



# *City of Lincoln*

*Policies and Procedures  
Employee Handbook  
Revised January 2026*

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## **To City of Lincoln Employees:**

This manual contains the policies and procedures to be observed by all employees of the City of Lincoln. It covers all significant areas of your relationship to the City including: the classification plan and pay plan, procedures for selection, promotion, and separation, policies on vacation and sick leave; and general operating guidelines.

This manual has an important function in the day-to-day operation of this organization. First, it defines the expectations that an employee has while employed by the City of Lincoln. Secondly, the policies and procedures identified herein are intended to clearly define an employee's workplace behavior, salaries and benefits, and guidelines for maintaining a safe working environment. Overall, this manual is designed to provide fair and equitable treatment of all employees.

Our work is the public's work, and to that end, we should strive to establish rules, guidelines, and practices, that make efficient use of the resources that we are entrusted. Some of the policies in this manual were created with the intent of preserving the assets that the City currently maintains. Other policies were created for the purpose of protecting and developing our most important asset, our employees. What we create together should be products and services of the highest caliber in service to our residents, our businesses, and our visitors alike.

Administration of the policies in this manual is the responsibility of the Mayor, Department Heads, and Supervisors.

It should be noted that the City is an "at will" employer and that the policies, procedures and benefits referenced in this manual do not and are not intended to create contractual rights or obligations between the City and you, the employee. Moreover, the City reserves the right to change, supplement, or rescind any or all parts of the policies, procedures or benefits referenced or set forth in this manual as it deems necessary or desirable.

We encourage you to understand these policies and to observe them. We commit ourselves, department heads and supervisors, to administer them fairly and with a recognition of your professional stature and your individuality.

## **Purpose and General Considerations**

### **Purpose**

The purpose of this Handbook is to serve as an information guide to help employees become better informed and to make their working experience with the City of Lincoln more rewarding. The policies in this Handbook are intended for informational purposes only and are not intended to create a contract of employment.

### **Application**

This Handbook applies to all full-time, part-time, seasonal, and temporary employees of the City of Lincoln. It does not apply to elected officials, members of city boards, commissions, and committees, independent contractors including the City Attorney and volunteers. This Handbook applies to union employees to the extent that it does not conflict with the collective bargaining agreement or contain changes to mandatory subjects of bargaining. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. This Handbook supersedes all previous City of Lincoln handbooks and policies. The City will attempt to provide all employees with notification of any changes as they occur. In addition, this Handbook supersedes all prior management memos to the extent that such memo contradicts a subject or policy covered herein. All employees are required to read the Handbook and sign the Employee Acknowledgment found at the back of this Handbook.

### **Administration**

This Handbook is intended to provide an overview of policies and procedures. It is not possible for this Handbook to address every possible work situation. This Handbook may be amended, rescinded, deleted, modified or repealed at any time by the City. Except as modified by Civil Service Rules or a collective bargaining agreement, your employment with the City is "at will" and may be terminated at any time either by you or the City.

Any policy modifications made to this Handbook will be distributed to all employees upon completion of the modification and will take effect immediately upon distribution. The employee will receive a Handbook acknowledgment form to sign and return to City Clerk's office when a modification is distributed.

Where the context of this Handbook permits, words in masculine gender shall include the feminine gender and words in the singular number shall include plural number. The descriptive headings of the various sections or parts of this Handbook are for convenience and shall not affect the meaning or construction nor be used in the interpretation of this Handbook or any of its provisions or policies.

If you are uncertain about any policy or procedure, please check with your Supervisor

# **Federal and State Employment Policies**

## **Equal Employment Opportunity**

The City provides equal opportunity to all employees and applicants for employment hiring, conditions and privileges of employment, assignment, examinations, compensation, training, promotions, placement, transfers, termination, layoff, recall, reduction in force, leave of absence, and discipline without discrimination because of race, color, religion, pregnancy, political affiliation, gender identity or expression, sex, sexual orientation, mental or physical disability (an impairment that limits a major life activity), age (40 or over) or national origin, citizenship, disability, military service status, or status as a Vietnam-era or special disabled veteran, source of income, marital status, ancestry, family responsibilities, reproductive health decisions or any other protected status in accordance with applicable local, state, or federal laws in its procedures of employment. The City also prohibits retaliation against employees who have reported discrimination. Any employee who believes that he has been discriminated against in violation of this policy should report the matter to the Department Head. In instances where the Department Head is the subject of a violation, the matter should be reported to the Mayor.

The City of Lincoln prohibits discrimination against employees or prospective employees based on their family responsibilities. This protection is required by the Illinois Human Rights Act.

The City will not make employment decisions regarding hiring, firing, promotion, demotion, compensation, benefits, training, or any other terms or conditions of employment based on an employee's actual or perceived family responsibilities.

Family responsibilities mean an employee's actual or perceived provision of personal care to a family member. Personal care includes activities to ensure that a covered family member's basic medical, hygiene nutritional, or safety needs are met; providing transportation to medical appointments for a covered family member who is unable to meet those needs themselves; and being physically present to provide emotional support to a covered family member with a serious health condition who is receiving inpatient or home care.

For purposes of this statement, covered family members include: child (biological, adopted, foster, stepchild, legal ward, or child of person standing in loco parentis), parent or person who stood in loco parentis to the employee, spouse or domestic partner, sibling, grandparent, grandchild, or any individual related by blood or affinity whose close association is equivalent to a family relationship.

## **Affirmative Action Policy**

The City continues its efforts and commitment to fully utilize and treat equally minority groups, women, veterans, and disabled employees at all levels and in all segments of the workforce through an Affirmative Action policy. The goals of this Affirmative Action policy are to eliminate institutional barriers in employment that tend to perpetuate the status quo and to eliminate the effects of any past discrimination.

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

The Americans with Disabilities Act (ADA) of 1990 is a Civil Rights act prohibiting discrimination against individuals with disabilities in employment, public services and transportation, public accommodations, and telecommunications. It does not guarantee equal results, establish quotas, or

require preferences favoring individuals with disabilities over those without disabilities. Adopted in January 2009, the ADA Amendments Act (ADAAA) restores the original intent of the ADA by providing a clear and comprehensive national mandate for the elimination of discrimination.

**Employees with Disabilities** - The City of Lincoln fully complies with its duty to provide reasonable accommodations to allow an employee with physical or mental disabilities to perform the essential functions of the employee's job. To be considered disabled under the ADA, a person must have a physical or mental impairment that substantially limits one or more major life activities, have a record of such an impairment, or be regarded as having such an impairment. Employees who have a disability that limits their ability to perform their job should contact the Department Head to inform the City of their disability and request for accommodation. Employers who become aware of a disability and the need for accommodation must discuss that with an employee.

If an employee qualifies, the City of Lincoln will work with the employee and their medical providers to provide the employee with a reasonable accommodation. This may include making changes to the employee's work schedule, changing some of the job duties or transferring the employee to another position that the employee is able to perform. In order to provide reasonable accommodation, the City of Lincoln may seek to communicate with the employee's medical provider. Employees may be asked to submit to a medical examination by an independent medical provider to confirm their medical condition and resulting limitations.

Employees may be asked to undergo a fitness for duty exam by the City of Lincoln to ensure they are capable of performing the essential functions of the job once they have returned from a disability-related leave.

The City of Lincoln welcomes employment applications from people with disabilities. Work facilities are barrier-free and accessible as defined by applicable federal and state laws. The City of Lincoln has made, and continues to make, a concerted effort to identify the essential functions and physical requirements of all jobs and will make reasonable accommodations through scheduling, task reassignment, and other methods to accommodate applicants and employees with disabilities as appropriate and in accordance with applicable federal and state laws.

The City of Lincoln complies fully with its duty to provide a reasonable accommodation of any employee's sincerely held religious beliefs, unless providing such an accommodation would create an undue hardship or is contrary to the city's commitment to equal opportunity. Employees should contact the Department Head to request accommodation for a certain work schedule, religious holidays off, or to dress in attire that may vary from the dress code adopted by the City.

## **AIDS Discrimination & Testing**

The City of Lincoln will not discriminate against any individuals with AIDS or HIV-positive status. Informed consent will be obtained prior to testing an individual for AIDS, in accordance with the Illinois AIDS Confidentiality Act. Informed consent is defined as a written or verbal agreement by the individual or the individual's legally authorized representative.

## **Anti-Harassment Policy**

It is the policy of the City of Lincoln to maintain a working environment which encourages mutual respect, promotes respectful and congenial relationships between employees, and is free from all forms of harassment of any employee or applicant for employment by anyone, including supervisors, co-workers, vendors, patrons, consultants, or customers.

The City of Lincoln has a "zero-tolerance" harassment policy. Harassment in any manner or form is expressly prohibited and will not be tolerated. Accordingly, management is committed to vigorously enforcing this policy against harassment, including but not limited to, sexual harassment at all levels. All reported or suspected occurrences of harassment will be promptly and thoroughly investigated. Where harassment is determined to have occurred, the City of Lincoln will immediately take appropriate disciplinary action, including written warnings and possible suspension, transfer and/or termination. The City of Lincoln will not permit or condone any acts of retaliation against anyone who files harassment complaints or cooperates in the investigation of it.

#### Definitions

- The term "harassment" includes, but is not limited to, unwelcome slurs, jokes, verbal, graphic or physical conduct relating to an individual's race, color, religion, sex, sexual preference or sexual orientation, age, marital status, ancestry, national origin, physical or mental disability, or military service status.
- Sexual harassment consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.
- Submission to such conduct is an explicit or implicit term or condition of employment.
- Employment decisions are based on an employee's submission to or rejection of such conduct, or such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
- The term "harassment" may also include conduct of employees, supervisors, vendors and/or customers who engage in verbally or physically harassing behavior which has the potential for humiliating or embarrassing an employee of the City.

In accordance with the prohibitions and definitions of the Illinois Human Rights Act as amended in 1993 and the Civil Rights Act of 1964 as amended in 1991, the following explanations and examples constitute sexual harassment under this policy:

**Hostile Environment** - Conduct that has the purpose or effect of unreasonably interfering with a person's job performance or which creates an intimidating or offensive work environment.

**Quid Pro Quo Sexual Harassment** - 1) Making submission to sexual demands an implicit or explicit term or condition of employment or compensation; 2) Making decisions affecting someone's employment or compensation on the basis of whether the person submits to or rejects sexual demands.

**Reasonable Person/Reasonable Woman Standard** - The legal standard for judging whether a specific instance of sexually oriented behavior constitutes sexual harassment. In other words, cases are judged based on the question, "Would any reasonable person or reasonable woman object to or be offended by this behavior?"

Some examples of offensive conduct may include:

**Verbal** - Demeaning language focused on gender; sexual innuendoes; suggestive comments about a person's body; humor and jokes about sex, anatomy, or gender specific traits; spreading rumors about a coworker's sex life; asking or telling about sexual fantasies, preference or history; sexual propositions; or statements of a sexual nature about another employee, even outside of his presence.

**Quid Pro Quo** - Threats or promises by a supervisor (e.g., loss of job, promise of job, promotion, or other employment benefit), or suggesting or insinuating that employment or future promotions will be given in exchange of sexual favors.

Nonverbal - Leering; staring at a person's body; obscene gestures; sexual gestures focused on body parts; giving personal, unwanted gifts; following a person; sending suggestive letters, notes, illustrations, e-mails or photographs; or insulting sounds (e.g., whistling, catcalls, smacking the lips, or "kissing" noises). This could escalate to a higher level including violence (e.g., stalking).

Hostile Work Environment - Sexually-charged work environment, where the atmosphere makes it difficult for an employee to work or feel comfortable. This includes a wide range of behaviors and actions from displaying sexually suggestive pictures, posters, pin-ups, cartoons, slogans of a sexual nature and illustrations; written communications or e-mail; telling suggestive stories and jokes; or using sexual gestures.

Physical - Unwanted or unwelcome touching, hugging, kissing, pinching or brushing against the body; touching oneself in a sexual manner in front of another person; physical coercion to engage in a sexual act; or actual assault. Assume that the only acceptable behavior is a handshake.

Note that some of the prohibited conduct included above may not technically be considered illegal harassment by a court or government agency, but it still warrants disciplinary action since it can have a negative effect on our workplace. For example, we can discipline an employee who uses obscene language or tells off-color jokes, even though that conduct generally would not be considered illegal harassment unless the employee engaged in it on an ongoing basis.

Complaint Procedure -The City of Lincoln provides its employees with a convenient and reliable method for reporting incidents of harassment, including sexual harassment. Any employee who feels that they have been or is being harassed, or discriminated against, is encouraged to immediately inform the alleged harasser that the behavior is unwelcome. In most instances, the person is unaware that his conduct is offensive and when so advised can easily and willingly correct the conduct so that it does not reoccur. If the informal discussion with the alleged harasser is unsuccessful in remedying the problem or if such an approach is not possible, the employee should immediately report the conduct to their immediate supervisor, department head, Mayor, or any member of management. The report should include all facts available to the employee regarding the harassment.

Confidentiality - All reports of harassment will be treated seriously. The City will make its best effort to respect the private and sensitive nature of such reports. However, absolute confidentiality is not promised, nor can it be assured. The City of Lincoln will conduct an investigation into any complaint that will require limited disclosure of pertinent information to certain parties, including the alleged harasser.

Investigative Procedure - Once a complaint is received, the Mayor and Department Head will begin a prompt and thorough investigation. The investigation may include interviews with all involved employees, including the alleged harasser, and any employees who are aware of facts or incidents alleged to have occurred.

Once the investigation is completed, a determination will be made regarding the validity of the harassment allegations. If it is determined that harassment has occurred, prompt and remedial action will be taken. Complainants who file maliciously false complaints of sexual harassment shall be subject to disciplinary action.

Duties of Employees and Supervisors - All employees of the City of Lincoln, both management and non-management, are responsible for assuring that a workplace free of harassment is maintained. Any employee may file a harassment complaint regarding incidents experienced personally or incidents observed in the workplace.

The City of Lincoln strives to maintain a lawful and pleasant work environment where all employees are able to effectively perform their work without interference of any type and requests the assistance of all employees in this effort. City supervisors are expected to adhere to the anti-harassment policy. If a complaint is raised, supervisors are to act promptly to notify the Department Head and Mayor of the complaint so that an investigation can be conducted. In instances where the Department Head is the subject of a violation, the matter should be reported to the mayor. If a supervisor fails to follow this policy, they will be disciplined. Such discipline may include termination.

## **Responsibility -- Employees**

Each individual has the responsibility to refrain from committing harassment in the workplace.

Should an employee be unclear as to whether the conduct the employee finds offensive is discriminatory or harassing, the employee should contact their immediate supervisor or the Department Head.

It is suggested but not required that, if it is within the employee's comfort level to do so, verbally let the offending person(s) know that the conduct is found offensive, and ask that it stop immediately and not occur again.

Again, only if it is within the employee's comfort level to do so, and if the offensive behavior does not stop, the employee can write a letter to the accused detailing all the facts, describing feelings about the behavior, and stating what the employee would like to have happen next. It is recommended that the employee keep a copy of any such letter. It is not necessary or required for employees to submit a written request that the improper conduct cease.

The employee should file an official good faith complaint with the Department Head (who has been designated to receive complaints and conduct investigations) or to the Mayor without fear of retaliation. It is not necessary to make a verbal or written request to the harasser that such harassment cease prior to making the good faith complaint with the Department Head will begin investigating all complaints within twenty-four (24) hours of receipt.

Should the employee feel that the issue is not resolved to their satisfaction, the employee has the legal recourse to file a charge of sexual harassment with the Illinois Department of Human Rights and/or the Equal Employment Opportunity Commission. Should the employee choose to file a charge with the Illinois Department of Human Rights or the Equal Employment Opportunity Commission, it must be done so within three hundred (300) days for the Illinois Department of Human Rights and one hundred and eighty (180) days for the Equal Employment Opportunity Commission after the sexual harassment allegedly was committed . The address of the Illinois Department of Human Rights is as follows: 222 S. College, Floor 1, Springfield, IL 62704. The address of the Equal Employment Opportunity Commission is 500 W. Madison St., Suite 2800, Chicago, IL 60661.

## **Management:**

Refrain from all forms of discrimination or harassment at all times. If observing harassing behavior, ask the offending person(s) to stop immediately, explaining what the conduct is, how it offends, that it is illegal, and that it will not be tolerated. Depending upon the seriousness of the conduct, or if the conduct continues or reoccurs, file an official complaint in writing with the Department Head or the mayor (the designated alternative investigator) without fear of retaliation. The Department Head and Mayor will handle the complaint made in good faith by conducting a complete internal investigation and by writing up the complaint and the results of the investigation as expeditiously as possible and in a timely fashion. The internal investigators will make every reasonable effort to determine the facts and resolve the situation.

## **Sanctions for Employees:**

The City of Lincoln may apply any sanction or combination of sanctions to deal with unreasonable conduct, discrimination, and/or harassment; there is no requirement that there be progressive discipline. The Department Head has the responsibility of recommending an appropriate sanction to the Mayor. Those sanctions include but are not limited to:

- Counseling or referring the offender(s).
- Transferring the offender(s).
- Probation, with a warning of suspension or discharge for continuing or recurring offenses. Suspension without pay, during the investigation period. If it is determined that no violation of the policy has been established, the employee will be reimbursed for loss of pay.
- Discharge.
- Monitoring the offender(s) for a prescribed period of time.
- Documentation of discipline and basis placed in the employee's personnel record, in the event a policy violation is found.

## **Sanctions for Non-Employees:**

In the case of discrimination or harassment committed by a member of an external organization or the recurrence of sexually offensive behavior by previously reported person(s) of an external organization, the City reserves the right to contact the appropriate delegate within the organization so that the organization might effectively manage the complaint internally. Should that organization elect to ignore the complaint, the City will consider suspending business relations with that organization until the harassment stops. All investigative materials will be maintained in the Mayor's office.

## **HIPAA**

The City of Lincoln complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). This federal law is designed to protect the privacy of an individual's medical information and places requirements on employer-sponsored group health plans, insurance companies, Health Maintenance Organizations (HMO) to safeguard protected health information.

## **Pregnant Workers Fairness Act**

The City of Lincoln complies with the Pregnant Workers Fairness Act, which requires reasonable accommodations for employees' known limitations related to pregnancy, childbirth, or related medical conditions, unless such accommodation would impose an undue hardship on the City.

## **Employment**

### **Classifications of Employment**

The City of Lincoln uses a variety of classifications to describe the status of its employees. These classifications define the terms and conditions of employment and can be used by themselves, in conjunction with each other, or interchangeably.

For purposes of salary administration and eligibility for overtime payments and employment benefits, the City classifies its employees as follows:

**Exempt** - Employees who are exempt from provisions of Fair Labor Standards Act (FLSA) and who

are exempt from overtime pay requirements.

**Non-exempt** - Employees who are generally subject to the minimum wage and overtime provisions of the FLSA who are paid one and one-half their regular rate of pay for hours worked in excess of 40 hours per week. Employers will comply with all federal and state laws concerning overtime pay and eligibility plans.

**Regular full-time** - Employees hired to work the City's normal, full-time, thirty (30) hour or more workweek on a regular basis. Such employees may be "exempt" or "non-exempt" as defined above. Generally, full-time employees are eligible for the City's benefit package, subject to terms, conditions, and limitations of each benefit program.

**Regular part-time** - Employees hired to work less than thirty (30) hours per week on a regular basis. Such employees may be "exempt" or "nonexempt" as defined above. Part-time employees are not eligible for the City's benefit package.

**Seasonal and Temporary-** Employees engaged to work full-time or part-time on the City's payroll with the understanding that employment will be terminated no later than upon completion of a specific assignment. (Note that a temporary employee may be offered, and may accept, a new temporary assignment with the City of Lincoln and thus still retain temporary status.) Seasonal and temporary employees are not eligible for the City's benefits. Such employees may be "exempt" or "non-exempt" as defined above.

Employees hired from temporary employment agencies for specific assignments are employees of the respective employment agency and not of the City of Lincoln.

## Human Relations

The Department Head is available to answer questions in regard to employment. If he does not have the answer readily available, the Department Head will obtain an answer and respond accordingly.

### 1-9 Forms

Federal regulations require that 1) before becoming employed, all applicants must complete and sign a Federal Form 1-9, Employment Eligibility Verification Form; and 2) all applicants who are hired need to present a document(s) to show identity and eligibility to work in the United States.

### Appearance

The City of Lincoln expects each employee's dress, grooming, and personal hygiene to be appropriate and present a professional image. At the same time, The City of Lincoln wishes employees to have freedom of choice in appearance while maintaining standards common to professional business attire.

An employee is expected to be suitably attired and groomed during working hours or when representing the City of Lincoln. The following items of attire are considered inappropriate working attire for the City of Lincoln employees:

- Halter tops
- Bathing suits
- Ripped or disheveled clothing
- Athletic wear
- Suggestive or revealing clothing
- T-shirts with inappropriate or offensive language, graphics, gestures, or advertising

Employees who have regular contact with the public are expected to dress in a manner that is considered professional attire in similar business environments. Employees who do not regularly meet with the public should follow basic requirements of safety and comfort but should still be neat and professional as working conditions permit. Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms, depending on the nature of the job. Certain city departments may require other standards for clothing that are commiserate with the job duties.

An employee, who in the opinion of management, is not appropriately dressed may be sent home to change. Non-exempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be paid for the time off the job for this purpose. Repeated violations of this policy may result in disciplinary action, up to and including termination of employment.

## **Personal Phone Calls and Personal Business**

During business hours, employees are to keep personal cellular calls to an absolute minimum. Excessive personal calls during the workday can interfere with employee productivity and be distracting to others.

Employees should restrict personal calls during work time and should use personal cell phones during scheduled breaks or lunch period in non-working areas.

No long distance or toll calls such as directory assistance, other than City business calls, are to be made from the City telephones. If it is absolutely necessary that an employee make a toll call from work, he must charge it to your personal calling card or home number. Telephone records are subject to periodic review by management. If an employee needs to leave the worksite to conduct personal business, he must first obtain permission from his supervisor. This will allow him to make modifications to the work schedule if necessary and will keep him aware of the employees' activities during the day. In case of an emergency, employees may use the City's phones for personal use.

The City requests employees not use the facilities for sending or receiving personal mail.

## **Personnel Files**

The City of Lincoln maintains a personnel file on each employee. These files include personnel documents, mandatory employment forms, performance evaluations, and documentation of disciplinary action. Letters of commendation, scholastic achievements, training certificates or other work-related documents are included in the personnel file. An employee may review or copy their personnel file upon request and in the presence of authorized personnel up to two times per calendar year. An employee cannot remove items from their personnel file. Inspections by employees must be requested in writing to the City Clerk and will be scheduled at a mutually convenient time. The City will provide requested records within seven (7) working days after receipt of the written request. If this deadline cannot reasonably be met, the City may have an additional seven (7) calendar days to comply. Employees may be charged the actual cost of duplicating requested records. The City will take measures to safeguard the confidentiality of an employee's personnel file. It is available for review/access by others only under the following circumstances:

- Ordered by a court
- Requested by a department head or supervisor for review for a transfer, promotion, disciplinary

- or other personnel action
- Required by state or federal law
- Needed to be reviewed to answer a complaint of discrimination filed by the employee with the Illinois Civil Rights Commission, the EEOC or for compliance with any state or federal regulatory agency.

To ensure that personnel files are up-to-date at all times, all employees should notify their supervisor of any changes in name, telephone number, home address, marital status, number of dependents, beneficiary designations, any change affecting Social Security records, scholastic achievements, emergency contact information, etc.

## **Employment References**

All employment verification or reference requests on current or former employees are to be directed to the City Clerk. In addition to past employment information, this would include verification for credit for mortgage purposes. Information will be provided only if the employee has executed a release. Under no circumstance should any City employee release any information about a current or former employee.

## **Employment of Relatives**

The City of Lincoln permits the employment of qualified relatives of employees so long as such employment does not create actual or perceived conflict of interest. For purposes of this policy, "relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy. The City will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- Individuals who are related by blood or marriage are permitted to work in the same facility, provided no direct reporting or supervisory/management relationship exists.
- No employee is permitted to work within the "chain of command" of a relative such that one relative's work responsibilities, salary, or career progress could be influenced by the other relative.
- No relatives are permitted to work in the same department or in any other positions in which the City of Lincoln believes an inherent conflict of interest may exist.

Employees are required to disclose if they have relatives, as defined by this article, working for the City of Lincoln.

Situations not specifically addressed in this policy, in the City's opinion, which could create a conflict of interest or give the appearance of a conflict of interest, will be handled at the City's discretion. This policy applies to all categories of employment at the City, including regular full-time, regular part-time, temporary and seasonal.

## **Gifts and Gratuities**

No employee may directly or indirectly solicit, accept or receive a gift under circumstances in which it could be inferred that the gift was intended to influence him in the performance of his official duties or

was intended as a reward for an official act on his part. A gift is defined as any benefit, favor, service, privilege or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes, but is not limited to, meals, trips, money, loans, rewards, merchandise, tickets to sporting or cultural events, entertainment, and personal services or work provided by City suppliers or contractors.

This policy is not intended to prohibit the acceptance of items of nominal value that are distributed generally to all employees. A determination as to whether this policy has been violated is in the City's sole discretion.

## **Workplace Privacy**

The workplace is intended to be a place of work. An important part of work is communication and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when a supervisor needs access to communications or records maintained by an employee in their individual workspace. Personal items and personal communications received or stored on City premises are not entitled to a guarantee of privacy. Management may search City property and documents in City-owned vehicles, employees' desks, lockers, file cabinets, etc.

## **Outside Employment**

The City has no desire to regulate what employees do with their own time outside of work hours. However, employees may not have outside employment that constitutes a conflict of interest with their employment with the City. Outside employment must not interfere with the overtime demands of the employee's job or diminish or impair an employee's capacity to fulfill their duties, obligations and responsibilities to the City. If it is determined that outside employment conflicts or interferes with performance, safety or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if he desires to remain with the City. The following guidelines regarding outside employment are established as policy in conjunction with policies on Conflict of Interest, and are not intended to be exhaustive:

- Outside employment that constitutes a conflict of interest is prohibited.
- An employee also may not receive any income or material gain from individuals outside the City of Lincoln for materials produced or services rendered while or as a result of performing his job with the City of Lincoln.
- Employees may not engage in any private business or activity while on City work time or at City workplaces.
- Employees may not use information obtained by reason of their employment with the City for personal gain or advantage.
- An employee may not use equipment issued or available to him from the City in any secondary employment.

## **Absenteeism and Tardiness**

The City expects all employees to assume diligent responsibility for attendance and promptness. Continued dependability, quality and pride of service are factors over which each individual employee has a great deal of influence.

Absence is defined as any time an employee is scheduled to work but fails to report. Excessive absenteeism is defined as two (2) or more consecutive unauthorized absences within a calendar year.

Tardiness is defined as arriving later than thirty (30) minutes after the designated start time or leaving early at the end of the day without notifying the immediate supervisor. Excessive tardiness is defined as being late more than thirty (30) minutes, two (2) times within any thirty (30) day period.

The work schedule is constructed around the maximum working hours and capabilities of the staff. It is extremely important that employees are punctual on arrival for work at the beginning of the workday or shift to which they are assigned. If an employee knows that they will be absent or late arriving for work, they must notify the supervisor immediately, and no later than thirty (30) minutes before the scheduled start time. In the event of a disabling sickness or accident while performing work duties, the employee should notify the supervisor immediately.

If an employee is absent for three (3) or more consecutive workdays due to a sickness or accident, a statement from a physician may be required before they will be permitted to return to work. In such instances, the City also reserves the right to require the employee to submit to an examination by a physician designated by the City at its discretion. Unexcused or excessive absenteeism or tardiness may be grounds for disciplinary action, up to and including termination. If an employee is absent for three (3) or more consecutive business days and fails to properly report the absences, this will be considered a resignation of the position, and the employee may be terminated for abandonment of the job.

If it becomes necessary for an employee to leave their worksite during working hours, or not return from approved off-site business or lunch, an employee must clock out or notify their supervisor.

## **Office Hours**

The City of Lincoln offices are open for business from 8:30 a.m. - 4:30 p.m. Monday - Friday except for holidays.

## **Breaks**

Employees shall be permitted one (1) fifteen (15) minute rest periods during the normal eight (8) hour workday, the time of which shall be scheduled and designated by the department supervisor. Break time may not be accumulated. Supervisors should ensure that all service to the public is not interrupted during breaks. Personal business conducted at an employee's workstation during break or lunchtime should not disrupt the productivity of other employees in the area. Break periods may not be used to arrive at work late or leave work early. Supervisors may also issue additional fifteen-minute breaks during the workday to alleviate employees from extreme working conditions such as heat or cold.

## **Lactation Breaks**

For up to one (1) year after a child's birth, any employee who is breastfeeding her child will be provided with a minimum of thirty (30) minute break times as needed to express breast milk for her baby. The City of Lincoln will designate a room for this purpose upon request.

## **Lunch Breaks**

Employees shall be permitted a lunch period of at least forty-five (45) minutes, depending on the position, to be scheduled by the supervisor.

## **Complaints**

If at any time a problem arises, either in connection with an employee's work or a personal matter, the

employee can talk it over with his Supervisor, and/or get advice and help of the department head.

## **Office Standards**

The City of Lincoln requests that an employee use professional taste when decorating their business office and keep their workspace in a neat manner, which will support The City of Lincoln's goal of creating and maintaining a professional and attractive work environment. Management staff is responsible for assuring these standards are maintained.

## **Travel**

All travel for City business shall be pre-approved by department heads or supervisor. If overnight stay is required, lodging will be pre-arranged and be pre-approved and reimbursed with verification or receipt. When on City business, meals shall be reimbursed with verification/receipts at the rate of a maximum of:

Breakfast - \$12 Lunch - \$17 Dinner - \$27

Up to 15% gratuity which will be included in the meal limit. If employee feels it necessary to tip more, that would not be reimbursable. If purchasing food for multiple days employee must show split ticket to spread over the days. Employees shall turn in travel expense voucher with detailed receipts to Department Head within five (5) days of returning from conference, training, or seminars. Department Head shall turn in approved voucher with receipts into Clerk's Office within five (5) days of receiving from the employee.

No reimbursement will be made without receipts/verification. No meals shall be reimbursed in cases where a meal is provided, and the attendee(s) chooses not to partake in the provided meal. In no case will purchases for alcohol be reimbursed. Transportation will be reimbursed with pre-approval by department head, supervisor, or City Council. A mileage rate as established by the IRS for standard mileage rates will be paid to an employee who uses his personal vehicle on official City business. An employee should adhere to the Personal Vehicle policy as described in this handbook.

No more than two people from any department will attend any conference or seminar without the written approval from the Mayor or Department Head. Except in unusual circumstances, the number 1 and 2 persons in a department will not attend an overnight conference together.

## **Conflict of Interest**

City employees must avoid a conflict of interest and even the appearance of a conflict of interest. A City of Lincoln employee, acting in the employee's official capacity, shall not:

- Use their public position for their own personal gain or to benefit a family member or business associate.
- Make governmental decisions on matters in which they, their family or business associates have an economic interest.
- Enter into a relationship with a vendor where the employee's actions are, or may be viewed as, not in the best interest of the City.

Employees must notify their supervisor in writing of any matter in which they, their family or business associates, have an economic interest and in which they must act on behalf of the City. The supervisor must send the notification to the Mayor for review. If the City determines a potential conflict or appearance of conflict of interest exists, the matter will be reassigned to another employee.

## **Driver's License Policy**

Any employee whose work requires them to operate a City vehicle must hold a valid Illinois State driver's license. All new hires who will be assigned work entailing the operation of a City vehicle will be required to submit to an Illinois Secretary of State driving records check as a condition of employment. A report indicating a suspended or revoked license status may be caused to deny or terminate employment.

Periodic check of employee driver's licenses through visual and formal Illinois Secretary of State's review checks shall be made by department heads or division supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate a City vehicle until such time as a valid license is obtained. Any employee performing work which requires the operation of a City vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an Occupational Driving Permit from the Illinois Secretary of State. Any employee that fails to report such situation is subject to disciplinary action, including demotion and/or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a City vehicle shall be subject to possible termination.

Any information obtained by the City in accordance with this section shall be used by the City only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C. S 2721 et seq.).

## **Solicitations and Contributions**

The City of Lincoln prohibits solicitation and distribution on its premises by non-employees. Because solicitations and distribution activities may interfere with normal business operations, reduce productivity and efficiency, and pose a threat to security, the City only permits solicitation and distribution by employees under certain approved conditions. For example, the City may authorize fund drives by employees on behalf of charitable organizations or for employee gifts. In most departments, it is common practice to solicit the employees for donations of personal gifts, parties, and other purposes. These requests are strictly voluntary, and it is up to each employee to decide if he wishes to contribute.

## **Guidelines for Appropriate Conduct**

As a City of Lincoln team member, employees are expected to accept certain responsibilities, follow acceptable business principles in matters of conduct, and exhibit a high degree of integrity at all times. This not only involves sincere respect for the rights and feelings of others but also demands that an employee refrain from any behavior that might be harmful to themselves, co-workers, or the City of Lincoln, or that might be viewed unfavorably by current or potential customers or by the public at large. Because employee conduct reflects on the City, all employees are encouraged to observe the highest standards of professionalism at all times. Types of behavior and conduct that the City considers inappropriate include, but are not limited to:

- Coercive, abusive or inappropriate use of one's management or other position of authority against an employee/visitor
- Abuse of one's position for unfair gain or the unfair gain of others
- Excessive absenteeism (defined as two (2) or more consecutive unauthorized days)
- Excessive tardiness (defined as more than thirty (30) minutes late from the employee's designated start time or leaving before the end of the employee's designated quit time without having notified the employee's immediate supervisor two or more times within any thirty (30)

day period.

- Falsifying employment or other City records, including the alteration of timesheets, employment application, tax records including Social Security numbers, expense accounts, medical reports, or shipping and receiving records
- Theft of property from co-workers, visitors, or the City of Lincoln, or the malicious or willful destruction or damage of property/supplies, tools, machines, or products of co-workers, visitors or the City of Lincoln
- Unauthorized possession or use of City property, equipment or materials
- Unauthorized possession of another employee's/visitor's property
- Accepting or procuring bribes
- Failing to wear assigned safety equipment or failing to abide by safety rules and policies
- Failing to maintain the confidentiality of the City of Lincoln, visitor, or client information
- Gambling of any kind on City time or premises
- Commission, or conviction in a court of law, of a serious criminal offense
- Unjustified refusal to obey a reasonable and lawful request to search either one's person or property
- Soliciting or accepting gratuities from customers or clients
- Violation of the City's Harassment, Equal Employment, AIDS, Affirmative Action and ADA policies
- Failure to comply with published fire, health, occupational health and/or safety codes
- Smoking in prohibited areas
- Refusing to follow management's instructions concerning a job-related matter or being insubordinate
- Swearing or using abusive or harassing language towards fellow coworkers, the public, or others who may conduct business with the City
- Reporting to work under the influence of drugs or alcohol, and the illegal manufacture, possession, use, sale, distribution or transportation of drugs
- Bringing or using alcoholic beverages on City property or using alcoholic beverages while engaged in City business off the City's premises
- Being unable to perform normal duties properly and/or safely as a result of consumption of alcohol and/or non-prescription drugs
- Sleeping on the job without authorization
- Excessive, unnecessary, or unauthorized use of City property and supplies, particularly for personal purposes
- All forms of physical assault, threats and intimidation
- Sexual assault or attempted sexual assault
- Unauthorized possession of dangerous weapons
- Behavior which endangers, or could reasonably endanger life
- Fighting or using obscene, abusive, or threatening language or gestures
- Unauthorized possession of firearms on City premises or while on City of Lincoln business
- Violation of cell phone policy
- Violation of the City's Equipment and Electronics policy

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory based on violations either of the above or of any other City policies, rules, or regulations, the employee will be subject to disciplinary action, up to and including termination.

## **Disciplinary Action**

Under many situations, the City of Lincoln maintains a progressive discipline procedure to ensure a fair method of disciplining employees. This procedure is intended to give an employee advance notice, whenever appropriate, of a problem(s) with their conduct or performance in order to provide them with an opportunity to correct the situation. Normally, progressive discipline involves verbal warning and

written warnings before an employee is terminated; however, circumstances may warrant immediate termination. For example, in cases where an employee's poor attitude, behavior, or conduct is egregious and/or a blatant disregard of the professional conduct promoted by the City of Lincoln, the procedure of progressive discipline may be abandoned.

It should be remembered that employment is at the mutual consent of the employee and the City. Therefore, either the employee or the City can terminate the employment relationship at any time and for any reason. Before or during imposition of any discipline, an employee may be given an opportunity to relate their version of the incident or problem at issue and provide any explanation or justification he considers relevant. All circumstances will be considered fully and objectively before a decision is made regarding discipline.

## Procedure

Minor breaches of employee misconduct will normally be dealt with by the immediate supervisor. The supervisor shall:

- Ensure the employee is fully aware of the incident or behavior that is unacceptable;
- Establish from the employee the reason(s) for the incident or unacceptable behavior(s) and record it/them accurately;
- Agree with the employee on action that could solve the problem;
- Take steps to implement and monitor the agreed corrective action;
- Assist the employee to achieve the goal(s);
- Keep a record of corrective counseling, verbal warnings, written warnings, and any suspensions. Originals are filed in the employee's personnel record and copies are distributed to the employee and supervisor.

Where appropriate and not otherwise dictated by a collective bargaining agreement, a policy of progressive employee discipline will be followed by supervisors. Major elements of this policy include:

**Conversation-** Before receiving a verbal warning, an employee will be counseled by his supervisor and told what improvements are necessary and expected to correct any performance deficiencies. The supervisor will document the conversation and keep a record in his file.

**Verbal Warning** - The first step in the City of Lincoln's progressive disciplinary policy is the "verbal warning." This is a verbal warning to an employee that his conduct is unacceptable. Repeated or continued failure to conform their conduct or performance to the City standards may result in more severe disciplinary action or termination of employment. Originals are filed in the employee's personnel record and copies are distributed to the employee and supervisor.

**Written Warning-** The second step in progressive discipline is a "written warning." This warning will describe the unacceptable conduct or performance of the employee and specify needed changes or improvements. The employee will be given an opportunity to improve their performance/actions within this written warning. A meeting will be held between the employee and the supervisor in order to determine whether or not improvements have been made. Originals are filed in the employee's personnel record and copies are distributed to the employee and supervisor.

**Suspension** - Suspension of the employee's employment, at the sole discretion of the City of Lincoln, may be used as the third step in progressive discipline. The length of the suspension will vary based upon such factors as the severity of the offense, the employee's performance, and the employee's disciplinary record. An employee may be suspended for repeated instances of minor misconduct,

failure to conform their conduct or performance to the standards of their position, or for a single serious offense. Originals are filed in the employee's personnel record and copies are distributed to the employee and supervisor. Prior to the suspension, or as soon as reasonably possible, the City of

Lincoln will notify the employee in writing of the reason for the suspension and the length of the suspension. An employee may be suspended without pay pending an investigation of an allegation. If the allegation proves false, the employee will receive compensation to which he would have been entitled to have the suspension not taken place.

**Termination** - The final step in the disciplinary process is the termination of the employee. If an employee fails to conform their conduct or performance to the standards required by the City of Lincoln, the organization may, in its sole discretion, terminate the employee's employment. The employee and supervisor will be required to sign all documentation issued to them as well as the suspension documentation. If the employee refuses to sign any of the warnings/documentation, two witnesses must verify the employee refused his signature.

At the request of either party, the Department Head/Mayor can attend any/all these meetings in an advisory capacity and monitor proceedings. A non-supervisory employee who is represented by a union may request that a union representative be present at any interview if the meeting may lead to disciplinary action for that employee. Notwithstanding this progressive disciplinary procedure policy, the City of Lincoln reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances, and may, in its sole discretion, eliminate any or all of the steps in the discipline process.

These are guidelines only and at the City's discretion any and/or all steps can be skipped, or the progressive discipline system may not be used at all when an employee is discharged.

## Whistleblowing

The City of Lincoln complies with the Illinois Whistleblower Reward and Protection Act that encourages employees to disclose any improper governmental action taken by City officials or employees without fear of retaliation. The law states that any employer with one or more employees who knowingly takes adverse employment action or retaliates against an employee who has engaged or engages in the following activities is liable to the state for monetary damages. Improper governmental action is any action by a city officer or employee that is:

- Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, and
- In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety or is a gross waste of public funds.
- Improper governmental action does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments performance evaluations reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violation of labor agreements or reprimands. In addition, employees are not free to disclose matters what would affect a person's right to legally protect confidential communications.

The City will not retaliate against employees who engage in protected whistleblower activities. Retaliation includes discharge, demotion, suspension, threats, harassment, or discrimination.

Employees who believe they have experienced retaliation for whistleblowing should report such conduct to the Mayor immediately or may file a complaint with the Illinois Attorney General.

**Communications, Marketing, and Public Relations**

All media inquiries and other general inquiries should be referred to the mayor or appropriate department head if designated. The Mayor must approve all press releases, publications, speeches, or other official declarations. The Mayor can designate a spokesperson on his behalf.

**Separation from Employment**

Termination of employment is an inevitable part of personnel activity within the City and many of the reasons for termination are routine. An employee may be separated from employment voluntarily or involuntarily, by retirement, or lack of work.

Any employee who voluntarily resigns is expected to provide the City with advance written notice of no less than two (2) weeks as is customarily done as a business courtesy. This notice should be addressed to the department head and Mayor. Failure to provide such notice will result in the employee not being eligible for rehire. If an employee has unused vacation time upon the termination of your employment, they will be paid for that time at their regular base pay. Unused sick time is not paid at time of termination.

The City of Lincoln attempts to maintain a stable workforce, however, business conditions sometimes change to the point that there is not enough work to keep all employees on the payroll. Should such a situation occur the workforce may be reduced by laying off the number of employees over and above those needed to perform the work available.

Any property issued to an employee, such as software, computer equipment, databases, files, cellular phones, mobile email device, pagers, keys, parking passes or The City of Lincoln credit card must be returned at the time of the termination. The employee will be responsible for any lost or damaged items.

Since employment with the City is based on mutual consent, both the employee and the City have the right to terminate employment at will.

**Compensation and Benefits**

**Pay Plan**

The City of Lincoln complies with all federal and state minimum wage requirements. As of January 1, 2025, the minimum wage in Illinois is \$15.00 per hour. All employees will be paid at least the applicable minimum wage. The City reviews compensation annually to ensure compliance with wage laws.

The pay plan for employees of the City is established by the City Council and implemented by the Mayor. Salaries will be paid twice a month or twenty-four (24) pay periods per year. Full-time employees are paid for time worked during the pay period. Part-time employees are paid one cycle behind full-time employees.

Employees are encouraged to review information on their pay stubs on a regular basis. The pay stub gives valuable information regarding pay and deductions. Employees can contact the City Clerk with any questions. Paychecks will not under any circumstances be given to any person other than the employee without written authorization. Vacation pay will be paid on the regular pay cycle. If you resign, final settlement of services or wages will be made no earlier than the next regular pay cycle,

or in accordance with state law, whichever is sooner.

If an employee is terminated, he will be issued a check on the next regular payday, or in accordance with applicable state law, whichever is earlier.

## **Timekeeping**

Accurately recording their time worked is the responsibility of the employee. The time sheet is used for payroll records and must be maintained accurately at all times. Each employee will be expected to keep and sign a time sheet. Non-exempt employees must report all time worked on their timesheet. "Off-the-clock" work is prohibited and failure to accurately record working time is grounds for discipline.

Supervisors may not allow employees to engage in "off-the-clock" work.

Any discrepancies should be resolved on the time sheet by the department supervisor before transmittal to the payroll contact for payment. Falsifying a time sheet will result in immediate termination.

Time worked is the time actually spent on a job(s) performing assigned duties. The City of Lincoln does not pay for extended breaks or time spent on personal matters. The time clock is a legal instrument. Altering, falsifying, tampering with time records, or recording time on another team member's time record will result in disciplinary action, including termination of employment. Authorized personnel will review time records each week. Any changes to an employee's time record must be approved by his supervisor. Questions regarding the timekeeping system or timecards should be directed to the Department Head.

## **Overtime - Nonexempt Employees**

It should be recognized that overtime and additional work other than that which is regularly scheduled might be required. When additional work is necessary, the supervisor will try to give as much advance notice as possible.

Overtime will be paid to eligible, non-exempt employees in accordance with applicable federal and state laws at a rate of time and a half for all overtime and double time for Sundays and holidays worked in addition to their 40-hour work week or other applicable work week. "Hours worked" means times actually spent on the job, or in work-related situations. Vacation, sick time or holidays are not included when calculating overtime. Exempt employees are not covered by the overtime provisions and therefore do not receive overtime pay.

All overtime must be authorized prior to its occurrence by the immediate supervisor. All overtime will be clearly noted on the employees' time sheet.

## **Garnishments**

An employee is responsible for his own debts. The City's policy is to enforce all court, state, or federal ordered garnishments. An employee will be notified of a garnishment to wages upon receipt of order.

## **Social Security and Illinois Municipal Retirement Fund**

Your payments to the Federal Social Security Fund and Illinois Municipal Retirement Fund are matched by required payments from the City. TIS fund provides benefits based on the length of time

payments have been made and the amounts of those payments. Deductions are made from an employee's salary as prescribed by law.

## **Insurance Benefits**

The City has available to all regular full-time employees hospitalization, life, dental, and medical/surgical insurance coverage. The City only offers coverage, or a percentage of coverage, for eligible employees only. The Mayor and City Council members are not eligible for any insurance benefits.

Employees will be given information concerning rates and benefits at the City Clerk's office.

### **Medical Insurance**

The medical plan for eligible City employees shall pay benefits in accordance with the plan document in force at the time the claim is made. The premium contribution shall be determined by the City Council from time to time.

### **Dental Insurance**

Benefits shall be paid in accordance with the plan document in force at the time the claim is incurred. The employee shall be responsible for 100% of the cost of the dependent dental premium. The premium contribution shall be determined from time to time by the City Council.

### **Life Insurance**

The City shall pay the premiums for group life insurance for regular employees in amounts established from time to time.

### **Supplemental and Dependent Life Insurance**

The City may make available to employees as a part of its insurance program, Supplemental Employee and Dependent Life Insurance. The amounts available shall be in accordance with the plan documents in force at the time. The City shall not contribute towards the cost of the premiums.

### **COBRA Rights**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) requires continuation of group health insurance and dental plans at group health rates following an event that would otherwise terminate coverage for the employee and covered dependents. COBRA specifies that continued coverage must extend until the earliest of:

Eighteen (18) months for a reduction in hours or termination of employment, except for gross misconduct.

An additional six (6) months, for a total of twenty-four (24) months of COBRA coverage for a person who qualifies for military leave under USERRA.

Twenty-nine (29) months of coverage for a person who becomes disabled within sixty (60) days of coverage under COBRA.

Thirty-six (36) months for a spouse or child of an employee who dies or becomes divorced or legally separated, or for a child who becomes ineligible, typically because of age, for coverage under the parent's plan. This includes children who are born or adopted during the period of COBRA coverage.

Thirty-six (36) months from the date that a qualifying dependent beneficiary becomes eligible for Medicare or for another group health plan, unless a pre-existing condition is not covered. This includes children born or adopted during the period of COBRA coverage.

A former employee will be responsible for the cost of COBRA coverage. Cost of coverage will be one hundred and two percent (102%) of the entire group premium, one hundred and fifty percent (150%) for months nineteen (19) to twenty-nine (29) for persons who are eligible due to a disability.

COBRA benefits stop if:

- The employee or dependent becomes eligible for another health benefits plan and does not have pre-existing conditions that are excluded under the new plan.
- The employee or spouse becomes eligible for Medicare.
- The City of Lincoln discontinues the health benefit plan.

The City of Lincoln will notify an employee of the right to continue coverage on two occasions:

- At commencement of the plan or when an employee first enters the plan.
- After COBRA qualifying event (employee and/or qualifying beneficiaries).

Extended coverage is not automatic. A qualified beneficiary must, within the later sixty (60) days of the loss of coverage or sixty (60) days from the date of notification by the plan administrator of the option, elect COBRA coverage.

\* The City of Lincoln will comply with the USERRA for military personnel in granting an additional six (6) months of COBRA coverage for a total of twenty-four (24) months.

## Leave Benefits

### Vacation

All full-time employees covered by this policy will receive vacation pay according to the following years of service, not applicable to elected officials or those under a collectively bargained contract. Vacation allotments made on the following schedule will take place on an individual's anniversary of his date of employment.

Seniority Completed	Vacation Awarded
Six (6) months to two (2) years	One (1) week vacation
Over two (2) years to seven (7) years	Two (2) weeks' vacation
Over Seven (7) years to thirteen (13) years	Three (3) weeks' vacation
Over Thirteen (13) years to twenty (20) years	Four (4) weeks' vacation
Over Twenty (20) years to twenty-seven (27) years	Five (5) weeks' vacation
Twenty-seven (27) years and over	Six (6) weeks' vacation

- Preference in the matter of dates will be given to those employees having the longest department seniority.

- Vacations will be scheduled at the discretion of department heads and may be postponed or rescheduled for a later date only in case of sickness or other disability.
- Vacations will be from date of employment and can be taken only after completion of required service.
- Employees who quit will receive vacation pay for unused vacation.
- Vacation benefits shall be based on straight time pay.
- Any employee who is discharged will be paid for earned vacation which he has not taken up to the time of his discharge.
- An employee must work at least 130 days of a particular calendar year to be eligible for vacation in the following year.
- No more than five (5) vacation days beyond your maximum amount of allotted vacation awarded in a single year may be carried over into the next calendar year.
- Vacation days cannot be used in increments of less than one hour of a working day.
- The Department Head shall institute a procedure for requesting and tracking vacation leave. Vacation leave will be tabulated by the City Clerk's Office.

## **Holidays (where not covered by Union Agreement)**

City employees receive thirteen (13) paid holidays.

- New Year's Day
- Martin Luther King's Birthday
- Lincoln's Birthday
- President's Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day and day after Thanksgiving
- Christmas

Should any of these holidays fall on a Saturday, it will be observed on the Friday before and a holiday falling on Sunday will be observed on the following Monday. If an employee is asked to work on any of these holidays, the supervisor will explain the rate of compensation the employee will receive. Holiday pay will not be paid if failing to work the day before or the day after, unless excused by the supervisor. When a holiday falls within an employee's vacation period, the employee's vacation shall be extended by one day.

## **Sick Leave**

Each employee shall be entitled to 12 working days for sick leave with pay per calendar year. Upon employment, a newly hired employee is granted one (1) sick day per month on a pro-rata basis until the end of the calendar year. Any sick days not used in a calendar year shall be accumulated up to 25 days. Any sick days accumulated over 25 days shall be placed in retirement reserve. Up to 240 sick days can be placed in the reserve to be used as allowed by those in IMRF retirement system. Any days accumulated beyond the 25 days set forth above cannot be used as sick days except only upon the affirmative vote of the City Council for a major illness of an employee. No employee will be paid for sick leave for which no days are available. A physician's note shall be requested after three (3) working days of sick leave.

Employees should make their best efforts to schedule appointments with physicians, dentists, and other medical professionals outside of business hours. Sick leave may be used in quarter-hour increments for the purposes of appointments with medical personnel. An employee who wishes to conduct a medical appointment during regular business hours must receive approval from their respective supervisor or department head.

Each department head shall report to the City Clerk's Office those employees who call in sick. He shall, on a regular basis, advise the Mayor of sick leave use. If any employee displays a pattern of sick leave usage, then that employee must submit written medical documentation from his physician that he has 1) been seen by a physician, 2) that he is unable to work, 3) the expected duration of the leave, and 4) the cause of the leave, and 5) the expected date of return to work. An employee who abuses sick leave shall be subject to discipline up to and including termination.

Employees are not paid accrued unused sick leave at termination.

### **Paid Leave For All Workers Act**

The City of Lincoln complies with the Paid Leave For All Workers Act for full-time employees; however, all other employees, except elected officials, are eligible to receive paid time off. This Act does not provide additional paid time off for those employees who are already receiving paid time off under the current City of Lincoln's paid time off policies.

Employees who have completed 90 days of employment are eligible for up to forty (40) hours of paid leave in a 12-month period. This leave may be used for any reason, including but not limited to personal illness or medical care, family care or medical care of a family member, personal business mental health or safety reasons, including domestic violence or sexual assault.

Paid leave under this Act accrues at a rate of one (1) hour of paid leave for every forty (40) hours worked, up to a maximum of forty (40) hours per calendar year.

Employees must provide reasonable notice when the need for leave is foreseeable. When leave is not foreseeable, employees should notify their supervisor as soon as practicable.

### **NICU (Neonatal Intensive Care Unit) Leave**

Effective June 1, 2026, the City of Lincoln is required to provide unpaid, job-protected leave when an employee has a child in the neonatal intensive care unit (NICU). The amount of unpaid leave is up to twenty (20) days.

Employees can take this leave intermittently and the City of Lincoln can require a minimum of two-hour increments to be taken. Employees can also choose (though can't be required) to substitute any other available paid or unpaid leave. The City of Lincoln is required to continue employees' health insurance during the leave period. Reasonable documentation to support that the leave was taken for the covered purpose may be requested. This leave is addition to that provided under the federal Family and Medical Leave Act (FMLA) and does not run concurrently with it.

### **Family Medical Leave Act**

Family Medical Leave Act (FMLA) is intended to address the personal and medical needs of employees and families. The City of Lincoln will comply with Family Medical Leave Act of 1993 and all future revisions to the Act. Where provisions of the City personnel policies, contracts, or agreements are in conflict with FMLA, those regulations which are most beneficial to the employee will apply. The

City will grant up to 12 weeks leave during a 12-month period to eligible employees for qualifying reasons. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave as specified in this policy.

To qualify for family or medical leave, the employee must have worked for the City for twelve (12) months. The 12 months need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week. In addition, to be eligible for leave, the employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. Eligibility is determined as of the date the FMLA leave actually begins, not when a request for leave is made. Finally, the employee must be employed at a location where fifty (50) of the City workers are employed or work within seventy-five (75) miles of each other.

FMLA leave is available for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for the newly placed child.
- To care for a spouse, child or parent with a serious health condition. The definition of "child" - a son or daughter who is biological, adopted, foster or step-child, a legal ward of the employee, or a person for whom the employee is standing *in loco parentis*. A child must be either under the age of 18, or, if 18 years or older, will be considered "incapable of self-care" because of mental or physical disability that limits one or more of the "major life activities" as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA) who is a "parent" including a biological parent of the employee or a person who previously acted *in loco parentis* of the employee, but does not include "parents-in-law" or "care" includes the provision of psychological as well as physical care. It also includes acquiring care and sharing care duties.
- When the employee is unable to perform the essential functions of his job because of the employee's own serious health condition.
- In accordance with the National Defense Authorization Act of 2008 and 2010, employers must also grant eligible employees FMLA leave for family members called to regular or active military duty and additional leave (up to 26 weeks) to care for family members injured while on active military duty.

The City will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

If a husband and wife both work for the City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of twelve (12) weeks of leave.

While an employee is on leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, as the employee's health coverage may cease if the premium payment is more than thirty (30) days late.

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from the health care provider. This requirement will be included in the City's response to the FMLA request.

Upon return from FMLA leave, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits, and other employment terms. The employee will not lose unused benefits that accrued prior to the leave of absence. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, compensatory time, personal or sick leave prior to being eligible for unpaid leave. All paid leave shall run concurrently with FMLA leave. All time missed from work that qualifies for both FMLA and for worker's compensation will count toward the twelve (12) weeks of FMLA leave. An employee who is taking leave to care for a child must use all paid vacation, compensatory time, personal or sick leave prior to being eligible for unpaid leave.

Where medically necessary, the employee may take FMLA leave other than child care leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 work-weeks.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recover from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

### **Medical Certification**

The City will require initial and ongoing medical certification from the employee's health care provider for the employee's or family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification is not required for leave for birth of a child or to care for a child upon the child's placement with the employee for adoption or foster care.

The City may directly contact the employee or family member's health care provider for verification or clarification purposes. The contact will be made by the Department Head/Mayor. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve a deficiency in the medical certification. The employee or family member may be required to consent to disclosure of the information to the City pursuant to HIPAA Medical Privacy Rules, and if the employee fails to provide such consent, the City may deny FMLA leave where the certification is unclear.

The City has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the city will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

The City may require recertification of employee or family medical leave at any point when circumstances have changed significantly, the City receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. In all instances, the City requires recertification every six (6) months in connection with an FMLA medical leave, or more frequently as permitted by law. The City may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

Medical certification must include the date when the condition began, its expected duration, and a brief statement of treatment.

### **Procedure**

Employees seeking to use FMLA leave are required to provide 30-day written advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable, generally either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the City as soon as the employee learns of the need for leave. Absent unusual circumstances, employees must comply with the City's notice requirements for reporting sick leave time.

When an employee seeks leave for a FMLA qualifying event for the first time, the City will designate the leave as covered by this policy whether or not the employee as expressly requested FMLA leave. When an employee seeks leave, however, due to a FMLA qualifying reason for which the City has previously provided the employee FMLA protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA. In all instances, the employee must answer questions and provide sufficient information to allow the City to determine whether an absence is for an FMLA qualifying reason. Failure to provide such information can result in a delay or denial of FMLA coverage. When an employee requests FMLA leave or the City acquires knowledge that leave may be for a FMLA qualifying event, the City must notify the employee of his eligibility to take leave and inform the employee of his rights and responsibilities under FMLA. When the City has enough information to determine that leave is being taken for a FMLA qualifying event, the City must notify the employee the leave is designated and will be counted as FMLA leave.

Upon notification by the employee to the City, the City will preliminarily notify the employee who has properly requested leave whether the request has been granted within five (5) business days of learning the reason for the request. Within five (5) business days after the employee has submitted the appropriate certification form, the HRD or a designee will complete and provide the employee with a written response to the employee's request for FMLA. The City will require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

An employee returning from FMLA Leave is entitled to any unconditional pay raises that occurred during the FMLA Leave.

Intermittent and Reduced Work Schedule Leave - Leave on an intermittent basis refers to FMLA Leave taken in separate blocks of time periodically for the same serious health condition. For example, an employee may take intermittent leave for medical appointments that cannot be scheduled during non-work time or may take several days at a time over many months, as required for treatment such as chemotherapy. According to the FMLA Act, intermittent or reduced work schedule leave is medically necessary, if an employee has a serious health condition that requires a treatment regimen which is best accommodated by this type of leave. If the need for intermittent or reduced work schedule leave is foreseeable based on planned medical treatment, the employee must make a reasonable effort to

schedule the treatment to prevent disruptions of the City's operations.

When intermittent FMLA Leave is needed to care for an immediate family member or for the employee's own serious illness and is for planned medical treatment, the employee must try to schedule treatment in order to prevent disruptions of the City's operation.

Leave on a reduced work schedule basis refers to FMLA Leave taken by reducing an employee's usual number of hours per work week or workday for a period of time, such as switching from full-time to part-time work for several weeks.

More than one FMLA Leave may be taken when each is taken on an intermittent or reduced work schedule basis. For example, an employee may take FMLA Leave for his or her own serious health condition and to care for his or her child with a serious health condition and to care for a parent with a serious health condition, all at the same time. All time taken, however, counts toward the total 12 weeks of FMLA Leave allowed during a calendar year.

Although an employee may be required to receive the City's permission to take FMLA Leave on an intermittent or reduced work schedule basis in some situations, permission is not needed when such a leave is medically necessary.

An employee taking FMLA Leave on an intermittent or reduced workweek basis may be temporarily transferred to an available alternative position with equivalent pay and benefits, if the employee qualified for the position and if the position better accommodates the recurring periods of leave.

Employees who require FMLA Leave on an intermittent or reduced work week basis must submit a Request for Leave Form to the department head as far in advance of the need as practicable.

## **Family Military Leave Act**

The City will provide employees who have worked for the City for at least twelve (12) months with unpaid Family Military Leave in accordance with state and federal law if an employee has also worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the leave. An employee who is a spouse, parent or child of an individual who: a) is a member of a regular component of the Armed Forces deployed to a foreign country; or b) who is a member of a reserve component of the Armed Forces called or ordered to active duty and deployed to a foreign country under a call or order to active duty may be eligible for leave to attend to emergencies arising out of such active duty ("Non-medical Family Military Leave") or to provide care for a service member ("Medical Family Military Leave"). An eligible employee who is a grandparent of an individual called to military service lasting longer than thirty (30) days and who has exhausted all other paid leave may be eligible to take up to 30 days of unpaid leave consistent with state law.

### **Non-Medical Family Military Leave**

An eligible employee may take up to twelve (12) weeks of leave to attend to arising exigencies out of the fact the spouse, son, daughter, or parent of the employee has been deployed to a foreign country or has been called or ordered for such deployment. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

If the employee's need for leave is foreseeable, the employee must give the City at least fourteen (14) days prior written notice if the employee is requesting leave for five (5) or more days. Where the need for leave is not foreseeable or where the employee needs to take fewer than five (5) days of leave, the

employee is expected to notify the City of the need for time off as soon as the employee learns of such need, generally on the same day. Such leave may be taken intermittently or on a reduced schedule. The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Employees will be required to use accrued vacation, personal and compensatory time during Non-Medical Family Military Leave. To the extent this leave extends beyond all such accrued leave, the remainder of the leave will be unpaid. Also, Non-Medical Family Military Leave will be counted against the employee's annual twelve (12) week FMLA allotment as measured on a rolling backward basis. An employee will not be entitled to more than twelve (12) weeks of Non-Medical Family Military or FMLA leave, paid or unpaid. During an approved Non-Medical Family Military leave, employees remain entitled to continue group health insurance as if the employee continued to be actively employed. When leave is unpaid, employees must arrange to pay their portion of the health insurance premium, as the employee's health coverage may cease if the premium payment is more than thirty (30) days late. At the conclusion of the Non-Medical Family Military Leave, an employee shall be restored to his/her same position with the City or to an equivalent position.

### **Family Military Medical Leave**

If eligible, an employee may take up to twenty-six (26) weeks to care for a spouse, parent, child or an individual for who the employee is the nearest blood relative: a) who has a serious injury or illness that was incurred in or that existed prior to and was aggravated in the line of duty while on active military duty and that may render the service member medically unfit to perform the duties of his/her military position; orb) who is a veteran who undergoes medical treatment, recuperation or therapy for such a serious injury or illness during a five (5) year period following termination from duty. Such leave must be completed with twelve (12) months from the first day Family Military Leave is taken. Such leave may be taken intermittently or on a reduced schedule subject to the employee providing appropriate notice of the need for leave and certification from the service member's health care provider. If the employee's need for leave is foreseeable, the employee must give the City at least thirty (30) days prior written notice. Where the need for leave is not foreseeable, employees are expected to notify the City of the need for time off as soon as the employee learns of such need, generally on the same day. Such leave may be taken intermittently or on a reduced schedule.

The City will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Employees will be required to use accrued vacation, personal, compensatory time, and eligible sick time during Family Military Medical Leave. To the extent this leave extends beyond all such accrued leave, the remainder of leave will be unpaid. Family Military Medical Leave will be counted against an employee's annual twelve (12) week FMLA allotment. An employee may take leave for other qualifying reasons under the FMLA during the twelve (12) month window that the employee is eligible for Family Military Medical Leave; however, combined leave under the FMLA is limited in two (2) key regards: 1) an employee may not take more than twelve (12) weeks of leave for any other reason than Family Military Medical Leave; and 2) any leave that is taken cannot exceed the difference between twenty-six (26) weeks and the amount of leave taken within the employee's twelve (12) week allotment for other qualifying reasons. If a husband and wife both work for the City and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of twenty-six (26) weeks of leave.

During an approved Family Military Medical Leave, employees remain entitled to continue group health insurance as if the employee continued to be actively employed. When leave is unpaid, the employee must arrange to pay his or her portion of the health insurance premium, as health coverage may cease

if the employee's premium payment is more than thirty (30) days late. At the conclusion of Family Military Medical Leave, the employee shall be restored to his/her same position with the City or to an equivalent position.

## **Domestic Violence or Sexual Assault – Victims' Economic Security and Safety Act (VESSA)**

The City of Lincoln provides unpaid leave to employees who are victims of domestic violence, sexual violence, gender violence, or any other crime of violence, or to employees who have family or household members who are victims of such violence.

An employee who is a victim of domestic violence or sexual assault may take time off in order to obtain judicial relief to help ensure the health, safety or welfare of the employee or his child/children. If employee needs time off on account of domestic violence or sexual assault, they should notify the

supervisor as soon as possible so that arrangements to accommodate the absence may be made. If advance notice is not possible the employee must provide appropriate written certification of the reasons for the absence upon return to work. The City will make every reasonable effort to maintain the confidentiality of any employee requesting time off on account of domestic violence or sexual assault.

Time off on account of domestic violence, sexual violence, gender violence, or any crime of violence or to employees who have family or household members who are victims of such violence is unpaid. However, an employee may use any available vacation time. No action will be taken against the employee in any manner for requesting or taking time off as provided for in this policy.

An employee may also take time off for any of the following:

- To seek medical attention for injuries caused by domestic violence or sexual assault;
- To obtain services from a domestic violence shelter, program or rape center as a result of domestic violence or sexual assault;
- To obtain psychological counseling related to an experience of domestic violence or sexual assault;
- To participate in safety planning and take other actions to increase safety from future domestic violence or sexual assault.
- Temporarily or permanently relocation;
- Taking legal action, including preparing for or participating in civil or criminal legal proceedings
- Attending funeral or alternative for family or household member killed in a crime of violence
- Making arrangements necessitated by death of family or household member killed in a crime of violence

To request VESSA leave, contact your supervisor. Documentation may be required.

## **Bereavement Leave**

Any death occurring in the immediate family of an employee (spouse, mother, father, brother, sister, son or daughter, mother and father-in law) should be reported promptly to your department supervisor.

Employees who have been employed for at least two weeks are entitled to unpaid leave following the loss of a child by suicide or homicide. The unpaid leave entitlement is up to six (6) weeks of unpaid leave. Employees may substitute other available paid or unpaid leave for this leave. This leave does not extend the maximum leave available under the federal Family and Medical Leave Act (FMLA) or

other federal, state, or local law. Employees may not take both Child Extended Bereavement Leave and Family Bereavement Leave for the death of the same child.

Reasonable time off will be granted without loss of pay. Time off is not to exceed three (3) working days.

Regular full-time employees are eligible for Bereavement Leave upon hire. Part-time employees and temporary/seasonal employees are not eligible for paid Bereavement Leave.

Employees wishing to attend funeral services for others may take personal time to attend services as long as it does not cause an undue hardship or compromise staffing levels. Request for bereavement leave should be made to the department supervisor.

## **Jury Duty/Witness Leave**

An employee required to render jury service shall be entitled to be absent from work during that service and will be paid the difference between any payment received for jury duty and the employee's regular salary up to twenty (20) working days each calendar year. To qualify for jury or witness duty leave, an employee must submit to his supervisor a copy of the summons as soon as it is received. In addition, proof of service must be submitted to the employee's supervisor when the period of jury or witness duty is completed.

Unless clarified in a specific union contract, if a full-time employee is summoned or required by subpoena to appear in court as a witness, he may take unpaid time off, as long as he provides the supervisor with reasonable advance notice.

## **Voting**

It is the policy of the City to permit employees to be absent from work to vote in local, state or national elections. Employees who cannot reach their polling place outside of work hours will be permitted paid time off to vote. The time off to vote may not exceed two (2) hours. Evidence of voter registration and voting may be required.

## **Illinois School Visitation Rights Act**

The Illinois School Visitation Rights Act grants employed parents and guardians an allotment of time during the school year to attend necessary educational conferences or activities at their children's schools, if they are unable to meet with educators because of a work conflict.

An employer must grant an employee leave of up to eight hours during the school year, and no more than four hours of which may be taken on the same day, to attend school conferences or activities, if the activities cannot be scheduled during non-work hours.

Employees can use vacation time or, if no time is available, take unpaid leave.

## **Blood and Organ Donation Leave**

Employees are entitled to one hour paid time off every 56 days to donate blood. In order to be eligible for this leave an employees must be full-time, employed for at least six (6) months, and receive the prior approval of his supervisor at the City. The Employee Blood and Organ Donation Leave Act provides that a full-time or a part-time employee may use up to 10 days of leave in any 12-month period to serve as an organ donor. If the person is a part-time employee using leave to serve as an

organ donor, the City of Lincoln must calculate the daily average pay the part-time employee received during the employee's previous 2 months of employment and compensate the part-time employee in the amount of the daily average pay for the leave days used.

## **Military Funeral Honors Detail Leave**

Employees who have been employed for at least 12 months and provided at least 1250 hours for the City of Lincoln during the immediately preceding 12 months are entitled to military funeral honors detail leave. To be eligible, the employee must also be: (1) trained to participate in a funeral honors detail at the funeral of a veteran; and (2) either: (1) a retired or active member of the armed forces of the United States or a member of a reserve component of the armed forces of the United States, including the Illinois National Guard; or (b) an authorized provider, or a registered member of a nonprofit or other organization that is an authorized provider, including a member of a veterans service organization. "Authorized provider" means an individual or group recognized by the armed forces who are not service members or employees of the United States government and who supplement the unit members of a military funeral honors detail. Authorized providers may include but are not limited to veterans service organizations, training volunteers of the Reserve Officer Training Corps, honor guards, and other appropriate individual organizations that support the rendering of military funeral honors.

Covered employees may take up to eight (8) hours of paid leave per month to participate in a funeral honors detail, with up to a total of forty (40) hours of funeral honors detail leave per calendar year. Employees may take this leave in lieu of, and without having exhausted, any accrued or unused vacation leave, personal leave, compensatory leave, sick leave or disability leave. Employees must be paid at their regular rate of pay for this leave.

Employees must provide reasonable advance notice prior to taking the leave. The employer may request documentation verifying the employee's participation in the funeral honors detail. Accepting verification may include confirmation from the veterans service organization that dispatched the employee to the funeral honors detail or official notice to the employee in relation to the funeral honors detail.

## **Employment Development**

### **Training - Education**

All outside training must be approved by Department Head if funds approved by the City Council are to be utilized. Employees requesting outside training must give department supervisors two (2) weeks' advance notice. Training and education costs will be paid during the week but will be voluntary on weekends.

### **Performance Reviews**

Unless prescribed by a collective bargaining agreement, all employees are considered for performance reviews at least once a year in April. The performance of new employees is reviewed six (6) months after employment and at least once a year in April thereafter.

All employees must sign the written evaluations. The signature does not necessarily indicate agreement with the contents of the evaluation, only that the employee has been made aware of it. Employees may attach comments to the evaluation.

## **Safety and Security**

### **Employee Safety and Health**

Nothing is more important to the City of Lincoln than the safety and security of its employees. It is the policy of the City of Lincoln to provide its employees with a safe and healthy workplace and to follow procedures aimed at safeguarding all employees. Safety is everyone's responsibility. Every supervisor is expected to devote the time and effort necessary to ensure the safety of employees at all times. In addition, all Occupational Safety & Health Administration (OSHA) regulations must be followed.

Responsibilities of the employee include:

- Obeying the safety rules.
- Following safe job procedures. Not taking short cuts.
- Keeping work areas clean and free from slipping or tripping hazards.
- Using prescribed personal protective equipment.
- Immediately reporting all malfunctions to a supervisor.
- Using care when lifting and carrying objects.
- Observing restricted areas and all warning signs.
- Knowing emergency procedures.
- Following the care prescribed by an attending physician when treated for an injury or illness.
- Promptly reporting every accident and injury to the employee's immediate supervisor.
- Reporting unsafe conditions to supervisor.
- Attending all employee safety meetings.
- Participating in accident investigations, serving on a safety committee or other loss control activities as needed.

Failure to observe these guidelines may result in disciplinary action, up to and including termination of employment.

### **Drug-Free Workplace and Drug and Alcohol Testing**

As a condition of continued employment, all City employees must comply with the City's Drug-Free Workplace and Drug and Alcohol Testing policy. The term "workplace" is defined as City of Lincoln property, any City of Lincoln sponsored activity, or any other site where the employee is performing work for the City or representing the City of Lincoln.

The term "drug" as used in this policy includes alcoholic beverages and prescription drugs, as well as illegal inhalants and illegal drugs and/or controlled substances as defined in schedules I through V of the Controlled Substances Act, 21 U.S.C. Sec. 812, 21 C.F.R. Sec 1308, and the state and local law of the jurisdiction where the workplace is located, including, but not limited to, marijuana, opiates (e.g., heroin, morphine), cocaine, phencyclidine (PCP), and amphetamines. An employee who engages in an activity prohibited by this policy shall be subject to disciplinary action, up to and including immediate termination of employment.

Prohibited activities under this policy include the possession, use, sale, attempted sale, distribution, manufacture, purchase, attempted purchase, transfer, or cultivation of drugs (as defined above) in the workplace (as defined above). Employees are also prohibited from being at the workplace with a detectable amount of drugs in their system. However, the use and/or possession of prescription drugs, when taken as directed and obtained with a valid prescription, shall not be a violation of this policy.

Information regarding the availability of treatment programs, such as assistance provided by the City of Lincoln health care plan coverage, drug and alcohol abuse rehabilitation programs, and/or the requirements for participation in drug and alcohol abuse education and training programs, may be requested by contacting the Department Head and or Mayor.

All employees, as a condition of employment, will:

- Abide by the terms of the statements.
- Notify the employer in writing of any criminal drug statute conviction or a violation occurring in the workplace no later than five (5) calendar days after such conviction.
- Be provided with ongoing drug-free workplace training to inform them of the hazards of alcohol and substance abuse in the workplace.
- Be aware that the City of Lincoln shall, with evidence of the violation of this Act: (a) take appropriate personnel action against the employee, up to and including immediate termination;
- or (b) require such employee to satisfactorily participate in a substance abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, the City of Lincoln and/or another appropriate agency.
- Make good faith effort to continue to maintain a drug-free workplace through implementation of numbers 1-4 (above) and be provided with a copy of the Drug-Free Workplace Act of 1988.
- Agree to the certification by the employee that he will not engage in the unlawful

manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of work duties with the City of Lincoln as evidenced by his signature on the Drug-Free Workplace Act Certification Form (to be kept in the employee's personnel record).

*This policy is not intended to replace or otherwise alter the obligation the City of Lincoln to comply with requirements of the U.S. Department of Transportation or any other federal, state or local agency that regulates drug testing administration or a particular industry.*

This policy does not prohibit the responsible use of alcohol outside of normal working hours or at company-sponsored events. "Responsible" use of alcohol includes staying below applicable legal alcohol limits and maintaining standards of professional conduct.

The City may require employees to submit to testing on a random basis at time and place designated by the City. Random is defined as all employees covered by this policy with all employees eligible for selection. Employees randomly selected will be notified at the time they report to work. The City shall determine the number of employees to be tested at the time designated by the City. If the City deems it to be necessary, all employees can be selected at the time designated by the City.

Should a supervisor believe that reasonable suspicion exist that an employee may be under the influence of drugs or alcohol, that supervisor is required to have the employee submit to testing performed by qualified medical personnel. Testing is also required of any employee who is involved in an accident while operating a City owned vehicle or machinery. Failure or refusal to submit to a test may result in disciplinary action up to and including termination.

## **Workplace Threats and Violence**

The City of Lincoln has "zero-tolerance" for violent acts, threats of violence, bullying, and physical confrontations. The City expects an employee to conduct himself in a non-threatening and nonviolent manner at all times. No direct, conditional, or veiled threat of harm to any employee or City property will be considered acceptable behavior. Acts of violence or intimidation of others will not be tolerated. Any employee who commits or threatens to commit a violent act against any person while on City premises at a City event, will be subject to immediate discharge and will be fully prosecuted. If an employee, while engaged in City business off the premises, commits or threatens to commit a violent

act, that employee will be subject to immediate discharge if the threat or violent act could adversely affect the City of Lincoln or its reputation in the community.

Prohibited conduct includes:

- Physical confrontation causing physical injury to another person;
- Making threatening remarks, obscene or abusive language or gestures in a threatening manner;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon or threatening to use a weapon while on City property or while on City business except with the authority of the Police Chief; and
- Committing acts motivated by or related to sexual harassment or domestic violence.

City of Lincoln premises means all areas within the ownership and/or control of the City of Lincoln, including, but not limited to, buildings, offices, work areas, garages, parking lots, desks, cabinets, lockers, storage areas, vehicles, closets, and any other City owned property or leased property on which employees may work.

Any potentially dangerous situations must be immediately reported. Because of the potential for misunderstanding, joking about any of the above listed prohibited conduct is also prohibited. The City will actively intervene in any potentially hostile or violent situation. Employees of the City share the responsibility in identification and alleviation of threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to his supervisor or a member of management. Employees must assume that any threat is serious. Any threat reported to a supervisor should be brought to the attention of the Mayor, who will carefully investigate all reports, and ensure employee confidentiality is maintained to the fullest extent possible.

## **Weapons**

It is the intent of the City of Lincoln to provide a safe and secure workplace for employees, clients, customers of clients, visitors, and others with whom we do business. Unless specifically required for job performance, the City of Lincoln expressly forbids employees from wearing, transporting, storing, or presenting a firearm or other dangerous weapon on City property. The City has "zero tolerance" for possession of any type of weapon, firearm, explosive, or ammunition. City property includes, but is not limited to, all City facilities, vehicles, and equipment, whether leased or owned by the City of Lincoln or its client. In addition, firearms in employee-owned vehicles parked on City property are strictly forbidden.

The possession of firearms on City property will be cause for discipline including immediate termination of employment. In enforcing this guideline, the City reserves the right to request inspections of any employee and his personal effects, including personal vehicles while on City premises. Any employee who refuses to allow inspection will be subject to the same disciplinary action as being found in possession of firearms.

An employee within the City of Lincoln shares the responsibility of identifying violators of this guideline. An employee who witnesses or suspects another individual of violating this guideline should immediately report this information to his supervisor.

This policy shall not apply to law enforcement personnel engaged in official duties, or any person engaged in military activities sponsored by the federal or state government, while engaged in official

duties.

## **Smoking**

In accordance with the Smoke-Free Illinois Act smoking in the City of Lincoln offices, facilities, other facilities rented or leased by the City and City owned vehicles is strictly prohibited. (including, but not limited to, cigarettes, e-cigarettes or vaping devices, pipes, cigars, snuff, or chewing tobacco).

Individuals are also prohibited from smoking or using tobacco products within fifteen (15) feet of the entrance to City offices or facilities. Any employee smoking in any nonsmoking area may be subject to disciplinary action, up to and including termination. Please contact your supervisor or Department Head if you have any questions regarding the smoking policy.

## **Reporting Accidents**

The City of Lincoln is committed to providing a safe and healthy work environment for its employees. All employees must understand and follow the rules and safety standards, and understand and operate tools, machinery, and equipment in a safe manner. Employees must report all accidents or injuries, no matter how minor they appear, to the department head immediately. The department head must file a completed report with the City Clerk within 24 hours of the reported incident by the employee.

## **Use of City Equipment, Electronics and Property**

### **Use of City Equipment**

The City of Lincoln property, equipment, resources and reference materials may be used by employees during the regular course and scope of employment for City business purposes. An employee is expected to take proper precautions concerning the equipment, reference material and/or property he is assigned to use. City equipment (including, but not limited to, computers, printers, fax machines, cellular phones, PDAs, etc.) assigned to an employee is the property of the City and may not be removed from the building without first obtaining written permission from your supervisor. Failure to adhere to this policy may result in disciplinary action, up to and including termination.

Any equipment that is malfunctioning should be reported immediately to your supervisor. In an effort to ensure the safety and welfare of employees and invitees, the City of Lincoln reserves the right, on reasonable suspicion that the City policy is being violated, to conduct searches or inspections of an employee and his desk, personal effects, locker, lunch box, purse, baggage, and any other property located on the City of Lincoln premises or worksites, his private vehicles, if parked on City premises or worksites, and his quarters, if furnished by the City. Entry on the City premises or worksites constitutes consent to searches or inspections.

### **Use of Communication Systems**

It is the intent of the City of Lincoln to provide the communication systems necessary for the conduct of its business. An employee is expected to adhere to proper use of all communication systems. These include but are not limited to the telephone, electronic mail (e-mail), instant messaging (**IM**), facsimile, internet, corporate intranet, social media sites, voice mail, computer terminals, modems and systems software. Communication systems and equipment are provided by the City to facilitate the performance of City work. Incidental personal use is secondary, should not interfere or conflict with business use or job performance, should clearly indicate that it is personal usage and is subject to regulation for cost controls required by the City. The City consents to the reasonable personal use of its communication systems but employees must comply with the City of Lincoln policies and

procedures regarding its use. Employees are expected to use common sense and sound judgment to avoid any communication which is disrespectful, offensive, or illegal. Department heads and supervisors are cautioned against permitting excessive computer or Internet utilization for personal, social, civic or other purposes not directly benefiting the operation of the City.

The communication systems are owned and operated by the City of Lincoln. Any communication through the City communication system is public record subject to possible disclosure to the public pursuant to the provisions of the Freedom of Information Act. An employee should have no expectation of privacy of any correspondence, messages or information in the systems. When using the City's communication system, the user agrees that the City has unrestricted access and the right to disclose all information communicated or stored on the communication system for any security, health, employment or other legitimate business reasons. Legitimate reasons also include systems maintenance, message routing, retrieval of business information, trouble-shooting hardware and software problems, preventing system misuse, protecting confidential property information, insuring compliance with software license policies, and complying with legal and regulatory requests for information.

The City reserves the right to access and disclose all such messages sent for any purpose. All such messages, regardless of content or the intent of the sender, are a form of corporate correspondence, and are subject to the same internal and external regulation, security and scrutiny as any other corporate correspondence. E-mail communications must be written following customary business communication practices as is used in City correspondence. E-mail communications are official internal City communications, which may be subject to summons in legal proceedings. Work-related messages should be directed to the affected employee(s) rather than sending a global message to all employees.

The City of Lincoln's communication systems shall not be used as a forum to promote religious or political causes, or an illegal activity. Offensive or improper messages or opinions, transmission of sexually explicit images, messages, cartoons, or other such items, or messages that may be construed as harassment or disparagement of others based on race, color, national origin, sex, sexual orientation, age, disability, religion or status as a Vietnam Era veteran are also prohibited on the City of Lincoln's communication systems.

An employee shall not attempt to gain access to another employee's personal communications system and messages. The City, however, reserves the right to access an employee's messages at any time, without giving notice to the employee. Any violation of these guidelines may result in disciplinary action, up to and including termination.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images, or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people, or job-related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorded or cellular telephone. This section also applies in off-duty scenarios regarding any law enforcement related activities. Any photographs, images, or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code, guideline or directive concerning storage, release, and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisor as soon as practical. For the purposes of this section, as "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flight from accidents or crimes.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people, or job related incident or occurrence

take with a personal or agency analog or digital device, camera or cellular phone to any person, entity, business, or media or Internet outlet whether on or off duty without the express written permission of the Mayor.

## **Internet Code of Conduct**

Access to the Internet has been provided to staff members for the benefit of the City and its customers. It allows employees to connect to information resources around the world. Every staff member has a responsibility to maintain and enhance the City's public image, and to use the Internet in a productive manner. To ensure that all employees are responsible, productive Internet users, and are protecting the City of Lincoln's public image, the following guidelines have been established for using the Internet.

**Acceptable Use of the Internet** - An employee accessing the Internet is representing the City of Lincoln. All communications should be for professional reasons relating to City business. Accordingly, an employee should use the City's electronic resources to further the City's ability to conduct its business in a manner that is consistent with performance of his duties and responsibilities. Any abuse of the City of Lincoln's electronic resources for personal use, or in a manner that interferes with work or any responsibilities to customers, vendors, suppliers or colleagues, will result in disciplinary action up to and including termination. All employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Internet Relay Chat channels may be used to conduct official City business, or to gain technical or analytical advice. Databases may be accessed for information as needed. E-mail may be used for business contact.

**Unacceptable Use of the Internet** - The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-City of Lincoln business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the City network or the network of other users. It must not interfere with productivity. Electronic media may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters unless specifically permitted by law.

**Communications** - Messages or information sent by an employee to anyone outside of the City via electronic networks will reflect on the City. While some users include personal "disclaimers" in electronic messages, statements are still tied to the City of Lincoln. Each employee is responsible for the content of all text, audio or images that he/she places or sends over the Internet or The City of Lincoln's technical resources. Transmission, printing or storing of any communications that are fraudulent, discriminatory, harassing, obscene or X-rated is prohibited. All messages communicated on the Internet should have the user's name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language may be transmitted through the system. Employees who wish to express personal opinions on the Internet are not to use the City of Lincoln's communication systems. All messages communicated using technical resources must not disclose any confidential or proprietary information from the City of Lincoln.

Information received over electronic media or the Internet cannot be controlled entirely, but when items in violation of this policy are received, the receiver employee should immediately inform the sender by return media that this material is not welcome at the City, and that the sender should not send any similar material in the future. The return message should be saved as proof of policy compliance. If

information of this nature continues to be sent, the employee should refer it to his supervisor immediately.

**Software** - To prevent computer viruses from being transmitted through the system there will be no unauthorized downloading of any software. All software downloads must be those registered to the City of Lincoln and require prior management approval.

**Copyright Issues** - Copyrighted materials belonging to entities other than the City of Lincoln may not be transmitted by staff members on the Internet. One copy of copyrighted material may be downloaded for use in research. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner/developer.

Failure to observe copyright or license agreements may result in disciplinary action from the City, up to and including immediate termination, or legal action by the copyright owner.

**Artificial Intelligence (AI)** – All use of generative AI tools while performing work for the City of Lincoln require prior authorization.

City email, credentials, and phone numbers are never to be used to create an account with any platforms or technologies relating to AI. Proprietary or confidential City information or confidential constituent or employee information of any kind may not be submitted (whether copies, typed, etc.) into any of these platforms.

**Security** - All messages created, sent or retrieved over the Internet are the property of the City, and should be considered public information. The City of Lincoln reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

All staff must have backup procedures in place for data on their computer in the event of a crash.

Harassment of any kind is prohibited. Messages with derogatory or inflammatory remarks about an individual or group's race, color, sex, disability, religion, national origin, physical characteristics or attributes, age, sexual orientation, or veteran status will not be permitted.

Due to the potentially severe penalties imposed upon the City of Lincoln for copyright infringement and/or infractions of other federal, state or local laws, violations of any guidelines listed herein may result in disciplinary action, up to and including immediate termination, even for a first offense. If necessary, the City of Lincoln will advise appropriate legal officials of any illegal violations.

All City of Lincoln disks, files, software, data, hardware, laptops or other items or information must be returned by an employee to the City upon termination of employment.

## **Social Media Policy**

### **PURPOSE AND SCOPE**

This policy is intended to address issues associated with the use of social networking sites and provide guidelines for the regulation and balancing of member speech and expression with the needs of the City of Lincoln.

This policy applies to all forms of communication including but not limited to digital media, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions

as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy

## **POLICY**

Participating in social or professional networking sites (including, but not limited to Facebook, MySpace, LinkedIn, Twitter, etc.) and blogging can be excellent ways to develop your personal and professional networks and to engage in business development. Given the reach of the Internet, however, online networking and blogging can also lead to personal and professional embarrassment and other negative ramifications for you and the City.

Employees who maintain personal web pages and web sites, including but not limited to Facebook, YouTube, MySpace, LinkedIn, Twitter, etc., shall not post information on such sites that would constitute a violation of the personnel policies of the City if expressed or published using any other medium or in any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be phrases, photographs, images or information that adversely reflects on the employee's fitness for duty or constitutes a violation of the personnel policies of the City. This policy was created for all employees who participate in on-line social and professional forums, whether at home or in the office. This Policy is in addition to (i.e., it does not replace) the City's existing policies, including the City's policies prohibiting discrimination and harassment, and our electronic communications/ monitoring policy.

Clients, partners, suppliers and/or employees should not be cited or referenced without their approval. Sharing confidential information, even unintentionally, can result in legal action against employees and/or the City. Employees should not harass, threaten, libel, malign, defame, disparage or discriminate against colleagues, customers, competitors or anyone else. Employees should not use personal insults or obscenities or engage in conduct that would not be acceptable in a professional environment.

Work issues are best addressed at work.

While it may be tempting to seek advice or complain about work-related problems online, it is more appropriate (and more productive) to address them in an appropriate setting at work. Where no policy or guideline exists, employees are expected to use their professional judgment and take the most prudent action possible. If an employee is uncertain about the appropriateness of a social networking posting, he should check with his supervisor.

If the posts on social networking mention the City, its products or services, employees, customers, and/or competitors, it should be made clear the employment relationship with the City and that the views posted are the employees alone and do not represent the views of the City. Unless given written consent, employees may not use the City's logo or trademarks on personal posts. Social networking activities should not interfere with duties at work. The City monitors its facilities to ensure compliance with this restriction. All postings on social networking must comply with the City's confidentiality and disclosure of proprietary information policies. If an employee is unsure about the confidential nature of information being considered for posting, consult with the supervisor. Comply with copyright laws and cite or reference sources accurately. Do not link to the City's website or post City material on a social networking site without written permission obtained from the Mayor. Violation of this policy may lead to discipline up to and including the immediate termination of employment.

## **1 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT**

To meet the safety, performance, and public-trust needs of the City of Lincoln, the following are prohibited unless the speech is otherwise protected (e.g., a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- a. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the City of Lincoln or its member.
- b. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the City of Lincoln and tends to compromise or damage the mission, function, reputation, or professionalism of the City of Lincoln or its members. Examples may include:
  1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
  2. Expression that demonstrates support for criminal activity.
  3. Participation in sexually explicit photographs or videos for compensation or distribution.
- c. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
- d. Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the City of Lincoln
- e. Use or disclosure, through whatever means, of any information, photograph, digital media, or other recording obtained or accessible as a result of employment or appointment with the City of Lincoln for financial or personal gain, or any disclosure of such materials without the express authorization of the employee's department head or the authorized designee.
- f. Posting, transmitting, or disseminating any photographs, digital media or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the City of Lincoln on any personal or social networking or other website or web page, without the express authorization of the City of Lincoln.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

## **UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS**

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the City of Lincoln or identify themselves in any way that could be reasonably perceived as representing the City in order to do any of the following, unless specifically authorized by the City of Lincoln:

- a. Endorse, support, oppose, or contradict any political campaign or initiative.
- b. Endorse, support, oppose, or contradict any social issue, cause, or religion.
- c. Endorse, support, or oppose any product, service, company, or other commercial entity.

- d. Appear in any commercial, social, or nonprofit publication; or any motion picture, film, video, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that a member, acting in their individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with the City, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the City of Lincoln.

Employees retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

### **PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site, including social media, that is accessed, transmitted, received, or reviewed on any [department/office] technology system (see the information Technology Use Policy for additional guidance).

### **PERSONAL ONLINE ACCOUNTS**

The City of Lincoln shall not request, or coerce, any applicant or member to divulge any username, password, or related account information in order to gain access to the applicant or employee's personal online account, nor shall the City of Lincoln demand access in any manner to an applicant or member's account or profile on a personal online account (820 ILCS 55/10).

Employees may be required to share specific content that has been reported to the City of Lincoln, without requesting or requiring members to provide access to their personal online account, as set forth in 820 ILCS 55/10.

### **CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the employee's department head or the authorized designee should consider include:

- a. Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- b. Whether the speech or conduct would be contrary to the good order of the City of Lincoln or the efficiency or morale of its members.
- c. Whether the speech or conduct would reflect unfavorably upon the City of Lincoln.
- d. Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of their duties.
- e. Whether similar speech or conduct has been previously authorized.
- f. Whether the speech or conduct may be protected and outweighs any interest of the City of Lincoln

## **Confidentiality**

It is the guideline of the City that the general internal business affairs of the organization should not be discussed with anyone outside the organization except as may be required in the normal course of business. Information designated as confidential is to be discussed with no one outside the organization and within the organization on a "need-to-know" basis only.

All employees have a responsibility to avoid unnecessary disclosure of non-confidential internal information about the City of Lincoln, its customers, and its suppliers. This responsibility is not intended to impede normal business communications and relationships, but to alert employees to their obligation to use discretion to safeguard internal affairs. An employee authorized with access to confidential information is responsible for its security. Inquiries seeking information concerning applicants for employment, current employees, or former employees should be referred to the Mayor. All reference requests should be referred to the Mayor.. Employees found in violation of this policy are subject to disciplinary action, up to and including termination. E-mail messages containing confidential information should include the following statement, in all capital letters, within (at the beginning or end of) the message:

*THIS E-MAIL MAY CONTAIN CONFIDENTIAL OR PROPRIETARY MATERIAL FOR THE SOLE USE OF THE INTENDED RECIPIENT. ANY REVIEW, USE, DISTRIBUTION OR DISCLOSURE BY OTHERS IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AUTHORIZED TO RECEIVE THE INFORMATION FROM THE RECIPIENT, PLEASE CONTACT THE SENDER BY EMAIL AND DELETE ALL COPIES OF THIS MESSAGE.*

## **Cellular Phone Use Guidelines**

The City of Lincoln may provide cellular phones for some positions for business use. Cellular phones issued to employees are the property of the City and use must be properly documented. These guidelines must be followed when using a cellular phone issued by the City of Lincoln.

The City of Lincoln cellular phones will be assigned to those employees who have a job -related need for them.

Any employee issued a cellular phone for business use will be expected to carry the phone on his person as directed by his supervisor.

An employee is permitted to use a City cellular phone for personal use during non-peak hours, provided the City does not incur additional costs for usage. An employee must ensure that friends and family members are aware of the City's policy.

Any cellular phone expenses for personal use will not be paid by the City and are the employee's personal responsibility or must be reimbursed with a signed payroll deduction authorization form. Lost or stolen cellular phones are the employee's responsibility and must be reported immediately.

Upon termination of employment, the employee must return the City cellular phone to his supervisor.

## **Safety Issues for Cellular Phone Use**

The City of Lincoln values its employees and expects its employees to put safety first while driving and working. Employees whose job responsibilities include regular or occasional driving are expected

to refrain from using his personal or City issued phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, the employee must pull off to the side of the road and park the vehicle in a safe location before placing or accepting a call.

If acceptance of a call is unavoidable and pulling over is not an option, an employee is expected to keep the call short, use hands-free equipment, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area. An employee whose job responsibilities do not specifically include driving as an essential function, who is issued a cell phone for business use, and occasionally drives either a rental car or their personal vehicle are also expected to abide by the provisions above. Under no circumstances is an employee allowed to place themselves at risk to fulfill business needs.

No employee shall use his personal or City issued cell phone in any way while operating City equipment where concentration is required for the safe operation of such equipment. Such equipment shall include, but not be limited to, street sweepers sweeping the streets, plowing snow, end loaders and backhoes loading material, any equipment engaged in seal-coating or street re-surfacing, and hand-held equipment. The only time the use of a cellular phone is permissible in the above examples is when it is necessary to communicate with law enforcement officials or other emergency service personnel. Since use of a cell phone in any other such non-emergency situation places the employee, fellow workers, local citizens, and public and private property in danger, it will not be tolerated and is considered a terminable offense.

An employee whose job responsibilities do not specifically include driving as an essential function,

who is issued a cell phone for business use and occasionally drive either a rental car or their personal vehicle are also expected to abide by the provisions above. Under no circumstances is an employee allowed to place himself at risk to fulfill business needs.

## **Company Vehicles**

Some employees may be asked to operate a City owned vehicle as part of their job duties. In the course of such operation, employees are expected to exercise good judgment and safe-driving practices at all times, including avoiding any activity, which may distract their attention from the road or violate any law. Such activity may include speeding, reckless driving, ingesting alcoholic beverages, texting, or use of a cellular phone while driving. Employees driving City vehicles must meet the following requirements:

- Possess a valid driver's license
- Maintain an acceptable driving record
- Follow the guidelines stated below at all times

The following guidelines apply to all employees driving city vehicles:

- It is the policy of the City of Lincoln that City vehicles provided for employees be used only for City business.
- The City may allow employees to drive City vehicles home at night and on weekends for convenience and/or security purposes. Any personal use outside of the above examples must have the approval of the Department Head or Mayor prior to use.
- Only City of Lincoln employees are allowed to operate a City vehicle.
- Employees are expected to keep the vehicle clean and in good working condition. If maintenance is required on the vehicle, the employee will notify the appropriate personnel for servicing.

- Employees are expected to park the vehicle in legal areas intended for such. Employees must lock and safeguard the vehicle at all times.
- Personal travel outside of the City of Lincoln is prohibited. Under no circumstances should an employee use a City vehicle for unusual personal use including vacations, family moving, etc.
- Unless required by the job, firearms are strictly prohibited in City vehicles.
- City employees are not allowed to assist hitchhikers.
- Employees driving City vehicles are required to wear seat belts any time the vehicle is driven.
- If it is determined or discovered that a driver is involved in an accident while on personal business use, the driver will reimburse the City for the insurance deductible. The employee may also face disciplinary action which may include termination.
- All City vehicles are designated "non-smoking" areas.
- A Motor Vehicle Record (MVR) will be obtained for all employees operating a City vehicle at the time of hire, when the employee is involved in an accident while working, and for any other reason or at any time the City believes it is necessary to ensure safe vehicle operation.
- Employees who fail to maintain a safe driving record (MVR) or operate a motor vehicle in an unsafe manner are subject to disciplinary action, up to and including termination.

## **Personal Vehicles**

An employee may use his personal vehicle on official City business provided prior approval has been obtained from his supervisor. If employees are utilizing their own vehicles for company business, all company vehicle policies listed above must be followed. A mileage rate as established by the IRS for standard mileage rates will be paid to an employee who uses his personal vehicle on official City business.

According to the City of Lincoln regulations, an employee must provide the City of Lincoln with a copy of their driver's license and proof of insurance for their personnel record annually. An employee is responsible for complying with state laws and for personal insurance protection related to operation of the vehicle.

Any accident occurring while on City business must be immediately reported to the department supervisor.

## **Inclement Weather**

The Mayor will decide if the City offices will close due to inclement weather. Employees should contact their immediate supervisor if they have any questions about an official closing.

If the weather is inclement but the offices are not closed, employees are asked to use good judgment pertaining to safety in traveling to and from work. Loss of work time for this reason is charged to your accrued comp time or annual leave. If you have no time, then the time is charged as leave without pay.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

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I have received the City of Lincoln Employee Handbook, which is a general outline of the City's policies and the employees' responsibilities to the City. I understand this Handbook supersedes all previous Employee Handbooks and Policies. I agree to read, and I understand I am responsible for complying with its policies. I also understand I should consult the Department Head or Mayor if I have any questions that are not answered in this Handbook.

I understand the Employee Handbook expresses only current policies. I understand the City can, at its sole discretion, modify, eliminate, revise, or deviate from the guidelines and information in this Handbook as circumstances or situations warrant, as provided by law, except as restricted by any active, executed collective bargaining agreement. Such changes will supersede, modify, or eliminate the policies and benefits in this Handbook. Each employee's continued employment constitutes acceptance of these and future changes.

I understand that unless otherwise provided by a collective bargaining agreement, my employment is "at will". The Employee Handbook is not a contract of employment and does not create any legal rights, obligations or guarantees express or implied, on the part of the employee or the City. Either the City or I can terminate my employment at any time, with or without cause, and with or without notice. Termination shall be effective as of the date set forth in a written notice from one party to the other, or as otherwise determined.

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Employee Signature

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Employee Name (Printed)

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Date