between the Board and the employee in advance. Educational and training provisions for Welfare Services and Assessor's Office employees shall be at the discretion of the Township Supervisor or Assessor respectively.

## **Bereavement leave**

In case of death, or for certain losses relating to pregnancy, miscarriage, failed adoption, and failed fertility treatments, in a full-time or part-time employee's family, the employee shall be granted up to 10 days off with pay. For full-time or part-time employees, the pay allowable under this section will be determined according to a pro-rata methodology as determined by the Township. Seasonal, temporary, or intermittent employees may take time off without pay. Additional time for these purposes shall be at the sole discretion of the Township Supervisor, or their designee, including the Township Administrator or Human Resources as the case may be, but subject to a maximum an additional five days total with pay.

- Family shall include parent, stepparent, sibling, current spouse or current civil partner, children or step-children, grandparents, grandchildren, spouse's family, and any relative living with the employee. Leave for extended family members may be granted in special circumstances at the Employer's discretion. These periods of time off will not reduce any vacation or other benefits to which the employee is otherwise entitled.
- Part-time employees will be paid for time off based on the number of hours they are normally scheduled to work on the days taken for the purposes set forth in this section. For example, if a funeral is the day that the part-time employee is typically not scheduled to work, then they will not receive bereavement pay.
- In the event of a death outside the immediate family, as defined above, or for extraordinary travel and unique situations, vacation or personal days may be used, subject to the approval of management. It is important to notify your supervisor as soon as possible. Documentation of the circumstances for bereavement leave may be required.
- The Township will also provide employees leave in accordance with the Child Bereavement Leave Act (820 ILCS 154/1), as amended, and will run any unpaid leave provided under the Child Bereavement Leave Act concurrently with any paid leave provided under this policy.

## Section 5

### Benefits

The Township reserves the right to add to, delete or modify benefits as necessary to meet its business demands and for other appropriate reasons. The employee benefits described in this article are mere summaries of these benefits and the actual plan documents will govern in all cases in the event of a conflict between the provisions of this Handbook and the actual plan document.

### Insurance

- **Vision, medical, and dental insurance:**

The Township offers vision, medical, and dental insurance coverage for eligible full-time employees, their eligible dependents, and long term-domestic partner, which is generally processed on the first of the month after 30 days. Eligibility is determined by the requirements of the plan. Part-time, seasonal, temporary, and intermittent employees are not eligible for these benefits, except where the Township may be obligated under federal or state law to offer them. Questions regarding insurance coverage and the eligibility requirements and terms that apply should be directed to Human Resources or refer to the Summary of Benefits and Coverage (SBC).

- **Life Insurance/Accidental Death and Dismemberment (AD&D):**

The Township provides all eligible full-time employees with a life insurance policy covering natural death and AD&D, at such level as periodically established by the Township Board. Information concerning this policy and the terms and eligibility requirements are available from Human Resources and in the SBC. Additional voluntary life insurance is available to eligible employees. The cost of voluntary life insurance is covered by the employee.

### Retirement benefits

The Township is covered by Illinois Municipal Retirement Fund (IMRF). State statute requires pension contributions to be deducted from all eligible employees' paychecks. For more information on the details of the Township's retirement benefits, employees should contact Human Resources or IMRF directly for more details.

**Facts of IMRF Tier 2 Regular Plan pension:**

- Must have at least 10 years of service credit (can include reciprocal retirement system service credit).
- Cannot be working in any position which qualifies for IMRF participation.
- Must be at least age 62.

Although you can retire as early as age 62, age 67 is your full retirement age. Your pension may be reduced if you retire before age 67, depending upon the amount of service credit you have. Unused, unpaid sick days converted to service credit cannot be used to meet the 10-year requirement for a Regular Tier 2 pension or 35-year requirement for an unreduced pension under age 67.

<b>Amount Your Pension May Be Reduced</b>		
<b>If you retire...</b>	<b>And you have...</b>	<b>Your pension will be reduced by...</b>
Between age 62 and 67	At least 10 years but less than 30 years of service credit	1/2% for each month you are under the age 67
Between age 62 and 67	At least 30 but less than 35 years of service credit	The lesser of: <ul style="list-style-type: none"> <li>○ 1/2% for each month you are under age 67 or</li> <li>○ 1/2% for each month of service credit less than 35 years</li> </ul>
At age 62 or later	At least 35 years of service credit	No reduction. You will receive your full, unreduced pension
At age 67 or later	At least 10 years of service credit	No reduction. You will receive your full, unreduced pension

### **Employee Assistance Program (EAP)**

The Township recognizes that a wide range of illnesses and problems can adversely affect an employee's health, wellbeing, and job performance. These illnesses and problems may include alcoholism, drug dependence, emotional or psychiatric illnesses, marital and/or family discord, stress disorders, legal difficulties and/or financial problems.

- As such the Township has implemented an EAP, available to all employees, to help with such illnesses and problems by providing confidential and professional assessment, short-term counseling, and/or referral services.
- While the Township believes that it is in the best interest of the employee, the employee's family, and the Township to provide an EAP, using the services offered by the EAP does not relieve an employee of the responsibilities attendant with his/her Township job.
- Additional information regarding the EAP is available through Human Resources.

### **Workers' compensation insurance, modified duty, and unemployment compensation insurance**

- Employees are provided coverage in accord with applicable federal and state law under Workers' Compensation Insurance and Unemployment Compensation Insurance Programs.
- Employees who sustain a work-related injury or illness must inform their supervisor, or in the absence of their supervisor the next available supervisor, immediately.
- No matter how minor an on-the-job accident may appear, it is important to report all accidents during work hours immediately (i.e., not more than one hour after the accident).
  - This will enable the employee to secure necessary medical treatment, and to qualify for workers' compensation benefits as quickly as possible.

- Sick days may not be used during absences due to work-related injuries or illness.

**All employees must adhere to the following conditions:**

- Any work-related injury or illness must immediately be reported directly to their Department Head, even if the employee is uncertain if the injury or illness is work-related but suspects it might be work-related.
  - Failure to immediately report an injury or illness may jeopardize the employee's eligibility for workers' compensation benefits.
- Upon notification, Human Resources, or their designee, may instruct the employee to report to a designated hospital or physician for examination or treatment. In the case of an emergency, the employee should go to the nearest hospital emergency room for treatment.
- All medical evaluations by any licensed physician must be submitted to Human Resources for the duration of the leave period for a work-related injury.
  - The Township reserves the right to have the employee examined by a licensed physician of its own choice at any time during the period of leave. This examination will be at the Township's expense, and the physician will submit the results to Human Resources.
- Unless otherwise required by law, no employee shall be allowed to return to work without a statement from a physician approving the employee's return to work without restrictions, or with restrictions for which the Township can provide a reasonable accommodation.
- The Township reserves the right to manage incidents involving work-related injuries to the fullest extent permitted under the law. Employees found to be defrauding the Township with respect to workers' compensation claims will be subject to disciplinary action, up to and including termination.
- Also, employees who fail to comply with requests and/or orders from the Township while absent from work due to a workplace injury or illness will be subject to disciplinary action, up to and including termination, as well as other sanctions or actions permitted under the law.

**Modified duty:**

The Township is committed to providing employees with available and reasonable opportunities to maintain career and employment status and benefits, and to maximize the Township's ability to provide its services offered to the public. To that end, the Township attempts to provide temporary, modified duty work for on-the-job injuries. This is done to allow an employee to return to duty as soon as possible when an on-the-job injury limits the employee's ability to perform the essential job functions of the employee's position. However, nothing in this policy shall be construed to require the Township to create a modified duty assignment for an employee. Employees will only be assigned to modified duty work when the Township determines that a need exists and only as long as such need exists.

- The feasibility of modified duty will be determined on a case-by-case basis, taking several factors into consideration, and at the sole discretion of the Township.
- These factors include, but are not limited to, the aptitude of the employee, the employee's

specific physical or mental limitations or restrictions, the work environment and the availability of suitable work.

- Generally, a modified duty assignment may be offered to an employee when there is a reasonable expectation that the employee will be able to return to regular duty within 90 days.
  - Modified duty assignments shall not exceed 90 days unless extended by Township Administrator, Board, or their designee, based upon the employee's medical condition and the ongoing availability of productive modified duty work.
    - The Township reserves the right to terminate any modified duty assignment at an earlier time if the Township determines that an employee can return to their normal job duties,
  - If the employee's treating physician or the Township's physician determines that the employee's condition is not improving while they are on modified duty, if a need no longer exists for the modified duty assignment, or for any other reason deemed appropriate by the Township.

It is the intention of any modified duty assignment to facilitate the employee's return to the workplace while ensuring that the employee remain focused on achieving maximum medical improvement so that they may return to full duty with the Township. Therefore, while on modified duty employees:

- will not be permitted to work overtime or engage in any secondary employment. However, if the employee provides written documentation to the Township from their physician that they, while medically incapable of performing the essential job functions of their position with the Township, are medically capable of performing overtime or secondary employment, then Human Resources may approve the overtime or secondary employment provided that the overtime or secondary employment does not require the employee to meet similar physical requirements of their primary position with the Township.
- must limit their physical activities to comply with the medical restrictions as outlined by their treating physician while at work as well as during their off-duty hours. Failure to adhere to the medical restrictions outlined by the physician, either at work or during off-duty hours may result in the termination of the modified duty assignment and may be grounds for disciplinary action.
- must confirm with their supervisor and/or other appropriate personnel the dates and times of all follow-up appointments, new appointments, physical therapy, etc., as needed. Each time an employee visits their physician, their work restrictions and the availability of a modified duty assignment will be re-evaluated. Whenever possible, all appointments and treatments must be scheduled outside the employee's scheduled work hours at such a time so as not to disrupt the work schedule or the operations of the department.
- must, before resuming their normal duties without restriction, submit a doctor's release stating that they are released to full duty. The Township shall have the right to send an employee to a physician of its choice to determine if the employee is fit to return to work.

## Family and Medical Leave Act (FMLA)

The Township is an employer subject to the Federal Family and Medical Leave Act (FMLA). A copy of the U.S. Department of Labor publication entitled “Your Rights Under the Family and Medical Leave Act of 1993,” WH Publication 1420, is available at the Township. FMLA leave is provided to eligible employees who need to take time off from work for specified family, medical and/or military reasons. Unpaid, job-protected leave under the FMLA is available to eligible employees for 12 weeks (or, for Military Caregiver leave, up to 26 weeks) during any one-year period, which shall begin on the date the leave begins.

The Township calculates FMLA based on a “rolling” 12-month period measured backward from the date of any FMLA leave usage also referred to as the “look-back” method. In order to determine the amount of available leave, the calculation is made each time an employee commences leave. From that date, the preceding 12-month period is examined. Any leave used during that preceding 12 months is deducted from the 12 weeks annual leave provided by law under this policy. An employee is entitled to take no more than the remaining balance of leave. When an employee takes FMLA to care for an injured service member, the FMLA 12-month period must be measured forward from the first day leave is taken. This is the only type of FMLA leave that must use this 12-month period.

General information about FMLA leave and employee rights and responsibilities under applicable law is provided below. Since the information provided is general in form, certain limitations not described in detail below may apply depending on the particular circumstances. Contact Human Resources for additional information or with questions regarding details about FMLA leaves of absence. ***FMLA also allows eligible employees of covered employers to take up to 26 work-weeks of FMLA leave in a “single 12-month period” to care for a covered service member with a serious injury or illness.***

### For taking leave:

- An eligible employee may take unpaid leave for any of the following reasons:
  - For the birth of an employee’s child, for incapacity due to pregnancy or prenatal care, to care for a newborn child, or placement for adoption, or state-approved foster care.
  - To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
  - For a serious health condition that makes the employee unable to perform the employee’s job; or
  - For a qualifying exigency (such as attending certain military events, arranging for alternative childcare, addressing certain legal and financial arrangements, and other occurrences) arising out of the fact that the employee’s spouse, child, or parent is a covered military service member on active duty, or who has been called to active-duty status; or
  - To care for a spouse, child, parent, or next of kin who is an FMLA covered service member and suffers a qualifying serious injury or illness.
  - Benefits when in approved leave of unpaid FMLA, ST or LT disability leave, a Township invoice will be generated by payroll and mailed to the employee at the beginning of each month during this period.

- **Reporting While on Leave.** If an employee takes leave because of their own serious health condition or to care for a covered relation, the employee must contact Human Resources every thirty (15) days regarding the status of the condition, and their intent to return to work.

An employee who takes FMLA leave will be required to use paid benefit leave concurrently with any period of unpaid FMLA leave. [JM11][MW12] The substitution of paid leave does not extend the FMLA leave period. Periods of unpaid FMLA leave will not be counted as time worked for purposes of seniority or computing vacation, sick leave, or personal days.

- During leave, employers are not required to pay workers, but they must maintain workers' group health insurance under the same terms and conditions as if the employee had not taken leave and they are required to give employees their jobs back when they return from leave.
- If an employee receives short-term disability or workers' compensation payments for any portion of their FMLA leave, that portion is paid to the extent permitted by applicable law and will run concurrently with the employee's FMLA entitlement. The substitution of paid benefits for such leave does not extend the FMLA leave period.
- Any family and medical leave, qualifying exigency leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12 weeks leave entitlement. Leave to care for a service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single twelve 12-month period.
- Leave because of a serious health condition may be taken intermittently (and separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours you worked per workweek or workday), if medically necessary. If leave is unpaid, the Township will reduce your salary based on the amount of time worked. In addition, while you are on an intermittent or reduced schedule leave for foreseeable, planned medical treatment, the Township may temporarily transfer you to an available alternative position, which better accommodates your recurring leave, and which has equivalent pay and benefits.

**FMLA advance notice:**

The employee must provide 30 days advance notice of FMLA leave when the leave is foreseeable. When the approximate timing of the need for leave is not foreseeable, an employee must give notice to Human Resources of the need for FMLA leave as soon as practicable, which will generally be the same day the employee learns of the need for the leave, but not later than one to two business days of when the need for leave becomes known to the employee.

**Medical certification:**

An employee requesting FMLA leave will be required to provide Human Resources with a medical certification to support a request for leave because of a serious health condition, in accordance with the FMLA. Failure to provide certification as requested may result in the delay or denial of leave. An employee taking FMLA leave because of a serious health condition is required to present to Human Resources a fitness for duty certificate prior to being restored to employment. Other certification may be required where the employee takes leave related to qualified exigencies arising from a family member's called active military duty or active status.

- The Township will require recertification for leave due to an employee's serious health

condition following the minimum duration of the condition as stated in the certification form.

- In all instances, the Township requires recertification every six months in connection with an FMLA medical leave, or more frequently as permitted by law. The Township may require recertification of an employee or family member's serious health condition at any point when circumstances have changed significantly, the Township receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of their leave.
- Employees may also be required to provide a fitness for duty certification for every 30 days of intermittent or reduced schedule leave consistent with the FMLA if reasonable safety concerns exist. The employee must notify Human Resources at least two workdays prior to the date the employee intends to report to work.

**Use of Leave/Intermittent Leave:**

FMLA leave does not need to be taken in one block of time. Leave can be taken Intermittently (in separate blocks of time or by reducing the usual number of hours worked per workweek or workday) if the leave is taken due to a serious health condition or a qualified exigency. Employees must make reasonable efforts to schedule leave for planned medical treatment or qualified exigencies so as not to unduly disrupt business operations.

**Job benefits and protection:**

For the duration of FMLA leave, the Township will maintain the employee's health coverage under any group health plan on the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave period. Any share of the health plan premiums, which had been paid by the employee prior to taking leave, must continue to be paid by the employee during the leave period. If premiums are raised or lowered, the employee will be required to pay the new premium rates.

The employee has a minimum 30-day grace period in which to make premium payments. If payment is not made timely, the employee's group health insurance may be canceled provided that the employee is notified in writing at least 15 days before the date that health coverage will lapse.

An employee will normally be returned to the same or an equivalent position with equivalent pay, benefits, and other employment terms, when the employee returns from FMLA leave. However, an employee on FMLA leave does not have any greater right to reinstatement, or other benefits, than if the employee had been continuously employed during the FMLA period. Upon requesting FMLA, the employee will be notified by Human Resources if they are a "key employee" as described in the FMLA regulations promulgated by the U.S. Secretary of Labor. A "key employee" may be notified at the time leave is requested, or upon the Township determining that such key employee's absence will cause substantial and grievous economic injury to the Township, that a "key" employee's job may have to be filled and may not be available upon the expiration of FMLA leave. *The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.*

**COBRA Benefits**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible employees and their beneficiaries to continue health insurance coverage under the

Township health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements. Please contact Human Resources for details about COBRA.

### **Personal leave**

Limited leaves for personal reasons may be granted for good cause in the mutual interest of the Township and employee, and at the discretion of the Township Board. Such leaves generally shall not exceed 90 calendar days, and while may be renewed, authorized leave shall not exceed six months. The approval of such leave may be limited by consideration of all relevant circumstances, including, but not limited to operational requirements, availability of a temporary substitute employee, the performance and attendance record of the individual, and the reason for the request. Personal leave is uncompensated, and all benefits are subject to suspension during the times leave is taken. Employees are required to use all other available paid leave benefits before using unpaid personal leave. Requests for leave should be submitted in advance, in writing, to Human Resources.

### **Jury duty**

Any person who is not legally disqualified to serve on juries and has been duly summoned for jury duty for either petit or grand jury service, shall be given time off from employment to serve upon the jury for which such employee is summoned, regardless of the employment shift such employee is assigned to at the time of service of such summons.

- The employee shall provide a copy of the Notice of Summons for jury duty to the Township within ten days of the date of issuance of the summons to the employee.
- The Township is not obligated to compensate an employee for time taken off for jury duty. However, all full-time employees who are required to serve on a jury will continue to receive regular pay, based on the regular work week for such time.
- The employee shall present a certificate evidencing their service as a juror.

### **Military reserves/ leave**

The Township complies with all legal requirements for military leaves.

### **Victims' Economic Security and Safety Act (VESSA) Leave**

Employees who are victims of domestic violence, sexual violence, gender violence, or any other crime of violence, or who have a family or household member, meaning a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household, who was a victim of domestic violence, sexual violence, or gender violence, or any other crime of violence, may take up to 12 weeks of unpaid leave in any 12-month period. This

time is to address needs for medical attention, recovery, counseling, safety planning, temporarily or permanently relocating, or taking other actions to increase safety from future or sexual violence or insure economic security, and to seek legal assistance or remedies, including preparing for, or participating in, any civil or criminal proceeding related to, or derived from, domestic, sexual or gender violence, to ensure victim safety, including court proceedings related to the violence. If you have questions relating to this form of unpaid leave, please contact Human Resources.

- At the employee's discretion, leave may be taken consecutively, intermittently, or on a reduced work schedule, provided that the aggregate amount of leave does not exceed 12 weeks.

### **Other leave (School visitation, blood donor, etc.)**

The Township recognizes employees' rights to additional forms of leave as provided by law. Please notify your supervisor if you have any questions or concerns regarding your need for time off for any reason.

## **Section 6**

### **Employment policies and procedures**

#### **Access to personnel files:**

In accordance with the Illinois Personnel Record Review Act (820 ILCS 40/1 et seq.), employees have the right to inspect their personnel file, subject to certain restrictions. Employees may review their personnel file during regular business hours upon scheduling inspection at the mutual convenience of the employee and Human Resources. Employees are expressly prohibited from removing any information from their personal files while reviewing them. An employee may also request a copy of his/her personnel file in paper form or by email. Employees must pay the actual copying cost for a paper copy.

#### **Operating Township vehicles:**

Employees who operate Township motor vehicles are required to obey all applicable laws, rules, and regulations. The Illinois Vehicle Code, as amended, mandates the use of safety belts for the driver and all passengers of public and private vehicles. The provisions of this law will apply as an official policy to all Township vehicles equipped with safety belts. An employee found to be in violation of these provisions will be subject to disciplinary action.

The Illinois Vehicle Code, as amended, regulates the use of cell phones and other electronic communication devices while driving. All cell phone use in construction zones and school zones is prohibited (even if hands free mode is used). Use of a cell phone or other electronic communication device by an employee while operating a Township vehicle must comply with the Illinois Vehicle Code requirements. An employee found to be in violation will be subject to disciplinary action.

Any traffic tickets, red light enforcement tickets, or parking fines incurred by an employee while operating a Township vehicle or personal vehicle while conducting Township business are the responsibility of the employee and must be immediately reported to the Township Administrator or Township Supervisor. All fines shall be paid by the employee. Employees are required to maintain a valid driver's license of the class required by the employee's job position

and mandatory liability insurance as required by the State of Illinois. Employees must immediately inform the Township if their license is expired, is suspended, or is otherwise restricted or invalid as a result of any on-duty or off-duty violation. Failure to do so may result in termination of employment.

Employees using personal vehicles for Township business must have a valid driver's license, title, registration, and proof of mandatory liability insurance. Employees using personal vehicles for Township business are subject to all requirements and prohibitions under the Illinois Vehicle Code, as amended, while performing work for the Township. An employee found to be in violation will be subject to disciplinary action.

#### **Commercial drivers' license (CDL), Class B:**

Following Illinois Vehicle Code, the Transportation Department Employee whose job duties require the operation of Township vehicles, must possess a valid CDL or Class B driver's license. The license allows drivers to operate straight trucks, box trucks, large buses, and dump trucks. Working as a commercial driver involves significant physical activities. Township Transportation Drivers are required to have the CDL Medical Examiner's Certificate, which must be validated every two years depending in age brackets requirements of the state (except if a medical recommendation notes it needs to be renewed sooner), and additional random drug test required by the state for all bus drivers of the Township.

#### **Disciplinary policy:**

Nonperformance or improper performance of duties or assignments, violation of employment rules or policies, misuse of Township facilities and properties, or any other act or omission not in the best interests of the Township may subject an employee to disciplinary action. The actions that may be taken by the Township include written or verbal warnings, performance improvement plan, suspension without pay, or termination. While the Township retains its sole discretion to determine the form of discipline warranted in each situation, it supports the use of progressive discipline procedures.

#### **Disciplinary guidelines:**

The Township retains sole discretion to determine in each situation which form(s) of discipline are appropriate, and there is no requirement that an employee be warned, counseled, placed on performance improvement plan, or suspended without pay, prior to being terminated.

- A supervisor may provide verbal or written warnings to an employee as a means to identify and respond to behavior that the supervisor deems unacceptable.
- A verbal warning occurs when a supervisor verbally counsels the employee regarding problematic behavior.
- A written record of the discussion, noting the date, event, and recommended action, may be placed in the employee's file for future reference. A written warning is generally used in response to behavior that the supervisor deems to be a more serious violation, or where a verbal warning has not resulted in a satisfactory change in the employee's behavior.
- The Township also reserves the right to place an employee on a "Performance Improvement Plan" if they are involved in a disciplinary situation that cannot be readily resolved, or when they demonstrate an inability to perform assigned work responsibilities efficiently.

- The types of behavior and conduct that the Township considers inappropriate, and that could lead to disciplinary action up to and including suspension or termination of employment immediately and with or without prior warning, include, but are not limited, to the following:
  - A. Incompetence, negligence, misconduct, or inefficiency in the performance of assigned duties.
  - B. Abusive, threatening, offensive attitude, language or conduct, toward a member of the public, a Township official, or other employee.
  - C. Abusive conduct resulting in physical harm or injury to another employee, or to a member of the public.
  - D. Fraud, Theft or unauthorized possession of Township property, or the property of fellow employees or others, regardless of value.
  - E. Insubordination, including failure or refusal to promptly carry out the orders or instructions of a supervisor or Department Head (Note: This includes the failure or refusal to work overtime required by the Township.).
  - F. Acts of dishonesty, including falsification or alteration of attendance records, time records, or other Township documents.
  - G. Misrepresentation or omission of material facts on an employment application, resumé, or other document used to secure or retain employment with the Township.
  - H. Manufacturing, distributing, dispensing, selling, possessing, using, being impaired by, or under the influence of alcohol, controlled substances (including unprescribed use of lawful medication), cannabis or illegal drugs, while on duty, or on Township property.
  - I. Using or possessing firearms, explosives, or other dangerous weapons, while on duty or on Township property in an unauthorized manner.
  - J. Any act or occurrence during employment that would have disqualified an individual from initial employment, including conviction of a criminal offense bearing on the performance of job duties. Per Illinois law, the Township allows employees be provided with due process before adverse action is taken based on a criminal conviction.
  - K. Violating the Township's policy or rules regarding attendance and punctuality; excessive absenteeism.
  - L. Failing to provide adequate and acceptable verification of illness or injury, or substantiating documentation for absences due to other reasons, with the exception of using the PLAW leave time, or failing to submit to a medical examination when it is job-related and consistent with business necessity.
  - M. Absence without leave for a period of three days, or failure to report following the expiration of an approved leave of absence.
  - N. Misrepresentation regarding a leave of absence, or obtaining other employment during a leave of absence, without proper authorization from the Township.
  - O. Engaging in discriminatory, harassing, or other conduct that violates the Township's Equal Employment Opportunity/Unlawful Harassment Policy.

- P. Using working time for personal matters; use of Township equipment, property, or material personal use, or for any other inappropriate purpose.
- Q. Unauthorized or excessive use of the Township's telephones, equipment, or supplies.
- R. Damaging or improperly using, caring for, or maintaining Township property, including tools, equipment, machinery, databases, or software.
- S. Exceeding time limits on break or lunch periods or taking break or lunch periods at other than designated times without proper authorization.
- T. Stopping or leaving work before the end of a scheduled work period without proper authorization.
- U. Sleeping, loafing, or wasting time during a scheduled work period.
- V. Failing to observe any of the Township's safety policies or rules or engaging in other unsafe or unhealthy conduct.
- W. Unauthorized examination, use, or disclosure of Township records or confidential information.
- X. Violating the Township's policy regarding business ethics/conflict of interest.
- Y. Failure or refusal to cooperate with an internal investigation.
- Z. Failure to maintain licenses, registration, etc. reasonably required for the position.
- AA. Any other misconduct as determined by the Township.

**Non-disciplinary grievance procedure:**

In instances other than for Discipline of Township Employees where an employee grievance cannot be settled informally, the employee shall submit a dated, written grievance to the Town Clerk, and then the following shall apply. No grievance procedure is applicable for discipline issued to Township employees.

- A. Within 30 workdays of submitting the dated, written grievance to the Town Clerk and the applicable Department Head, the Town Clerk shall convene a meeting to be attended by a Personnel Grievance Committee comprised of the Town Clerk, the Township Supervisor and the appropriate Township Official for the employee's department who shall be determined by the Supervisor and Town Clerk.
- B. The employee's Department Head shall not be present at this meeting unless requested by the Personnel Grievance Committee, but the attendance of the employee filing the written grievance is mandatory.
- C. The employee will be granted the opportunity to present their grievance to the Personnel Grievance Committee, and the proceeding will be recorded.
- D. No stenographer shall be present, but the employee shall be provided a copy of the recording if requested. However, the Committee and the employee may question any witness who appears before the committee.
- E. The Personnel Grievance Committee may consult with the employee's Department Head at an appropriate point during the meeting but in no event later than five workdays after the meeting unless circumstances beyond the Committee's control require this to occur.
- F. The Committee's decision must be made within 14 workdays after the conclusion of the meeting but may be made at the conclusion of the meeting.

- G. All decisions of the Personnel Grievance Committee shall be in writing and prepared within 14 workdays of the conclusion of the meeting. Explanations of the decision shall not be elaborate but rather limited to a concise explanatory statement of the disposition of the matter.
- H. The decision of the Committee shall be binding on the Township. The grieving employee may appeal an adverse decision of the Committee to the Supervisor and the Township Board of Trustees within 10 workdays of the Committee's dated, written decision. This written notice of appeal shall be made, dated and given to the Town Clerk.
- I. Upon receiving the dated, written notice of the employee's intent to appeal the Committee's decision, the Town Clerk shall see that the grievance is set for review by the Township Supervisor and Board of Trustees in executive session within 60 days of the receipt of written notice by the Town Clerk.
- J. The Township Supervisor and Board of Trustees will meet in closed session, either before or after a regularly scheduled Township monthly meeting or call a special meeting, but in no event sooner than after 14 calendar days' notice to the employee of the meeting to review the Committee's decision.
- K. The employee, if present, will be granted an opportunity to state their grounds for the appeal either personally or by an attorney.
- L. No witnesses will testify at the appeal session for the employee or the Committee.
- M. The Supervisor and Township Board of Trustees must vote to affirm, modify or overturn the Committee's decision, and shall do so during the open meeting at the next regularly scheduled Township meeting, but in no event sooner than 14 calendar days.
- N. The record of the appeal held in closed session shall also be recorded electronically with a copy available to the employee at their request.
- O. Any grievance of a Department Head that is not informally resolved with the Township Administrator, shall then be dated and put in writing for appeal to the Township Supervisor and Board of Trustees who shall hear the Department Head's appeal from the decision of the Township Administrator in closed session in the same manner as for other Township employees. Voting must take place in open session in accordance with the Open Meetings Act.

**Resignation or separation:**

It is requested that resignations be given in writing to the employee's supervisor. An employee who is separated from Township service, whether voluntarily or involuntarily, will be held responsible for the return of Township property, keys and records in their possession at the time of separation. Such property must be returned to the Township upon separation. Failure to return property may necessitate Township action for recovery.

- Terminating employees are strongly encouraged to have an exit interview with Human Resources.
- Final Pay: The final compensation for any employee shall be paid on the next regular pay period following the effective date of said employee's termination.

## **Section 7**

### **Dress Code Policy**

The goal is to maintain the Township's best professional atmosphere, in part, by the image we present to our citizens and the community of Schaumburg. We expect all employees to present a neat, well-groomed appearance and a courteous disposition.

Appropriate attire is expected from all Township employees while they are on the Township premises, or while they are representing the Township during Township-related or Township-sponsored activities.

- All employees who have contact with the public should wear business-casual attire. Casual business wear means clean, neat, professional clothing. Understanding various fashion trends, the Township prohibits *excessively* distressed (ripped, torn, etc.) clothing as work attire.
  - It is never appropriate to wear stained, wrinkled, or revealing clothing in the workplace. Shoes or sandals should fit properly so that they can be worn safely to avoid personal injury.
  - Clothing that is stained, frayed, distressed, or otherwise 'worn out' by wear/tear should not be worn. Clothing that promotes or alludes to profanity, alcoholic beverages, tobacco, controlled substances or items which depicts violence, is of sexual nature or a disruptive nature or reveals undergarments, are prohibited.
- Employees should err on the side of caution; if an item is questionable, another item of clothing should be selected.

#### **Township-issued uniforms:**

The Township of Schaumburg believes employees serving in specific employment positions with high public visibility should have a common uniform appearance; to exhibit a professional appearance to the public; to provide the public the ability to readily identify a Township employee; to provide employees a set of work clothes; and to create a "team spirit" among employees. Uniforms will be issued by the Township according to the following policy:

The Department Head shall have jurisdiction over uniform specifications with final approval of the Township Administrator. Only specific employment positions will be required to wear the uniform. These positions include:

- Full- and part-time bus drivers.
- All employees working in the Building and Grounds Department.
- Security personnel.

Employees will be given an appropriate number of sets of uniforms so that it is possible to have a clean uniform available for every workday. The standard elements of the uniform provided by the Township shall include:

- Long/short sleeve shirt with Township logo.
- Bus Drivers and Building and Grounds Department will also receive, heavy cold weather jacket and light windbreaker with Township logo as well as a pair of safety shoes.
- Employees are responsible for laundering, keeping them in a neat, professional appearance.

## **Section 8**

### **Policy Against Discrimination and Harassment**

The Township of Schaumburg is committed to maintaining a work environment which is free from all forms of harassment or discrimination of any kind. In keeping with this commitment, the Township prohibits and will not tolerate any form of harassment or unlawful discrimination, including harassment or discrimination on the basis of actual or perceived race, color, religion, creed, sex, gender identity, gender expression, pregnancy, childbirth, medical or common conditions relating to pregnancy or childbirth, ancestry, national origin, age, disability, association with a disabled person, sexual orientation, marital status, citizenship status, genetic information, arrest record, conviction record, military status, unfavorable discharge from military service, order of protection status, status as a victim of domestic violence, sexual violence, gender violence, or other crime of violence, traits associated with race, including but not limited to hair texture or protective styles such as braids, twists, or locks, or other legally protected group status, by its employees or against its employees by anyone, including supervisors, co-workers, officers, agents, vendors, customers or any third party. This Policy is intended to assure that the Township of Schaumburg is taking all steps to prevent harassment and discrimination in the workplace and to correct harassing or discriminatory conduct that does occur before it becomes severe or pervasive.

"Harassment" means any unwelcome conduct on the basis of an individual's actual or perceived race, color, religion, creed, sex, gender-identity, gender-expression, sexual orientation, pregnancy, childbirth, medical or common conditions relating to pregnancy and childbirth, genetic information, national origin, age, physical or mental disability, association with a disabled person, ancestry, marital status, military status, arrest record, conviction record, unfavorable discharge from military service, order of protection status, status as a victim of domestic violence, sexual violence, gender violence, or other crime of violence, citizenship status, traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, or twists, or any other classification protected under federal or state law that has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment. For purposes of this definition, the phrase "working environment" is not limited to a physical location an employee is assigned to perform his or her duties.

Township of Schaumburg employees and officials bears the responsibility to refrain from discrimination or harassment in the workplace. Township employees who engage in discriminatory or harassing conduct may be subject to disciplinary action, up to and including termination of employment with the Township of Schaumburg. Furthermore, it is the responsibility of all supervisors to make sure that the work environment is free from harassment or discrimination of any kind.

The Township of Schaumburg also prohibits retaliation of any kind against anyone who has complained about discrimination or harassment, whether that concern relates to discrimination against or harassment of the individual raising the concern or against another individual. The Township does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction conduct in violation of this policy on the

part of any employee, member of management, elected official, appointed official or non-employee.

### **Definitions and prohibited conduct**

#### **Sexual harassment:**

For purposes of this Policy, sexual harassment/discrimination means any harassment or discrimination on the basis of an individual's actual or perceived sex or gender, including unwelcome sexual advances or requests for sexual favors, or any conduct of a sexual nature, when:

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

Sexual harassment can occur between individuals of the same or different sex or gender-identity. This behavior is unacceptable in the workplace itself and in other work-related settings such as business trips, court appearances and business-related social events.

Sexual harassment can affect the victim and other employees as well. Conduct in violation of this policy has no legitimate business purpose. Prohibited acts of sexual harassment may include a range of subtle or overt behaviors and may involve individuals of the same or different gender. Examples of conduct that may constitute sexual harassment include but are not limited to:

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

Sexual harassment can include any harassment directed at an employee on the basis of sex.

#### **Harassment and discrimination on the basis of any other protected status:**

Prohibited harassment or discrimination consists of unwelcome conduct of any kind, whether verbal or physical, or disparate treatment based upon a person’s actual or perceived race, color, religion, creed, sex, gender identity, gender expression, pregnancy, childbirth, medical

or common conditions relating to pregnancy or childbirth, ancestry, national origin, age, disability, association with a disabled person, sexual orientation, marital status, citizenship status, genetic information, arrest record, conviction record, military status, unfavorable discharge from military service, order of protection status, status as a victim of domestic violence, sexual violence, gender violence, or other crime of violence, traits associated with race, including but not limited to hair texture or protective styles such as braids, twists, or locks, or other legally protected group status.

- Harassing conduct can include, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail, instant messaging, texts, Internet or computer usage) because of his or her actual or perceived protected status.

The Township will not tolerate harassing or discriminatory conduct in violation of this policy.

**Individuals covered under the policy:**

This policy covers all officers, employees, interns and volunteers of the Township of Schaumburg. The Township of Schaumburg will not tolerate, condone or allow harassment or discrimination, whether engaged in by fellow employees, supervisors, officers, interns, volunteers, agents or by other non-employees who conduct business with the Township of Schaumburg. The Township of Schaumburg requires that all incidents of harassment and discrimination be reported, regardless of who the offender may be, and the Township will promptly investigate all reported incidents. Where the alleged offender is not an employee, officer, intern, volunteer or agent of the Township of Schaumburg, the Township Administrator or their designee, in consultation with the complainant, will review the complaint and make every effort to identify a reasonable remedy if harassment or discrimination has been confirmed.

**Responsibility of supervisory employees:**

Each supervisor is responsible for maintaining the workplace free from harassment and discrimination. This is accomplished by promoting a professional environment and by dealing with harassment and discrimination as with all other forms of employee misconduct. In addition, all supervisors are required to report complaints of harassment or discrimination to the Township Administrator.

A supervisor must address an observed incident of harassment or discrimination or a complaint, with seriousness, take prompt action to investigate it, report it, and end it, and implement appropriate disciplinary action. This also applies to cases where an employee tells the supervisor about behavior that constitutes sexual harassment, or other harassment or discrimination, but does not want to make a formal complaint. In addition, supervisors must ensure that no retaliation will result against an employee making a complaint of harassment or discrimination.

**Responsibility of individual employees:**

Each individual officer, employee, volunteer or intern has the responsibility to refrain from harassment and discrimination in the workplace and to report incidents of harassment or discrimination, even if just observed. An individual employee who harasses or discriminates against a fellow employee is, of course, liable for his or her individual conduct and will be subject to disciplinary action, up to and including termination of employment.

### **Complaint process:**

While the Township of Schaumburg encourages individuals who believe they are being harassed or discriminated to firmly and promptly notify the offender that his or her behavior is unwelcome, the Township of Schaumburg also recognizes that an employee may not feel comfortable doing so. If you are advised by another person that your behavior is offensive, you must immediately stop the behavior, regardless of whether you agree with the person's perceptions of your intentions. The following procedure should be followed by any employee, officer, volunteer or intern who has been the victim of conduct in violation of this policy or who has witnessed conduct in violation of this policy.

- **Reporting of incident:** All employees are required to report any suspected harassment or discrimination to his or her Department Head, except where the Department Head is the individual accused of harassment or discrimination. In that case, the complaint should be reported to a Department Head of another Department or the Township Administrator of the Township of Schaumburg. If the harasser is the Township Administrator, the problem should be reported to the Township Supervisor. In the case of an instance of sexual harassment, if the victim prefers to report the suspected harassment to someone of the same gender as that of the victim, the complaint can be reported to a Department Head of another Department. The report may be made initially either orally or in writing, but reports made orally must ultimately be reduced to writing.
- **An elected official of a governmental unit can bring a complaint against an elected official of the Township by advising the Administrator or Human Resources. The Township will assign an independent reviewer to investigate such complaints.**
- **Investigation of complaint:** When a complaint of harassment or discrimination has been reported, the Township Administrator or their designee will make a determination as to whether a detailed fact-finding investigation is necessary. (For example, if the alleged harasser does not deny the accusation, there would be no need to interview witnesses, and the Township could immediately determine appropriate corrective action). If a fact-finding investigation is necessary, the Township Administrator or their designee will initiate an investigation of the suspected harassment or discrimination promptly upon receipt of the complaint. The fact-finding investigation will include an interview with the employee(s) who made the initial report, the person(s) towards whom the suspected harassment was directed and the individual(s) accused of the harassment or discrimination. Any other person who may have information regarding the alleged harassment or discrimination may also be interviewed.
- **Report:** The person responsible for investigating the complaint will objectively gather and consider the relevant facts and shall prepare a written report within ten working days of his/her completion of the investigation of the harassment or discrimination unless extenuating circumstances prevent him/her from doing so. The report shall include a finding that harassment or discrimination occurred, harassment or discrimination did not occur, or there is inconclusive evidence as to whether harassment or discrimination occurred. The findings of the investigation will be given to the employee(s) who made the initial report, the employee(s) to whom the suspected harassment or discrimination was directed, and the individual(s) accused of the harassment or discrimination. Any

employee found to be in violation of this policy is subject to discipline up to and including termination.

- **Records and confidentiality:** Employees who report incidents of harassment or discrimination are encouraged to keep written notes and to keep copies of other relevant records that may assist in the investigation. Every effort shall be made to keep all matters related to the investigation and various reports confidential, to the extent permissible under the law.
- **Timeframe for reporting complaint:** The Township of Schaumburg encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. An employee should not wait until the situation becomes unbearable. Delayed reporting of complaints will not, in and of itself, preclude the Township of Schaumburg from taking remedial action.
- **Protection against retaliation/retaliation prohibited:** The Township of Schaumburg will not in any way retaliate or permit any employee, officer or agent of the Township to retaliate against an individual who makes a report of harassment or discrimination or provides information related to such report. Any witness to an incident or participant in any investigation of harassment or discrimination is also protected from retaliation. Retaliation is a serious violation of this Anti-Harassment/Anti-Discrimination Policy and should be reported immediately.
  - Any person found to have retaliated against another individual for reporting harassment or discrimination will be subject to the same disciplinary action provided for harassment/discrimination offenders, meaning disciplinary action up to and including termination of employment.
  - No one making a complaint of harassment or discrimination or providing information related thereto will be retaliated against even if a complaint made in good faith is not substantiated.
  - Similar to the prohibition against retaliation as set forth in this policy, whistleblower protection from retaliatory action is afforded under the State Officials and Employees Ethics Act (5 ILCS 430/15-10; 5 ILCS 430/70-5), the Whistleblower Act (740 ILCS 174/15(a)) and the Illinois Human Rights Act (775 ILCS 5/6-101).

### **Discipline/Sanctions**

Disciplinary action will be taken against any employee found to have engaged in harassment or discrimination of any other employee. The extent of sanctions may depend in part upon the length and conditions of employment of the particular employee and the nature of the offense. The Township of Schaumburg has the right to apply any sanction or combination of sanctions, up to and including termination, to deal with unreasonable conduct, harassment or discrimination.

- Where a hostile work environment has been found to exist, the Township of Schaumburg will take all reasonable steps to eliminate the conduct creating such an environment.

In addition to any and all other discipline that may be applicable pursuant to the Township's policies, employment agreements, procedures, and/or employee handbooks, any person who

violates this policy or the prohibition on sexual harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable discipline or discharge by the Township and any applicable fines and penalties established pursuant to local ordinance, state law or federal law. Each violation may constitute a separate offense. Any discipline imposed by the Township shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

**False and frivolous complaints:**

If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions, up to and including termination. False and frivolous charges do not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for an individual accused of harassment or discrimination, a false and frivolous charge is a severe offense that can itself result in disciplinary action, including termination.

**Education/training:**

Education and training for employees at every level of the Township is critical to the success of the Township's policy against harassment and discrimination. The Anti-Harassment/Anti-Discrimination Policy will be distributed to all officials, employees, interns and volunteers of the Township. All officials, employees, interns and volunteers are required to read and sign a receipt of the Township's policy. In addition, officials and employees will receive annual training regarding the Township's Anti-Harassment/Anti-Discrimination Policy.

A person who fills a vacancy in an elective or appointed office and all newly hired employees will complete his or her initial harassment and discrimination prevention training program within 30 days after commencement of his or her office or employment and annually thereafter.

The training shall include, at a minimum, the following:

- The definition and a description of sexual harassment, unlawful discrimination, and harassment, including examples of each;
- Details on how an individual can report an allegation of sexual harassment, unlawful discrimination, or harassment, including options for making a confidential report to a supervisor or the Illinois Department of Human Rights (IDHR);
- The definition and description of retaliation for reporting sexual harassment, unlawful discrimination, or harassment allegations utilizing examples, including availability of whistleblower protections under the Workplace Transparency Act, the Whistleblower Act, and the Illinois Human Rights Act; and
- The consequences of a violation of the prohibition on sexual harassment, unlawful discrimination, and harassment and the consequences for knowingly making a false report.

**External procedures for filing a complaint of harassment or discrimination.**

The Township of Schaumburg hopes that any incident of harassment, discrimination or retaliation can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the IDHR and/or the United States Equal Employment Opportunity Commission (EEOC). A charge must be filed within 300 days of the incident. In addition, an appeal process is available through the Human Rights Commission (IHRC), after the IDHR has completed its investigation of the complaint.

- **IDHR:**  
CHICAGO- 312-814-6200  
TTY- 866-740-3953
- **IHRC:**  
Chicago- 312-814-6269  
Chicago TTY- 312-814-4760
- **EEOC:**  
CHICAGO: 800-669-4000  
TTY: 800-869-8001

## ***Section 9.***

### **Drug-free workplace/ Alcohol policy**

Township of Schaumburg has implemented this policy, and related procedure, in response to overwhelming evidence that alcohol and drug abuse has a detrimental impact on employees' health, well-being, job performance, safety, and efficiency. The policy expresses the Township's desire to satisfy the requirements of the Federal and State Drug Free Workplace Acts. In accordance with these statutes and concerns, the Township has resolved to maintain an alcohol and drug free workplace. Township of Schaumburg will not condone any conduct inconsistent with the goal and policy of a Drug Free Workplace Act, including:

- The manufacture, distribution, dispensation, sale, possession, or use of alcohol, illegal drugs, cannabis, or controlled substances, at the workplace while otherwise conducting Township business, whether on or off the Township premises.
- Abusing any drug, although legally obtained (such as a prescription drug), by not using the drug for prescribed purposes, not taking the drug according to prescribed dosages at the workplace, while otherwise conducting Township business, whether on or off the Township premises.
- Being impaired by, or under the influence of, alcohol, cannabis, illegal drugs, or controlled substances at the workplace, while otherwise conducting Township business, whether on or off the Township premises.
- Other conduct off-the-job that is inconsistent with this policy, and which adversely affects an employee's job performance, the safety of other employees and the public, and the public's trust, such as the illegal manufacture, distribution, dispensation, sale, possession, or use of illegal drugs or controlled substances.

The Township will not penalize an employee or applicant solely for his/her status as a registered qualifying patient or registered designated caregiver under the Compassionate Use of Medical Cannabis Program Act, unless failing to do so would put the Township in violation of federal law or unless failing to do so would cause it to lose a monetary or licensing-related benefit under federal law or rules. The Township prohibits the use and storage of both medical and recreational cannabis on its property, at all workplaces and in any employer-owned vehicles.

Individuals who are registered users of medical cannabis in accordance with the Compassionate Use of Medical Cannabis Program Act and individuals who use cannabis in accordance with the Cannabis Regulation and Tax Act may not report to work under the influence

of cannabis. This policy prohibits the undertaking of any task under the influence of cannabis, when doing so would constitute negligence, professional malpractice or professional misconduct. Any violation of this policy may result in immediate discharge and may subject an employee to legal action.

Employees who drive commercial motor vehicles, operate or repair heavy or large mobile equipment or perform other safety-sensitive functions including drivers and facility/ maintenance staff, in addition to the prohibitions above must not consume alcohol for four hours prior to duty time and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever comes first.

### **Definitions**

For purposes of this Policy and Procedures, the following definitions apply:

- **“Alcohol”** means any substance containing any form of alcohol, including, but not limited to ethanol, methanol, propanol, and isopropanol.
- **“Cannabis”** is defined as provided in the Cannabis Control Act (720ILCS 550/1 *et seq.*), which provisions are specifically incorporated in this Policy/Procedure by reference.
- **“Controlled Substance”** means a controlled substance and Schedules I – V of Section 812 of Title 21, of the United States Code, which provisions are specifically incorporated in this Policy/Procedure by reference.
- **“Criminal Drug Statute”** means a criminal statute involving the manufacture, distribution, dispensation, possession, or use of any controlled substance or cannabis.
- **“Township Property”** means any building, office, common area, open space, vehicle, parking lot, or other area owned, leased, managed, used, or controlled by the Township. Township Property also includes property used by Township’s patrons while on Township sponsored events, or field trips, or property of others, when presence therein by the Township employee is related to employment with the Township.
- **“Drugs”** means illegal drugs, **cannabis**, and controlled substances.
- **“Legal Drugs”** means prescription drugs and over-the-counter drugs, which have been obtained legally and are being used in the manner and for the purpose for which they were prescribed or manufactured.
- **“Medical Facility”** means any physician, laboratory, clinic, hospital, or other similar entity.
- **“Policy”** means Township of Schaumburg Alcohol and Drug-Free Workplace Policy.
- **“Procedure”** means Township of Schaumburg Alcohol and Drug-Free Workplace Procedure.
- **“Positive Alcohol Test”** means that it has been determined through medical testing that the blood alcohol content is at least 0.04, or a refusal to submit to testing.
- **“Positive Drug Test”** means the specimen submitted contains traces of any of the following five drugs being tested for: marijuana, cocaine, amphetamines, opiates, and phencyclidine.
- **“Possess”** means to have either in or on an employee’s person, personal desk, files, or other similar area.
- **“Refusal to Submit”** to alcohol or controlled substances test means any of the following:
  - Fails to provide adequate urine, breath, or blood, or such similar substance as the medical facility or legal counsel may recommend for testing without a valid medical explanation after receiving notice of the requirements for testing.

- Engages in any conduct that clearly obstructs the testing process.
- Refuses to go to a testing site to be tested.

**“Under the Influence”** means that alcohol or drugs affect the employee in any determinable manner. Disciplinary action, up to and including termination from employment may be based on the conclusion that an employee is or was under the influence as established by a medical professional’s opinion, a scientifically valid test, specific articulable symptoms observed in the workplace by a reliable witness. A registered qualifying user of medical cannabis under the Compassionate Use of Medical Cannabis Program Act must first be given a reasonable opportunity to contest the basis of the suspected impairment before being subject to discipline based on the employer’s good faith belief of impairment. A user of cannabis under the Cannabis Regulation and Tax Act must also first be given a reasonable opportunity to contest the basis of the suspected impairment before being subject to discipline based on the employer’s good faith belief of impairment.

### **Voluntary treatment**

It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to disciplinary action. The Township will not discipline an employee who voluntarily seeks treatment for a substance abuse problem, if the employee is not in violation of the Township’s Drug and Alcohol Policy, or other rules of conduct. Seeking such assistance will not be a defense for violating the Township’s Drug and Alcohol Policy, nor will it excuse or limit the employee’s obligation to meet the Township’s policies, rules of conduct, and standards, including, but not limited to those regarding attendance, job performance, and safe and sober behavior on the job.

- Employees who suffer from alcohol or drug abuse are encouraged to consult voluntarily with Township management and undergo appropriate medical treatment.
- Participation in such treatment will be at the employee’s expense, although some of these expenses may be covered under the employee’s group health plan.
- Township management will attempt to keep such voluntary discussions and medical treatment confidential in accordance with this Procedure.

### **Screening and testing**

The screening or testing initiated by the Township will be conducted by a medical facility selected by the Township at the Township’s expense. The screening or testing may require an analysis of the employee’s breath, urine, blood, or such similar substance as the medical facility or legal counsel may recommend. Under circumstances established by the National Institute on Drug Abuse (NIDA) and the Department of Health and Human Services (DHHS), if the collector has reason to believe that the specimen is: 1) not that of the donor, or 2) has been adulterated or altered, the donor may be asked to provide a fresh specimen in the presence of a witness within eight hours.

Collected specimens shall be tested for evidence of marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP) use. Employees who undergo alcohol or drug screening or testing will be given the opportunity, prior to the collection of the specimen or other testing, to disclose the use of legal drugs, and to explain the circumstances of their use. If an initial test is positive, a second test will be conducted from the same sample. A confirmed positive drug and/or alcohol test may result in disciplinary action, up to and including discharge.

Drug and Alcohol Testing of any employee is to be conducted at a time and place of the Township's choice based on any of the following reasons:

- **Pre-Employment:** Drug and alcohol testing may be conducted for prospective employees, as a final prerequisite in the Township's employment selection procedure. All applicants for positions in which Township vehicles are driven will partake in pre-employment testing.
- **Post-Accident:** Drug and alcohol testing will be conducted for individuals involved in any "qualifying accident," as defined below, based on the individual circumstances surrounding the accident and the employee's conduct. Testing will take place as soon as possible following the accident. Intentional delay in reporting an accident will be grounds for disciplinary action up to and including discharge from employment.
- For purposes of this Policy, "qualifying accident" means any work-related accident resulting in:
  - The death of a human being; and/or
  - Bodily injury to any person who, as a result of the injury, receives professional medical treatment; and/or
  - Property damage in the amount of \$1,000.00, or greater, based on reliable estimates;

Where the Township has reasonable cause to believe that an employee's drug or alcohol use may have contributed to cause the accident.

- **Reasonable cause:** Drug and Alcohol testing will be required if a supervisor, has reasonable cause to believe that the individual is under the influence of alcohol, or a legal or illegal drug. The Township will transport the individual to the testing site. The individual will then be taken home. Reasonable cause may be determined based on: specific objective facts (provided by reliable, and credible sources, or independently corroborated) and rational inferences that may be drawn from these facts; and/or physical symptoms of being under the influence of alcohol or drugs, such as abnormal or erratic behavior/speech, or body odors.

The results of any breath, blood, urine, analysis shall be kept strictly confidential among the tested individual, the clinic, any outside laboratory used by the clinic for analysis, and the Township. However, the Township may use the results to decide upon an action to be taken towards tested individuals, or to the extent necessary to defend its actions in any subsequent legal or other proceeding.

Depending upon the circumstances and the employee's work history/record, the Township may offer an employee who violated this policy, or tests positive, the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up testing at times and frequencies determined by the Township. If the employee either does not complete their rehabilitation program, or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

Human Resources is aware that the above is circumstance specific. Therefore, each situation will be addressed on a case-by-case basis. When testing under the circumstances of reasonable cause, or post-accident, the employee will not be permitted to return to work until the test results are received from the testing laboratory:

- If the test results are negative, and the employee has not otherwise violated any work rules,

the employee will be paid for time lost while awaiting test results.

- A positive test may result in disciplinary action, up to and including discharge.

If, at any time, an employee, or prospective employee, refuses to submit to testing, it will be treated as a positive test and the appropriate procedures will be followed, which may include non-qualification for a position, discipline, treatment, or discharge from employment.

#### **Use of legal drugs**

Any employee who performs safety-sensitive functions and has taken a legal drug must report the nature of side effects of such legal drug to their immediate supervisor, if the legal drug may cause drowsiness, or if it may alter judgment, perception, or reaction time, or otherwise impair the employee's ability to safely perform the duties of the employee's job. The burden is on the employee to ascertain from the employee's doctor or pharmacist whether the legal drug may have such a potential side effect. The information will be retained by the Township, in a confidential manner, and shall be disclosed only to persons who need to know. The employee's immediate supervisor, after conferring with the department, shall decide whether the employee may safely continue to perform the job while using the legal drug, or if the employee must be sent/taken home and benefit time used, if available. Failure to disclose the use of such legal drugs may be cause for discipline, up to and including dismissal.

#### **Notice of Convictions**

Any employee who is convicted of, or assigned supervision or probation, for violating any federal or state criminal drug statute must notify Human Resources and/or direct supervisor within five days of such court action. For purposes of this notice requirement, a conviction includes a finding of guilt, a no contest plea, and/or imposition of sentence by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, sale, dispensation, possession, or use of any controlled substance. Failure to notify Human Resources may subject the employee to disciplinary action, up to and including dismissal.

#### **Discipline/penalties for violation**

In addition to, or as an alternative, depending on the circumstances as determined by the Township and its sole discretion, the Township may require the employee to successfully complete an alcohol and/or drug abuse assistance or rehabilitation program approved for such purposes by the Township, and by a federal, state, or local law enforcement or other appropriate agency. Employee who participates in a treatment program will be expected to meet job performance standards and comply with all rules established by the Township.

Participation in a treatment program will not protect the employee from disciplinary actions should job performance remain unsatisfactory. Where the Township decides to discipline an employee solely on its determination that the employee is under the influence or impaired by drugs or alcohol without obtaining a medical professional opinion or scientifically valid test, the Township will offer the employee an opportunity to contest the basis for the determination that the employee is under the influence or impaired prior to imposing final discipline.

Depending upon the circumstances and the employee's work history/record, the Township may offer an employee who violated this policy, or tests positive, the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up testing at times and frequencies determined by the Township. If the employee either does not complete their rehabilitation program, or tests positive after completing the rehabilitation program, they will

be subject to immediate discharge from employment.

## ***Section 10***

### **Violence-free workplace policy**

The Township is committed to promoting a safe work environment free of violence, harassment and intimidation. Behaviors that are abusive, obscene or considered to be threatening conduct or communication that is intended to harass, annoy, alarm, torment, embarrass or injure another will not be tolerated.

- While on duty or on Township property, employees shall not use obscene or abusive language or offensive gestures in their communication with coworkers or members of the public; employees shall not by oral, written, electronic or other means of communication threaten or intimidate coworkers or members of the public; and employees shall not physically endanger, intimidate or injure coworkers or members of the public.

Such conduct will not be tolerated. Employees who engage in such conduct will be subject to discipline, up to and including termination.

Township employees are required to report incidents of threats or acts of physical violence of which they are aware directly to their Department Head, Human Resources or the Township Administrator. Each incident of violent behavior, whether the incident is committed by another employee or a member of the public, must be reported to the Department Head, Human Resources or Township Administrator immediately.

If an employee is aware of a threat of imminent physical harm to themselves, another employee or member of the public, the employee should attempt to remove themselves from the dangerous situation and immediately notify appropriate emergency personnel by engaging the nearest panic button, and/or calling "911." The employee must report this emergency call immediately to their supervisor or, in the event the immediate supervisor is not available to another management employee immediately.

In critical incidents in which a serious threat or injury occurs, emergency responders such as police or fire personnel must be immediately notified.

## ***Section 11***

### **Weapons policy**

Employees of the Township are prohibited from the use or open or concealed carrying or storing of firearms or weapons on or in any building owned, leased or controlled by the Township; any vehicle or equipment owned, leased or controlled by the Township; any public area under the control of the Township; or at any time or in any area that is associated with Township employment, while they are acting within the scope of his or her employment. The Township is aligned with the Illinois Concealed Carry Act, which permits a license holder to store a firearm concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area.

The term "weapons" includes, but is not limited to: all firearms; any knife with a blade length of three inches or more; a switch blade knife; a stun gun or taser; metal knuckles; a pneumatic gun, spring gun, paint ball gun, or BB gun; any bomb, bomb-shell, grenade, bottle or other container containing an explosive or noxious substance for like purposes (other than an object containing a

non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older); any other weapon identified in subsection (a) of Section 24-1 of the Illinois Criminal Code, or any object or chemical whose purpose or the use of which is to cause harm to another person.

The term “firearms” includes, but is not limited to, any loaded or unloaded: handgun; machine gun; rifle; shotgun; pistol; revolver; or any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas.

## ***Section 12***

### **Technology resources policy**

Performance of job duties can involve the use of Township technology resources. These resources, such as networks, servers, workstations, telephones, databases, services, such as the Internet and email, remote access, cell phones, or access to internet service providers, or other similar network systems and communications devices that may be used for Township business, are the sole property of the Township, and are intended for Township business use. **Users have no expectation of privacy in the use of Township technology resources, including the creation, entry, receipt, storage, or transmission of data.** Users should also have no expectation of controlling what software, security mechanisms, or technology the Township deems necessary to maintain the safety and security of its network and data.

- All data generated by, created, entered, received, stored, or transmitted via the Township’s technology resources is Township property, and the Township may, without prior notice, access, search, monitor, inspect, review, or disclose all such data, and use of technology resources.
- Users specifically consent to the access by and disclosure to the Township of information created, entered, transmitted, or received via the Township’s technology resources that is stored by a third-party electronic communication service or remote computing service, and have no expectation of privacy in such information.
- Any unauthorized or inappropriate use of these technology resources, or unauthorized or inappropriate access to information stored on or through such resources, may result in disciplinary action, up to and including termination.

### **Electronic communications**

The Township functions as a local government agency. As such, all Township relevant content must be saved and accessible at any time per the rules and guidelines including but not limited to records retention, and FOIA requests. Consistent with the above guidelines, the Township in its discretion as owner of the email system and other messaging system or communication, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over such systems and networks, for any reason and without the permission of any employee.

- It is essential that all users of the email system know and understand the Township’s policy regarding the use of email. Employees may use the Township’s communication equipment and services for conducting matters of the Township only.
- Even if employees use a password to access the email system or other system or network,

the confidentiality of any message stored in, created, received, or sent from Township technology resources and communication devices still cannot be assured. Use of passwords, or other security measures, does not in any way diminish the Township's rights to access materials on its system or create any privacy rights of employees in the messages and files on the system. Employees may not send or forward any communications which masks or misrepresents their identity as the sender or which is encrypted except as authorized by management.

- Even though the Township has the right to retrieve and read any email and other messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any email or other messages that are not sent to them.
- Employees are reminded to be courteous to other users of the system, and always to conduct themselves in a professional manner. Emails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write email and other electronic communications with no less care, judgment, and responsibility, than they would use for letters or internal memoranda.
- The Township's conduct policies, including the policy against sexual or other harassment, apply fully to its technology resources, email and other messaging systems. Any violation of those policies is grounds for discipline, up to and including discharge. Therefore, no message or other content should be created, sent, or received if it contains intimidating, hostile, or offensive material concerning race, color, religion, sex, sexual orientation, age, national origin, disability, or any other classification protected by law.
- The Township's technology resources, email system, or other messaging systems and communication networks, may not be used to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

Users should routinely delete outdated or otherwise unnecessary emails, messages, and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs. Emails that are deleted must in no way be covered under the records retention policies. Employees should be aware, that deletion of any email messages or files will not truly eliminate the messages from the system. All email and other messages are stored in a central backup system in the normal course of data management, and toward addressing any records requests.

- Employees must exercise caution when opening emails with any external attachments originating from any unknown source, as they may contain viruses.
- Chain mail and junk mail should not be forwarded, and should be deleted upon discovery, as they can contain viruses or spyware.

#### **Personal electronic devices**

Employees must be aware that all personal devices that are connected to the Township's network, or otherwise used for Township business, are subject to the Township's policies, technical standards, and protocol. As the use of personal electronic devices for work is neither recommended nor a requirement of the Township, employees assume all responsibility for the use of personal technology resources for Township business. The Township is not liable for and will not reimburse

employees for any loss or damage to personal technology resources used during Township business hours.

- Employees who utilize personal computers and/or electronic storage or communication devices to conduct any Township business must allow the Township access to such devices for purposes of complying with requests for information under the Freedom of Information Act, and as otherwise required to conduct Township business. This access to personal devices includes access to any messages related to Township business to comply with the Freedom of Information Act.
- Upon separation from employment, employees will be required to allow the Township to recapture any Township data and property from the employee's personal technology resources.

### **Computer and cell phones**

As with all Township assets, computer systems, hardware, and software are provided and intended to be used for authorized business use. Non-business use of Township computers is prohibited; however, reasonable, incidental, and occasional use of the Township computers, may be permitted if it does not interfere with the performance of any employee's work, or burden or compromise the effectiveness of the Township computers.

Any personal use of the Township computers is subject to Township policies, including the provisions of this policy, which permit monitoring all use of Township technology resources.

- Use of the Township computers to receive, copy or transmit information, software, or other materials protected by copyright law, or information which the Township considers confidential or trade secrets, is prohibited. No employee should install any software or download any files without management approval.
- Employees may not use cellular phones for talking or texting while driving Township vehicles, or while engaged in Township business in any vehicle. They must pull over to the side of the road, or use a hands-free device, if permitted, under applicable law.
- Any employee found to be in violation of this policy is subject to disciplinary action. Employees learning of misuse of the Township computers should report it to their supervisor.

### **Passwords**

Each individual who is granted access to a Township email account has an obligation to protect the security of the email system. Each user should keep their password secret from all others and may change their password at any time. The only individual with the power to access and change another's password is the Township's IT System Administrator or their designated representative—who will do so only for legitimate operating reasons, or at the request of the authorized user involved (e.g., to review and retrieve emails; or if a user should forget their password and be unable to gain access to their own email account).

### **Internet policy:**

The Township provides access to the internet for authorized users to support the business purposes of the Township. No use of the Internet should conflict with the primary business purposes of the Township, or with applicable laws and regulations. As a condition of continued employment, each user is personally responsible to ensure that this policy is followed.

The Township may monitor usage of the Internet by employees, including reviewing a list of sites

accessed by an individual. There is no individual expectation of privacy in terms of their usage of the Internet via Township computers. In addition, the Township restricts access to sites that it deems are not necessary for business purposes.

- Employees are prohibited from encrypting files on their computers or taking any steps that block access to files other than the use of Township passwords or approved encryption programs. Employees must maintain passwords and logon codes toward protecting Township data.
- The Township's connection to the internet **may not be used** for any of the following activities:
  - To access, create, transmit, print, or download material that is derogatory, defamatory, obscene, or offensive, such as slurs, epithets, or anything that may be construed as harassment, or disparagement, based on race, color, national origin, sex, sexual orientation, age, disability, or religious or political beliefs or any other protected class. This includes sexually-oriented messages or images.
  - Downloading, disseminating or posting of copyrighted material that is available on the internet to the Township's network is an infringement of copyright law. Permission to copy the material must be obtained from the publisher.
  - Without prior approval, software should not be downloaded from the internet, as the download could introduce a computer virus to the Township's network. In addition, copyright laws may cover the software and the downloading could be an infringement of copyright law.
  - Employees should safeguard against using the internet to transmit personal comments or statements through email, or to post information to newsgroups that may be mistaken as the position of the Township.
  - Employees should guard against the disclosure of confidential information using the internet, email or newsgroups.
  - The internet should not be used to send, or participate in any misinformation spreading, pyramid schemes, or other illegal schemes.
  - The internet should not be used to proselytize or solicit others for commercial purposes, causes, outside organizations, chain messages, or other non-job-related purposes.
- The internet provides access to many sites that charge a subscription usage fee to access and use the information on that site. All items that are charged to the Township are subject to the same approval process as other business-related expenses. Requests for approval to access a subscription-based site should be submitted to the employee's supervisor or the Director of Administrative Services for preapproval. If costs are appropriately incurred on behalf of the Township, the user may submit the charges for reimbursement and expense reports, subject to customary review by the Finance Department.
- If you have questions regarding any of the policy guidelines listed above, please contact your supervisor or the Township Administrator.

### **Personal social media use policy**

At the Township, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

### **Guidelines**

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chatroom, whether or not associated or affiliated with the Township, as well as any other form of electronic communication.

The same principles and guidelines found in the Township's policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects residents, customers, suppliers, people who work on behalf of the Township or the Township's legitimate business interests may result in disciplinary action up to and including termination.

- **Know and follow the rules:** The same rules found in this Handbook apply to your activities online. Carefully read these guidelines paying specific attention to the Township's Anti-Harassment/Anti-Discrimination policy in this Personnel Policy. Ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.
- **Be respectful:** Always be fair and courteous to fellow employees, residents, customers, vendors, suppliers or people who work on behalf of the Township. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage residents, customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Township policy.
- **Be honest and accurate:** Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Township, its residents, fellow employees, members, customers, suppliers, or people working on behalf of the Township.

- **Post only appropriate and respectful content:**

- Maintain the confidentiality of the Township's private or confidential information.
- Do not create a link from your blog, website, or other social networking site to a Township website without identifying yourself as a Township employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Township. If the Township is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Township, fellow employees, residents, members, customers, suppliers or people working on behalf of the Township.
- If you do publish a blog or post online related to the work you do or subjects associated with the Township, make it clear that you are not speaking on behalf of the Township. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Township."

#### **Using social media at work**

Refrain from using social media while on work time or on equipment provided by the Township unless it is work-related as authorized by your manager or consistent with Township policies. Do not use the Township's email addresses to register on social networks, blogs or other online tools utilized for personal use. Employees are prohibited from disclosing confidential Township records or information on social media. Confidential information and records includes information that is prohibited by law from being disclosed as well as records that are protected against disclosure under the exemptions to the Illinois Freedom of Information Act.

#### **Retaliation is prohibited**

The Township prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

***Nothing in this policy is intended to infringe on an employee's right to engage in protected, concerted action under the Public Labor Relations Act. Likewise, nothing in this policy is intended to infringe on an employee's rights under the state or federal constitutions. If you have questions or need further guidance, please contact Human Resources.***

## **Security and workplace searches**

### **Electronic surveillance**

Township of Schaumburg has deployed an electronic surveillance system as an element of its loss control program. The electronic surveillance system does not intrude on private places, such as bathrooms. Various monitors and information recorded shall be viewed only by staff, administrative personnel, and others as required by law or based upon the legitimate operating needs of the Township. This information is proprietary to Township of Schaumburg and may only be released to or viewed by others upon authorization of the Township Supervisor, Township Administrator, Human Resources, or their designee. Unauthorized release of information may

result in disciplinary action, up to and including suspension or termination.

### **Workplace searches**

Employees do not have an expectation of privacy as to any Township property. All Township property, including offices, desks, files, file cabinets, lockers, Township vehicles, whether locked or unlocked, are the property of the Township and are issued for the use of employees only during their employment with the Township. The Township reserves the right to search all Township property, including any employee's office, desk, files, file cabinet, locker, or any other Township area or article on Township premises, at any time, including Township vehicles, whether or not such property is locked or unlocked and whether or not the lock is Township owned or employee owned.

While the Township will ordinarily attempt to make such inspections with the employee's consent or in the employee's presence, the Township has the right to conduct such inspections without prior consent or notice. ***Employees who refuse to cooperate in an inspection or search, as well as employees who are found to be in possession of stolen property, unauthorized weapons, any unauthorized work-related documents or files, any Township property, or drugs or alcohol, will be sent immediately to the Township Administrator and be subjected to disciplinary action, up to and including termination.***

The Township is not responsible for loss of or damage to personal property on the job.

## **Section 13**

### **Miscellaneous**

- **Professional representation at community events:** It is the policy of the Township to encourage employees to participate in community service affairs of charitable, educational, religious, fraternal, business, and civic organizations. Guidelines for attendance at these events are as follows:
  - Employee participation in community activities must not adversely affect the employee's job performance.
  - Time spent on community affairs, when not undertaken at the request of the employee's supervisor, should normally be outside of the employee's regular working hours and therefore, will not be considered hours of work for pay purposes.
  - The Department Head, the Township Administrator, or the Township Board may identify certain community activities in which it wants to be represented and then designate the employees it will sponsor for participation or membership in such organizations.
  - Employees designated will represent the Township in the organization and will be expected to promote the Township's interests.
  - Under these circumstances, time spent on the community activity will be considered hours worked for pay purposes.
  - Employee-initiated participation in community affairs that involves an extended period of time away from the job will be handled on a case-by-case basis upon consultation with the employee's Department Head and the Township Administrator.

- Reimbursement for the expenses or fees involved in community activities should be handled in accordance with the Travel, Meal & Lodging Expense Reimbursement Policy.
- Employees have a responsibility when expressing personal opinions in a public forum (in person or online) to make it clear that the opinion is a personal one and not one representing the Township.
- Any public communication which might be considered as representing the Township's position must come from the appropriate elected official or staff member.
- Employees engaging in political activities must do so as individuals on their own time, not as representatives of the Township, and may make no representations otherwise.
- Employees are not to discuss internal confidential affairs in any public forum.
- **Solicitation** will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working. Distribution or circulation of printed material by employees will not be permitted during working time, nor at any time in work areas. "Working time" refers to that portion of any workday during which an employee is supposed to be performing any actual job duties; it does not include other duty-free periods of time. Solicitation and distribution by non-employees in non-public areas of Township property is strictly prohibited.

## **Smoking Policy**

The Township of Schaumburg is a smoke-free workplace, per applicable state and local laws.

## **Whistleblower policy**

The information disclosed under this section will include reporting of any violation or suspected violation of federal, state or local laws, Township policy by a Township employee, or independent contractor, which presents a substantial and specific danger to interests of the Township. Additionally, information disclosed, which indicates acts or suspected acts of neglect, gross waste of funds or neglect of duty committed by an agency, will be included.

Definitions: As used in this section, the following words or terms will have the meanings indicated:

- "Employee" means any person hired by the Township after completing the onboarding personnel procedures required by Township.
- "Independent contractor" means any person or business other than a Township employee, who provides goods and/or services to the Township and enters into a contractual agreement with the Township.
- "Adverse personnel action" means discharge, suspension, transfer, demotion, reprimand, warning, withholding or reduction of salary or benefits of employee, or any other adverse action taken against an employee within the terms and conditions of employment by the Township; or suspension or cancellation of contract of an independent contractor.

Neither the Township, nor its supervisors, will take or recommend to the Township to

take adverse personnel actions against an employee for disclosing information pursuant to the provisions of this policy.

The Township will not participate in any type of adverse personnel action that affects the rights or interests of an independent contractor in retaliation for the contractor's disclosure of the information under this policy. The information will be disclosed to the appropriate entity having the authority to investigate, police, manage, or otherwise remedy the violation or act.

This policy, along with the Defense of Trade Secrets Act of 2016, protects employees and other persons who disclose information on their own motive in a written and signed complaint to a Township, state agency or federal government, or who are requested to participate in an investigation, hearing or other inquiry conducted by the Township, state agency or federal government. The provisions of this policy will not be applicable when an employee or independent contractor discloses information known to be false. Any employee who is subject to adverse personnel action has the right to report or file a complaint by contacting Human Resources.

## **Confidentiality Policy**

During the course of your employment, you may work with information that is confidential and proprietary, that may include: personal information and files on other employees, Township residents or anyone who utilizes our services; information that is prohibited from being disclosed by federal or state law, and other records that are exempt from disclosure by the Freedom of Information Act. Employees are prohibited from disclosing confidential information or records. Nothing in the policy is intended nor should be interpreted as infringing in any way on any of your right to engage in concerted, protected activity or your rights under the First Amendment or any other rights.

Maintaining this confidentiality is an important part of Township services. You must protect this Confidential Information by safeguarding it when in use, filing it properly when not in use, and discussing it only with those who have a legitimate business need to know. Your supervisor or anyone authorized by the Township may access any files, information or other Confidential Information as defined in this policy, at any time, without notice to or permission by you. The duty to maintain confidentiality extends after your separation from the Township. Any employee who discloses Confidential Information to anyone in violation of this policy will be subject to discipline, up to and including immediate termination.

## **Workplace Pet Policy**

*Pets make our lives better in so many ways. In the workforce environment, they can create fun, happiness, and encourage interactions among employees, and residents.* Pets are also a duty, and the opportunity to have them at our workplace is a privilege all participants must respect. To take part in our pets-at-work option, employees must agree to honor this workplace pet policy. Schaumburg Township is responsible for assuring the health and safety of all employees and residents.

- A pet owner wishing to bring a pet to the office should first obtain written permission from their immediate supervisor and provide that to Human Resources (the approval needs to be submitted on an annual basis).

- Any decision to allow a pet to come to the office, or to exclude a pet from the office, will be made by the owner's immediate supervisor or Human Resources. *At any time the pet or owner fail to follow policy, the approval can be placed on hold or rejected.*
- If supervisor approval is obtained, the pet owner must also complete a Pet Profile and Waiver of Liability Form and submit the completed form to Human Resources.

There is an exception in cases involving *trained/certified therapy and service animals*, which should be referred to Human Resources:

An employee who requires the help of a service animal, defined by 28 CFR 36.104 as "Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability", will be permitted to bring a service animal to the office, provided that the animal's presence does not create a danger to others and does not impose an undue hardship upon the Township.

*Pet Requirements: To participate, pets must be:*

- At least 3 months old.
- Up to date on vaccinations required by state law.
- Free of any communicable infections or any parasites such as fleas.
- House-trained, clean and well-groomed.
- Obedient, well-socialized, and with no history of biting, excessive barking or other vocalization, chasing, or aggressive behavior.
- Microchipped, to help locate and return them in case they would run away while visiting these scenarios will be recorded.
- Spayed or neutered.
- Covered under their owner's homeowners/renter's insurance policy, which must cover dog bites.

*Pet Parent Responsibilities: To comply with our workplace pet policy, pet parents who want to bring their pets to work must agree to:*

- Review, execute and submit a Pet Profile and Waiver of Liability Form, as attached to this Policy.
- Be 100% responsible and liable for their pet's behavior, well-being, hygiene, and happiness the entire time it is visiting.
  - All animals must be in the continuous full control and physical presence/proximity of their owners.
  - The employee must be the official owner of the pet in the workplace.
- Maintain homeowners/renters' insurance that covers dog bites, or injuries associated with any pet in the workplace.
- Provide annual proof of vaccination and health for their visiting pets.
- Keep their pet with them and controlled throughout the day.
  - All pets must be leashed at all times in community areas (main lobby, common areas).
  - Once in an office with a door or dog gate, the pet can be off leash *as long as those in the closed space agree that the dog or other pet can be loose.*

- Owners are expected to clean up, completely and immediately, after any accidents by their animals.
- Provide and maintain required care items: leash/collar/harness, food/water dishes, chew toys (please no squeaky/noisy toys), pet bed/ blanket, and crate/gate, accident clean up materials.
- Ensure that their pet's behavior does not interfere with other employees' comfort or ability to do their work.
  - Be respectful of other employees, and their pets, to ensure everyone can be as successful and productive as possible at work.
- Keep pets out of pet-free areas (bathrooms, kitchen/break areas, offices designated as such).
- Take their pet home at any time if the pet's behavior or health makes it a distraction, nuisance, or danger to anyone else, or if asked to do so by their manager.
  - Keep pets at home on days when the employee would be unable to fully manage the pet at work (e.g., an all-day meeting) or the pet is ill.

*Managing Issues: Any individual with a grievance regarding an animal at the office should bring the matter to the attention of the owner's immediate supervisor or Human Resources.*

Concerns related to visiting pets or the workplace pet policy should be handled in the following way:

- Talk with the pet parent and work to resolve issues mutually.
- Escalate the issue to the pet owner's supervisor.
- Escalate the issue to Human Resources.

***An employee who brings an animal to the office is completely and solely liable for any personal injuries or any damage to personal property caused by the animal. Any repair or cleaning/maintenance costs incurred by an animal will be charged in full to the owner. Schaumburg Township shall not be liable for loss of, or injury to, any animal brought to the workplace.***

Township of Schaumburg  
Workplace Pet Policy  
Pet Profile and Acknowledgement and Waiver of Liability Form

Employee / Pet Owner's Name: \_\_\_\_\_

Pet's Name: \_\_\_\_\_

Breed: \_\_\_\_\_

Age of Pet: \_\_\_\_\_

How long have you owned him/her? \_\_\_\_\_

Spayed or Neutered? Yes or No

Male or Female? \_\_\_\_\_

Microchipped? Yes or No

Microchip Identification Code: \_\_\_\_\_

Is your pet potty-trained? Yes or No

Any food restrictions?

Does your pet have any current health concerns?

Has your pet ever displayed any aggressive tendencies (growling, lunging, nipping, biting, scratching, etc.) towards humans or pets? If yes, please explain.

Do you anticipate chewing problems (wires, trash, food, etc.) Yes or No. If yes, please explain.

Did you disclose all pertinent health or behavioral concerns?

Please explain any other information that the Township should be aware of:

Homeowners Insurance Information (proof of insurance and pet coverage must be attached):

.....

**ACKNOWLEDGEMENT AND WAIVER OF LIABILITY:**

In consideration of being permitted to bring one's pet to the work place, I \_\_\_\_\_  
(the pet owner) acknowledge that I have read and understand the Township of Schaumburg  
Workplace Pet Policy and agree to abide by its terms, and confirm that the information set forth  
in the Pet Profile set forth above is true and correct, and do hereby unconditionally release,  
indemnify, waive, discharge and agree to hold harmless the Township of Schaumburg and all of

its officers and employees, from any loss, damage, liability and expense, including court costs and attorney fees, that may be incurred as a result of injuries, including death to persons or pets, or damage to property, directly or indirectly associated with the owner bringing his/her pet to the work place, whether caused by the negligence of other staff or guests, or otherwise.

Additionally, I am willing to accept that my pet may be the aggressor in a fight; willing and agree to accept responsibility for any costs incurred if my pet bites or injures another person or destroys individual or Township property, willing and agree to provide evidence of my homeowner's/renter's insurance policy if requested by management, and willing and agree to accept cues from co-workers about my pet's behavior, without defensiveness, if concerns are brought forward to me about my pet.

BY SIGNING THIS AUTHORIZATION AND RELEASE, THE PET OWNER EXPRESSLY ACKNOWLEDGES AND REPRESENTS that he/she has carefully read the foregoing terms and conditions, understands the contents thereof and signs voluntarily; he/she is at least eighteen (18) years of age and fully competent; and executes this Authorization and Release intending that he/she, his/her spouse and family members, and his/her heirs, assigns and personal representatives if deceased, be legally bound by same.

---

Employee, Pet Owner

## **Township of Schaumburg Employee Handbook Receipt**

This handbook is not intended to create nor be construed to constitute a contract between the Township and one or all of its employees. The contents of the Handbook are presented as a matter of information only. While the Township believes in the plans, policies, or procedures described herein, they are not conditions of employment. The Township reserves the rights to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part, at any time, with or without notice.

I further acknowledge the at-will nature of my employment relationship, and that either the Township, or I can terminate my employment and compensation, with or without cause, and with or without notice, at any time.

I understand that it is my responsibility to read, and I have read the contents of the Township of Schaumburg Employee Handbook so that I am aware of the Township's personnel policies. I also acknowledge my obligation as an employee to abide by all applicable policies and rules promulgated by the Township.

Employee's Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this receipt to Human Resources for inclusion in your personnel file.

Policy Manual Updates: sections (in the manual) highlighted reflect impactful edits to review

#### Section 1

- Legal verbiage clean up- no changes to intent.

#### Section 2

- Consideration of moving all staff to 40-hour work week.
- If move to 40-hour work week, then consideration of paid lunch.

#### Section 3

- Removal of CTO/flex time, with the exception of travel flex time.
- Increase health reimbursement from \$200 to \$300 per fiscal.

#### Section 4

- Paid Leave for All addition, pending legislative fix to exempt Townships.
- Per insurance legal review, consider paying out unused personal days at termination.
- Sick leave credit to align with IMRF requirements.
- Maternity/Paternity leave clarification.
- Education/Training consideration.
- Bereavement leave legal update.

#### Section 5

- IMRF update to benefits
- Modified duty to align with ADA requirements

#### Section 6

- Possible changes related to Paid Leave for All Act.

#### Section 7

- None

#### Section 8

- Language updated per insurance legal review.
- Process for board member reporting harassment.

#### Section 9

- None

#### Section 10

- Panic button insertion for emergency situations.

#### Section 11

- Concealed Carry Act clarification

## Section 12

- None

## Section 13

- Inclusion of pet policy (has been piloted until now)

## Reserve Accounts and Funded Status

Employer Reserve serves as a "Balancing Account."



The employers IMRF reserve account act as a balancing act between the Members reserve account and the Annuitant's reserve account which must remain 100% funded at all times. When an employee retires the full estimated cost of their retirement is deducted from the employers reserve account and placed in the annuitant reserve account.

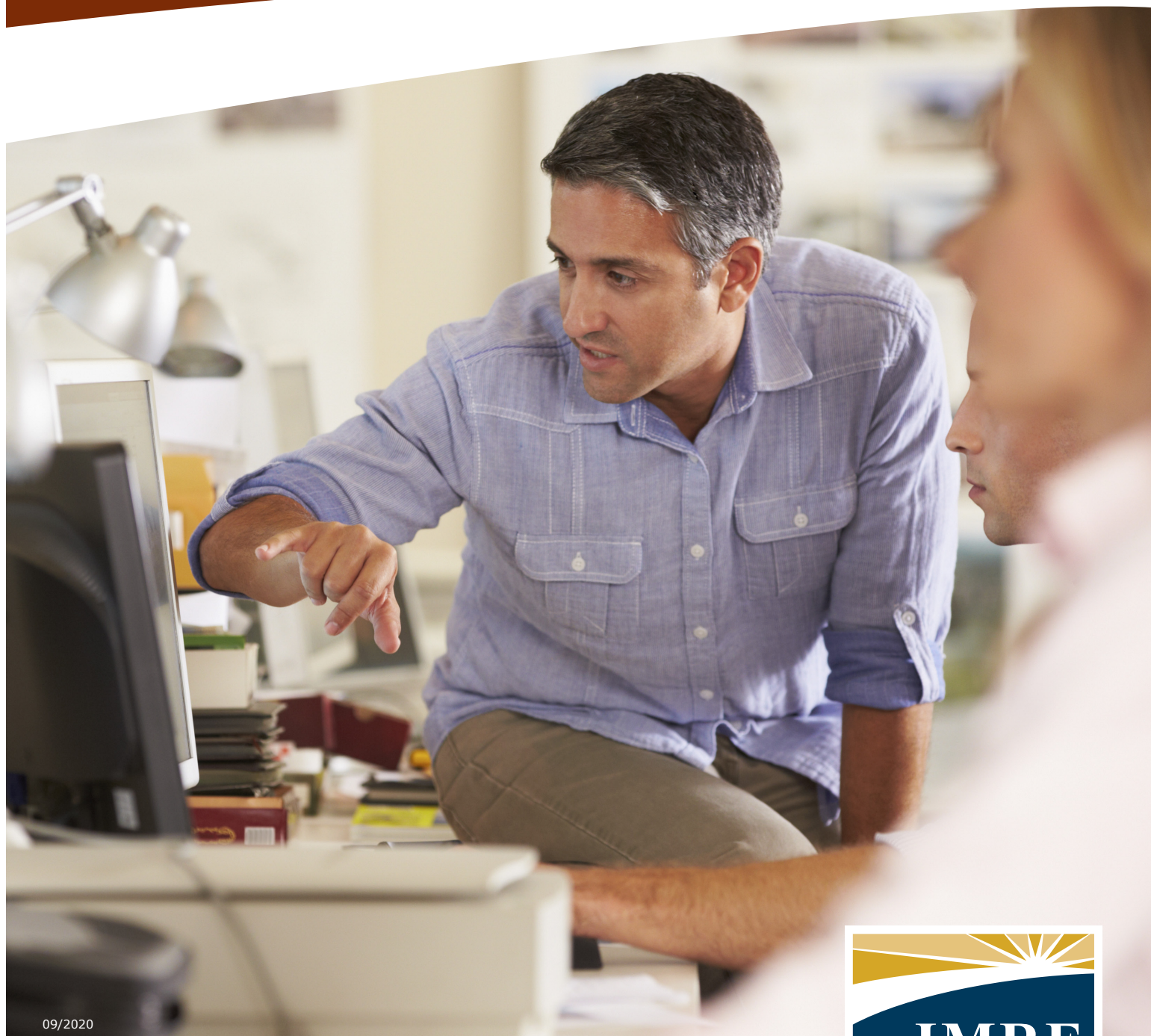
The Employer Reserve account is credited monthly with the employers contributions made on behalf of their employees. This account is also either credited or debited annually with any investment gains or losses depending on IMRF's investment returns for any given year. The township recently joined IMRF and does not have an established reserve account history so any deductions to the account would more than likely create a deficit.

In addition to the township's ERI cost (the maximum being \$513,951.18 before interest, if all eligible employees take advantage of their full ERI benefit, there will be the additional cost of funding the employees retirement. The cost of funding an employee's retirement is deducted from an employer's IMRF Reserve account.

# EARLY RETIREMENT INCENTIVE

Guidelines for Employers

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09/2020

*Locally funded, financially sound.*



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## Features of the IMRF Early Retirement Incentive

- The IMRF Early Retirement Incentive (ERI) is a permanent part of the IMRF benefit program.
- It is a tool eligible IMRF employers can use, if and when they need it, to save fringe benefits and payroll costs by providing an incentive for long-term members to retire. Employers are encouraged to either:
  - (i) Replace no more than 80% of members electing to retire under the program, or
  - (ii) Reduce replacement staff salaries to no more than 80% of current salary levels.
- Eligible members can purchase between one month and five years of age and service credit for the purpose of determining retirement benefits.
- The legislation provides flexibility for employers by allowing the employer to determine the timing of member terminations. Members may terminate up to a year from the effective date of the employer's ERI program. However, if a member requests to retire before July 1 so he or she will be eligible to receive the following year's Supplemental Benefit Payment ("13th Payment"), the employer must allow the member to do so.
- The employer cost of adopting the ERI can be paid for over a period of no more than 10 years. (Details regarding employer costs can be found on page 12.)
- Before an employer can adopt ERI, it must have a cost estimate completed by IMRF.
- If an employer adopts the program, the ERI applies to all IMRF members, including elected officials participating in IMRF.

## Incentive for members to retire early

### Tier 1

- Without the ERI, Regular Tier 1 members can retire at age 55. With ERI, they can retire at age 50 provided they have 20 years of service credit before adding the incentive.
- Without the ERI, Regular Tier 1 members receive reduced benefits if they are less than age 60 with less than 35 years of service credit when they retire. Under ERI, Regular Tier 1 members age 55 to 60 can avoid the reduction by purchasing sufficient service/age to reach age 60 or 35 years.

### Tier 2

- Without the ERI, Regular Tier 2 members can retire at age 62. With ERI, they can retire at age 57 provided they have 20 years of service credit before adding the incentive.
- Without the ERI, Regular Tier 2 members receive reduced benefits if they are less than age 67 with less than 35 years of service credit when they retire. Under ERI, Regular Tier 2 members age 62 to 67 can avoid the reduction by purchasing sufficient service/age to reach age 67 or 35 years.

### Regular and SLEP Members

- Both Regular IMRF and SLEP pensions are based on a formula which provides a member with a percentage of his or her Final Rate of Earnings (up to the wage cap for Tier 2 members) for each year of service credit. A member will be able to increase the percentage he or she receives by purchasing one month to five years of additional service credit.

### Adopting the IMRF ERI

- All IMRF employers can adopt the IMRF ERI, unless the employer is dissolved or considering dissolving. Refer to page 5.
- If an employer is considering adopting the ERI, a cost estimate must be prepared and shared with the employer's governing body before it adopts ERI. (See "Cost estimate requirement" on page 4.) If an employer is dissolved or considering dissolving, refer to page 5.
- The governing body would pass a resolution or ordinance adopting the ERI and attach a copy of the cost estimate to the resolution. (See "Suggested Form of Resolution to Adopt IMRF Early Retirement Incentive," Form 6.77, on page 5.)
- The ERI would be available for one year from the program effective date.
- If an employer adopts the program, the ERI applies to all eligible IMRF members, regardless of the position held or length of service with the unit of government. The ERI would also apply to elected officials participating in IMRF.

**Please note:** Although an employer may believe it knows which/how many of its IMRF members will retire under the ERI, it is possible that other members may also be eligible. A member may have reciprocal service credit, previous IMRF service credit with a former employer, a separation refund he or she plans to repay, past service credit he or she plans to purchase, etc.

## Cost estimate requirement

- Before an employer can adopt an ERI and in order to utilize the ERI as a budgeting tool, the employer must have IMRF prepare an actuarial cost estimate.
- The cost estimate must be based on the same time period as the ERI being considered by the governing body. If your employer does not know when it will offer the ERI, your IMRF Field Representative can prepare multiple cost estimates each using a different time period.
- If an employer submits the ERI resolution without a cost estimate, IMRF will not implement the program, and the employer will need to both conduct the cost estimate and adopt a second resolution.
- Adoption of an ERI will result in increased pension costs because members will be allowed to retire earlier than normal with a larger pension benefit.
- Increased pension costs may be offset by reductions in payroll and fringe benefit costs through eliminating vacated positions, delaying filling vacated positions, and/or paying replacement employees lower salaries.
- Past study results indicated that most employers who reduce salary expenses of the employees retiring under ERI by 30% can expect to offset increased pension costs. An employer could accomplish the 30% reduction through any combination of not re-staffing positions or by paying lower salaries to replacements. For example, an employer could re-staff 85% of the positions and pay the new employees 80% of the former salaries. Or, an employer could re-staff 80% of the positions and pay the new employees 85% of the salaries.
- To request a cost estimate, please contact your IMRF Field Representative. The cost estimate will be completed at no charge to the employer.
- ERI cost estimates prepared by IMRF will not include potential cost savings of the ERI. Because the figures used to estimate cost savings are not under IMRF's control, estimates of potential cost savings are more appropriately prepared by the employer using the ERI costs provided by IMRF.
- Your local Field Representative will be able to calculate the annual increased pension costs.

## **Dissolving units of government**

- If an employer is aware—or has reason to be aware—of its future dissolution under state law, the process of adopting an ERI differs. If a dissolving employer is being succeeded by:

### **One successor unit of local government**

- The employer must provide the ERI Cost Study to the successor, and the successor must also approve the ERI.
- Submit to IMRF a copy of the resolution of the successor unit of local government's approving the adoption of the ERI program.

### **More than one successor unit of local government**

- The employer must provide the ERI Cost Study to each successor, and a majority of the successors must pass resolutions approving the adoption of the ERI program.
- Submit the IMRF copies of the resolutions of successor unit(s) of local government's approving the adoption of the ERI program.

### **No successor unit(s) of local government and the law does not specify responsibility for the IMRF assets and obligation**

- The employer must submit its ERI resolution to IMRF with a request for IMRF Board of Trustees approval.
- If a dissolving employer submits the ERI resolution without approval by successor unit(s) of local government or without a request for IMRF Board of Trustees approval when no successors exist, IMRF will not implement the ERI program.
- If IMRF is unaware that these requirements were not met and pays an ERI enhanced pension to a member who:
  - Retired at age 55 (Tier 1) or older (age 50 for SLEP and SLEP ECO) or age 62 or older (Tier 2), the member will lose the ERI enhancements and be required to pay IMRF the difference between the ERI enhanced pension and the pension he or she would have received without the ERI—less the amount he or she paid for the ERI.
  - Retired at less than age 55 (Tier 1) or less than age 62 (Tier 2), the member will be required to repay IMRF for all pension payments received—less the amount he or she paid for the ERI.



**SUGGESTED FORM OF RESOLUTION TO  
ADOPT EARLY RETIREMENT INCENTIVE**  
IMRF Form 6.77 (Rev. 04/2015)

PLEASE ENTER  
Employer IMRF I.D. Number

See next page for additional ERI information.

**RESOLUTION Number** \_\_\_\_\_

WHEREAS, Section 7-141.1 of the Illinois Pension Code provides that a participating employer may elect to adopt an early retirement incentive program offered by the Illinois Municipal Retirement Fund by adopting a resolution or ordinance; and

WHEREAS, the goal of adopting an early retirement program is to realize a substantial savings in personnel costs by offering early retirement incentives to employees who have accumulated many years of service credit; and

WHEREAS, IMRF has prepared an actuarial estimate of the cost of an early retirement incentive program for \_\_\_\_\_ and the additional liability created by the early retirement incentive

EMPLOYER NAME  
is estimated to be \$ \_\_\_\_\_; and the 10-year amortization cost is estimated to be \$ \_\_\_\_\_.

WHEREAS, the \_\_\_\_\_ has reviewed the cost estimate and determined that the adoption of an early  
BOARD, COUNCIL, ETC.  
retirement incentive is in the best interests of the \_\_\_\_\_; therefore be it

RESOLVED by the \_\_\_\_\_ of \_\_\_\_\_ that:  
BOARD, COUNCIL, ETC. EMPLOYER NAME

(1) The \_\_\_\_\_ does hereby adopt the Illinois Municipal Retirement Fund  
EMPLOYER NAME  
early retirement incentive program as provided in Section 7-141.1 of the Illinois Pension Code. The early retirement incentive program shall  
take effect on \_\_\_\_\_.

DATE  
(2) In order to help achieve a true cost savings, an employee who retires under the early retirement incentive program shall lose those  
incentives if he or she later accepts employment with any IMRF employer in any position. (Exception: employee can hold an elected position if  
he/she chooses to not participate in IMRF and the pension is not based on any service earned in that position during any term of office.)

(3) In order to utilize an early retirement incentive as a budgeting tool, \_\_\_\_\_  
EMPLOYER NAME  
will use its best efforts either to limit the number of retiring employees replaced or to limit the salaries paid to the replacement employees.

(4) The effective date of each employee's retirement under this early retirement incentive program shall be set by  
\_\_\_\_\_ and shall be no earlier than the effective date of the program and no later than one year after  
EMPLOYER NAME  
that effective date; except that the employee may require that the retirement date set by the employer be no later than the June 30 next  
occurring after the effective date of the program and no earlier than the date upon which the employee qualifies for retirement.

(5) To be eligible for the early retirement incentive under this Section, the employee must have attained age 50 and have at least 20  
years of creditable service by his or her retirement date; and

(6) As of the date of the adoption of this Resolution, the \_\_\_\_\_ is ( ) is not ( ) aware of the  
BOARD, COUNCIL, ETC.  
pending dissolution of \_\_\_\_\_

EMPLOYER NAME  
(Note: Failure to disclose a potential dissolution shall void this Resolution. If the Board, Council, etc. is aware of the  
pending dissolution of \_\_\_\_\_ employer, then the successor unit(s) of local government must approve the adoption of the early  
retirement incentive in order for this Resolution to be effective. If there is no successor, submit your resolution for approval from  
the IMRF Board of Trustees.)

(7) The \_\_\_\_\_ shall promptly file a certified copy of this resolution (ordinance) with the  
CLERK OR SECRETARY  
Board of Trustees of the Illinois Municipal Retirement Fund

**CERTIFICATION**

I, \_\_\_\_\_ the \_\_\_\_\_ of the  
NAME CLERK OR SECRETARY  
\_\_\_\_\_ of the County of \_\_\_\_\_, State of Illinois, do hereby  
EMPLOYER NAME COUNTY  
certify that I am the keeper of the books and records of the \_\_\_\_\_ and that the foregoing is a true and  
EMPLOYER NAME  
correct copy of a resolution (ordinance) \_\_\_\_\_ duly adopted by the \_\_\_\_\_ at a meeting  
ORDINANCE BOARD, COUNCIL, ETC.  
duly convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

If applicable, I further certify that this Resolution has been submitted to the successor unit(s) of local government and that said  
unit(s) of local government has/have adopted a resolution approving the adoption of the early retirement incentive for

EMPLOYER NAME  
A copy of the approval resolution is attached hereto.

SEAL

CLERK OR SECRETARY OF THE BOARD

**IMRF**

2211 York Road Suite 500 Oak Brook, IL 60523-2337

Employer Only Phone: 1-800-728-7971 Member Services Representatives: 1-800-ASK-IMRF (1-800-275-4673) Fax: (630) 706-4289

## ADDITIONAL EMPLOYER ERI INFORMATION AVAILABLE

### Before Passing an ERI Resolution:

Employers should review the “**IMRF Early Retirement Information Incentive (ERI) Booklet - Employer Information**” for a more complete explanation of the ERI program and employer responsibilities before passing an ERI resolution. The booklet can be found at [www.imrf.org](http://www.imrf.org).

You may request a copy of this booklet from IMRF by calling our Employer Services Representatives at 1-800-728-7971.

### ERI cost estimates

- When an employer submits the ERI resolution to IMRF, it should include a copy of the cost estimate for the period of the adopted ERI.
- Contact your IMRF Field Representative to request a cost estimate. Your local Field Representative will be able to calculate the annual increased pension costs. The cost estimate will be completed at no charge to the employer.
- If an employer submits the ERI resolution without a cost estimate:
  - IMRF will not implement the program, and
  - The employer will need to both conduct the cost estimate and adopt a second resolution.

### Dissolutions

- If an employer is dissolving and IMRF assets and liabilities will be transferred to:
  - One successor unit of government—the dissolving employer must provide the ERI Cost Study to the successor, and the successor must also approve the ERI. A copy of the successor unit's resolution approving the ERI must be available to IMRF upon request.
  - More than one successor unit of government—the dissolving employer must provide the ERI Cost Study to each successor, and a majority of the successors must approve the ERI. Copies of the successor units' resolutions approving the ERI must be available to IMRF upon request.
  - No successor unit of government, and the law does not specify responsibility for the IMRF assets and liabilities—the IMRF Board of Trustees must approve the ERI.
- If a dissolving employer submits the ERI resolution without approval by successor unit(s) of local government or without a request for IMRF Board of Trustee approval when no successors exist, IMRF will not implement the ERI program.
- If IMRF is unaware that these requirements were not met and pays an ERI enhanced pension to a member who:
  - Retired at age 55 or older under Regular Tier 1 (age 50 for SLEP and SLEP ECO) or at age 62 or older under Regular Tier 2, the member will lose the ERI enhancements and be required to pay IMRF the difference between the ERI enhanced pension and the pension he or she would have received without the ERI—less the amount he or she paid for the ERI.
  - Retired at less than age 55 under Regular Tier 1 or less than age 62 under Regular Tier 2, the member will be required to repay IMRF for all pension payments received—less the amount paid for the ERI.

### IMRF

2211 York Road Suite 500 Oak Brook, IL 60523-2337

Employer Only Phone: 1-800-728-7971 Member Services Representatives: 1-800-ASK-IMRF (1-800-275-4673) Fax: (630) 706-4289

## Informing members of the ERI

- After an employer adopts the ERI by resolution, it should inform its members of the program for two reasons:
  - 1) IMRF will not inform members of an individual employer that their employer has adopted the program. Adoption of the program is an internal personnel matter for the employer. To assist you, we have developed a member ERI booklet you can duplicate and give to your members.
  - 2) The legislation requires members who intend to retire under the ERI to notify IMRF of their intention to do so by completing Form 5.21, “Notice of Intent to Retire Under Employer IMRF Early Retirement Incentive.”
- Although a member can file the Letter of Intent as late as his or her retirement date, we encourage members to file Form 5.21 as soon as they decide to retire under ERI.
- IMRF will acknowledge receipt of the member’s Notice of Intent by mailing a letter and the publication, “Can I Afford to Retire?” to the member. A courtesy copy of the letter will also be mailed to the member’s employer.
- Acknowledgment of the Notice of Intent does not guarantee the member’s eligibility for the ERI nor for an IMRF pension.
- As a general rule, a member’s Notice of Intent is not a letter of resignation. Although a member may file a Notice, he or she is not required to apply for an IMRF pension and may subsequently decide not to retire. The Notice of Intent is a tool employers can use to gauge the number of anticipated retirements. The Notice is also used by IMRF to identify members who should receive detailed information regarding ERI. However, an employer could use the Notice of Intent as a letter of resignation provided the employer informs its members in advance of such treatment.

## Determining member termination dates

- The ERI legislation provides flexibility for employers by allowing the employer to determine the timing of member terminations. A member may terminate up to one year from the effective date of the employer's ERI program.

Example:

**Effective date of ERI program: September 30, 2019**

**Termination date can be: September 30, 2019, through September 30, 2020**

- If a member requests to retire before July 1 so he or she will be eligible to receive the following year's Supplemental Benefit Payment ("13th Payment"), the employer must allow the member to do so.
- Employers are to give a member at least 30 days notice of his or her designated termination date. The 30-day notice may be waived by the member.

## **Resolution to adopt amortization period**

- Employers can customize the ERI to the financial circumstances of their own unit of local government. This flexibility is provided by allowing employers to determine the amount of time needed to pay off the incurred pension liability. (Please refer to page 12 for detailed information on employer costs.)
- An amortization period of 10 years is assumed. Amortization of the incurred pension liability can take no longer than 10 years and no less than five years.
- If an employer would like an amortization period of other than 10 years, it would submit a resolution doing so. (See IMRF Form 6.78, “Suggested Form of Resolution to Adopt Amortization Period for IMRF Early Retirement Incentive,” on the following page.) Please note: Due to the method IMRF uses to calculate employer contribution rates, only whole year (5, 6, 7, 8, 9, 10) amortization periods are allowed.
- The amortization period resolution should be received in the IMRF office no later than six months from the effective date of the employer’s ERI program. If no resolution is received, a 10-year amortization period will be assumed. If an employer would like an amortization period of less than 10 years, it would submit IMRF Form 6.78.



# SUGGESTED FORM OF RESOLUTION TO ADOPT AMORTIZATION PERIOD FOR IMRF EARLY RETIREMENT INCENTIVE

IMRF Form 6.78 (7/2003)

PLEASE ENTER Employer IMRF I.D. Number

## RESOLUTION

Number \_\_\_\_\_

WHEREAS, on \_\_\_\_\_ the \_\_\_\_\_ of

DATE

BOARD, COUNCIL, ETC.

\_\_\_\_\_ adopted Resolution (Ordinance) No \_\_\_\_\_ which established an early retirement

EMPLOYER NAME

incentive (incentive) through the Illinois Municipal Retirement Fund for its employees; and,

WHEREAS, Section 7-141.1 of the Illinois Pension Code provides that a participating employer may select an amortization period for the actuarial costs of the incentive which may be no greater than 10 years; and,

WHEREAS, \_\_\_\_\_ is prohibited from adopting a subsequent incentive until

EMPLOYER NAME

the actuarial costs of the previous programs are paid.

RESOLVED (ORDAINED) by the \_\_\_\_\_ of \_\_\_\_\_ that

BOARD, COUNCIL,

EMPLOYER NAME

the \_\_\_\_\_ does hereby request the Illinois Municipal Retirement Fund to amortize the cost

EMPLOYER NAME

of the incentive over a period of \_\_\_\_\_ years.

NUMBER

## CERTIFICATION

I, \_\_\_\_\_ of the

NAME

CLERK OR SECRETARY

\_\_\_\_\_ of the County of \_\_\_\_\_,

EMPLOYER NAME

COUNTY

State of Illinois, do hereby certify that I am keeper of the books and records of the \_\_\_\_\_ and

EMPLOYER NAME

that the foregoing is a true and correct copy of a resolution (ordinance) duly adopted by the \_\_\_\_\_ at

BOARD, COUNCIL, ETC.

a meeting duly convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

CLERK OR SECRETARY OF THE BOARD

## IMRF

Suite 500, 2211 York Road, Oak Brook Illinois 60523-2337

Employer Only Phone: 1-800-728-7971 Member Services Representatives: 1-800-ASK-IMRF (1-800-275-4673)

[www.imrf.org](http://www.imrf.org)

## Limitations on frequency of subsequent ERI offerings

- An employer cannot adopt later ERI programs until the cost of the previous ERI is paid in full.
- An employer must again have IMRF prepare a cost estimate before a second ERI program can be adopted.

## Employer costs for the ERI

- Once an employer adopts the ERI and a member retires under it, a separate ERI reserve account will be established.
- Annually, the employer's ERI Reserve Account and amortization period is sent to IMRF's actuary. The actuary calculates the employer's ERI rate based upon that information.

**Please note: Employer rates are on a two-year lag—2019 information sent to the actuary in 2020 is used to determine 2021 rates. If a member retires under ERI in 2019, the employer does not begin paying its ERI costs until 2021.**

- The Advance Rate Notice, which is available in the Document Archive of Employer Access in April, and the Official Notice which is available in the Document Archive in November, include a breakdown of an employer's IMRF rate, including the employer's rate for ERI liability. The employer rate also includes costs for retirement, death, disability, and supplemental retirement. The employer's contribution will equal the total rate times payroll.

## Concurrent/multiple employers

### Concurrent employers

If a member participates with more than one IMRF employer, the employer cost for the ERI is determined as follows:

- If one employer adopts ERI and the other doesn't, the employer adopting ERI bears the entire cost.
- If both employers adopt ERI, both employers will share the cost proportionately based on years of service credit. For example, if the member has 15 years with the first employer and five years with the second employer, the first employer will incur 75% of the cost, and the second employer will incur 25% of the cost.

### Multiple employers

If a member participated with more than one IMRF employer during his or her IMRF career, the member's current employer would need to adopt the ERI in order for the member to retire under it.

- The current employer would bear the entire employer cost for the ERI because the current employer will benefit from reduced payroll/fringe benefit costs.
- The member's previous employer(s) would not be affected; they would not share the ERI costs nor would their IMRF rate be affected. This is true even if the previous employer adopts ERI. A member can retire under ERI only if his or her current employer adopts it.

## Paying member costs for the ERI

### Lump sum payments for sick, vacation time, personal time

- If payments for sick, vacation, or personal time are to be considered IMRF earnings, they must be reported to IMRF no later than one month after the member's termination date. For example, if a member terminates on June 15, but is paid for sick, vacation, or personal time in July, those earnings are reportable to IMRF. However, if the member's earnings are paid in August (or later), those earnings are not reportable to IMRF.
- If the employer will pay the member a lump sum payment for sick, vacation, and/or personal time, the employer must submit the net payment (gross payment less taxes, IMRF contributions, etc.) to IMRF via govONE EFT pay-by-phone or pay online system and identify the payment as member ERI cost.
- If the member's net payment for sick, vacation, and/or personal time is greater than the member's ERI cost, the employer would pay IMRF via govONE EFT an amount required to pay the member's cost. The employer would pay the member any remaining balance of the net payment.
- If payment for sick, vacation, and/or personal time is spread over several months, the employer must still forward the net payment to IMRF. As long as the lump sum payment for sick, vacation, and/or personal time is due to the member's retirement, the net amount is payable to IMRF.
- The gross amount of the payment would be reported to IMRF as earnings, but the net payment would be held by the employer until it receives an invoice from IMRF for the member cost.
- Members terminating IMRF participation for retirement remain eligible to earn additional service credit for **unpaid** and unused sick leave. For every 20 days of unused, unpaid sick leave (or fraction thereof), a member can earn one month of additional service credit, not to exceed 240 days (one year).

### **If employer pays member cost (contributions)**

- If the employer pays the member cost for the ERI, that payment will be taxable to the member unless the employer passes a resolution specifically stating that the contributions are being made in lieu of the member's contributions, and the member is prohibited from receiving any part of those contributions. [See IMRF Form 6.85, "Suggested Form of Resolution for Employer Pick-Up (Payment) of Contributions for Member's Contributions for Purchase of Additional Service under the IMRF Early Retirement Incentive," on page 16.]
- Please note: IMRF is not suggesting that an employer pay the member's ERI costs. This information is provided in the event such action is considered. If the employer does not pass the pick-up resolution, the employer payment of the member's ERI contributions will be taxable income to the member in the year it is paid and must be included on the member's W-2. If the pick-up resolution is passed, the payment will not be taxable when paid. In either case, the payment is not considered IMRF earnings.
- Employer cost savings will be reduced significantly if an employer pays the member cost.

### **ERI invoice for member cost**

- Once IMRF receives a member's final wages (usually one month after retirement), an ERI invoice will be forwarded to the employer detailing the member's ERI cost.
- The employer would submit the net payment for any sick, vacation, and/or personal time and any other payments toward the member cost via govONE EFT pay-by-phone or pay online system and identify the payment as member ERI cost.
- After the employer returns (any) payment for the member's cost, if a balance for the member's cost remains, an ERI invoice will be mailed to the member.
- After receiving (any) payments from the member, if a balance for the member's cost remains, IMRF will begin deducting the balance from the member's pension in 24 equal installments.

### **Health Insurance Continuation**

- Illinois law allows members entering retirement to continue health insurance coverage through their employer.
- Members retiring under ERI will be eligible for continued insurance coverage as early as age 50 (Tier 1) and age 57 (Tier 2).



# SUGGESTED RESOLUTION (ORDINANCE) FOR EMPLOYER PICK-UP (PAYMENT) OF MEMBER CONTRIBUTIONS REQUIRED FOR PURCHASE OF EXTRA SERVICE UNDER THE IMRF EARLY RETIREMENT INCENTIVE

IMRF Form 6.85 (12/2005)

## RESOLUTION (ORDINANCE)

Number \_\_\_\_\_

**WHEREAS**, Section 7-141.1 of the Illinois Pension Code allows certain IMRF members to purchase additional service credit in order to induce those members to retire early; and

**WHEREAS**, Section 7-141.1 of the Illinois Pension Code requires a member contribution for the early retirement service credit; and

**WHEREAS**, Section 414(a) of the Internal Revenue Code provides that contributions designated as member contributions but picked-up by the employer shall be excluded from taxable income until distributed as a refund, annuity or death benefit; and

**WHEREAS**, it is desirable that the member contributions required by the IMRF early retirement incentive be paid by the employer.

**NOW THEREFORE BE IT RESOLVED (ORDAINED)** by the \_\_\_\_\_  
OF GOVERNING BODY (BOARD OF COMMISSIONERS, ETC.)  
of the \_\_\_\_\_ that the member contributions required by the IMRF early  
NAME OF UNIT OF GOVERNMENT  
retirement incentive be paid by the \_\_\_\_\_ on behalf of all its employees who retire  
NAME OF UNIT OF GOVERNMENT  
under the IMRF early retirement incentive.

**BE IT FURTHER RESOLVED (ORDAINED)** that the payment shall be made by a reduction in earnings payments to those employees.

**BE IT FURTHER RESOLVED (ORDAINED)** that the pick-up of member contributions shall be effective for all employees of the \_\_\_\_\_ who retire under the IMRF early retirement incentive adopted by  
NAME OF UNIT OF GOVERNMENT  
the \_\_\_\_\_ on \_\_\_\_\_  
NAME OF UNIT OF GOVERNMENT DATE OF ERI RESOLUTION (ORDINANCE)

## CERTIFICATION

I, \_\_\_\_\_ the \_\_\_\_\_ of the  
NAME CLERK OR SECRETARY  
\_\_\_\_\_  
EMPLOYER of the County of \_\_\_\_\_, State of  
COUNTY  
Illinois, do hereby certify that I am the keeper of the books and records of the \_\_\_\_\_  
EMPLOYER NAME  
and that the foregoing is a true and correct copy of resolution (ordinance) number \_\_\_\_\_ duly  
RESOLUTION (ORDINANCE) NUMBER  
adopted by the \_\_\_\_\_ at a meeting duly convened and held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
BOARD, COUNCIL, ETC..

SEAL

CLERK OR SECRETARY OF THE BOARD

## Illinois Municipal Retirement Fund

Suite 500, 2211 York Road, Oak Brook Illinois 60523-2337  
Service Representatives 800/ASK-IMRF

## Steps to Adopt and Retire Under IMRF ERI

- Step 1** Employer requests its IMRF Field Representative to conduct a cost estimate to determine the cost of the ERI.
- Step 2** Governing Body reviews the cost estimate and determines the adoption of an early retirement incentive is in the best interests of the employer. *If an employer is aware—or has reason to be aware—of its future dissolution under state law, the process of adopting ERI differs. Refer to page 5 in this booklet.*
- Step 3** Governing Body passes resolution adopting the IMRF ERI, attaches a copy of the cost estimate, and files the resolution with IMRF. *See Limitations on Subsequent ERI Offerings on page 12.*
- Step 4** Employer informs its IMRF members of the adoption of the ERI and the program’s effective date.
- Step 5** Members intending to retire under ERI notify IMRF of their intent by completing Form 5.21, “Member’s Notice of Intent to Retire Under the IMRF ERI,” or by calling an IMRF Member Services Representative at 1-800-ASK-IMRF (275-4673). The Notice of Intent does not guarantee a member’s eligibility for the ERI nor for an IMRF pension. Although a member can file the Letter of Intent as late as his or her retirement date, we encourage members to file Form 5.21 as soon as they decide to retire under ERI.
- Step 6** IMRF acknowledges receipt of the member’s intent, to the member and to the employer.
- Step 7** Employer determines retiring members’ termination dates. Employer is to give members 30 days notice of the date. Members may waive the 30-day notice.
- Step 8** If the employer wants an amortization period of less than 10 years, the employer passes a resolution adopting an amortization period, preferably within six months of the program’s effective date.
- Step 9** Member submits IMRF Form 5.20, “Application for Retirement Annuity,” to IMRF 30 days before termination.

- Step 10** Employer submits IMRF Form 6.41, “Notice of Termination of IMRF Participation” for member.
- Step 11** IMRF begins paying an estimated ERI enhanced pension. If the member is eligible for a refund of contributions (surviving spouse, SLEP, Voluntary Additional Contributions), IMRF notifies member of refund. Members can use their refunds to pay their ERI cost, if desired.
- Step 12** Employer sends member’s final payroll report.
- Step 13** After final payroll received, IMRF recalculates member’s pension to determine final pension amount.
- Step 14** If member eligible for optional pension (Tier 1 member actual age less than 62), IMRF notifies member of the option.
- Step 15** IMRF calculates member’s cost for the ERI and sends invoice to employer.
- Step 16** If the employer will pay the member a lump sum for sick, vacation, and/or personal time, the employer must submit the net payment (gross payment less taxes, IMRF contributions, etc.) to IMRF via govONE EFT pay-by-phone or pay online system and identify the payment as member ERI cost.
- Step 17** After 30 days, IMRF sends invoice to member indicating ERI service purchased, payments received, and balance remaining. Member can return invoice with payment toward his or her cost of the ERI.
- Step 18** After 30 days have passed or payment received from member, if a balance for member’s ERI cost remains, IMRF begins deducting 24 equal installments from member’s pension.
- Step 19** The following March or April, IMRF provides the employer its Advance Rate Notice which details the employer’s IMRF rate, including a breakdown for the employer’s ERI cost for members who have retired under the ERI.

**Oak Brook Office**

2211 York Rd.  
Suite 500  
Oak Brook, IL 60523-2337

**Springfield Regional  
Counseling Center**

3000 Professional Dr.  
Suite 101  
Springfield, IL 62703

Members and employers should  
**mail all correspondence,  
forms, payments, etc. to our  
Oak Brook Office** (2211 York  
Rd., Ste. 500, Oak Brook, IL  
60523-2337).

**Dedicated Employer Line:  
1-800-728-7971**

[www.imrf.org](http://www.imrf.org)

**Actuarial Analysis of**  
**The Potential Effect of**  
**IMRF's Early Retirement Incentive Program**  
**For**  
**07048 - SCHAUMBURG TOWNSHIP**  
**(Regular Members)**  
  
**1 Year Window Beginning**  
**1/1/2024**

**IMRF Retirement Incentive 5-Year Window Program**  
**Actuarial Analysis for**  
**07048 - SCHAUMBURG TOWNSHIP**  
**(Regular Members)**

**Summary of Valuation Results and Input Variables**  
**Window Period: 01/01/2024 Through 01/01/2025**

<p style="text-align: center;"><b><u>EMPLOYEES AFFECTED BY WINDOW *</u></b></p> <p>1. Presently eligible to retire with full or reduced benefits</p> <p style="padding-left: 20px;">a. Number</p> <p style="padding-left: 20px;">b. Annual Payroll</p> <p>2. Number newly eligible to retire</p> <p style="padding-left: 20px;">a. Number</p> <p style="padding-left: 20px;">b. Annual Payroll</p>	<p style="text-align: right;">3</p> <p style="text-align: right;">\$238,639</p> <p style="text-align: right;">1</p> <p style="text-align: right;">\$106,591</p>
<p style="text-align: center;"><b><u>INPUT VARIABLES</u></b></p> <p>3. Employees presently eligible to retire, who</p> <p style="padding-left: 20px;">a. Would have retired without this window</p> <p style="padding-left: 20px;">b. Are induced to retire during this window **</p> <p>4. Employees newly eligible to retire who are induced to retire during window period **</p> <p>5. Total number assumed to retire during window period: (3a) + (3b) + (4)</p> <p>6. Total across-the-board pay increase since 12/31/2022</p>	<p style="text-align: right;">0</p> <p style="text-align: right;">3</p> <p style="text-align: right;">1</p> <p style="text-align: right;">4</p> <p style="text-align: right;">0.00%</p>

\* Persons covered by Elected County Official benefit provisions with this employer were not included in this study.

\*\* Inducement to retire is consistent with the assumptions for the Reserve Transfer Program.

**IMRF Retirement Incentive 5-Year Window Program**  
**Actuarial Analysis for**  
**07048 - SCHAUMBURG TOWNSHIP**  
**(Regular Members)**  
**Summary of Valuation Results**  
**Window Period: 01/01/2024 Through 01/01/2025**

<b><u>IMRF COSTS</u></b>  1. Unpaid ERI Liability Exists? (See Note Below)  2. Additional Liability Created by Window  3. Schedule of Increase in Employer Contribution to IMRF based on indicated amortization of liability increase	Yes  513,951  <div style="text-align: center;">Amortization Years</div> <div style="display: flex; justify-content: space-around;"> <span>5 Years</span> <span>6 Years</span> <span>7 Years</span> <span>8 Years</span> <span>9 Years</span> <span>10 Years</span> </div>					
First Year Second Year Third Year Fourth Year Fifth Year Sixth Year Seventh Year Eighth Year Ninth Year Tenth Year	<div style="display: flex; justify-content: space-around;"> <span>116,283</span> <span>99,030</span> <span>86,731</span> <span>77,529</span> <span>70,391</span> <span>64,698</span> </div> <div style="display: flex; justify-content: space-around;"> <span>119,191</span> <span>101,505</span> <span>88,899</span> <span>79,467</span> <span>72,151</span> <span>66,316</span> </div> <div style="display: flex; justify-content: space-around;"> <span>122,170</span> <span>104,043</span> <span>91,122</span> <span>81,454</span> <span>73,954</span> <span>67,974</span> </div> <div style="display: flex; justify-content: space-around;"> <span>125,225</span> <span>106,644</span> <span>93,400</span> <span>83,490</span> <span>75,803</span> <span>69,673</span> </div> <div style="display: flex; justify-content: space-around;"> <span>128,355</span> <span>109,310</span> <span>95,735</span> <span>85,577</span> <span>77,698</span> <span>71,415</span> </div> <div style="display: flex; justify-content: space-around;"> <span></span> <span>112,043</span> <span>98,128</span> <span>87,717</span> <span>79,641</span> <span>73,200</span> </div> <div style="display: flex; justify-content: space-around;"> <span></span> <span></span> <span>100,581</span> <span>89,909</span> <span>81,632</span> <span>75,030</span> </div> <div style="display: flex; justify-content: space-around;"> <span></span> <span></span> <span></span> <span>92,157</span> <span>83,673</span> <span>76,906</span> </div> <div style="display: flex; justify-content: space-around;"> <span></span> <span></span> <span></span> <span></span> <span>85,764</span> <span>78,829</span> </div> <div style="display: flex; justify-content: space-around;"> <span></span> <span></span> <span></span> <span></span> <span></span> <span>80,799</span> </div>					
Total Estimate Cost First Year	<div style="display: flex; justify-content: space-around;"> <span>611,224</span> <span>632,576</span> <span>654,595</span> <span>677,299</span> <span>700,708</span> <span>724,839</span> </div>					

NOTE:

An employer cannot adopt an ERI program until the cost of a previous ERI program is paid in full. A resolution adopting ERI with an effective date prior to the pay-of date is void. Call 1 800 ASK IMRF and ask to speak with Dionne Green, Employer Account Analyst, to request a written confirmation of the current balance.

**IMRF Retirement Incentive 5-Year Window Program**  
**Actuarial Analysis for**  
**07048 - SCHAUMBURG TOWNSHIP**  
**(Regular Members)**  
**Window Period: 01/01/2024 Through 01/01/2025**

**Individual Member Results**

<b>Name</b>	<b>ID No.</b>	<b>New Salary</b>	<b>Lump Sum Wages</b>	<b>Total Service</b>	<b>ERI Cost</b>
CHAPAS, NICK	XXXXX6136	103,656.00	0.00	25.25	148,047.72
KOŁODZIEJ, JOSEPH	XXXXX5943	65,279.00	0.00	27.92	101,885.11
PHADKE, SARITA	XXXXX6398	69,704.00	0.00	34.75	89,890.80
SCHACKLETON, DAVID	XXXXX9139	106,591.00	0.00	32.83	174,127.55
Total		345,230.00	0.00		513,951.18



## Introduction

The accompanying report illustrates the potential effects of the IMRF Early Retirement Incentive (ERI) Program on your unit of government. The enclosed report is an estimate which illustrates the additional liability (cost) created if your employer offers the ERI program. This cost may be partially offset if the ERI results in payroll and fringe benefit savings. Your employer is in the best position to determine whether or not the ERI will generate any overall savings. Participation in the ERI by any unit of government is voluntary and at the discretion of the governing body.

The effect of the ERI on any particular unit of government depends on the:

- Number of eligible members
- Number of members electing to retire under the ERI
- Employer's re-staffing plans
- Salary and fringe benefit costs for replacement employees.

Because of differing demographics and other local conditions, not all employers will be able to save money under the ERI program.

## Data used to produce the report

The attached report was based upon December 31, 2019, data (our most current). The data was adjusted to the extent possible for employees who have already retired or who have service with Illinois reciprocal public pension systems. Independent actuaries Gabriel, Roeder, Smith and Company created the software for this report. Your unit of government provided input variables that were selected for this report. If the input variables do not reflect actual practice if/when your employer adopts the program, the results may vary considerably.

## Timing of costs

Increased retirement costs due to ERI are reflected in future IMRF employer contribution rates. If your employer adopts the ERI program, the cost of the ERI will be based on actual experience and will be reflected in the second calendar year's rate. For example, if your employer adopts an ERI program and one of your employees retires under it in 2020, the cost for ERI will be first reflected in your 2022 employer rate.

We will charge your employer 7.25% interest the following year that your employer has an outstanding ERI balance at the beginning of the year. This report reflects estimated employer costs of the ERI.

## Summary of Provisions

### Eligible Members

To be eligible to retire under ERI, a Tier 1 member must be at least age 50 years old and have 20 or more years of IMRF service credit by their date of retirement. The 20 years of service can include service credit earned with another IMRF employer and/or reciprocal service credit. These ERI requirements apply to regular Tier 1 IMRF members, Sheriff's Law Enforcement Personnel (SLEP) members, and Elected County Officials (ECO).

A Tier 2 member must be at least age 57 years old and have 20 or more years of IMRF service credit by their date of retirement.

Eligible members include IMRF members who were actively participating in IMRF on the effective date of their employer's ERI program. A member is considered active if he or she is on layoff status with right of re-employment, on IMRF Benefit Protection Leave of Absence, or receiving IMRF disability benefits for less than two years.

Members participating in the Elected County Official plan are not included in the study.

### Retirement Incentives

Eligible members may purchase up to five years of IMRF service credit. The member's age at retirement will be increased by the amount of service credit purchased. For example, if a 50-year-old member purchases five years (or 60 months) of service credit, his or her age will be increased to age 55 for the purposes of determining IMRF retirement benefits.

Note: A regular IMRF member receives the maximum pension after earning 40 years of service credit. Therefore, regular members with less than 35 years of service credit should purchase all five years of ERI service.

### Member Cost

For each year of service credit the member purchases, he or she will pay 4.5% (7.5% for SLEP, 7.5% for ECO) of the member's highest 12 consecutive months of salary within the final rate of earnings period.

For more information on member cost, please refer to the member ERI booklet that can be downloaded at [www.imrf.org](http://www.imrf.org).

**Retirement Dates**

The ERI legislation provides flexibility for employers by allowing the governing body to determine when a member retires (terminates employment). Employers are to give a member at least 30 days' notice of his or her designated termination date. The member may waive the 30-day notice.

A member may terminate up to one year from the effective date of the employer's ERI program. However, a member must file his or her "Notice of Intent to Retire under ERI" (IMRF Form 5.21) with the retirement application (IMRF Form 5.20).

Example:

Board meeting adopting program.....December 15, 2020

Member files Notice of Intent by retirement date\*

Effective date of ERI program.....December 31, 2020

Last eligible termination date: December 31, 2021#

\* Best practice: Encourage the member to file a "Notice of Intent to Retire Under Employer's IMRF Early Retirement Incentive" (IMRF Form 5.21) as soon as your employer adopts the ERI and the member decides to retire under it.

# If a member requests to retire on or before June 30, so he or she can receive the following year's Supplemental Benefit Payment, your employer is required by law to allow the member to do so.

**Cost estimate**

Your IMRF field representative must prepare a cost estimate, and you must share that cost estimate with your employer's governing body before it adopts ERI.

Also, the cost estimate must be based on the same time period as the ERI being considered by your governing body. If your employer does not know when it will offer the ERI, your IMRF Field Representative can prepare multiple cost estimates, each using a different time period.

The ERI resolution has been revised to acknowledge the cost estimate requirement. The cost estimate and IMRF Form 6.77, "Suggested Form of Resolution to Adopt Early Retirement Incentive," must be submitted to IMRF.

For more information, please refer to the member and employer ERI booklets that can be downloaded at [www.imrf.org](http://www.imrf.org). Your IMRF field representative is also available to meet with your employees to discuss the ERI program. Please contact your field representative to arrange a meeting.

**Future ERI programs**

An employer cannot adopt an ERI programs until the cost of the previous ERI is paid in full. A resolution adopting ERI with an effective date prior to the pay-off date is void. Contact IMRF by Secure Message or call 1-800-728-7971, IMRF's employer number, to request a written confirmation of the current balance.

**ORDINANCE NO. 2012 - \_\_\_\_\_**

**AN ORDINANCE ADOPTING RULES GOVERNING PUBLIC PARTICIPATION AT  
PUBLIC MEETINGS IN THE TOWNSHIP OF SCHAUMBURG**

**PASSED AND APPROVED BY  
THE TOWNSHIP BOARD  
THE 27<sup>TH</sup> DAY OF JUNE 2012**

Published in pamphlet form by  
Authority of the Township  
Board of Schaumburg, Cook County, Illinois  
the 27<sup>th</sup> day of June 2012.

**ORDINANCE NO. 2012 - \_\_\_\_\_**

**AN ORDINANCE ADOPTING RULES GOVERNING PUBLIC PARTICIPATION AT  
PUBLIC MEETINGS IN THE TOWNSHIP OF SCHAUMBURG**

**WHEREAS**, Public Act 96-1473 adopted by the 96<sup>th</sup> Illinois General Assembly provides that any person shall be permitted an opportunity to address public officials at a public meeting, under rules established and recorded by the public body; and

**WHEREAS**, the corporate authorities of the Township of Schaumburg have determined that it is advisable, necessary and in the public interest to adopt rules governing public participation at public meetings in the Township of Schaumburg;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Supervisor and the Board of Trustees of the Township of Schaumburg, Illinois, as follows:

**Section 1.     Recitals.**

The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.     Rules for Public Participation**

In order to secure the rights of the citizens to fair and just representation before the boards and commissions of the Township of Schaumburg (the "Township") and to guarantee order at public meetings, the proceedings of the boards and commissions of the Township shall be conducted in accordance with the following rules:

A. Any person who seeks to address the boards and commissions of the Township, at the time designated in the agenda of the meeting or otherwise allotted by the chairperson or presiding officer for public comments and questions, shall be permitted to speak, only upon recognition by the chairperson or presiding officer, and such person shall adhere to the following provisions:

(1) Prior to addressing the boards and commissions of the Township, each person desiring to speak shall state his/her name and address for the record, at the beginning of such address.

(2) Each person shall be granted no more than three (3) minutes per meeting in order to address the boards and commissions hereinabove provided, unless such time is extended by the chairperson or presiding officer, giving consideration to the probable number of persons desiring to speak, and the duration or projected duration of the meeting.

(3) Questions and/or comments shall be limited to the business of the board or commission meeting during which a person speaks. Comments supporting or opposing a nominated person's candidacy for elective office shall not be permitted.

(4) Comments shall be directed to the chairperson or presiding officer, unless the chairperson or presiding officer permits the individual to address a member of the boards or commissions, or other Township officials or employees present.

(5) The following behavior is prohibited during a public meeting of the boards and commissions hereinabove provided:

- a. Conduct in violation of any Township ordinance, state or federal law, or any rule or regulation implementing state or federal law;
- b. Interruption of speakers; name calling; boisterous remarks;
- c. Offensive use of abusive, obscene, profane, slanderous or threatening language or gestures;
- d. Acting or behaving in such an unreasonable manner so as to alarm or disturb another and to provoke a breach of the peace; and
- e. Any other act designed to intimidate, threaten or harm persons, or damage or destroy property.

B. Members of the public shall not engage in audible conversation which prohibits individuals from hearing and/or participating in a public meeting, or disrupts the conduct of business by the boards and commissions hereinabove provided.

C. Members of the public may enter and leave the meeting room at any time, provided such entrance or exit is made quietly and in an orderly fashion.

D. Battery-operated recording equipment is permitted at public meetings, provided the operation thereof is silent, and provided that such recording is confined to the area of the meeting room designated by the boards and commissions for such recording.

E. The chairperson or presiding officer at each public meeting of the boards and commissions of the Township shall be responsible for the enforcement of the provisions of this Ordinance, and shall be empowered to reprimand and/or cause the removal of any and all persons violating the provisions of this Ordinance. The removal of an offender from a public meeting shall proceed as follows:

(1) The chairperson or presiding officer shall twice give the offender notice that he/she is violating certain terms of this Ordinance and might be removed from the public meeting.

(2) If the offender continues to violate any of the provisions of this Ordinance after receiving the above notice, the chairperson or presiding officer shall order a police officer to remove the offender from the meeting room. If the offender continues the disturbance outside the meeting room, such that the orderly conduct of business by the boards and commissions is disrupted, the offender shall be removed from the building in which such public meeting is held.

(3) The offender has no right to appeal from an order of the chairperson or presiding officer requiring the removal of the offender from the meeting room or from the building in which such public meeting is held.

(4) Any order of the chairperson or presiding officer of a meeting relating to the enforcement of the provisions of this Ordinance may be appealed by a member of the boards and commissions present at the meeting. Any ruling by the chairperson or presiding officer may be overruled by a majority of the members of the boards and commissions present at the public meeting.

(5) The offender removed from the meeting room or from the building in which such public meeting is held shall be criminally charged for any violations of applicable law.

F. The public meetings of any advisory board, commission or committee now existing or in the future created by the corporate authorities of the Township shall also be conducted in accordance with the rules set forth in this Ordinance.

**[THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.]**

**Section 3:**     **Effective Date.** This Ordinance shall take effect ten (10) days from and after its passage, approval and publication in pamphlet form.

**ADOPTED** 27<sup>th</sup> day of June 2012 pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:**\_\_\_\_\_

**ABSENT:**\_\_\_\_\_

**ABSTENTION:**\_\_\_\_\_

**APPROVED** by me this 27<sup>th</sup> day of June 2012.

\_\_\_\_\_  
Mary Wroblewski  
Schaumburg Township Supervisor

Filed in my office,  
and published in pamphlet form  
this 27<sup>th</sup> day of June 2012.

\_\_\_\_\_  
Timothy M. Heneghan, Clerk of the Township  
of Schaumburg, Cook County, Illinois

**ORDINANCE NO. 2012 –**

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**AN ORDINANCE PROVIDING FOR ATTENDANCE AT PUBLIC MEETINGS BY  
AUDIO OR VIDEO CONFERENCE**

PASSED AND APPROVED BY  
THE BOARD OF TRUSTEES OF THE TOWNSHIP OF SCHAUMBURG  
THE \_\_\_\_ DAY OF JUNE 2012

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Published in pamphlet form by authority of the  
board of trustees of the Township of  
Schaumburg, Illinois, this \_\_\_\_ day of June 2012.

**ORDINANCE NO. 2012 –**

**AN ORDINANCE PROVIDING FOR ATTENDANCE AT PUBLIC MEETINGS BY  
AUDIO OR VIDEO CONFERENCE**

**WHEREAS**, the Open Meetings Act (*5 ILCS 120/2.01*) requires all public meetings to be public and to be held at specified times and places convenient to the public;

**WHEREAS**, Section 7 of the on Open Meetings Act (*5 ILCS 120/7*) permits attendance at public meetings by other than physical presence under certain circumstances provided that a quorum of members of the public body is physically present; and

**WHEREAS**, the board of trustees of the Township of Schaumburg deem it to be in the interests of the Township of Schaumburg to permit attendance at public meetings by other than physical presence under certain circumstances provided that a quorum of members of the Township of Schaumburg board of trustees is physically present and to provide rules therefor;

**NOW, THEREFORE, BE IT ORDAINED** by board of trustees of the Township of Schaumburg, Cook County, Illinois, as follows:

**Section 1: Attendance by Audio or Video Conference**

If the Township Supervisor or any one or more trustees is/are prevented from physically attending a regular or special Township of Schaumburg board of trustees' meeting because of

- a. personal illness or disability,
- b. employment purposes or the business of the Township of Schaumburg, or
- c. family or other emergency;

and provided that a quorum of the board of trustees is physically present at the meeting, the board of trustees may, by a majority vote, allow the Township Supervisor and/or

member(s) who is/are prevented from physically attending the meeting to participate and vote by audio or video conference, provided that the Township Supervisor and/or trustee(s) who is/are prevented from physically attending a board meeting notifies the Township Clerk in advance of the meeting of the reason why the Township Supervisor and/or trustee(s) is/are prevented from physically attending the board meeting, unless advance notice is impractical. When the Township Clerk has received the required notice from the Township Supervisor and/or any trustee(s) who is/are prevented from physically attending the meeting, the Township Clerk shall, at the commencement of the meeting, announce to the board of trustees the receipt of the notice, the identity of the Township Supervisor and/or trustee(s) who notified the Township Clerk, and the reason why the Township Supervisor and/or trustee(s) is/are prevented from physically attending the meeting as set forth in the notice. Provided that a quorum of the Township Supervisor and the board of trustees is physically present at the meeting, the presiding officer at the meeting shall thereupon call for a vote on the question of permitting the Township Supervisor and/or trustee(s) who is/are prevented from physically attending the meeting to participate and vote by audio or video conference. The vote to permit the Township Supervisor and/or trustee(s) to participate in a closed meeting by audio or video conference shall be made in the open portion of the meeting. The minutes of the meeting shall identify the Township Supervisor and/or trustee(s) participating in the meeting by audio or video conference.

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

**ADOPTED** this \_\_\_\_ day of June 2012, pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**ABSTENTION:** \_\_\_\_\_

\_\_\_\_\_  
Mary Wroblewski, Schaumburg Township Supervisor

ATTESTED and filed in my office,  
and published in pamphlet form  
this \_\_\_\_ day of June 2012.

\_\_\_\_\_  
Timothy M. Heneghan, Township Clerk

## **Township of Schaumburg Code of Conduct**

The mission of the Township of Schaumburg is to provide quality resources, assistance and information to empower our diverse community through innovative programming, data-driven decision-making, and fiscally mindful leadership. To accomplish this, a wide range of activities, programs, and services are offered and available.

To ensure a safe atmosphere that welcomes participation and inclusion, the Township of Schaumburg has adopted a Code of Conduct for the proper conduct of patrons, guests, and volunteers. The purpose of these rules and expectations is to encourage a welcoming, safe, and supportive environment for all who participate, volunteer, and work at the Township. These rules and expectations also serve as notice of behavior that will not be tolerated and the consequences resulting from such behavior.

The Code of Conduct applies to all individuals who participate in, volunteer at, or utilize services. This Code shall apply to anyone engaged in off-site, participating in satellite programming, or while at the Township Town Hall.

### **General Rules and Expectations**

- 1) Patrons must respect the hours of operation.
- 2) Schaumburg Township supports a community of inclusivity and tolerance. Patrons, guests, and volunteers are expected to be respectful of one another and show each other kindness and courtesy.
- 3) Residents are expected to abide by all state laws and local ordinances regarding public behavior.
- 4) All persons attending activities or programs must be able to function independently or with an attending personal caregiver. Individuals who have a physical or cognitive impairment to the extent they need personal assistance in such matters as eating, using the bathroom, or attending a meeting must be accompanied by a caregiver at all times.

### **Prohibited Behavior**

The following behaviors at Schaumburg Township are prohibited and will subject the offending individual to disciplinary action, up to and including permanent suspension. Upon reasonable belief, Schaumburg Township staff have the sole discretion to determine if any of the following behaviors have taken place. Prohibited behaviors include, but are not limited to, the following:

- 1) Engaging in physical violence of any kind toward any guest, participant, volunteer, or staff member, including battery defined as when a person, knowingly and without legal justification, by any means, causes harm to an individual, or makes physical contact of an insulting or provoking nature with an individual, pursuant to 720 ILCS 5/12-3 of the Illinois Criminal Code;
- 2) Assault of any kind toward any guest, participant, volunteer, or staff member, including assault defined as when a person, without lawful authority, engages in conduct which

## **Township of Schaumburg Code of Conduct**

places another in reasonable apprehension of receiving battery, pursuant to 720 ILCS 5/12-1 of the Illinois Criminal Code;

- 3) Fighting, threatening, intimidating, coercing, or interfering with fellow guests, volunteers or staff;
- 4) Unauthorized possession or concealing of firearms or other weapon on Township premises at any time;
- 5) Theft or misappropriation of Schaumburg Township's property, or the possessions of other guests, volunteers, or staff;
- 6) Forging, altering, or deliberately falsifying any of the Schaumburg Township's documents or records, pursuant to 720 ILCS 5/17-3;
- 7) Making or publishing false, vicious, or malicious statements concerning any guest, volunteer or staff;
- 8) Misuse or removal from the Schaumburg Township premises, without proper authority, of records or confidential information of any nature;
- 9) Arriving at Schaumburg Township while intoxicated;
- 10) Unauthorized or illegal use or possession of drugs;
- 11) Engaging in indecent or unlawful conduct, or creating a disturbance within Township;
- 12) Jeopardizing the health or safety of other patrons, guests or staff members;
- 13) Demonstrating disregard for common safety practices;
- 14) Violating any safety rules or practices that create a hazard to participants or staff;
- 15) Distracting the attention of others or causing confusion by unnecessary shouting or any other disruptive behavior at the Township;
- 16) Soliciting membership or contributions to groups or organizations, or selling goods, without express authorization from the Department Director or Township Administrator;
- 17) Use of profane, obscene, abusive, derogatory, or threatening language toward guests, volunteers or staff;
- 18) Creating or contributing to unsanitary conditions or throwing refuse or objects on the floor;
- 19) Smoking inside the Schaumburg Township facility and the vestibules;

## **Township of Schaumburg Code of Conduct**

20) Incessant calling, emailing or any other form of harassment. Such conduct is unacceptable, and clients shall respect the boundaries of staff and other patrons and

21) Acts of retaliation of any kind against a fellow patron, guest, participant or staff.

Please note that this list is not exhaustive of prohibited behaviors. A patron who believes any of the prohibited activities described above have been violated is encouraged to notify a staff member.

### **Incident Reporting**

The health, safety, dignity and welfare of patrons, guests, volunteers and staff are of the utmost priority to Schaumburg Township. For any medical emergency, 911 will be contacted immediately. If emergency personnel are contacted, a Schaumburg Township staff should also be notified immediately. Incidents involving a violation of the Township's Code of Conduct or other policies should be immediately reported to Schaumburg Township staff. Any incident of prohibited behavior or behavior suspected of being inappropriate requires that a staff member complete an Incident Report and an investigation occurs. The incident report will require the input of the individual witnessing the violation.

### **Consequences of Misconduct**

Schaumburg Township will institute progressive discipline for individuals who violate the Code of Conduct, as long as such violation does not pose a danger to others. In that case, the Township may institute any form of discipline determined appropriate, including immediate and permanent suspension from services and programs. Otherwise, disciplinary actions will be taken as indicated below:

- I. **First Warning:** The first time an individual violates the Code of Conduct, the individual will receive a verbal warning from a staff member. The individual will be informed that his or her behavior is not acceptable according to the Code of Conduct. The witnessing staff member, or the staff member who completed the investigation, will complete the Incident Report and add the information to the Code of Conduct Log.
- II. **Second Warning:** The second time an individual violates the Code of Conduct for any reason, the Department Director will notify the individual in a certified letter regarding the violation of the Code of Conduct and issue a warning that a third violation will result in suspension of the individual. The witnessing staff member, or the staff member who completed the investigation, will complete an Incident Report and add the client's information to the Code of Conduct Log.
- III. **Suspension:** The third time an individual violates the Code of Conduct for any reason, he or she will be asked to leave Schaumburg Township promptly. A minimum suspension of two weeks will be instituted depending on the severity of the incident. The participant will also be notified by certified letter. The witnessing staff member, or the staff member who completed the investigation, will complete an Incident Report and add the client's information to the Code of Conduct Log. An individual may also be suspended for a first offense of a more egregious nature.

## Township of Schaumburg Code of Conduct

- IV. **Repeated Incident:** If this process needs to be repeated a second time, the individual will be suspended from the facility for a period of one year. The individual will be notified by certified letter of this suspension.
  
- V. **Acts of Violent Behavior or Imminent Danger:** Any act of violent behavior or any behavior that results in imminent danger to guests, volunteers, or staff will result in a phone call to the police and other necessary emergency responders, removal from the premises and immediate suspension and/or permanent suspension based on the discretion of the Department Director or the Township Administrator.
  
- VI. **Authority for Discipline:** Nothing in this Code precludes the Township from taking any necessary disciplinary action, including immediate and permanent suspension from the Township's services and programs, when warranted for the safety of others.

### **Grievance Procedure**

If a patron disagrees with the decision of the Department Director or staff member regarding a suspension, he or she has the following recourse:

- I. The individual will request, in writing, to the Schaumburg Township Administrator, the opportunity to discuss the suspension. The Administrator will then make a final decision whether or not the suspension will remain in place.
  
- II. If the individual disagrees with the decision of the Administrator, the person may request an appeal to the Board of Trustees. The person must follow all protocol for addressing the Board. All decisions of the board shall be final.